



BUILDING STANDARDS
COMMISSION MEETING
DECEMBER 12, 2017



City of Robinson

111 W. Lyndale, Robinson, TX 76706-5619

Phone (254) 662-1415 ❖ Fax (254) 662-1035

THE ROBINSON BUILDING STANDARDS COMMISSION WILL MEET ON TUESDAY, DECEMBER 12, 2017 AT 6:00 P.M. IN THE COUNCIL ROOM AT ROBINSON CITY HALL, 111 WEST LYNDALE DRIVE, ROBINSON, TEXAS TO CONSIDER AND ACT ON THE ITEMS ON THE FOLLOWING AGENDA.

1. Call to order.
2. Invocation.
3. Roll call.
4. Nomination and Election of Officers
5. Approve minutes: November 10, 2015
6. Discussion role and expectations of the Building Standards Commission.
7. Mock Public Hearing for training and experience.
8. Board member comments and/or questions: No discussion by or with Board members will be held on any matter not listed on an official agenda as required by law.
9. Adjourn.

**The Governing Body reserves the right to go into Executive Session on any of the above items as provided by Government Code Chapter 551.*

**Public Hearings will be held in accordance with procedures set forth in Resolution R-95-011, adopted by the City Council on June 13, 1995.*

Note: Persons with disabilities who plan to attend this meeting and who need auxiliary aids or services should contact Jana Lewellen, City Secretary at 254-662-1415 at least twenty-four (24) hours before this meeting so that appropriate arrangements can be made.

Building Standards Commission Agenda

December 12, 2017

Page 1 of 1

POSTED: _____

AT: _____

BY: _____



BUILDING STANDARDS COMMISSION AGENDA ITEM MEMORANDUM

Date Submitted: 12/8/2017

Meeting Date: 12/12/2017

Item #3

CALL TO ORDER:

INVOCATION:

ROLL CALL:

| | PRESENT | ABSENT |
|---------------------|----------------|---------------|
| D. HARTSTACK | _____ | _____ |
| LOTH | _____ | _____ |
| WILLIAMS | _____ | _____ |
| HARPER | _____ | _____ |
| C. HARTSTACK | _____ | _____ |



BUILDING STANDARDS COMMISSION AGENDA ITEM MEMORANDUM

Date Submitted: 12/8/2017

Meeting Date: 12/12/2017

Item #4

ELECTION OF CHAIR:

ELECTION OF VICE CHAIR:



BUILDING STANDARDS COMMISSION AGENDA ITEM MEMORANDUM

Date Submitted: 12/8/2017

Meeting Date: 12/12/2017

Item #5

DEPT./DIVISION SUBMISSION & REVIEW:

TBD, Chair

ITEM DESCRIPTION: Approve Minutes: November 10, 2015.

STAFF RECOMMENDATION: Approve minutes as presented in item description.

ITEM SUMMARY: A copy of the minutes has been provided for review.

FISCAL IMPACT: None

ATTACHMENTS:

November 10, 2015 Regular Meeting Minutes



BUILDING STANDARDS COMMISSION AGENDA ITEM MEMORANDUM

Date Submitted: 12/8/2017

Meeting Date: 12/12/2017

Item #6

DEPT./DIVISION SUBMISSION & REVIEW:

TBD, Chair

ITEM DESCRIPTION: Discussion on role and expectations of Commission.

STAFF RECOMMENDATION: Read through the attachments for discussion.

ITEM SUMMARY: A copy of Chapter 5, Article V of the City Code of Ordinances and Chapter 54 of the Texas Local Government Code has been provided for review.

FISCAL IMPACT: None

ATTACHMENTS:

Chapter 5, Article V of the City Code of Ordinances

Chapter 54 of the Texas Local Government Code

Chapter 5 of the City's Code of Ordinances

- **ARTICLE V. - BUILDING STANDARDS COMMISSION**

- **Sec. 5-137. - Election of officers.** The chairperson and the vice chairperson of the commission shall be selected by the regular commission members. (Ord. No. 2012-002, § 1, 3-6-12)
- **Sec. 5-138. - Meetings.**

(a) The commission has the power to promulgate its own rules governing its meeting and proceedings, subject to the provisions of this article, but the commission shall have at least one regular meeting each calendar year. Special meetings of the commission shall be called by the chairman of the commission or upon written request of three members of the commission. The city manager may also request a special meeting in coordination with the building official and/or code enforcement officer.

(b) Meetings will be open to the public and must be posted and held in accordance with the open meetings laws of this state.

(c) The chairperson, or in the chairperson's absence, the acting chairperson may administer oaths and compel attendance of witnesses.

(d) A quorum for purposes of conducting business is four members. The quorum requirement can be met by a combination of regular and alternate members. (Ord. No. 2012-002, § 1, 3-6-12)

- **Sec. 5-139. - Records of proceedings.** The commission shall keep minutes of its proceedings showing the vote of each member on each question or the fact that a member is absent or fails to vote. The commission shall keep records of its examinations and other official actions. Records and minutes shall be filed immediately in the office of the commission as public records. (Ord. No. 2012-002, § 1, 3-6-12)

-

- **Sec. 5-140. - Conflict of interest.** Any commission member having any personal or financial interest in a case or a hearing before the commission shall, upon filing a declaration of such fact with the secretary of the commission, be automatically excused from the meeting in which the interests are involved. It shall be considered misconduct and cause for removal from the commission for any member to participate in any case or hearing which he or she has personal or financial interest. (Ord. No. 2012-002, § 1, 3-6-12)

-

- **Sec. 5-141. - General powers and duties.**

(a) Except as otherwise provided or restricted by the Charter or otherwise specifically conferred by ordinance, the building and standards commission shall have the powers and duties provided by law and as set forth in V.T.C.A., Local Government Code ch. 54, including hearing and determining appeals and enforcement actions regarding ordinances of the city:

(1) For the preservation of public safety, relating to the materials or methods used to construct a building or improvement, including the foundation, structural elements, electrical wiring or apparatus, plumbing and fixtures, entrances, or exits;

- (2) Relating to the fire safety of a building or improvement, including provisions relating to materials, types of construction or design, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits;
- (3) Relating to dangerously damaged or deteriorated buildings or improvements;
- (4) Relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents;
- (5) Relating to a building code or to the condition, use, or appearance of property in the city; or
- (6) Relating to the property maintenance code adopted by the city, including serving as the board of appeals under said code.

