

**CITY OF ALPINE
BUILDING & STANDARDS COMMISSION MEETING
WEDNESDAY, JULY 26, 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, JULY 26, 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) June 28, 2023, Meeting Minutes. (G. Calderon, City Secretary)
- 5. Public Hearings –**
 - a) Public Hearing to determine if the property located at 1203 E. Ave H is a dangerous structure and to determine if the owner will be ordered to secure, repair, remove, or demolish the property. The subject property does not meet minimum health and safety standards and is in violation of the city's dangerous building ordinance. The property is legally described as Lot Nine (9), Block Forty-two (42), Hancock Addition to the City of Alpine, Brewster County, Texas. The record property owner is Rosa Marie Ruiz, 1205 N 10th St. The Parcel ID of the subject property is R10787.
- 6. Information or Discussion Items – None.**
- 7. Action Items –**
 - a) Approve a determination that the property located at 1203 E. Ave H is a dangerous structure and determine if the owner will be ordered to secure, repair, remove, or demolish the property. The subject property does not meet minimum health and safety standards and is in violation of the city's dangerous building ordinance. The property is legally described as Lot Nine (9), Block Forty-two (42), Hancock Addition to the City of Alpine, Brewster County, Texas. The record property owner is Rosa Marie Ruiz, 1205 N 10th St. The Parcel ID of the subject property is R10787. (A. Devaney, Building Official)
- 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 July 21, 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

JULY 26, 2023

APPROVAL OF MINUTES

Approval of minutes of previous Board Meeting –

- a) June 28, 2023, Regular Meeting Minutes. (G. Calderon, City Secretary)

BACKGROUND

- None

SUPPORTING MATERIALS

- June 28, 2023, Regular Meeting Minutes

STAFF RECOMMENDATION

APPROVE.

**CITY OF ALPINE
BUILDING & STANDARDS COMMISSION MEETING
WEDNESDAY, JUNE 28, 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, Chair of the Commission
Joshua Rousselow, Commissioner
Gerri Davis, Commissioner
Raphael “Ralph” Garcia, Commissioner
Guy Fielder, Commissioner
Chris Rodriguez, Council Member

City Staff Present:

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

Commissioners Not Present:

Robert Stallard, Commissioner
Clayton Shoot, Commissioner

2. **Determination of Quorum.**

3. **Public Comments** – None.

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

- a) May 24, 2023 Meeting Minutes.

On a motion by Commissioner Davis and seconded by Commissioner Fielder to approve the minutes with the amendments discussed, 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. (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, Permit Technician)

On a motion by Commissioner Fielder and seconded by Commissioner Rousselow to approve the process and procedures checklist, the Building and Standards Commission unanimously voted to adopt the motion.

8. Board Member Comments.

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

9. Adjourn (5:43 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 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

JULY 26, 2023

PUBLIC HEARINGS

- a) Public Hearing to determine if the property located at 1203 E. Ave H is a dangerous structure and to determine if the owner will be ordered to secure, repair, remove, or demolish the property. The subject property does not meet minimum health and safety standards and is in violation of the city's dangerous building ordinance. The property is legally described as Lot Nine (9), Block Forty-two (42), Hancock Addition to the City of Alpine, Brewster County, Texas. The record property owner is Rosa Marie Ruiz, 1205 N 10th St. The Parcel ID of the subject property is R10787.)

BACKGROUND

None.

SUPPORTING MATERIALS

None

STAFF RECOMMENDATION

APPROVE.



BUILDING & STANDARDS COMMISSION MEETING AGENDA ITEM COVER MEMO

JULY 26, 2023

ACTION ITEMS

- a) Approve a determination that the property located at 1203 E. Ave H is a dangerous structure and determine if the owner will be ordered to secure, repair, remove, or demolish the property. The subject property does not meet minimum health and safety standards and is in violation of the city's dangerous building ordinance. The property is legally described as Lot Nine (9), Block Forty-two (42), Hancock Addition to the City of Alpine, Brewster County, Texas. The record property owner is Rosa Marie Ruiz, 1205 N 10th St. The Parcel ID of the subject property is R10787. (A. Devaney, Building Official)

BACKGROUND

- The property located at 1203 E. Ave H has been determined by City Staff to be substandard based upon violations of the International Property Maintenance Code, 2021 edition, adopted and incorporated in the Alpine City Code, Chapter 18, Article X.
- Order 2023-07-01 outlines the actions taken and provides the findings and recommendations of City staff regarding the dangerous condition of the property. The recommendation is to have the property owner demolish the building.

SUPPORTING MATERIALS

1. Order 2023-07-01.
2. 1203 E Ave H File: Correspondence, Records, & Photos.

STAFF RECOMMENDATION

APPROVE.

STATE OF TEXAS

CITY OF ALPINE

COUNTY OF BREWSTER

ORDER 2023-07-01

AN ORDER OF THE BUILDING & STANDARDS COMMISSION OF THE CITY OF ALPINE DEEMING THE PROPERTY LOCATED AT 1203 E. AVE H DILAPIDATED, SUBSTANDARD, AND UNFIT FOR HUMAN HABITATION; FURTHER ORDERING THAT THE PROPERTY IS A HAZARD TO THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC AND LIKELY TO ENDANGER PERSONS AND PROPERTY; FURTHER ORDERING THAT THE PROPERTY BE DEMOLISHED BY THE PROPERTY OWNER; FURTHER ORDERING THAT THE CITY TAKE ACTION TO DEMOLISH THE PROPERTY AT THE PROPERTY OWNER'S EXPENSE SHOULD THE PROPERTY OWNER NOT COMPLY.

WHEREAS, the property located at 1203 E. Ave H has been determined by City Staff to be substandard based upon violations of the International Property Maintenance Code, 2021 edition, adopted and incorporated in the Alpine City Code, Chapter 18, Article X and more specifically addressed below; and

WHEREAS, the subject property is legally described as Lot Nine (9), Block Forty-two (42), Hancock Addition to the City of Alpine, Brewster County, Texas, with a property Identification number of R10787; and

WHEREAS, according to the real property records of Brewster County, Texas, and other relevant public records, the record property owner of the subject property is Rosa Marie Ruiz (hereinafter referred to as the "Owner" of the Property) and the owner address of record is 1205 N. 10th St, Alpine, Texas, 79830; and

WHEREAS, on or about August 26, 2022, an inspection of the Property was conducted by the Building Services Department of the City, and the following dangerous characteristics of the International Property Maintenance were identified for the structure:

- I. Any door, aisle, passageway, stairway, exit, or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to requirements for existing buildings. [Sec. 111.1.5 (1)]
- II. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged. [Sec. 111.1.5 (3)]
- III. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse or some portion of the foundation or underpinning of the building or structure is likely to fail or give way. [Sec. 111.1.5 (5)]

- IV. The building or structure, of any portion thereof, is clearly unsafe for its use and occupancy. [Sec. 111.1.5 (6)]
- V. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or unlawful act. [Sec. 111.1.5 (7)]
- VI. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety. [Sec. 111.1.5 (8)]; and

WHEREAS, on or about August 26, 2022, an inspection of the Property was conducted by the Building Services Department of the City, and the following violations of minimum acceptable standards of the International Property Maintenance were identified for the structure:

- I. Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety. [Sec. 301.3]
- II. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health safety or welfare. [Sec. 304.1]
 - a) Sliding and masonry joints including joints between the building envelope and the perimeter of windows, doors, and skylights are not maintained, weather resistant or water tight. [Sec. 304.1(4)]
 - b) Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. [Sec. 304.1(7)]
 - c) Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. [Sec. 304.1(10)]
- III. Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building and envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. [Sec. 304.2]
- IV. Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units

shall tightly secure the door. [Sec. 304.5]

- V. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. [306.1.1]
- VI. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:
 - a) Soils that have been subjected to the collapse of footing or foundation system.
 - b) Concrete that has been subjected to deterioration, ultimate deformation, fractures, fissures, spalling, exposed reinforcement, and detached, dislodged or failing connections.
 - c) Masonry that has been subjected to deterioration, ultimate deformation, fractures, fissures, spalling, exposed reinforcement, and detached, dislodged or failing connections.
 - d) Wood that has been subjected to deterioration, ultimate deformation, damage from insects, rodents, and other vermin, fire damage beyond charring, significant splits and checks, horizontal shear cracks, inadequate support, and detached, dislodged or failing connections; and

WHEREAS, a certified letter containing a notice of violation and a determination of dangerous building was sent to the owner on September 30, 2022; and

WHEREAS, the property owner was cited on May 9, 2023, for violations of the dangerous building ordinances and the code enforcement process was followed; and

WHEREAS, the case was heard in the Alpine Municipal Court on June 8, 2023, and it was determined that the property owner would pay the fines associated with the citation; and

WHEREAS, a public hearing and consideration of the case was scheduled for the Building and Standards Commission meeting to take place on July 26, 2023; and

WHEREAS, a certified letter containing a notice of a public hearing was mailed to the property owner and interested parties at *1205 N. 10th St, Alpine, Texas, 79830*, on July 5, 2023; and

WHEREAS, a notice of public hearing was filed in the official public records by the Brewster County Clerk on July 6, 2023; and

WHEREAS, legal notice of the public hearing was published in the Alpine Avalanche in the July 6, 2023, edition of the paper; and

WHEREAS, the Building and Standards Commission of the City of Alpine has reviewed the evidence presented by the City, has held a public hearing duly published in the Alpine Avalanche, and determines that the subject property is substandard.

NOW, THEREFORE, BE IT ORDERED BY THE BUILDING AND STANDARDS COMMISSION OF THE CITY OF ALPINE, TEXAS THAT:

SECTION I. Each and every one of the recitals, findings, and determinations contained in the preamble of this order are found to be true and correct and are hereby repeated and incorporated herein as if copied in their entirety.

SECTION II. The Main dwelling and accessory structure of the property located at 1203 E. Ave H and legally described as Lot Nine (9), Block Forty-two (42), Hancock Addition to the City of Alpine, Brewster County, Texas, is declared substandard and unfit for habitation or use. The property is further declared a hazard to the health, safety, and welfare of the public.

SECTION III. The main dwelling is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, health, and safety.

SECTION IV. The Certificate of Occupancy of the subject property is hereby revoked.

SECTION V. The main dwelling and any accessory structure be demolished within forty-five (45) days from the date of this order and the responsible party shall abide by all permitting requirements.

SECTION VI. The premises be cleaned of all weeds, trash and debris within forty-five (45) days from the date of this order and maintained clean thereafter.

SECTION VII. Upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission, the City may take whatever action is necessary to bring the property into compliance, including demolition, and place a lien on the property for the work which will be caused to be done by the City.

SECTION VIII. The inspector shall promptly mail a copy of this order to the owner of record in accordance with Sec. 18-303 of the Alpine Code of Ordinances.

PASSED, APPROVED, AND ADOPTED BY A MAJORITY VOTE OF THE BUILDING AND STANDARDS COMMISSION OF THE CITY OF ALPINE, TEXAS ON JULY 26, 2023.

APPROVED:

Robert Savery
Chair of the Building and Standards Commission

ATTEST:

Geoffrey R. Calderon *City Secretary*

**BUILDING SERVICES**

309 W SUL ROSS AVE

ALPINE, TX 79830

(432) 837-3281

LAST NAME:

Ruiz, Rosa Marie

COMPLAINT #

23-018457

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:	1203 E AVE H
LEGAL ADDRESS:	Hancock, Block 42, Lot 9
PROPERTY OWNER(S) ADDRESS:	1205 N 10th St 79830

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 checked="" type="checkbox"/> <u>Inspection.</u>	2018 cont.
<input checked="" type="checkbox"/> <u>Determination.</u> The inspector shall use section 18-284 of this article to determine compliance or noncompliance	3/15/22 08/25/22
<input checked="" type="checkbox"/> <u>Completed Code Enforcement Letter:</u>	9/30/22
<input checked="" type="checkbox"/> <u>Citation Given:</u>	5/9/23
<input checked="" type="checkbox"/> <u>Court Date(s):</u>	06/08/23
<input checked="" type="checkbox"/> <u>CODE ENFORCEMENT PROCESS COMPLETED:</u>	5/9/23

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 10 TH 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: 07/05/2023	HEARING DATE: 07/26/2023
NEWSPAPER POSTING ON OR BEFORE THE 10 TH DAY BEFORE FIXED HEARING	
NEWSPAPER POSTING DATE:	HEARING DATE: 07/26/2023
The inspector shall notify any unknown interested parties by posting a copy of the notice on each structure.	POSTING DATE: 07/05/2023
The inspector shall file a notice of hearing in the official public records of real property in Brewster County (County Clerk).	POSTING DATE: 07/06/2023

	DATE:
<input checked="" type="checkbox"/> An initial notice shall be provided to the owner as on file at the Brewster County Appraisal District.	07/05/23
<input checked="" type="checkbox"/> Owner on File Notice:	07/05/23
<input checked="" type="checkbox"/> Brewster County Appraisal District Notice	07/06/23

The initial notice shall contain the following:

- ☒ 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.

- 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.
- 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.
- 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.

- ☒ 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: 07/20/23 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.

IPMC[®]

INTERNATIONAL **PROPERTY MAINTENANCE** CODE[®]

A Member of the International Code Family[®]

2021



CHAPTER 1

SCOPE AND ADMINISTRATION

User note:

About this chapter: Chapter 1 establishes the limits of applicability of the code and describes how the code is to be applied and enforced. Chapter 1 is in two parts: Part 1—Scope and Application (Sections 101 and 102) and Part 2—Administration and Enforcement (Sections 103–110). Section 101 identifies which buildings and structures come under its purview and references other I-Codes as applicable.

This code is intended to be adopted as a legally enforceable document and it cannot be effective without adequate provisions for its administration and enforcement. The provisions of Chapter 1 establish the authority and duties of the code official appointed by the authority having jurisdiction and also establish the rights and privileges of the property owner and building occupants.

This Chapter was extensively reorganized for the 2021 edition. For clarity, the relocation marginal markings have not been included. For complete information, see the relocations table in the Preface information of this code.

PART 1 — SCOPE AND APPLICATION

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

[A] **101.1 Title.** These regulations shall be known as the *International Property Maintenance Code* of [NAME OF JURISDICTION], hereinafter referred to as “this code.”

[A] **101.2 Scope.** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing *premises* and constitute minimum requirements and standards for *premises*, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of *owners*, an *owner's* authorized agent, *operators* and *occupants*; the *occupancy* of existing structures and *premises*, and for administration, enforcement and penalties.

[A] **101.3 Purpose.** The purpose of this code is to establish minimum requirements to provide a reasonable level of health, safety, property protection and general welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these provisions shall be altered or repaired to provide a reasonable minimum level of health, safety and general welfare as required herein.

[A] **101.4 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102 APPLICABILITY

[A] **102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case,

different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the *structure* or *premises* was constructed, altered or repaired shall be maintained in good working order. An *owner*, *owner's* authorized agent, *operator* or *occupant* shall not cause any service, facility, equipment or utility that is required under this section to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the *owner* or the *owner's* authorized agent shall be responsible for the maintenance of buildings, structures and *premises*.

[A] **102.3 Application of other codes.** Repairs, additions or alterations to a *structure*, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the *International Building Code*, *International Existing Building Code*, *International Energy Conservation Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Residential Code*, *International Plumbing Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code*.

[A] **102.4 Existing remedies.** The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any *structure* that is dangerous, unsafe and insanitary.

[A] **102.5 Workmanship.** Repairs, maintenance work, alterations or installations that are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer's instructions.

102.6 Structural analysis. Where structural analysis is used to determine if an unsafe structural condition exists, the analysis shall be permitted to use nominal strengths, nominal

Coordination of the International Codes

The coordination of technical provisions is one of the strengths of the ICC family of model codes. The codes can be used as a complete set of complementary documents, which will provide users with full integration and coordination of technical provisions. Individual codes can also be used in subsets or as stand-alone documents. To make sure that each individual code is as complete as possible, some technical provisions that are relevant to more than one subject area are duplicated in some of the model codes. This allows users maximum flexibility in their application of the I-Codes.

