

**CITY OF ALPINE
BUILDING & STANDARDS COMMISSION MEETING
WEDNESDAY, JUNE 28, 2023 - 5:30 P.M.**

NOTICE IS HEREBY GIVEN THAT THE BUILDING AND STANDARDS COMMISSION OF THE CITY OF ALPINE, TEXAS WILL HOLD A REGULAR MEETING AT 5:30 P.M. ON WEDNESDAY, JUNE 28, 2023 AT CITY COUNCIL CHAMBERS LOCATED AT 803 WEST HOLLAND AVENUE AND VIA ZOOM FOR THE PURPOSE OF CONSIDERING THE ATTACHED AGENDA. THIS NOTICE IS POSTED PURSUANT TO THE TEXAS OPEN MEETINGS ACT.

AGENDA

1. **Call to Order.**
2. **Determination of Quorum.**
3. **Public Comments.**
4. **Approval of minutes of previous Board Meeting –**
 - a) May 24, 2023, Meeting Minutes.
5. **Public Hearings – None.**
6. **Information or Discussion Items –**
 - a) Update on current endeavors to identify and abate buildings that pose a threat to public health and safety. (G. Calderon, City Secretary)
7. **Action Items –**
 - a) Approve recommendations for changes and/or updates to the Building and Standards Commission Process and Procedures checklist. (J. Boorse, Code Enforcement Officer)
8. **Board Member Comments.**
9. **Adjourn.**

CERTIFICATION

I, Geoffrey R. Calderon, hereby certify that this notice was posted at City Hall, a convenient and readily accessible place to the general public, and to the City website at www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted at 5:00 P.M. on June 23, 2023, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Office of the City Secretary at (432) 837-3301, option 1, or email city.secretary@cityofalpine.com for further information.


Geoffrey R. Calderon, City Secretary





**BUILDING & STANDARDS COMMISSION
MEETING AGENDA ITEM COVER MEMO**

JUNE 28, 2023

APPROVAL OF MINUTES

Approval of minutes of previous Board Meeting –

- a) May 24, 2023, Regular Meeting Minutes. (G. Calderon, City Secretary)

BACKGROUND

- None

SUPPORTING MATERIALS

- May 24, 2023, Regular Meeting Minutes

STAFF RECOMMENDATION

APPROVE.

**CITY OF ALPINE
BUILDING & STANDARDS COMMISSION MEETING
WEDNESDAY, MAY 24, 2023 - 5:30 P.M.
MINUTES**

1. **Call to Order** – Robert Savery, Chair of the Building and Standards Commission, called the meeting to order at 5:30 P.M. The meeting was held in City Council Chambers located at 803 West Holland Avenue, Alpine, Texas, 79830 and via Zoom video conference.

Commissioners Physical Present:

Robert Savery, Acting Chair of the Commission
Clayton Shoot, Commissioner
Joshua Rousselow, Commissioner
Ralph Garcia, Commissioner
Raphael “Ralph” Garcia, Commissioner
Guy Fielder, Commissioner Place 7
Chris Rodriguez, Council Member

City Staff Present:

Megan Antrim, City Manager
Geoffrey R. Calderon, City Secretary
Andrew Devaney, Director of Building Services
Jessica Boorse, Permit Technician

Commissioners Not Present:

Robert Stallard, Commissioner Place 6
Gerri Davis, Commissioner Place 4

2. **Determination of Quorum.**

3. **Public Comments** – None.

4. **Approval of minutes of previous Board Meeting.**

- a) November 16, 2022 Meeting Minutes

On a motion by Commissioner Shoot and seconded by Commissioner Garcia to approve the minutes with the amendments to make Gerri Acting Chair of the meeting and amend the spelling of Savory to Savery on action items 8(a) and 8(b), the Building and Standards Commission unanimously voted to adopt the motion.

5. **Public Hearings** – None.

6. **Information or Discussion Items** –

- a) Update on current endeavors to identify and abate buildings that pose a threat to public health and safety.
- b) Discussion between Commissioners and City Staff regarding Building and Standards-related items.
- c) Discuss Building and Standards processes and procedures checklist in comparison to City ordinance and other procedural requirements.

7. **Action Items** – None.