(b) The commission's powers include the power to:

- (1) Perform the functions and powers specified in V.T.C.A., Local Government Code ch. 54, subch. (C), as amended;
- (2) Declare a building substandard in accordance with the powers granted by this Code and V.T.C.A., Local Government Code ch. 54, subch. (C), as amended;
- (3) Determine the amount and duration of civil penalty the city may recover as provided by V.T.C.A., Local Government Code § 54.017, as amended;
- (4) Order, in an appropriate case, the immediate removal of property or persons found in or on private property, to secure the removal if it is determined that conditions exist on the property that constitute a violation of an ordinance and order action to be taken as necessary to remedy, alleviate, or remove any substandard building found to exist;
- (5) Issue orders or directives to any peace officer of the state, including a sheriff, constable or the chief of police of the city to enforce and carry out lawful orders or directives of the commission;
- (6) Require the reduction of occupancy load, or the number of occupants, of an overcrowded structure or vacation of a structure that is reasonably dangerous to the health, safety, or welfare of the occupants;
- (7) Require the demolition of a structure found to be a nuisance; require, as an alternative to demolition of a structure found to be a nuisance, the repair of the structure by the owner, lien holder, mortgagee or by the city; grant a reasonable period of time in which the owner, mortgagee or lien holder is to comply with the determination or order of the respective enforcement authority of the city. The building official may only act on an order of the commission to demolish or repair a structure if such is allowed by prevailing law, including the decisions of the Texas Supreme Court and the United States Supreme Court. If under the prevailing authorities at the time a structure may not be demolished or repaired by the city based on the order issued after the administrative proceedings before the building standards commission, the order of the building standards commission shall serve merely as a recommendation to the city council to initiate judicial proceedings to obtain compliance.
- (8) Require the removal of personal property from a structure ordered vacated or demolished. Removal may be accomplished by use of city forces or a private transfer company if the owner of the personal property is not known, or the whereabouts of the owner cannot be ascertained, or the owner fails to remove the personal property. The

commission may cause any personal property removed to be stored in the care and custody of a bonded warehouse facility. The cost of removal and storage are the responsibility of the owner of the personal property;

(9) Require a vacant structure or vacant portion of a structure constituting a dangerous condition or nuisance be securely closed and made safe;

(10) Require or cause the correction of a dangerous condition on land. Correction of a dangerous condition may be accomplished by city forces or private contract. Costs of correction are the responsibility of the owner;

(11) Cause an action to be brought in district court in accordance with V.T.C.A., Local Government Code § 214, as amended, for the appointment of a receiver for property found to be a nuisance;

(12) Require relocation of the occupants of a structure found to be a nuisance;

(13) Uphold the determination and order of the appropriate enforcement authority of the city;

(14) Find that a structure or building is not substandard and/or a nuisance and refer the matter to the appropriate enforcement authority of the city for further appropriate action;

(15) Authorize an equivalent method of compliance with the order of the enforcement authority if it can be demonstrated that such equivalent method substantially complies with this Code or with the respective ordinance of the city;

(16) Find a building or structure is substandard and order: demolition; repair or correction of the building or structure within a specified period of time; repair or correction of the building or structure within a specified period of time and demolition of the building or structure if the repair or correction is not timely effected; repair or correction of the building or structure by the owner, mortgagee, or lien holder within a specified period of time and repair or correction by the city if not timely effected by the owner, mortgagee or lien holder; repair, correction or demolition of the building or structure within the specified period of time and the assessment of a civil penalty against the owner for each day or part of a day that the owner fails to repair, correct or demolish the building or structure; vacation of the building or structure as necessary; closure of an open and vacant building or structure. The building official may only act on an order of the commission to demolish or repair a structure if such is allowed by prevailing law, including the decisions of the Texas Supreme Court and the United States Supreme Court. If under the prevailing authorities at the time a structure may not be demolished or repaired by the city based on the order issued after the administrative proceedings before the building standards commission, the order of the building standards commission shall serve merely as a recommendation to the city council to initiate judicial proceedings to obtain compliance.

(17) Adopt rules not inconsistent with the ordinances of the city adopted pursuant to V.T.C.A., Local Government Code ch. 54, subch. (C), as amended;

(18) Serve as the board of appeals to hear and decide appeals of orders, decisions and determinations made by the building official, the code enforcement officer, the fire chief or fire marshal, as the case may be, relative to the application and interpretation of the building, plumbing, mechanical, electrical, housing, maintenance, and fire codes adopted by the city;

(19) Serve as an advisory board to the city council to review and recommend ordinances and associated amendments thereto regarding building, plumbing, mechanical, electrical, housing, maintenance, life safety, health and fire codes.

(c) The commission's powers do not include authority over matters placed specifically within the jurisdiction of the board of adjustment or the planning and zoning commission by law or Charter. Furthermore, the commission shall have no authority to interpret the administrative organization and enforcement provisions to, nor shall it be empowered to waive any requirements of the building, plumbing, mechanical, electrical, housing, maintenance, life safety, health, or fire codes, as adopted and/or amended by the city.

