

RESOLUTION NO.

WHEREAS, the City is committed to ensuring that all structures are safe and habitable;

WHEREAS, the City Council recently adopted the 2012 International Property Maintenance Code with local amendments at its September 26, 2013 meeting;

WHEREAS, structural failures at multi-family properties have increased putting rental unit dwellers at risk;

WHEREAS, the City Council recently adopted a “repeat offenders” program for rental properties with documented dangerous conditions or conditions that impact the quality of life for a tenant;

WHEREAS, state law authorizes the creation of a Building and Standards Commission (“BSC”), which is a quasi-judicial body that can issue orders to repair or demolish dangerous and/or substandard structures; and can assess civil penalties for failure to comply with its orders;

WHEREAS, it is the City Council’s goal to have all rental properties with the highest number of active complaints of substandard and dangerous conditions based on the International Property Maintenance Code that remain unresolved 90 days after a Notice of Violation is issued be placed on the Building and Standards Commission agenda in the next 90 days for possible order and penalty;

WHEREAS, it is the City Council’s goal to have the remaining similarly situated rental properties placed on the Building and Standards Commission in the next 180 days for possible order and penalty;

WHEREAS, Code Compliance staff has not, during the past year, requested the Building and Standards Commission impose \$1,000 per building per day fines for properties that do not timely comply with Building and Standards Commission orders;

WHEREAS, state law mandates that the City comply with specific notice requirements prior to a case being heard by the BSC;

WHEREAS, the City currently utilizes the BSC to address dangerous and/or substandard conditions as described in the International Property Maintenance Code;

WHEREAS, it meets eleven times a year on the fourth Wednesday of each month (except for November);

WHEREAS, state law allows for a BSC to meet in panels, which would allow for more opportunities for commission meetings;

WHEREAS, increasing the size of the BSC and instituting a panel system will increase the City's opportunities to bring dangerous and/or substandard properties before the BSC;

WHEREAS, a streamlined process should be available for permits that authorize repairs based on substandard and dangerous conditions identified by Code Compliance to promote efficiency; and,

WHEREAS, in the past the City successfully utilized a streamlined process, **NOW THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council initiates a Code amendment to increase the size of the BSC to 15 commission members for the purpose of creating three panels that will allow the BSC to meet, as panels, more than once a month, and directs the City Manager to process the Code amendment. The amendment should allow the Mayor to appoint three members and each council member to appoint two members.

BE IT FURTHER RESOLVED:

The City Council initiates a Code amendment for an expedited permit that authorizes repairs to alleviate substandard and dangerous conditions and directs the City Manager to process the code amendment.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to utilize the BSC to the fullest extent possible.

ADOPTED: _____, 2013 **ATTEST:** _____

Jannette S. Goodall
City Clerk