

AN ORDINANCE **36776**

DETERMINING THAT THE PREMISES LOCATED AT 3106 SAUNDERS, CONTAINS OR CONSTITUTES A CONDITION WHICH IS DEEMED A NUISANCE, A FIRE, HEALTH AND SAFETY HAZARD, AND THE CITY ATTORNEY IS DIRECTED TO FILE SUIT IN A COURT OF COMPETENT JURISDICTION TO HAVE THE NUISANCE ON SAID PREMISES ABATED AND TO HAVE THE COST OF SUCH PROCEEDINGS AND ABATEMENT ASSESSED AGAINST THE OWNERS OF SAID PREMISES.

\* \* \* \*

WHEREAS, the premises located at 3106 Saunders described as the West 15 ft. of North 90 ft. of Lot 1 and East 22 ft. of North 90 ft. of Lot 2, Block 14, New City Block 3050, within the City of San Antonio, has been inspected by the Housing and Inspections Department, the Fire Prevention Bureau and the Health Department of the City of San Antonio and found to be a fire, health and safety hazard to the public by reason of its condition; and

WHEREAS, these premises contain a vacant one-story wooden residence structure in a run-down, damaged and decayed condition and is deteriorated more than fifty per cent (50%) of its value by reason of its condition; and

WHEREAS, these premises are overgrown with weeds and brush, littered with trash and debris, making these premises a potential refuge and breeding place for rats, mice and other vermin and a harborage for mosquitoes and other insects; and

WHEREAS, on January 19, 1968, the Director of Housing and Inspections Department notified the owner, Jerome and Margaret Epstein, Administrators of Estate of Meyer Epstein, that the condition existing on the premises located at 3106 Saunders, constituted a "dangerous premises" as defined by Article 10-80 of the City Code of San Antonio, Texas, and ordered the vacant residence structure be demolished or repaired; all brush cleaned up, trees trimmed and all debris removed, within thirty (30) days from date of notice; and

WHEREAS, such owners failed to comply with this order and on July 31, 1968, a written notice was sent to them, by certified mail, on notifying them that a hearing would be held at 9:00 A.M., August 22, 1968, in the City Council Chambers, City Hall, San Antonio, Texas, to determine what further action should be taken concerning these premises; and

WHEREAS, a hearing was held at 9:00 A.M., August 22, 1968, in the Council Chambers, City Hall, as specified in said notice, at which time and place, evidence was presented concerning the conditions existing on such premises, NOW, THEREFORE:

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

SECTION 1. That it is hereby found and determined that the premises located at 3106 Saunders, described as Lot West 15 ft. of North 90 ft. of 1 and East 22 ft of North 90 ft. of Lot 2, Block 14, New City Block 3050, within the City of San Antonio, contains or constitutes a condition which is deemed a nuisance, a fire hazard and a hazard to the public health and safety, within the terms of Section 10-80 of Article V of the City Code of San Antonio, Texas; Paragraph 13 of Section 3 of Article I of the Charter of the City of San Antonio; and Paragraphs 19 and 34 of Article 1175, VACS of Texas, and such nuisance should be abated.

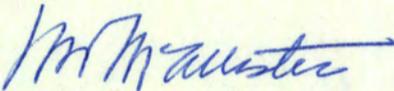
SECTION 2. That the vacant one-story wooden residence structure located on these premises is structurally unsafe and constitutes a

fire, health and safety hazard contrary to the general welfare of the community, and that such nuisance should be abated.

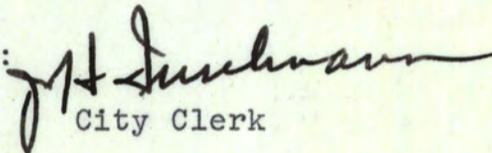
SECTION 3. That the premises are overgrown with weeds and brush, littered with trash and debris, making these premises a potential refuge and breeding place for rats, mice and other vermin and a harborage for mosquitoes and other insects and a health hazard and nuisance to surrounding property and should be abated.