(Ord. No. 2012-002, § 1, 3-6-12; Ord. No. 2013-004, § 1, 3-5-13)

- **Sec. 5-142. - Procedures applicable to all proceedings.** The building official, or his designated representative, and the code enforcement officer, or his designated representative, shall act as secretary to the commission, but shall not be members. The secretary shall keep a record of the cases, activities, and actions of the commission and its determinations, give notice of the date and time of hearings, and perform such other duties as are consistent with or may be necessary for the enforcement of this Code and the ordinances of the city adopted pursuant to V.T.C.A., Local Government Code ch. 54, subch. (C), as amended.

(1) In cases involving building, plumbing, electrical, mechanical, housing, and fire and life safety laws, codes or ordinances, the building official shall act as secretary to the commission and shall present all said cases before the commission.

(2) In cases involving public health and sanitation laws, codes or ordinances, maintenance codes or nuisance abatement, the code enforcement officer shall act as the secretary to the commission and shall present all said cases before the commission. (Ord. No. 2012-002, § 1, 3-6-12)

- **Sec. 5-143. - Procedures applicable to quasi-judicial ordinance enforcement proceedings.** For quasi-judicial enforcement actions, notice of all proceedings before the commission shall be given:

(1) By certified mail, return receipt requested, to the record owners of the affected property, sent to the last known address, and each mortgagee, lien holder, and each holder of a recorded lien against the affected property, as shown by the records of the county clerk of the county in which the affected property is located, if the address of the lien holder can be ascertained from the deed of trust establishing lien or other applicable instrument on file in the office of the county clerk, establishing the lien or other applicable instrument on file in the office of the county clerk; and

(2) To all unknown owners by posting a copy of the notice on the front door of each improvement situated on the affected property or as close to the front as practicable.

(3) The notice shall be mailed and posted before the tenth day preceding the date of the hearing before the commission and must state the date, time, and place of the hearing. In addition, the notice must be published in a newspaper in general circulation in the city on one occasion before the tenth day preceding the date fixed for the hearing;

(4) The notice shall contain the following:

- a. Identification, which is not required to be a legal description, of the building and the property on which it is located;
- b. A description of the violation of the municipal standards or ordinance that is present at the building or location; and
- c. A statement that the city will vacate, secure, remove, repair or demolish the building or relocate the occupants of the building if the ordered action is not taken within a reasonable time.

(5) If the notice sent to the last known address to the person being notified is returned undelivered, the building official or code enforcement officer, as the case may be, may serve the notice personally if the person to be notified can be found in McLennan County, Texas. If the notice sent to an owner is returned undelivered, and after diligent search, the building official or code enforcement officer, as the case may be, is unable to discover a correct address for the owner, or is unable to serve the owner personally, then the building official or the code enforcement officer, as the case may be, shall give notice by publication in the official newspaper of the city at least ten days before the hearing.

(b) At each hearing of the commission, the owner, lessor, occupant, or lien holder, may present witnesses in his own behalf and is entitled to cross-examine any witnesses appearing.

(c) The decision of the commission is final as to the administrative remedies. A concurring vote of four members of the commission is necessary for enforcement action to be taken.

(d) Once the decision of the commission has become final under this Code, the person affected by it may appeal the decision to the state district court by filing a petition with the district court, duly verified, setting forth the decision as illegal, in whole or in part, and specifying the grounds of the illegality, within 30 calendar days after the date a copy of the final decision of the commission is mailed by certified mail, return receipt requested, to all persons who notice is required to be sent. The commission shall mail such copy promptly after the decision becomes final. In addition, a copy shall be published one time in the official newspaper of the city within ten calendar days after the date of the mailing of the copy, as provided herein, and a copy shall be filed in the office of the city secretary. If no appeals are taken from the decision, the commission within the required period, the decision of the commission shall, in all things, be final and binding.

(Ord. No. 2012-002, § 1, 3-6-12)

- **Sec. 5-144. - Procedures applicable to appeals.**

(a) In instances not involving commission proceedings for the quasi-judicial enforcement of an ordinance, a person may still appeal a decision or interpretation of the building official or the code enforcement officer to the commission by submitting a notice of appeal in writing to the city manager within ten days of the complained of decision or interpretation. The notice of appeal must state: the name and address of person making appeal; the facts surrounding the particular ruling/interpretation or refusal to make ruling; the ruling, if any, of the building official or code enforcement officer; and the reasons why such ruling should be set aside, or, if the ruling was refused, why such ruling should be made.

(b) Upon receiving a notice of appeal from the city manager, the chairman of the commission shall make an order setting the appeal for hearing at a specified time and place, and shall give

notice of such information in writing to the person making the appeal, and the building official or code enforcement officer, whichever is applicable. The hearing shall be held as soon as is practicable, and in all cases shall be within 30 days after the notice of appeal is received by the chairman, unless the person making the appeal requests in writing that he or she be granted additional time. If such person has failed to make his/her appearance at the proper time and place to present his/her appeal, then at the next consecutive regular meeting of the commission after such notice of appeal has been received by the chairman, said appeal shall be dismissed by the commission.

(c) The commission shall, in every case, reach a decision without unreasonable or unnecessary delay. If a decision of the commission reverses or modifies a refusal, order, or disallowance of the building official or code enforcement officer, or interprets the application of any provision of this Code, the building official or code enforcement officer, as applicable, shall take action in accordance with such decision, if such action is not a violation of law.

(d) The commission's decision on the appeal is final.

(e) During the pendency of the appeal to the commission, the ruling or refusal of the building official or code enforcement officer shall be in full force and effect.

