

Recommendation on Changes to the Demolition Process

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

October 18, 2018

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Background

In August 2017, the Office of the City Auditor released a [report](#) on the demolition permitting process that highlighted areas of concern. City Council followed up in December 2017 with [Resolution No. 20171214-066](#) requesting Development Services Department (DSD) staff to conduct stakeholder meetings and develop a proposal to redesign the demolition permitting process that achieves the goals from the August 2017 audit. Specifically, the goals for the redesign demolition permitting process are to ensure the following:

1. Appropriate reviews take place prior to demolition activities;
2. Appropriate safety measures are in place prior to demolition activities; and
3. Adequate notification is given to interested parties.

This report contains recommendations that accomplish the goals listed above and includes feedback obtained from stakeholder meetings.

August 2017 Audit Recommendations

The August 2017 Audit Report provided the following two (2) recommendations:

1. The DSD Director should organize and hold meetings with stakeholders in the City's demolition process in order to identify what the demolition permitting process should accomplish. Stakeholders should include, but not be limited to:
 - Property owners and tenants;
 - Neighborhood, real estate, and historic landmark groups;
 - Building and demolition contractors; and
 - City staff from DSD, Planning and Zoning Department (including the Historic Preservation Office), Austin Resource Recovery, Austin Energy, Austin Water, and the City Arborist.
2. The DSD Director should redesign the demolition permitting process based on outcomes of stakeholder meetings and ensure it is implemented and working as intended. At a minimum, the new process should ensure that:
 - 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.

City Council Resolution No. 20171214-066 Directives

The December 2017 City Council resolution provided the following directives:

1. City Council initiates code amendments relating to the following:
 - Lead and asbestos testing and abatement during the demolition process;
 - Licensing requirements for demolitions; and
 - Other requirements that reflect staff and stakeholder recommendations.
2. Return those amendments to Council no later than June 2018 for approval.
3. Develop a proposal to redesign the demolition permitting process based on the outcomes of the stakeholder meetings.
4. Conduct the planned stakeholder meetings and develop a revised demolition permitting process that achieves the following goals as set out in the audit:

“At a minimum, the new process should ensure that:

 - 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.”

The revised permitting process should be designed to incorporate staff review of the City’s requirements pertaining to asbestos and lead.
5. Calculate fee increases necessary to support any additional staff resources that will be required to support the audit recommendations and directions in this resolution.
6. Come back to Council with any recommendations regarding fees prior to the Fiscal Year 2018-2019 budget process.
7. Notwithstanding the foregoing, and without limitation, provide Council with the best advice and recommendations concerning a demolition permit process.

Stakeholder Engagement Overview

DSD conducted in-depth stakeholder engagement events and online opportunities to gather initial input. Notice for the community engagement events and feedback opportunities were promoted through the DSD stakeholder email list of approximately 6,285 members and to DSD social media followers. Exhibit G of this report contains detailed information concerning the engagement events and comments received. Email addresses have been redacted in accordance with the Texas Public Information Act.

Initial Stakeholder Engagement

Initial stakeholder engagement was conducted in order to provide stakeholders an opportunity to provide feedback about the demolition permit process in general. These events and online opportunities focused on the following questions:

1. How might the City of Austin better reinforce safety requirements for demolitions?
2. How should the City of Austin address the concerns about the lack of licensing or oversight for demolition contractors?
3. What is a reasonable timeframe and an appropriate boundary for notification about a demolition site?
4. Any additional feedback you would like to provide about the demolition permitting process?

DSD conducted four stakeholder engagement meetings to collect stakeholder feedback as follows:

- Tuesday, March 6, 2018, at One Texas Center (29 attendees)
- Wednesday, March 7, 2018, at the Millennium Youth Entertainment Complex (39 attendees)
- Wednesday, March 28, 2018, at the Waller Creek Center (12 attendees)
- Tuesday, April 3, 2018, at One Texas Center (43 attendees)

Online engagement was conducted as follows:

- SpeakUp Austin! online input forum open February 28, 2018 – March 18, 2018
- SpeakUp Austin! online input forum reopened May 18, 2018 – July 1, 2018

Follow-up Stakeholder Engagement

From the initial feedback, DSD prepared draft recommendations and presented those recommendations for feedback at two meetings:

- Saturday, August 18, 2018, at the Mexican American Cultural Center (31 attendees)
- Tuesday, August 28, 2018, at One Texas Center (38 attendees)

Online engagement was conducted as follows:

- SpeakUp Austin! online input forum opened August 18, 2018 – September 2, 2018

Recommendations to Redesign the Demolition Permitting Process Based on Outcomes from Stakeholder Meetings

In accordance with the third and fourth directives of Resolution No. 20171214-066, DSD considered stakeholder feedback on the items discussed below and proposes specific actions to address each item. The changes proposed within these recommendations address the audit goals and will improve the overall demolition permitting process.

Audit Goal #1: Ensure appropriate reviews take place prior to demolition activities

1. Consolidate the location for obtaining demolition permits. Restructure the demolition permitting process so that residential and commercial demolition permits are obtained through a single point.

Initiation date: Beginning November 1, 2018, the Customer Experience Work Unit within DSD will be the single point for applying for residential and commercial demolition permits.

2. Provide clear demolition process and requirements. Enhance information available to stakeholders on the DSD website in regard to the demolition permitting process, application requirements, inspection process requirements, both construction and demolition materials recycle and salvage information, and safety regulations.

Initiation date: Beginning November 1, 2018, DSD and partner departments will develop informational materials to be publicly available on March 1, 2019. Building Criteria Manual rule changes for the demolition process will be posted in the first quarter of 2019.

3. Expand departments involved during the review period. Provide a coordinated review process including the City Arborist*, Flood Plain*, Historic Preservation, Austin Resource Recovery, Austin Energy, and Austin Water. The City Arborist and Flood Plain reviews are presently a prerequisite review for commercial demolition and will be added to the residential demolition process.

Initiation date: Beginning November 1, 2018, DSD will work with partner departments and internal Information Technology (IT) staff to develop changes in AMANDA and Project Dox. The release date will coincide with the effective date of the Building Criteria Manual rule changes.

Audit Goal #2: Ensure appropriate safety measures are in place prior to demolition activities

4. On-site pre-demolition meeting. Require an on-site pre-demolition meeting before activating a demolition permit and allowing the initiation of demolition activities. This mandatory meeting will be a requirement to verify environmental and tree protections are in place, all utilities have been capped or appropriately modified for use during demolition, and required notification has been provided to adjacent properties per recommendation #9 below.

Initiation date: Beginning November 1, 2018, DSD will work with partner departments and internal IT staff to develop changes in AMANDA and Project DOX. The release date will coincide with the effective date of the Building Criteria Manual rule changes.

5. Continue to follow the State requirements for asbestos and lead in commercial demolitions. Require acknowledgement of compliance. Require evidence proving that an asbestos survey has been completed or a certification letter from a licensed engineer or architect in compliance with State regulations (See Exhibit C). For total demolition applications, require an affidavit from the contractor confirming compliance with applicable City, State, and Federal regulations for safety and for the removal and disposal of asbestos, lead, and other hazardous material.

Initiation date: DSD currently complies with State requirements. Building Criteria Manual rule changes for the demolition process, including the required affidavit, will be posted in the first quarter of 2019.

6. Require permits to pass final inspection. Require all demolition permits to pass final inspection. Automatically schedule a final inspection within five (5) business days of permit expiration if a final inspection has not been requested. For projects followed immediately with new construction, the final inspection must pass by the end of the first rough inspection. This mandatory inspection will verify the demolition occurred, utilities have been capped or appropriately modified for use with new construction, that the site has been revegetated as required, and that no apparent hazards exist on site.

Initiation date: Beginning November 1, 2018, DSD will work with partner departments and internal IT staff to develop changes in AMANDA and Project Dox. The release date will coincide with the effective date of the Building Criteria Manual rule changes.

Audit Goal #3: Ensure adequate and appropriate notice is given to interested parties

7. Provide time for registration as an interested party. Provide time for an individual or neighborhood organization representative to register as an interested party on a demolition permit application. The inclusion of multiple review disciplines will extend the review time and subsequent permit issuance to five (5) business days.

Although this extension will provide additional time to register as an interested party for purposes of receiving individualized notice, appeals in connection with demolition permits are limited to technical code issues within the purview of the Building & Fire Code Board of Appeals. Outside of historic designation, approval of demolition permits is non-discretionary. Therefore, to the extent parties are seeking to generally limit demolitions, an appeal is not appropriate means of seeking relief.

Initiation date: Beginning November 1, 2018, DSD will work with partner departments and internal IT staff to develop changes in AMANDA and Project Dox. The release date will coincide with the effective date of the Building Criteria Manual rule changes.

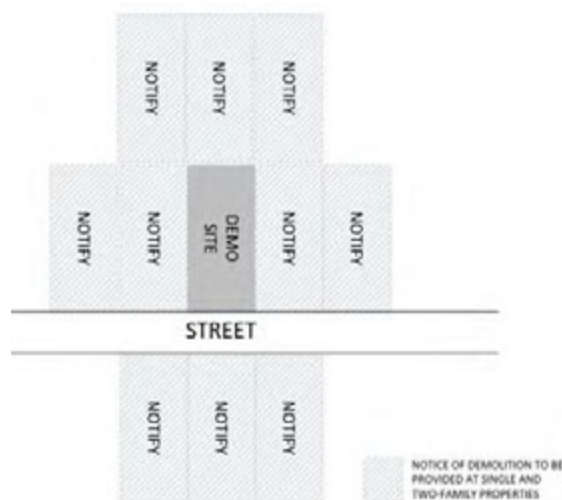
8. Notify adjacent properties of demolition activity. Require posted notice via door hangers (Exhibit A) and a yard sign (Exhibit B), between five (5) and 10 business days before demolition activity starts. DSD recommends adoption of a Code amendment requiring notification, consistent with requirements to be adopted by administrative rule. The proposed ordinance, set forth in Exhibit F, includes a provision waiving Planning Commission review, so that Council could adopt the notice requirement this year. However, if Council wishes, DSD can take this proposed amendment through Planning Commission in tandem with the amendment on contractor registration described at page seven (7) of this report.

If the notice requirement is adopted, DSD would require demolition applicants to provide notification via United States mail service or by direct notice (via door hangers) delivered to adjoining properties. Notifications will be placed or mailed to adjacent single and two-family properties per the diagram below at minimum. During the pre-demolition meeting, the City inspector will receive contractor sign-off declaring door hangers were placed or mailed notifications were sent and verifying the presence of the yard sign.

Each notice will contain:

- Address of the site proposed for demolition;
- Demolition permit number;
- Approximate start date of demolition activity;
- Contact information for the applicant and demolition contractor;
- Contact information of the agencies regulating safety;
- Contact information of the agencies regulating asbestos and lead based paint; and
- Contact information to report City Code violations

Notification Diagram



A website address will be provided for viewing additional demolition requirements and specific project information. Projects placed on the Historic Landmark Commission's agenda will continue to have notifications sent to property owners, residents, and registered neighborhood associations within 500 feet of the property in accordance with Land Development Code § 25-1-133(A).

Initiation date: Beginning November 1, 2018, DSD will work with partner departments and internal IT staff to develop changes in AMANDA and Project Dox. The release date will coincide with the effective date of the Building Criteria manual rule changes and are contingent upon adoption of the referenced code amendment.

9. Provide notification tools. Enhance existing public access to geographic information system (GIS) data for demolition permits. Provide a mechanism for the public to subscribe and get notifications when new demolition applications are submitted and permits are issued based on a selected radius, neighborhood boundaries, and/or Council district. Existing GIS data website for demolition permits to be enhanced: <https://data.austintexas.gov/stories/s/i2tv-k59a>

Initiation date: Enhancements are currently underway and will be complete by March 1, 2019.

Fee Changes

The fifth and sixth directives of Resolution No. 20171214-066 directed the calculation of fee increases to support additional staff resources and recommendations regarding fees. The changes referenced above do not require additional staff resources; therefore, a fee schedule modification is not necessary.

Code Amendment Related to Lead and Asbestos Testing / Abatement and Demolition Registration Requirements

In response to the first and second directives in Resolution No. 20171214-066, DSD considered the potential for adopting a local program that would require lead and asbestos testing for demolition of residential structures, as well as registration requirements for both demolition and building contractors. As described below, DSD recommends against adopting lead and asbestos testing/abatement requirements for residential structures, but recommends moving forward with amendments to establish a registration program for residential and commercial demolitions.

Lead and Asbestos Testing / Abatement

Exhibit C contains State and Federal regulations relating to lead and asbestos for commercial properties. Residential demolition and alteration work is currently exempted from lead and asbestos surveys. Additionally, the peer cities of San Antonio, Houston, and Dallas follow state regulations and do not require testing or abatement for demolitions of single-family structures.

Stakeholder feedback concerning asbestos and lead removal and disposal varied greatly. There were stakeholders who opposed adding any new regulations. These individuals and businesses took the position that current State regulations are sufficient to address health impacts and maintained that insufficient data was available to demonstrate problems with asbestos and lead removal and disposal in Austin. While these stakeholders opposed testing or abatement requirements for residential demolitions, both general and demolition contractors appear to support requiring wetting of materials during demolition at minimum.

However, it is doubtful that wetting of materials would alleviate concerns of citizens and neighborhood organizations who provided feedback. Neighborhood organization generally favored full asbestos and lead removal and disposal regulations for residential properties. They expressed concern about health and safety and the lack of responsiveness from State and Federal agencies, as well as the desire for City review and enforcement of regulations administered by State and Federal agencies.

Based on the divided stakeholder feedback and the practices of other regulatory agencies, DSD does not recommend requiring lead or asbestos testing and abatement for residential structures. Should Council wish to pursue this option, a consultant would need to be hired to determine the breadth of the program, enforcement requirements, and staffing and/or third-party contract requirements. A more detailed code amendment would be brought forward to City Council in alignment with the consultant's findings.

Demolition Licensing and Bonding Requirements

During the stakeholder engagement process, both internal and external stakeholders expressed support for adopting a registration program for building and demolition contractors. While the focus of Council's resolution was primarily demolitions, there are equally compelling reasons for requiring contractor registration for new construction as well.

Accordingly, DSD plans to initiate more focused stakeholder review later this year and present a proposed Code amendment for Commission review in early 2019, with the goal of presenting the amendment to Council for approval next spring. (Additionally, as noted above, the ordinance could include the notification requirement as well, if Council chooses to defer consideration of that requirement and provide an opportunity for Planning Commission review).

While many details remain to be finalized, DSD's proposed registration program would include following key features:

First, with respect to residential demolitions, DSD recommends that a homeowner performing work under a Homestead Permit be exempt from licensing and bond requirements for demolitions associated with single story structures.

Second, in developing the Code amendment, DSD will incorporate requirements modeled on similar provisions in the City's transportation regulations (Chapter 25-6) that require bonding and licensing of right-way contractors. For reference, these requirements are set forth in Exhibit E.

DSD will consult with the Austin Transportation Department as to the staffing requirements related to the program for licensing right-of-way contractors. Staffing information would be provided to Council in conjunction with proposed code amendment.

Next Steps

DSD will implement Recommendation Nos. (1) - (9), as discussed above.

However, Council adoption of the code amendment contained in Exhibit F is necessary for implementation of the notification requirement described in Recommendation No. 8. That could be done this year, if Planning Commission review is waived, or brought back to Council next year along with the Code amendment related to contractor registration.

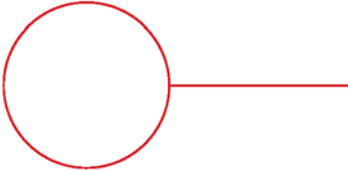
Additionally, as discussed above, DSD will move forward with developing a proposed contractor registration program, to cover demolitions as well as new construction. Target dates are early 2019 for commission review and late spring for Council approval.


