



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>August 26, 2024</u>
Requested By: <u>Richard Glass</u>
Department: <u>Planning & Development</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance

Appropriation	
Source of Funds:	<u>Dangerous Buildings</u>
Account Number:	<u>001-9092-524-6021</u>
Amount Budgeted:	<u>\$200,000</u>
Amount Requested:	<u>0</u>
Budgeted Item:	<input checked="" type="radio"/> Yes <input type="radio"/> No

Exhibits: Ordinance, Inspection Report, Newspaper Ad, Power Point Presentation

SUMMARY & RECOMMENDATION

The Dangerous Building Inspection Board is composed of the Chief Building Official or their duly authorized representative, the Fire Chief or their duly authorized representative, and the Fire Marshal or their duly authorized representative, as established by Sec. 82-472 in the Code of Ordinances of the City of La Porte.

On June 24, 2024, the Board presented inspection reports on fourteen (14) structures to the City Council. The Board identified ten (10) structures as dangerous or substandard, as described in Sec. 82-473 of the City's Code of Ordinances. For the ten (10) structures located at:

- 1) 122 S. 16th St.
- 2) 201 Edgewood St.
- 3) 201 N. 3rd St.
- 4) 203 Bay Oaks Dr.
- 5) 301 W. Fairmont Pkwy.
- 6) 3217 Clarksville St.
- 7) 711 W. Adams St.
- 8) 9314 Spencer Hwy.
- 9) 9405 Montgomery Ln.
- 10) 9407 Montgomery Ln.

The council determined these ten (10) properties to be dangerous or substandard, and instructed staff to notify the property owners that a public hearing would be held.

Attached are the inspection results for the occupied structure located at 122 S. 16th St. Staff sent certified letters on 8/5/2024, posted the property on 8/6/2024, and it was listed in the Bay Area Observer the weeks of 8/12/2024 and 8/19/2024.

The estate was recently settled in court and staff has been in contact with the estate attorney. The estate attorney is currently in the process of removing the unauthorized tenant and has inquired about demolishing the structure.

Per Sec. 82-478 of the City of La Porte Code of Ordinances, "...the city council should make its decision in writing setting out the facts upon which it based its opinion. If its decision is in favor of the findings of the board to the effect that the building is in fact a dangerous building and is a nuisance and a hazard and that it is, by such order, condemned. The order shall further require, as the facts may justify, that the owner shall either repair such building in compliance with the building code of the city, or that the owner shall entirely remove or tear down such building, and such repairs or removal shall be commenced within ten days from the date of such order and be completed within a reasonable time."

Staff finds that the public hearing notification requirements outlined in Sec. 82-475 were performed in accordance with code provisions, including the following: "...the notice shall be published in some daily newspaper of general circulation in the county, two times. The first publication shall be inserted not more than 15 days and not less than ten days prior to the date of the hearing provided for in this article, and the last publication shall be not more than ten days and not less than three days prior to such hearing." Written notice was also given by registered mail, with return receipt requested, addressed to the last known address of the owner. In accordance with state law, notice of the public hearing was also posted at City Hall and on the City's website. Staff mailed certified letters with this information to the property owners of record, posted on the properties, and posted in the Bay Area Observer.

The Board recommends that the City Council consider the findings and order the repair or demolition of the buildings or structures determined to be dangerous or substandard.

STRATEGIC PLAN STRATEGY AND GOAL

Economic Development. The City of La Porte will promote a strong and diverse economy that strengthens the local sales tax and property tax base while also contributing to a high quality of life. Planning will work to improve the city by removing substandard structures as part of this goal.

ACTION REQUIRED BY CITY COUNCIL

Adopt Ordinance 2024-4007 ordering the condemnation of dangerous/substandard structures located at 122 S. 16th St., La Porte, Texas. [Richard Glass, Chief Building Official]

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date