(f) An appeal is not available and will not be entertained if:

- (1) The matter is already the subject of litigation instituted by either the city or the person seeking to appeal;
- (2) The matter is the subject of a citation issued to the appellant;
- (3) The matter is the subject of a pending enforcement action by the city;
- (4) The applicable code or ordinance involved provides for a different process for appeal or makes a decision or interpretation nonappealable;
- (5) It is an attempt to grieve a decision of the commission; or
- (6) It seeks relief that the commission is unable to afford, such as an amendment to this Code. (Ord. No. 2012-002, § 1, 3-6-12)

LOCAL GOVERNMENT CODE

TITLE 2. ORGANIZATION OF MUNICIPAL GOVERNMENT

SUBTITLE D. GENERAL POWERS OF MUNICIPALITIES

CHAPTER 54. ENFORCEMENT OF MUNICIPAL ORDINANCES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 54.001. GENERAL ENFORCEMENT AUTHORITY OF MUNICIPALITIES; PENALTY. (a) The governing body of a municipality may enforce each rule, ordinance, or police regulation of the municipality and may punish a violation of a rule, ordinance, or police regulation.

(b) A fine or penalty for the violation of a rule, ordinance, or police regulation may not exceed \$500 except that:

(1) a fine or penalty for the violation of a rule, ordinance, or police regulation that governs fire safety, zoning, or public health and sanitation, other than the dumping of refuse, may not exceed \$2,000; and

(2) a fine or penalty for the violation of a rule, ordinance, or police regulation that governs the dumping of refuse may not exceed \$4,000.

(c) This section applies to a municipality regardless of any contrary provision in a municipal charter.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by Acts 1989, 71st Leg., ch. 1, Sec. 7(a), 87(e), eff. Aug. 28, 1989.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 680 (H.B. [274](#)), Sec. 1, eff. September 1, 2015.

Sec. 54.002. IMPOSITION OF FINE IN TYPE B GENERAL-LAW MUNICIPALITY. (a) The governing body of a Type B general-law

municipality may prescribe the fine for the violation of a municipal bylaw or ordinance.

(b) If a defendant in a Type B general-law municipality demands a jury trial, the fine may be imposed only on the verdict of a jury.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 54.003. REMISSION OF FINE BY TYPE A GENERAL-LAW MUNICIPALITY. On a two-thirds vote of the members present, the governing body of a Type A general-law municipality may remit a fine or a penalty, or a part of a fine or penalty, imposed or incurred under law or under an ordinance or resolution adopted in accordance with law.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 54.004. PRESERVATION OF HEALTH, PROPERTY, GOOD GOVERNMENT, AND ORDER IN HOME-RULE MUNICIPALITY. A home-rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 54.005. NOTICES TO CERTAIN PROPERTY OWNERS. (a) A governmental entity that is required by statute, rule, regulation, or ordinance to send a notice to an owner of real property for the purpose of enforcing a municipal ordinance may include the following statement in the notice: "According to the real property records of _____ County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and 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 you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not." The notice must be delivered in person or by certified mail, return receipt requested.

(b) If a governmental entity sends a notice to the owner of the property to which the notice relates, as shown on or after the 10th day before the date notice is sent by the real property records of the county in which the property is located, and the record owner no longer owns the property, the record owner shall execute an affidavit provided with the notice by the governmental entity stating:

- (1) that the record owner no longer owns the property; and
- (2) the name and last known address of the person who acquired the property from the record owner.

(c) The record owner shall deliver the affidavit in person or by certified mail, return receipt requested, to the governmental entity not later than the 20th day after the date the record owner receives the notice.

(d) If the governmental entity receives an affidavit under Subsection (c), the governmental entity shall send the appropriate notice to the person named in the affidavit as having acquired the property. A notice sent under this subsection must include the statement authorized by Subsection (a).

(e) A governmental entity that receives an affidavit under Subsection (c) shall:

- (1) maintain the affidavit on file for at least two years after the date the entity receives the affidavit; and
- (2) deliver a copy of the affidavit to the chief appraiser of the appraisal district in which the property is located.

(f) A governmental entity is considered to have provided notice to a property owner if the entity complies with the

statute, rule, regulation, or ordinance under which the notice is sent and if it:

(1) complies with Subsection (a) and does not receive an affidavit from the record owner; or

(2) complies with Subsection (d) and does not receive an affidavit from the person to whom the notice was sent under Subsection (d).

(g) If a governmental entity complies with this section and does not receive an affidavit under Subsection (c), the record owner is presumed to be the owner of the property for all purposes to which the notice relates.

(h) For purposes of this section, "real property" does not include a mineral interest or royalty interest.

Added by Acts 1991, 72nd Leg., ch. 486, Sec. 1, eff. Aug. 26, 1991.

Sec. 54.006. NONSEVERABILITY OF CERTAIN CONSOLIDATED OFFENSES. Section 3.04(a), Penal Code, does not apply to two or more offenses consolidated or joined for trial under Section 3.02, Penal Code, if each of the offenses is:

(1) for the violation of an ordinance described by Section 54.012;

(2) punishable by fine only; and

(3) tried in a municipal court, regardless of whether the court is a municipal court of record.

Added by Acts 2001, 77th Leg., ch. 413, Sec. 4, eff. Sept. 1, 2001.

SUBCHAPTER B. MUNICIPAL HEALTH AND SAFETY ORDINANCES

Sec. 54.012. CIVIL ACTION. A municipality may bring a civil action for the enforcement of an ordinance:

(1) for the preservation of public safety, relating to the materials or methods used to construct a building or

other structure or improvement, including the foundation, structural elements, electrical wiring or apparatus, plumbing and fixtures, entrances, or exits;

(2) relating to the preservation of public health or to the fire safety of a building or other structure or improvement, including provisions relating to materials, types of construction or design, interior configuration, illumination, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits;

(3) for zoning that provides for the use of land or classifies a parcel of land according to the municipality's district classification scheme;

(4) establishing criteria for land subdivision or construction of buildings, including provisions relating to street width and design, lot size, building width or elevation, setback requirements, or utility service specifications or requirements;

(5) implementing civil penalties under this subchapter for conduct classified by statute as a Class C misdemeanor;

(6) relating to dangerously damaged or deteriorated structures or improvements;

(7) relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents;

(8) relating to the interior configuration, design, illumination, or visibility of business premises exhibiting for viewing by customers while on the premises live or mechanically or electronically displayed entertainment intended to provide sexual stimulation or sexual gratification;

