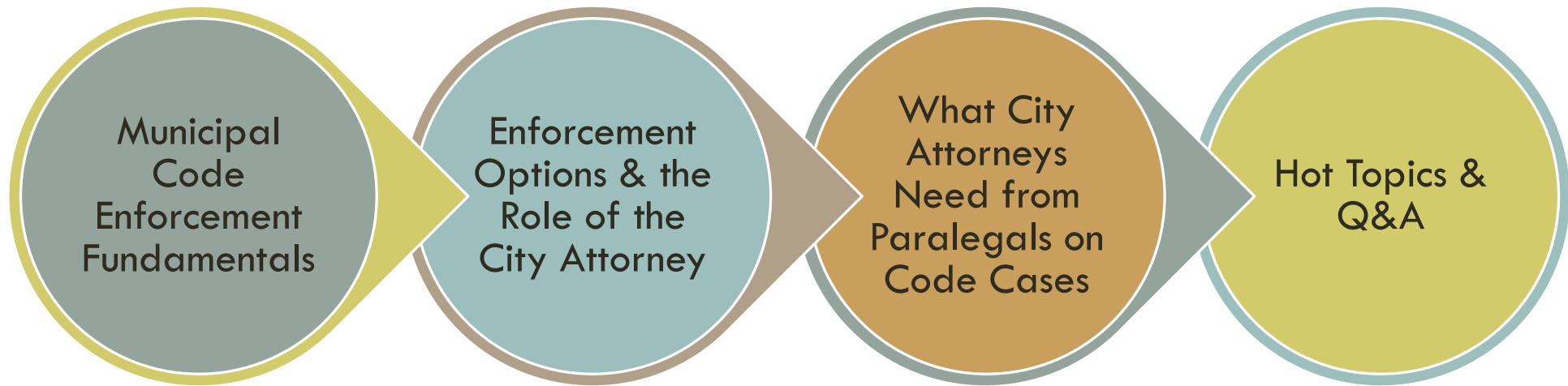


# **CODE ENFORCEMENT 101: A LAWYER'S GUIDE FOR PARALEGALS**

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Texas City Attorney's Association  
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POLICE POWERS

MUNICIPAL CODE  
ENFORCEMENT  
(A CITIES' AUTHORITY TO  
REGULATE)

# A TALE OF TWO (TYPES) OF CITIES

Presently, with very few exceptions, cities in Texas are classified as either general law or home rule and their authority to enact and enforce ordinances is conditioned upon the type of city

## **General Law:**

- Allows for incorporation under the general laws of the State of Texas, classified as Type A, Type B or Type C
- Do not have the powers of self-government; powers and duties are derived by state statutes
- May only act if given a grant of authority from the State

## **Home Rule:**

- Established by The Home Rule Amendment, Article XI, Section 5 of the Texas Constitution
- Allows cities with over 5,000 inhabitants the power to adopt their own charter after an election, thereby giving them the power of self-government
- May do anything authorized by its charter and not prohibited by state or federal law

# THE POWER TO ENACT AND ENFORCE ORDINANCES

- Both types of cities have implied powers under Chapter 51 of the Texas Local Government Code to adopt, publish, amend, or repeal an ordinance, rule, or police regulation that is for the good government, peace, or order of the municipality...and is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality

# SPECIFIC STATUTORY AUTHORITY

HEALTH AND SAFETY MATTERS

# CHAPTER 214 OF THE LOCAL GOVERNMENT CODE

## **Regulation of Buildings**

City by ordinance may establish minimum standards for the use and occupancy of buildings in the municipality regardless of the date of their construction and may adopt other ordinances as necessary to carry out this section.

