

**MEETING:** April 13, 2026 **AGENDA ITEM** \_\_\_\_\_  
**DATE:** 04.07.2026  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR  
**SUBJECT:** Consider amendment to Chapter 12, Article IV, Sections 12-291 – 12-297

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As you are aware, the Building and Standards Commission holds public hearings on a regular basis to address substandard properties throughout town. Chapter 12, Article IV and V of the City of Port Lavaca’s Code of Ordinances discusses the procedures and the enforcement process for the abatement of such public nuisances.

Prior to a public hearing, notices must be mailed by certified letter to all known owners and lienholders of a property that will be addressed during the hearing. Notices are also posted on the property and in the local newspaper. In accordance with Article IV, Section 12-291, public hearings shall not be held “more than 21 days after the receiving of the notice by the owner of the building”.

After a certified letter is mailed it may take up to four to six weeks for the return receipt for these notices to be received by our office. Due to our ordinance requiring notices to be mailed within 21 days of the hearing, the return receipt is not received by staff until after the meeting has been held. Therefore, staff nor the commission know if the letter has been received, refused or unclaimed by the owner.

Chapter 54 of the State Local Government Code establishes the rules and procedures for a Building and Standards Commission hearing. The only requirement that is specified in the statute is that notices are required to be mailed and posted at least 10 days prior to the hearing.

Chapter 12, Article V, Section 12-323 of the City of Port Lavaca’s Code of Ordinances provides the time and method of giving notice prior to hearings and after final determination of the commission as provided by statute. Therefore, it is staff’s recommendation to omit Article IV, Sections 12-291 through 12-293 and follow the guidelines provided in Article V, Section 12-323. – Hearing authority and procedure.

In an effort to receive the return receipts for the notices prior to the public hearings, it is staff’s recommendation to amend the ordinance as shown in the attachment.

**ATTACHMENT:**

- Ord G-6-26 Amend Chapter 12, Buildings and Building Regulations Article IV, Substandard Buildings; Sections 291-297 of the Code of Ordinances