

**City of Houston Ordinance No. 2025-\_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES,  
HOUSTON, TEXAS, ADDING ARTICLE XXV THERETO TO REQUIRE SECURING  
OF VACANT COMMERCIAL BUILDINGS WITH PERIMETER FENCING.**

**WHEREAS**, the City Council finds that vacant commercial buildings present a significant risk to public safety and welfare through unauthorized entry, vandalism, illegal dumping, graffiti, and accumulation of waste and nuisances; and

**WHEREAS**, the City desires to establish minimum standards for securing such vacant commercial buildings to protect surrounding neighborhoods; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Section 1.** The findings contained in the preamble of this Ordinance are determined to be true and correct and are adopted as a part of this Ordinance.

**Section 2.** Chapter 10 of the Code of Ordinances, Houston, Texas, is amended by adding a new Article XXV as follows:

**ARTICLE XXV. SECURING VACANT COMMERCIAL BUILDINGS**

**Sec. 10-1001. Definitions**

As used in this article, the following words and terms shall have the meanings set forth below:

- **Vacant Commercial Building:** A structure platted or used for commercial purposes that has been unoccupied and not used for any legal business activity for 7 non-consecutive days in a 30 day period.
- **Owner:** Any individual, corporation, partnership, joint venture, limited liability company, or other legal entity with a recorded legal or equitable interest in the commercial property.
- **Perimeter Fence:** A continuous, secure barrier not less than six feet in height, constructed of a chain link fence or another material approved by the director.
- **Director:** The director of Houston Public Works or their designee.

**Sec. 10-1002. Fencing Requirement for Vacant Commercial Buildings**

(a) The owner of any vacant commercial building shall, within ten (10) calendar days after the building becomes vacant for 7 non-consecutive days in a 30 day period, erect a perimeter fence of at least six (6) feet in height around the entire property line.

(b) The fencing requirement shall not apply if:

(1) The property owner is actively engaged in permitted renovation, construction, or rehabilitation work, and

(2) The code enforcement authority determines that a perimeter fence is not required for public safety based on ongoing inspections.

**Sec. 10-1003. Exception by Mayoral and Council Resolution**

The fencing requirement in this article may be waived for a specified property or properties if the Mayor and the City Council unanimously approve a written resolution granting such an exemption, provided that the resolution sets forth the reasons for the exemption.

**Sec. 10-1004. Enforcement and Penalties**

(a) Any owner who fails to erect the required fencing within the required timeframe shall be issued a citation and fined \$500 per day for each day the owner remains in violation.

(b) Each day of noncompliance constitutes a separate violation and shall be punishable as such.

**Sec. 10-1005. City Actions for Ongoing Noncompliance**

(a) If an owner fails to comply with this ordinance, the City may take necessary actions to secure the property, including erection of the required fence.

(b) The City may place a lien against the property for the amount of any unpaid fines and for costs incurred by the City in securing the property, as specified in Section 214.0015(d) of Chapter 214 of the Texas Local Government Code.

**Sec. 10-1006. Severability**

Should any provision, section, subsection, sentence, clause, or phrase of this ordinance be held unconstitutional or invalid, such ruling shall not affect the validity of the remaining portions.

**Sec. 10-1007. Effective Date**

This ordinance shall take effect immediately upon adoption by the City Council.

**PASSED AND ADOPTED ON** \_\_\_\_\_

**APPROVED ON** \_\_\_\_\_