8. Board Member Comments – None.

On a motion by Commissioner Fielder and seconded by Commissioner Garcia to adjourn, the meeting was adjourned

9. Adjourn (6:17 P.M.)

APPROVED:

Officer of the Building & Standards Commission

CERTIFICATION

I, Geoffrey R. Calderon, hereby certify that this notice was posted at City Hall, a convenient and readily accessible place to the general public, and to the City website at www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted at 5:00 P.M. on May 17, 2023, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Office of the City Secretary at (432) 837-3301, option 1, or email city.secretary@cityofalpine.com for further information.

Geoffrey R. Calderon, City Secretary



**BUILDING & STANDARDS COMMISSION
MEETING AGENDA ITEM COVER MEMO**

JUNE 28, 2023

INFORMATION OR DISCUSSION

- a) Update on current endeavors to identify and abate buildings that pose a threat to public health and safety. (G. Calderon, City Secretary)

BACKGROUND

- None.

SUPPORTING MATERIALS

- None.

STAFF RECOMMENDATION

APPROVE.



**BUILDING & STANDARDS COMMISSION
MEETING AGENDA ITEM COVER MEMO**

JUNE 28, 2023

ACTION ITEMS

- a) Approve recommendations for changes and/or updates to the Building and Standards Commission Process and Procedures checklist. (J. Boorse, Code Enforcement Officer)

BACKGROUND

- None

SUPPORTING MATERIALS

- Building and Standards Commission Processes and Procedures Checklist.

STAFF RECOMMENDATION

APPROVE.



BUILDING SERVICES

309 W SUL ROSS AVE

ALPINE, TX 79830

(432) 837-3281

LAST NAME:

COMPLAINT #

SUBSTANDARD BUILDING DEMO/ABATEMENT

Process and Procedures

Municipal authority to abate substandard structures comes from several statutory provisions. Essentially, the authority to define and abate a substandard structure stems from Chapter 214 of the local Government Code, and the process by which it is carried out (with some exceptions) comes from a combines application of Chapters 214 and 54 of the Local Government Code.

PHYSICAL ADDRESS:	
LEGAL ADDRESS:	
PROPERTY OWNER(S) ADDRESS:	

Step 1).

Sec. 18-285. - Inspection and notice of required abatement.

The inspector shall inspect any structure that he has probable cause to believe does not meet the minimum standards. If the structure is not open and accessible, **the Inspector may obtain permission from the owner or a person in control of the premises, or may apply for an administrative search warrant pursuant to Texas Code of Criminal Procedure Section 18.05 unless an exception to the warrant requirement exists.**

	DATE:
<input type="checkbox"/> <u>Inspection.</u>	
<input type="checkbox"/> <u>Determination.</u> The inspector shall use section 18-284 of this article to determine compliance or noncompliance	
<input type="checkbox"/> <u>Completed Code Enforcement Letter:</u>	
<input type="checkbox"/> <u>Citation Given:</u>	
<input type="checkbox"/> <u>Court Date(s):</u>	
<input type="checkbox"/> CODE ENFORCEMENT PROCESS COMPLETED:	

C. Notice.

NOTICE OF PUBLIC HEARING:

With the recommendation of the Building Official, the Building and Standard commission determines whether the structure complies with the minimum standards set forth in this section.

Notice must include:

The date, time, and place of the hearing. The name and address of the owner of record.

A legal description of the property. A general description of the structures not meeting the minimum standards.

NOTICE POSTED OR PERSONALLY DELIVERED OR MAILED ON OR BEFORE THE 10TH DAY BEFORE THE HEARING

Certified mail with return receipt or by personal delivery by the USPS using signature confirmation service) to the record owners of the affected property, and each holder of a recorded lien against the affected property, as shown by the records in the office of the county clerk of the county in which the affected property is located if the address of the lienholder can be ascertained from the deed of trust establishing the lien or other applicable instruments on file in the office of the county clerk lienholder, or mortgagee by mail.