Appendices

- Door Hanger (Exhibit A)
- Yard Sign (Exhibit B)
- Commercial Asbestos and Lead Survey Research (Exhibit C)
- Residential Asbestos and Lead Survey Research (Exhibit D)
- Right-of-Way License and Bond Requirements (Exhibit E)
- Code Amendments (Exhibit F)
- Community Engagement Summary September 2018 (Exhibit G)

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Exhibit A – Door Hanger





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) 778-9440 ext. 2434, or leadhelp@dshs.texas.gov
Lead in water
(512) 239-4691, ac@tceq.texas.gov or any
Texas Comm 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

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Exhibit B – Yard Sign



Development
CITY OF AUSTIN
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-based paint requirements
(888) 778-9440 ext. 2434
leadhelp@dshs.texas.gov

Lead in water
(512) 239-4691
ac@tceq.texas.gov or any
Texas Comm 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
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

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Exhibit C – Commercial Asbestos, Lead and Safety Regulations

Federal Regulations

The US Environmental Protection Agency (EPA) details the laws and regulations pertaining to asbestos and lead-based paint. Under the Occupational Safety and Health Administration section, work practices, sampling, removal and worker protections are some of the topics highlighted. However, the federal law does not detail the type of projects that must comply with asbestos or lead surveys. The EPA delegates enforcement to the state; it is each state's responsibility to meet their own regulations and to also demonstrate compliance with EPA requirements.

Source: <https://www.epa.gov/asbestos/asbestos-laws-and-regulations>

State Regulations

Under the Texas Administrative Code established by the Texas Department of State Health Service, commercial properties are required to provide an asbestos survey before a demolition or remodeling (§295.31).

A person is prohibited from performing any asbestos-related activity unless that person has the appropriate valid license, registration, accreditation, or approved exemption (E. Prohibition)

Source: *Texas Department of State Health Services Asbestos Program, Texas Asbestos Health Protection Rules; Texas Administrative Code, Title 25, Part 1, Chapter 295, Subchapter C*
[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=25&pt=1&ch=295&ch=C&rl=Y](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=25&pt=1&ch=295&ch=C&rl=Y)

§295.31 GENERAL PROVISIONS

Exclusions: (B) Exclusions. Private residences and apartment buildings with no more than four dwelling units are excluded from coverage by these rules. Except as provided in subsection (c)(2) and (c)(3) of this section, industrial or manufacturing facilities, in which access is controlled and limited principally to employees therein because of processes or functions dangerous to human health and safety, federal buildings and military installations are excluded from coverage by these rules.

§295.34 ASBESTOS MANAGEMENT IN FACILITIES AND PUBLIC BUILDINGS

(a) **General.** Building owners are required to inform all persons in writing, or document oral communication between the owner (or their authorized representative) and those who perform any type of maintenance, custodial, renovation, or demolition work, of the presence and location of asbestos-containing building materials (ACBM) prior to the start of any asbestos-related activity.

(1) Demolition and/or renovation of a facility or commercial building. Before performing any demolition or renovation activity in a facility or commercial building, building owners or operators shall ensure that all friable asbestos-containing material (ACM) or asbestos-containing materials which may become friable (i.e. Category II nonfriable ACM) are inspected and abated in accordance with 40 CFR Part 61, Subpart M.)

(2) Demolition and/or renovation of a public building. Before performing any demolition in a public building, building owners shall ensure that all friable asbestos-containing material (ACM) or ACM which may become friable (i.e. Category II nonfriable ACM) are surveyed and abated in accordance with 40 CFR Part 61, Subpart M. Before performing any renovation in a public building, building owners are required to survey and perform asbestos abatement for all asbestos-containing building material (ACBM) that could foreseeably be disturbed in the area to be renovated in accordance with these rules. The asbestos survey and abatement for the demolition and/or renovation shall be conducted by persons licensed in accordance with these rules, and according to the standards for removal specified in §§295.58 - 295.60 of this title.

(e) **Prohibition.** The owner of a public building and any other person who contracts with or otherwise permits any person without appropriate valid license, registration, accreditation, or approved exemption to any asbestos related activity is subject to administrative or civil penalty under the Texas Health Protection Act (Act), not to exceed \$10,000 a day for each violation, or criminal penalty not to exceed \$25,000, confinement in jail for not more than two years, or both.

(l) Survey Required

(1) In this section, "permit" means a license, certificate, approval, registration, consent, permit, or other form of authorization that a person is required by law, rule, regulation, order, or ordinance to obtain to perform an action, or to initiate, continue, or complete a project, for which the authorization is sought.

(2) A municipality that requires a person to obtain a permit before renovating or demolishing a public or commercial building may not issue the permit unless the applicant provides:

(A) evidence acceptable to the municipality that an asbestos survey, as required by this Act, of all parts of the building affected by the planned renovation or demolition has been completed by a person licensed under this Act to perform a surveyor.

(B) a certification from a licensed engineer or architect, stating that:

(i) the engineer or architect has reviewed the material safety data sheets for the materials used in the original construction, the subsequent renovations or alterations of all parts of the building affected by the planned renovation or demolition, and any asbestos surveys of the building

(ii) in the engineer's or architect's professional opinion, all parts of the building affected by the planned renovation or demolition do not contain asbestos.

§295.35 LICENSING AND REGISTRATION: CONDITIONS

(a) **Licensing requirement.** A person must be appropriately licensed or registered in compliance with these sections to engage in asbestos abatement or any asbestos-related activity within the scope of these sections. Individuals not eligible for employment in the United States will not be licensed or registered. Contractors (i.e., electrical, mechanical, plumbing) who will disturb asbestos when installing new utility lines or structures shall be licensed as Operations and Maintenance (O&M) contractors (restricted) as a minimum.

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Exhibit D – Residential Asbestos, Lead and Safety Regulations

Federal law does not detail the type of projects that must comply with asbestos or lead surveys. The Environmental Protection Agency (EPA) delegates enforcement to the state; it is each state's responsibility to meet their own regulations and to also demonstrate compliance with EPA requirements.

Under the Texas Administrative Code established by the Texas Department of State Health Service single-family dwellings (private residences and apartment buildings with no more than four-dwelling units) are excluded from providing an asbestos or lead surveys before a demolition or remodeling (§295.31). However, OSHA standards are upheld for contractors involved in such single-family dwelling demolition projects.

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Exhibit E - Right-of-Way Construction License and Bond Requirements

Division 1. – Construction License.

§ 25-6-231 - LICENSE REQUIRED.

- (A) A person must establish that a person is qualified to construct, alter, remove, or repair a sidewalk, curb, gutter, driveway approach, or pedestrian way by obtaining a right-of-way construction license.
- (B) A person may not obtain a permit under Section 25-6-261 (*Permit Required For A Project*) to engage in an activity described in Subsection (A) unless a person is licensed under this division.
- (C) A contractor or agent of a franchise holder must comply with the licensing requirements in this division in order to perform work described in this division.
- (D) A licensee shall retain general supervision of all work engaged in under a license.
- (E) A person may not transfer or assign a license issued under this division.

Source: Sections 13-5-62, 13-5-65(a), and 13-5-71; Ord. 990225-70; Ord. 031211-11.

§ 25-6-232 - APPLICATION; BOND.

- (A) To obtain a right-of-way construction license, a person must submit an application to the city manager on a prescribed form.
- (B) An application under Subsection (A) must be accompanied by a bond in a form approved by the city attorney and in an amount established by the city manager. The bond must be payable to the City and issued by a surety authorized to do business in Texas.
- (C) The bond submitted under Subsection (B) must contain the following provisions:
 - (1) the bond is issued for the use and benefit of the City and all persons who may suffer injury resulting from the construction performed under the license;
 - (2) the principal protects the City and all persons from damage or injury arising from negligence in the performance of work under the contract;
 - (3) the principal protects the City and all persons from damage or injury arising from failure to faithfully observe and comply with the City requirements for construction or repair work; and
 - (4) the term of the bond is effective for the term of the license.

(D) The city manager shall base the amount of the bond on:

- (1) the cost of the applicant's past projects and the projected cost of future projects; and
- (2) the potential damage to a right-of-way that the activity of the applicant may cause.

Source: Section 13-5-63(a) and (b); Ord. 990225-70; Ord. 010329-18; Ord. 031211-11; Ord. 20060504-039.

§ 25-6-233 – LICENSE APPROVAL STANDARD.

The city manager may approve a license if:

- (A) The city manager determines that the applicant is qualified to perform the work based on the applicant's experience; and
- (B) the applicant has provided the bond required by this division.

Source: Section 13-5-62; Ord. 990225-70; Ord. 010329-18; Ord. 031211-11; Ord. 20060504-039.

§ 25-6-234 - LICENSE FEE.

- (A) Except as provided by Subsection (B), an applicant must pay a license fee before a right-of-way construction license is issued.
- (B) A holder of a City franchise is not required to pay a license fee.

Source: Section 13-5-65(a); Ord. 990225-70; Ord. 031211-11

§ 25-6-235 - LICENSE TERM; SUSPENSION AND REVOCATION.

- (A) Except as otherwise provided by Subsection (B), a license issued under this division is effective on the date of issuance and remains effective through the end of the calendar year in which it is issued.
- (B) If a bond required by this division lapses or is terminated, suspended, or revoked, the license issued to the contractor is automatically suspended. The contractor may not resume construction described by Section 25-6-231 (*License Required*) until the city manager reinstates or renews the license or issues a new license.

Source: Sections 13-5-62 and 13-5-63(c); Ord. 990225-70; Ord. 010329-18; Ord. 031211-11; Ord. 20060504-039.

Exhibit F – Code Amendments

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ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTER 25-11 RELATING TO DEMOLITION PERMIT REQUIREMENTS AND INITIATING AMENDMENTS TO ESTABLISH A CONTRACTOR'S REGISTRATION PROGRAM.

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

PART 1. City Code Section 25-11-37 (*Demolition Permit Requirement*) is amended to add a new Subsection (D) to read as follows:

- (D) The director shall adopt rules requiring an applicant for a demolition permit to provide notice of the demolition to adjacent one and two-family residential structures. In addition to other requirements deemed appropriate by the director, the required notification must:
 - (a) Specify the date or range of dates on which the demolition may occur, which must be between five and ten days before notice is provided; and
 - (b) Be provided on a form approved by the director and:
 - (i) Mailed or delivered directly to adjacent properties; and
 - (ii) Posted on the property where the demolition is to occur, in a manner visible from the primary street frontage.

PART 2. Consistent with the report of the Director of the Development Services Department, dated October __, 2018, the City Council initiates code amendments to establish a contractor registration program for demolition permitting consistent with the following direction:

- (A) In addition to other requirements deemed appropriate by the City Manager, the amendments shall:
 - (1) Include requirements for bonding and insurance; and
 - (2) Provide an exemption for the owner of a one or two-family residential structure with an active homestead exemption, as defined by state law.

- (B) In developing proposed amendments, the City Manager may incorporate requirements from Chapter 25-6, Article 5, Division 1 (*License Required*), as deemed appropriate in the context of demolition permitting.
- (C) The City Manager should present the proposed amendments to Council for consideration on or before _____ or as soon thereafter as reasonably possible.

PART 3. Commission review required under Section 25-1-502 (*Amendment; Review*) is waived for the amendment adopted in Part 1 of this ordinance, but is required for the amendment initiated in Part 2.

PART 4. This ordinance takes effect on _____, 2018.

PASSED AND APPROVED

_____, 2018 §
 §
 §
 § _____
 Steve Adler
 Mayor

APPROVED: _____
 Anne L. Morgan
 City Attorney

ATTEST: _____
 Jannette S. Goodall
 City Clerk

Exhibit G – Community Engagement Summary September 2018

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Demolition Resolution No. 20171214-066

Community Engagement Summary September 2018



DEMOLITION RESOLUTION

Engagement Appendix



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DEMOLITION RESOLUTION

Engagement Appendix



SUMMARY

This appendix includes an overview of the community engagement activities conducted by the Development Services Department (DSD) in support of the Demolition Resolution No. 20171214-066. The input process was active from February to September 2018 and included feedback from internal and external stakeholders. Focus group meetings were held with City of Austin (COA) staff from partner departments, and public input was gathered primarily through public meetings and online at speakupaustin.org/demolitionpermits.

The engagement and outreach documentation that follows is organized chronologically to reflect the timeline of events, which was structured in two phases. The first phase requested stakeholder feedback on three questions that directly related to the outcomes stated in the resolution. Phase II sought input on the draft staff recommendations. Regular communications regarding engagement opportunities were distributed to three separate stakeholder lists, including the DSD master stakeholder database, demolition contractors from the DSD permit database, and the COA community registry (approximately 6,285 stakeholders). In addition, public meeting notifications were issued by press releases, Nextdoor, and social media advertising.

ENGAGEMENT TIMELINE: PHASE I

February – Demolition permit process comparative research and community engagement planning

February 28th to March 18th – Speak Up Austin Input Forum Open

March 6th – Internal Stakeholder Focus Group Meeting #1

March 7th – External Stakeholder Public Meeting #1 at Millennium Youth Entertainment Complex

March 28th – External Stakeholder Public Meeting #2 at Waller Creek Center

April 3rd – Internal Stakeholder Focus Group Meeting #2

April – Review feedback received to date from internal/external stakeholders

May 18th to July 1st – Speak Up Austin Input Forum Reopens

ENGAGEMENT TIMELINE: PHASE II

July – Review Phase I feedback and draft staff recommendations

August 18th – External Stakeholder Public Meeting #3 at Mexican American Cultural Center

August 18th to September 2nd – Speak Up Austin Input Forum Open

August 28th – Internal Stakeholder Focus Group Meeting #3

September – Review all feedback and finalize staff recommendations

September 30th – Staff recommendations due to City Council

DEMOLITION STAKEHOLDER MEETINGS

Stuart Harry Hersh [REDACTED] [REDACTED]

Development Services Department

Attn: Rodney Gonzales

At its December 14, 2017 meeting the City Council approved resolutions related to housing preservation, demolition, lead-based paint, asbestos, and permitting. I ask to be included as a registered stakeholder in this process as I do not receive any compensation for not-for-profits and individuals who have asked me to assist them since I retired as a City employee. My perspective includes the following conclusions from more than two decades of employment in Building Inspection/Code Enforcement and more than a decade in housing affordability. Here are some insights I bring to the stakeholder process:

1. Buildings built after 1979 are not subject to lead-based paint and asbestos testing and remediation standards developed by the federal and state agencies.
2. Lead Safety for Remodeling, Repair, and Painting curriculum have been developed jointly by HUD and EPA and govern federal funding sources.
3. Buildings located in historic districts or historically zoned may be subject to the Historic Buildings provisions of the adopted International Existing Building Code.
4. Single-family homes, duplexes, multi-family housing, and commercial buildings may be subject to different testing and abatement standards designed to prevent harm to building occupants, abatement employees, and the families of abatement employees and residents living near the abatement site who could be subject to health risks if abated materials are carried improperly beyond the abatement site.
5. For those of us who have procured asbestos/lead testing, abatement and reporting services in accordance with federal and state law, testing/abatement/reporting is best accomplished prior to repair/remodeling/building relocation, and/or building demolition.
6. My recent experience in applying for demolition or remodeling permits since 2010 is that I cannot obtain these permits in less than 3 weeks when the existing building is less than 50 years old and not subject to historic zoning.
7. Some recent testing of non-historic buildings reveals that lead-based paint can be found on some newer window blinds, jewelry, and or art work manufactured/created overseas and that this means that these materials require proper disposal although the building itself did not require testing and abatement.

I look forward to being included in the stakeholder process.

From: Ross Rathgeber [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: Thursday, March 1, 2018 10:09 AM
To: Roig, Jose G <Jose.Roig@austintexas.gov>
Cc: [REDACTED] Crist, Rachel
<Rachel.Crist@austintexas.gov>; Castillo, Jaime <Jaime.Castillo@austintexas.gov>
Subject: Re: Language Request for Public Meeting

Jose

Thank you for your prompt response. You refer to a “tight deadline”. Given the huge economic impact this could have on affordability and property values, it strikes me that a more thoughtful and deliberative approach is warranted. I have already obtained a copy of the Portland ordinance and will review it prior to the meeting. Do you know if any challenges to it are pending based upon preemption by state and federal law? I would be interested in learning the city legal department’s opinion of this.

Ross Rathgeber
Southwest Destructors
[REDACTED]

Sent from my iPhone

On Mar 1, 2018, at 9:45 AM, Roig, Jose G <Jose.Roig@austintexas.gov> wrote:

Hello Mr. Rathgeber,

This is just to follow up on your email to Jaime requesting any information on any draft ordinance. At this point, we have not drafted an ordinance and we really want to gather the stakeholder input before preparing a draft. I know we are working with a very tight deadline, but what I have done is research on similar ordinances around the State and Country. Many jurisdictions have ordinances that delay demolitions and add other requirements, but they are mostly concerned about historic properties.

