

ORDER NO. 20260623-005

AN ORDER OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS, FINDING AND DECLARING THE PROPERTY LOCATED AT 320 W. PEACH STREET, ANGLETON, BRAZORIA COUNTY, TEXAS 77515, AND THE STRUCTURE THEREUPON TO BE A PUBLIC NUISANCE AND SUBSTANDARD AND ORDERING THE ABATEMENT OF THE PUBLIC NUISANCE CONDITIONS AND THE DEMOLITION AND REMOVAL OF THE STRUCTURE; PROVIDING FOR AMENDMENT; AND PROVIDING FOR SEVERABILITY.

WHEREAS, Chapter 5 of the City of Angleton, Texas ("City") Code of Ordinances regulates buildings and building regulations within the City; and

WHEREAS, Chapter 5, Article 12 of the City's Code of Ordinances regulates substandard buildings and structures within the City; and

WHEREAS, Chapter 5, Art. 12 Sec. 5-575 of the City's Code of Ordinances empowers the City Council of the City of Angleton, Texas, ("City Council") to schedule a public hearing and cite the owner of the building or structure or his/her representative to appear and show cause why such building or structure should not be declared to be a substandard building or structure and why he/she should not be ordered to repair, vacate or demolish the building or structure; and

WHEREAS, the City Council convened in a duly noticed public meeting on June 23, 2026, during which City Council conducted a public hearing pursuant to Chapter 5, Article 12, Sec. 5-575 of the City's Code of Ordinances wherein the City Council considered whether to declare the real property and improvements located at 320 W. Peach Street, Angleton, Brazoria County, Texas 77515, ("Property") to be substandard and enter an order regarding the abatement of the public nuisance on the Property and the repair or demolition of Property; and

WHEREAS, notice of the public hearing was mailed via certified mail return receipt requested to all owners, representatives, lien holders, mortgagees and other interested parties at least ten (10) days prior to the date of the public hearing and said notice included the statement that the owner, lien holder, or mortgagee would be required to submit at the public hearing proof of the scope of any work that may be required to comply with the City's ordinances and the time it would take to reasonably perform the work as required by Texas Local Government Code Sec. 214.001(c); and

WHEREAS, the City Council held a public hearing on Tuesday, June 23, 2026, at 6:00 o'clock p.m. before the City Council regarding the Property during which it received a report regarding the condition of the Property from City staff and received public comments relating to the condition of the Property and the health and safety hazards observed; and

WHEREAS, The City Council finds that the owner failed to submit at the public hearing proof of the scope of any work that may be required to comply with the City's ordinances and the time it would take to reasonably perform the work as required by Texas Local Government Code Sec. 214.001(c); and

WHEREAS, The City Council finds that the conditions presently existing on the Property located at 320 W. Peach Street, Angleton, Brazoria County, Texas 77515, constitute a public nuisance and the structure thereupon qualifies as a substandard building or structure.

NOW, THEREFORE, BASED ON THE EVIDENCE PRESENTED DURING THE PUBLIC HEARING, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

Section 1. The recitals and findings contained in the preamble to this Order are correct and the same are approved and adopted.

Section 2. The present condition of the real property located at 320 W. Peach Street, Angleton, Brazoria County, Texas 77515, is a public nuisance and the structure located thereupon is a substandard building or structure according to the City's Code of Ordinances.

Section 3. WITHIN NINETY (90) DAYS OF THE EXECUTION OF THIS ORDER, the owner or lien holder/mortgagee must comply with this Order and Section 5-575 of the City's Code of Ordinances as follows:

- a. Demolish the structure located at 320 W. Peach Street, Angleton, Brazoria County, Texas 77515, as identified by the Chief Building Official at the June 23, 2026, public hearing currently existing on the Property; including demolish and remove the structure, including all accessory structures, the concrete slab, light fixtures, and utility lines associated with or otherwise servicing the Property, and the property shall be cleaned and graded.
- b. In the event the owner, lienholder, or mortgagee fails to comply with this Order within the time prescribed, the City may take such action as authorized by law to abate the condition, including but not limited to repair, removal, or demolition of the structure, and may assess the expenses incurred against the property, which may constitute a lien against the property as provided by law.
- c. The City Council hereby establishes the following time schedule for the commencement and performance of the work: Commencement of demolition work shall occur no later than thirty (30) days from the date of this Order. Substantial progress shall be demonstrated within sixty (60) days from the date of this Order. Completion of demolition and site clearing shall occur within (90) days from the date of this Order.
- d. The owner, lienholder, or mortgagee shall secure the property in a reasonable manner from unauthorized entry during the period in which the work is being performed, including but not limited to boarding, fencing, or other measures as determined by the City Council or its designated hearing official.

Section 4. This Order may be amended by a majority vote of the City Council.

Section 5. *Severability.* In the event any clause, phrase, provision, or sentence or part of this Order or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Order as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. *Appeal.* This Order may be appealed to a district court within thirty (30) days after the date a copy of this Order is personally delivered or mailed by certified mail to the owner, lienholder, or mortgagee of record, in accordance with Texas Local Government Code § 214.0012.

PASSED, APPROVED, and ORDERED on this 23rd day of June, 2026.

EXECUTED on the 23rd day of June, 2026.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

CITY OF ANGLETON, TEXAS

Desiree Henson, TRMC
City Secretary