

# SAPMC Proposed Amendments

City Council – Item 11

November 10, 2022

Presented by:

Michael Shannon, PE, CBO –Director

2021

2021 SAN ANTONIO  
PROPERTY  
MAINTENANCE CODE

**SAPMC**

DEVELOPMENT SERVICES  
DEPARTMENT



CITY OF SAN ANTONIO  
**DEVELOPMENT SERVICES  
DEPARTMENT**



## THE SAN ANTONIO PROPERTY MAINTENANCE CODE – CH. 6

- Ensures public health, safety and welfare of residents and community.
  - Applies to all existing residential and commercial buildings and structures
- Amendment process
  - DSD reviews codes and ordinances every 3 years based on the International Code Council (ICC) International Property Maintenance Code (IPMC)
- Timeline:
  - 2011 – first major change
    - Began following the ICC International Property Maintenance Code



thank you!



## COMMITTEE MEMBERS

| MEMBER                                      | ORGANIZATION                       | COUNCIL DISTRICT | INDUSTRY (CATEGORY)  |
|---|------------------------------------|------------------|--|
| Evelyn Brown                                | BSB                                | 2                | Retires  |
| Fred Andis                                  | BSB                                | 3                | General Contractor   |
| Dwayne Nelson                               | BSB                                | 9                | Engineer   |
| Robert Tapia                                | BSB                                | At large         | Architect with experience addressing adaptive reuse of existing and historic buildings |
| Kayla Miranda                               | BSB                                | 5                | Category waived  |
| Shirish Gupte                               | BSB                                | At large         | Retired  |
| Jesse Zuniga                                | BSB                                | 6                | Veteran  |
| Joel Solis                                  | BSB                                | 10               | Category waived  |
| David Garza                                 | BSB                                | 1                | Category waived  |
| Ann Winer                                   | BSB                                | At large         | Health Care Professional   |
| <b>NON-BUILDING STANDARDS BOARD MEMBERS</b> |                                    |                  |  |
| Uel Trejo-Rivera                            | Camelot 1 Neighborhood Association | 2                | Resident   |
| Neftali Rodriguez                           | Resident                           | 8                | General Contractor   |
| Esteban Lopez Ochoa                         | Resident                           | 10               | Professional Researcher  |
| Ray Morales                                 | Tier 1 Neighborhood Coalition      | 10               | Resident   |

- Per City Code Ch. 6 & 10
  - Building Standards Board (BSB) reviews, considers, and makes recommendations to the SAPMC
    - Created subcommittee
    - 4 additional non-BSB resident members were added
- BSB is a quasi-judicial board
  - Appointed by City Council
  - Hears appeals to and violations of the SAPMC and summary abatement appeals
  - Can rule on cases & order the repair or demolition of a structure

# MEETINGS & OUTREACH

## APRIL

- 12 – Community Mtg.
- 27 – Community Mtg.
- 29 – SAPMC Committee Mtg.

## MAY

- 13 – SAMPC Committee Mtg.
- 27 – SAPMC Committee Mtg.

## JUNE

- 10 – SAPMC Committee Mtg.
- 24 – SAPMC Committee Mtg.

## JULY

- 8 – SAPMC Committee Mtg.
- 22 – SAPMC Committee Mtg.
- 29 – SAPMC Committee Mtg.

## AUGUST

- 22 – Community Mtg. (1 in-person; 1 virtual)
- 25 – Community Mtg. (1 in-person; 1 virtual)

