

Demolition Process Changes

Timeline - 2017

- **August:**

Demolition Permit Audit Report issued identifying changes needed to the City's demolition process

- **December:**

City Council adopted Resolution No. 20171214-066 requesting DSD to conduct stakeholder meetings, and develop a proposal to re-design the demolition permitting process

Timeline - 2018

- **March and April:**
4 stakeholder engagement meetings were held with 123 attendees
- **February–March and May–July:**
Online stakeholder engagement was conducted via the “Speakup Austin!” forum
- **October:**
DSD responded to Council’s resolution with the Demolition Process Recommendation Report

Pertaining Documents

- Demolition Permit Audit Report
- Council's Resolution
- DSD's Demolition Process Recommendation Report
- Draft Ordinance
- Draft Resolution

Demolition Permit Audit Report

City of Austin
Office of the City Auditor

Audit Report

Demolition Permits

August 2017



The City's demolition permitting process is not designed to efficiently or effectively meet the needs of stakeholders or City departments. Currently, two City departments accept permit applications and other departments are not fully involved in the process. Additionally, property owners are responsible for various parts of the process, but there is limited verification from the City that these tasks are accomplished. Also, safety risks are not fully considered and there is limited notification about upcoming demolitions. Lastly, documents required on the permit application are not always collected. These issues contribute to the inefficiency and ineffectiveness of the process and make it difficult to ensure the City achieves its goals.

Identified issues:

- Safety risks are not fully considered
- Notification about demolitions is limited

Recommendations:

The Development Services Department (DSD) should hold stakeholder meetings to identify what the demolition permitting process should accomplish and redesign the process accordingly.

Council's Resolution

The goals for the redesign of the demolition permitting process are to ensure the following:

- Appropriate reviews take place prior to demolition activities;
- Appropriate safety measures are in place prior to demolition activities; and
- Adequate and appropriate notice is given to interested parties

RESOLUTION NO. 20171214-066

WHEREAS, the City Auditor's Office audited the City's demolition permitting process and reported its findings in the 2017 Demolition Permits Audit (Audit); and

WHEREAS, the Audit recommends that the demolition permitting process be redesigned to more effectively meet the needs of the City and stakeholders and to more fully account for safety risks presented by demolitions; and

WHEREAS, the Audit recommended that stakeholder meetings be held and the demolition permitting process be redesigned based on the outcomes of those meetings; and

WHEREAS, staff concurred with the Audit's recommendations and intends to develop a proposal by June of 2018; and

WHEREAS, the number of demolitions in Austin is rising; and

WHEREAS, since 2010, approved demolition permits increased an average of 13% per year and numbered a little more than 800 in fiscal year 2016; and

WHEREAS, in fiscal years 2015 and 2016, the City approved approximately 1,700 demolition permits; and

WHEREAS, current City Code does not require residential demolitions to mitigate potential health hazards by limiting public exposure to asbestos, lead, and other potential toxins or dangerous situations; and

WHEREAS, State law requires that property owners of certain commercial and multi-family buildings test for asbestos before demolishing the structure; and

DSD's Demolition Process Recommendation Report

Recommendation on Changes to the Demolition Process

Development Services Department
Response to Council Resolution
No. 20171214-066

October 18, 2018

Recommendations requiring code amendments and City Council resolution:

#8 Notify adjacent properties of demolition activity.
Require posted notice between five (5) and 10 business days before demolition activity starts

Proposed resolution:

Adopt a registration program for building and demolition contractors

The Request: Ordinance and Resolution

- **PART 1.**
 - Demolition Notification Requirement
- **PART 2.**
 - Utility Requirements. Approved September 17, 2020
- **RESOLUTION.**
 - Contractor Registration program

The Request: Ordinance and Resolution

PART 1.

