

ORDINANCE NO. 2021-04

AN ORDINANCE AMENDING SECTION 8-314 OF THE CITY'S CODE OF ORDINANCES ENTITLED CONDITION OF THE DEMOLITION SITE, TO CLARIFY REGULATIONS FOR SEWER SITE INSPECTIONS DURING DEMOLITION OF STRUCTURES; PROVIDING FOR PENALTIES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, after notice of public hearings in the manner prescribed by law and publication as required by the Code of Ordinances, City of Olmos Park, Texas ("Code"); and

WHEREAS, Building codes are accepted as adding value to property, protect public and private investment and is in the interest of the general welfare of the City; and

WHEREAS, the Olmos Park City Council has determined that minimum standards are necessary for demolition activities to protect the health, safety and welfare of its citizens and guests, protect public infrastructure, and surrounding property values after demolition has occurred; and

WHEREAS, the Olmos Park City Council has considered the effect of these amendments and additions and has determined them to be appropriate, required and in the public interest;

NOW THEREFORE BE IT ORDAINED THAT THE CITY COUNCIL OF THE CITY OF OLMOS PARK, TEXAS:

SECTION 1. Chapter 8 (Buildings and Building Code), Section 8-314 subsection (7) is hereby amended and adopted to read and be as follows:

ARTICLE IX. DEMOLITIONS.

Sec. 8-314. – Condition of the Demolition Site.

Site condition upon completion of demolition. Upon completion of a *demolition* project, a *contractor* shall:

- (1) Leave the *demolition* site blade clean (other than living shrubbery and trees); and
- (2) Remove all portions of the structure, including foundation; and
- (3) Grade the land to provide adequate drainage; and
- (4) Fill, level, compact and smooth basements, cellars, wells, cisterns, excavations, holes, voids under public or private sidewalks, or any declivity or depression that

extends below the grade of the lot and is an apparent consequence of the *demolition*; and

- (5) Install and maintain sod on any disturbed areas of the site for demolition sites located in the Single Family Residence District or Apartment Districts, and reseed or take measures to prevent erosion in all other zoning districts; and
- (6) Repair any damage to the immediately adjacent curbing, sidewalks, street or alley that was affected by the demolition activity; and
- (7) Owner shall demonstrate to the *building official*, using a pre- AND post- demolition camera inspection (or similar), that any City-owned sanitary sewer line was undamaged by the demolition activities. The scope of the inspection shall include any City-owned sewer main for a distance of:
 - ~~a) Any City owned sewer main that is within the demolition site; and,~~
 - ~~b) The sewer tap connecting demolition site to the City owned sewer line, and fifty feet (50') (both upstream and downstream) of said tap.~~
 - a) The entire length that it is within the demolition site property; and
 - b) Fifty feet (50') (both upstream and downstream) of the sewer tap connecting the main to the demolition site.

Exception: A *contractor* is not required to comply with 8-314 (1)–(6) above if a building permit has been issued for new construction on the site, to begin within sixty (60) days of completion of the *demolition* project. However, this does not relieve an owner of complying with subsection 4 above after new construction activities have completed.

NOTE: All remaining sections of the Code of Ordinances shall remain unchanged

SECTION 2. Repealing Ordinances in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. Severability. If any provision, section, subsection, sentence, clause, or phrase of this ordinance or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

SECTION 4. That it is the intention of the City Council and is hereby ordained that the provisions of this ordinance shall become and be a part of the Code of Ordinances of the City of Olmos Park, Texas, and that sections of this ordinance may be renumbered or relettered to accomplish such intention.

SECTION 5. Effective Date. The Ordinance shall be effective immediately following its adoption.

ORDERED this 17th day of March 2021.

By: _____
RONALD HORNBERGER
Mayor

ATTEST:

KYNDRA MUNOZ
City Secretary