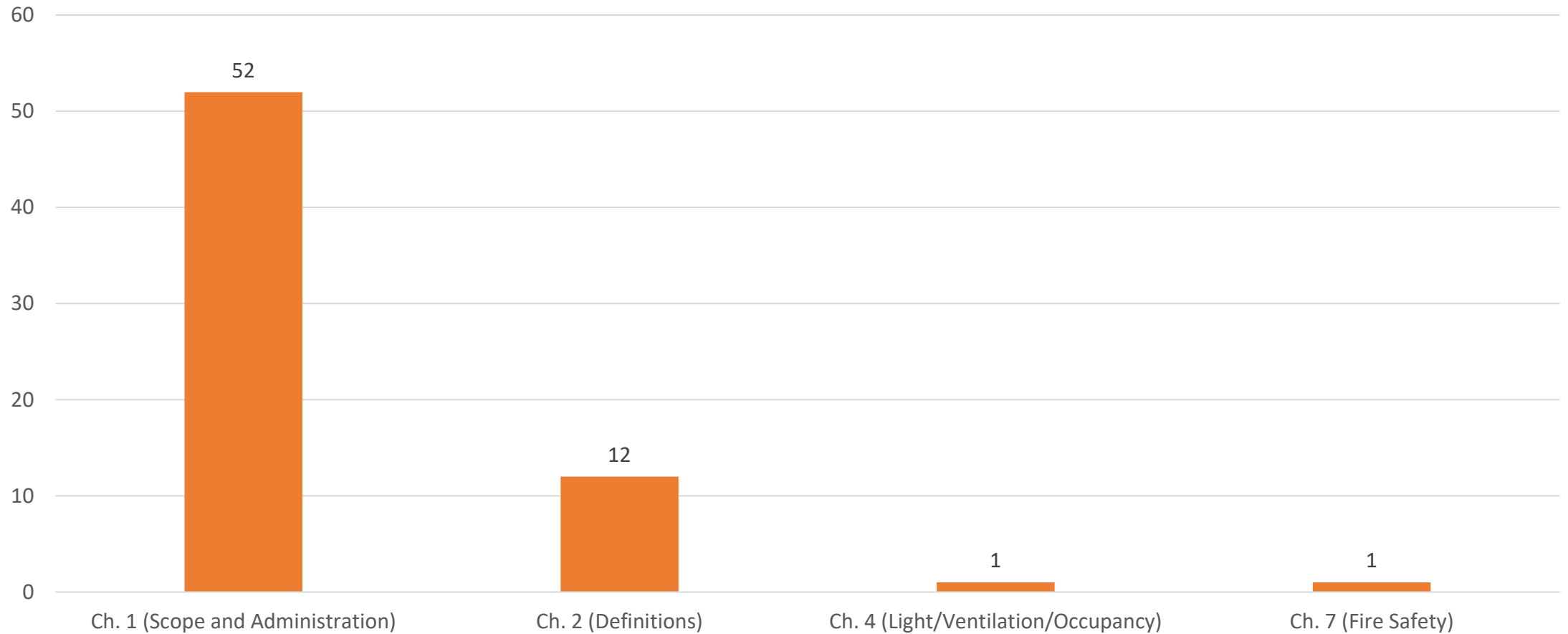
■ SAPMC Committee Mtgs. = 3 hrs.



## 2021 AMENDMENT PROCESS

- 83 Proposed Amendments (17 identical)
  - 24 Internal (2021 IPMC technical change)
  - 59 External
- 66 Unique Proposals
  - 28 Recommended for Approval
  - 38 Recommended for Denial
- 4 No action taken (general comments)

# PROPOSED AMENDMENT CATEGORIES



# WHO SUBMITTED AMENDMENTS

| SUBMITTED BY                    | ORGANIZATION  |
|---------------------------------|---|
| Leticia Sanchez                 | Co-Chair, Historic Westside Residents Association (HWSRA) |
| Mia Joseph                      | South Texas Regional Director, Texas Housers              |
| Ray Morales                     | SAPMC Committee Member<br>Tier 1 Neighborhood Coalition   |
| Rick Acosta                     | President, My City Is My Home                             |
| Staff                           | Texas Housers   |
| Development Services Department | City of San Antonio                                       |