The City of Portland, Oregon, has an ordinance that addresses delays in demolitions, notifications and safety requirements related to asbestos and lead paint for all properties. That’s the only one so far, as it appears that they faced the same challenges we are now facing in Austin. I think our ordinance will be modeled based on their ordinance, but I want to make sure that it meets the expectations of our stakeholders and also meets our City Council priorities.

The link for the City of Portland ordinance is here: <https://www.portlandoregon.gov/bds/67326>

Please feel free to provide any input as part of the process.

Sincerely,

José G. Roig, CBO

Building Official

[City of Austin Development Services Department](#)

One Texas Center

505 Barton Springs Road, Suite 700

Office: 512-974-9754

Cell: 512-293-1948

From: Ross Rathgeber [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: Wednesday, February 28, 2018 5:15 PM
To: Castillo, Jaime <Jaime.Castillo@austintexas.gov>
Cc: [REDACTED]
Subject: Language Request for Public Meeting

Jaime

I do not need translation services for the meeting on the 7th. However, since there is already a follow up meeting scheduled only 3 weeks later, it appears to me that an ordinance has already been drafted. I know that it would be helpful to me and some of my reputable competitors if we could review the draft in advance of the meeting on the 7th so we are better prepared to respond. In the event you are not the contact person for this, please let me know who is.

Thank You

Ross M. Rathgeber

Vice-President

Southwest Destructors - A Division of Southwest Constructors, Inc.

Mailing Address: [REDACTED]

Physical Address: [REDACTED]

Office: [REDACTED]

Fax: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]

Website: www.southwestdestructors.com

Demolition Internal Stakeholder Focus Group Meeting #1**Tuesday, March 6, 2018 | One Texas Center**

Name	Attendance	Response
Crist, Rachel	Meeting Organizer	None
Orenstein, Jonathan	Required Attendee	Accepted
Flora, Alice	Required Attendee	Tentative
Contreras, Kalan	Required Attendee	Accepted
Roig, Jose G	Required Attendee	Accepted
Wilhite, Joan E	Required Attendee	Accepted
Patterson, Jeffery	Required Attendee	None
Zemel, Jody	Required Attendee	Accepted
Word, Daniel	Required Attendee	Accepted
Lucas, Denise	Required Attendee	Accepted
Johnson, Christopher [DSD]	Required Attendee	Accepted
Bertron, Cara	Required Attendee	Accepted
Gibbs, Carol	Required Attendee	Accepted
Greathouse, Stevie	Required Attendee	Accepted
Rice, Andrew	Required Attendee	Accepted
Culver, Beth	Required Attendee	Accepted
Mars, Keith	Required Attendee	Tentative
Rodriguez, David [DSD]	Required Attendee	Accepted
Autry, Kevin	Required Attendee	None
Wright, Marlayna	Required Attendee	Accepted
Mendoza, Sergio	Required Attendee	None
Embesi, Michael	Optional Attendee	Accepted
Boyles, Molly	Optional Attendee	None
Leak, Erica	Optional Attendee	Tentative
Mendez, Jerome	Optional Attendee	Accepted
Meyer, Christopher	Optional Attendee	None
Zerda, Joseph	Optional Attendee	None
Herrera, Daniel	Optional Attendee	Tentative
Rousselin, Jorge	Optional Attendee	None
DSD Conf Rm 300	Resource (Room or Equipment)	Accepted

ROUND TABLE CONCERNS, POTENTIAL SOLUTIONS, RESOURCES NEEDED:

AUSTIN CODE

- Collaborates with staff later in the demo process
- Pre-legal division with Code
- Concerns – neighbors calling regarding erosion, lead/asbestos testing
- B&S Commission
- Historical Standard Questions
- B&S will ask Code re: process for demo (review/notifications)
- Code staff have some issues answering these questions
- Most common complaints from neighbors is RODENTS if long term demo site
- 2nd is lead/asbestos
- Safety of the site is the last concern (noise/dust)
- McMansion/gentrification all are concerns
- Court order – properties are already secured
- AE/Texas Gas are contacted when Code takes over the case
- AW disconnection is a question (Jonathan provided business card) to confirm if it's been shut off
- Demos happening with plumbing permit occurring afterwards – confusion with process
- Increased internal communications – but how?
- Opportunities for staff to share processes so we can answer questions and understand the bigger process

AUSTIN ENERGY

- AE would like to be inserted into the Demo Permit process for disconnect (actually a removal) to get this done correctly and CLEAR the Demo Permit process (documented AMANDA)
- Trouble truck is into in the AMANDA process
- Typically (now) meters are pulled as a disconnect not a full removal
- New script for AE CSR's to screen for "demo" language so that this is done correctly
- AE needs to be triggered within the process
- Remove #4949400 off Demo App needs to be a AW # instead (Jonathan)
- 3 working days to set a meter once Inspection is cleared
- If meter is still laying there it means the process hasn't been followed by the demo co.
- Can we update a resolution on a pending permit? It can be address in AMANDA
- AE needs a review process because of safety clearances issue
- Min info on permits about what they're building and compliance issues come up
- Contractors are trying to get around the process
- A lot of aspects to safety (not just the lead/asbestos)
- SOLUTION: If delayed demo process—this provides DSD staff time to trigger all involved depts. to start working on the case

AUSTIN WATER

- Water meter in the ground, customer calls customer care and says no longer my water service so service is cut but the line is still there
- Issue unbilled water service

Demolition Permit Process Internal Focus Group Meeting #1
Tuesday, March 6, 2018 | One Texas Center

- Some demo co. will remove the meter, store in truck, and then with good intention plans to put back in ground
- Meter readers document that it's not there
- Try to locate it, etc.
- Demo sites like to have the option to have the water line to bib it and use water to keep down dust (good safety measure) and AW bills for this
- Issue is when there's no meters
- Of all the demo permits, not all have water inspections (audit findings)
- Used to run the demo report from AMANDA to remove the water line
- Need a process for demo co. to take over billing because they want the water on site
- Do you need water during demo or not?
- Ask customers this question upfront so AW knows what's needed and can bill properly
- Safety issues regarding keeping water line clean
- AMANDA has a lot of tasks already created that trigger departments – ex: TAP plan review
- Use this for Demo to monitor, already built into the system
- Theft of service is the biggest concern (fees exist up to \$800 for residential)
- Charge for the missing meter
- The more reviews we add to the process, the fees will increase for customers
- Gas companies – contact for open speak up process

AUSTIN RESOURCE RECOVERY

- Oct 1st 2019 demo ordinance for demo goes into effect (just commercial and multi-family)
- Construction & Demo Recycling Ordinance (not part of the URO)
- GC are contacted about the ordinance
- Concerns are turnaround time and notification process
- ARR doesn't have a good process or resources to enforce recycling
- ARR doesn't want to take people to court they're goal is to get materials recycled
- (Beth) Not enough time because the process is automated
- ARR also works with preservation companies for Re-Use/Habitat and other orgs
- Deconstruction vs. Demolition
- 50% of debris material generated must be recycled
- Lead/asbestos are exempt
- GC has to report back to ARR to provide a receipt for landfill/recycling, etc.
- Notified to report once the permit is closed
- If closed and they didn't do it, then what???
- Jose knows about this
- ARR can notify and be in touch during a delay period

WATERSHED

- Few and far between re: stormwater infrastructure running thru properties, but it does happen
- Drainage, flooding, etc.
- Water will find its natural path and can run through properties
- When this happens, WS talks to property homeowners
- Late notice property

Demolition Permit Process Internal Focus Group Meeting #1
Tuesday, March 6, 2018 | One Texas Center

- Feasibility checks submitted for the demo plan
- Why are you going to do a demo?
- How do we know what customers are going to do once the property is demoed?
- The what is the concern of WS
Often exemptions can come up later in the process because issues aren't brought up early enough
- Residential review process is not standardized, esp. not for demo
- Pipes under building, existing infrastructure concerns
- Natural flood insurance regulations, flood hazard areas
- No flood plain review for res demo, just a warning to contact flood plain office
- Not sure the answer? Review during the delay period
- Drainage easements should be included as well because of a loss of 13-15 feet
- Recommend pothole physical location check "field locates"
- If lines are broken during demo process the City will force co. to fix problem because it impacts not just you
- Add this notice in demo process/app
- Notice currently happens after it's broken
- WS can help prevent these issues for how to avoid damaging infrastructure
- Modifying easements
- Rooflines
- Keeping WS updated as to when utilities are abandoned so GIS infrastructure can be updated and documented for new/upcoming development
- Erosion controls by DSD inspectors
- Are there any reviews/resources being provided by WS right now for infrastructure ID'ing
- One Call – service gap re: staffing – responding to calls

DSD – CITY ARBORIST

- City Arborist
- Site prep
- *Need Chapman/McDonald input
- Infill process & pre-con processes re: violations
- Reactive process
- Trying to be more proactive
- Pre-demo inspection should be required to confirm all of these issues by partnering dept.
- Signage or door hangers to neighbors to notify them what's happening
- Like the zoning process signage (model off this)
- Revegetation requirements or management of property after the demo
- Unsanitary conditions are called into Code currently
- Tall grass/weeds/rodents
- Consideration – Wait for the new BP to be issued after demo is finalized (approved but pending)
- Expired permit issues that Code receives calls for this
- Demo permits are ok for 2-years so they linger in the system
- This would streamline the process
- Code issues re: 2yr timeline because Code cases are open until the demo permit closes

Demolition Permit Process Internal Focus Group Meeting #1
Tuesday, March 6, 2018 | One Texas Center

- For cases with Code legal
- Why 2 years for demo?
- Market consideration re: real estate

PLANNING AND ZONING

- Front end of the process
 - Historic Preservation intake will be moved over to DSD, it's pending this discussion
 - Need to know how the process is being redesigned before we can move this
 - Issues regarding missing a hist. pres. Site (tabled, DAC – CJ)
 - Photographs/no photographs
 - Builds more than 45 years old to look at historic and arch integrity
 - If so, research on occupancy and significance
 - If not, administration review
 - PAZ doesn't want to see anything less than 45 years or older no matter what
 - 5 days is the review process to determine if admin review or Hist. Landmark Commission
 - 5-day turnaround can be tight for staff esp. when research and site visits are required
 - Review all religious properties
 - Sometimes people reach out first (proactive) to see if there are any concerns prior to Demo
 - SCAN – Citywide resource to analysis what is historic generally
 - Sense of priorities (GIS system layer maybe, Cara)
 - Demo/Relocation applications propose to combine
 - From Hist. perspective, the same info is required, what duplicate this
 - How to convert a Demo permit to a Relocation permit (Daniel) this came up
 - AE needs to be involved in this process re: stuck houses and utility lines
 - Mandatory wait 180 days if in National Registry Historic Districts HRHD (Cara)
 - This would relieve burden on the HLC
 - Resource issues with PAZ
 - Andrew does majority intake but that's not his mission
Daniel has more info/COA history about residential demo review/ hist. pres.
 - Fee issues – align the Code year cutoff with the fee
 - If not historic, delay process could allow appeals for neighborhood significance to work on relocation or other alternatives
 - Currently the hist. pres. Is the de facto delay process since there isn't a delay
 - Concerns about appeals process (DAC – CJ)
 - Specify reasons for appeal based on extensions (Beth)
 - Administrative Rules?
 - Fees for appeals?
 - AFD & APD trainings
 - Deals with Demo companies
 - What is this process?
-
- AMANDA functionality should be okay (David) as long as partner depts. are using system
 - Prerequisites and notifications
 - Mail notifications

Demolition Permit Process Internal Focus Group Meeting #1
Tuesday, March 6, 2018 | One Texas Center

- Land Use review handles this for all
- Action to take
- Contact info
- Internal process for keeping notification info accurate
- Broken link issue

Demolition Permit Process Public Meeting #1 Attendance
Wednesday, March 7, 2018 | Millennium Youth Entertainment Complex

FIRST NAME	LAST NAME	ORGANIZATION	INDUSTRY	STAKEHOLDER	LANGUAGE	EMAIL
Carlos	Jaimes	Austin Demolition		Industry		
Reza	Sedghy	ATD - ROW		COA Staff		
Billy	Driggers	AAR Inc.	Commercial, Residential	Industry		
Beth	Culver	COA - DSD		COA Staff		
Daniel	Word	COA - DSD		COA Staff		
Kate	Singleton	Preservation Austin	Land Use	Community	English	
Warren	Spain	Escarpment Construction, LLC	Residential	Industry	English, Spanish	
Robert	Abbott	Absolute Demo	Commercial, Residential	Industry	English	
Ross	Rathgeber	Southwest Destructors	Residential	Industry	English	
Sharon	Borja		Commercial	Industry		
Bryce	Cathcart	Austin Property Buyers	Residential	Community, Industry	English	
Andy	Cantu	Drenner Group	Land Use	Industry	English	
Chad	Allen					
Trecia	Roberts	TOTL Townlake Neighborhood		Community	English	
Mark A.	Taylor	Builder MJL	Residential			
Caroline	Wright	Preservation Austin		Community	English	
Billy	Whipple	Austin Habitat for Humanity	Residential			
Angela	Reed	SRCC		Community		
Chip	Harris	Crestview N.A.	Residential	Community	English	
Zach	Savage	Zach Savage Homes	Residential	Industry	English, Spanish	
Geoffrey	Tahuahua	Real Estate Council of Austin	Commercial, Residential, Land Use, Trees	Industry	English	
Kathy	Robinson	The Reuse People	Residential	Community, Industry		
Stuart	Hersh		Commercial, Residential	community	English	
Greg	Ruopp	Sett Studio	Residential	Community, Industry	English	
Jan	Gasyna		Residential	Community, Industry	English	
David	Rodewald	DAR	commercial, residential	Industry		
David	Glenn	HBA Austin	Residential	Industry	English	
Alan	Pease			Community		
Carol	Stall	ETLCNA	Residential, Land Use, Trees	Community	English	
Phil	Thomas	ETLCNA		Community	English	
Linda	Sullivan	CleanTag	Commercial, Residential, Land Use, Trees	Community, Industry	English	
Carlos	Garcia	Austin Property Buyers	Residential	Industry	English	
Stephanie	Stoell					
Liz	McConnell	Blackshear/Prospect Hill N.A.		Community	English	
Robert	Buchanan	CCG Development	Residential	Industry	English	
Adam	Clark	Trade Ready LLC	Commercial, Residential	Industry	English	
Susan	Morgan	TownLake N.A.		Community		
David	Whitworth	Whitworth Homes	Residential	Community, Industry	English	
Leslie	Padilla	Chestnut NPCT		Community	English	

QUESTION 1:

How might the city of Austin better reinforce safety requirements for demolitions?

- Tricky Permitting: the process for getting a demolition permit is confusing, unclear and inconsistent. Our neighborhood representative didn't know what if any requirements for getting an approval are. Demolition contractor agree stating that there is not and consistency or predictability job to job.
- Good actors/bad actors: the confusion benefits bad actors who do work without permits compared to good actors who act in good faith but are stymied by the process.
- Lead/asbestos inspection: despite the city collecting asbestos letter or survey for large projects nothing is collected for SF2 and SF3, even when something is collected nothing is done to access the accuracy or verify that the information pertains to the particular property.
- >\$1000 Asbestos survey cost: Our demolition contractor expressed that and certified asbestos survey is greater than \$1000, which is squeezing his business.
- Salvage: It was expressed that people like the idea of increased salvage, but that that can more than double the cost of a demolition job.
- Current Requirements are weak and unclear: homeowners don't know what they should be worried about and contractors don't know what they should be watching for.
- Silica Dust: there is a worry about recent EPA rulings on Silica dust, and confusion if this might be something the city is considering.
- Door hangers heads up: contractors and neighborhood people appreciate the idea of door hangers or mailers as a "heads up" – to give neighbors and stakeholders information about upcoming demolitions. A downside is that some neighbors may expect there to be a public hearing or that they can do something to stop a demolition when there may not be anything other than notice.
- Preconstruction meeting: There needs to be some type of pre demolition meeting to help prevent confusion from partner departments, AE and AWU, who often don't know a building has been demolished until an application for new construction shows up, this means there are live electrical connections on the job site and open water and waste water connections allowing dirt and sediment into the water supply and waste water pipes.
- Break Silos with partner departments: similar to above it often seems that city departments don't communicate well with each other, "HBA said if other departments could be more like DSD" – expressed support for increasing the number of partner departments involved in concurrent review meetings.
- Predictability/Concurrent Notification: Contractors are opposed to delays because time=money delays=inflated costs. A tradeoff for hearing delays or notification delays could be better assurance of timelines and concurrent processes so that the process is not simply delayed, but set to a guaranteed timeframe.
- Public Hearing/Information: Some jurisdictions only require that a contractor meet certain requirements this can be things like hosting a public meeting, but do not require the contractor to actually do anything with neighborhood feedback. This concerns neighborhood on the grounds of maintaining neighborhood character. It concerns contractors who like to know if they follow the instructions they can do what they intend to do.
- How many injuries or health issues have been reported?
- Can current conditions and safety factor in?