(9) relating to point source effluent limitations or the discharge of a pollutant, other than from a non-point source, into a sewer system, including a sanitary or storm water sewer system, owned or controlled by the municipality;

(10) relating to floodplain control and administration, including an ordinance regulating the placement of a structure, fill, or other materials in a designated floodplain;

(11) relating to animal care and control; or

(12) relating to water conservation measures, including watering restrictions.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.
Amended by Acts 1989, 71st Leg., ch. 343, Sec. 1, eff. June 14, 1989; Acts 1991, 72nd Leg., ch. 753, Sec. 3, eff. June 16, 1991; Acts 1993, 73rd Leg., ch. 472, Sec. 1, eff. Sept. 1, 1993.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 135 (S.B. 654), Sec. 1, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1396 (H.B. 1554), Sec. 1, eff. September 1, 2013.

Reenacted and amended by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 12.001, eff. September 1, 2015.

Sec. 54.013. JURISDICTION; VENUE. Jurisdiction and venue of an action under this subchapter are in the district court or the county court at law of the county in which the municipality bringing the action is located.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 54.014. PREFERENTIAL SETTING. If the municipality submits to the court a verified motion that includes facts that demonstrate that a delay will unreasonably endanger persons or property, the court shall give a preference to the action brought by the municipality when setting cases filed under this subchapter.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 54.015. PROCEDURE. (a) The only allegations required to be pleaded in an action brought under this subchapter are:

(1) the identification of the real property involved in the violation;

(2) the relationship of the defendant to the real property or activity involved in the violation;

(3) a citation to the applicable ordinance;

(4) a description of the violation; and

(5) a statement that this subchapter applies to the ordinance.

(b) The standard of proof is the same as for other suits for extraordinary relief.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 54.016. INJUNCTION. (a) On a showing of substantial danger of injury or an adverse health impact to any person or to the property of any person other than the defendant, the municipality may obtain against the owner or owner's representative with control over the premises an injunction that:

(1) prohibits specific conduct that violates the ordinance; and

(2) requires specific conduct that is necessary for compliance with the ordinance.

(b) It is not necessary for the municipality to prove that another adequate remedy or penalty for a violation does not exist or to show that prosecution in a criminal action has occurred or has been attempted.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 54.017. CIVIL PENALTY. (a) In a suit against the owner or the owner's representative with control over the premises, the municipality may recover a civil penalty if it proves that:

(1) the defendant was actually notified of the provisions of the ordinance; and

(2) after the defendant received notice of the ordinance provisions, the defendant committed acts in violation of the ordinance or failed to take action necessary for compliance with the ordinance.

(b) A civil penalty under this section may not exceed \$1,000 a day for a violation of an ordinance, except that a civil penalty under this section may not exceed \$5,000 a day for a violation of an ordinance relating to point source effluent limitations or the discharge of a pollutant, other than from a non-point source, into a sewer system, including a sanitary or storm water sewer system, owned or controlled by the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.
Amended by Acts 1993, 73rd Leg., ch. 472, Sec. 2, eff. Sept. 1, 1993.

Sec. 54.018. ACTION FOR REPAIR OR DEMOLITION OF STRUCTURE.

(a) The municipality may bring an action to compel the repair or demolition of a structure or to obtain approval to remove the structure and recover removal costs.

(b) In an action under this section, the municipality may also bring:

(1) a claim for civil penalties under Section [54.017](#); and

(2) an action in rem against the structure that may result in a judgment against the structure as well as a judgment against the defendant.

(c) The municipality may file a notice of lis pendens in the office of the county clerk. If the municipality files the

notice, a subsequent purchaser or mortgagee who acquires an interest in the property takes the property subject to the enforcement proceeding and subsequent orders of the court.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1054 (S.B. 173), Sec. 1, eff. September 1, 2011.

Sec. 54.019. IMPRISONMENT; CONTEMPT. (a) A person is not subject to personal attachment or imprisonment for the failure to pay a civil penalty assessed under this subchapter.

(b) This subchapter does not affect the power of a court to imprison a person for contempt of valid court orders or the availability of remedies or procedures for the collection of a judgment assessing civil penalties. The remedies under Section 31.002, Civil Practice and Remedies Code, are preserved.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 54.020. ABATEMENT OF FLOODPLAIN VIOLATION IN MUNICIPALITIES; LIEN. (a) In addition to any necessary and reasonable actions authorized by law, a municipality may abate a violation of a floodplain management ordinance by causing the work necessary to bring real property into compliance with the ordinance, including the repair, removal, or demolition of a structure, fill, or other material illegally placed in the area designated as a floodplain, if:

(1) the municipality gives the owner reasonable notice and opportunity to comply with the ordinance; and

(2) the owner of the property fails to comply with the ordinance.

(b) The municipality may assess the costs incurred by the municipality under Subsection (a) against the property. The municipality has a lien on the property for the costs incurred

and for interest accruing at the annual rate of 10 percent on the amount due until the municipality is paid.

(c) The municipality may perfect the lien by filing written notice of the lien with the county clerk of the county in which the property is located. The notice of lien must be in recordable form and must state the name of each property owner, if known, the legal description of the property, and the amount due.

(d) The municipality's lien is inferior to any previously recorded bona fide mortgage lien attached to the real property to which the municipality's lien attaches, if the mortgage lien was filed for record before the date the municipality files the notice of lien with the county clerk. The municipality's lien is superior to all other previously recorded judgment liens.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1396 (H.B. 1554), Sec. 2, eff. September 1, 2013.

SUBCHAPTER C. QUASI-JUDICIAL ENFORCEMENT OF HEALTH AND SAFETY ORDINANCES

Sec. 54.031. SUBCHAPTER APPLICABLE TO CERTAIN MUNICIPALITIES. This subchapter applies to a municipality that by ordinance implements the subchapter.