Italicized Terms

Terms italicized in code text, other than document titles, are defined in Chapter 2. The terms selected to be italicized have definitions that the user should read carefully to better understand the code. Where italicized, the Chapter 2 definition applies. If not italicized, common-use definitions apply.

Adoption

The ICC maintains a copyright in all of its codes and standards. Maintaining copyright allows the ICC to fund its mission through sales of books, in both print and electronic formats. The ICC welcomes adoption of its codes by jurisdictions that recognize and acknowledge the ICC's copyright in the code, and further acknowledge the substantial shared value of the public/private partnership for code development between jurisdictions and the ICC.

The ICC also recognizes the need for jurisdictions to make laws available to the public. All I-Codes and I-Standards, along with the laws of many jurisdictions, are available for free in a nondownloadable form on the ICC's website. Jurisdictions should contact the ICC at adoptions@iccsafe.org to learn how to adopt and distribute laws based on the IPMC in a manner that provides necessary access, while maintaining the ICC's copyright.

To facilitate adoption, several sections of this code contain blanks for fill-in information that needs to be supplied by the adopting jurisdiction as part of the adoption legislation. For this code, please see:

Section 101.1. Insert: [NAME OF JURISDICTION]

Section 103.1. Insert: [NAME OF DEPARTMENT]

Section 302.4. Insert: [HEIGHT IN INCHES]

Section 304.14. Insert: [DATES IN TWO LOCATIONS]

Section 602.3. Insert: [DATES IN TWO LOCATIONS]

Section 602.4. Insert: [DATES IN TWO LOCATIONS]

Effective Use of the International Property Maintenance Code

The IPMC is a model code that regulates the minimum maintenance requirements for existing buildings.

The IPMC is a maintenance document intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety. Responsibility is fixed among owners, operators and occupants for code compliance. The IPMC provides for the regulation and safe use of existing structures in the interest of the social and economic welfare of the community.

experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *code official* shall be an ex-officio member but shall not vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

SECTION 109 VIOLATIONS

[A] 109.1 **Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

[A] 109.2 **Notice of violation.** The *code official* shall serve a notice of violation or order in accordance with Section 111.4.

[A] 109.3 **Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 111.4 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the *structure* in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate.

[A] 109.4 **Violation penalties.** Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

[A] 109.5 **Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, *structure* or *premises*, or to stop an illegal act, conduct, business or utilization of the building, *structure* or *premises*.

SECTION 110 STOP WORK ORDER

[A] 110.1 **Authority.** Where the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

[A] 110.2 **Issuance.** The stop work order shall be in writing and shall be given to the *owner* of the property, to the *owner's* authorized agent, or to the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the

reason for the order and the conditions under which the cited work is authorized to resume.

[A] 110.3 **Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

[A] 110.4 **Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

SECTION 111 UNSAFE STRUCTURES AND EQUIPMENT

111.1 **Unsafe conditions.** When a *structure* or equipment is found by the *code official* to be unsafe, or when a *structure* is found unfit for human *occupancy*, or is found unlawful, such *structure* shall be *condemned* pursuant to the provisions of this code.

111.1.1 **Unsafe structures.** An unsafe *structure* is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the *structure* by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such *structure* contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

111.1.2 **Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the *structure* that is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or *structure*.

111.1.3 **Structure unfit for human occupancy.** A *structure* is unfit for human *occupancy* whenever the *code official* finds that such *structure* is unsafe, unlawful or, because of the degree to which the *structure* is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the *structure* constitutes a hazard to the *occupants* of the *structure* or to the public.

111.1.4 **Unlawful structure.** An unlawful *structure* is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

111.1.5 **Dangerous structure or premises.** For the purpose of this code, any *structure* or *premises* that has any or all of the conditions or defects described as follows shall be considered to be dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction

as related to the requirements for existing buildings.

2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, *structure* or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration, neglect, abandonment, vandalism* or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or *structure*, or part of the building or *structure*, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or *structure* is likely to fail or give way.
6. The building or *structure*, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or *structure* is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or *structure* to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or *structure* for committing a nuisance or an unlawful act.
8. Any building or *structure* has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or *structure* provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or *structure*, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or *structure*, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing

system or other cause, is determined by the *code official* to be a threat to life or health.

11. Any portion of a building remains on a site after the demolition or destruction of the building or *structure* or whenever any building or *structure* is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

111.2 Closing of vacant structures. If the *structure* is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the *structure* closed up so as not to be an attractive nuisance. Upon failure of the *owner* or *owner's* authorized agent to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate and shall be collected by any other legal resource.

111.2.1 Authority to disconnect service utilities. The *code official* shall have the authority to authorize disconnection of utility service to the building, *structure* or system regulated by this code and the referenced codes and standards set forth in Section 102.8 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* or *owner's* authorized agent and *occupant* of the building, *structure* or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner*, *owner's* authorized agent or *occupant* of the building *structure* or service system shall be notified in writing as soon as practical thereafter.

111.3 Record. The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the *structure* and the nature of the unsafe condition.

111.4 Notice. Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 111.4.1 and 111.4.2 to the *owner* or the *owner's* authorized agent, for the violation as specified in this code. Notices for condemnation procedures shall comply with this section.

111.4.1 Form. Such notice shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or *structure* into compliance with the provisions of this code.

5. Inform the property *owner* or *owner's* authorized agent of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 109.3.

111.4.2 Method of service. Such notice shall be deemed to be properly served where a copy thereof is served in accordance with one of the following methods:

1. A copy is delivered personally.
2. A copy is sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested.
3. A copy is delivered in any other manner as prescribed by local law.

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

111.5 Unauthorized tampering. Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

111.6 Transfer of ownership. It shall be unlawful for the *owner* of any *dwelling unit* or *structure* who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or *structure* to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* or the *owner's* authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

111.7 Placarding. Upon failure of the *owner*, *owner's* authorized agent or person responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard. Such notice shall be posted in a conspicuous place in or about the structure affected by such notice. If the notice pertains to equipment, it shall be placed on the condemned equipment.

111.7.1 Placard removal. The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

111.8 Prohibited occupancy. Any occupied *structure* condemned and placarded by the *code official* shall be vacated as ordered by the *code official*. Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner* or *owner's* authorized agent who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

111.9 Restoration or abatement. The structure or equipment determined to be unsafe by the *code official* is permitted to be restored to a safe condition. The *owner*, *owner's* authorized agent, *operator* or *occupant* of a structure, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action. To the extent that repairs, alterations, or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions, or change of occupancy shall comply with the requirements of the *International Existing Building Code*.

SECTION 112 EMERGENCY MEASURES

112.1 Imminent danger. When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a building or *structure* that endangers life, or when any *structure* or part of a *structure* has fallen and life is endangered by the occupation of the *structure*, or when there is actual or potential danger to the building *occupants* or those in the proximity of any *structure* because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *code official* shall cause to be posted at each entrance to such *structure* a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such *structure* except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

112.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such *structure* temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

112.3 Closing streets. When necessary for public safety, the *code official* shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe structures, and prohibit the same from being utilized.

112.4 Emergency repairs. For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

112.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the *owner* of the *premises* or *owner's* authorized agent where the unsafe *structure* is or was located for the recovery of such costs.

112.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

SECTION 113 DEMOLITION

113.1 General. The *code official* shall order the *owner* or *owner's* authorized agent of any *premises* upon which is located any *structure*, which in the *code official's* or *owner's* authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or *occupancy*, and such that it is unreasonable to repair the *structure*, to demolish and remove such *structure*; or if such *structure* is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any *structure* for a period of more than two years, the *code official* shall order the *owner* or *owner's* authorized agent to demolish and remove such *structure*, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless *approved* by the building official.

113.2 Notices and orders. Notices and orders shall comply with Section 111.4.

113.3 Failure to comply. If the *owner* of a *premises* or *owner's* authorized agent fails to comply with a demolition order within the time prescribed, the *code official* shall cause the *structure* to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate.

113.4 Salvage materials. Where any *structure* has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

CHAPTER 3

GENERAL REQUIREMENTS

User note:

About this chapter: Chapter 3 is broad in scope and includes a variety of requirements for the maintenance of exterior property areas, as well as the interior and exterior elements of the structure, that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure, and to maintain a building's structural and weather-resistance performance. Specifically, Chapter 3 contains criteria for the maintenance of building components; vacant structures and land; the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas; accessory structures; extermination of insects and rodents; access barriers to swimming pools, spas and hot tubs; vehicle storage and owner/occupant responsibilities.

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

301.2 Responsibility. The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as *owner-occupant* or permit another person to occupy *premises* that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* they occupy and control.

301.3 Vacant structures and land. Vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation. *Exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* that such *occupant* occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. *Premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any *structure* located thereon.

Exception: *Approved* retention areas and reservoirs.

302.3 Sidewalks and driveways. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. *Premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of [JURISDICTION TO INSERT HEIGHT IN INCHES]. Noxious

weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 108.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

302.5 Rodent harborage. Structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes that will not be injurious to human health. After *pest elimination*, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly on abutting or adjacent public or private property or that of another *tenant*.

302.7 Accessory structures. Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any *premises*, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a *structure* or similarly enclosed area designed and *approved* for such purposes.

302.9 Defacement of property. A person shall not willfully or wantonly damage, mutilate or deface any exterior surface

GENERAL REQUIREMENTS

of any *structure* or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

SECTION 304 EXTERIOR STRUCTURE

304.1 General. The exterior of a *structure* shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight.
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects.

6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.

9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects.

10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

304.2 Protective treatment. Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treat-

ment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

[F] 304.3 Premises identification. Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the *structure*. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper *anchorage* and in a safe condition.

304.9 Overhang extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper *anchorage* and capable of supporting the imposed loads.

304.11 Chimneys and towers. Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed

surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. Glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to *dwelling units* and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

304.18.1 Doors. Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

GENERAL REQUIREMENTS

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a *dwelling unit, rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

304.18.3 Basement hatchways. *Basement hatchways* that provide access to a *dwelling unit, rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

304.19 Gates. Exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

SECTION 305 INTERIOR STRUCTURE

305.1 General. The interior of a *structure* and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the *structure* that they occupy or control in a clean and sanitary condition. Every *owner* of a *structure* containing a *rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units* or two or more nonresidential *occupancies*, shall maintain, in a clean and sanitary condition, the shared or public areas of the *structure* and *exterior property*.

305.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Structural members are incapable of supporting nominal loads and load effects.
5. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

305.2 Structural members. Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces. Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 306 COMPONENT SERVICEABILITY

306.1 General. The components of a *structure* and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

306.1.1 Unsafe conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
 - 1.1. Collapse of footing or foundation system.
 - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion.
 - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil.
 - 1.4. Inadequate soil as determined by a geotechnical investigation.
 - 1.5. Where the allowable bearing capacity of the soil is in doubt.

- 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
 - 2.1. *Deterioration.*
 - 2.2. *Ultimate deformation.*
 - 2.3. *Fractures.*
 - 2.4. *Fissures.*
 - 2.5. *Spalling.*
 - 2.6. *Exposed reinforcement.*
 - 2.7. *Detached, dislodged or failing connections.*
3. Aluminum that has been subjected to any of the following conditions:
 - 3.1. *Deterioration.*
 - 3.2. *Corrosion.*
 - 3.3. *Elastic deformation.*
 - 3.4. *Ultimate deformation.*
 - 3.5. *Stress or strain cracks.*
 - 3.6. *Joint fatigue.*
 - 3.7. *Detached, dislodged or failing connections.*
4. Masonry that has been subjected to any of the following conditions:
 - 4.1. *Deterioration.*
 - 4.2. *Ultimate deformation.*
 - 4.3. *Fractures in masonry or mortar joints.*
 - 4.4. *Fissures in masonry or mortar joints.*
 - 4.5. *Spalling.*
 - 4.6. *Exposed reinforcement.*
 - 4.7. *Detached, dislodged or failing connections.*
5. Steel that has been subjected to any of the following conditions:
 - 5.1. *Deterioration.*
 - 5.2. *Elastic deformation.*
 - 5.3. *Ultimate deformation.*
 - 5.4. *Metal fatigue.*
 - 5.5. *Detached, dislodged or failing connections.*
6. Wood that has been subjected to any of the following conditions:
 - 6.1. *Ultimate deformation.*
 - 6.2. *Deterioration.*
 - 6.3. *Damage from insects, rodents and other vermin.*
 - 6.4. *Fire damage beyond charring.*
 - 6.5. *Significant splits and checks.*
 - 6.6. *Horizontal shear cracks.*
 - 6.7. *Vertical shear cracks.*
 - 6.8. *Inadequate support.*
 - 6.9. *Detached, dislodged or failing connections.*

6.10. Excessive cutting and notching.

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

SECTION 307 HANDRAILS AND GUARDRAILS

307.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall be not less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall be not less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: *Guards* shall not be required where exempted by the adopted building code.

SECTION 308 RUBBISH AND GARBAGE

308.1 Accumulation of rubbish or garbage. *Exterior property and premises*, and the interior of every *structure*, shall be free from any accumulation of *rubbish* or *garbage*.

308.2 Disposal of rubbish. Every *occupant* of a *structure* shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in *approved* containers.

308.2.1 Rubbish storage facilities. The *owner* of every occupied *premises* shall supply *approved* covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish*.

308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

308.3 Disposal of garbage. Every *occupant* of a *structure* shall dispose of garbage in a clean and sanitary manner by placing such garbage in an *approved* garbage disposal facility or *approved* garbage containers.

308.3.1 Garbage facilities. The *owner* of every dwelling shall supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit*; an *approved* incinerator unit in the *structure* available to the *occupants* in each *dwelling unit*; or an *approved* leakproof, covered, outside garbage container.

308.3.2 Containers. The *operator* of every establishment producing garbage shall provide, and at all times cause to be utilized, *approved* leakproof containers provided with close-fitting covers for the storage of such materials until removed from the *premises* for disposal.

