



Department of Neighborhoods

Dangerous Buildings and Make Safe Process

Agenda

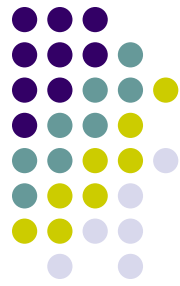


- Responsibilities & Role of City employees
- Dangerous Building Reporting Process
- What is a Public Hearing?
- What is an Order?
- Enforcement
- Demolition Process
- Securing a Dangerous Building

Reporting Responsibilities for City of Houston Staff



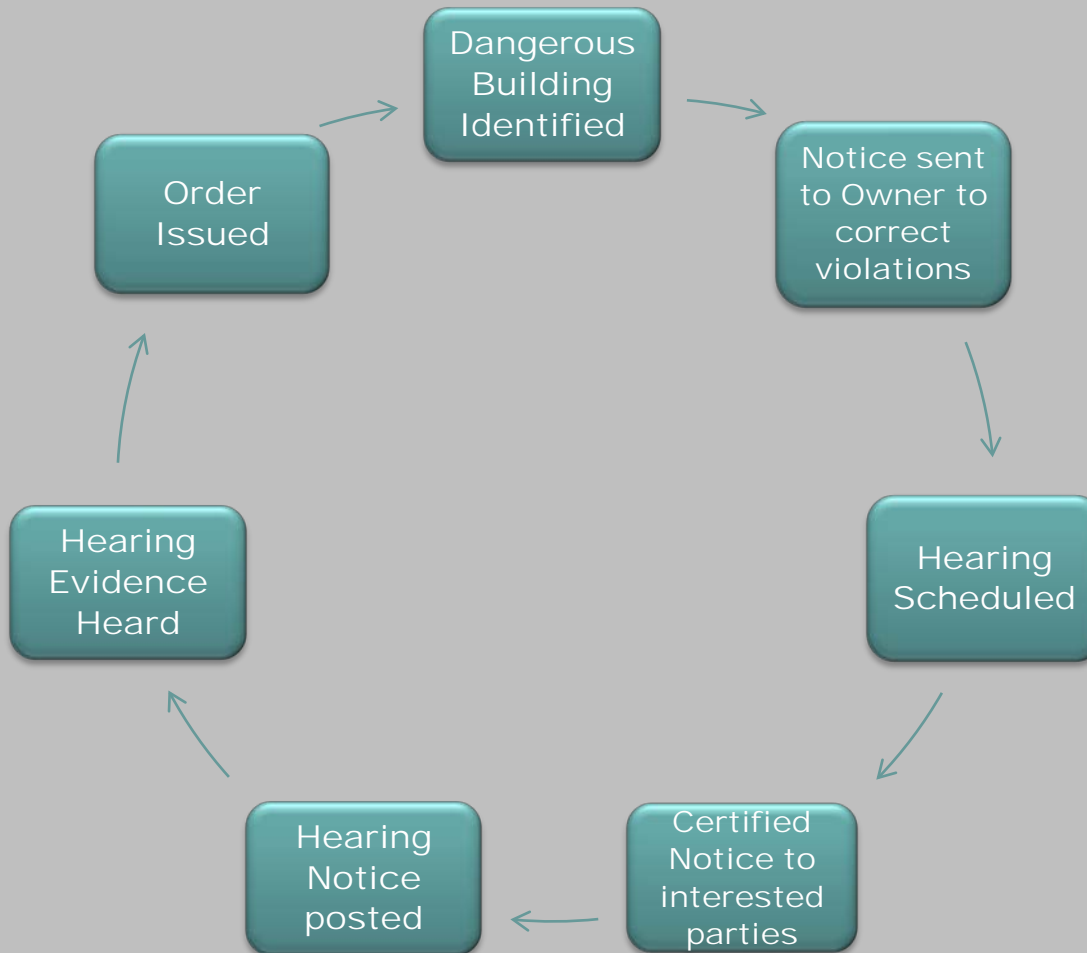
- **Houston Code of Ordinance, Section 10-378**
 - “It shall be the duty of all city employees whose responsibility it is to enforce this Code, the Building Code or the Fire Code of the city to make a report in writing to the neighborhood protection official of all buildings they believe are dangerous buildings. Such reports are to be made within a reasonable time after discovery of such building.”



Inspectors Role

- To inspect/investigate and gather evidence and provide testimony at public hearings.
- Evidence is gathered by photographic documentation, written documentation, and verbal testimony .
- The inspectors evidence is directly related to the type of order issued.

Dangerous Building Reporting Process



Initial Dangerous Building Inspection



Initial Dangerous Building Inspection



What is a Public Hearing?



