

City of Bellaire

ORDINANCE NO. 21-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING CHAPTER 9, BUILDINGS, ARTICLE III, HOUSING, SUBSTANDARD HOUSING, AND OTHER SUBSTANDARD BUILDINGS, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, BY ADDING A NEW SECTION 9-90, PROCEDURES FOR DEMOLITION AND REMOVAL ORDERS.

WHEREAS, the Building and Standards Commission of the City of Bellaire, Texas has discussed and proposed revisions to Chapter 9, Buildings, of the Code of Ordinance of the City of Bellaire, Texas; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS THAT:

Section 1. *Chapter 9, Buildings, Article III, Housing, Substandard Housing, and Other Substandard Buildings, of the Code of Ordinances of the City of Bellaire, Texas (“City’s Code”), is hereby amended by adding a new Section 9-90, Procedures for demolition and removal orders, for the purpose of clarifying orders for the demolition and removal of substandard structures issued by the Building and Standards Commission. The new Section 9-90, Procedures for Demolition and Removal Orders, shall read as set out in Appendix A, attached hereto. All other portions of Chapter 9, Buildings, Article III, Housing, Substandard Housing, and Other Substandard Buildings, of the City’s Code not specifically amended hereby shall remain in full force and effect.*

Section 2. *If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor*

the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

Section 3. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

Section 4. This Ordinance shall be effective immediately upon its passage and adoption.

PASSED, APPROVED and ADOPTED this, the 25th day of January, 2021.

SIGNED:

Andrew S. Friedberg
Mayor

ATTEST:

Tracy Dutton, TRMC
City Clerk

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Appendix A

(Language to be added shown by underline, language to be deleted shown by strike-out)

Chapter 9 - BUILDINGS

ARTICLE III. - HOUSING, SUBSTANDARD HOUSING, AND OTHER SUBSTANDARD BUILDINGS

Sec. 9-90. - Procedures for demolition and removal orders

Unless otherwise stated by the building and standards commission in its order, an order of the building and standards commission that requires a substandard structure be demolished and/or removed from the property shall be interpreted to include improvements associated with the substandard structure, including, but not limited to pools, walkways, foundations, driveways, and all other impervious material. Prior to issuance of the demolition order, a tree disposition plan shall be submitted to the building and standards commission for review. Upon removal of required structures and improvements, the lot shall be graded in a manner so as not to retain water or drain onto neighboring properties, and the building official shall verify compliance with the tree disposition plan.