City Code Section Chapter 25-11-37 (*Demolition Permit Requirement*) is amended to add a new Subsection (D) to read as follows:

(D) An applicant for a demolition permit must provide notice of the demolition to adjacent one-family structures, two-family structures, and any multi-family component of other adjacent structures. The building official shall adopt rules regarding the requirements of the notice. At a minimum, the required notification must be:

- (1) on a form approved by the director and specify the date or range of dates on which the demolition may occur, which must be between five and ten days after notice is provided;
- (2) mailed or placed on properties adjacent to the property where the demolition is to occur, and
- (3) posted on the property where the demolition is to occur, in a manner visible from the primary street frontage.

Demolition Notification Sample

Yard Sign

Sample from the
Demolition Process
Recommendation Report
October 2018

**Development**
SERVICES DEPARTMENT

505 Barton Springs Road, Austin, Texas 78704

A permit application to demolish the structure(s) at:

Property Address

has been received by the Development Services Department (DSD), City of Austin.

PERMIT NO.: _____ Approximate date demolition activity will begin: _____
Note: This date is an estimate only and is subject to change.

Demolition Contractor: _____ Permit Applicant: _____
Name/Company Name/Company

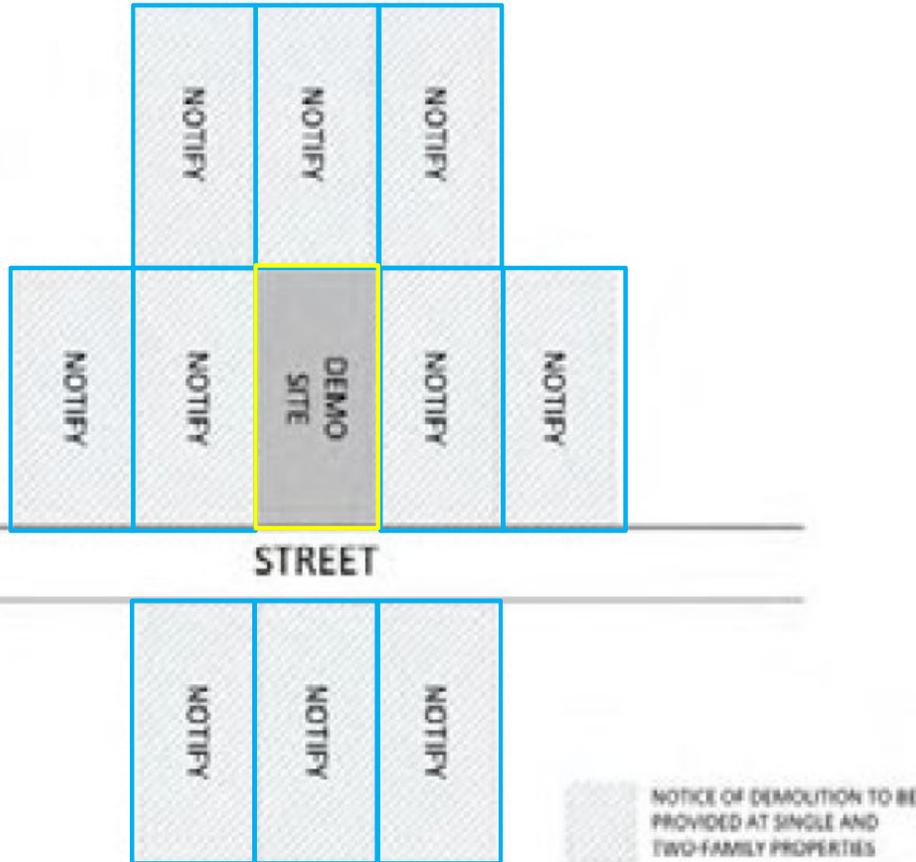
Phone number and/or email address Phone number and/or email address

HELPFUL CONTACTS:

Asbestos abatement, handling or disposal information (512) 834-6787 AsbestosHelp@dshs.state.tx.us	Lead disposal (512) 239-6413 wasteval@tceq.texas.gov or any TCEQ Regional Office	To file a complaint against a regulated business or licensed professional, visit tdlr.texas.gov
Lead-based paint requirements (888) 778-9440 ext. 2434 leadhelp@dshs.texas.gov	Worker safety issues regarding asbestos or lead-based paint 800-321-6742 osha.gov	To file a complaint against other business types, visit texasattorneygeneral.gov/cpd/file-a-consumer-complaint
Lead in water (512) 239-4691 ac@tceq.texas.gov or any Texas Comm on Environmental Quality (TCEQ) Regional Office		For information about City of Austin demolition permits and governance, visit austintexas.gov/page/demolition-relocation
		For any other City-related concerns, call 3-1-1 or visit 311.austintexas.gov

Demolition Notification Sample

Area of Distribution



Hang Tag

CITY OF AUSTIN
Development SERVICES DEPARTMENT
 505 Barton Springs Road, Austin, Texas 78704

A permit application to demolish the structure(s) at:

Property Address _____
 has been received by the Development Services Department (DSD), City of Austin.

City of Austin, Building Criteria Manual 1.2.6 requires notice to properties adjacent to the site of the demolition activity via door hangers or U.S. mail. Notification shall be received no more than 10 business days nor less than 5 business days of demolition activity. The applicants must use templates provided by DSD.

PERMIT NO.: _____
 Approximate date demolition activity will begin: _____
 Note: This date is an estimate only and is subject to change.

Demolition Contractor: _____
Name/Company

Phone number and/or email address _____

Permit Applicant: _____
Name/Company

Phone number and/or email address _____

Helpful Contacts:
 Asbestos abatement, handling or disposal information
 (512) 834-6787 or AsbestosHelp@dshs.state.tx.us
 Lead-based paint requirements
 (888) 778-5440 ext 2434, or leadhelp@dshs.texas.gov
 Lead in water
 (512) 239-4991, ac@tceq.texas.gov or any Texas Commission on Environmental Quality (TCEQ) Regional Office
 Lead disposal
 (512) 239-6413, wasteval@tceq.texas.gov or any TCEQ Regional Office
 Worker safety issues regarding asbestos or lead-based paint
 800-321-6742 or visit osha.gov
 To file a complaint against a regulated business or licensed professional, visit tdlr.texas.gov
 To file a complaint against other business types, visit texasattorneygeneral.gov/cpd/file-a-consumer-complaint
 For information about City of Austin demolition permits and governance, visit austintexas.gov/page/demolition-relocation
 For any other City-related concerns, call 3-1-1 or visit 311.austintexas.gov

