

**City of Lone Oak**  
**ORDINANCE # 127-2018**  
(supersedes Ordinance #127-2012)

**AN ORDINANCE OF THE CITY OF LONE OAK, TEXAS, REGULATING CERTIFICATE OF OCCUPANCY FOR COMMERCIAL AND RESIDENTIAL PROPERTY; PROVIDING REQUIREMENTS; PROVIDING REQUIREMENTS FOR NON-COMPLIANT OR HAZARDOUS CONDITIONS; PROVIDING FEES, ENFORCEMENT AND PENALTIES; PROVIDING AN EFFECTIVE DATE OF THIS ORDINANCE**

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**WHEREAS** the City of Lone Oak, TX has established Planning and Zoning Ordinance to identify and regulate residential and commercial areas inside the city limits.

**WHEREAS** the City of Lone Oak, TX realizes that certain measures need to be taken to assure the welfare and safety of the citizens of our city.

This ordinance establishes the use of a certificate of occupancy in order to inhabit a residence or operate a business inside the city limits of Lone Oak.

1. **Commercial - Certificate of Occupancy** The certificate of occupancy will confirm that the permit and zoning requirements have been met prior to opening a business in Lone Oak. The city council reserves the right to determine if adequate provisions are in place to operate the intended business in the best interests of the public and in compliance with City ordinances.

**Commercial Certificate of Occupancy Required Information**

- 1) Name and address of business and its owners, to include out of town owners, business partners
- 2) Tax identification for the business to be established
- 3) Sales Tax Permit
- 4) Health Permit
- 5) Street address and mailing address of the business
- 6) Type of business
- 7) Emergency phone number on Door
- 8) Smoke detector in each room
- 9) No exposed electrical plugs
- 10) All lights in working order
- 11) Bars- Lighted Exit Signs
- 12) Fire Extinguisher present
- 13) All emergency exits unlocked during business hours
- 14) Any special requirements for power, water, waste water, etc.
- 15) Application submitted to the Code Compliance Department

NOTE: These are minimum requirements. Other requirements may be necessary based on local, state and/or federal laws. All businesses inside the City of Lone Oak are required to establish water, sewer and garbage service with the City of Lone Oak.

## **City Code Compliance Department**

- 1) Confirm that the structure housing the business meets safety and fire prevention requirements.
- 2) Confirm that the water and sewer system in the building are of adequate requirements to meet the needs of the proposed business.
- 3) Confirm that the water and sewer application has been processed for the business.
- 4) Confirm the business is operating legally inside the city and obeys all State and Local laws applicable to that business.
- 5) Confirm that adequate garbage service has been established based on the size of the business and the goods being sold.
- 6) Confirm other utilities have been adequately provided for operation of business.

**II. Residential - Certificate of Occupancy.** Prior to residing in a residential dwelling inside the City of Lone Oak, all necessary inspections are required to assure that the residence will meet safety, fire and health requirements. Residents in Lone Oak are entitled to safe, sanitary living conditions.

Rental property will be required to be inspected after each lease has expired or the occupants have vacated the residence. Non-compliance findings are the responsibility of the property owner and will be remedied prior to establishing services with the City of Lone Oak.

### **Residential Certificate of Occupancy Required Information:**

- 1) Plumbing is installed in the approved manner and is not discharging improper wastes into the city water or sewer system
- 2) Sewer is properly maintained, and the connections are compliant with local, state and federal requirements
- 3) Residence is free of any broken windows, doors, substandard construction and/or fire hazards.
- 4) Residence has working, heating, or other ventilation system
- 5) Outside of residence is free of high weeds, garbage, and other debris
- 6) Smoke detector in each room
- 7) No exposed electric plugs
- 8) Fire extinguisher present
- 9) Any other zoning and permit requirements

NOTE: These are minimum requirements. Other requirements may be necessary based on local, state and/or federal laws. All residences inside the City of Lone Oak are required to establish water, sewer and garbage service with the City of Lone Oak.

### **III. Non-Compliant or Hazardous Conditions**

1. Businesses and Residences that are found to be non-compliant will be required to completely address the deficiencies and reapply for the Certificate of Occupancy.
2. Written notice of the areas of non-compliance will be issued within **10 (ten)** working days of the city inspection.
3. Areas of non-compliance will be individually listed with corrective action required.
4. No business or residence will be established prior to completely meeting the requirements of the certificate of occupancy.

**IV. Fees**

1. Commercial Certificate of Occupancy Fee: \$100.00. (For new owner, new business, or change of business type)
2. Residential Certificate of Occupancy Fee: \$50.00 at move in
3. Safety Inspection Fee for Commercial: \$60.00 annually
4. Administrative Fee: \$10.00

**V. Enforcement and Penalties**

1. Notice and/or citation for failure to comply will be issued by Lone Oak Police Department or Code Compliance Department with penalties and fines not to exceed \$500.00 per day that a business or a residence is occupied without proper permit. (Ref. 54.001 Govt. Code)
2. Businesses and Residences must be made available for the Code Compliance Officer to inspect properties as needed and as allowed by federal law.
3. Established businesses will be required to complete a Safety Inspection once a year by June 1<sup>st</sup> of that year.

**VI. Adoption**

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF LONE OAK, HUNT COUNTY, TEXAS THIS 13 DAY OF February, 2018.**

  
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**Douglas E. Williams, Mayor**

**ATTEST:**

  
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**Kathy Voss, City Secretary**