# CHAPTER 214 OF THE LOCAL GOVERNMENT CODE

## Regulation of Buildings

Adopts certain national model codes as the codes of the State:

- IRC as it existed on May 1, 2012 – for construction after 1/1/22
- NEC as it existed on May 1, 2001 - for construction after 1/1/06
- IBC as it existed on May 1, 2012 – for construction after 1/1/22
- ISPSC as it existed on May 1, 2019 (eff. 9/1/20)

Allows cities to adopt local amendments to these Codes



# CHAPTER 214 OF THE LOCAL GOVERNMENT CODE

## **Regulation of Vacant Buildings**

A municipality located in a county with a population of two million or more may adopt an ordinance requiring owners of vacant buildings to register their buildings by filing a registration form with a designated municipal official



# CHAPTER 217 OF THE LOCAL GOVERNMENT CODE

## Regulation of Nuisances

Home Rule City may define and abate a nuisance within the city limits and up to 5,000 feet outside of city limits



# CHAPTER 342 OF THE HEALTH AND SAFETY CODE

## Weeds

- The governing body of a municipality may require the owner of a lot in the municipality to keep the lot free from weeds, rubbish, brush, and other objectionable, unsightly, or unsanitary matter.

## Stagnant water

- The governing body of a municipality may require the filling, draining, and regulating of any place in the municipality that is unwholesome, contains stagnant water, or is in any other condition that may produce disease.
- The governing body of a municipality may require the inspection of all premises.
- The governing body of a municipality may impose fines on the owner of premises on which stagnant water is found.



# CHAPTER 342 OF THE HEALTH AND SAFETY CODE

## Abatement

If the owner of property in the municipality does not comply within seven days of notice of a violation, the municipality may:

- do the work or make the improvements required; and
- pay for the work done or improvements made and charge the expenses to the owner of the property.

The notice must be given:

- personally to the owner in writing;
- by letter addressed to the owner at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located; or
- if personal service cannot be obtained:
  - by publication at least once;
  - by posting the notice on or near the front door of each building on the property to which the violation relates; or
  - by posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates.

# CHAPTER 683 OF THE TRANSPORTATION CODE

## Junked Motor Vehicles

“Junked vehicle” means a vehicle that:

- is self-propelled; and
- is:
  - wrecked, dismantled or partially dismantled, or discarded; or
  - inoperable and has remained inoperable for more than:
    - 72 consecutive hours, if the vehicle is on public property; or
    - 30 consecutive days, if the vehicle is on private property.

Applies only to a motor vehicle that displays an expired license plate or does not display a license plate.

An ordinance adopted by a governing body of a municipality may provide for a more inclusive definition of a junked vehicle subject to regulation.

A municipality may adopt procedures for the abatement and removal from private or public property or a public right-of-way of a junked vehicle or part of a junked vehicle as a public nuisance; must provide notice and a public hearing if requested.

# STATUTORY AUTHORITY CHART

<b><u>Topic</u></b>	<b><u>State Statute</u></b>
Regulation of Buildings	Loc. Gov't Code Chapter 214
Vacant Building Registration	Loc. Gov't Code Chapter 214
Nuisances & Grafitti	Loc. Gov't Code, Ch. 217  Health & Safety Code, Chapter 342
Rubbish, High Weeds/Grass	Health & Safety Code Chapter 342
Junked Motor Vehicles	Transportation Code Chapter 683

# ENFORCEMENT OPTIONS & THE ROLE OF THE CITY ATTORNEY

ORDINANCES ARE LAWS

# SUMMARY NUISANCE ABATEMENT BY STATUTE

- Junked Motor Vehicles – Ch. 683 of Tex. Transp. Code
- Weeds and Heavy Clean – Tex. Health and Safety Code §§342.004-342.006
  - Lien allowed after appropriate notice
- Securing Structure - Tex. Local Gov't Code §214.0011
  - Lien allowed after appropriate notice





## SUMMARY NUISANCE ABATEMENT BY ORDINANCE

Tex. Local Gov't Code  
§§ 217.041 and 217.042 allow  
home rule cities to define and  
prohibit nuisances and to  
summarily abate

Liens allowed?

If adopted IBC or IFC, authority  
of Building Official or Fire  
Code Official to summarily  
abate?