Demolition Permit Process Public Meeting #1 Breakout Session Stakeholder Feedback
Wednesday, March 7, 2018 | Millennium Youth Entertainment Complex

- Not enough regulation of existing demos (Fed, State of Texas, OSHA)
- No new regulations for Residential, for Commercial – contractor must notify the state (Asbestos, Lead)
- Demolition, Remodel, Partial or full demo – Regulations should be the same
- Does the City of Austin intend to regulate asbestos and lead?
- Asbestos/ Lead survey costs \$2000-\$3000
- No current regulations for residential single family for lead /asbestos
- What about lead/asbestos soil sampling?
- Commercial regulations cost \$\$\$, residential is not as costly
- Stick with Fed and State regulations, keep job site “wet”
- Enclosed/partial remodels are more dangerous (lead, asbestos) than total demolitions
- Require water to be sprayed during demolition of structure.
- What is the lead/asbestos process?
- Ensure no adverse health effects from neighborhood demos
- Ensure no adverse health
- Don’t know where to go or who to call for demolition standards
- Air Quality and asbestos – when wind blows (Chestnut area)
- So many people at Rainey- if take away sidewalks, what about safety for bar patrons?
- Can’t commute in Rainey now – it will be impossible to get around – they’ve built right up to the road, so barriers are blocking sidewalks and in the streets. If delivery trucks come through, they block street.
- Are COA current standards sufficient to safety and health?
- Potential problematic for kids since they don’t fence demo area→ wouldn’t contractor be concerned with liability?
- Required fencing?

QUESTION 2:

How should the city of Austin address the concerns about the lack of licensing or oversight for demolition contractors?

- TCEQ: while both contractors and citizens thought that the oversight was under TCEQ, oversight of Asbestos and Lead abatement and licensing is actually handled by-
- TDLR: the Texas department of Licensing and regulation certifies asbestos contractors
- What does the state do? It is unclear to contractors and citizens what the state actually looks out for, It was expressed that is difficult and expensive to become a licensed asbestos inspector, but there is relatively little oversight once you are one.
- DSHS: state department of State health services is the department where asbestos surveys and lead requirements are turned into, it is similarly unclear what, if anything, the state does with that information.
- Architects or design professions certify: ultimately it is up to the reputation of the design professionals who certify a project but not strong oversight other than that.

Demolition Permit Process Public Meeting #1 Breakout Session Stakeholder Feedback
Wednesday, March 7, 2018 | Millennium Youth Entertainment Complex

- Who issues license?
- How much is the license and what is the term?
- Who will oversee?
- License demo contractors – require best practices
- Don't require sewer capping by licensed plumber – let licensed contractor do it and take photo
- Contractor's responsibility to make sure of safety, jobsite, etc. – Bad actors lose their "ticket"
- Cannot circumvent state law
- City of Austin should license Demolition contractors
- Experience; 100/yr. for license; reasonable procedure for licensing – would this "bleed over" to remodeling contractors?
- Delay, time, cost
- Using new Environmental Inspectors might be helpful. - It would be similar work to what they are already doing. COA did not used to enforce residential sites but now there is more oversight.
- Silt Fences/Tree Protection
- Site Containment/Storm Drains
- Plumbing, sewer , line capping – W and WW records are so bad, took way too long and cost too much
- Combine Plumbing with WW inspection, gas, and electric – have inspector review before demo is released.
- ROW demands insurance certificate for a year – could use this for demo contractors
- Weed out "bad actors" by using minimum insurance requirements under contractor registration program (\$1 million)
- Make demolition, partial demolition, full demolition, "gut" remodel regulations all the same
- Express permits, Kitchen and Bathroom – cost will go up for all these activities.
- Currently no license required by City and State (only plumbing, HVAC, etc.)
- Who will issue license if implemented?
- Why is this an issue?
- Are people no licensed that are demoing? Concern?
- Does San Antonio require license or registration?
- How far do people want to go?
- If good regulations, it should meet
- Would this prevent a homeowner from working on their own home?
- TRCC used to be registered with them. Mediate disputes between.
- Is there going to be a new department that will issue license?
- What is considered a commercial use?
- 4 units must meet state requirements for asbestos.
- What's harder – to demo or to build?
- Brings up more concern if people are demolishing w/o regard the need of requirements
- When remodeling, there's permits posted. Where are they posted for demo? --> moved to online, not required to display – if not required, how do neighbors know?

QUESTION 3:

What is a reasonable timeframe and appropriate boundary for notification about a demolition site?

- 35 days is too long/Concurrent with other things: demolition contractors and homebuilders did not like the word “delay” and advocate for a shorter time/window, but agreed that if they could continue with other parts of the process like building plans, or other reviews during the delay before a demolition there could be some room.
- Variation in historic zoning districts? There was a brief discussion about a tiered system to historic zoning, something that a neighborhood could self-start by working with the city and could have specific notice requirements and or design standards (neighborhood plan?)
- Notify stakeholder orgs. It is definitely important to notify interested third parties like neighborhood associations, neighborhood contact teams and others on a list kept by the city.
- 2 weeks
- Not less than 30 days for notification and 300 feet.
- Limit work hours 8-5 pm
- 0 (zero) days
- 10 days
- 30 days is reasonable, takes almost that long for utilities
- 30 days
- 150 feet
- Notify adjacent property owners only, email neighborhood associations
- Notification to neighbors/Stakeholders
- Post sign on property once application is submitted – keep cost down for yard sign
- Require (new) building plans before demo is released
- Notification process – more opportunity for public comment
- 150 feet is fine for notification distance
- HLC notice is for 500 feet – costs \$1350
- No notification
- Neighbors interested in historic want notice
- How does notification work with Property rights?
- Time value of Money, delay
- Timeframe should be adequate based on the information that needs to be reviewed.
- Compliant in process
- Customer Care
- 500 feet – 5 houses in each direction
- How far can contaminants travel? This would affect neighbor
- Cool if neighborhood had architectural committee, historic preservation
- Within 500 feet of property
- Only historic?
- Historic info online to sift through

Demolition Permit Process Public Meeting #1 Breakout Session Stakeholder Feedback
Wednesday, March 7, 2018 | Millennium Youth Entertainment Complex

- Timeline: submittal data to appeal date – 30 days
- No waiting in
- Application process is the problem
- Keep customers coming back
- People are getting notification but want a broader geographic notification. Want neighborhood associations to be notified for all area and all notifications, specific within boundary.
- At least 300 feet boundary notification
- Notifications to go to all addresses
- Are apt. complex residents get notification or to apt. manager and they do not display.
- 30 days' notice – COA usually grants application within 24 hours – want more time and information- what if you have allergies?
- Portland has 30 day notice and 5 day hang tag
- We all want same thing – provide for family. When you add red tape that meets health and safety – it adds to costs
- Demo permit > \$10 K
- As a neighbor – want to get 2+ weeks' notice → Contractor supports longer
- Why is demo permit valid for 2 years?
- Concern of derelict homes and structures – Cath 22 of condemned structures – what is resolution? Pay fine to city? \$ For demolition – can they afford?

GENERAL PUBLIC COMMENTS:

- Design Standards for ATX: neighborhood folks expressed dismay at the loss of character and affordability when homes are demolition. Felt like the city permitting is allowing permits for ugly buildings – there is no home design standard for the city of Austin.
- Character/Neighborhood Mix/High Demand City: everyone agreed that Austin is both a high demand city but that there is some ethereal concept of character that people feel new houses lack, there was a brief conversation about how east side homes were tract developments in the 55s and Hyde park was a tract from the 1910s, but they are now seen as having character. It was agreed that there is a general desire to promote a healthy neighborhood mix of housing types and costs and that every time an old house is demolished and new house is astronomically expensive driving up taxable values around it and creating a cycle of decreasing affordability.
- Time it takes
- Cost of a demo
- Affordability
- Does this apply to relocations?
- Does this apply to remodels?
- Reduced tax base
- Incentivizing reduced housing stock
- Effect on our schools
- Raising awareness of alternatives to demolition; i.e. deconstruction or relocation

Demolition Permit Process Public Meeting #1 Breakout Session Stakeholder Feedback
Wednesday, March 7, 2018 | Millennium Youth Entertainment Complex

- Find optimal balance between affordability and preservation
- How long will streets be encumbered with construction equipment?
- Homes have a shelf life
- Will drive the cost of home to consumer to increase
- Electronic filing
- Photo uploads
- Learn how we are informed of demos and which take street ROW.
- Cost of housing is an issue
- Demolition regulations will not stop gentrification
- Property values
- Property Rights
- City process bureaucracy
- Loss of Single family homes in Austin neighborhoods
- How will new regulations be enforced?
- Cost of new regulations
- Cost of landfill
- Conservation
- This is my livelihood
- Need to learn more about proposed notification process
- How can process help preserve neighborhood culture and character
- How can we speed up the process?
- I want to the know the process and what to expect
- Learn the process
- I know the process, what should we know going forward?
- Anderson Lane/Justin Lane – existing land and asbestos cost?
- Homeowners often don't know status – costly to find out; rolled over to the next homeowner
- Protect neighbors without testing?
- Cheaper testing /Quicker Faster
- Holly Neighborhood – new residents see downtown
- Demolitions and new construction create waste, not a “green” recycling
- Tear down existing → build 2 structures → rentals, short term rentals
- Losing existing neighborhood character and culture [Sell big → move out of city → new neighborhood
- Families want to live in larger homes than existing, some families decide to move to better living in Del Valle
- Process to recycle demo materials
- Strip houses
- Existing home lots waiting for Demo permits → waiting for affordable houses?
- Which neighborhood associations are out there?
- International Standards for safety?
 - No local requirements for lead/asbestos
 - COA relies on State and Federal

Demolition Permit Process Public Meeting #1 Breakout Session Stakeholder Feedback
Wednesday, March 7, 2018 | Millennium Youth Entertainment Complex

- OSHA to protect employees--workplace safety
- Workplace safety – what about neighbors?
- Use water to control dust contamination
- Notification to immediate neighbors about Demos
- Daytime minimizes exposure
- Lead/Asbestos – OSHA issue for years
- New October 2017 concrete silicate dust
- Educate neighbors about process – what can you do to protect yourself and pets?
- Take commercial provisions of asbestos over to residential
- Very little can be saved from demo, takes lots of work--doors are saved but nobody wants them
- Junk collectors pick up metal on Bulk Trash Days
- What do we do with house with lead paint?
 - can't recycle
 - state regulations dictate how to demo
 - notify neighbors this house has lead/asbestos
- Better testing so everyone knows status of contaminated house
- Avoid "squatters" → dangerous
- Rat turds also dangerous
- Identify problem – demo happening? Is lead/asbestos present?
- Protest vs eyes/self
- If state is not requiring license for demos, City should not permit
- City should provide list of consideration for demos re: health and safety for workers
- City should require license
- Houses are smaller – not a popular model – doesn't increase profitability
- Buying a house with an ADU will also be expensive
- When land is so expensive – virtually impossible to address other issues like Health and Safety, oversight, for workers, structures – How do we fix this?
- Easy to sell land
- Notification and education packet for Lead/Asbestos
- Testing up front when applying for Demo permit
- Modeling after San Antonio – it is a joke
- More info for workers – health and Safety
- Online certification for demo permits – best practices from other cities (San Marcos, San Antonio) – take a tour. Texas has no licenses for general contractors
- Cost for process
- Florida, Massachusetts – require license
- Current system is working
- More protection against demos of old historic homes
- Where is this?
- Affordable to rent?
- Unpermitted demos – What is penalty? Austin could take someone to court.

From: Roig, Jose G
Sent: Thursday, March 08, 2018 3:47 PM
To: [REDACTED]
Cc: Anderson, Richard <Richard.Anderson@austintexas.gov>; Crist, Rachel <Rachel.Crist@austintexas.gov>
Subject: RE: lead based paint and asbestos and historic

Thanks Stuart,

I am forwarding this to Rachel to include with the recommendations.

José G. Roig, CBO
Building Official
City of Austin Development Services Department One Texas Center
505 Barton Springs Road, Suite 700
Office: 512-974-9754
Cell: 512-293-1948

-----Original Message-----

From: [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: Thursday, March 8, 2018 3:32 PM
To: Anderson, Richard <Richard.Anderson@austintexas.gov>
Cc: Roig, Jose G <Jose.Roig@austintexas.gov>
Subject: lead based paint and asbestos and historic

Here is a summary of my ideas about integrating lead based paint, asbestos, and historic review and inspection:

1. Single-family, two family, and multi-family built before 1980 can not be demolished or relocated without testing and abatement if testing reveals need to abate 2. Demolition or relocation permit not issued until testing results are submitted and reviewed 3. Pre-construction inspection does not occur until testing, abatement, and final report verifying abatement to test report is prepared by State licensed firms 4. Same firm can not do testing and abatement 5. Same firm can do testing and final report

This methodology allows compliance with the most rigorous funding requirements of HUD and assures safety for contractor employees and assigned City inspectors and neighbors.

Stuart Harry Hersh [REDACTED]

3/16/2018

Jeff Jack, Austin Neighborhoods Council President

Phone conversation with Rachel Crist, DSD Public Information Specialist Sr.

Informal feedback regarding the demolition permit process:

- Expressed concerns re: CodeNEXT Draft #3 reading and demolition permit process proposal going to City Council in June
- 28k signatures on the petition for CodeNEXT
- Concern about digital literacy as it relates to the community providing feedback online
- The real problem is displacement
- 30-year resident, has no trust in the City's ability to do the right thing
- Why even ask us, you're just checking a box
- Architect
- Rodney is taking the bull by the horns, but the damage is so extensive
- How can the City be accountable?
- Citizen Neighborhood Council
- Recommends weighing the comments on a point system
- For example, a representative of a neighborhood should receive more points because of the number of voices they are speaking on behalf of, 300+ values
- In contrast to financial interests
- To really impact this problem, enforce deed restrictions at the state level
- Zilker example, each subdivision has restrictions based on lifestyle and character
- Can't enforce neighborhood character without a deed restriction
- If you delay demo permitting you'll still get the same outcome
- If you're going to demo something, confirm that the new building will meet the previous deed restrictions to keep neighborhood character
- Talk to Brent Lloyd
- Notifications are good but skeptical of real change
- What about the environmental impact?
- Require an environmental impact study for each demo site and calculate the energy cost on the new construction
- Do not bother to go to Speak Up Austin
- Media is distorting the public perspective; critical of the media because they are just listening to staff, claiming that "concessions are being made for neighborhoods"
- Quantitative issue with engagement, it's not qualifying good ideas
- There's no way to balance the input
- Income vs quality of life
- Separate demo from tree permits process so that it's timed differently on the site
- Get separate input on tree removal
- Example – bulldozed entire house with appliances intact, no salvage process
- And parking/traffic issues for streets when a demo happens in small neighborhoods

From: Crist, Rachel
Sent: Monday, March 26, 2018 5:12 PM
To: [REDACTED]
Cc: Roig, Jose G <Jose.Roig@austintexas.gov>
Subject: RE: Citizen Feedback on Demolition Permit Process

Hi Ben,

I wanted to assure you that we've received your feedback and will include it with the public engagement for the demolition permit process. There is a public meeting this Wednesday from 6:30 to 8:30pm at Waller Creek Center that you're welcome to attend. It's an in-person version of the Speak Up Austin online forum with a brief presentation and breakout sessions with city staff. If you have any questions, please let me know.

Thanks for your input!

Rachel Crist
Public Information Specialist Sr. – Strategic Operations City of Austin Development Services Department
One Texas Center, 505 Barton Springs Rd., Suite 720
Office: 512.974.2295

-----Original Message-----

From: [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: Friday, March 16, 2018 11:35 AM
To: Crist, Rachel <Rachel.Crist@austintexas.gov>; Roig, Jose G <Jose.Roig@austintexas.gov>
Subject: Citizen Feedback on Demolition Permit Process

Dear Ms. Crist and Mr. Roig,

I am writing to submit feedback for the City's redesign of the demolition permit process. What I came up with wouldn't fit neatly into the boxes provided on "speakupaustin" so I've attached it as letter and copied it into the body of this email as well. Hopefully one of you is the correct person to send this to.