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989. Amended by Acts 1991, 72nd Leg., ch. 753, Sec. 5, eff. June 16, 1991.

Sec. 54.032. ORDINANCES SUBJECT TO QUASI-JUDICIAL ENFORCEMENT. This subchapter applies only to ordinances:

(1) for the preservation of public safety, relating to the materials or methods used to construct a building or improvement, including the foundation, structural elements, electrical wiring or apparatus, plumbing and fixtures, entrances, or exits;

(2) relating to the fire safety of a building or improvement, including provisions relating to materials, types of construction or design, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits;

(3) relating to dangerously damaged or deteriorated buildings or improvements;

(4) relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents;

(5) relating to a building code or to the condition, use, or appearance of property in a municipality;

(6) relating to animal care and control; or

(7) relating to water conservation measures, including watering restrictions.

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989. Amended by Acts 1997, 75th Leg., ch. 582, Sec. 1, eff. June 2, 1997.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 135 (S.B. 654), Sec. 2, eff. September 1, 2013.

Sec. 54.033. BUILDING AND STANDARDS COMMISSION. (a) The governing body of the municipality may provide for the appointment of a building and standards commission to hear and determine cases concerning alleged violations of ordinances.

(b) A commission appointed for the purpose of hearing cases under this subchapter shall consist of one or more panels, each composed of at least five members, to be appointed for terms of two years.

(c) The appointing authority may remove a commission member for cause on a written charge. Before a decision regarding removal is made, the appointing authority must hold a

public hearing on the matter if requested by the commission member subject to the removal action.

(d) A vacancy shall be filled for the unexpired term.

(e) The governing body, by charter or ordinance, may provide for the appointment of eight or more alternate members of the commission who shall serve in the absence of one or more regular members when requested to do so by the mayor or city manager. The alternate members serve for the same period and are subject to removal in the same manner as the regular members. A vacancy is filled in the same manner as a vacancy among the regular members.

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989. Amended by Acts 1993, 73rd Leg., ch. 836, Sec. 1, eff. Sept. 1, 1993; Acts 2001, 77th Leg., ch. 413, Sec. 3, eff. Sept. 1, 2001.

Sec. 54.034. PROCEEDINGS OF COMMISSION PANELS. (a) All cases to be heard by the commission may be heard by any panel of the commission. A majority of the members of a panel must hear a case.

(b) A majority of the entire commission shall adopt rules for the entire commission in accordance with any ordinances adopted pursuant to this subchapter. The rules shall establish procedures for use in hearings, providing ample opportunity for presentation of evidence and testimony by respondents or persons opposing charges brought by the municipality or its building officials relating to alleged violations of ordinances.

(c) The governing body of the municipality by ordinance shall designate the appropriate official of the municipality who shall present all cases before the commission panels.

(d) Meetings of the commission panels shall be held at the call of the chairman of each panel and at other times as determined by the commission. All meetings of the commission and its panels shall be open to the public. Each chairman of a

panel, or in the chairman's absence each acting chairman, may administer oaths and compel the attendance of witnesses.

(e) Each commission panel shall keep minutes of its proceedings showing the vote of each member on each question or the fact that a member is absent or fails to vote. Each commission panel shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the office of the commission as public records.

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989. Amended by Acts 1993, 73rd Leg., ch. 836, Sec. 2, eff. Sept. 1, 1993; Acts 2001, 77th Leg., ch. 413, Sec. 5, eff. Sept. 1, 2001.

Sec. 54.035. NOTICE. (a) Except as provided by Subsections (a-1) and (a-2), notice of all proceedings before the commission panels must be given:

(1) by personal delivery, by certified mail with return receipt requested, or by delivery by the United States Postal Service 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; and

(2) to all unknown owners, by posting a copy of the notice on the front door of each improvement situated on the affected property or as close to the front door as practicable.

(a-1) Notice to a condominium association of a proceeding before a commission panel relating to a condominium, as defined by Section [81.002](#) or [82.003](#), Property Code, located wholly or partly in a municipality with a population of more than 1.9 million must be served by personal service, by certified mail, return receipt requested, or by the United States Postal Service

using signature confirmation service, to the registered agent of the unit owners' association.

(a-2) Notice to an owner of a unit of a condominium, as defined by Section 81.002 or 82.003, Property Code, located wholly or partly in a municipality with a population of more than 1.9 million must be given in accordance with Section 82.118, Property Code.

(b) The notice must be posted and either personally delivered or mailed on or before the 10th day before the date of the hearing before the commission panel and must state the date, time, and place of the hearing. In addition, the notice must be published in a newspaper of general circulation in the municipality on one occasion on or before the 10th day before the date fixed for the hearing.

(c) The commission may file notice of a proceeding before a commission panel in the Official Public Records of Real Property in the county in which the affected property is located. The notice must contain the name and address of the owner of the affected property if that information can be determined from a reasonable search of the instruments on file in the office of the county clerk, a legal description of the affected property, and a description of the proceeding. The filing of the notice is binding on subsequent grantees, lienholders, or other transferees of an interest in the property who acquire such interest after the filing of the notice and constitutes notice of the proceeding on any subsequent recipient of any interest in the property who acquires such interest after the filing of the notice.

(d) A municipality must exercise due diligence to determine the identity and address of a property owner, lienholder, or registered agent to whom the municipality is required to give notice.

(e) A municipality exercises due diligence in determining the identity and address of a property owner, lienholder, or registered agent when it follows the procedures for service

under Section [82.118](#), Property Code, or searches the following records:

- (1) county real property records of the county in which the property is located;
- (2) appraisal district records of the appraisal district in which the property is located;
- (3) records of the secretary of state, if the property owner, lienholder, or registered agent is a corporation, partnership, or other business association;
- (4) assumed name records of the county in which the property is located;
- (5) tax records of the municipality; and
- (6) utility records of the municipality.