9/1/2018

Sample from the Demolition Process Recommendation Report October 2018

Completed Notification Tool

Demolition Notification Tool – Available Now

www.austintexas.gov/page/demolition-relocation

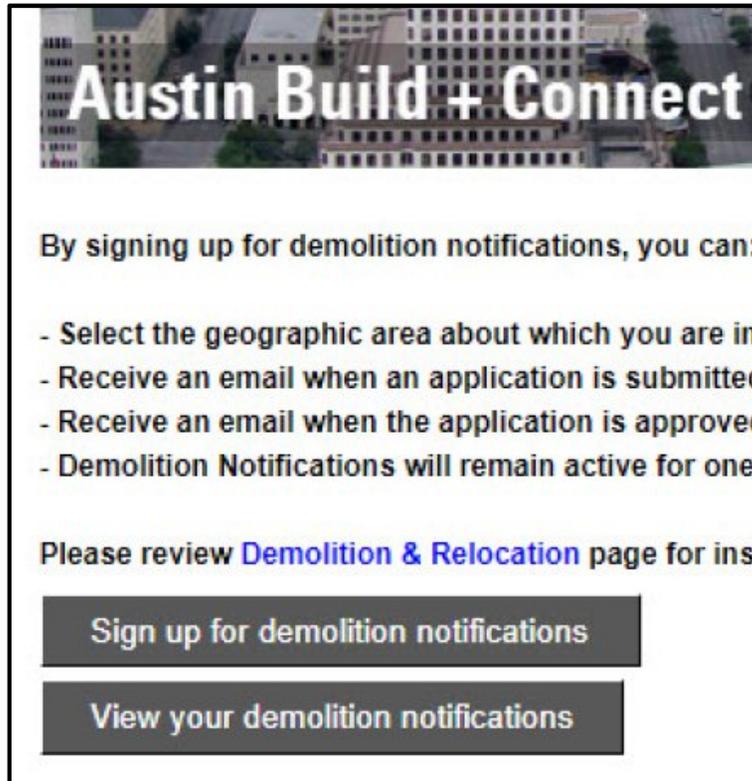
Demolition Notification

If you want to track demolition applications, you need an [Austin Build + Connect](#) (AB+C) account and then sign up for notifications following application and approval. See the [User Manual](#) for information on how to set up notifications.

How to Receive Demolition Notifications

1. Start at [Austin Build + Connect](#).
2. If you have an account, sign in; if not, create one (you will need to make a payment).
3. Select “My Notifications” on left navigation.
4. Select “Sign up for Demolition Notifications”.
5. Follow the prompts to “Name this area” (neighborhood association, etc.).
6. Select “Save.”
7. You may set up more than one alert.

For more detailed instructions on setting up notifications, see the [User Manual](#).



Austin Build + Connect

By signing up for demolition notifications, you can:

- Select the geographic area about which you are interested
- Receive an email when an application is submitted
- Receive an email when the application is approved
- Demolition Notifications will remain active for one year

Please review [Demolition & Relocation](#) page for instructions.

[Sign up for demolition notifications](#)

[View your demolition notifications](#)

NOTIFICATION TYPE

Please select one notification type

by Address [Property Search](#)

OR

by Community Registry

OR

by Council District

OR

by Zipcode

[Save](#)

The Request: Amendment and Resolution

RESOLUTION.

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

City Council initiates code amendments to establish a contractor registration program for building and demolition permitting consistent with the following direction.

BE IT FURTHER RESOLVED:

In developing proposed amendments, the City Manager is directed to consider incorporating:

- a. requirements from Chapter 25-6, Article 5, Division 1 (*Construction License*), as deemed appropriate in the context of demolition permitting;
- b. requirements for bonding and insurance; and
- c. an exemption for the owner of a one or two-family residential structure with an active homestead exemption.

The City Manager is directed to present the proposed amendments to Council for consideration on or before December 31, 2021 or as soon thereafter as reasonably possible.

Contractor Registration Example

EXAMPLE

Right-of-Way Construction License

City Code Chapter 25-6, Article 5, Division 1

Requirements:

- Application and bond on form approved by the city attorney
- Bond amount established by city manager
 - Based on cost of applicants past projects and projected cost of future projects; and
 - Potential damage to a ROW that the activity may cause

Suspension of license:

- License is effective through the end of the calendar year in which it is issued
- If bond lapses, the license is automatically suspended
- The contractor may not resume construction until license is reinstated, renewed, or a new license is issued

Contractor Registration Example

EXAMPLE

Electrical Contractor Registration

City Code Chapter 25-12-113, 80.37 Registration

Registration Requirements:

- Name, Company, contact information, state license information
- Assign up to 6 approved agents

Offenses:

- List of minor and major offenses such as:
 - performing work that endangers or causes injury to person or property
 - request inspections for incomplete work 3 or more times during 12-month period
 - Allow more than 5 electrical permits to expire

Suspension of Registration:

- After 3 minor or 1 major substantiated offenses within a 12 month period, registration to obtain permits is suspended for 6 months, or for 12 months for second+ suspension
- Registrant may appeal a suspension

Next Steps

- City Council approval
- Building Criteria Manual rule changes to enforce new ordinance
- Stakeholder engagement for the Contractor Registration Program