1:30



July 5
10:19 AM

Edit

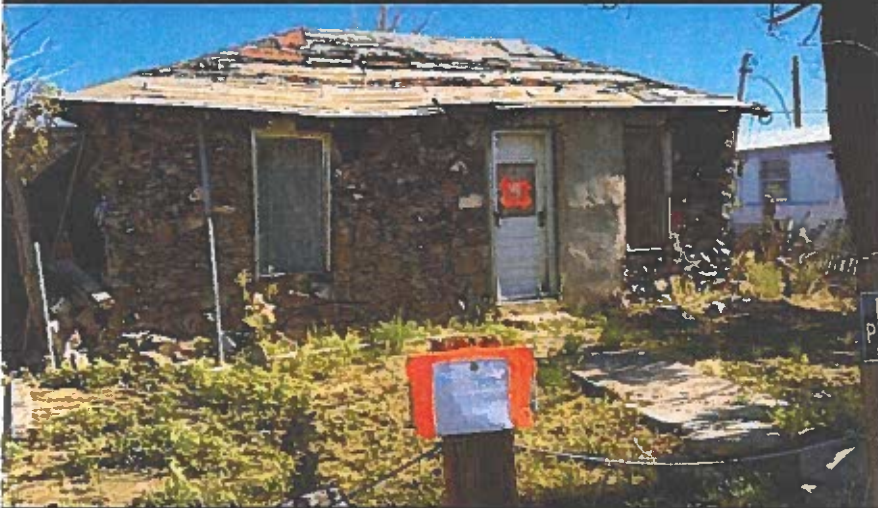


1:30



July 5
10:19 AM

Edit



CODE COMPLIANCE
CITY OF ALPINE BUILDING DEPT.
309 W SUL ROSS AVE
ALPINE, TX 79830

RUIZ ROSA MARIE
1205 N 10TH ST
ALPINE, TX 79830



7017 0530 0000 8488 5307



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ALPINE, TX 79830

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10. Sender's Signature
RUIZ ROSA MARIE

11. Sender's Date
JUL 05 2023

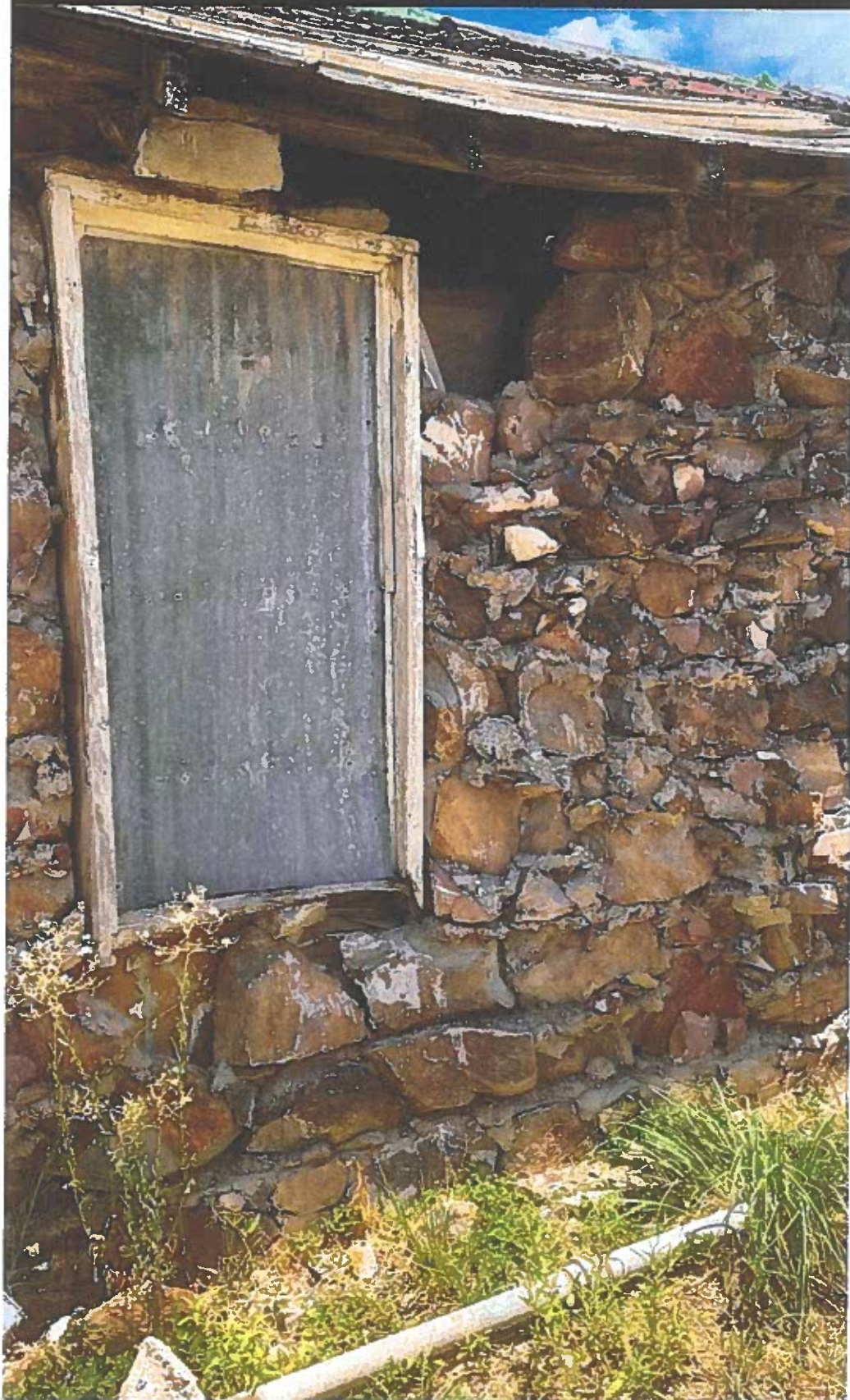


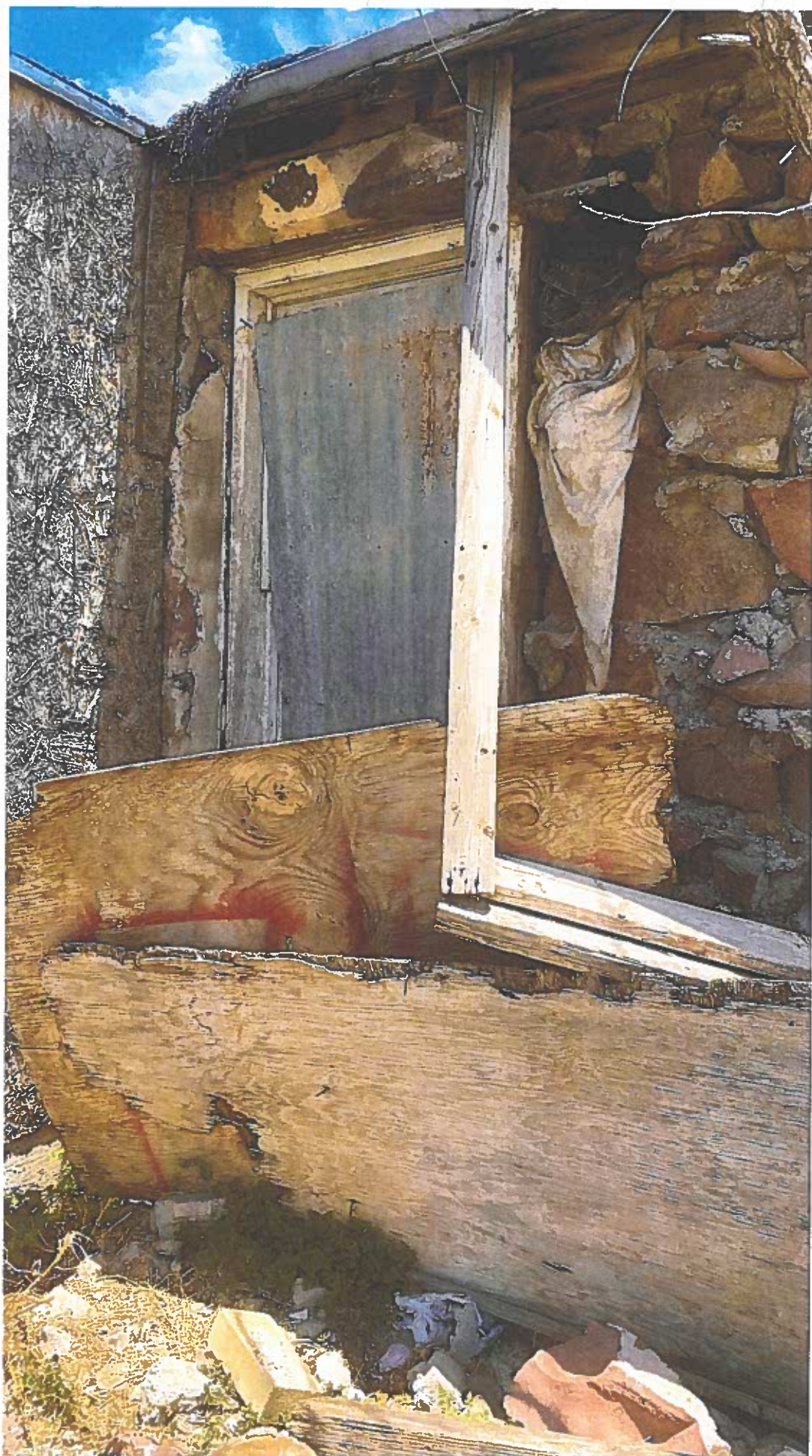
9:36

83%

Monday
1:38 PM

Edit





07/03/23

DANGER

THIS BUILDING IS DEEMED UNSAFE FOR HUMAN OCCUPANCY

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 THE CITY OF ALPINE BUILDING OFFICIAL AT (432) 837-3281 FOR FURTHER INFORMATION. THIS NOTICE SHALL REMAIN ON THIS STRUCTURE UNTIL IT IS REPAIRED, REMOVED FROM THE CITY OF ALPINE LIMITS, OR DEMOLISHED. ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE PROSECUTED