Thanks,
Ben

Dear City of Austin Development Services:

I am pleased to see that our city is considering addressing the conduct of contractors engaged in demolition work. I hope requirements can be added that protect worker and public health, even if this means a modest increase in oversight to our town's residential construction industry. Toward that end, I have thought of some possible routes the city could take to address the concerns laid out in the city's demolition audit and in the resolution passed by the city council.

Asbestos and Lead a threat to Citizens:

Once a common component in building materials, asbestos and lead paint remain a present-day danger in many aging residential properties. Asbestos fibers are small, light, frangible and travel readily. Lead paint particles have similar qualities. When asbestos-containing materials or lead painted surfaces are disturbed en masse by total demolition of a building or are thrown into open dumpsters or trash piles during extensive remodels, hazardous particulate will travel to adjacent properties to be breathed in and settle on surfaces and into the soil. Since it is the scientific consensus that there is no safe exposure level for either of these substances it should follow that residents living near demolition or “gut remodels” sites should not be allowed to have their health put at risk by careless actors.

A Threat to Workers:

Further, workers merely doing their job should not be unsafely exposed to lead and asbestos, a near certainty if suspect surfaces and materials are not identified prior to disruption. Lead paint was used for most of the 20th century, similarly the use of asbestos containing products was nearly ubiquitous for much of this time as well. Asbestos-containing drywall mud, tile, siding and roofing materials, “popcorn” ceiling textures, pipe insulation, as well as many other products are very common in Austin’s older housing stock. These materials are commonly disturbed by workers who are not informed of their presence by their employers, who often are ignorant of, or minimize the dangers involved. Worse still, contractors often pretend that those working for them are not employees at all, but “independent contractors” and thus beyond their responsibility.

These hazards are covered by OSHA standards for construction (CFR 1926.1101 for Asbestos as well as 29 CFR 1926.62 for Lead) and apply to residential construction and demolition work, though they are rarely actively enforced. I mention this, because in the council meetings leading up to this stakeholder session, state law seemed to be presented as the only relevant existing regulation. This is not the case, as federal law already applies to these same job sites as it relates to protection of workers.

How might the City of Austin better reinforce safety requirements for demolitions?

The city should require a demolition contractor to provide a survey of lead and asbestos-containing materials in any building where ACM or Lead-based paint would be determined to exist and likely to be disturbed in the course of the work performed. The granting of a permit for demolition would then be contingent upon proof of proper abatement of these materials by a qualified party with proper certifications. This could be approached a number of ways, including city licensing of demolition contractors. The bottom line however, is that it should be necessary for residential properties to be abated of all potentially friable (or that may become friable during demolition) asbestos and lead prior to general demolition. These hazards should also be taken into consideration when processing permits for extensive remodels with a substantial interior-demolition component, or in smaller jobs where a permit applicant could be asked to indicate if work will involve disruption of materials likely to contain ACM. (E.g.: Re-siding house where existing siding is asbestos-cement etc.)

Notification requirements to surrounding residents should also be expanded. A recent study (2013) published in Public Health Reports examined the problem of lead fallout from single-family housing demolitions and found significant lead levels in dust far from the demolition site and concluded that “Community member notification should be widened to at least 400’ “(1). Short of a requirement for full abatement of lead painted surfaces prior to demolition (asbestos is a separate matter), the city could look to the apparent success of the “Baltimore Demolition Protocol,” which a 2008 study

published by the National Center for Healthy Housing (2) found to significantly decrease lead fallout when compared to demolitions performed without these controls in place. A few of its prescriptions include the use of high barrier fencing, a preference for as much careful deconstruction as possible prior to demolition, and the use of multiple fire hoses to thoroughly and continually wet the job-site before and during demolition as well as wetting debris as it is removed. Among its other provisions, this protocol also calls for the third-party monitoring of air, dust and soil, widespread public notification and the designation of a full-time dust suppression manager. As our city moves to adopt better practices for residential demolitions, it is possible elements of what has been successful in Baltimore could be adapted for use here as well.

Establishment of License Requirement and The Question of Preemption:

During the 8/22/17 meeting of the City's Audit and Financial Committee, Development Services expressed an uncertainty as to whether the extension of mandated pre-demolition hazard surveys to residential properties would run afoul of state law. While I am unaware of the details of these concerns, hopefully, the city could look to our state's asbestos program and perhaps apply its requirements and existing certification program to residential demolitions. This might reduce the risk of "legislative preemption" as the city would simply be extending regulation to a class of project outside what the state had limited itself to (government and commercial sites). As the Audit and Resolution note, The city of San Antonio has a licensing requirement for demolition contractors that is tolerated by the state, indicating that a similar municipal level license would be possible for Austin.

Other Approaches:

As mentioned earlier, even without the city's further involvement, OSHA already regulates these jobs sites, even if practically speaking this amounts to little real oversight. In May of 2010, then secretary of labor, Hilda Solis wrote to former Mayor, Lee Leffingwell expressing interest in forming a pilot partnership with OSHA (3) where city building inspectors would be trained to spot certain OSHA violations during their inspections and refer them to OSHA. In the letter she recognized OSHA's limited resources and welcomed our city's cooperation. I have not been able to find what the state of this program is, or what our city's response to this request was. Given that OSHA has detailed lead and asbestos standards that set forth requirements including training in protective equipment, work methods for removal, isolation of work areas, as well as transportation and disposal of contaminated waste among many other relevant topics. It also requires contractors to assume that certain materials contain asbestos. Reading these regulations suggest to me that if a contractor were assured to follow these rules it would go a long way toward protecting the public as well.

The city's Demolition Audit noted that the city's inspectors do not currently visit the job site prior to the start of work and many times do not perform a follow-up inspection until after new construction has begun. If a city inspector were trained in relevant OSHA rules and required to perform a walkthrough of the job with a contractor prior to the start of work, then the demolition contractor, who in turn was also required to have their crews OSHA trained (along with an onsite safety coordinator) would, with the knowledge that a city inspector could make an actionable complaint to OSHA, be inclined to perform a safe and professional job. The city has already recognized the importance of health and safety training through provisions in its Expedited Building Permit process and for businesses working under city contract. Ensuring a similar level of compliance with federal regulations on at least certain residential projects, such as demolitions may yield at least a partial solution to public safety issues surrounding demolitions in the event the city's other licensing efforts met with legal opposition from the state.

An Acceptable Cost:

The State of Texas, through its choice not to create a state OSHA program, and its choice not to regulate residential abatement, has contributed to a sort of regulatory vacuum that has been filled in many cases with a mixture of opportunism and incompetence on the part of some contractors, and whose negative effects have only been exacerbated by Austin's feverish-real estate market. The general reluctance to regulate residential construction may stem from a well-meaning desire to keep costs down and avoid "red-tape" for homeowners simply trying to maintain or modify their homes to fit their evolving needs. These concerns are reflected in many of the comments on "speakupaustin" feedback forum and are understandable. They do not however, reflect the current reality of what is happening in a city where so much residential construction is not homeowner centered, but involves speculative building and "house-flipping." Even if an investor and their contractor are seeking to build a quality end product, they will often seek to cut costs at the least visible stage of the job to the end buyer: the demolition process. To assure that contractors do this in a way that does not jeopardize other people's health in pursuit of their bottom line is not too much to ask.

I wish your team the best in drafting new guidelines and appreciate your taking the time read my feedback.

Sincerely,
Ben in Oak Hill

(1) Jacobs, David E. et al. "Lead and Other Heavy Metals in Dust Fall from Single-Family Housing Demolition." Public Health Reports 128.6 (2013): 454–462. Print.

Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3804089/>

(2) David E. Jacobs, PhD, CIH, et al, "Lead Particulate Deposition from Housing Demolition," (2008)

Available at <http://www.nchh.org/Portals/0/Contents/Article0858.pdf>

(3) Letter from Hilda L. Solis to Mayor Lee Leffingwell 5/4/2010 (Page 14)

Available at <https://www.osha.gov/sec/construction.pdf>

From: Betsy Greenberg [mailto: [REDACTED]]
Sent: Tuesday, March 27, 2018 9:11 AM
To: Ko, Eunice <Eunice.Ko@austintexas.gov>
Cc: [REDACTED]
Subject: INPUT TO HELP DRAFT NEW DEMOLITION PERMIT PROCESS

Ms. Ko,

Please consider the letter below for information with concerns about how a recent demolition permit for 902 W 30th St was handled.

Thank you.

Betsy Greenberg
(Heritage NA treasurer)

----- Forwarded message -----

From: 'Gretchen Flatau' [REDACTED] [canpac] <[REDACTED]>
Date: Fri, Mar 2, 2018 at 9:38 AM
Subject: [canpac] Re: Concerns on Handling of 902 W. 30th Street (Desenex House), Case Number: HDP-2018-0025 PR-2017-159972
To: steve.sadowsky@austintexas.gov, greg.guernsey@austintexas.gov
Cc: "Adler, Steve" <Steve.Adler@austintexas.gov>, Kathie.Tovo@austintexas.gov, [REDACTED] spencer.cronk@austintexas.gov, [REDACTED] bc-Mary.Galindo@austintexas.gov, BC-Andrew.Brown@austintexas.gov, BC-Trish.Hudson@austintexas.gov, BC-Emily.Hibbs@austintexas.gov, BC-Kevin.Koch@austintexas.gov, bc-Terri.Myers@austintexas.gov, bc-Alexander.Papavasiliou@austintexas.gov, BC-David.PeytonII@austintexas.gov, bc-Emily.Reed@austintexas.gov, bc-Blake.Tollett@austintexas.gov, bc-Sarah.Valenzuela@austintexas.gov

Dear Mr. Guernsey and Mr. Sadowsky,

On Monday the Historic Landmark Commission postponed hearing the Desenex House case. On Tuesday Mr. Sadowsky overrode the decision of the HLC and released the demolition permit.

Heritage NA objects to the way this case was handled:

1. Mr. Sadowsky's overriding of a decision by the HLC
2. The lack of a public hearing
3. The lack of transparency

4. The inequity in choosing to grant one demolition permit over others that were postponed by the commission. At Monday's hearing, Mr. Sadowsky stated that the cases being postponed were not urgent.

Heritage NA indicated to Mr. Sadowsky its interest for the Desenex House. As president, I:

1. Contacted Mr. Sadowsky on Friday, Feb. 23 by both email and fax, that the we request a postponement to allow time to talk to the homeowner (we have documentation of both)
2. Attended the HLC meeting on Feb. 26, signed-in in opposition to the approval of the demo permit and pulled the item off the consent agenda when it came up.

Further, the HLC voted unanimously on May 19, 2014, to initiate historic zoning on the Desenex House. Because of the HLC's previous decision, this case merited a hearing. We also had additional issues that we wanted to share with the Commission and staff:

1. The impact of the proposed house and garage second stories on the heritage trees on 902 W. 30th as well as adjacent properties. Development review notes that the tree review has failed.
2. Possible setback intrusion into adjacent properties. Development Review notes that the house is non-complying and setback issues may be the reason.
3. Another house in our neighborhood, 610 W. 31 ½ Street, received a "partial demolition permit" and ended up being completely demolished. We wanted to ensure this would not happen again.
4. Further research showed that the original homeowner, John C. Baker, created enriched flour in addition to Desenex and had 50 other patents.

Heritage Neighborhood Association would like an explanation of how the Desenex House could be placed on the HLC's agenda, postponed, and then Mr. Sadowsky be allowed to overrule the Commission's decision.

Sincerely,

Gretchen Flatau
President, Heritage NA



From: Caroline Reynolds [mailto: [REDACTED]]
Sent: Tuesday, March 27, 2018 12:33 PM
To: Ko, Eunice <Eunice.Ko@austintexas.gov>
Subject: Re: Demolition Permit Process Public Meeting #2

Could you please pass along to the Dev Services Dept that they should already have SOME ideas of the problems with **demolitions** and provide the public with a summary of what they already know are problems and what solutions they have implemented and are proportions.

Then we can know whether they are paying attention and are on the right track on solutions.

Staff always acts like they need our help, but they really have a hidden agenda — that is, to say that they DID solicited public input. However, since they were secretive about their agenda, our input is tossed in the trash and used to support their secret agenda. Consequently, the community volunteers are becoming ever more cynical about taking our time and effort to support staff's secret agenda.

Currently, the CodeNEXT meeting with a cash bar and roller girls for a wasted hour holds the acme for clueless staff community input planning.

Some of the other CodeNEXT meetings were also wastes of our time — especially the one where they threw away the Allandale annotated aerial photo that we all with comments about the things we liked about our n'hood (trees, parks, cul de sac for picnics, etc), and then Guernsey and Optikos unilaterally decided that someone outside our n'hood had 'written on it' and tossed it out of consideration.

Fortunately, we caught them, but we had to have Peggy Maceo transcribe notes onto another map. However, we took this as a sign that these guys were not to be trusted. We are shocked, appalled and disgusted by the many ways that Guernsey's staff have mistreated and abused our good attitudes and cooperative spirits.

Caroline Reynolds
CR Solutions
[REDACTED]

Demolition Permit Process Public Meeting #2 Attendance

Wednesday, March 28, 2018 | Waller Creek Center

FIRST NAME	LAST NAME	ORGANIZATION	INDUSTRY	STAKEHOLDER	LANGUAGE	EMAIL
Carlos	Jaimes	Austin Demolition	Commercial, Residential	Industry	English, Spanish	
Karen	Rodewald	DAR Construction				
David	Rodewald	DAR Construction				
Robert	Buchanan	CCG Development				
Cody	Carr	THR, LLC	Commercial, Residential	Industry	English	
Melissa	Brown	Patten Law Firm	Commercial, Residential	Industry	English	
Victor	Cortes	COA-PAZ				
Ki	Gray					
Dana	Ambs	Making Modern Home	Residential	Industry	English	
Jonathan	Rock		Residential	community		
Ross	Rathgeber	Southwest Destructors	Residential	Industry	English	
David	Glenn	HBA Austin	Residential	Industry	English	

GENERAL PUBLIC COMMENTS FOR TECHNICAL PANEL (COA STAFF):

- Properties that stay vacant during waiting period, criminal problems are attracted
- Any look at this safety issue with APD?
- Concern that making it more difficult to tear down a house with asbestos that remodels will avoid those houses, leave them in place, and make the health problem worse
- Notifying may be helpful but delay will increase cost
- Would like to know if process improvements are considered as part of this
- Notifying AW & AE would be helpful to applicants so they don't have to do so separately
- Demolition process is the one that currently works the best for customers
- Helps with affordability now
- Increased cost – will that be quantified
- Concerns about affordability
- (Staff note: need community input on cost)
- Should we avoid looking to other cities with housing shortages such as Portland?
- Did Portland's process work well for the city?
- Increased holding costs & risk
- Homeowners will ultimately be stunned by the impacts of this
- Notifying internal departments is good for customers
- Health outcomes – asbestos still exists in remodeling situations, demolition actually removes it
- People are already living with health concerns from old housing stock
- Long term asbestos is the issue
- Public safety concerns with vacant houses, i.e. boarded up houses while delay demolition
- Talk to the Code Dept. and APD about the public safety issues

QUESTION 1:

How might the city of Austin better reinforce safety requirements for demolitions?

- Contractors are human too and sometimes forget to close out permits but it's not on purpose
- Final site visit to confirm site is cleared and safe
- Call for final inspection after the demo is clear
- Reality is after demo, next day foundation is poured
- Cap & close city utility lines
- Cap & clear process for inspection before tear down
- Land in Austin is worth more than the houses so demo permit is a selling point
- Need BP to confirm the property is viable for sale
- Demo permit is an incentive to sell the house
- Contractor knocks on every door to let nearby residents know
- Concerned about neighborhood safety
- Vacant lot is better than vacant home
- Tie AMANDA BP to demo permit to close out
- Recommend an automatic process
- Unaware of examples of demos with hot utilities
- Asbestos survey costs between \$5,000-15,000

Demolition Permit Process Public Meeting #2 Breakout Session Stakeholder Feedback
Wednesday, March 28, 2018 | Waller Creek Center

- Make sure hard hats, water down and use dust controls for demo site
- Contractor assumes everything is asbestos because of old housing stock
- Offer demo safety trainings
- Suggest “certification process”
- What are the impacts of this (financial)
- What protocols can be established as standards, i.e. checks and balances
- Certify prior to demo on application
- Code Dept. can enforce or other penalties can happen
- Info sharing will take care of the utility safety requirements
- Code enforcement contacts or other info sharing to “new/green” contractors is helpful
- Add utility numbers on the application
- Demo Hotline – create a demo hotline
- Utilities aren’t an issue but could add AE/AW/TX Gas info on the Demo Application
- Safety issues for remodeling not just demo, even more so because of old houses may have asbestos and lead that families currently live in
- Creates a volatile situation
- Big change to satisfy the few who have complained

QUESTION 2:

How should the city of Austin address the concerns about the lack of licensing or oversight for demolition contractors?

