



City of Killeen

Legislation Details (With Text)

File #: PH-23-027 **Version:** 1 **Name:** Demolition by Neglect Ordinance
Type: Ordinance/Public Hearing **Status:** Passed
File created: 3/27/2023 **In control:** City Council
On agenda: 4/25/2023 **Final action:** 4/25/2023
Title: HOLD a public hearing and consider an ordinance amending Killeen Code of Ordinances Sec. 31-833. - Demolition by neglect.
Sponsors: Development Services, Finance Department
Indexes:
Code sections:
Attachments: 1. Minutes, 2. Ordinance, 3. Presentation

Date	Ver.	Action By	Action	Result
4/25/2023	1	City Council	Approved	Pass
4/18/2023	1	City Council Workshop		

HOLD a public hearing and consider an ordinance amending Killeen Code of Ordinances Sec. 31-833. - Demolition by neglect.

DATE: **April 18, 2023**

TO: **Kent Cagle, City Manager**

FROM: **Edwin Revell, Executive Director of Development Services**

SUBJECT: **Ordinance Amending Chapter 31 - Demolition by Neglect**

BACKGROUND AND FINDINGS:

Killeen Code of Ordinances Sec. 31-833 outlines provisions regarding demolition by neglect of properties located within the Historical Overlay District (HOD). "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. 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. 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.

THE ALTERNATIVES CONSIDERED:

The City Council has three (3) alternatives:

- Do not approve the ordinance;
- Approve the ordinance with amendments; or
- Approve the ordinance as presented.

Which alternative is recommended? Why?

Staff recommends approval of the ordinance as presented. This change would allow Development Services staff to address deteriorating buildings within the HOD more quickly and efficiently.

CONFORMITY TO CITY POLICY:

The proposed ordinance conforms to all applicable City policies.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

This is not applicable.

Is this a one-time or recurring expenditure?

This is not applicable.

Is this expenditure budgeted?

This is not applicable.

If not, where will the money come from?

This is not applicable.

Is there a sufficient amount in the budgeted line-item for this expenditure?

This is not applicable.

RECOMMENDATION:

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.

DEPARTMENTAL CLEARANCES:

This item has been reviewed by Development Services, Community Development, Finance, and Legal staff.

ATTACHED SUPPORTING DOCUMENTS:

Minutes
Ordinance

Presentation