# SUMMARY ABATEMENT CONCERNS: DUE PROCESS

- U.S. Constitution provides that no person shall be deprived of life, liberty or property *without due process of law*
- One component of due process rights is procedural due process, i.e. notice and an opportunity to be heard before the deprivation
- Summary Nuisance Abatement in code enforcement context could arguably violate tenets of procedural due process if no notice or opportunity to be heard



## SUMMARY NUISANCE ABATEMENT RAISES CONSTITUTIONAL CONCERNS

*City of Houston v. Carlson*,  
393 S.W.3d 350 (Tex. App.  
– Houston [14<sup>th</sup> Dist.] 2012)

- City summarily vacated unsafe condominiums and conducted post-vacation order administrative hearing for tenants
- Owners filed suit against city in district court
- Court held that LGC §214.001 applied; city failed to meet notice and hearing requirements of statute; and city's substitute procedure did not satisfy procedural due process

# CITY ATTORNEY ROLE IN SUMMARY ABATEMENT PROCESSES



Provide general counsel/advice to city enforcement staff re: application of law to particular facts and how to properly document violations



Review notices and assist with identifying proper persons to notice



Review liens to be filed



If summarily abating pursuant to statutory authority, make sure client has followed all state law requirements

# CHAPTER 54 OF THE LOCAL GOVERNMENT CODE

Governing body of a municipality may enforce each rule, ordinance or police regulation of the municipality and may punish a violation of a rule, ordinance, or police regulation

Home rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants

Allows for enforcement of certain types of ordinances through:

- criminal citations;
- quasi-judicial enforcement (administrative board);
- a civil action in district or county court; or
- civil adjudication

# CRIMINAL CITATIONS



- Criminal Enforcement of a municipality's ordinances
- Fine limit (Tex. Local Gov't Code §54.001)
  - \$500
  - \$2000 if the ordinance governs fire safety, zoning, or public health or sanitation
  - \$4000 if the ordinance violation is for dumping of refuse

# BUILDING AND STANDARDS COMMISSION

Tex. Local Gov't Code §54.033 et seq.

- Quasi-judicial/administrative body comprised of appointed officials to hear cases and make determinations involving substandard buildings
  - Look also at LGC Ch. 214
- Extensive Notice, Due Diligence and Filing Requirements
- Authorized to issue orders to repair, vacate, secure, or remove the substandard building
- Civil Penalties
  - Up to \$1000 per day per violation or \$10 per day per violation if homesteaded



# BUILDING AND STANDARDS COMMISSION

## Things to remember:

- Chapter 54 and Chapter 214 work in conjunction; read together
- City is movant on case and bears burden of proof
- Need to make sufficient record of proceedings, notices, condition of property, etc. in documentation to prevail in any appeal
- Appeals
  - May be brought by any owner, lienholder, or mortgagee of record
  - Must be filed in District Court within 30 days
  - Substantial evidence review of the board's determination (*But see City of Dallas v. Heather Stewart case*)





***City of Dallas v. Heather Stewart***



# THE HEATHER STEWART CASE

## Texas Supreme Court opinion issued July 2011

- “substantial evidence review of a nuisance determination resulting in a home’s demolition does not sufficiently protect a person’s rights under Article I, Section 17 of the Texas Constitution”
- *Stewart II* - On 1/27/12 the S.Ct. withdrew the July opinion and reissued a substantially similar opinion, saying:
  - “takings claims must be asserted on appeal from the administrative nuisance determination”
  - “a party asserting a takings must first exhaust its administrative remedies and comply with jurisdictional prerequisites for suit”



# CIVIL ENFORCEMENT ACTIONS

# CIVIL ENFORCEMENT OF CODE VIOLATIONS

- What municipal courts can do
  - Civil adjudication
  - Civil lawsuits in Municipal Court
- Civil lawsuits in District and County Courts
  - Bases for Civil Lawsuits in District and County Courts
  - Additional Causes of Action
  - Remedies in Civil lawsuits



# What Municipal Courts can do

Municipal Courts have jurisdiction over certain types of civil and criminal cases.

## Criminal Cases

- These courts have original and exclusive jurisdiction in all criminal cases involving violations of city ordinances
- Fines only

## Civil Cases

- Limited jurisdiction over dangerous dog determinations.

## Other powers

- Issue search or arrest warrants
- Punish for contempt up to \$100 fine, confinement in city jail for not more than three days, or both fine and confinement in jail.

