

TOWN OF LAKEWOOD VILLAGE, TEXAS

**ORDINANCE NO. 07-11**

AN ORDINANCE OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, DESIGNATING A VACANT LOT REGISTRY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE NOT TO EXCEED TWO HUNDRED DOLLARS (\$500.00); PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF AS PROVIDED BY THE LOCAL GOVERNMENT CODE.

WHEREAS, the Town Council of the Town of Lakewood Village, Texas, (the “Town Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Lakewood Village, Texas (“Town”) and in the best interest of the public health, safety and welfare of the citizens and the public to designate a Vacant Lot Registry and Maintenance Requirement as set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS:**

SECTION 1. Findings and Purpose

It is the finding of the Town Council that vacant lots often pose habitual code violations due to failure to maintain mowing requirements. The purpose of this ordinance is to establish a program for identifying and registering vacant lots, to set forth the responsibilities of owners of vacant lots, and correct code violations.

SECTION 2. Definitions

Unless otherwise expressly stated, the following terms will, for the purpose of this ordinance have the meanings indicated in this section:

**ENFORCEMENT OFFICIAL** – Any duly authorized Town employee or designated representative.

**OWNER** – The person, persons, or entity shown to be the owner or owners on the records of the Denton County Central Appraisal District, those identified as the owner or owners on a vacant lot registration form, a mortgagee in possession, a mortgagor in possession, assignee of rents, receiver, executor, trustee, lessee, other person, firm or corporation in control of the premises. Any such person will have joint and several obligations for compliance with the provisions of this ordinance.

**VACANT LOT** – A platted or unplatted parcel of land, which does not contain a habitable or commercial structure.

### SECTION 3. Vacant Lot Registration

- a. Upon passage of this ordinance, an initial 30-day registration period will exist to allow current owners to register.
- b. The owner of each vacant lot will register with the Town of Lakewood Village no later than 30 days after acquiring a “vacant lot,” as defined above. An Enforcement Officer may identify vacant lots through his/her routine inspection process as well as through notification by residents, or other community groups that a lot may be eligible for inclusion on the registry. Notice will be served upon, or sent by mail to, the owner and will be deemed received by the owner, upon personal delivery; or after five days after service by first class mail.
- c. The registration will be submitted on forms provided by the Town of Lakewood Village and will include the following information;
  - i. A description of the premises.
  - ii. The names, addresses, and telephone numbers of the owner or owners who can be reached during business hours. The address must include a street address; a post office box is not acceptable.
- d. There is no fee for registration.
- e. Owner is required to update the form within thirty (30) days of a change of any information contained within the form.

### SECTION 4. Penalty Provision

Any person, firm, corporation or business entity violating this Ordinance, including failure to register, or providing false information shall be deemed guilty of a misdemeanor, and upon conviction thereof may be fined a sum not exceeding TWO HUNDRED DOLLARS (\$200.00) for each offense, plus court costs. Each continuing day’s violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the Town of Lakewood Village from filing suit to enjoin the violation. Lakewood Village retains all legal rights and remedies available to it pursuant to local, state and federal law.

### SECTION 5. Savings/Repealing Clause

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for

any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. Severability

It is hereby declared to be the intention of the Town Council that if any of the sections, paragraphs, sentences, clauses, and phrases of the Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the Town Council without the incorporation of this Ordinance of unconstitutional or invalid phrases, clauses, sentences, paragraphs, or sections.

SECTION 7. Effective Date

This Ordinance shall be codified and become effective immediately upon its passage and publication as required by law.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, on this 11th day of October 2007.**

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MIKE SCHNITTKER, Mayor Pro-Tem  
Acting Mayor

**ATTESTED AND CORRECTLY  
RECORDED:**

\_\_\_\_\_  
LINDA ASBELL, City Secretary



## **VACANT LOT REGISTRY FORM**

This form must be filed in accordance with Ordinance 07-XX. All fields must be completed.

Please print:

Full Name(s) of property owners:	Owner 1:
Street Address: (NO P.O. Boxes)	
City, State, Zip:	
Home Telephone Number:	
Daytime Telephone Number:	

*If applicable*

Full Name(s) of property owners:	Owner 2:
Street Address: (NO P.O. Boxes)	
City, State, Zip:	
Home Telephone Number:	
Daytime Telephone Number:	

*If applicable*

Full Name(s) of property owners:	Owner 3:
Street Address: (NO P.O. Boxes)	
City, State, Zip:	
Home Telephone Number:	
Daytime Telephone Number:	

If there are more than 3 property owners, include the additional information on an additional form.

Any change in the information contained on this form must be submitted to the Town of Lakewood Village within 30 days of the change. Failure to submit the change is a violation of Town Ordinance. The property owner may be subject to fines up to \$200.

\_\_\_\_\_  
Signature of person completing form

\_\_\_\_\_  
Date