7/3/2023


City of Alpine Building Official

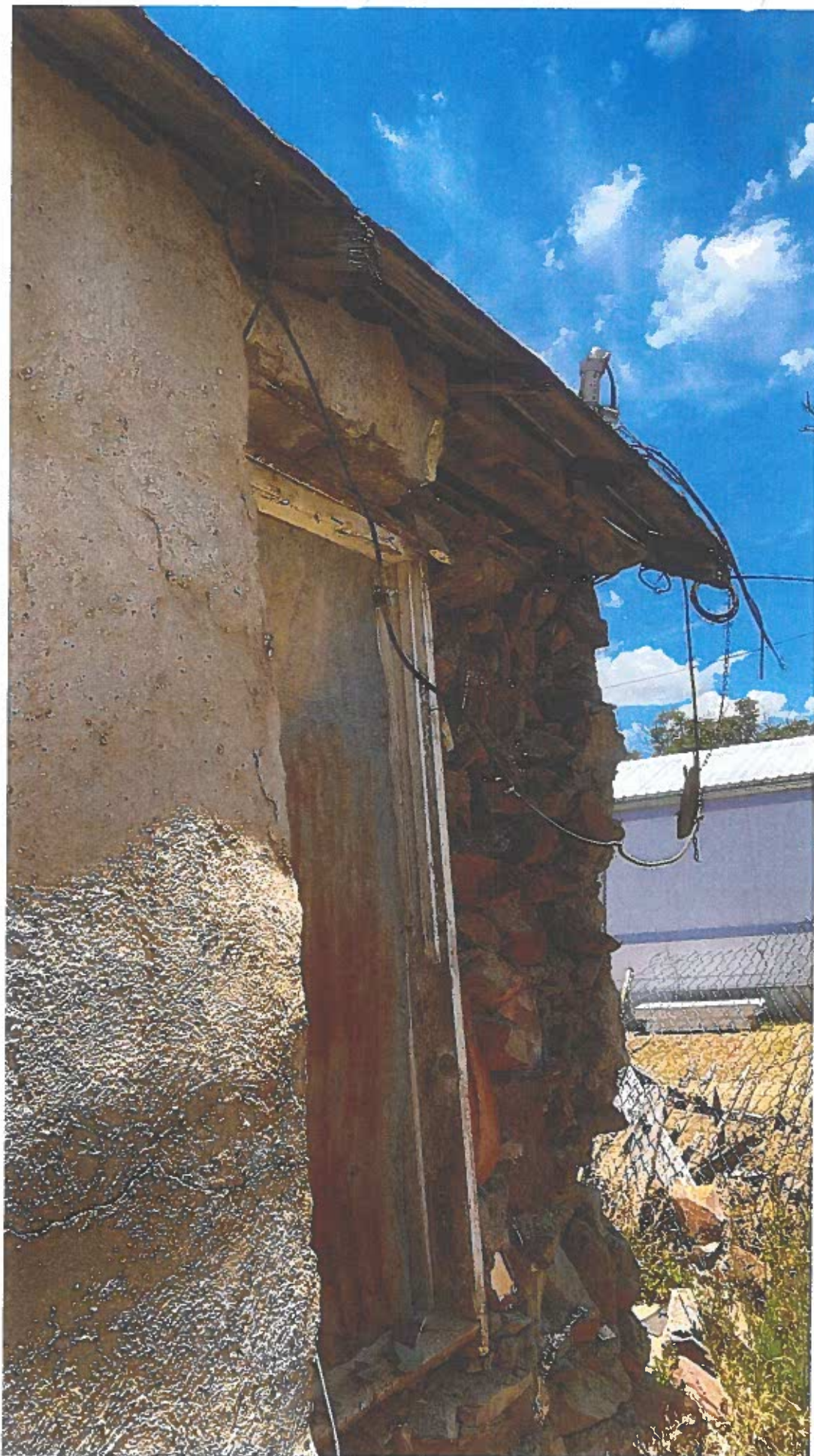
07/03/23



07/03/23



07/03/23



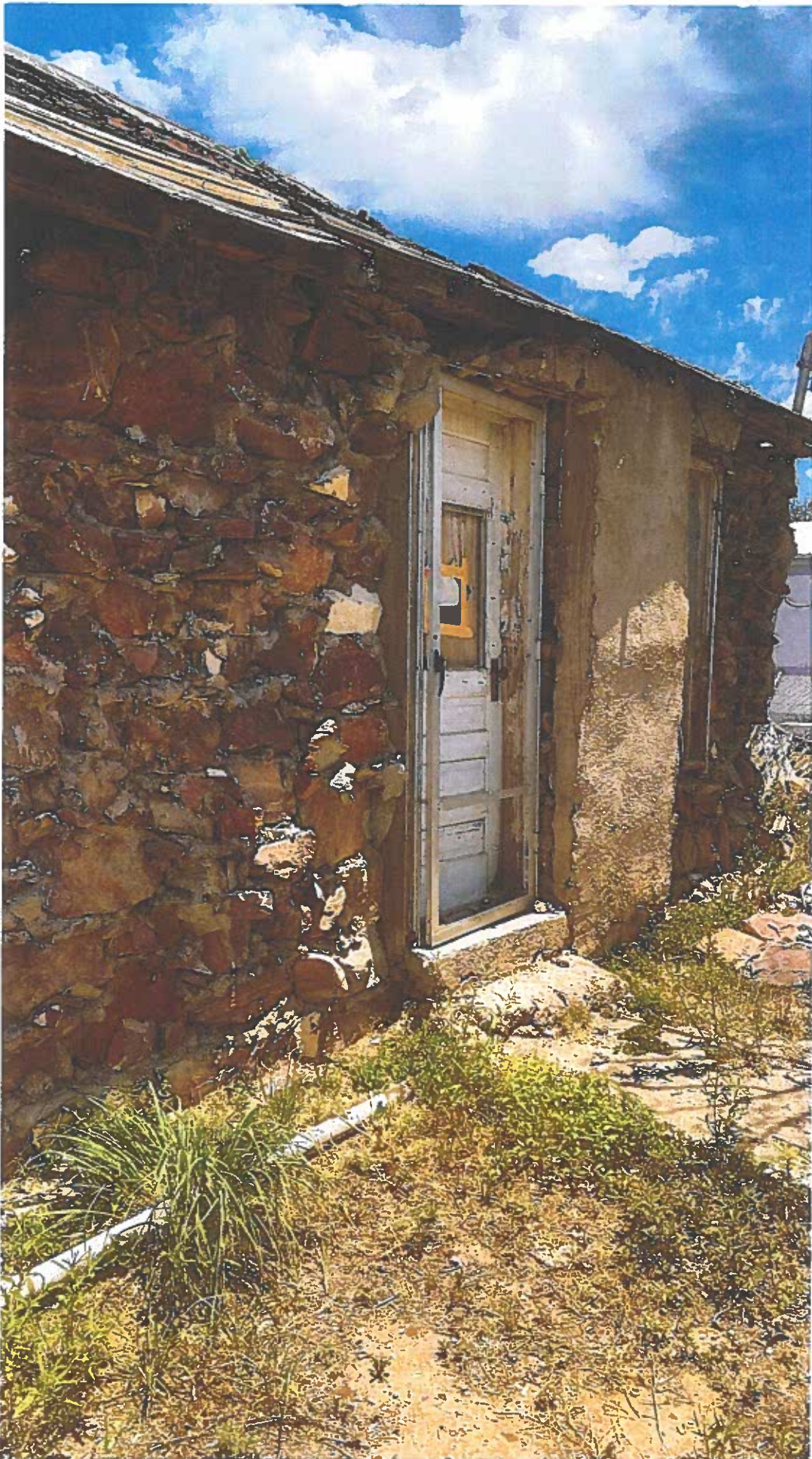
07/03/23



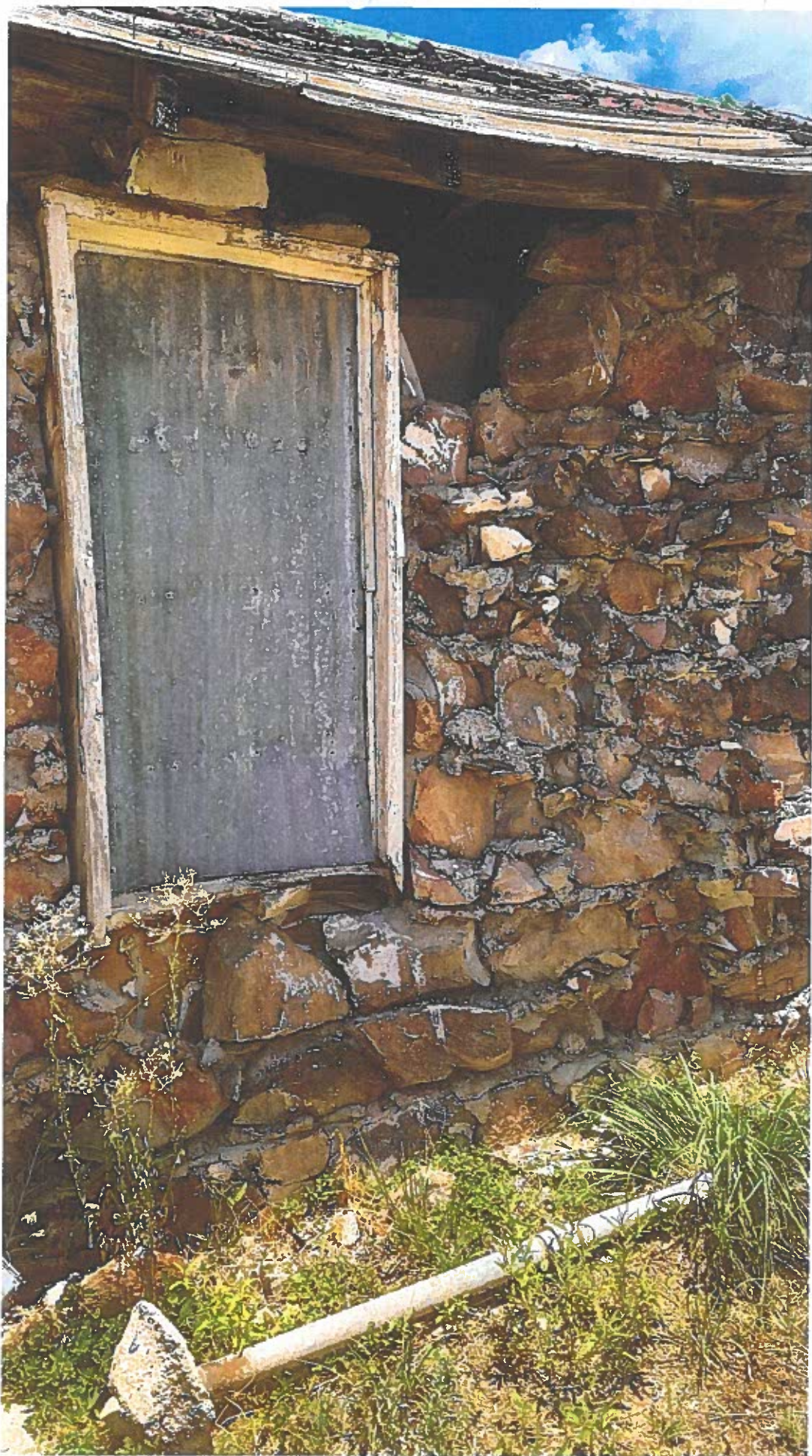
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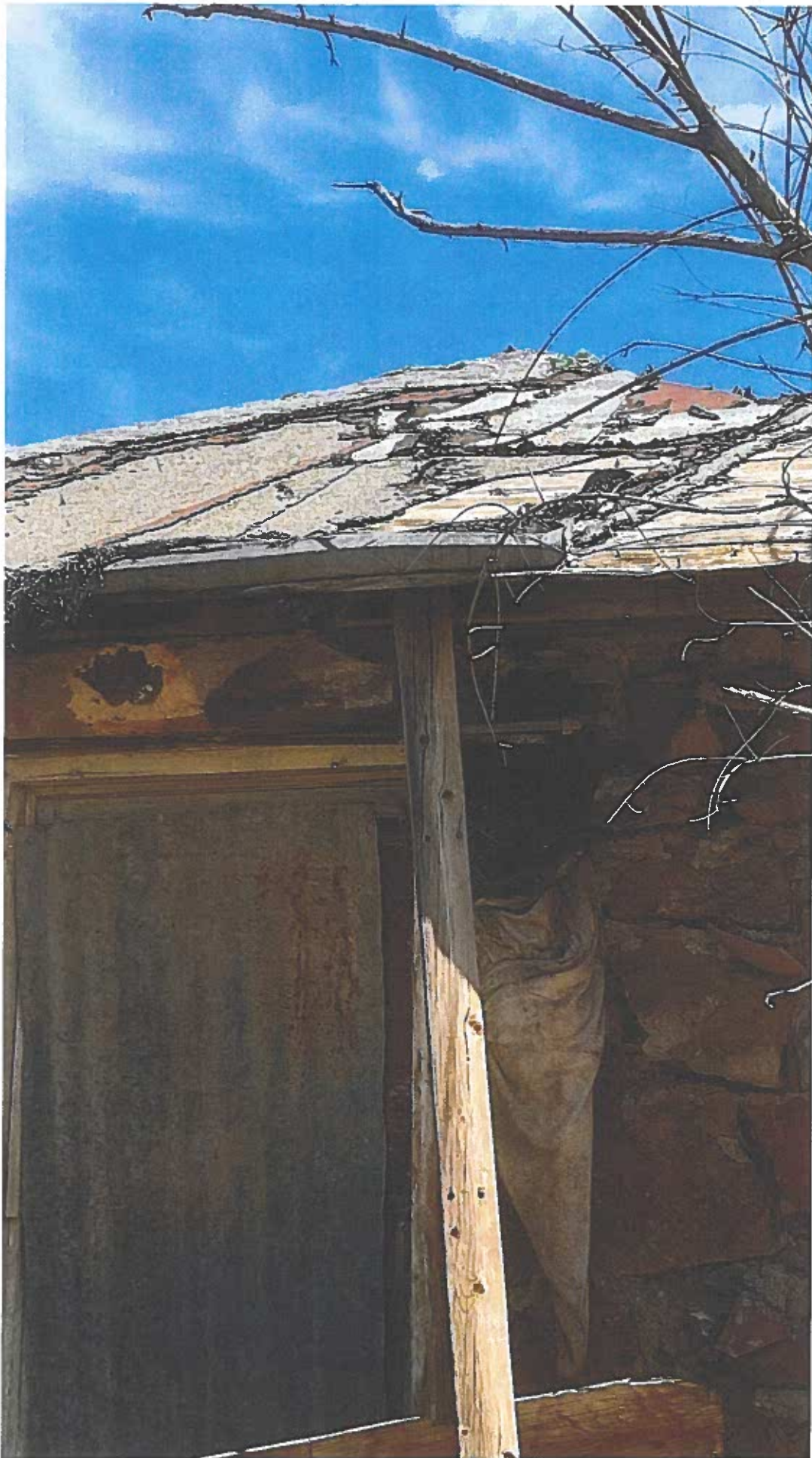
07/08/23






07/03/23



07 /03/23



07/03/23

BREWSTER COUNTY Sarah Vasquez Brewster County Clerk P.O. Drawer 119 Alpine, TX, 79831 Phone: 432-837-3366	DOCUMENT #: 117639 RECORDED DATE: 07/06/2023 10:12:48 AM 
OFFICIAL RECORDING COVER PAGE	
Document Type: MISCELLANEOUS Transaction Reference: Document Reference:	Transaction #: 84006 - 1 Doc(s) Document Page Count: 1 Operator Id: kmunoz
RETURN TO: ()	SUBMITTED BY: CITY OF ALPINE , TX
DOCUMENT # : 117639 RECORDED DATE: 07/06/2023 10:12:48 AM I hereby certify that this document was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Brewster County.   Sarah Vasquez Brewster County Clerk	

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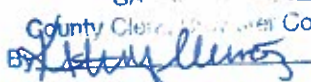
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN BY THE CITY OF ALPINE THAT A BUILDING AND STANDARDS COMMISSION PUBLIC HEARING WILL BE HELD ON **JULY 26, 2023** TO ASSESS COMPLIANCE AND TO ABATE VIOLATIONS OF THE CITY'S DANGEROUS BUILDING ORDINANCE AND INTERNATIONAL PROPERTY MAINTENANCE CODE. THE BUILDING AND STANDARDS COMMISSION MAY FINE AND ORDER ACTION TO ABATE NUISANCE CONDITIONS AND VIOLATIONS OF THE CITY'S MINIMUM PROPERTY STANDARDS FOR THE FOLLOWING PROPERTY:

1. PUBLIC HEARING TO DETERMINE IF THE PROPERTY LOCATED AT 1203 E AVE H IS A DANGEROUS STRUCTURE AND TO DETERMINE IF THE OWNER WILL BE ORDERED TO SECURE, REPAIR, REMOVE, OR DEMOLISH THE PROPERTY. THE SUBJECT PROPERTY DOES NOT MEET MINIMUM HEALTH AND SAFETY STANDARDS AND IS IN VIOLATION OF THE CITY'S DANGEROUS BUILDING ORDINANCE. THE PROPERTY IS LEGALLY DESCRIBED AS LOT NINE (9), BLOCK FORTY-TWO (42), HANCOCK ADDITION TO THE CITY OF ALPINE, BREWSTER COUNTY, TEXAS. THE RECORD PROPERTY OWNER IS ROSA MARIE RUIZ, 1205 N 10TH ST. THE PARCEL ID OF THE SUBJECT PROPERTY IS R10787.

THE PUBLIC HEARING WILL BE HELD AT CITY COUNCIL CHAMBERS LOCATED AT **803 WEST HOLLAND AVENUE** TO HEAR CITIZEN VIEWS AND COMMENTS CONCERNING THE SUBJECT PROPERTY. QUESTIONS MAY BE DIRECTED TO THE OFFICE OF THE CITY SECRETARY AT CITY.SECRETARY@CITYOFALPINE.COM OR BY PHONE AT (432) 837-3301, OPTION 1.

FILED
10:30 o'clock A M
Date July 16, 2023

SARAH M. MUEZ
County Clerk, Brewster County, TX
By  Deputy

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ruiz, Rosa Marie
1205 N 10th ST
Alpine, TX 79830



9590 9402 6976 1225 0291 77

2. Article Number (Transfer from service label)

17 0530 0000 8488 5307

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

☐ Agent
☒ Addressee

C. Date of Delivery

 D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
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PS Form 3811, July 2020 PSN 7530-02-000-9053

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- ☐ Adult Signature Required \$
- ☐ Adult Signature Restricted Delivery \$

Postage

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Total Postage and Fees

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Ruiz, Rosa Marie

Street and Apt. No., or PO Box No.

1205 N 10th ST

City, State, ZIP+4®

Alpine, TX 79830

PS Form 3800, April 2015 PSN 7530-02-000-7047

See Reverse for Instructions

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<input type="checkbox"/> Return Receipt (electronic)	\$
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<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
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City, State, ZIP+4®	Alpine, TX 79830
PS Form 3800, April 2015 PSN 7530-02-000-J047 See Reverse for Instructions	

ALPINE, TX 79830
JUL 05 2023
USPS

JESSICA BOORSE

PURCHASE ORDER

CITY OF ALPINE
100 NORTH 13TH STREET
ALPINE TX 79830

Purchase Order No: 0000032802

Date: 07-06-2023

To be purchased from:

CITIBANK, N.A.

PO BOX 6125

SIOUX FALLS, SD 57117-6125

DESCRIPTION	EXPENSE ACCOUNT	AMOUNT
ENFORCEMENT CLEAN UP	01-635-2100	26.00
Total Amount:		26.00

ANDREW DEVANEY

DEPARTMENT HEAD



COPY

PREPARED BY

Shipping Address: CITY OF ALPINE
100 NORTH 13TH STREET
ALPINE TX 79830

**All Transactions Approved****Bureau: 2512479 - Brewster Co, TX Misc CNT**

Reference Number	Amount	Qty	Conv. Fee	Result
NOTICE OF PUBLIC HEARING Payment ID: 100273207019 Miscellaneous Fee	\$26.00	1	\$2.00	Approved
Total Amounts + All Fees:	\$28.00			

BILLING INFORMATION

Payment will be billed to:

MEGAN ANTRIM

Card ending in ...0224 (Mastercard)

Processed at 07/06/2023 10:15:09 AM CDT

LEGAL NOTICE

Certified Payments provides a service for consumers and businesses to make payments via their credit card for various types of services and taxes. By utilizing Certified Payments, you, the cardholder, are subject to the following terms and conditions. By submitting your payment through Certified Payments, you are agreeing to the terms and conditions listed in the Legal Notices link below. Please read all terms and conditions carefully.

Privacy Statement - www.certifiedpayments.net/PrivacyStatement.aspxLegal Notice - www.certifiedpayments.net/LegalNotices.aspx

CAUSE NUMBER: 2023-0241

STATE OF TEXAS

VS.

Rosa M. Ruiz

§
§
§

IN THE MUNICIPAL COURT

CITY OF ALPINE

BREWSTER COUNTY, TEXAS

JUDGMENT

On this the 8th day of June, 2023, the Defendant in the above numbered and entitled cause appeared (by attorney) (in person) (by mail) and entered a plea of (guilty) (~~no contest~~) (not guilty) and waived a jury trial; and the Court, having heard the evidence and arguments, finds the Defendant **guilty** of the offense of Dangerous Buildings.

The Defendant being found **guilty** and assessed a fine of \$ 181.00, it is therefore **Ordered and Adjudged** by the Court that the State of Texas, for the use and benefit of the City of Alpine, Texas, does have and recover from the Defendant the fine in the amount of \$ _____, plus any and all costs required to be paid, which as of this date are \$ 181.00.

- ☐ The Defendant having entered a plea in open court as provided by Article 27.14(a) or 27.16(a), C.C.P., and the Judge having inquired whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs, the Judge determines that the Defendant:
- ☐ **DOES** have sufficient resources or income to immediately pay all or part of the fine and costs.
- ☐ **DOES NOT** have sufficient resources or income to immediately pay all or part of the fine and costs.
- ☒ Having determined that the Defendant **does not** have sufficient resources or income to immediately pay all or part of the fine and costs, it is **hereby Ordered** that (check one or a combination of the following):
- ☐ The Defendant pay the fine and costs by Nov. 15, 2023.
- ☒ The Defendant pay the fine and costs at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
- ☐ The Defendant discharge the fine and costs by performing community service. See attached Community Service Order incorporated as part of this judgment.
- ☐ (All) (Part) of the fine and costs are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment.
- ☐ The Defendant is **hereby Ordered** to pay the fine and costs:
- ☐ immediately.
- ☐ by _____, 20____.
- ☐ at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
- ☐ (If sentence in addition to payment of fine is authorized) It is further **Ordered** that the Defendant shall _____ no later than _____, 20____.
- ☐ The Defendant is hereby **Ordered** to pay restitution in the amount of \$ _____ to the victim in this case. Said restitution to be paid by _____.