# MUNICIPAL COURTS OF RECORD

- ▶ Municipal courts generally are not of record (meaning no recording or transcript of the proceedings) and appeals from them are by trial *de novo*
- ▶ The Legislature has authorized the governing body of each city to establish municipal courts of record; appeals from these courts are on the record made therein.
- ▶ Chapters 29 and 30 of the Texas Government Code outline the duties of these Courts and their officers.



# WHY CREATE A MUNICIPAL COURT OF RECORD?

Texas Gov't Code § 30.00005

By ordinance, a city may give municipal courts concurrent civil jurisdiction with county and/or district courts for:

- enforcement of municipal ordinances enacted under Chapter 214 of the Local Government Code
- enforcement of health and safety and nuisance abatement ordinances brought under Chapter 54 LGC

They also have authority to issue:

- search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation
- seizure warrants for the purpose of securing, removing or demolishing the offending property and removing the debris from the premises

# MAKING THE MOST OF YOUR MUNICIPAL COURT OF RECORD

- **Tools for civil code enforcement in municipal courts of record:**
  - Chapter 54 lawsuits in Municipal Court
    - for code issues
    - but not for zoning
  - Civil adjudication process
  - Substandard structure docket
    - Either Municipal Court or City Council can hear these case





# CIVIL ADJUDICATION IN MUNICIPAL COURT

Tex. Loc. Gov't Code Section 54.043

Alternative to a building and standards commission for the enforcement of ordinances described in 54.032 LGC, i.e. health and safety ordinances

- The alternative process must contain provisions relating to notice, the conduct of the proceedings, permissible orders, penalties, and judicial review similar to provisions of the subchapter.

## □ Process -- Tex. Loc. Gov't Code Section 54.044

- Defendant not required to attend hearing

- Defendant who fails to appear is considered to admit liability for the violation charged

- Hearing officer shall issue an order stating:

- 1) whether the person charged with violating an ordinance is liable; and

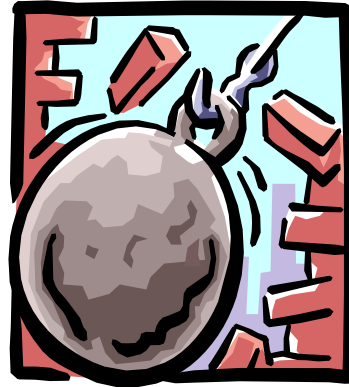
- 2) the amount of a penalty, cost or fee assessed

- Order may be enforced by:

- Filing of a civil suit for the collection of a penalty; and

- Obtaining an injunction.

CIVIL ADJUDICATION IN  
MUNICIPAL COURT



## Section 214.001 of the Tex. Loc. Gov't

### Code provides that:

A municipality may, by ordinance, require the vacation, relocation of occupants\*, securing, repair, removal or demolition of a building that is:

- Dilapidated, substandard or unfit for human habitation and a hazard to the public health, safety and welfare;
- Regardless of its structural condition, unoccupied by its owners, lessees, or other invitees and is unsecured from unauthorized entry; or
- Boarded up, fenced or otherwise secured if:
  - ▶ the building constitutes a danger to the public even though secured from entry; or
  - ▶ the means used to secure the building are inadequate to prevent unauthorized entry or use of the building

# SUBSTANDARD STRUCTURE DOCKET

*\*Beware of state law that requires city to pay for relocation of occupants who are displaced as a result of code enforcement or demolition program [Tex. Prop. Code Section 21.046(e)].*

# SUBSTANDARD STRUCTURE DOCKET PROCEDURES

## Ordinance must:

- Establish minimum standards for continued use and occupancy of all buildings;
- Provide for giving proper notice (see LCG 214) to the owner of a building;
- Provide for a public hearing to determine whether the building complies with the standards in the ordinance.

## Due diligence requirements:

- Must search the real property records of the county, appraisal district records for the county, secretary of state records for Texas; assumed name records of the county; tax records of the city; and utility records of the city.

# SUBSTANDARD STRUCTURE DOCKET PROCEDURES

Option to file notice of the hearing in the real property records of the county:

Notice must contain the name and address of the owner; a legal description of the property; and a description of the hearing.

The filing of the notice is **binding** on subsequent grantees, lienholders, or other transferees who acquire an interest in the property after the filing of the notice.