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| Section                        | Proposed Amendment Highlights   |
|--------------------------------|---|
| Sec. 102.4 – Existing remedies | Clarified in <b>demolition and removal shall be regarded as a remedy of last resort</b>                                   |
| Sec. 107.2                     | Adopted 2021 IPMC language “ <b>Inform the property owner or owner’s authorized agent of the right to appeal.</b> ”       |
| Added definition               | Accumulation  |
| Amended definition             | Imminent danger – “A condition which could cause a <b>reasonable likelihood of</b> serious or life-threatening injury...” |
| Amended definition             | Cost of Such <del>Demolition</del> <b>abatement</b> or Emergency Repairs  |
| Sec. 702.4                     | Adopted 2021 IPMC general definition “ <b>Emergency Escape and Rescue Opening</b> ”                                       |

## PROPOSED AMENDMENT HIGHLIGHTS





## NEXT STEPS



Sept. 8 - Approval from the full BSB



Sept. 22 - Planning and Community Development Committee



Nov. 10 - City Council

90-day period after City Council approval before enforcement

# PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE (PCDC) AMENDMENTS

| Section                         | Proposed Language   |
|---------------------------------|---|
| Sec. 107.2 Form (Notice)        | Such notice prescribed in Section 107.1 shall be in accordance with all of the following: 1. Be in writing, <u>with a statement in English and Spanish offering translation services and possible assistance options by the City.</u> 2. Include a description of the real property sufficient for identification. This does not require a legal description. 3. Include a statement of the violation or violations and why the notice is being issued. 4. Include a correction order allowing a reasonable amount of time to make the repairs and improvements required to bring the premises into compliance with the provisions of this code. 5. Inform the property owner or owner's authorized agent of the name and phone number of the code official or designee. 6. Inform the property owner or owner's authorized agent of the <u>right to appeal to the BSB with contact information for the BSB liaison. Upon request by appellant or authorized representative, the BSB liaison shall provide written information as to appeal procedures.</u> |
| Sec. 108.4 Prohibited Occupancy | Any occupied structure determined by the code official to be a threat <u>or hazard</u> to the public health, safety or welfare shall be vacated as notified by the code official. Failure to vacate as directed by the code official is a violation of this code. <u>The code official shall advise the City department overseeing assistance programs immediately prior to or in conjunction with service of notice to lawfully occupied residential structures.</u>   |

# PCDC AMENDMENTS (cont.)

| Section  | Proposed Language   |
|--|---|
| Sec. 202 General Definitions                           | IMMINENT DANGER. A condition which could cause a <u>reasonable likelihood of</u> serious or life-threatening injury or death <del>as defined in Section 109.1.</del>  |
| Sec. 108.2.1 Authority to Disconnect Service Utilities | The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The code official shall notify the serving utility and, whenever possible, the owner or owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner, owner's authorized agent or occupant of the structure or service system shall be notified in writing as soon as practical thereafter. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. <u>The code official will notify the occupant(s) and the appropriate City department overseeing assistance programs at least three (3) days prior to taking such action on all lawfully occupied residential structures whenever feasible.</u> |

# PCDC AMENDMENTS (cont.)

| Section                                      | Proposed Language   |
|--|---|
| Sec. 102.8 Requirements Not Covered By Code  | Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official <u>in consultation with directors from appropriate City of San Antonio departments where needed.</u>   |
| Sec. 108.3 Vacate Notice and Right to Appeal | Whenever the code official has determined a <i>structure</i> or equipment to be a threat to the public health, safety or welfare under the provisions of this section, <u>the written</u> notice <u>to vacate</u> shall be posted in a conspicuous place in or about the <i>structure</i> affected by such notice and served on the owner, <del>or</del> owner's authorized agent or <u>occupant</u> in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the equipment. The <u>vacate</u> notice shall <u>follow</u> the form prescribed in Section 107.2 <u>with the exception of 107.2(4) and shall highlight the right to appeal to the BSB with contact information for the BSB liaison. Upon request by appellant or authorized representative, the BSB liaison shall provide written information as to appeal procedures.</u> |



## RECOMMENDATION

- City Council adopt the updated 2021 SAPMC
  - City Council choose to adopt PCDC recommended amendments
- 





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