It is further Ordered and Adjudged that in the event the Defendant defaults in the discharge of this judgment and is placed in jail, pursuant to Article 45.048(b) of the Code of Criminal Procedure, the Court specifies that, provided a commitment hearing is first conducted, the Defendant remain in jail a sufficient length of time to satisfy the fine and costs at the following rate:

_____ hours (not less than 8 or more than 24) to earn
_____ (minimum dollar amount \$100) to satisfy the fine and costs.



Gilbert E. Valenzuela June 8, 2023
Judge, Municipal Court Date

City of Alpine
Brewster County County, Texas

Alpine Municipal Court

Report Range: 06-08-2023 - 06-08-2023/05:00 AM - 08:00 PM

Court Date/Time: 06-08-2023 09:00 AM

CITA 2021-01051	PRL	STATE OF TEXAS	Pros:
Ofns Date: 11-25-2021		— Versus —	
File Date: 11-29-2021 550 days		VICTORINO, JESSE MANUEL	Atty:
Ofns: PERMIT UNLAWFUL USE OF DL			Ofcr: CHOPELAS, WYATT
Court Setting Type: NJ - Order to Show Cause Hearing			
Other Court Events: 12-06-2021 09:00 AM - NJ - Initial Hearing			
01-18-2022 09:00 AM - NJ - No Setting Type was set			
09-22-2022 09:00 AM - NJ - New Court Related Event			
04-13-2023 09:00 AM - NJ - Order to Show Cause Hearing			
CITA 2021-01136	PRL	STATE OF TEXAS	Pros:
Ofns Date: 12-24-2021			
File Date: 12-27-2021 522 days			
Ofns: NO DRIVERS LICENSE			Ofcr: CHOPELAS, WYATT
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 01-03-2022 09:00 AM - NJ - Initial Hearing			
05-11-2023 09:00 AM - NJ - Order to Show Cause Hearing			
05-16-2023 09:00 AM - NJ - No Setting Type was set			
06-08-2023 09:00 AM - NJ - New Court Related Event			
CITA 2021-01136	PRL	STATE OF TEXAS	Pros:
Ofns Date: 12-24-2021		— Versus —	
Ofns Date: 12-24-2021		— Versus —	
File Date: 12-27-2021 522 days		VEGA, DOMINIQUE	Atty:
File Date: 12-27-2021 522 days		VEGA, DOMINIQUE	Atty:
Ofns: NO DRIVERS LICENSE			Ofcr: CHOPELAS, WYATT
Court Setting Type: NJ - New Court Related Event			
Other Court Events: 01-03-2022 09:00 AM - NJ - Initial Hearing			
05-11-2023 09:00 AM - NJ - Order to Show Cause Hearing			
05-16-2023 09:00 AM - NJ - No Setting Type was set			
06-08-2023 09:00 AM - NJ - Initial Hearing			
CITA 2022-00101	PRL	STATE OF TEXAS	Pros:
Ofns Date: 02-28-2022		— Versus —	
File Date: 03-01-2022/458 days		LEVARIO, GILBERT JR	Atty:
Ofns: DRIVE WHILE LICFNSE SUSPENDED			Ofcr. MONTGOMERY, LINDY
Court Setting Type: NJ - New Court Related Event			
Other Court Events: 03-10-2022 09:00 AM - NJ - Initial Hearing			
05-11-2023 09:00 AM - NJ - Initial Hearing			
CITA 2022-00110	PRL	STATE OF TEXAS	Pros:
Ofns Date: 03-03-2022		— Versus —	
File Date: 03-08-2022/451 days		MOLINAR, EDUARDO GARCIA	Atty:
Ofns: EXPIRED LICENSE PLATES/REGISTRATION			Ofcr: VILLANUEVA, AARON
Court Setting Type: NJ - New Court Related Event			
Other Court Events: 03-14-2022 09:00 AM - NJ - Initial Hearing			
05-11-2023 09:00 AM - NJ - Initial Hearing			
CITA 2022-00159	PRL	STATE OF TEXAS	Pros:
Ofns Date: 03-18-2022		— Versus —	
File Date: 03-28-2022/431 days		RAMIREZ, MATTHEW	Atty:
Ofns: SPEEDING IN SCHOOL ZONE			Ofcr: LEGARRETA, KARINA
Court Setting Type: NJ - New Court Related Event			
Other Court Events: 03-28-2022 09:00 AM - NJ - Initial Hearing			
05-11-2023 09:00 AM - NJ - Initial Hearing			
CITA 2022-00160	PRL	STATE OF TEXAS	Pros:
Ofns Date: 03-18-2022		— Versus —	
File Date: 03-28-2022 431 days		RAMIREZ, MATTHEW	Atty:
Ofns: NO DRIVERS LICENSE			Ofcr. LEGARRETA, KARINA
Court Setting Type: NJ - New Court Related Event			
Other Court Events: 05-11-2023 09:00 AM - NJ - Initial Hearing			
CITA 2022-00161	PRL	STATE OF TEXAS	Pros:
Ofns Date: 03-18-2022		— Versus —	
File Date: 03-28-2022 431 days		RAMIREZ, MATTHEW	Atty:
Ofns: FAIL TO MAINTAIN FINANC. RESPONSIBILITY			Ofcr: LEGARRETA, KARINA
Court Setting Type: NJ - New Court Related Event			
Other Court Events: 05-11-2023 09:00 AM - NJ - Initial Hearing			
CITA 2022-00217	PPM	STATE OF TEXAS	Pros:
Ofns Date: 04-01-2022		— Versus —	
File Date: 04-20-2022/408 days		ROJO, APRIL MARIE	Atty:
Ofns: FAIL TO STOP AT DESIGNATED PT -STOP SIGN			Ofcr: PONCE, JOEL
Court Setting Type: NJ - Order to Show Cause Hearing			
Other Court Events: 05-19-2022 09:00 AM - NJ - Initial Hearing			
05-11-2023 09:00 AM - NJ - Order to Show Cause Hearing			
CITA 2022-00218	PRL	STATE OF TEXAS	Pros:
Ofns Date: 04-01-2022		— Versus —	
File Date: 04-20-2022 408 days		ROJO, APRIL MARIE	Atty:



Court Date/Time: 06-08-2023 09:00 AM

Report Range: 06-08-2023 - 06-08-2023/05:00 AM - 08:00 PM

Ofns: RECKLESS DRIVING			Ofcr: PONCE, JOEL
Court Setting Type: NJ - Order to Show Cause Hearing			
Other Court Events: 05-02-2022 09:00 AM - NJ - No Setting Type was set			
05-19-2022 09:00 AM - NJ - Initial Hearing			
05-11-2023 09:00 AM - NJ - Order to Show Cause Hearing			
CITA 2022-00219	PRL	STATE OF TEXAS	Pros:
Ofns Date: 04-01-2022		--- Versus ---	
File Date: 04-20-2022/408 days		ROJO, APRIL MARIE	Atty:
Ofns: OPERATE VEHICLE WITHOUT LICENSE PLATE			Ofcr: PONCE, JOEL
Court Setting Type: NJ - Order to Show Cause Hearing			
Other Court Events: 05-19-2022 09:00 AM - NJ - Initial Hearing			
05-11-2023 09:00 AM - NJ - Order to Show Cause Hearing			
CITA 2022-00521	PRL	STATE OF TEXAS	Pros:
Ofns Date: 07-02-2022		--- Versus ---	
File Date: 07-05-2022/332 days		GALAVIZ ARMENDARIZ, CYNTHIA	Atty:
Ofns: FAIL TO MAINTAIN FINANC. RESPONSIBILITY			Ofcr: PONCE, JOEL
Court Setting Type: NJ - New Court Related Event			
Other Court Events: 07-12-2022 09:00 AM - NJ - Initial Hearing			
09-22-2022 09:00 AM - NJ - Initial Hearing			
05-25-2023 09:00 AM - NJ - New Court Related Event			
2ND NTA MAILED TO DEFENDANT: IF DOES NOT SHOW UP TO COURT DO NOT RESCHEDULE:			
FTA			
CITA 2022-00842	PRL	STATE OF TEXAS	Pros:
Ofns Date: 10-03-2022		--- Versus ---	
File Date: 10-04-2022/241 days		BROOKS, DORINDA ALLISON	Atty:
Ofns: FAIL TO MAINTAIN FINANC. RESPONSIBILITY			Ofcr: CHOPELAS, WYATT
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 10-13-2022 09:00 AM - NJ - Initial Hearing			
CITA 2022-00843	PRL	STATE OF TEXAS	Pros:
Ofns Date: 09-30-2022		--- Versus ---	
File Date: 10-04-2022/241 days		TAYLOR, DAMMION AKHEEM	Atty:
Ofns: EXPIRED DRIVERS LICENSE			Ofcr: CHOPELAS, WYATT
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 10-10-2022 09:00 AM - NJ - Initial Hearing			
CITA 2022-00846	PRL	STATE OF TEXAS	Pros:
Ofns Date: 09-30-2022		--- Versus ---	
File Date: 10-05-2022/240 days		CASILLAS, ABELARDO ALARCON	Atty:
Ofns: UNRESTRAINED CHILD UNDER 8 NO TALLER THAN 4'9"			Ofcr: LEGARRETA, KARINA
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 10-10-2022 09:00 AM - NJ - Initial Hearing			
CITA 2022-00847	PRL	STATE OF TEXAS	Pros:
Ofns Date: 09-30-2022		--- Versus ---	
File Date: 10-05-2022/240 days		CASILLAS, ABELARDO ALARCON	Atty:
Ofns: UNRESTRAINED CHILD UNDER 8 NO TALLER THAN 4'9"			Ofcr: LEGARRETA, KARINA
Court Setting Type: NJ - Initial Hearing			
CITA 2022-00848	PRL	STATE OF TEXAS	Pros:
Ofns Date: 09-30-2022		--- Versus ---	
File Date: 10-05-2022/240 days		CASILLAS, ABELARDO ALARCON	Atty:
Ofns: NO DRIVERS LICENSE			Ofcr: LEGARRETA, KARINA
Court Setting Type: NJ - Initial Hearing			
CITA 2022-00849	PRL	STATE OF TEXAS	Pros:
Ofns Date: 09-30-2022		--- Versus ---	
File Date: 10-05-2022/240 days		CASILLAS, ABELARDO ALARCON	Atty:
Ofns: FAIL TO MAINTAIN FINANC. RESPONSIBILITY			Ofcr: LEGARRETA, KARINA
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 10-10-2022 09:00 AM - NJ - Initial Hearing			
CITA 2022-00855	PRL	STATE OF TEXAS	Pros:
Ofns Date: 09-30-2022		--- Versus ---	
File Date: 10-05-2022/240 days		BAEZA, JULIEN	Atty:
Ofns: ANIMALS AT LARGE			Ofcr: RUBIO, DOMINIC
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 10-10-2022 09:00 AM - NJ - Initial Hearing			
CITA 2022-00856	PRL	STATE OF TEXAS	Pros:
Ofns Date: 09-30-2022		--- Versus ---	
File Date: 10-05-2022/240 days		BAEZA, JULIEN	Atty:
Ofns: NO LICENSE - DOG			Ofcr: RUBIO, DOMINIC
Court Setting Type: NJ - Initial Hearing			
CITA 2022-01004	PRL	STATE OF TEXAS	Pros:
Ofns Date: 12-03-2022		--- Versus ---	
File Date: 12-06-2022/178 days		ROJO, APRIL MARIE	Atty:



Court Date/Time: 06-08-2023 09:00 AM

Report Range: 06-08-2023 - 06-08-2023:05:00 AM - 08:00 PM

Ofns: DROVE WRONG WAY ON ONE WAY
Court Setting Type: NJ - Order to Show Cause Hearing
Other Court Events: 12-13-2022 09:00 AM - NJ - Initial Hearing
01-11-2023 09:00 AM - NJ - Initial Hearing
05-11-2023 09:00 AM - NJ - Order to Show Cause Hearing
CITA 2023-0116 PRL STATE OF TEXAS
Ofns Date: 03-08-2023
File Date: 03-13-2023/81 days
Ofns: NO DRIVERS LICENSE
Court Setting Type: NJ - New Court Related Event
Other Court Events: 03-20-2023 09:00 AM - NJ - Initial Hearing
04-13-2023 09:00 AM - NJ - Initial Hearing
Pros:
Atty:
Ofcr: KETTANI, VALERIE

Ofns: NO DRIVERS LICENSE
Court Setting Type: NJ - New Court Related Event
Other Court Events: 03-20-2023 09:00 AM - NJ - Initial Hearing
04-13-2023 09:00 AM - NJ - Initial Hearing
CITA 2023-0117 PRL STATE OF TEXAS
Ofns Date: 03-08-2023
File Date: 03-13-2023/81 days
Ofns: SPEEDING IN SCHOOL ZONE
Court Setting Type: NJ - New Court Related Event
Other Court Events: 04-13-2023 09:00 AM - NJ - Initial Hearing
Pros:
Atty:
Ofcr: KETTANI, VALERIE

Ofns: NO DRIVERS LICENSE
Court Setting Type: NJ - New Court Related Event
Other Court Events: 03-20-2023 09:00 AM - NJ - Initial Hearing
04-13-2023 09:00 AM - NJ - Initial Hearing
CITA 2023-0128 PRL STATE OF TEXAS
Ofns Date: 03-13-2023
File Date: 03-15-2023/79 days
Ofns: ILL GAL DUMPING
Court Setting Type: NJ - New Court Related Event
Other Court Events: 03-23-2023 09:00 AM - NJ - Initial Hearing
03-31-2023 09:00 AM - NJ - No Setting Type was set
05-11-2023 09:00 AM - NJ - Initial Hearing
Pros:
Atty:
Ofcr: SUBIA, JOHN

Ofns: ILL GAL DUMPING
Court Setting Type: NJ - New Court Related Event
Other Court Events: 03-23-2023 09:00 AM - NJ - Initial Hearing
03-31-2023 09:00 AM - NJ - No Setting Type was set
05-11-2023 09:00 AM - NJ - Initial Hearing
CITA 2023-0161 PRL STATE OF TEXAS
Ofns Date: 03-26-2023
File Date: 03-27-2023/67 days
Ofns: SPEEDING OVER 10% POSTED LIMIT
Court Setting Type: NJ - Initial Hearing
Other Court Events: 04-05-2023 09:00 AM - NJ - Initial Hearing
05-25-2023 09:00 AM - NJ - Initial Hearing
Pros:
Atty:
Ofcr: SUBIA, JOHN

Ofns: SPEEDING OVER 10% POSTED LIMIT
Court Setting Type: NJ - Initial Hearing
Other Court Events: 04-05-2023 09:00 AM - NJ - Initial Hearing
05-25-2023 09:00 AM - NJ - Initial Hearing
CITA 2023-0179 PRL STATE OF TEXAS
Ofns Date: 03-31-2023
File Date: 04-05-2023 58 days
Ofns: NO DRIVERS LICENSE
Court Setting Type: NJ - New Court Related Event
Other Court Events: 04-10-2023 09:00 AM - NJ - Initial Hearing
05-25-2023 09:00 AM - NJ - Initial Hearing
Pros:
Atty:
Ofcr: VILLANUEVA, AARON

Ofns: NO DRIVERS LICENSE
Court Setting Type: NJ - New Court Related Event
Other Court Events: 04-10-2023 09:00 AM - NJ - Initial Hearing
05-25-2023 09:00 AM - NJ - Initial Hearing
CITA 2023-0180 PRL STATE OF TEXAS
Ofns Date: 03-31-2023
File Date: 04-05-2023 58 days
Ofns: FAIL TO MAINTAIN FINANC. RESPONSIBILITY
Court Setting Type: NJ - New Court Related Event
Other Court Events: 05-25-2023 09:00 AM - NJ - Initial Hearing
Pros:
Atty:
Ofcr: VILLANUEVA, AARON

Ofns: FAIL TO MAINTAIN FINANC. RESPONSIBILITY
Court Setting Type: NJ - New Court Related Event
Other Court Events: 05-25-2023 09:00 AM - NJ - Initial Hearing
CITA 2023-0181 PRL STATE OF TEXAS
Ofns Date: 03-31-2023
File Date: 04-05-2023 58 days
Ofns: EXPIRED LICENSE PLATES/REGISTRATION
Court Setting Type: NJ - New Court Related Event
Other Court Events: 05-25-2023 09:00 AM - NJ - Initial Hearing
Pros:
Atty:
Ofcr: VILLANUEVA, AARON

