



ORDINANCE AMENDING CH. 31 - DEMOLITION BY NEGLIGENCE

PH-23-027

April 18, 2023

Background

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- Killeen Code of Ordinances Sec. 31-833 outlines provisions regarding “demolition by neglect.”
- “Demolition by neglect” refers to the practice of allowing a building to deteriorate to the point that demolition may become necessary.
- The intent of these provisions is to prevent property owners from allowing their historic buildings to deteriorate to the point that they can no longer be restored.

Background

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- A finding of demolition by neglect means that the property owner, by neglecting and/or failing to maintain the building, has allowed the building to fall into such a serious state of disrepair that, if not addressed, the building may need to be demolished.
- Examples of issues that may lead to a finding of demolition by neglect include: roof leaks, cracked foundations, broken windows, deteriorated structural members, or any disrepair that allows water intrusion into the building.

Background

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- As written, Sec. 31-833 requires the Heritage Preservation Board (HPB) to make a finding of demolition by neglect before code enforcement proceedings can begin.
- If approved, the proposed amendment would allow the Heritage Preservation Officer (HPO) to make findings of demolition by neglect.
- This change would allow Development Services staff to address deteriorating buildings within the HOD more quickly and efficiently.

Proposed Amendment

Sec. 31-833. - Demolition by neglect.

No owner or person with an interest in real property designated as a landmark or included within a historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of an exterior architectural feature which would, in the judgment of the ~~board~~ heritage preservation officer, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself.

Alternatives

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- ☐ Do not approved the ordinance;
- ☐ Approve the ordinance with modifications; or
- ☐ Approve the ordinance as presented.

Staff Recommendation

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- Staff recommends approval of the ordinance as presented.

Commission Recommendation

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- At their Regular Meeting on March 20, 2023, the Planning and Zoning Commission recommended approval of the proposed ordinance by a vote of 8 to 0.