

ORDINANCE NO. 2024-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, ADOPTING AN EXEMPTION TO THE RENTAL REGISTRATION PROGRAM FOR CERTAIN LANDLORD-TENANT RELATIONSHIPS INVOLVING PERSONS RELATED TO EACH OTHER BY CONSANGUINITY OR AFFINITY; DIRECTING THE CITY MANAGER TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE PROVISIONS OF THIS ORDINANCE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City of Saginaw, Texas has a substantial interest in protecting the health, safety, welfare, and property of the occupants of rental dwelling units; and

WHEREAS, in furtherance of the above-stated goals, the City Council of the City of Saginaw previously adopted a registration and inspection program for single-family and multi-family rental dwelling units ("Program"); and

WHEREAS, the City Council now desires to amend the rental registration and inspection ordinance to adopt an exemption to the Program where the owner and all tenants of a single dwelling unit rental property are related to each other by consanguinity or affinity.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, THAT:

SECTION 1.

That the Saginaw City Code is hereby amended by adding a section, to be numbered 10-624, which said section reads as follows:

"Sec. 10-624. Exemption; single dwelling unit rental property.

(a) It is a defense to prosecution under this article that the only tenants living in the single dwelling unit rental property are individuals related to the owner by consanguinity or affinity. In order to claim this exemption, the owner must complete and execute an affidavit of exemption from the rental registration program, on such form as the City promulgates for such purpose.

(b) Delivery of an executed affidavit of exemption by an owner of a single dwelling unit rental property shall constitute prima facie evidence of a familial relationship between the owner and tenants and shall be accepted as valid by the City, absent evidence of fraud.

(c) Submission of a fraudulent affidavit shall invalidate the exemption and constitute a separate offense punishable in accordance with Section 1.13 of the Saginaw City Code.”

SECTION 2.

The City Manager is authorized to take all necessary actions to implement the provisions of this Ordinance.

SECTION 3.

This ordinance shall be cumulative of all provisions of ordinances and of the Saginaw City Code, and except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared

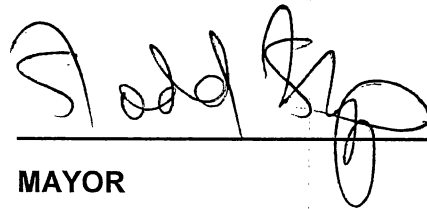
unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

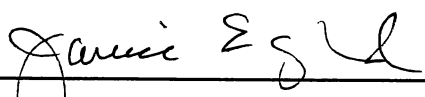
This ordinance shall be in full force and effect from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED ON THIS 4th DAY OF JUNE, 2024.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

EFFECTIVE: 6-04-2024

APPROVED AS TO FORM AND LEGALITY:


CITY ATTORNEY

