

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
NON-BUILDING STANDARDS BOARD MEMBERS			
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)

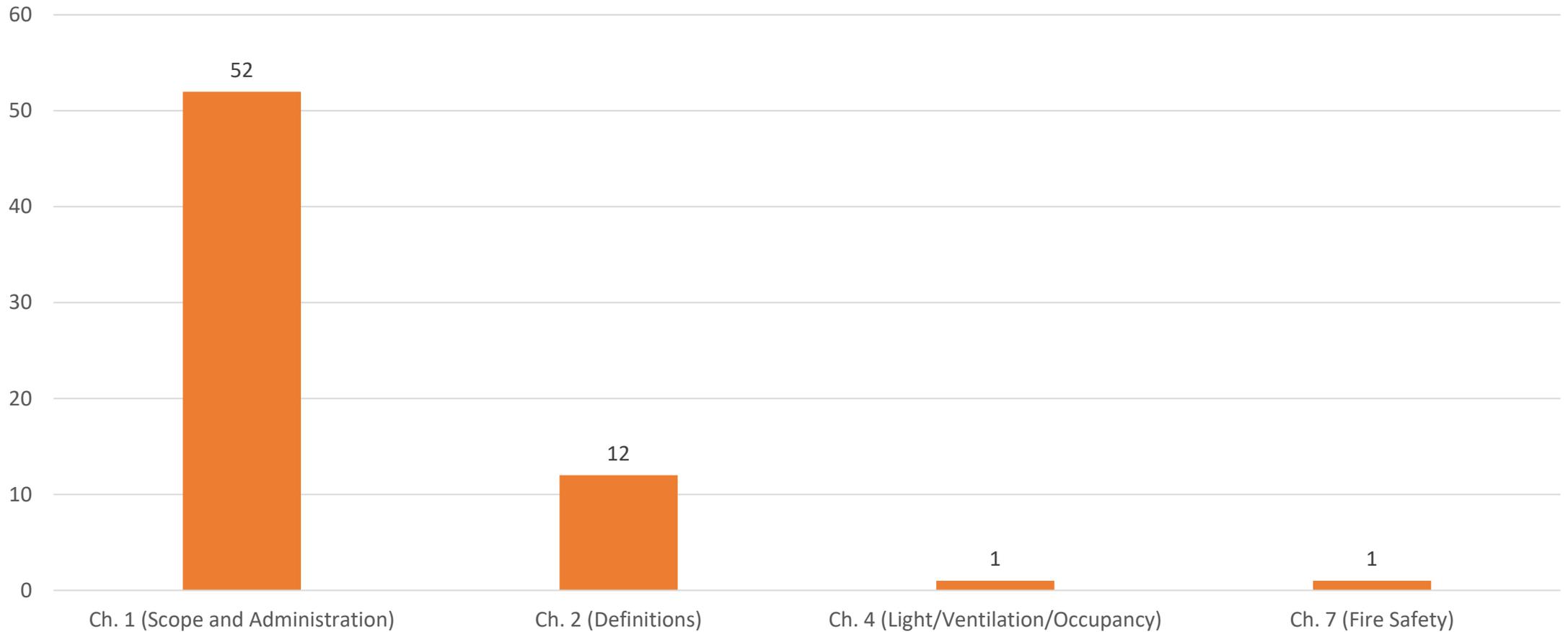
- SAPMC Committee Mtgs. = 3 hrs.



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

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)	<p>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></p>
Sec. 108.4 Prohibited Occupancy	<p>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></p>

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 as defined in Section 109.1.
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 structure or equipment to be a threat to the public health, safety or welfare under the provisions of this section, <u>the written notice to vacate</u> shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner, or 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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