Ofns: EXPIRED LICENSE PLATES/REGISTRATION
Court Setting Type: NJ - New Court Related Event
Other Court Events: 05-25-2023 09:00 AM - NJ - Initial Hearing
CITA 2023-0195 PRL STATE OF TEXAS
Ofns Date: 04-13-2023
File Date: 04-14-2023 49 days
Ofns: CODI 54 SEC 203 - HIGH WEEDS & GRASS PROHIBITED
Court Setting Type: NJ - New Court Related Event
Other Court Events: 04-24-2023 09:00 AM - NJ - Initial Hearing
05-11-2023 09:00 AM - NJ - Initial Hearing
Pros:
Atty:
Ofcr: BEALL, ADELINA

Ofns: CODI 54 SEC 203 - HIGH WEEDS & GRASS PROHIBITED
Court Setting Type: NJ - New Court Related Event
Other Court Events: 04-24-2023 09:00 AM - NJ - Initial Hearing
05-11-2023 09:00 AM - NJ - Initial Hearing
CITA 2023-0207 PRL STATE OF TEXAS
Ofns Date: 04-19-2023
File Date: 04-21-2023/42 days
Ofns: ALLOW UNLICENSED PERSON TO DRIVE
Court Setting Type: NJ - Initial Hearing
Other Court Events: 05-01-2023 09:00 AM - NJ - Initial Hearing
Pros:
Atty:
Ofcr: KETTANI, VALERIE

Ofns: ALLOW UNLICENSED PERSON TO DRIVE
Court Setting Type: NJ - Initial Hearing
Other Court Events: 05-01-2023 09:00 AM - NJ - Initial Hearing
CITA 2023-0208 PRL STATE OF TEXAS
Ofns Date: 04-19-2023
File Date: 04-21-2023 42 days
Ofns: SPEEDING OVER 10% POSTED LIMIT
Court Setting Type: NJ - Initial Hearing
Other Court Events: 05-01-2023 09:00 AM - NJ - Initial Hearing
Pros:
Atty:
Ofcr: CAUGHMAN, KIRK



Court Date/Time: 06-08-2023 09:00 AM

Report Range: 06-08-2023 - 06-08-2023/05:00 AM - 08:00 PM

CITA 2023-0209	PRL	STATE OF TEXAS	Pros:
Ofns Date: 04-19-2023		— Versus —	
File Date: 04-21-2023 42 days		WILBOURN, SARAH GRACE	Atty:
Ofns: SPEEDING I-5 OVER SPEED LIMIT			Ofer: KETTANI, VALERIE
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 05-01-2023 09:00 AM - NJ - Initial Hearing			
CITA 2023-0210	PRL	STATE OF TEXAS	Pros:
Ofns Date: 04-19-2023		— Versus —	
File Date: 04-21-2023 42 days		WILBOURN, SARAH GRACE	Atty:
Ofns: FAIL TO PASS SAFELY			Ofer: KETTANI, VALERIE
Court Setting Type: NJ - Initial Hearing			
CITA 2023-0218	PRL	STATE OF TEXAS	Pros:
Ofns Date: 04-23-2023		— Versus —	
File Date: 04-24-2023 39 days		CAGUANA, EDDIE OMAR	Atty:
Ofns: SPEEDING OVER 10% POSTED LIMIT			Ofer: HOPELAS, WYATT
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 05-03-2023 09:00 AM - NJ - Initial Hearing			
CITA 2023-0230	DRV	STATE OF TEXAS	Pros:
Ofns Date: 04-30-2023		— Versus —	
File Date: 05-02-2023 31 days		MARCIANO, THI TRAM ANH	Atty:
Ofns: FAIL TO STOP AT DESIGNATED PT - STOP SIGN			Ofer: LEGARRETA, KARINA
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 05-10-2023 09:00 AM - NJ - Initial Hearing			
08-08-2023 09:00 AM - NJ - New Court Related Event			
CITA 2023-0232	PRL	STATE OF TEXAS	Pros:
Ofns Date: 04-29-2023		— Versus —	
File Date: 05-02-2023/31 days		CARTER, LESLIE R	Atty:
Ofns: TURNED WHEN UNSAFE			Ofer: LEGARRETA, KARINA
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 05-09-2023 09:00 AM - NJ - Initial Hearing			
CITA 2023-0235	PRL	STATE OF TEXAS	Pros:
Ofns Date: 04-28-2023		— Versus —	
File Date: 05-02-2023/31 days		BARAJAS JIMENEZ, EMIGDIO	Atty:
Ofns: SPEEDING OVER 10% POSTED LIMIT			Ofer: SUBIA, JOHN
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 05-08-2023 09:00 AM - NJ - Initial Hearing			
CITA 2023-0236	PRL	STATE OF TEXAS	Pros:
Ofns Date: 04-28-2023		— Versus —	
File Date: 05-02-2023 31 days		LLANEZ, HOLLY M	Atty:
Ofns: ANIMALS AT LARGE			Ofer: FOX, CHARLES
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 05-08-2023 09:00 AM - NJ - Initial Hearing			
CITA 2023-0237	PRL	STATE OF TEXAS	Pros:
Ofns Date: 04-28-2023		— Versus —	
File Date: 05-02-2023 31 days		LLANEZ, HOLLY M	Atty:
Ofns: NO LICENSE - DOG			Ofer: FOX, CHARLES
Court Setting Type: NJ - Initial Hearing			
CITA 2023-0238	PRL	STATE OF TEXAS	Pros:
Ofns Date: 04-28-2023		— Versus —	
File Date: 05-02-2023 31 days		LLANEZ, HOLLY M	Atty:
Ofns: ANIMAL VACCINATION 10-46			Ofer: FOX, CHARLES
Court Setting Type: NJ - Initial Hearing			
CITA 2023-0240	PRL	STATE OF TEXAS	Pros:
Ofns Date: 05-05-2023		— Versus —	
File Date: 05-05-2023 28 days		JOHNSON, JONATHAN CLINT	Atty:
Ofns: FAIL TO STOP AT DESIGNATED PT - STOP SIGN			Ofer: CHOPELAS, WYATT
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 05-15-2023 09:00 AM - NJ - Initial Hearing			
CITA 2023-0241	PRL	STATE OF TEXAS	Pros:
Ofns Date: 05-05-2023		— Versus —	
File Date: 05-09-2023/24 days		RUIZ, ROSA M.	Atty:
Ofns: DANGEROUS STREET			Ofer: BOORSE, JESSICA
Court Setting Type: NJ - Initial Hearing			
Other Court Events: 05-15-2023 09:00 AM - NJ - Initial Hearing			
CITA 2023-0242	PRL	STATE OF TEXAS	Pros:
Ofns Date: 05-10-2023		— Versus —	
File Date: 05-12-2023 21 days		ROLLINS, WILLIAM SCOTT	Atty:
Ofns: SPEEDING IN SCHOOL ZONE			Ofer: LEGARRETA, KARINA



Alpine Municipal Court

Report Range: 06-08-2023 - 06-08-2023/05:00 AM - 08:00 PM

Court Date/Time: 06-08-2023 09:00 AM

Court Setting Type: NJ - Initial Hearing

Other Court Events: 05-22-2023 09:00 AM - NJ - Initial Hearing

CITA 2023-0271

PRL

STATE OF TEXAS

Pros:

Ofns Date: 05-22-2023

— Versus —

File Date: 05-25-2023/8 days

GARLICK, RHONDA YVONNE

Atty:

Ofns: SPEEDING OVER 10% POSTED LIMIT

Ofcr: LOSOYA, DARRELL

Court Setting Type: NJ - Initial Hearing

Other Court Events: 06-01-2023 09:00 AM - NJ - Initial Hearing

CITA 2023-0277

PRL

STATE OF TEXAS

Pros:

Ofns Date: 05-29-2023

— Versus —

File Date: 05-31-2023/2 days

GOMEZ, JAVIER ARTURO

Atty:

Ofns: SPEEDING OVER 10% POSTED LIMIT

Ofcr: SUBIA, JOHN

Court Setting Type: NJ - Initial Hearing

CITA 2023-0278

PRL

STATE OF TEXAS

Pros:

Ofns Date: 05-29-2023

— Versus —

File Date: 05-31-2023 2 days

APARICIO, CARLOS ALBERTO

Atty:

Ofns: SPEEDING OVER 10% POSTED LIMIT

Ofcr: SUBIA, JOHN

Court Setting Type: NJ - Initial Hearing

CITA 2023-0279

DRV

STATE OF TEXAS

Pros:

Ofns Date: 05-29-2023

— Versus —

File Date: 05-31-2023 2 days

CAMP, JENNA LYNN

Atty:

Ofns: SPEEDING OVER 10% POSTED LIMIT

Ofcr: SUBIA, JOHN

Court Setting Type: NJ - Initial Hearing

Other Court Events: 08-29-2023 09:00 AM - NJ - New Court Related Event

DSC DOCUMENTS DUE



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>Ruiz, Rosa Marie 1205 N 10th St Alpine TX 79830</p>		<p>A. Signature <i>Rosa Marie Ruiz</i></p> <p>B. Received by (Printed Name) <i>Rosa Marie Ruiz</i></p> <p>C. Date of Delivery <i>05/13/23</i></p> <p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7017 0530 0000 8488 4652</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery over \$500</p> <p><input type="checkbox"/> Priority Mail Express® <input checked="" type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	

9590 9402 2707 6351 2496 91

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To *Ruiz, Rosa Marie*
 Street and Apt. No., or PO Box No. *1205 N 10th St*
 City, State, ZIP+4® *Alpine TX 79830*

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Postmark Here
MAY 09 2023

ORDER TO APPEAR

CITY OF ALPINE
BUILDING / CODE ENFORCEMENT
309 W. JOL ROSS AVE
ALPINE TX 79830

3457

Name _____ Docket No. _____
Last First Middle
Address _____ Ph _____
City, State, Zip _____
Employer _____ Ph _____
DOB ____/____/____ Race ____ Ht. ____ Wt. ____ Hair ____ Eyes ____ Sex ____
DL# _____ State _____ Exp. Date _____
Number

The undersigned states that on or about

5/5/23 at 11 a.m. at 1303 L AVE H
Mo. Day Yr. Location
the person named above did unlawfully commit the following
offense(s). Violation of Building Code
Dangerous Structures

In violation of: V.B.C. / D.S.

The undersigned, on oath, says that the facts set forth above are true in substance and in fact.

Dated 5/5/23 Officer's Signature 7637 Id No.

YOU ARE HEREBY ORDERED TO APPEAR AT:

C ALPINE MUNICIPAL COURT
A 100 N 13TH ST, ALPINE, TX 79830
C (432) 837-0808
C On June 8, 2023 AT 9:00 AM

I agree to appear in court on the above date

Signature _____ (This is not a plea of guilt)

OFFICER

CAUSE NUMBER 2023--0241

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF ALPINE

RUIZ, ROSA MARIE

§

BREWSTER COUNTY, TEXAS

COMPLAINT REPORT AND AFFIDAVIT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS:

BEFORE ME, the undersigned authority this day personally appeared

RUIZ, ROSA MARIE, Affiant, a credible person known or duly identified to me, who, after by me being duly sworn upon his/her oath, did state and depose as follows:

"I do solemnly swear or affirm that I have good reason and cause to believe, and do believe, and do charge, that on or about 05/05/2023 (date of offense), and before the marking and filing of this Complaint, within the corporate limits of the City of Alpine, the County of Brewster and the State of Texas, **RUIZ, ROSA MARIE**, name of defendant) did then and there, contrary to the lawful Ordinances of the City of Alpine:

DS- Dangerous Building

VBC- Violation of Building Code

Therefore, RUIZ, ROSA MARIE (name of Defendant) is in violation of City of: (Code name and article).
ARTICLE XI. - DANGEROUS BUILDINGS; DIVISION I. - GENERALLY; Section 18-281 through Section 18-291 (Code name and article).

AGAINST THE PEACE AND DIGNITY OF THE STATE.


Signature of Complaining Witness

Jessica Boorse

Printed Name of Complaining Witness

SWORN AND SUBSCRIBED BEFORE ME ON THIS 9th DAY OF May, 2023 .




Municipal Court Clerk

CAUSE NUMBER 2023--0241

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF ALPINE

RUIZ, ROSA MARIE

§

BREWSTER COUNTY, TEXAS

COMPLAINT REPORT AND AFFIDAVIT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS:

BEFORE ME, the undersigned authority this day personally appeared

RUIZ, ROSA MARIE, Affiant, a credible person known or duly identified to me, who, after by me being duly sworn upon his/her oath, did state and depose as follows:

"I do solemnly swear or affirm that I have good reason and cause to believe, and do believe, and do charge, that on or about 05/05/2023 (date of offense), and before the marking and filing of this Complaint, within the corporate limits of the City of Alpine, the County of Brewster and the State of Texas, **RUIZ, ROSA MARIE**, name of defendant) did then and there, contrary to the lawful Ordinances of the City of Alpine:

DS- Dangerous Building

VBC- Violation of Building Code

Therefore, **RUIZ, ROSA MARIE** (name of Defendant) is in violation of City of: (Code name and article).
ARTICLE XI. - DANGEROUS BUILDINGS; DIVISION 1. - GENERALLY; Section 18-281 through Section 18-291 (Code name and article).

AGAINST THE PEACE AND DIGNITY OF THE STATE.


Signature of Complaining Witness

Jessica Boorse

Printed Name of Complaining Witness

SWORN AND SUBSCRIBED BEFORE ME ON THIS 9th DAY OF May, 2023 .

(Municipal Court Seal)

Municipal Court Clerk

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RUIZ, ROSA MARIE
1205 N 10th St.
Arlene, TX 79830



9590 9402 6976 1225 0277 39

2. Article Number (Transfer from service label)

70170530000084883594

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Rosie Ruiz*

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

Rosie Ruiz

C. Date of Delivery

10.03.12

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☒ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL RECEIPT

2017 0530 0000 848 855 H

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	\$
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$

Sent To **RUIZ, ROSA MARIE**

Street and Apt. No. **1205 N 10th St**

City, State, ZIP+4[®] **Alpine TX 79830**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ALPINE TX 79830
SEP 30 2022
Postmark Here
USPS

CODE ENFORCEMENT
309 W. SUL ROSS AVE
ALPINE, TX 79830
(432) 837-3281



RUIZ ROSA MARIE
1205 N 10TH ST
ALPINE, TX 79830

RE: CITY ORDINANCE

DATE: September 30, 2022

Legal Description:
HANCOCK, BLOCK 42, LOT 9

Physical Address:
1203 E AVE H

Nature of violation(s): Dangerous Building (*Condemned in 2018*)

City of Alpine continues in its effort to provide a safe and hazard-free community. Enforcement of City Codes, especially regarding the prevention and elimination of fire, health, and safety hazards, is an important part of this effort. In doing so, we are charged with the responsibility of notifying property owners of hazardous conditions that exist.

According to the real property records of Brewster County, you own the real property described in this notice. If you no longer own this property, you must execute an affidavit stating that you no longer own the property and stating the last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date that you received this notice, even if you do not.

The Brewster County Tax Rolls list you as owner of the above referenced property. The property described above has been found to be in violation of City Code(s):

Code violations:

ARTICLE X. - DANGEROUS BUILDINGS Sec. 18-281-291

Based upon an inspection of said property on:

08/26/2022

We have provided below the City of Alpine Code of Ordinance that apply to your current situation.

In summary:

A condemned building is a building that **fails to meet the local standards for livable housing** and therefore must be vacated. All accessory structures located on the same property shall be removed or demolished, regardless of the structural condition. This house has been considered condemned, for demolition (See attached paperwork).

- Sec. 18-283. - Abatement of dangerous buildings.

(a)

It shall be unlawful for any owner, occupant, or other person in control of a structure to allow that structure to be in a condition that does not conform to the minimum standards.