DELIVERED/MAILED DATE:	HEARING DATE:
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NEWSPAPER POSTING ON OR BEFORE THE 10TH DAY BEFORE FIXED HEARING

NEWSPAPER POSTING DATE:	HEARING DATE:
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The inspector shall notify any unknown interested parties by posting a copy of the notice on each structure.	POSTING DATE:
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The inspector shall file a notice of hearing in the official public records of real property in Brewster County (County Clerk).	POSTING DATE:
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	DATE:
<input type="checkbox"/> An initial notice shall be provided to the owner as on file at the Brewster County Appraisal District.	
<input type="checkbox"/> Owner on File Notice:	
<input type="checkbox"/> Brewster County Appraisal District Notice	

The initial notice shall contain the following:

- 1. The nature of the violation(s) of the minimum standards; and

That the structure is dangerous and that the owner must vacate and/or repair, remove, or demolish the structure for the good of the public health, safety and welfare.

- a) *Notices mailed.* All notices required to be mailed under this article, shall be mailed by certified mail, return receipt requested. When a notice is mailed in accordance with this section and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.
- b) *Notices posted.* All notices required to be posted shall be attached to the structure as close to the front door as practicable. If there is no front door, notice shall be attached to the structure in a noticeable place.
- c) *Change of owner.* If a building or structure has been designated as a dangerous building, it is the owner's responsibility to furnish a purchaser, transferee, grantee, mortgagee or lessee a true and correct copy of the notice of dangerous building and to provide the Inspector written notification of the intent to enter into such transaction, including the name and address of the purchaser, transferee, grantee, mortgagee or lessee. A purchaser shall be bound by the notices and orders issued pursuant to this article. It is the purchaser's responsibility to provide a copy to the inspector of the document changing ownership which has been recorded in the Official Public Records of Brewster County.

- 2. A notice shall be posted on the dangerous building as follows:

"THIS STRUCTURE IS DANGEROUS ACCORDING TO THE MINIMUM STANDARDS SET FORTH IN THE CITY OF ALPINE CODE OF ORDINANCES, CHAPTER 18, SECTION 18-284 AND THE OWNER MUST REPAIR, REMOVE, OR DEMOLISH IT. CONTACT _____ AT _____ FOR FURTHER INFORMATION. THIS NOTICE SHALL REMAIN ON THIS STRUCTURE UNTIL IT IS REPAIRED, REMOVED FROM THE CITY OF ALPINE CITY LIMITS, OR DEMOLISHED."

15 days from the notice: _____ The owner or the owner's designated representative has 15 days from the date of the notice to contact the inspector regarding their intent to repair, remove or demolish the dangerous building.

D. Functions of the Building & Standards commission:

B&S may issue on of the following orders:

Order to secure or vacate the structure and relocate the occupants.

Order to repair, remove or demolish.

**Allow 45 days before the ordered action to be completed, if a residential structure is removed or demolished pursuant to this article, any and all accessory structures located on the same property shall be removed or demolished, regardless of structural condition.*

Order to remove or demolish.

**Allow 45 days before the ordered action to be completed, if a residential structure is removed or demolished pursuant to this article, any and all accessory structures located on the same property shall be removed or demolished, regardless of structural condition.*

Order to release

The inspector shall promptly mail a copy of any order issued pursuant to subsection (a) of this section, to the owner of record, any lienholder or mortgagee along with a notice containing the following:

DATE OF ORDER ISSUED LETTER:

An identification of the structure and the property on which it is located.

A description of the violation(s) of the minimum standards.

A statement that the municipality will secure, vacate, repair, remove or demolish the structure if the ordered action is not taken within 45 days.

Within ten days following the date that an order is issued, the inspector shall:

File a copy of the order in the office of the city secretary of the city

FILED WITH CITY SECRETARY DATE:	<input type="text"/>
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Publish in a newspaper of general circulation in the city a notice containing the following:

- The street address or legal description of the property;
- The date the hearing was held;
- A brief statement indicating the results of the order; and instructions stating where a complete copy of the order may be obtained.

NEWSPAPER DATE:	<input type="text"/>
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Forty-five days after an order to repair, remove or demolish has been issued, the inspector has the authority to request the utilities be disconnected at the structure in order to prepare for demolition.

45th DAY AFTER ORDER:

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FINAL RESULTS:

DEMOLITION REHAB OTHER

NOTES:

DATE:	
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