- A public hearing is a gathering where the property owner, lienholders, and other interested parties hear evidence and testimony concerning ordinance violations related to minimum standards and dangerously deteriorated buildings.
- There are two types of hearings:
 - Administrative Hearings
 - Building and Standards Commission Hearings

Posting the Hearing Notice

“The posting shall constitute notice to any person having interest in the property who does not receive personal notice or notice by mail.”

A copy of the hearing notice shall be posted on the property not less than 10 days before the scheduled hearing.



What is an Order?



- An instrument detailing a written record of facts and determinations to cure ordinance violations related to minimum standards and dangerous and deteriorated buildings.

Types of Orders



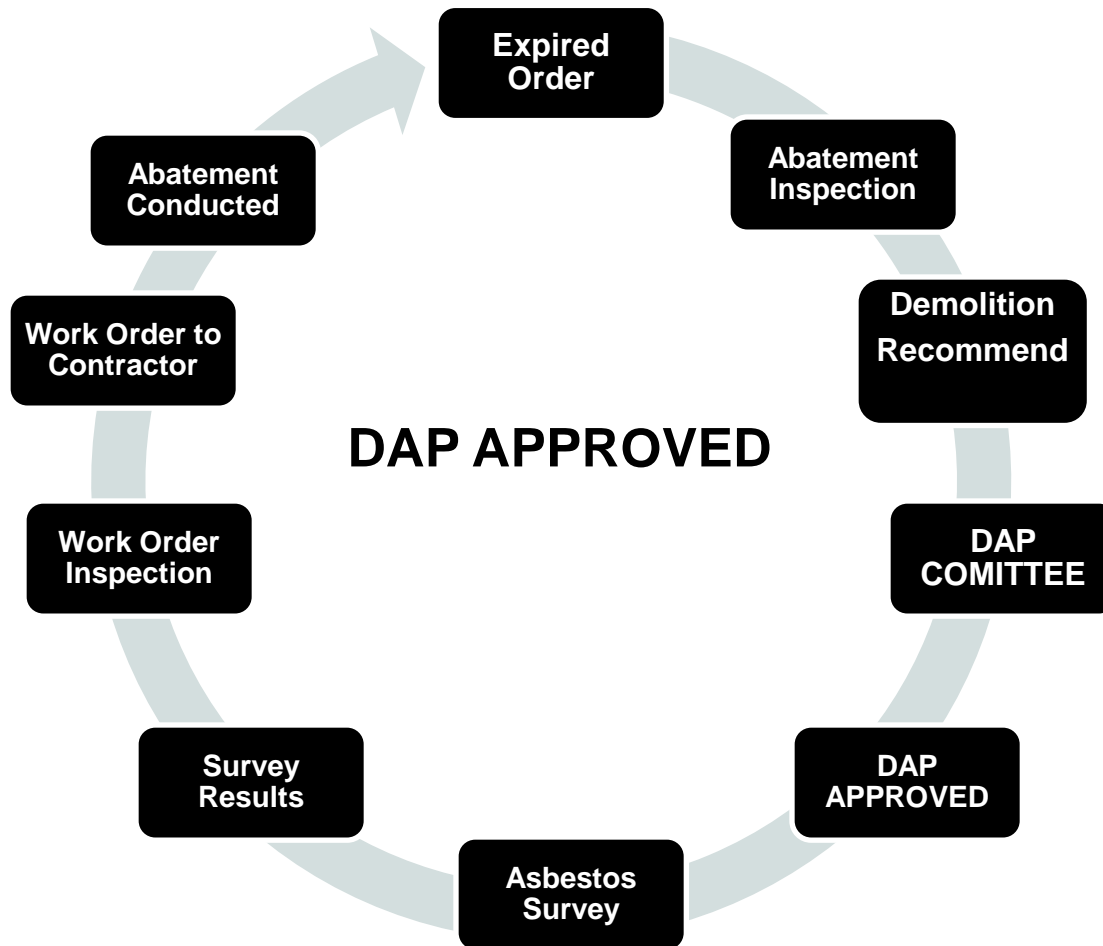
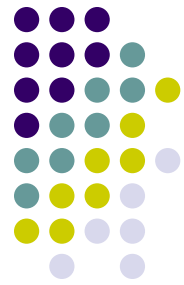
- Demolish Only
- Secure and Demolish
- Repair or Demolish
- Secure and either Repair or Demolish
- Repair Only
- Secure and Repair
- Minimum Standards Repair
- Minimum Standards Property Only
- Secure Only

Time Allotted to Cure Violations



- The minimum time allotted to cure violations is 30 calendar days following the date of the hearing.
- The maximum time allotted to cure violations is 90 calendar days following the date of the hearing. (except as otherwise specified by ordinance/statute)