(b)

Any structure that does not conform to the minimum standards is hereby declared to be a public nuisance and shall be abated by vacation, relocation of occupants, repair, demolition, or removal as necessary upon the issuance of an order to abate issued by the board in accordance with the procedures specified in this article.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

- Sec. 18-289. - Appeals.

Any owner, lienholder or mortgagee of record of property jointly or severally aggrieved by an order of the court under this article may file in district court a verified petition setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed by an owner, lienholder, or mortgagee within 30 calendar days after the date a copy of the court's order is mailed to them in accordance with this article.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

- Sec. 18-290. - Expense of abatement.

(a)

If an owner or other interested party does not secure, vacate, repair, remove, or demolish a structure within 60 days, the inspector may take the ordered action at the city's expense.

Calculation of costs.

(1)

Costs include all expenses incurred as a result of the enforcement of the order.

(2)

The general administrative expenses of inspecting structures, locating owners, conducting hearings, and issuing notices and orders, together with all associated administrative functions, require a reasonable minimum charge of \$500.00 per property. The building official shall maintain a log of all expenses incurred during this process. If this total is greater than \$500.00, the cost shall be the greater amount.

(c)

Lien. Any expenses incurred by the city pursuant to subsection (a) of this section will be assessed against the property on which the structure stands or stood. The city will have a privileged lien upon filing same in the Official Public Records of Brewster County subordinate only to tax liens against the property unless it is a homestead as protected by the Texas Constitution. The lien will be extinguished if the property owner or other interested party reimburses the city for all expenses and penalties.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

- **Sec. 18-291. - Seizure and sale of property to recover expenses.**

The city may foreclose a lien on property pursuant to Texas Local Government Code § 214.004:

(1)

In a proceeding relating to the property brought under Subchapter E, Chapter 33, Tax Code; or

(2)

In a judicial proceeding, if:

a.

A building or other structure on the property has been demolished;

b.

A lien for the cost of the demolition of the structure or other structure on the property has been created and that cost has not been paid more than 180 days after the date the lien was filed; and

c.

CODE ENFORCEMENT
309 W. SUL ROSS AVE
ALPINE, TX 79830
(432) 837-3281

Ad valorem taxes are delinquent on all or part of the property.

(Ord. No. 2013-06-04, § 1, 7-2-2013)

THE OWNER MUST CONTACT BUILDING SERVICES DEPARTMENT AT
(432) 837-3281 FOR FURTHER INFORMATION.

The owner or the owner's designated representative has 15 days from the date of the notice to contact the inspector regarding their intent.

All the above information is posted online: <https://www.cityofalpine.com>>Government>Code of ordinance> [Code of Ordinances](#) | [Alpine, TX](#) | [Municode Library](#)

**BUILDING SERVICES**

309 W SUL ROSS AVE

ALPINE, TX 79830

(432) 837-3281

LAST NAME: RUIZ

COMPLAINT # 23-018457**Code Enforcement Process and Procedures**

PHYSICAL ADDRESS: 1203 E AVE H ALPINE, TX 79830
LEGAL ADDRESS: HANCOCK, BLOCK 42, LOT 9
PROPERTY OWNER(S) ADDRESS:
ROSA MARIE RUIZ 1205 N 10 TH ST ALPINE, TX 79830
CODE VIOLATIONS CONSIDERED:
Alpine, TX Code of Ordinances, Sec. 18-284., (1) B,C,D,G,H,K,M,P,R

Step 1). Complaint or determination of violation- Date of awareness and listed determined violations. ☒Date: 8/26/22Step 2). Investigation and posting (any "Stop work"/red tags posted on premise). ☒Date: 8/26/22

Step 3). Letter (in writing) to last known address for owner/ Notice of violation.

Including:

- a. Description of real estate sufficient for identification. ☒
- b. A statement of the violation(s) and a notice of why the notice is being issued. ☒
- c. A correction order allowing a reasonable time to make repairs and improvements. ☒
- d. Inform the property owner the right to appeal. ☒
- e. Include a statement of the right to file a lien ☒

Date: 9/29/22

Step 4). Method of service:

- a. Delivered personally ☐
- b. Sent by certified or first class mail addressed to the last known address; or ☒
- c. If the notice is returned showing that the letter was not delivered, a copy thereof shall be POSTED in a visible place in or about the structure affected by such notice. ☐

(Please note which method was used): Certified mail w/ Return Slip Date: 9/30/22

I hereby certify that this submittal contains the information required by the City of Alpine Code of Ordinances:

Code Enforcement Signature: Print Name: Jessica BoorseDate of completed process: 09/30/227017 0530 0000 8488 3594

**BUILDING SERVICES**

309 W SUL ROSS AVE

ALPINE, TX 79830

(432) 837-3281

LAST NAME: RUIZCOMPLAINT # 23-018457**Code Enforcement Action Plan & Procedures:****FORM B:**

Contacted within 15 days?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	DATE: <u>5/5/23</u>
Citation Given?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	

If yes: amount of citation:

TBD**Notes on case:**

<u>2018 Considered condemned</u>
<u>Letter Sent 09/30/22 certified - NO response</u>
<u>Roy mendoza posted Dangerous Building 3/15/22</u>
<u>Andrew Davany Posted 08/25/22</u>

If citation was given, was it turned into the court clerk? YES ☒ NO ☐ DATE: COURT RESULTS: DISMISSED YES ☐ NO ☒

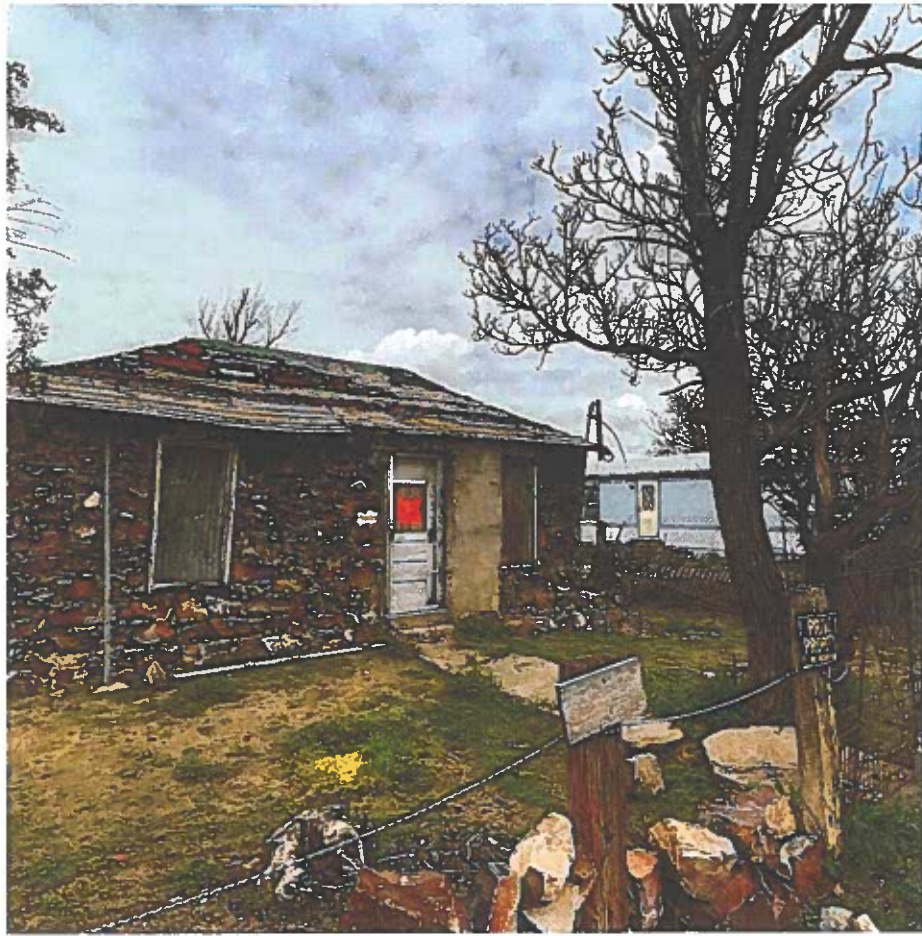
*IF NO, RESULTS IN NOTES:

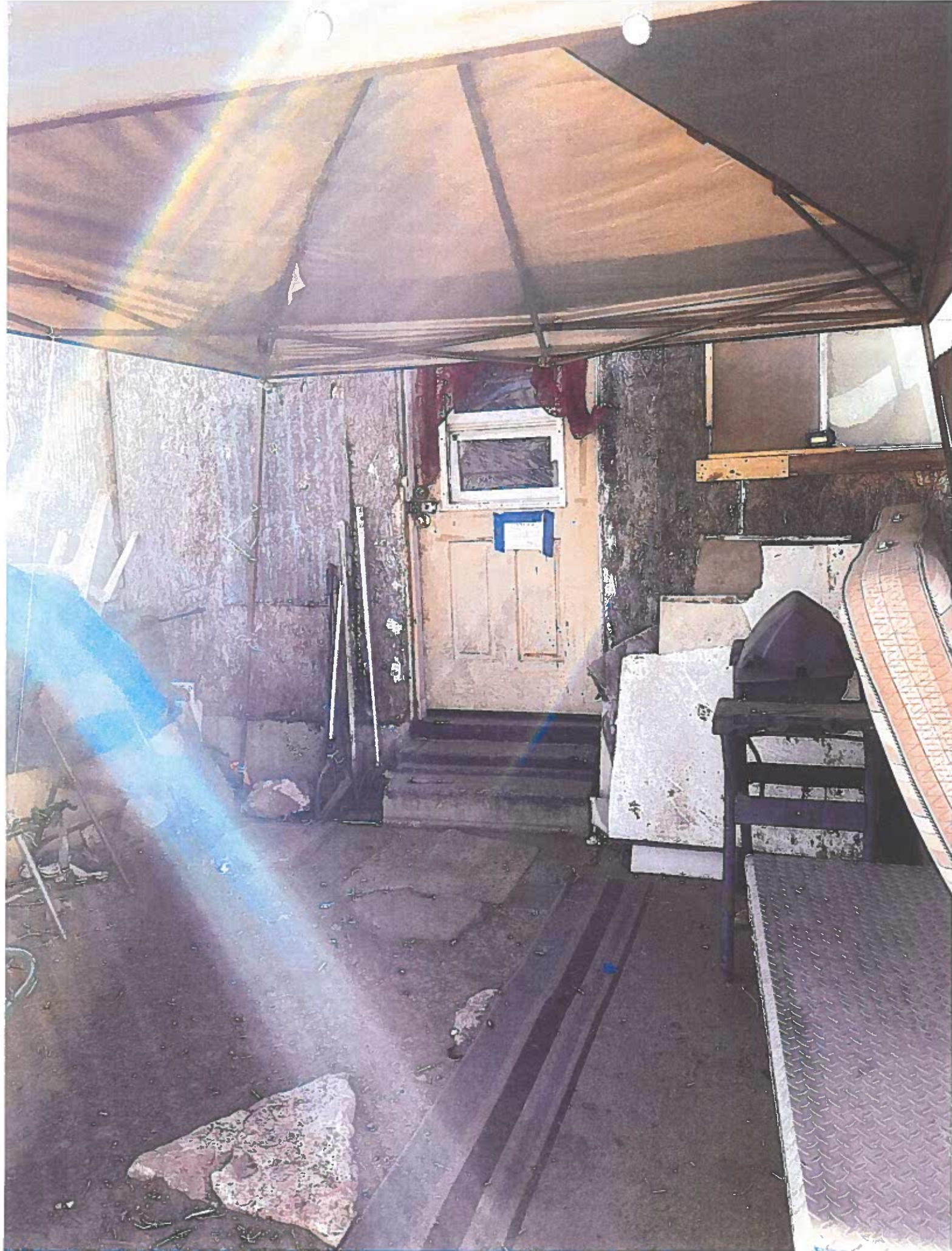
NOTES:

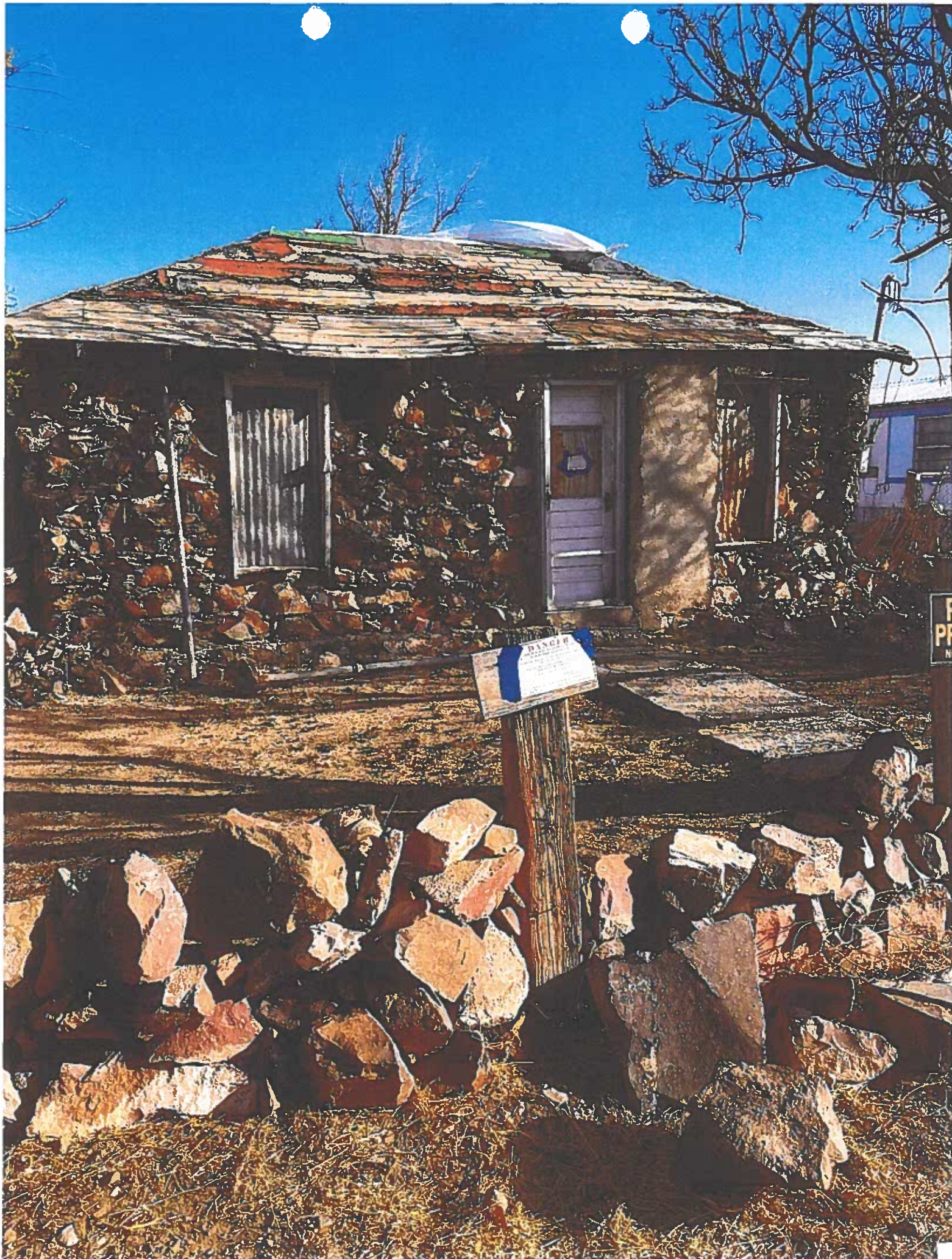
<u>Meeting with Mr. Ruiz 06/16/23</u>
<u>Spoke in person @ Building Services</u>
<u>department about compliance. No actions</u>
<u>have been conducted to abate property.</u>
<u>paid court fees.</u>

