

AN ORDINANCE 2012-11-08-0878

AMENDING CHAPTER 6, ARTICLE VIII, CHAPTER 6-172 OF THE
CITY CODE TO REFLECT CHANGES TO THE METHOD OF
NOTIFICATION.

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WHEREAS, Chapter 6 Article VIII, Chapter 6-172 of the City Code entitled "State Authority for Summarily Securing Unoccupied Buildings" needs to be amended to reflect changes to the method of notification; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Sec. 6-172, Chapter 6, Article VIII of the City Code of the City of San Antonio is amended by adding the underscored words and deleting those struck through and bracketed to read as follows:

“Sec. 6-172. State authority for summarily securing unoccupied buildings.

(c) *Notice.* Whenever it is found that an unoccupied building is in such condition that an unauthorized person or child could enter it through missing or unlocked doors or windows or other openings, the director of development services or the fire marshal shall cause a written "Notice To Secure" to be given to the owner of the property or to any person having control over the property. Such notice shall inform the addressee that the building is a public nuisance, and must be secured in compliance with this section within ten days of the receipt of the notice, or that the city has already secured the structure. The notice shall be served to the addressee by [~~certified mail, return receipt requested~~]first class mail or by personal delivery, and by posting the notice on or near the front door of the building by a code compliance investigator, fireman, peace officer, or other persons authorized by the director of development services. When the city has already secured the structure, notice shall be given no later than the eleventh day after the date the structure is secured.

SECTION 2. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision in this Ordinance be held to be unconstitutional or invalid or ineffective, the remainder shall stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 3. The publishers of the City Code of San Antonio, Texas are authorized to amend the code to reflect the changes adopted in this Ordinance, and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 4. This Ordinance is effective immediately upon the receipt of eight (8) affirmative votes, or in the event eight affirmative votes are not received, on the tenth day after passage.

PASSED AND APPROVED this 8th day of November, 2012.

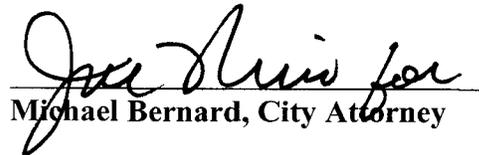

M A V O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

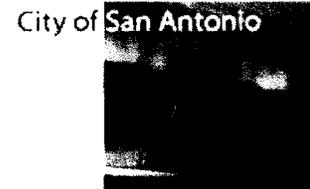
APPROVED AS TO FORM:



Michael Bernard, City Attorney



Request for
COUNCIL



Agenda Voting Results - 9

Name:	6A, 6B, 7, 9, 10, 11, 12, 13, 15, 16A, 16B, 16C						
Date:	11/08/2012						
Time:	10:08:44 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance amending City Code Section 6-172, State Authority for Summarily Securing Unoccupied Buildings, to allow notification to property owners via first class mail in order to comply with state code, and required notification process. [David Ellison, Assistant City Manager, Roderick Sanchez, Director, Development Services]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				x
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x			x	
David Medina Jr.	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				