The Order:

Within **10 days** after the order is issued, municipality shall:

- Mail a copy to the owner, mortgagee, and lienholder
- File a copy of the order in the office of the city secretary
- Publish a notice in a newspaper of general circulation in the city

# ORDERS FOR REPAIR OR DEMOLITION UNDER 214



## **Within 30 days:**

Secure the building from unauthorized entry; or

Repair, remove, or demolish the building, unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days.



## **If allow more than 30 days (but not more than 90 days):**

Establish specific time schedules for commencement and performance of the work



## **If allow more than 90 days:**

Owner must submit a detailed plan and time schedule for the work and establish that work cannot reasonably be completed within 90 days because of the scope and complexity of the work

Require progress reports to be regularly submitted to the municipality to demonstrate compliance with the time schedules

# ORDERS FOR REPAIR OR DEMOLITION UNDER 214

If the owner does not comply, the city may vacate, secure, remove or demolish the building at its own expense and place a lien on the property unless it is homesteaded.

- A city may also repair the building at the city's expense and place a lien or assess a civil penalty
  - If municipality does this, it may only repair a building to bring it into compliance with the minimum standards and only if the building is a residential building with 10 or fewer dwelling units.



EXAMPLES OF PROPERTIES  
**DEMOLISHED** THROUGH  
SUBSTANDARD STRUCTURE  
DOCKET IN MUNICIPAL COURT







## CIVIL LAWSUITS IN DISTRICT AND COUNTY COURTS

- Chapter 54 Texas Local Government Code for code and zoning violations
- Chapter 211 of the Texas Local Government Code for zoning violations

# CHAPTER 54 LAWSUITS

In municipal court, can bring suit for only for health and safety violations and nuisance abatement

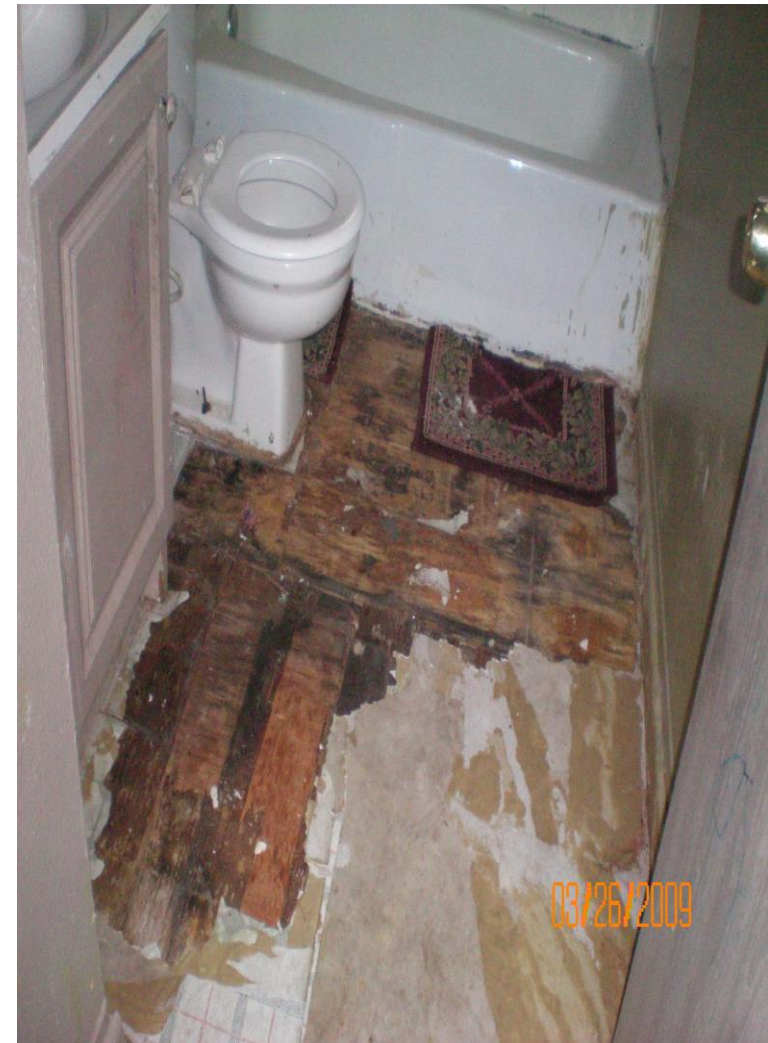
- Texas Gov't Code § 30.00005

Section 54.012 (LGC) lists categories of violations for which you may bring a civil action in district and county courts

- health and safety
- zoning
- criteria for land subdivision (i.e. platting)
- interior configuration for sexually oriented businesses
- storm water
- flood plain management
- animal care and control
- water conservation

# STANDARD FOR INJUNCTION UNDER CHAPTER 54

- Section 54.016 allows, upon a showing of “substantial danger of injury or an adverse health impact to any person or to the property of any person other than the defendant,” an injunction that:
  - Prohibits or require specific conduct
  - May compel the repair or demolition or obtain approval to remove the structure and recover removal costs



# INJUNCTIVE PROCESS

File a civil petition listing all of the violations

Temporary Injunction

- Full evidentiary hearing
- Court order addressing every violation
- Court-ordered inspections
- City can get permission to make the repairs
- Court probably will not order demolition at this stage
- Lasts during pendency of case until trial

Contempt for Violations of Injunction

Trial/Permanent Injunction (where civil penalties are assessed)



# WHAT IS A TEMPORARY RESTRAINING ORDER?

- Something is happening that is so serious that the City cannot wait for a hearing; exceptional remedy
- Process:
  - Give party notice; possible ex parte hearing
  - File a petition
  - Immediate hearing (within 1-2 days)
- If TRO granted, Temporary Injunction Hearing within 14 days

# TEMPORARY RESTRAINING ORDERS

## Emergency Situations

- Air conditioning in summer/heat in winter
- Sewage
- Open and vacant units in some situations
- Extreme Electrical Violations
- Fire hazards
- Some storm water violations



# TRO FOR ZONING VIOLATION



- City's entitled to injunctive relief for violation of zoning ordinance
- Does not have to prove harm





# CONTEMPT OF COURT ORDER

- Rule 692 of the Texas Rules of Civil Procedure
- Sections 21.001 and 21.002 of the Texas Government Code
- Criminal contempt
- Civil Contempt

# FINAL TRIAL IN A CHAPTER 54 SUIT

## Permanent Injunction

- Like temporary injunction, but it is permanent/lasts forever as to those owners
- Court will order repair and/or demolition with deadline dates and corresponding inspections
- Can get self-help remedies for city to abate/remove/repair the violation or perform the demolition if owner fails to comply with injunction

## Civil Penalties under LGC Section 54.017

- Municipality may recover a civil penalty if it proves:
  - The defendant was actually notified of the provisions of the ordinances; and
  - Thereafter, committed acts in violation of the ordinance or failed to take action necessary for compliance with the ordinance
- May not exceed \$1,000 a day for a violation of an ordinance (in court's discretion)
- \$5,000 a day for violation for some environmental violations

# ADDITIONAL CAUSES OF ACTION AFFECTING CODE/ZONING ENFORCEMENT

- **Demolition of Historic Structures – Tex. Local Gov't Code § 315.006**
- Enforcement of Massage License Statute – Chapter 455 of Texas Occupations Code
- Abatement of public health nuisances, including a restaurant's unsanitary condition - Tex. Health and Safety Code § 341.011 et seq.
- Criminal Nuisance Abatement – Tex. Civil Prac. And Rem. Code § 125.001 et seq.



# TYPES OF PROPERTIES A CITY CAN ADDRESS IN A CHAPTER 54 LAWSUIT





## Plantation View Apartments 1100 N. Union Bower Road, Irving, Texas

- Non-conforming apartment
- Ownership walked away
- City sued; court ordered demo;  
sold at foreclosure recouping liens

**DEMOLISHED BY CITY AS A  
RESULT OF CHAPTER 54  
LAWSUIT**



# ONE CASE STUDY: OAK VILLAS APARTMENTS

- 2<sup>nd</sup> largest apartment in Irving; over 550 units
- New, out-of-state owner acquired property in 2011
- Fall 2012
  - 60+ residents attended City Council public meeting regarding substandard condition of property, including rat/rodent infestation, holes and cracks in walls, water leaks, lack of maintenance, etc.
- Scope and Schedule entered with property owner to remedy violations
- Owner did not comply with Scope & Schedule
- City filed suit in Fall 2013, alleging 20+ categories of code and fire code violations
- As a result of code enforcement lawsuit, owner spent over \$1 Million rehabbing property and paid City \$100,000 in civil penalties

# SUCCESSFUL REHAB OF OAK VILLAS APARTMENT COMPLEX AS A RESULT OF CHAPTER 54 LAWSUIT









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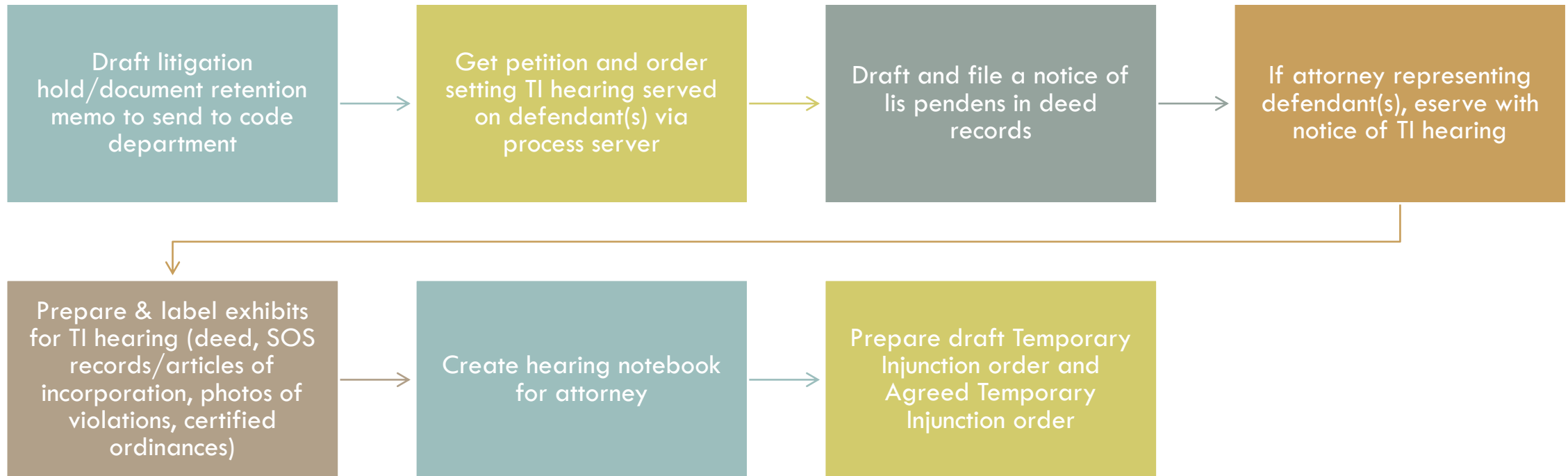


# WHAT ATTORNEYS NEED FROM PARALEGALS ON CODE CASES

# PARALEGAL'S FUNCTIONS BEFORE FILING SUIT

- Work with code inspectors to get list of code violations with relevant ordinance references, and the inspector's case file (i.e. photographs, notes, prior notices/citations, etc.)
- Get copies of ordinances to attach to petition (will need to be certified for hearings)
- Get title search and certified copies of property deed
- Review title search to determine ownership and lienholders (if corporate entities, need to obtain Secretary of State records)
- Review title docs and online appraisal records to ascertain correct lot/block of property
- Draft notice letter and/or petition
- Draft order setting the temporary injunction hearing
- Get petition verified by inspector

# PARALEGAL'S FUNCTIONS ONCE SUIT FILED/TI PREP



# PARALEGAL'S FUNCTIONS AFTER TI ISSUED



Get signed copies of TI order



Get TI personally served on defendant via process server (unless agreed that service waived) and obtain proof of service



Calendar any inspection dates for inspector and attorney



Calendar final trial/permanent injunction hearing



Get updated photos from inspector after each court-ordered inspection and list of corrected & remaining code violations