FINAL RESULTS:DISMISSED/RE-SUBMIT ☐ DISSOLVED/RESOLVED ☐ CITY LIEN ☐ COURT CONTINUANCE ☐DATE: 07/19/23**SIGNATURE:**



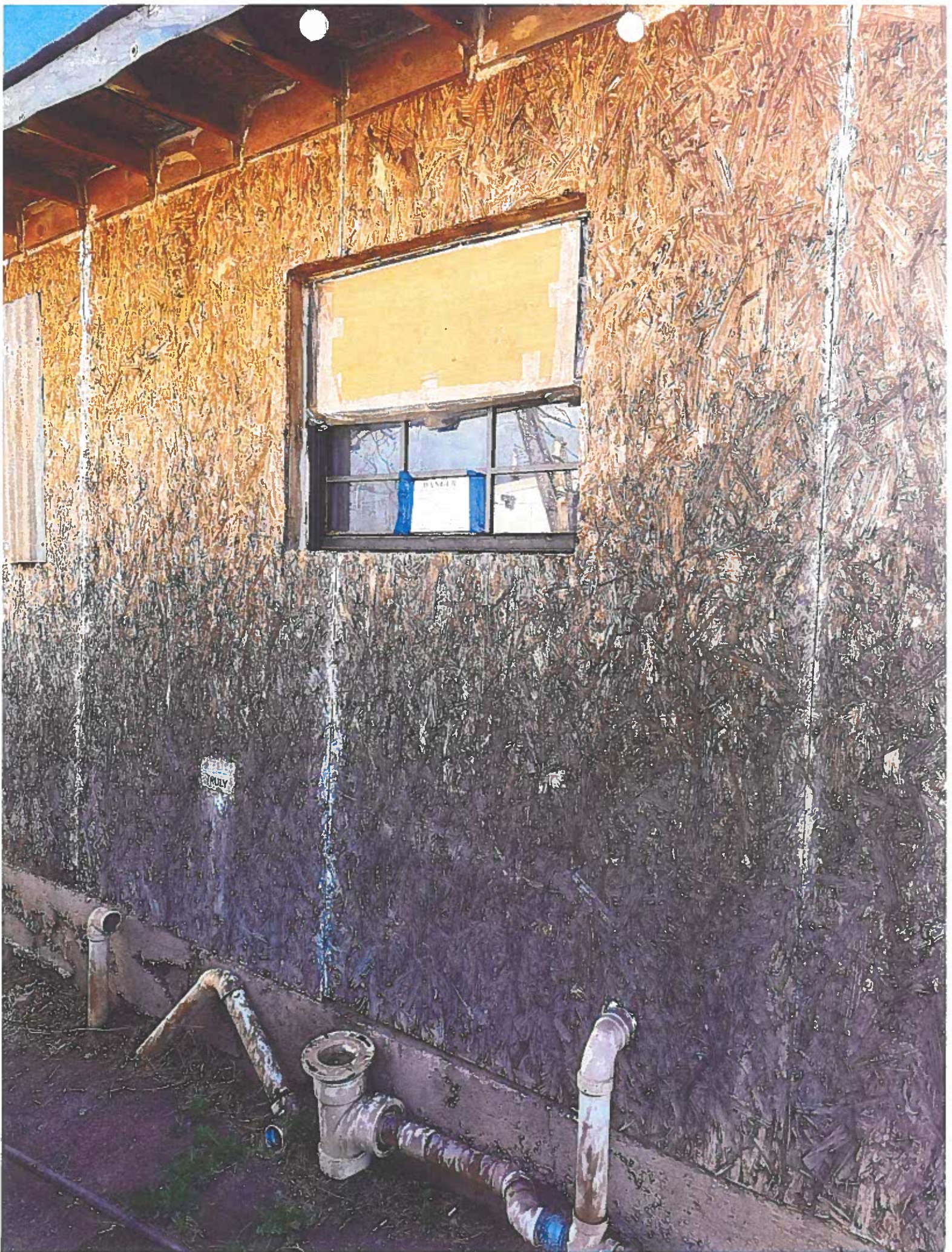




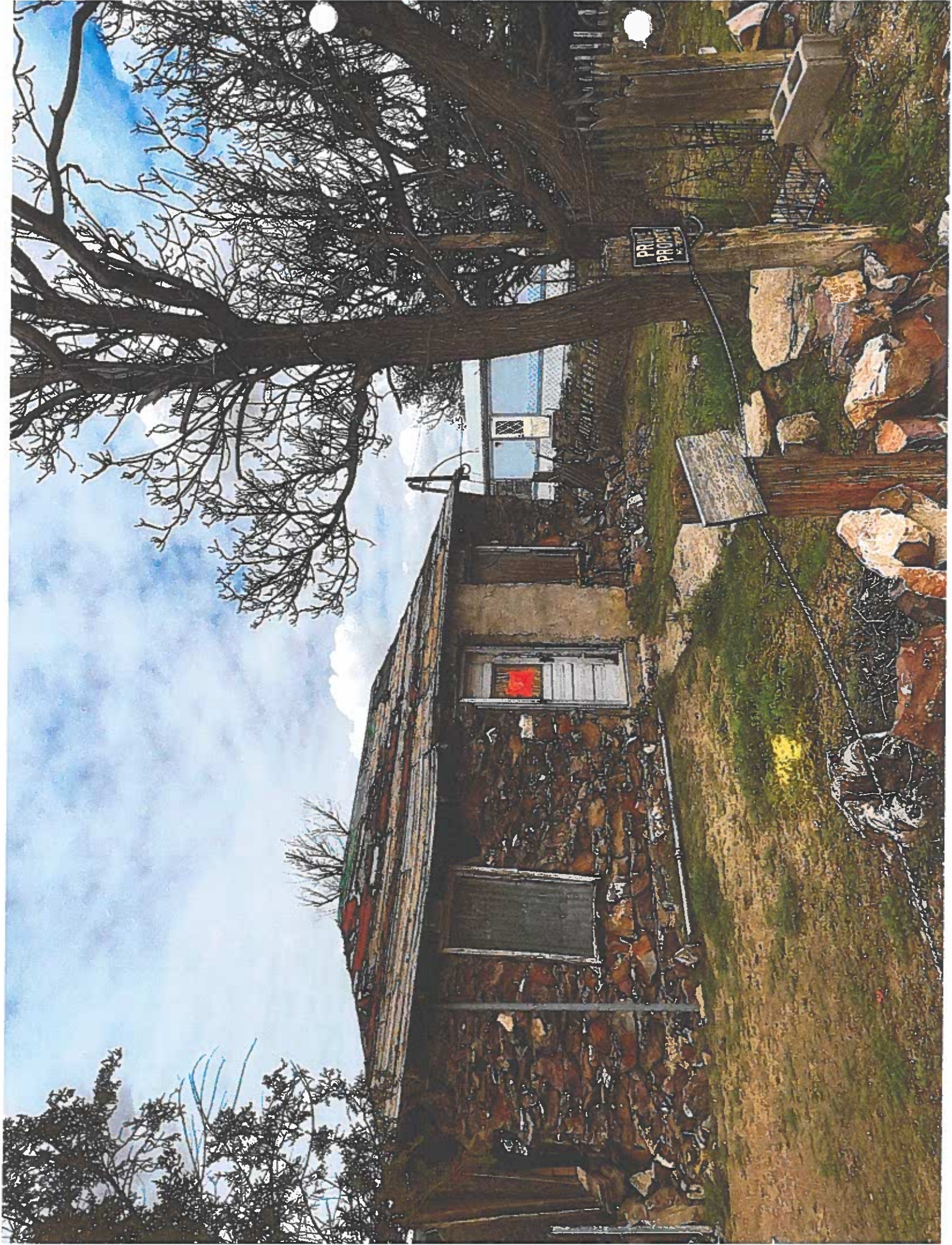




DANGER
THIS BUILDING IS DEEMED UNSAFE
FOR HUMAN OCCUPANCY
UNDER SECTIONS 18 - 22 OF THE BUILDING CODE OF
THE CITY OF ALPINE
IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY
OR RESIDE IN THIS BUILDING
DEPARTMENT OF PUBLIC SAFETY
CITY OF ALPINE
Building Official
[Signature]
ADULTS AUTHORIZED PERSONS VIOLATING THIS ORDER WILL BE PROSECUTED
Refer to Sec. 18 - 27 of Building Code







Building & Standards Commission Meeting
August 28, 2018
5:30 p.m.
Minutes

Notice is hereby given that the Building and Standards Commission of the City of Alpine, Texas held a meeting at 5:30 P.M. on Tuesday, August 28, 2018 at at the Municipal Court, in the City of Alpine, Texas at 309 Sul Ross Ave.

Board members present: Robert Savery – Chair, Clayton Shoot, Glenn Criddle, Gerri Davis, David Busey, and Jesse Lara

City staff present: City Secretary- Cynthia Salas, and Building Official Victor Meraz

Others present: Rick Stephens, Rosa Marie Ruiz, and Quinton Sledge.

1. The meeting was called to Order by Robert Savery.
2. It was ascertained that a quorum did exist. According to article 6252-17, VTCS, the notice of the meeting had been posted on August 13, 2018.
3. Approval of the minutes from previous meeting – October 24, 2018. Motion was made to approve minutes of October 24, 2018 by Clayton Shoot. Motion was seconded by Gerrie Davis. Motion unanimously carried.
4. Swearing of those giving testimony – City Secretary Cynthia Salas swore in Rosa Marie Ruiz.
5. Public Hearing –
 - A. Public Hearing to obtain citizen's views and comments on the property located at 112 W. Murphy, legal description Original Township, Block 55, Lot 7 in the City of Alpine, Brewster County, Texas, is a dangerous structure and to determine if the owner will be ordered to secure, repair, remove or demolish the structure. The owner property is identified as Salmon Ramos Jr. Estate/Olivia Ramos, 204 S. 6th Street., Alpine, Brewster County, Texas 79830-0945. Interested parties have been notified of this hearing.
 - B. Public Hearing to obtain citizen's views and comments on the property located at 1203 E. Ave H of Hancock Addition, Block 42, Lot nine (9), of the City of Alpine, Brewster County, Texas, is a dangerous structure and to determine if the owner will be ordered to secure, repair, remove or demolish the property. The owner of the property is identified as Rosa Marie Ruiz. Interested parties have been notified of this hearing.
 - C. Discussion of how to present dangerous properties to the Building Official. – Motion was made by Gerri Davis to close Public Hearings. Motion was seconded by David Busey. Motion unanimously carried.

6. Action Item –

- A. Public Hearing to obtain citizen's views and comments on the property located at 112 W. Murphy, legal description Original Township, Block 55, Lot 7 in the City of Alpine, Brewster County, Texas, is a dangerous structure and to determine if the owner will be ordered to secure, repair, remove or demolish the structure. The owner property is identified as Salmon Ramos Jr. Estate/Olivia Ramos, 204 S. 6th Street., Alpine, Brewster County, Texas 79830-0945. Interested parties have been notified of this hearing. – Motion was made by Clayton Shoot to remove or demolish the structure. Motion was seconded by David Busey. Motion unanimously carried.
- B. Public Hearing to obtain citizen's views and comments on the property located at 1203 E. Ave H of Hancock Addition, Block 42, Lot nine (9), of the City of Alpine, Brewster County, Texas, is a dangerous structure and to determine if the owner will be ordered to secure, repair, remove or demolish the property. The owner of the property is identified as Rosa Marie Ruiz. Interested parties have been notified of this hearing. – Motion was made by Gerri Davis declaring to demolish the structure. Motion was seconded by Glenn Criddle. Motion unanimously carried.

7. Citizen's Comments – None

8. Board Member's Comments – None

9. Adjournment – There being no further business, meeting was adjourned.

I certify that this notice was posted at 5:00 P.M. on August 28th, 2018 pursuant to Texas Open Meeting Act. (Texas Vernon's Annotated Civil Statutes, Section 551.043 Government Code. This facility is wheelchair accessible and accessible parking space is available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (432)837-3301 or fax (432)837-2044 for further information.

Robert Savery, Chair
Building & Standards Commission



NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN, BY THE CITY OF ALPINE,
THAT A PUBLIC HEARING WOULD BE HEARD.**

THE PURPOSE OF THIS HEARING WILL BE TO ASSES COMPLIANCE AND TO ABATE VIOLATIONS OF THE CITY'S DANGEROUS BUILDING ORDINANCE SEC 18-284 AND INTERNATIONAL PROPERTY MAINTENANCE CODE. THE COMMISSION MAY FINE AND ORDER ACTION TO ABATE NUISANCE CONDITIONS AND VIOLATIONS OF THE CITY'S MINIMUM PROPERTY STANDARDS ON THE FOLLOWING PROPERTIES:

PROPERTY ID# 12113

LEGAL DESCRIPTION: OLD TOWN (OT), BLOCK 55, LOT 7

RECORD OWNER: SALOMON RAMOS/ OLIVIA RAMIREZ RAMOS

VIOLATION: DANGEROUS STRUCTURE

PROPERTY ID# 10787

LEGAL DESCRIPTION: HANCOCK, BLOCK 42, LOT 9

RECORD OWNER: ROSA MARIE RUIZ

VIOLATION: DANGEROUS STRUCTURE

THE BUILDING AND STANDARDS COMMISSION PUBLIC HEARING WILL BE HELD ON TUESDAY AUGUST 28, 2018 AT 5:30 PM IN THE MUNICIPAL COURTROOM AT 308 W. SUL ROSS AVE, ALPINE, TEXAS TO HEAR CITIZENS VIEW AND COMMENTS CONCERNING THE PROPOSED ACTIONS.

VICTOR M MERAZ

BUILDING OFFICIAL

CITY OF ALPINE, TEXAS

2018 Property Tax Rates in Big Bend

Book 0335 / Page 0605
Doc #1006412



May 24, 2018

Rosa Maria Ruiz
1203 East Avenue H
Alpine, TX 79830

RE: NOTIFICATION OF CODE VIOLATION & BUILDING AND STANDARDS MEETING
Legal Description: RANCOON, BLOCK 42, LOT 9
Physical Address: 1203 East Avenue H, Alpine, TX
Offensive Condition: Dangerous Structure

The City of Alpine continues in its effort to provide a safe and hazard-free community in accordance with the City Codes, especially regarding the prevention and elimination of fire, health and safety hazards as an important part of this effort. In doing so, we are charged with the responsibility to ensure that property owners of hazardous conditions that exist.

The Brewster County Tax Rolls list you as owner of the above referenced property. The property described above has been found to be in violation of City of Alpine Ordinance 2013-06-04, Sec. 18-284 (B.C.D.E.G.H.K.M.R.) and Ordinance 2012-10-02 Property Maintenance Code, Sec. 302.7, 304.1.1, 304.4, 304.5, 304.6, 304.7, 304.13.1, 304.13.2, 305.1.1, and 306.1.1 based upon an inspection of said property on May 2, 2018.

This notice is also to inform you of the date and time of the Building and Standards Commission meeting in which the case regarding this matter will be heard. The meeting will be held at 5:30 pm, June 26, 2018, at 100 N 13th, Alpine, TX. In accordance with Texas State Law, LCC, Chapter 214, Sec 214.001(b)(3)(A), the Building and Standards Commission may:

In conducting a hearing under this section, the municipality shall require the owner, lienholder, or mortgagee to appear and comply with the following within 30 days:

- (1) secure the building from unauthorized entry; or
- (2) repair, remove, or demolish the building, unless the owner or lienholder or mortgagee, at the hearing that the work cannot reasonably be performed within the time period, demonstrates to the satisfaction of the hearing official that the municipality allows the owner, lienholder, or mortgagee more than 30 days to repair, remove, or demolish the building, the municipality shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder, or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the hearing official.

(j) A municipality may not allow the owner, lienholder, or mortgagee more than 90 days to repair, remove, or demolish the building or fully perform all work required to comply with the order unless the owner, lienholder, or mortgagee:

- (1) submits a detailed plan and time schedule for the work as the hearing; and