

CITY OF WEST UNIVERSITY PLACE
HARRIS COUNTY, TEXAS

ORDINANCE NO. 3100

AN ORDINANCE OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, CREATING A NEW ARTICLE X, VACANT PROPERTIES AND STRUCTURES, TO CHAPTER 18, BUILDINGS AND DEVELOPMENT, OF THE CITY'S CODE OF ORDINANCES, TO PROVIDE REGULATIONS AND REQUIREMENTS RELATED TO REGISTRATION OF VACANT PROPERTIES WITHIN THE CITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR EACH VIOLATION OF THIS ORDINANCE WITH EACH DAY OF VIOLATION CONSTITUTING A SEPARATE VIOLATION; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council of the City of West University Place, Texas, finds that vacant properties, whether such properties contain structures or are empty lots, pose a risk of danger to the residents of the City through lack of property maintenance, growth of weeds and grass, unsecured attractions, and, frequently, degradation of the structure; and

WHEREAS, Subchapter H, Registration of Vacant Buildings, of Chapter 214, Texas Local Government Code, provides for the registration of vacant buildings; and

WHEREAS, the City Council of the City of West University Place, Texas, has determined that it is in the best interest of the health, safety and welfare of the citizens to adopt certain regulations requiring the registration of vacant properties as defined herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FO THE CITY OF WEST UNIVERSITY PLACE, TEXAS, THAT:

SECTION 1. The facts and matters contained in the preamble to this Ordinance are hereby found to be true and correct.

SECTION 2. The Code of Ordinances of the City of West University Place, Texas, is hereby amended by adding a new Article X, Vacant Properties, of Chapter 18, Buildings and Development, to add the language underscored below to read as follows:

“ARTICLE X – VACANT PROPERTIES AND STRUCTURES

“Section 18-280. Definitions. The following definitions shall apply in the interpretation and enforcement of this article. Words and terms not defined herein shall be construed in accordance with the ordinances of the city or their customary usage and meaning. When necessary for a reasonable construction of this article, words in the singular shall include the plural, words in the plural shall include the singular, and words used or defined in one tense or form shall include other tenses or derivative forms.

“Legal Occupation” means that a person or persons are habitually living in a place or abode with a legal right of possession, either as the owner or a tenant under a valid lease or agreement.

“Owner” means the person that owns the real property according to: (a) the real property records of the county in which the property is located; or (b) the records of the appraisal district in which the property is located.

“Vacant property” shall mean any building used or to be used which is not legally occupied and at which substantially all lawful construction operations or occupancy has ceased for more than one hundred fifty (150) days, any property without an active water utility account for more than thirty (30) days, or any lot which has had the main structure demolished.

Section 18-281. – Registration Required

(a) The owner of any vacant property shall, within thirty (30) days after the building or property becomes vacant property, or within thirty (30) days after assuming ownership of the vacant property, whichever is later, file a registration statement for each such vacant property with the Building Official or designee on forms provided by the Building Official for such purposes. The registration shall remain valid for one (1) year from the date of filing. The owner shall be required to renew the registration annually as long as the building remains vacant property and shall pay a registration or renewal fee in the amount prescribed by this chapter for each vacant property registered.

(b) The owner of the vacant property shall provide the following information, at minimum, when filing a registration statement for a vacant property:

- a. Owner(s) Name;
- b. Mailing address, other than the address of the vacant property or P.O. Box;
- c. Email address;
- d. Telephone number; and
- e. Name, address, other than the address of the vacant property, email address and telephone number of the individual or entity responsible for maintaining and securing the vacant property if not the owner; and
- f. Name, address, other than the address of the vacant property, email address and telephone number of an authorized agent of the owner, if any, for purpose of receiving notices of code violations and other legal notices pertaining to the vacant property, provided that such person lives in or maintains and office in the State of Texas.

(c) The owner shall notify the Building Official or designee within thirty (30) days of any change in the registration information by filing an amended registration statement on a form provided by the Building Official for such purposes.

(d) The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the City of West University Place against the owner or owners of the vacant property.

(e) By designating an authorized agent under the provisions of this section the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding process through the authorized agent. Any agent designated by an owner under this section shall be considered the owner's agent until such time as the owner notifies the Building Official of a change of authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this chapter.

(f) Registration under this section shall not be required if the vacant property is owned by the owner or owners of property directly contiguous to the vacant property and owners reside on the contiguous property.

Section 18-282. – Property Inspection.

After filing a registration statement or renewal of a registration statement, the owner of any vacant property shall, upon reasonable notice, provide access to the City to conduct an exterior inspection of the building or property to determine compliance with all applicable City and adopted Technical Codes, during the period covered by the initial registration or any subsequent renewal.

Section 18-283. – Fee Schedule.

The registration fee for each vacant property shall be five hundred dollars (\$500.00).

Section 18-284.-Requirements of Owners of Vacant Property

The owner of any vacant property, and any person maintaining, operating or collecting rent for any such vacant property shall, within thirty (30) days after the building or property becomes vacant property:

(a) Secure any building, structure or improvement against unauthorized entry as provided in the applicable provisions of the Code of the City of West University Place.

(b) Secure the building from unauthorized entry until the building is again legally occupied or demolished or until repair or rehabilitation of the building is completed.

Section 18-285. – Violations and Penalties.

Any person who intentionally, knowingly, recklessly, or with criminal negligence violates any provision of this Article or of the rules and regulations

issued herein shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day in which any violation occurs, or each occurrence of any violation, shall constitute a separate offense. Fines assessed under this chapter shall be recoverable from the owner and, in circumstances allowed by law, a lien for the City's costs shall be filed against the property.

Section 18-286. – No Restriction of Other Remedies

Nothing in this chapter is intended nor shall be read to conflict or prevent the City from taking action against buildings found to be unfit for human habitation, unsafe structures, or property not maintained as provided in applicable provisions of the Code of the City of West University Place. Further, any action taken under any such code provision shall not relieve an owner from its obligation under this chapter.”

SECTION 3. This Ordinance shall become effective on Second and Final Reading.

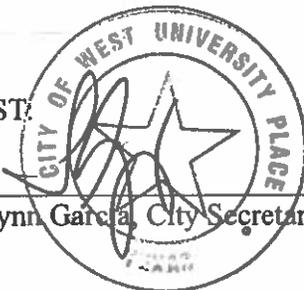
SECTION 4. If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, not the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

PASSED, APPROVED, AND ADOPTED ON FIRST READING on the 8 day of December 2025.

PASSED, APPROVED AND ADOPTED ON THE SECOND READING, AND SIGNED, on the 12 day of January, 2026.

ATTEST:

Tracylynn Garcia, City Secretary



FOR THE CITY

Susan Sample
Susan Sample, Mayor