Possibly draft motion for contempt & show cause order if violations not remedied timely; requires personal service and hearing prep



Draft discovery to propound before trial (draft responses to any discovery propounded by defendant(s) on city)

1

Prepare draft PI & Agreed PI

2

Set up testimony prep meetings for attorney and inspector(s)

3

Update all exhibits (photos, deed, SOS/articles of incorporation, certified ordinances)

4

Prepare trial notebook

5

Announce ready for trial

6

Post trial – get defendant(s) personally served with PI (unless waived by agreement)

7

Calendar all dates for inspections and deadline(s) for payment of civil penalties

# PARALEGAL'S FUNCTIONS FOR TRIAL

# HOT(TEST) TOPICS IN CODE ENFORCEMENT



# SHORT-TERM RENTALS

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Austin – state and federal cases; Austin Court of Appeals and US District Court for Western District of Texas both declared ban on non-owner occupied STRs unconstitutional

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Arlington – plaintiffs agreed to dismiss case after losing appeal on denial of temporary injunction request (not a straight ban on STRs; permitted in entertainment district, multi-family, and mixed-use zoned areas)

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Grapevine – STR ban; Grapevine appealed issuance of temporary injunction (Texas Supreme Court denied the City's petition for review 6/16/23); case sent back to trial court

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Fort Worth – ban on STRs in single-family residential zoned areas; ongoing lawsuit filed by 113 property owners; no temporary injunction sought

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Dallas – ban on STRs in single-family residential zoned areas; litigation filed by Dallas Short Term Rental Alliance & homeowners; City's appeal of temporary injunction being granted by trial court pending at Dallas Court of Appeals

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New Braunfels – federal lawsuit pending in the Western District of Texas (5<sup>th</sup> Circuit overturned district court's granting of a motion to dismiss the case on 6/16/23)

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Town of Hollywood Park – federal court granted preliminary injunction enjoining Town from enforcing short term rental ban on 12/22/23

# WHAT OPTIONS ARE LEFT?

- Smart STR ordinances:
  - Identify problem in your city
  - Build a good legislative record
  - Avoid outright bans (including citywide and all single-family residential) & owner-occupancy requirements
  - If looking at creating STR zones, make sure you have at least a rational basis to support the zoning decisions
  - Each city must do data gathering before adopting an ordinance – look at the numbers, GPS mapping, police calls for service, code complaints, etc.
  - Create prospective ordinances, not retroactive ordinances if any impairment of right to lease/rent
- Review/update existing parking, noise, trash collection and maximum occupancy ordinances
- Pursue zoning violations when STRs go too far
  - Party house example
    - AirBnB rental - 5600 Sq. Ft. single family residence on a large gated lot, party with estimated 400 to 500 people, advertised on EventBrite, charging cover for entry (between \$30-\$1000)
- Engage with the online platforms
  - In 2019, Airbnb announced a global ban on party houses and removed or suspended more than 80 Texas listings that violated the company's party and event policies.

# PRE-EMPTION

## HB 2439 – Building Materials Bill

- Prohibits cities from regulating building products, materials or aesthetic methods used in constructing or renovating buildings; effective Sept. 1, 2019.

## HB 2127 – Death Star Bill

- Texas Regulatory Consistency Act – Section 51.002 of the Texas Local Government Code
- Notwithstanding Section 51.001, the governing body of a municipality may adopt, enforce, or maintain an ordinance or rule only if the ordinance or rule is consistent with the laws of this state.
- New super-pre-emption law designed to erode regulatory authority of cities
- *City of Houston v. State of Texas*, 2023 WL 5618634 (Travis County 345<sup>th</sup> Judicial District Court)
- *Dallas Short-Term Rental Alliance v. City of Dallas* (Dallas County 95<sup>th</sup> Judicial District Court)

## For more thoughts on pre-emption, listen to:

- Code Enforcement Officers: Certification and Training, Practical Challenges, and Legal Pitfalls (TML-IRP Local Officials: Stronger, Together Podcast)
- <https://podcasts.apple.com/gy/podcast/local-officials-stronger-together-podcast/id1583052879>

# QUESTIONS?

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THANK YOU!