SECTION 4. That the City Attorney of the City shall proceed to file suit in a court of competent jurisdiction to have the condition existing on said premises declared a nuisance and that such condition be abated by appropriate means and to have the costs assessed in such proceedings and abatement, taxed against the owner of said premises as a lien thereon, as provided by Subsection "e" of Section 10-84, Article V of the City Code of San Antonio, Texas.

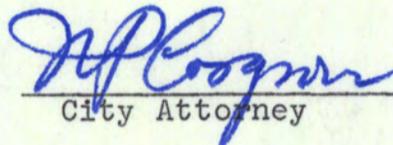
PASSED AND APPROVED this 22<sup>nd</sup> day of August, 1968.

  
M A Y O R

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney

DISTRIBUTION

DEPARTMENT	DATE	ORD. OR RESOL.	CONTRACT
AVIATION DIRECTOR			
STINSON FIELD			
BUDGET	8/22		
CITY MANAGER			
ASST. CITY MGR.			
CITY PUBLIC SERVICE			
CITY WATER BOARD			
COMMERCIAL RECORDER			
FINANCE DIRECTOR	8/22		
ASSESSOR & COLL.			
CONTROLLER			
CORP. COURT			
INTERNAL AUDIT			
PROPERTY RECORDS			
PURCHASING			
FIRE CHIEF			
HEALTH DIRECTOR			
HOUSING & INSP. DIR.	8/22		
LEGAL	8/22		
BACK TAX ATTY.			
CONDEMNATION ATTY.			
LAND. DIV.			
LIBRARY DIRECTOR			
PARKS & REC. DIR.			
PERSONNEL DIRECTOR			
PLANNING DIRECTOR			
POLICE CHIEF			
PUBLIC INFORMATION			
PUBLIC WORKS DIR.	8/22		
ASST. DIRECTOR			
TRAFFIC & TRANSP. DIR.			
URBAN RENEWAL AGENCY			
OTHER:			

REMARKS:

J. H. INSELMANN

ITEM NO. 21

68 397

ROLL CALL WRITE

MEETING OF THE CITY COUNCIL DATE: AUG 22 1968

MOTION BY: J. Jones SECONDED BY: Jones

ORD. NO. 36776 ZONING CASE

RESOL. \_\_\_\_\_ PETITION \_\_\_\_\_

COUNCIL MEMBER	ROLL CALL	AYE	NAY
WALTER W. MC ALLISTER PLACE No. 1, MAYOR		<input checked="" type="checkbox"/>	
DR. HERBERT CALDERON PLACE No. 2		<input checked="" type="checkbox"/>	
ROBERT C. JONES PLACE No. 3		<input checked="" type="checkbox"/>	
S. H. JAMES PLACE No. 4		<input checked="" type="checkbox"/>	
MRS. S. E. COCKRELL, JR. PLACE No. 5		<input checked="" type="checkbox"/>	
JOHN GATTI PLACE No. 6, MAYOR PRO-TEM		<u>abs.</u>	
FELIX B. TREVINO PLACE No. 7		<input checked="" type="checkbox"/>	
GERALD PARKER PLACE No. 8		<input checked="" type="checkbox"/>	
PETE TORRES, JR. PLACE No. 9		<input checked="" type="checkbox"/>	

BRIEFED BY: \_\_\_\_\_

ADDITIONAL INFORMATION:

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*Geo. Vann*

TO: ✓ City Manager

FROM: City Attorney

COPIES TO: Director of Housing and Inspections

SUBJECT: Request to place ordinance on Agenda

Date July 31, 1968

It is requested that the attached ordinance be placed on the agenda for August 22, 1968.

This ordinance is to be considered for passage by the City Council following a public hearing at 9:00 a.m. on that date. All prior legal requirements have been complied with.

The building in question, located at 3106 Saunders St., is such a fire and safety hazard that in our opinion it is a nuisance per se and warrants summary action.

HOWARD C. WALKER  
City Attorney

*John L. Bacon*  
BY: JOHN L. BACON  
Assistant City Attorney

HCW: JLB:yr

Attachment

21



3106 Saunders

8-21-68 9:35 AM

L. Cadence Jr.

08761200

AZ

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