COUNCIL AGENDA ITEM # ___ FOR
TUESDAY, APRIL 20TH , 2004

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

April 12, 2004

TO: The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM: Tom Maguire, Housing Compliance Supervisor

SUBJECT: 11661 Norman Montion Drive (Rep. District #5)

Scheduling a public hearing to be held on May 18th , 2004 to determine if the property located at 11661 Norman Montion Drive in the City of El Paso (Legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of March 23rd , 2004, Ida M. Poole, 11661 Norman Montion Drive, has been notified of the violations at this property. District #5

CITY CLERK DEPARTMENT
2004 APR 14 PM 3 25

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 18th day of May, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 11661 Norman Montion Drive, in El Paso, Texas, which property is more particularly described as:

> Lot: 43, Block 66, Vista Hills Unit Twenty, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 65, Page 35, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Ida M. Poole, 11661 Norman Montion Drive, El Paso, Texas 79936, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owner, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;

II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed $1000.00 a day for each violation, or $10 a day if the Owner shows that the property is the Owner's lawful homestead and;

III) the Owner may be confined in jail as permitted by state law and;

IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Adopted this 20th day of April, 2004.

APPROVED AS TO FORM:

Teresa Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:

Tom Maguire
Housing Compliance Supervisor

UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: 2/25/04 **REP. DISTRICT:** 5

ADDRESS: 11661 Norman Montion Drive **ZONED:** R-3A

LEGAL DESCRIPTION: Lot 43, Block 66, Vista Hills Unit #20

OWNER: Ida M. Poole **ADDRESS:** 11661 Norman Montion Drive

BUILDING USE: Abandoned single family home

TYPE OF CONSTRUCTION: III

FOOTINGS: Reinforced concrete
CONDITION: Fair. No indication of structural failure.

FOUNDATION WALL: N/A
CONDITION:

FLOOR STRUCTURE: Reinforced concrete slab on grade.
CONDITION: Fair.

EXTERIOR WALLS: Stucco & brick

HEIGHT: 18' **THICKNESS:** 8"

CONDITION: Fair.

INTERIOR WALLS & CEILINGS: 2 x 4 wood frame, sheetrock
CONDITION: Very poor. Numerous sections of sheetrock have been vandalized and would have to be replaced.

ROOF STRUCTURE: Wood sheathing, asphalt shingles
CONDITION: Fair. Some areas of roof need to be resealed.

DOORS, WINDOWS, ETC.: Aluminum slide windows, wood doors
CONDITION: Very poor. Windows have been broken and doors damaged from vandalization and would have to be replaced.

MEANS OF EGRESS: N/A
CONDITION:

PLUMBING: Water is off. A licensed plumber should be hired to evaluate system and bring up to code.

ELECTRICAL: Electricity if off. A licensed electrician should be hired to evaluate system and bring up to code.

MECHANICAL: Very poor. Parts of mechanical system are missing. A licensed mechanical contractor should be hired to evaluate system and bring up to code.

IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: 0

WARNING POSTED: No **BARRICADED:** No **POLICE AID REQD.:** No

REMARKS: The general structure of the building is fair. Serious damage to interior by vandalization needs to be addressed. We recommend the structure be secured until repairs are made.

Timothy H. Grabe
Building Inspector

COPY

JOE WARDY
MAYOR

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING Jr.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

BUILDING PERMITS AND INSPECTIONS
CODE COMPLIANCE
March 9, 2004

Ida M. Poole
11661 Norman Montion Dr.
El Paso, Texas 79936-0712

Re: 11661 Norman Montion Dr.
Lot: 43
Blk: 66, Vista Hills Unit 20
Zoned: R-3A
COD04-0261
Certified Mail Receipt #
7003 1680 0000 1712 0961

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

> It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or

b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

11661 Norman Montion Drive

c. Boarded up, fenced, or otherwise secured in any manner in if:

i. The building constitutes a danger to the public even though secured entry, or

ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 11661 Norman Montion Drive has the following violations:

a. The floors have not been maintained in a safe manner.

b. The walls have not been maintained in a safe manner free of holes and cracks.

c. The roof structure has not been maintained free of defects that may cause leaks.

d. The plumbing system is inadequate and does not meet minimum code requirements.

e. The electrical system is inadequate and does not meet minimum code requirements.

f. The HVAC system is inadequate and does not meet minimum code requirements.

g. The structure is open and accessible to unauthorized entry.

h. The premises are full of weeds, trash, and debris.

i. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within (30) days from receipt of this letter.

j. In the event you fail to correct these violations within 30 days, the case will be submitted to the City Attorney's Office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated, secured, repaired or demolished as per Sec. 18.52.040.

11661 Norman Montion Drive

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:

Timothy H. Grabe
Building Inspector

THG/rl

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: TG

Ida M. Poole
11661 Norman Montion Dr.
El Paso, Texas 79936-0712
Re: 11661 Norman Motion Dr.

Ch #3

2. Article Number (Transfer from service label) 7003 1680 0000 1712 0961

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage $ | Certified Fee | Return Receipt Fee (Endorsement Required) | Restricted Delivery Fee (Endorsement Required)

MAR 10 2004

Postmark Here

TG

Ida M. Poole
11661 Norman Montion Dr.
El Paso, Texas 79936-0712
Re: 11661 Norman Motion Dr.

7003 1680 0000 1712 0961

PS Form 3800, June 2002 See Reverse for Instructions

7003 1680 0000 1712 0961

RETURN RECEIPT REQUESTED

Ida M. Poole
11661 Norman Montion Dr.
El Paso, Texas 79936-0712

POOL661 79936200 7 1503 07 03/12/04
RETURN TO SENDER
POOLE
MOVED LEFT NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER

7993640 7 1136

Tidemark Advantage

File Edit Outlook Window Help

View / Edit Activity

Activity: 0040 Desc: Refer to Fire

Updated: 3/11/2004 SIC

Disposition:

Hold Level: No hold

Dates

Date Referred 3/11/2004

Date Received 3/11/2004

Date Completed

Calendar Tag: FDCM

Report Tag:

Assigned To: 903

Done By:

Notes:

X-Coordinate:

Y-Coordinate:

Date Z

OK

Help

Complaint Submitted Via:

Complaint:

Violation:

Responsible Dept.

Enforcement Inv Repor	A5			2/23/2004			
Refer to Fire	0040	3/11/2004	3/11/2004				
Freeze Case	M200			3/19/2004	DONE	THG	Hold all permits and In-

View/Add Activities

Start | Printscreen 95 | Tidemark Advantage | Pictures | 10:50 AM

Tidemark Advantage

File Edit Options Window Help

Exit New Open Task List Find GIS

Close View Add Delete Edit Print Document

Code Enforcement - COD04-02611 - Status [illegible]

Name: POOLE, IDA M Updated: 2/23/2004 RL

Address: 11651 NORMAN MONTION DR

Description: Master #: COD04-02611 Project:

Open and abandoned

General

Category

Comments

Contact: RL

Complaint Name:

Source:

Complaint Submitted Via:

Complaint:

Violation:

Responsible Dept:

Activity for COD04-02611

Description	Menu Code	Date1	Date2	Date3	Disp	Done By	Notes
Complaint Received	A0010			2/23/2004		RL	
Enforcement Inv Report	A5			2/23/2004			
Refer to Fire	B0040	3/11/2004	3/11/2004				
Freeze Case	M200			3/19/2004	DONE	THG	Hold all permits and In

View/Add Activities

Start Printscreen 95 Tidemark Advantage Pictures 9:56 AM