(f) When a municipality mails a notice in accordance with this section to a property owner, lienholder, or registered agent 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.

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989. Amended by Acts 1993, 73rd Leg., ch. 836, Sec. 3, eff. Sept. 1, 1993; Acts 2001, 77th Leg., ch. 413, Sec. 6, eff. Sept. 1, 2001.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 370 (S.B. [352](#)), Sec. 1, eff. June 15, 2007.

Acts 2009, 81st Leg., R.S., Ch. 1323 (H.B. [3128](#)), Sec. 4, eff. September 1, 2009.

Sec. 54.036. FUNCTIONS. A commission panel may:

- (1) order the repair, within a fixed period, of buildings found to be in violation of an ordinance;
- (2) declare a building substandard in accordance with the powers granted by this subchapter;
- (3) order, in an appropriate case, the immediate removal of persons or property found on private property, enter

on private property to secure the removal if it is determined that conditions exist on the property that constitute a violation of an ordinance, and order action to be taken as necessary to remedy, alleviate, or remove any substandard building found to exist;

(4) issue orders or directives to any peace officer of the state, including a sheriff or constable or the chief of police of the municipality, to enforce and carry out the lawful orders or directives of the commission panel;

(5) determine the amount and duration of the civil penalty the municipality may recover as provided by Section [54.017](#).

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989. Amended by Acts 1993, 73rd Leg., ch. 836, Sec. 4, eff. Sept. 1, 1993.

Sec. 54.037. CIVIL PENALTY. (a) A determination made under Section [54.036](#)(5) is final and binding and constitutes prima facie evidence of the penalty in any court of competent jurisdiction in a civil suit brought by the municipality for final judgment in accordance with the established penalty.

(b) To enforce any civil penalty under this subchapter, the municipal secretary or clerk must file with the district clerk of the county in which the municipality is located, a certified copy of the order of the commission panel establishing the amount and duration of the penalty. No other proof is required for a district court to enter final judgment on the penalty.

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989. Amended by Acts 1993, 73rd Leg., ch. 836, Sec. 5, eff. Sept. 1, 1993.

Sec. 54.038. VOTE. A majority vote of the members voting on a matter is necessary to take any action under this

subchapter and any ordinance adopted by the municipality in accordance with this subchapter.

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989. Amended by Acts 1993, 73rd Leg., ch. 836, Sec. 6, eff. Sept. 1, 1993; Acts 2001, 77th Leg., ch. 413, Sec. 7, eff. Sept. 1, 2001.

Sec. 54.039. JUDICIAL REVIEW. (a) Any owner, lienholder, or mortgagee of record jointly or severally aggrieved by any decision of a commission panel may present a petition to a district court, duly verified, setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be presented to the court within 30 calendar days after the date a copy of the final decision of the commission panel is personally delivered, mailed by first class mail with certified return receipt requested, or delivered by the United States Postal Service using signature confirmation service, to all persons to whom notice is required to be sent under Section 54.035. The commission panel shall deliver or mail that copy promptly after the decision becomes final. In addition, an abbreviated copy of the order shall be published one time in a newspaper of general circulation in the municipality within 10 calendar days after the date of the delivery or mailing of the copy as provided by this subsection, including the street address or legal description of the property; the date of the hearing, a brief statement indicating the results of the order, and instructions stating where a complete copy of the order may be obtained, and, except in a municipality with a population of 1.9 million or more, a copy shall be filed in the office of the municipal secretary or clerk.

(b) On presentation of the petition, the court may allow a writ of certiorari directed to the commission panel to review the decision of the commission panel and shall prescribe in the writ the time, which may not be less than 10 days, within which

a return on the writ must be made and served on the relator or the relator's attorney.

(c) The commission panel may not be required to return the original papers acted on by it. It is sufficient for the commission panel to return certified or sworn copies of the papers or of parts of the papers as may be called for by the writ.

(d) The return must concisely set forth other facts as may be pertinent and material to show the grounds for the decision appealed from and shall be verified.

(e) The allowance of the writ does not stay proceedings on the decision appealed from.

(f) The district court's review shall be limited to a hearing under the substantial evidence rule. The court may reverse or affirm, in whole or in part, or may modify the decision brought up for review.

(g) Costs may not be allowed against the commission panel.

(h) If the decision of the commission panel is affirmed or not substantially reversed but only modified, the district court shall allow to the municipality all attorney's fees and other costs and expenses incurred by it and shall enter a judgment for those items, which may be entered against the property owners as well as all persons found to be in occupation of the property subject to the proceedings before the commission panel.

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989. Amended by Acts 1993, 73rd Leg., ch. 836, Sec. 7, eff. Sept. 1, 1993; Acts 2001, 77th Leg., ch. 413, Sec. 8, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 701, Sec. 1, eff. Sept. 1, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 370 (S.B. [352](#)), Sec. 2, eff. June 15, 2007.

Sec. 54.040. LIEN; ABSTRACT. (a) An order issued under Section [54.036](#), including any civil penalties assessed under

Section 54.036(5), is enforceable in the same manner as provided in Sections 214.001(k), (m), (n), and (o). An abstract of judgment shall be ordered against all parties found to be the owners of the subject property or in possession of that property.

(b) A lienholder does not have standing to bring a proceeding under Section 54.039 on the ground that the lienholder was not notified of the proceedings before the commission panel or was unaware of the condition of the property, unless the lienholder had first appeared before the commission panel and entered an appearance in opposition to the proceedings.

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989. Amended by Acts 1993, 73rd Leg., ch. 836, Sec. 8, eff. Sept. 1, 1993.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1141 (H.B. 2647), Sec. 1, eff. September 1, 2009.

Sec. 54.041. COMMISSION PANEL DECISION FINAL. If no appeals are taken from the decision of the commission panel within the required period, the decision of the commission panel is, in all things, final and binding.

