
CITY OF PORT LAVACA

MEETING: MAY 13, 2024

DATE: 05.06.2024

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To assess compliance to abate violations of CHAPTER 12- BUILDINGS AND BUILDING REGULATIONS ARTICLE IV-SUBSTANDARD BUILDINGS.

In accordance with Section 12-287(a) of the City’s Code of Ordinances, the term "substandard building" means any building which does not meet the established minimum standards for continued use and occupancy, as set forth in this article regardless of the date of its construction.

The following properties have been identified as substandard buildings as indicated by city ordinance:

New Cases:

- Case# 112: Lot Pt. 5, 6, 7, 8, Block 24, Original Townsite (126 E. Main St.)
- Case#: 113: Lot NE 29’ of 5&6, Block 24. Original Townsite (138 E. Main St.)
- Case# 114: Lot H, Block 4, Original Townsite (233 E. Main St.)
- Cass# 115: S0270-Joe Spann, Lot 1 (1406 HWY 35 S)

Notes:

The owner of 233 E. Main St. came by my office and has proposed plans for the structure. The owner that this will be discussed at the hearing.

There has been no correspondence with the owner of 138 E. Main St. The notice of the public hearing was received by and signed for by the property owner on April 24, 2024.

The owner of 126 E. Main St. has been in constant contact with our office. The certified letter was received and signed for on April 27, 2024. He is in the process of cleaningup the debris and material from the roof collapsing. He will be contacting me when he would be available to meet at the property. More pictures will be provided at the time of the Public Hearing.

There have been no contact with the owner of 1406 HWY 35 S. The house has been substantially damaged by fire and an accumulation of junk and debris throughout the property. The certified letter was returned stating “moved left no address”.

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After proper notification of the public hearing, the City Council may order the following:

- **Sec. 12-292. - Corrective action; notice.**

- (a) After the public hearing, if a building is found to be in violation of the standards set forth in this article, the city council may order that the building be vacated, secured, repaired, removed, or demolished by the owner within a reasonable time but in no event less than 60 days.
- (b) The city council may also order that the occupants be relocated within a reasonable time, but in no event less than 15 days.
- (c) When the owner does not take the ordered action within the allotted time, the city council shall make a diligent effort to discover each mortgagee and lienholder having an interest in the building or in the property on which the building is located. With regard to this, the city shall send to each identified mortgagee and lienholder a notice containing:
 - (1) An identification of the building and the property on which it is located;
 - (2) A description of the violation of the city ordinance that is present at the building; and
 - (3) A statement that the city will vacate, secure, remove, demolish the building or relocate the occupants of the building if the ordered action is not taken within a reasonable time.

(Ord. No. G-5-91, § 6, 4-8-1991)

- **Sec. 12-293. - Alternative notice.**

- (a) As an alternative to the procedure prescribed by [section 12-292](#), the city may make a diligent effort to discover each mortgagee and lienholder before conducting the public hearing and may give them a notice of an opportunity to comment at the hearing. If the city elects this option, the order issued by the city must specify a reasonable time for the building to be vacated, secured, repaired, removed, or demolished by the owner or for the occupants to be relocated by the owner and an additional reasonable time for the ordered action to be taken by any of the mortgagees or lienholders in the event the owner fails to comply with the order within the time provided for action by the owner.
- (b) This section shall not require the city to furnish any notice to a mortgagee or lienholder other than a copy of the order in the event the owner fails to timely take the ordered action.

(Ord. No. G-5-91, § 7, 4-8-1991)

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- **Sec. 12-294. - Abatement.**

(a) If the building is not vacated, secured, repaired, removed, or demolished, or the occupants are not relocated within the allotted time, the city may vacate, secure, remove, or demolish the building or relocate the occupants at its own expense.

(b) The city may repair a building under this section only to the extent necessary to bring the building into compliance with the minimum standards and only if the building is a residential building with ten or fewer dwelling units. The repairs may not improve the building to the extent that the building exceeds minimum housing standards.

(Ord. No. G-5-91, § 8, 4-8-1991)

Attachments:

- **Inspection reports provided by Bureau Veritas**
- **Pictures of the properties**