SA
Item No. 4G
09/15/16

AN ORDINANCE 2016-09-15-0699

AMENDING CHAPTER 12, "VACANT BUILDING REGISTRATION PILOT PROGRAM," 12-1 (1), 12-1(3) THROUGH 12-1(13), AND 12-2(a) TO EXPAND THE GEOGRAPHIC TERRITORY OF THIS PROGRAM TO INCLUDE NEIGHBORHOOD CONSERVATION DISTRICTS, TAX INCRIMENT REINVESTMENT AREAS, A HALF MILE RADIUS BEYOND ALL PREVIOUSLY SET AND NEWLY AMENDED BOUNDARIES OF THIS PROGRAM AND PROVIDE FOR PUBLICATION.

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WHEREAS, the City Council has determined that the Vacant Building Registration Program has been effective in producing positive outcomes for vacant structures within the program area.

WHEREAS, the City Council has determined that there is a need to expand the program to incorporate vacant buildings beyond the initial pilot program area; **NOW THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO

SECTION 1. Chapter 12, Sections 12-1 and 12-2 of the City Code of San Antonio, Texas are amended as follows:

Sec.12-1. **Definitions**

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(1) *Active military base* means a federal military reservation which serves to house and train U.S. military troops and which is located in full or in part within the meets and bounds of the San Antonio city limits.

a. ~~*Half-mile perimeter* means a radius distance of one half (½) mile which extends from the perimeter of an active military base and into the surrounding neighborhoods which are within the San Antonio City limits.~~

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~~(3) *Department* means the department of development services for the City of San Antonio, Bexar County, Texas.~~

~~(4) *Director* refers to the director of development services for the City of San Antonio, Bexar County, Texas, and his designees.~~

(~~5~~ 3) *Historic district* means an area designated as such through approved means by city council, state or federal authority, and as previously defined and adopted in this Code.

a. *Historic landmark* means an individual structure or property which has been designated as such through approved means by city council, state or federal authority, and as previously defined and adopted in this Code.

(4) *Neighborhood conservation district* means an area designated as such through approved means by city council, state or federal authority, and as previously defined and adopted in this Code.

(5) *City initiated tax increment reinvestment areas (or "City initiated TIRZ")* means the districts created by City Council consistent with Section III(B) and IV(D) of the City Council adopted Tax Increment Financing Program Policy. These districts aim to revitalize areas through reinvestment initiatives and the implementation of existing City programs and City adopted plans.

(6) *Defense base development authority* means a special district and political subdivision created under Chapter 379(B) of the Texas Local Government Code.

(7) *Half-mile perimeter* means a radius distance of one-half (½) mile extending from the perimeter of an area into the surrounding neighborhoods which are within the San Antonio City limits.

(~~6~~ 8) *Owner* means any person, agent, firm, partnership or corporation having a legal interest in the property.

(9) *Department* means the Office of Historic Preservation for the City of San Antonio, Bexar County, Texas.

(10) *Director* refers to the director of the Office of Historic Preservation for the City of San Antonio, Bexar County, Texas, and his/her designees.

(~~7~~ 11) *Secured* means that all accessible means of ingress and egress to the vacant structure, including but not limited to all exterior doorways and windows are locked so as to prevent unauthorized entry by vagrants and criminals.

a. *Temporarily secured* means that all accessible means of ingress and egress to the vacant structure, including but not limited to all exterior doorways and windows are covered with plywood which has been nailed or bolted in place so as to prevent unauthorized entry by vagrants and criminals.

(~~8~~ 12) *Structure* means that which is built or constructed.

(~~9~~ 13) *Vacant structure* means that all lawful activity has ceased, or reasonably appears to have ceased for thirty (30) days.

a. *Lawful activity* is that the current use of the structure is also that which the structure was built for or intended to be used for.

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Sec.12-2. **Applicability and administration**

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(a) This article shall apply to all vacant structures, as defined herein, which are now in existence or which may hereafter be constructed or converted from other uses and which are located within the boundary of or within a half-mile perimeter of the Central Business District, all historic districts, neighborhood conservation districts, and City initiated TIRZ. As well as all vacant historic landmarks and vacant structures within a half-mile perimeter of all active military bases and defense base authorities.

SECTION 2. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this Ordinance, or any appendix thereof, for any reason, be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 3. All other provisions of Chapter 12 of the City Code of San Antonio, Texas, remain in full force and effect except as expressly amended and adopted by the Ordinance.

SECTION 4. The publishers of the City Code of San Antonio, Texas, are authorized to amend said Code to reflect the changes adopted herein, to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 5. Sections 12-1 and 12-2 of this Ordinance shall become effective this 1st day of January, 2017.

PASSED AND APPROVED this 15 **day of** September **2016.**

Ivy R. Taylor

M A Y O R
Ivy Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for City Attorney

Agenda Item:	**4G**
Date:	09/15/2016
Time:	10:15:20 AM
Vote Type:	Motion to Approve
Description:	An Ordinance amending Chapter 12, "Vacant Buildings" of the City Code to expand the boundaries of the Vacant Building Registration Program; establish penalties for violations; and provide for publication. [Lori Houston, Assistant City Manager; Shanon Miller, Director, Office of Historic Preservation]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				x
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x			x	
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				