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989. Amended by Acts 1993, 73rd Leg., ch. 836, Sec. 9, eff. Sept. 1, 1993.

Sec. 54.042. MUNICIPAL COURT PROCEEDING NOT AFFECTED. This subchapter does not affect the ability of a municipality to proceed under the jurisdiction of the municipal court.

Added by Acts 1989, 71st Leg., ch. 1113, Sec. 1, eff. Aug. 28, 1989.

Sec. 54.043. ALTERNATIVE ADJUDICATION PROCESSES. A municipality by ordinance may adopt a civil adjudication process, as an alternative to the enforcement process prescribed by the other provisions of this subchapter, for the enforcement of ordinances described by Section 54.032. The alternative process must contain provisions relating to notice, the conduct of proceedings, permissible orders, penalties, and judicial review that are similar to the provisions of this subchapter.

Added by Acts 1997, 75th Leg., ch. 582, Sec. 2, eff. June 2, 1997.

Sec. 54.044. ALTERNATIVE PROCEDURE FOR ADMINISTRATIVE HEARING. (a) As an alternative to the enforcement processes described by this subchapter, a municipality by ordinance may adopt a procedure for an administrative adjudication hearing under which an administrative penalty may be imposed for the enforcement of an ordinance described by Section 54.032 or adopted under Section 214.001(a)(1).

(b) A procedure adopted under this section must entitle the person charged with violating an ordinance to a hearing and must provide for:

- (1) the period during which a hearing shall be held;
- (2) the appointment of a hearing officer with authority to administer oaths and issue orders compelling the attendance of witnesses and the production of documents; and
- (3) the amount and disposition of administrative penalties, costs, and fees.

(c) A municipal court may enforce an order of a hearing officer compelling the attendance of a witness or the production of a document.

(d) A citation or summons issued as part of a procedure adopted under this section must:

- (1) notify the person charged with violating the ordinance that the person has the right to a hearing; and

(2) provide information as to the time and place of the hearing.

(e) The original or a copy of the summons or citation shall be kept as a record in the ordinary course of business of the municipality and is rebuttable proof of the facts it states.

(f) The person who issued the citation or summons is not required to attend a hearing under this section.

(g) A person charged with violating an ordinance who fails to appear at a hearing authorized under this section is considered to admit liability for the violation charged.

(h) At a hearing under this section, the hearing officer shall issue an order stating:

(1) whether the person charged with violating an ordinance is liable for the violation; and

(2) the amount of a penalty, cost, or fee assessed against the person.

(i) An order issued under this section may be filed with the clerk or secretary of the municipality. The clerk or secretary shall keep the order in a separate index and file. The order may be recorded using microfilm, microfiche, or data processing techniques.

(j) An order issued under this section against a person charged with an ordinance violation may be enforced by:

(1) filing a civil suit for the collection of a penalty assessed against the person; and

(2) obtaining an injunction that:
(A) prohibits specific conduct that violates the ordinance; or

(B) requires specific conduct necessary for compliance with the ordinance.

(k) A person who is found by a hearing officer to have violated an ordinance may appeal the determination by filing a petition in municipal court before the 31st day after the date the hearing officer's determination is filed. An appeal does not stay enforcement and collection of the judgment unless the

person, before filing the appeal, posts a bond with an agency designated for that purpose by the municipality.

Added by Acts 2001, 77th Leg., ch. 413, Sec. 9, eff. Sept. 1, 2001.



BUILDING STANDARDS COMMISSION AGENDA ITEM MEMORANDUM

Date Submitted: 12/8/2017

Meeting Date: 12/12/2017

Item #7

DEPT./DIVISION SUBMISSION & REVIEW:

TBD, Chair

ITEM DESCRIPTION: Mock Public Hearing for training and experience.

STAFF RECOMMENDATION: Conduct mock public hearing with staff's assistance.

ITEM SUMMARY: A copy of general meeting rules and procedures has been provided for review.

FISCAL IMPACT: None

ATTACHMENTS:

Parliamentary Procedures for Meetings

Public Hearing Ground Rules

City of Robinson

Parliamentary Procedure for Meetings

Motion

- Mayor/Chairperson reads agenda item
- City Manager/staff comments and recommendations
- Mayor/Chairperson opens floor for questions or discussion
- Mayor/Chairperson opens floor for a motion
- Person making motion must state the motion
- Motion seconded
- Mayor/Chairperson restates motion and allows for more discussion and/or questions
- Mayor/Chairperson calls for vote
- Council/Commission polled
- Verbal response from Council/Commission

Table: To table a discussion is to lay aside the business at hand in such a manner that it will be considered later in the meeting or at another time.

Public Hearing Ground Rules

1. Anyone wishing to speak should fill out a slip and indicate which Agenda Item you wish to address. Please state your name and address before you begin to speak.
2. Each speaker will be allowed a max. of 3 minutes to address the commission. The City Secretary will time each speaker and you will only be allowed to finish your sentence once your 3 minutes has expired.
3. ***Absolutely*** no comments or questions will be allowed after the close of the public hearing unless you are asked to respond by a commission member.
4. Our vote tonight is only a recommendation to the city council and is not binding on the council. The council will hear public comments and issue a final decision at their next regular council meeting.

1. City staff speaks first
2. Read Ground Rules
3. Applicant or representative of applicant speaks
4. Audience members speak
5. Close hearing



BUILDING STANDARDS COMMISSION AGENDA ITEM MEMORANDUM

Date Submitted: 12/8/2017

Meeting Date: 12/12/2017

Item #8

DEPT./DIVISION SUBMISSION & REVIEW:

TBD, Chair

ITEM DESCRIPTION: Commissioner comments and/or questions: No discussion by or with Commissioners will be held on any matter not listed on an official agenda as required by law.

D. HARTSTACK:

LOTH:

WILLIAMS:

HARPER:

C. HARTSTACK: