

## Notice of Public Hearing

A public hearing will be held on **January 30, 2024**, in the Municipal Building, 100 East Main St., Eagle Lake, Texas 77434, at 6:00 P.M. in reference to violations of City Ordinance number 2011-03 Dangerous and Substandard Building Ordinance, Article 3.05 of City Code of Ordinances. The location and owner of the property in violation is:

**106 West Main Street, Eagle Lake, TX; Owner: Javier Lopez**

It has been determined by the City Building Official that this property is substandard and in violation of the above referenced city ordinance. The Unsafe and Dangerous Structure Inspection Report for a description of each violation is not available due to lack of cooperation. The recommended action is demolition of the structure.

As a result of the public hearing, the building or structure may be ordered repaired, secured, removed, and/or demolished by the owner, if found by the City Council to be a nuisance and in violation of the standards set out in the city ordinance. If the owner fails to comply with the order, the building or structure may be repaired, secured, removed, and/or demolished by the City, at the owner's expense. If the building is ordered to be demolished and all debris removed from the property, it will be the responsibility of the owner to remove any and all personal property or valuables located in or on the property. In the event that the owner does not comply with the order and the City demolishes and removes the structure and all debris from the property, the City is not responsible for removing or storing any personal property before the demolition and cleanup. It will be the owner's responsibility to remove any items of personal property from the structure and that any failure to do so will be deemed a waiver of any right, title or interest in the personal property.

The owner or interested party has a right to participate in the public hearing and may choose to have a representative of their choice to represent their interests and may introduce evidence and question witnesses. **At the public hearing the owner or interested party will have the burden of proof to demonstrate the scope of any work that may be required to comply with the City Ordinance and the time it will take to reasonably perform the work.** If the owner would like to request more than thirty (30) days to repair or demolish the property, the owner shall have the burden to establish that the work cannot be reasonably performed within thirty (30) days. **The City cannot allow more than ninety (90) days to perform any repair or demolition work unless the owner first submits, during the public hearing, a detailed plan and time schedule for the work and establishes that the work cannot reasonably be performed in ninety (90) days.** The owner has a right to appeal the City Council's decision at a hearing before a State District Court by filing a notice of appeal with the District Court within thirty (30) calendar days from the date the order was received and the court's review is limited on appeal under the substantial evidence rule and new evidence may not be introduced.

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This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 979 234-2640 or you may fax 979 234-3255 for further information.  
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I certify that the above notice of meeting was posted on the bulletin board of the Municipal Building, 100 East Main Street, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the 18<sup>th</sup> day of January 2024, at 4:00 p.m. Notice to remain posted continuously for at least 72 hours preceding the scheduled time of said meeting.

  
Lina Ferguson, City Secretary