Demolition Process



Order to Demolish



- **Section 10-361. Dangerous Buildings Defined.**

- (a)(1) “Walls or other vertical structural members that list, lean, buckle in excess of one-quarter inch of horizontal measurement for each foot of vertical measurement;”
- (a)(2) “Thirty-three percent or more damage or deterioration of the supporting members, or 50 percent or more damage or deterioration of the non-supporting members or outside walls or coverings;”
- (a)(4) “Improperly distributed loads upon the floors and roofs or in which floors or roofs have insufficient strength to be reasonably safe for the purpose used;”

Enforcement and Abatement Provisions



- **Division 3. Houston Code of Ordinance, Chapter 10-353. Action by city authorized, administrative expenses; lien**
 - “If a person fails, neglects or refuses to comply with an order issued pursuant to this division, the city may perform any and all work as may be required to bring the property into compliance with the applicable order, and the city's expenses related to such work shall constitute a lien against the property .”
- **Division 4. Houston Code of ordinances, Chapter 10-370. Action by City Authorized**
 - “If the persons having an interest in the property fail to comply with the order of the hearing official within the time specified in the order for compliance, the neighborhood protection official shall cause the building to be vacated, repaired, secured, and/or demolished pursuant to the order.”

Enforcement and Abatement Provisions



- **Division 7. Houston Code of Ordinance, Chapter 10-431. Emergencies**

- “In cases where the neighborhood protection official reasonably believes that a building or structure constitutes an imminent danger to health or safety, the neighborhood protection official shall report the building and the conditions creating the imminent danger to the director. If the director finds that imminent danger to health or safety exists, the director, without the necessity of any notice to the owner of the building or any other person having an interest in the building or structure where the imminent danger exists, shall order immediate appropriate action taken with respect to the building or structure. For purposes of this division, the term "appropriate action" means vacating, repairing, or demolishing the building or structure, or other action reasonably calculated to eliminate the conditions that create the imminent danger.”

Enforcement and Abatement Provisions



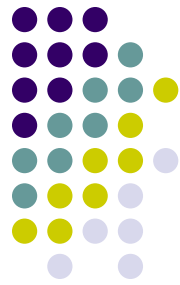
- **Texas Local Government Code, Chapter 214. Authority Regarding Substandard Building**
 - (m) If the building is not vacated, secured, repaired, removed, or demolished, or the occupants are not relocated within the allotted time, the municipality may vacate, secure, remove, or demolish the building or relocate the occupants at its own expense.
- **Texas Local Government Code, Chapter 54. Enforcement of Municipal Ordinances**
 - A commission panel may: “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;”



Demolition Programs

- Routine Demolition
- Asbestos Demolition
- Building Securing
- Level I Demolition
- Level II Demolition
- Level II Securing
- Nail and Mail
- Competitive Bid

Demolition Programs Defined



- **Routine Demolition**
 - demolition conducted by a routine demolition contractor on structures that do not contain asbestos or asbestos above the regulated threshold
- **Asbestos Demolition**
 - demolition conducted by an asbestos demolition contractor on structures that contain more than 1% of regulated asbestos containing building materials
- **Building Securing**
 - vacant and open structures that are boarded/secured according to City specifications
- **Level I Demolition**
 - demolition conducted on structures that are in eminent danger; and having met at least one ordinance criterion; and having a request from the Office of Emergency Management or the Houston Fire Department; and requiring an emergency hearing within 90 days of emergency action
- **Level II Demolition**
 - demolition conducted on structures that are in eminent danger; and having met at least one ordinance criterion; and having an approval from the Neighborhood Protection Official; and requiring an emergency hearing within 90 days of the emergency action
- **Level II Securing**
 - emergency securing conducted on structures that are in eminent danger but the conditions do not require demolition; and having met at least one ordinance criteria, and requiring an emergency hearing within 90 days of the emergency action
- **Nail and Mail**
 - emergency securing conducted on structures that are in eminent danger but the conditions do not require demolition; and having met at least one ordinance criteria; and requiring notice to the owner within 10 days of the emergency action; and specifying the owner may request a hearing within 10 days of receipt of notice
- **Competitive Bid**
 - a process in which contractors submit a bid to perform services otherwise those specified by contract

Recommendation to Demolish



- **Section 10-361. Dangerous Buildings Defined.**
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Demolition Photographs



Estimating Debris



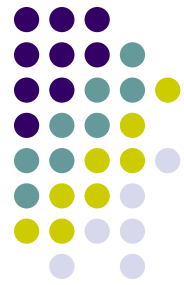
Debris is Estimated by Cubic Yards

Formula for Estimating Debris:

$\text{Length} \times \text{Width} \times \text{Height} \div 27$

The height of the debris is measured by using your own height as a guide.

Process for Securing a Dangerous Building

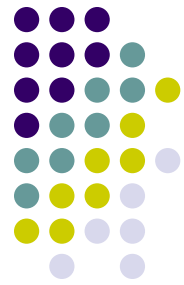


The Inspection



Secured to City Specifications





QUESTIONS