

ORDINANCE NO. 2021-11-09_Demolition

AN ORDINANCE OF THE CITY OF HARDIN, TEXAS; PROVIDING FOR THE DEMOLITION OF BUILDINGS WITHIN THE CITY LIMITS; ESTABLISHING A PERMITTING PROCESS; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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The purpose of this ordinance is to assure greater public safety during demolition activities by establishing the process and setting forth the requirements for obtaining a demolition permit, establishing requirements for demolition. City ordered demolitions shall be exempt from the requirements of this section.

A. Definitions.

1. Deconstruction means the process of systematically dismantling a structure or portion of a structure in an environmentally, economically and socially responsible manner, aiming to maximize the recovery of materials for reuse and recycling.

2. Demolition means the deconstructing, destroying, razing, tearing down, alteration or wrecking of any structure or removal of any load-supporting structural member of a building or structure together with any related handling operations.

B. Permit required.

1. A demolition permit shall be required before any person proceeds with the demolition or deconstruction of any building within the city limits.

C. Fees.

1. A person obtaining a demolition permit shall pay the established fee.

D. Duration.

A demolition permit shall be valid for a consecutive 90-day period. Every permit issued shall expire under any of the following circumstances:

1. The work authorized by such permit is not commenced within three months from the issue date of the permit;

2. The work authorized by such permit is suspended or abandoned for a period of three months after the time the work is commenced;

3. The permit applicant fails to call for and receive an inspection for any period of three months.

4. Upon completion and successful final inspection of the work authorized by such permit.

5. A permittee holding an unexpired permit may apply for one extension of time for a period of not more than one ninety-day period; provided that the request for extension is made in writing prior to the expiration of the current permit, such extension authorizations shall be made in writing to the building official. There shall be no fee for the extension of an unexpired permit.

6. A completion permit may be obtained for an expired permit within six months of the date of expiration of the original permit. The cost of the completion permit shall be equal to one half the established fees required for a new permit for such work.

E. Application Requirements.

1. Emergency demolition. Emergency demolition will be permitted upon provision of:

a. A copy of the Building Standards Commission order;

b. An assessment and approval from the Chief of the Liberty County Emergency Services District #7;

c. A structural engineer's assessment of imminent hazard;

d. Court order; or

e. Upon a determination made by the building official pursuant to International Building Code Section 116.1 that the structure or equipment is unsafe and must be taken down and removed or made safe.

2. Standard demolition. The applicant shall provide a demolition plan and shall receive and submit approval of the plan by the Chief of the Liberty County Emergency Services District #7.

F. Additional provisions.

1. No wall, chimney or other structural part shall be left at the end of each shift in such condition that it may collapse due to wind, vibration or other cause.

2. Upon the completion of demolition operations, the site shall be completely cleared of rubbish, brush, weeds and other debris. The site must be left free of ponds/ponding areas.

3. Footings/foundations, basement/surface slabs, septic tanks, wells, cess-pools, and cisterns shall be completely removed.

Exception: Footings, foundations, basement walls may remain provided that:

a. The site is properly secured by appropriate fencing.

b. Plans sealed by a design professional are submitted at the time of proposed new construction using existing footings, foundations, or basement walls.

c. The plans provide an engineering analysis stating that the footing/foundations are structurally adequate for the intended new structure.

d. An engineering inspection report indicating that the original footings/foundation or other structures that will be utilized have not been disturbed, structurally impaired and/or impacted by the demolition.

4. Security fencing shall be provided by the contractor.

5. The applicant shall coordinate with applicable city departments for the blocking of walkways, thoroughfares and alleys to protect the public.

F. Final site preparation/security.

1. The site must be left ready for new construction. All underground utilities, footings, foundations, vaults, basements, etc., must be removed and clean fill must be used to return the site/lot to its original and/or otherwise appropriate elevation consistent with adjoining lots and/or public improvements.

Exception: Footings, foundations, basement walls may remain provided that:

a. The site is properly secured by appropriate fencing.

b. Plans sealed by a design professional are submitted at the time of proposed new construction using existing footings, foundations, or basement walls.

c. The plans provide an engineering analysis stating that the footing/foundations are structurally adequate for the intended new structure,

d. An engineering inspection report indicating that the original footings/foundation or other structures that will be utilized have not been disturbed, structurally impaired and/or impacted by the demolition.

2. Contractor shall return all public improvements to their original and/or improved condition(s).

H. Penalty

1. A violation of this ordinance is a Class C misdemeanor, punishable by a fine up to \$500.00.

2. Each day a violation of this ordinance occurs is a separate offense.

3. In addition to the financial penalties set out above, the City of Hardin is entitled to injunctive relief to stop a violation of this ordinance from occurring or continuing.

This ordinance takes full force and effect once signed by the mayor, attested by the city secretary, and duly published in the newspaper of record.

Passed and attested by the City Council of the City of Hardin, Texas on November 8, 2021.

Original on file

Harry Johnson, Mayor

ATTESTED:

Original on file

Heather Tanner, City Secretary