- Construction businesses can move, increases in the building business
- But Mom and Pop’s, i.e. small businesses will get hurt with licensing
- State regulations being followed it’s in their (contractor) insurance policy
- Certified letter is signed
- No state law that requires license... look at Dallas
- Dallas is doing great, process seems easier look there vs. San Antonio
- If demo companies need to be licensed then remodel issues may come up for builders,
- Compliance issues
- How do you license a demo contractor?
- General contractor across the board?
- Have regular stakeholder meetings for all DSD areas quarterly
- 1000x yes

QUESTION 3:

What is a reasonable timeframe and appropriate boundary for notification about a demolition site?

- Work with historical preservation to make the number of years higher
- CodeNEXT D3 suggests 45 years
- Notification doesn’t work except for historic preservation which already exists

Demolition Permit Process Public Meeting #2 Breakout Session Stakeholder Feedback
Wednesday, March 28, 2018 | Waller Creek Center

- Demo isn't going to stop but if notification is going to happen not 45 days
- CodeNEXT isn't changing the disincentive to preserve
- For example, bonus to ADU
- If keep the front house but trees can be an issue
- From a market standpoint, best scenario, keep the front house and build ADU but that's hard to do because contractors need more infill tools
- Housing stock is unsafe, can't be saved
- Restored homes cost more – developers will always try to do this because there's value but the houses are hazardous and over setbacks
- Contractors have positive experiences
- This problem doesn't exist
- Tearing them down because house is bad
- Is the demo negatively impacting the area or are people complaining?
- Why does the neighbor who doesn't want the neighborhood change get more say than property rights/owner?
- Why does it matter if the house was demoed and not historic?
- PROPERTY RIGHTS
- Notifications are already going out via Nextdoor, especially in historic preservation neighborhoods
- 0 days / 0 boundary
- Creates a nightmare scenario
- Going to get people all riled up thinking someone can stop a demo but regulations are being followed

From: Castillo, Jaime
Sent: Wednesday, March 28, 2018 12:37 PM
To: [REDACTED]
Cc: Crist, Rachel <Rachel.Crist@austintexas.gov>
Subject: RE: Demolition meeting public process

Good afternoon Andrei,

Thank you for reaching out with your concerns.
I will provide your feedback and your request for additional meetings to the project manager.

Please take note that we are using SpeakUp Austin to gather input online:
<https://www.speakupaustin.org/demolitionpermits>

The public meetings are designed with a similar outline. During the public meeting, city staff covers the City Council-directed initiative and the resolution. The Document Library listed on the right side of the window (if viewing on a desktop) contains the files provided and the presentation from the March 7th meeting. During the meeting, breakout groups discuss the 3 questions featured on the site. Feedback collected at the meeting will be merged with the feedback collected through SpeakUp Austin. Staff will use this data to draft the process.

We are interested in hearing your thoughts on the process.
And again, the project manager will be made aware of your concern and request for additional meetings.

Respectfully,

Jaime Castillo
Public Information Specialist Sr. (Temporary)
Office: 512.974.1575

From: Andrei Lubomudrov [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: Wednesday, March 28, 2018 10:42 AM
To: Castillo, Jaime <Jaime.Castillo@austintexas.gov>
Subject: Demolition meeting public process
Importance: High

Hi Jaime, I am emailing you about the Demolition permit public meeting tonight. I want to express my concern that both meetings about this process have been held on Wednesdays, during weekday evenings. These times are very hard for families with young children and, since it does not appear that either event has come with the option of livestreaming or interactive participation, the fact of both meetings occurring during the same time truly limits who can participate.

I am requesting that the City weigh holding one or more additional meetings or taking other measures to broaden public participation process beyond those who are able to shoulder more weekday evening obligations.

Thank you,

Andrei Lubomudrov | Senior Policy Advisor
Austin Board of REALTORS® | Abor.com

[REDACTED] (o)
[REDACTED] (c)
[REDACTED]

Demolition Internal Stakeholder Focus Group Meeting #2
Tuesday, April 3, 2018 | One Texas Center

Name	Attendance	Response
Crist, Rachel	Meeting Organizer	None
Orenstein, Jonathan	Required Attendee	None
Flora, Alice	Required Attendee	Tentative
Contreras, Kalan	Required Attendee	None
Roig, Jose G	Required Attendee	Accepted
Wilhite, Joan E	Required Attendee	Accepted
Patterson, Jeffery	Required Attendee	Accepted
Zemel, Jody	Required Attendee	Accepted
Word, Daniel	Required Attendee	Accepted
Lucas, Denise	Required Attendee	Accepted
Johnson, Christopher [DSD]	Required Attendee	Accepted
Bertron, Cara	Required Attendee	Accepted
Gibbs, Carol	Required Attendee	Accepted
Greathouse, Stevie	Required Attendee	Accepted
Rice, Andrew	Required Attendee	Accepted
Culver, Beth	Required Attendee	Accepted
Mars, Keith	Required Attendee	Tentative
Rodriguez, David [DSD]	Required Attendee	Accepted
Autry, Kevin	Required Attendee	Accepted
Wright, Marlayna	Required Attendee	Accepted
Mendoza, Sergio	Required Attendee	None
Embesi, Michael	Required Attendee	Tentative
Boyles, Molly	Required Attendee	None
Leak, Erica	Required Attendee	None
Mendez, Jerome	Required Attendee	Accepted
Meyer, Christopher	Required Attendee	None
Zerda, Joseph	Required Attendee	Tentative
Herrera, Daniel	Required Attendee	Accepted
Rousselin, Jorge	Required Attendee	None
Chapman, David	Required Attendee	Tentative
McDonald, John	Required Attendee	Accepted
Dutton, Greg	Required Attendee	Tentative
Galati, Donna	Required Attendee	Accepted
Pepper, Gregory	Required Attendee	None
Dymkowski, Jim	Optional Attendee	Accepted
Mooney, Ryan	Optional Attendee	None
Amayo-Ryan, Paloma	Optional Attendee	None
Sedghy, Reza	Optional Attendee	None
Lewallen, Isaiah	Optional Attendee	Accepted
Lozano, Jaclyn	Optional Attendee	Accepted
Brown, Nan	Optional Attendee	Declined
Anderson, Kathleen	Optional Attendee	None
DSD Conf Rm 300	Resource (Room or Equipment)	Accepted

ROUND TABLE FEEDBACK AFTER COMMUNITY ENGAGEMENT DEBRIEF:

David Rodriguez – DSD IT

- Here to support AMANDA changes as needed

Marlena Wright – Code Dept. Pre-legal

- Court ordered demos

Carol Gibbs – DSD Neighborhood Asst. Center

- Complaints about demo or relocations without neighborhoods having advance notice
- Lots of concerns about trees

Michael Embesi – DSD Community Tree Preservation

- Opportunity to outline the bare min processes for demo contractors
- Provide a process that ensure compliance with min regulations
- Prioritize and identify what resources we need to meet this
- Dust, erosion controls, utilities, trees, etc.

Jonathan Orenstein – Austin Water

- Existing water services at a demo site need to be abandoned or protected
- Earlier involvement in the process will help AW provide increased services, especially if other types of utilities will be needed (i.e. new services)
- LDC needs to be consulted to let customers know what can happen to the vacated lot
- Lost & stolen meters (didn't get her name, came with Jonathan)

José Roig – DSD Building Official, Project Manager

Daniel Word – DSD Residential Building Plan Review

- Oversees residential demo permit process
- All impacts to work unit

Donna Galati – Land Use Review

- If demo is greater than 10k sq. ft. than it goes to site plan review
- Donna and Chris Johnson have only seen two of these ever

Chris Johnson – DSD Development Asst. Center (DAC)

- Demo restrictions regarding commercial, site plan exemption process starts in the DAC for projects > 10k sq. ft.
- Check for tree protections and erosion controls, etc.

Beth Culver – Commercial/Residential Building Plan Review

- Asbestos survey/letter follow min state requirements for a remodel not a total demo

Stevie Greenhouse – PAZ Historic Preservation staff

- Commercial intake for all demos, trying to change this
- PAZ needs more time to do the historical preservation review

Demolition Permit Process Internal Focus Group Meeting #2
Tuesday, April 3, 2018 | One Texas Center

Joan Wilhite – Austin Energy

- Want to be inserted into the demo process more fully to catch violations or “floating” utilities
- Fees are increasing to \$800+ for hot ground lines
- Document pictures of what AE finds that is a safety hazard and attaches to the demo permit so the customer can see the issue, typically on demo sites, but sometimes when siding is being replaced
- In the field problems, vs. being involved in the process (via AE staff in DAC)
- No pre-construction on residential (Jose)
- Legal issues with contractors working off the unpaid power lines
- Need to disconnect and remove power
- Demo permit application doesn’t mention AE
- Already working on educating the AE call center to address issues of what service changes are needed

David Chapman – DSD Environmental Enforcement & Inspections

- Infill inspectors, residential construction from demo to building
- Talk with the demo contractors to have them call the EV Inspectors to confirm controls
- AMANDA is being updated to trigger an EV Inspection folder for monthly inspections prior to new construction (PR triggers EV Inspection)

John McDonald – DSD Environmental Enforcement & Inspections

Sergio Mendoza – Watershed

- Storm drain infrastructure
- Issues of building occurring on top of this
- After the demo is done what happens afterwards is where the gap is for Watershed, address issues afterwards when

Chris Meyer – Watershed

- Field operations, concerns with redevelopment and controls

Kevin Autry – Watershed

- Engineering
- Support DSD in reviewing some apps as it relates to floodplain rules
- Issues with demo in floodplain
Residential has a disclaimer that drives customers to Watershed, but not much
- Not in the commercial building plan review process at all and would like to be included

Jody Zemel – DSD Neighborhood Asst. Center

- Agrees with Embesi
- Include AE/AW/etc. to include and improve this process
- Notification – who needs to know re: a routine demo? Understand the process for historic, but has concerns about transparency with notifications

Jaclyn Lozano – ATD

Demolition Permit Process Internal Focus Group Meeting #2
Tuesday, April 3, 2018 | One Texas Center

- Here to learn about the process
- Utility coordinator with ATD (he also worked SXSW, didn't get his name)
- New utility infrastructure after demo
- ROW Management
- 6-10 process on a weekly basis, reviewing conflict of utility in the ROW
- General min guidelines
- All utilities are present and they help with the review process
- Completeness checks for all site plans
- In the process for site plan review, but not for demolition
- Need outreach to be done out-front? To review demo projects to provide input
- Focus is conflict of utility before the building process starts

Jerry Mendez – Austin Energy DAC

- Preliminary review for residential
- Issues with builders after demo trying to build too close to utility lines, this could be addressed earlier in the process
- Safety clearances, customer has to revise plans after the fact and they're usually upset

Jeff Patterson – NHCD PIO

- Hears about all the big issues

NOTE: ARR staff isn't here today so we need to follow up with them regarding the process

OPEN GROUP DISCUSSION:

- PR Folder (David) can include/trigger the other departments in AMANDA
- Not site plan folder (Donna) because the work comes with cost and it may never be done
- PR – plan review
- Do we need to create a review process for all demos?
- Currently there's only a review for historic preservation
- AE – Needs a min of 24-hours to review, 48-max if they have everything
- If a field spotter is needed then 4 working days
- What are they demoing and what are they proposing as a rebuild
- Need to know what's happening with the on-site electricity (disconnect, etc.)
- Jerry says AE just needs a checklist on the demo application – AE signs off on the task
- AW – similar needs as AE
- New building coming after demo issues
- Watershed – geographic case assignment (working with DSD on this now)
- A buffer distance of the floodplain can trigger a review by Watershed
- Problem is old infrastructure, pipes in easements, pipes we don't know about, etc.
- Private public partnership to fix these problems after building
- Jose proposing to hold new building permit from being issued until the demo permit is closed
- Beth – this wouldn't slow down the review process, DSD would just keep the demo inactive

Demolition Permit Process Internal Focus Group Meeting #2
Tuesday, April 3, 2018 | One Texas Center

- Getting rid of partial demo because it's just a remodel (process isn't needed, Beth)
- EV Inspection is involved in every demo – that's the fix (David)
- Site plan exemption issues with fees
- EV Inspection meeting needs to happen before the demo starts for EV controls (this is called a pre-construction meeting for commercial)
- Demo is still not being caught at the front end
- Hold permit for demo until the EV site inspection is complete?
- Proactive vs reactive
- Process improvement after the audit
- EV Team stop work order or written violation
- EV could work with AE because they're already onsite
- Application and Completeness Check
- ARR emails about recycling ordinance
- Why notify the public if they don't have any recourse?
- Notification for safety info and awareness
- Code – state won't do anything for residential asbestos concerns so don't mislead public
- What info is helpful for public notification?
- Need to talk to legal about this (Beth)
- How do WE know WHEN the demo
- NHCD has funds to help residents who want to remedy asbestos/lead in home

4/16/2018

Lucia Athens, COA Chief Sustainability Officer

Conference Call with Denis Lucas, DSD Deputy Director; José Roig, DSD Building Official; and Rachel Crist, DSD Public Information Specialist Sr.

Internal stakeholder feedback regarding sustainability and the impacts of demolition:

- Unintended consequences...
- Jose's most recent feedback re: Portland's delay ordinance in response to a Council Resolution
- Emphasize safety requirements and better notification process
- Tools that we currently have, GIS map of demolitions
- Use state laws that are already in place re: asbestos/lead and communicate with neighbors about how to follow up with state if issues arise
- Lucia's concern is re: asbestos/lead health concerns and the environment
- ID houses built during this time period?
- Biggest impact is to the construction workers – OSHA standards
- Resources would be required to regulate and enforce state laws

4 Total Topics of Concern:

History/Historic Demo – PAZ staffing levels for historic preservation

Recycling Materials – ARR status on the construction ordinance; alignment of new rules

- Educate people on options – avoid construction waste; consider moving the structure; deconstruction; demolition and recycling the waste
- Who's the audience that we would target for these educational messages?

Community Impact – notifications; physically and emotionally prepare for the demolition, delicate plants to protect, etc.

- More info is better than nothing, could protect us as a city
- Jose's concern: may create a sense of stopping
- Personal experience – demo in neighborhood and no one knew it was happening
- City doesn't know when the demo is going to occur; maybe we can put this on the contractor to notify neighbors within say 5 days

Notification Process – recommended boundary should be everyone on the block

NOTE:

Add Lucia Athens to the Internal Focus Group meetings

Chief Equity Officer – follow up with Brian Oakes

Demolition Permit Process Public Meeting #3 Attendance
Saturday, August 18, 2018 | Mexican American Cultural Center

FIRST NAME	LAST NAME	ORGANIZATION	INDUSTRY	STAKEHOLDER	LANGUAGE	EMAIL
Ross	Rathgeber	Southwest Destructors	Commercial, Residential, Trees	Industry	English	[REDACTED]
David	King	Self		Community		[REDACTED]
Kate	Singleton	Preservation Austin	Commercial, Residential, Land Use, Trees	Community	English	[REDACTED]
Robert	Alvarado	COA - ACD				[REDACTED]
Kelly	Stilwell	COA - DSD	Residential	COA Staff		[REDACTED]
Chip	Harris	Crestview N. A.	Residential	Community	English	[REDACTED]
Scott	Burns	Lincoln Ventures	Commercial, Residential, Land Use, Trees			[REDACTED]
Renzema	Alza					[REDACTED]
Shannon	Halley	MPT Tovo's Office			Other	[REDACTED]
Denis	Lucas	COA				[REDACTED]
Laura Gass	Weaver	SRCC	Residential	Community	English	[REDACTED]
Gilbert	Rivera	Raza Round Table	Residential, Land Use, Trees	Community	English	[REDACTED]
Mike	Currens	Pres Lakewood HOA	Residential	Community	English	[REDACTED]
Jennifer	Hanlen	Permit Partners	Residential	Community	English	[REDACTED]
Greg	Anderson	Austin Habitat	Residential	Community	English	[REDACTED]
David	Glenn	HBA	Residential	Industry	English	[REDACTED]
Marni	Schauble					[REDACTED]
Kimberly	Morrison	ATD - ROW		COA Staff	English	[REDACTED]
John M.	McDonald	DSD		COA Staff		[REDACTED]
Don	Ruising	Eastside Dreams		Industry	Spanish	[REDACTED]
Julia	Ruising	Eastside Dreams				[REDACTED]
Jane	Rivera	Raza Round Table		Community	Spanish	[REDACTED]
Mary	Ingle	ANC & NUNA				[REDACTED]
Hermelinda	Zamaripa	Raza / LULAS				[REDACTED]
Charley	Rveckle	Hyde Park Neigh. Assoc.				[REDACTED]
Betsy	Greenberg	Heritage NA			English	[REDACTED]
Girard	Kinney	K&A + CNA	Commercial, Residential, Land Use, Trees	Community, Industry	English	[REDACTED]
Jonathan	Lee			Community	English	[REDACTED]
Tara	Mahoney			Community	English	[REDACTED]
Priscilla	Ebersole	UBC	Residential		English	[REDACTED]

OPEN DISCUSSION COMMENTS AND FACILITATED Q&A

GOAL #1: Ensure appropriate reviews take place prior to demolition activities.

Staff recommendations include:

1. Consolidate location for obtaining demolition permits. Restructure the demolition permitting process so residential and commercial demolition permit applications are obtained from the same location within the Development Services Department (DSD).

2. Provide clear process and requirements. Enhance information available to stakeholders on the DSD website in regard to the demolition permitting process and safety requirements.

3. Expand departments involved during the review period. Provide a coordinated review process that includes Community Trees (for residential), Flood Plain, Historic Preservation, Austin Resource Recovery, Austin Energy, and Austin Water.

- Where will the central location be for demolition applications?
Development Services Department
- Would the demolition escrow remain in place?
If this is a program we have in place, we would more than likely keep it.
- With more reviews in the process, more time, have you given any thought into the timeframe it would take?
We are looking at setting a timeframe of 5 business days.
- Regarding notification, can they apply for a demolition permit online?
Online applications will be introduced in the next few months.
- There should be a way to notify adjacent property owners about the demolition permit. Older homes have asbestos and lead and there is no notice to neighbors. Neighbors have a right to be notified and know what they are being exposed to.
Notifications will be provided, this is in a later recommendation to be presented today.
- Money & Fees – I don't see anything addressing this here. What are the current fees and what are the proposed fees?
Fees are cost of service. Currently we don't have any fee increases associated with the change in this process. There are not additional fee types proposed with the change with this process, existing fees will be charged for review and inspections. At this time, we don't see having to add additional staff. We don't currently have a clear review and inspection process.
- With regards to historic preservation, I know there is surveying on the East side. I thought that when you did that, you were looking at every single property, but that is not the case. Maybe I'm

Demolition Permit Process Public Meeting #3 Staff Recommendation Feedback
Sunday, August 18, 2018 | Mexican American Cultural Center

missing the goal in the first place. I don't want to buy a historic property and be tied up for 3 months. What was the purpose for surveying all the properties?

Properties that are on a limited historic property are designated and the national register. The survey does provide very valuable information. If demolition is what you are proposing give us a call. Generally, we can get us to research within your option window to see if it needs to go to the Historic Landmark Commission. Pretty good idea if it will be subject to the process.

- East Austin Historic survey was done. Can it be put up on the website?
The City has not put up the GIS layer yet. Anyone can go look. Make sure you look at layer 3. All surveys the City has done is up there. – GIS layer.
- Question about enforcement – It's one thing to have rules, but another to enforce them. They took down an old house except for the exterior walls. There was not anything to enforce because they stuck to demolition permit.
That wasn't a total demolition. If work is exceeded beyond plans, the inspector would send them back to plan review. If not, we can modify the demolition permit. Really don't have cutoff point to say you can't go beyond this point if it is code compliant.
- Another area we need to include – gentrification. I think the Equity Office should be included as a reviewer.
- Historic component – Is there a process for someone purchasing a house to get a review to help them make a decision & are there fees associated with it?
All we can do is say if it will need to go to the Landmark Commission, and this is our recommendation.
- Is that an administrative process or directed to the demolition process in the field?
Staff will make an administrative decision where allowed, but the Historic Landmark Commission outcome cannot be predetermined.
- At one time there was talk about a pre-demolition asbestos survey. What is the status of this?
This will be discussed with the next set of recommendations today.

GOAL #2: Ensure appropriate safety measures are in place prior to demolition activities.

Staff recommendations include:

1. On-site pre-construction meeting. Require an on-site pre-construction meeting before activating a demolition permit and the start of demolition activities. This mandatory meeting will be a requirement to verify environmental and tree protections are in place and that all utilities have been capped or appropriately modified for use during construction.

2. Enforce the state requirements for asbestos and lead. Require acknowledgement of compliance. Require evidence that an asbestos survey has been completed or that a certification letter from a licensed engineer or architect has been provided in compliance with state regulations. Require notarized acknowledgement from the contractor that they will comply with applicable state and federal regulations for asbestos and lead removal and disposal.

3. Require permits to pass final inspection. Require all demolition permits to pass final inspection prior to releasing a permit for new construction intended to replace the demolished structure.

- Oversight and how soon is that oversight going to happen. When you have builders throw lumber with old nails on to the sidewalk. People coming in and clearing the lot of all trees. Who do you call? They go undercover and do it late at night. Oversight – what do you do about these? These are emergencies. How do you handle these violations? Whatever penalties are enforced on builder and construction people are not enough. I'm seeing all these, as a property owner what recourse do you have?

We don't go out to site until the contractor has scheduled the inspection. If they have a permit, we can hold them accountable. If not, then we have to call Austin Code. Trees – we recognize this is an issue, right now we have 3 tree inspectors to cover the whole city. Asking for one in the budget to respond to allegations. Single family – city only protects trees 19 inches or wider. Work closely with 311 to route all call to us. Despite our staffing, we do respond at night and on weekend. Resources are stretched thin.

- Is there a database of these violators?
As about 3 or 4 years ago Austin Code started using a complaint database and look & determine is this a violation or not. Also helps us estimate our workload and have numbers for us to look at.
- The person that is doing the constructing when they come and request another permit or plan. Do you keep that or will y'all be doing anything with these violators?
Tree side – by the time my staff is involved, the trees are usually gone. If we can get to the Builders before those violations exist. Builder is on the hook for it. There are measures in place to work people through that process. Making sure people are aware of what tree fencing is.
- Silt fencing. People are cutting down things at night.
- If a site where a demolition is on a slope. Is silt fence required?
Yes, silt fencing is required.
- When I tried to look up doing a demolition and how to protect your neighbors. There is no lead abatement and asbestos requirements. We had to move into a hotel for several weeks. The contractor used our utilities. There was no fence. I tried to call the City several times. The

Demolition Permit Process Public Meeting #3 Staff Recommendation Feedback
Sunday, August 18, 2018 | Mexican American Cultural Center

contractor told me how we are not protected with the rules in place. How do we hold them accountable?

This is where we have added a pre-construction meeting so that they have all the requirements in place. City doesn't regulate lead abatement and asbestos, that is done by the federal and state level.

- I call 311 yesterday about the silt fencing on a site and I was told that he was gone at 3:00. Call 311 to get the process started. If they have an active permit, that is on inspections to make sure they are following all the requirements.
- I think for total demolitions, I think the City should be going by and making sure they are following all the requirements.
You can put your complaints through the enforcement team.
- Can you find the builder and fine him and hold them accountable?
After 5:00 you can call the 24-hour Environmental Inspection hotline 974-2550. They will handle dust and discharge offsite. They can make recommendations and also refer it to our work unit to start the process.
- Comment – This could be applicable to other departments but the Code Department has a crappy track record because they don't work on weekends and after hours. That is a problem because if it's not an environmental violation, there is no way to get any resolutions.
- Repeat offenders for violations – you don't have penalties because they don't work. I really don't trust my City Code.
Austin Code does not do emergency response. We have some responses we do with Short Term Rentals. We do work weekends and nights. I don't have an entire staff. We are not a 24-hour service.
- We talk about code and regulations. What is in place with repeat offenders? Builder has different sites. Why can't you cross reference the sites with the builder/owner? There is nothing to prevent someone from going from site and site and making violations.
There is nothing to prevent them from getting additional permits. Currently there is nothing in place to prevent them from getting additional permits. We didn't get a lot of feedback on the online forum but it seems that we should take a look at this.
- Appreciate all the Code department does, but giving a fine to the site is like fining the car and not the driver.
- Onsite pre-construction meeting. City has put in place a required pre-construction meeting with EV staff. It streamlined the process and I think that is what is happening, I would only assume that EV staff has only been in place for year and half. The demolition contractor is scheduling the meeting to take care of the issue and minor corrections can be made to the site. The City of

Demolition Permit Process Public Meeting #3 Staff Recommendation Feedback
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Rollingwood issues a plaque. I think if you want notification to neighbors, the only way you can do this is to put it up on the site. Asbestos and lead abatement is strongly regulated.

- # 6 recommendation is the requirement to close demo permit. What has the city put in place in the inspection department?
Requires final inspections on tap permit. That it is addressed properly. Make sure the demo permit is closed before issuing a new building permit.
- Notification – The pre-construction meeting I would recommend calling it a pre-demo meeting.
- Pre-construction meeting adding delay I think is a legitimate concern. You have to have your sewer cap before, hook up a hose bid and require water be sprayed on site through the whole process. Gives you an enforcement tool. Things like that can be addressed in the pre-construction meeting. My concern with final inspections meeting is that everything you do to add regulations add costs. When you go to implement these regulations, you need to keep this in mind. I think there should be a separate process on new construction. Plans to re-construct should be a different process so you can start sooner. The biggest hook you have in # 6 – is you can't get a Certificate of Occupancy until the demo permit is final.
- How would it work with new construction and demo?
You could apply for both at the same time. If the new permit was approved first, you wouldn't be able to start until the demo permit was passed final inspection. Recommending to change the process.
- If they (demolition and new construction) are separated, this causes delay. We are involved with the start of construction and our crews are part of excavation, therefore streamlining process from demolition to new construction is requested.
- Pre-conference meeting. Who has to attend these meetings?
Primarily Environmental (EV) inspections, bldg. inspections. Austin Energy and Austin Water will need to come out first. We want to work out specific details once approved by Council so we do not cause conflicts in the order of inspections.
- Safety issues. I think it's important about asbestos and radon gas and should be part of the pre-conference and pre-demo meetings. People are worried about their children playing in the street and it galls me that the City says Legal staff that says the city can't enact a law that further regulates this.
- Prior inspection, there should also be a post inspection.

Demolition Permit Process Public Meeting #3 Staff Recommendation Feedback
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- You need to include health & safety. I'm not seeing anything to protect the public and contractor workers. Contractors agree to abide OSHA rules. I don't see anything about training the workers. Workers are doing this work and not protected and the public isn't either.

GOAL #3: Ensure adequate and appropriate notice is given to interested parties.

Staff recommendations include:

1. Notify adjacent properties of demolition activity. Require posted notice via door hangers and yard sign five (5) days prior to commencement of demolition activity. Notifications shall be placed on properties abutting and across the street. Presence of the yard sign and contractor sign-off that door hangers were placed will be verified during the mandatory preconstruction meeting. Each notice shall contain the address of the site proposed for demolition, demolition permit number, approximate date demolition activity will commence, contact information for the applicant, contact information of the agencies that regulate safety (OSHA), asbestos and lead-based paint.

2. Provide notification tools. Enhance existing public access to geographic information system (GIS) data for demolition permits. Provide mechanism for the public to subscribe and get notifications when new demolition applications are submitted and permits are issued.

<https://data.austintexas.gov/stories/s/Demolitions-in-Austin/i2tv-k59a/>

3. Provide time for registration as an interested party. Provide time for an individual or neighborhood organization representative to register as an interested party on a demolition permit application. The inclusion of multiple review disciplines will extend the review time and permit issuance to a minimum of five (5) business days.

- How long will this take to put into effect?
Projected up to 12 months after Council approval due to rule changes and code changes. We will implement other items as they become available.
- We are Infill builders, a couple of observations I want to make. There are builders who are doing it right. I've had nothing but good experiences with the City but don't require me to do anything that is not on the website. The inspection sheet needs to be up to date. There are things on the website that are not complete and that makes it confusing for me. It's almost impossible to make money in the City of Austin due to the City regulations. Builders do provide for our community as well. City shouldn't require me to do anything that is not provided in the paperwork. I want the City to remember that.

Demolition Permit Process Public Meeting #3 Staff Recommendation Feedback
Sunday, August 18, 2018 | Mexican American Cultural Center

- On the list of items on the notifications – Applicant, who is the applicant? I think we need to list all people involved for liability purpose so that everyone knows.
- The City needs to keep a list of all the people who violate the rules and codes.
- I'd like to see there be cross-referencing to the homeowners and not just the sites.
- I would like to see in the contact information to also have the agency who regulate the safety and enforcement.
- 3rd item is community tree – what is different between residential and commercial trees? Community tree is speaking about the community tree preservation group. Regulation of trees is handled by the City Arborist. Commercial tree review is almost always handled in the site plan review process. The gap right now is on residential side. We don't assist residential plan review with demolitions.
- Partial demolitions, has anyone talked about it? We applied for a partial demo. We were told we can't do partial demo. There is a lack of clarity on partial demolition. If you move one partition is that a partial demo? Replacing window – is that a partial demo? A common situation that is useful is to demo part of a house and seal it up before you start construction. We don't have standalone a partial demolition permit. We may make an exception if the partial demolition does not require remodeling/new construction. We issue permits for total demolition or for remodels. There is a resolution from Council to define demolition and remodel. We will provide more information on our demo permit applications and what regulations you have to comply with. We can always refer back to the building code and look at defining that better. I encourage you to attend any community engagement for resolution 20171214-067. It can take up to 12 months to implement everything. We only do rule changes quarterly. This will require a rule change. We will reach out to you and show you what rules changed. Get law to weigh in on it. Once approved, we can get it implemented.
- #7 recommendation is the timing on door hangers. Will you possibly consider posting 5 days business days instead of just 5 days?
Yes
- How long will implementation take?
All 9 recommendations will take approx. 12 months to fully implement.
- So, in the meantime we have no recourse?
If you see a violation you can report it.
- On notification, I hope the City is looking at email notification not just snail mail. Is that 500 feet? Looking at the diagram the City of Portland uses, notification is provided to 2 properties on either

Demolition Permit Process Public Meeting #3 Staff Recommendation Feedback
Sunday, August 18, 2018 | Mexican American Cultural Center

side, all properties lined up behind and across the street. Suggesting 500 feet push back from neighbors – we will rely on you to tell us.

- When we do that we get demonized by the developers, they will bully you. City should do something to help out with bullying. Citizens have a right to report.
- One thing the city staff could be more robust about is fining – in some instances you can fine for each violation. If you screw up you don't get to develop the site. Might want to investigate. That won't hurt the ones who do their job right.
- So, if this is a public safety and health issue, and a health amendment process, wouldn't this be a separate issue? Can you take it separately?
Administrative issues have already started to move forward such as relocating intake services to DSD. Also, we plan to have it updated by the end of one year. Adding a pre-conference meeting as mandatory will help address issues. Ultimately, we need Council to sign off on what we want to do. There are certain rules, such as the building criteria manual that includes the current process in it. So we will have to revise that. We have to go through internal and external stakeholders for rule and code changes. The next round for rule posting has to be submitted by November and we get feedback into the next quarter. We post it for 3 months on public forums, and if everything goes well, it gets adopted.
- Where is it posted?
City Clerk's office post notifications of rules. When it's actually adopted, it will get posted into the code. You can subscribe to receive notifications from Municode for when sections are updated.
- What about putting up the current rules so we can see the list of current rules? If you search demo rules Austin, it will take you where you can apply for a demolition but not take you to the rules. Can you make that information accessible?
Please follow up with Rachel. This information will be posted as part of recommendation 2.
- The notifications through the historic department, the City notifies neighboring property owners. Rather than the door hangers, I recommend that the neighbors are notified. You can put signs of safety and requiring the sign with the company name and information. Allow that to be the notifications instead of the door hangers.

Demolition Internal Stakeholder Focus Group Meeting #3**Tuesday, August 28, 2018 | One Texas Center**

Name	Attendance	Response
Crist, Rachel	Meeting Organizer	None
Orenstein, Jonathan	Required Attendee	Accepted
Flora, Alice	Required Attendee	None
Contreras, Kalan	Required Attendee	None
Roig, Jose G	Required Attendee	None
Wilhite, Joan E	Required Attendee	Accepted
Patterson, Jeffery	Required Attendee	Accepted
Zemel, Jody	Required Attendee	Accepted
Word, Daniel	Required Attendee	Accepted
Lucas, Denise	Required Attendee	Accepted
Johnson, Christopher [DSD]	Required Attendee	Accepted
Bertron, Cara	Required Attendee	Declined
Gibbs, Carol	Required Attendee	Tentative
Greathouse, Stevie	Required Attendee	Tentative
Rice, Andrew	Required Attendee	Accepted
Culver, Beth	Required Attendee	Accepted
Mars, Keith	Required Attendee	Accepted
Rodriguez, David [DSD]	Required Attendee	Accepted
Autry, Kevin	Required Attendee	Tentative
Wright, Marlayna	Required Attendee	Accepted
Mendoza, Sergio	Required Attendee	None
Embesi, Michael	Required Attendee	Accepted
Boyles, Molly	Required Attendee	None
Leak, Erica	Required Attendee	None
Mendez, Jerome	Required Attendee	Accepted
Meyer, Christopher	Required Attendee	None
Zerda, Joseph	Required Attendee	Tentative
Herrera, Daniel	Required Attendee	Accepted
Rousselin, Jorge	Required Attendee	Declined
Chapman, David	Required Attendee	Accepted
McDonald, John	Required Attendee	Declined
Dymkowski, Jim	Optional Attendee	Accepted
Turnbow, Jennifer	Optional Attendee	Accepted
Adler, Jan	Optional Attendee	Accepted
Moezzi, Shahin	Optional Attendee	Accepted
Barr, Susan	Optional Attendee	None
Kaspar, Monica	Optional Attendee	None
Hand, Gregory	Optional Attendee	None
DSD Conf Rm 300	Resource (Room or Equipment)	Accepted

PROJECT OVERVIEW:

- City Council created a Resolution that asked us to redesign the demolition permitting process.
- DSD conducted two public meetings to gather input and presented the recommendations to the public on August 18th. Speakupaustin.org is open until September 2nd for comments.

FEEDBACK PER STAFF RECOMMENDATION:

GOAL #1: Ensure appropriate reviews take place prior to demolition activities.

Staff Recommendation #1 – Consolidate location for obtaining demolition permits.

- We didn't get any comments on this. The feedback we received was that they liked this one. Intake doesn't review it, they check it for completeness and coordinate the process. Trying to consolidate process by moving to DSD for Intake.
- It was agreed to move the historic process over from PAZ to DSD. Residential Review will be handling this. DSD is creating a Customer Experience Unit who will be absorbing the residential intake and will be taking over this function.

Staff Recommendation #2 – Provide clear process and requirements.

- We want to enhance the information that is on the website to make sure everyone is clear on the process, where they can find information on safety, and the contact information for those agencies.
- We want to provide clarification on what is a partial demolition and what is a complete demolition.
- We need to identify when they will need to apply for a total demolition. We have had problems with understanding the word partial and might continue to look at removing it similar to CodeNEXT.

Staff Recommendation #3 – Expand department involved during the review period.

- Will include the City Arborist, Flood Plain, Historic Preservation, Austin Resource Recovery, Austin Energy, and Austin Water.
- The City Arborist Review will be added for residential demolition, it is presently a prerequisite review for commercial demolition. The same with Flood Plain review.
- Only confusion was we had Community Tree listed as a review group and we are changing it to City Arborist as customers are more familiar with that title.

GOAL #2: Ensure appropriate safety measures are in place prior to demolition activities.

Staff Recommendation #4 – On-site pre-construction meeting.

- This recommendation is to ensure safety measures are in place prior to demolition activities.
- The onsite pre-construction meeting: We will be changing the name to pre-demolition meeting. Environmental (EV) inspections, Tree, Austin Water, Austin Energy may be involved in this

Demolition Permit Process Internal Focus Group Meeting #3
Tuesday, August 28, 2018 | One Texas Center

meeting. Might also have building inspections. Will be on the Building Permit (BP) but biggest part will be on EV inspections.

- One citizen had utilities stolen from them (water & electricity). Recommendation # 2 provides education.
- One difference is when they pay for the permit it would start the clock but it would be pending meeting. Once the pre-demolition meeting is complete, then the 6-month clock would start.
- **QUESTION:** Start of construction – what would trigger it?
The date the pre-demolition meeting is marked “passed” would trigger the 6 month clock.

Staff Recommendation #5 – Enforce the state requirement for asbestos and lead.

- The text in red shows what is exempt from state requirements. If not exempt, state requires letter from architect engineer or asbestos survey.
- Stakeholders would love us to extend requirements to single residents. We would like to do something, so we are adding an affidavit requirement that certifies contractor will comply with all state, local, and federal requirements and would be turned in with the application. The City would probably provide the form so that it says what we need for it to say.

Staff Recommendation #6 – Stakeholders requested registration.

- The August 18th meeting was the first meeting where they gave us feedback on this.
- They would like us to have database where we keep track of the bad actors. We are going to provide two options
 - Option # 1 would require demolition contractor to carry a minimum level of liability insurance and a surety bond. This is based off San Antonio. You have to get a license from San Antonio and renew it every year.
 - Option # 2 with direction from Council we would research and develop a comprehensive building and demolition contractor registration program at the City. With this option we could put someone on probation but we would have to designate where the hearing would be held. This could be multiple boards and we would need to make it clear where it would go.
 - I would like to take this recommendation to stakeholders by itself and get feedback. We can't request for us to review for asbestos and lead if there is conflict with state law. Law would have to review what we determine to be violations. Council will need to understand that some contractors could create a new LLC for each property, making it difficult or not possible to track all bad actors. If we go this route, this could help solve expired permits.
- **QUESTION:** Can you tie it to registered agent to the LLC?
Maybe, we would need to check with legal. We might have to tie it to multiple people, including the owner and company name.
- **QUESTION:** Does any other city do this?
City of San Antonio seems to be the most organized example.
- **QUESTION:** What happens if we move it forward to code compliance that already have it set up to take them to court?
Wonder if we should take this and make it a recommendation by itself. – Registration piece.

Staff Recommendation #7 – Requiring permits for final inspection.

- They get why we are changing the recommendation to still require to pass a demolition final inspections. However contractors indicated this conflicts with moving into new construction and would cause expensive delays. Cited issues with revegetating site and capping utilities.
- The City would automatically schedule final inspections 14 days prior to expiration.
- Building inspector would clear the inspection for new construction. Our thinking is that the inspector would final the demolition permit at the rough inspection on the new construction permit.
- The site doesn't have to be revegetated, it only needs to be complete demolition. In ECM 143 it clearly defines the landscape codes for residential homes. Xeriscape is defined as 50% revegetation and 50% aggregate. 95% revegetation and less aggregate. There isn't a in between. We need to have demo permit and new permit.
- **QUESTION:** When you say permit, you mean PR?
City doesn't allow them an electric permit during demolition. They could have a generator. Austin Water wouldn't have any issues.
- **QUESTION:** If we make someone final, is that lag time on water?
I think its better education. What they need after demolition has always been the question. What can happen is a customer who owned the house calls into customer care asking to have meter removed. We remove it and then the builder wants to know where their meter is.
- **QUESTION:** What do you need to look at the end of demo?
We need to make sure that it is capped or stubbed up appropriately. There is a document that describes in picture form what needs to be done to cap or stub up. If we can provide in pre-construction meeting, we can say that this is what it needs to look like.
- **QUESTION:** Are you needing to cap?
- **QUESTION:** Why can't we add this before EV pre-conference?
I don't want my guys on the ground with live wires. The cut on sewer should happen before demo. This whole section should go on the front end of the process. We won't leave that to the demo company. AE – wants facilities to be rolled back. Loop will need to be back and out of the way.
- Starting October 1, we are amending the tampering charge to include unsafe conditions and increase the fee to \$850. Right now, we are only hitting them at \$250. We really need to be at the front of the process.
- **QUESTION:** Wondering if put it at front end do we still need a final?
Yes, we still need a final. Automatically scheduling a final solves our problem. Just want to make sure that this isn't creating a problem for the contractor.
- What I would like to do is, as we are developing the process, have Austin Energy, Austin Water, Tree, and EV in the room with demolition contractors to talk it out and figure out what needs to happen and to have the educational piece defined. It sounds like there are misconceptions and there are too many groups in it and not keeping the process straight. Austin Energy would like to be in process. Maybe scheduling the pre-demolition meeting will set the process that triggers Austin Energy, Austin Water, and then EV, Tree & final. EV would be attached to BP. Once that goes live, EV can make sure that demolition is closed out too. Tree wants to make sure the trees are protected up front. We are only budgeted for one tree inspection.
- **QUESTION:** With putting the disciplines up front, are you adding time to the process?
5 days

Staff Recommendation #8 – Notify adjacent properties of demolition activities.

- Contractor would have options to have door hangers or certified mail.
- We did extend the boundary to 500 feet at least 5 days prior but no more than 10 business days. We took this timeframe from city of Portland. 500 feet keeps it in line with other notification requirements.
- **QUESTION:** Does that mean if they chose door hangers, they have to put it on everything within 500 feet?
If we are going to make them do it, we can provide them with a tool to identify which properties that are within 500 ft. of the property.
- Our staff is not going to verify that all this is done. We can probably provide another affidavit to verify that this has been done.
- We need to find a way to express to Council what is reasonable with this process.
- **QUESTION:** Are they going to pick up their door hangers with the permit?
We will provide a template that has all the information that we are requiring that they have on it. We will have it in English and Spanish.
- **QUESTION:** Are we charging for this?
The reason I am asking about this is for fees in AMANDA. I would like to have template for them to use and they could take it to a printer to have it printed. Provide them with tools they need.
- **QUESTION:** What if they don't?
If you have an affidavit the citizen can take them to court. Our responsibility is to make sure that yard sign is there.
- Door hangers can't go in the mailboxes.
- **QUESTION:** How many contractors suggested 500 feet?
None. 500 feet was only suggested to coincide with other notification.
- We leave door hangers all the time. 5-7 days but only hitting immediate area. It may be only 3-4 people.
- **QUESTION:** What do you think about rolling back to adjacent properties?
Think you could go back to 200 feet. Portland did 150 feet. It's not reasonable to expect demolition people to do this, this is a whole days' work. We don't want to make it too labor intensive.
- **QUESTION:** If they skip them, what's going to happen?
- **QUESTION:** What do you do if one is an apartment building?
You go to the apartment manager or you put a sign at entrances of property.
- **QUESTION:** Offering a certified mail option, do we just say this is the trespassing law? Giving the demolition contractor an option?
Doubt many will choose the certified mail option.
- **QUESTION:** Why making them do certified?
Doubt we need to do certified mail. Put disclaimer in there that city of Austin is not responsible.
- **QUESTION:** If we go with this model, in pre-conference couldn't we provide GIS map?
They can produce it for themselves.
- **QUESTION:** We will verify that yard sign is there. In pre-conference are they going to look for sign?
Yard sign only.
- **QUESTION:** Will this be one of the permits that will be on ABC and have attachments to it?
Anything that applicant puts on they are the only ones who can see it. You can go into

attachment and make it visible, it just isn't automatic. Only issue is sealed plans and copyrights but I don't think we would have that problem with this. Only need to make sure there is no personal information on it.

- **QUESTION:** Only required to notify residential property? What if we are demoing anything over MF?
Put square footage for commercial. If commercial, there are state regulations.
- **QUESTION:** Do you only notify SF1 through SF? Only notify single and two family?
Portland says residential demolition only have to provide notifications for single and two family. Notification is not giving them any option to appeal.
- **QUESTION:** Can people appeal demo?

Staff Recommendation #9 – Provide notification tools.

- Like to have that tool available to have people sign up for notifications.
- Would be great if neighborhood organizations could go on & subscribe for notifications and pick the radius or district that they want.
- We might be able to put in neighborhood codes. Would need to specify what layers we want on it.

Staff Recommendation #10 – Providing time for registration as an interested party.

- 5 business days. Appeal approval or denial of demo application.
- **QUESTION:** How long do they have?
20 days. That might be a problem. Can be demoed on 5th day and can appeal up to 20 days.
- **QUESTION:** Is this an appealable decision?
Technically, the application approval/denial can be appealed.
- **QUESTION:** Where would it go? Who does the appeal go to?
Depends on what they are appealing. Might want to check with law if this is an appealable decision.
- **QUESTION:** Who hears the appeals?
BOA would not have any authority to hear this. Would have to have guidelines to appeal. Can't have an appeal with no guidelines. We would have to change code to not require it.
- **QUESTION:** Front loading this would that add time to the process? While they are going and reviewing it, is the five-day window going to be enough?
Don't have to show door hangers until pre-conference meeting.
- **QUESTION:** Why put 20 days? Why not put until issued? Is this an appealable decision?
Interested parties for notifications only, not for appealable options.



Demolition Permit Process Input
Tuesday, September 4, 2018

Goal #1

1. Support this recommendation
2. Support this recommendation
3. We are concern that this recommendation will result in additional delays in the process. As it stands, builders and developers are constantly running into bottlenecks in the partner departments outside of Development Services including those named in this recommendation. We strongly recommend that any expansion of the review process be controlled by DSD staff.

Goal #2

1. We understand the city's need to meet prior to a demolition to ensure that all the necessary protections and regulations are in place. However, we are concerned that adding yet another scheduled meeting to the process will unnecessarily delay the demolitions. As we've seen with electrical inspections, it is easy to fall behind, but hard to climb out of that hole.
2. We believe that the state's regulations regarding asbestos are sufficient to protect Austin families. Although the dangers of asbestos are well documented, there is little evidence that families in Austin are at risk from exposure. Therefore, we would caution the city against expanding its authority beyond what is currently required by state law.
3. Requiring a final inspection post-demolition will result in delays as well as negatively affect affordability, more so than any of the other recommendations. Currently, the transition between demolition and construction is very smooth and efficient. Requiring an inspection in between those two processes will create a logistical problem for many contractors who often use the same equipment for demolitions and construction. Additionally, discrepancies in training can result in inconsistent inspections, further delaying construction.

Goal #3

1. Requiring notification containing all the relevant information is a positive step in the right direction. However, requiring a contractor to approach a neighbor's front door to place a hanging placard brings forth some safety concerns. The City's tree department has indicated that their inspectors have faced safety concerns while inspecting trees. Those same problems would come up if this suggestion is implemented. This recommendation puts the contractors in unnecessary risk, and will only further exacerbate an often times contentious situation between neighbors and contractors.
2. We support providing adequate notification to the neighborhood so long as the process is not wielded as a political tool used by neighbors to hamstring the demolition process.

3. While adequate notification is a reasonable request to ensure that neighbors can make any necessary arrangements to work around the demolition, expanding the time for interested parties to register will only be used as a delay tactic and wrongfully empower a neighbor to strip a fellow property owner's right to develop their land. We strongly recommend that the city not adopt this recommendation, but move forward with the other notification recommendations.

Demographics		SpeakUp Austin! Demolition Permit Process					01-Feb to 05-Sep	
Aware User Type	Unique Visits	Screen Name	Email	Joined	Aware Visits (unique)	Informed Actions	Engaged Contributions	ZIP Code
Anonymous User	15455	all78757		8/30/2018	2	1	1	Austin, TX 78757
Unverified User	0	alysomcgee		8/21/2018	1	3	2	Austin, TX 78748
Registered User	155	anyckturgeon		3/4/2018	1	1	3	Austin, TX 78726
		Areed		3/27/2018	2	5	9	Austin, TX 78704
Informed User Type	Actions	ATX-Citizen		5/29/2018	1	0	19	Austin, TX 78705
Anonymous User	1042	AustinCitizen		3/16/2018	15	25	34	Austin, TX 78737
Unverified User	0	AustinGuy		3/4/2018	0	0	0	Austin, TX 78723
Registered User	234	Austinite		5/22/2018	1	2	1	Austin, TX 78703
		AustinResident		3/16/2018	2	6	10	Austin, TX 78723
Engaged User Type	Contributions	Broncomoto		8/29/2018	2	1	1	Austin, TX 78728
Anonymous User	0	Consort, Inc.		7/19/2018	2	7	0	Rollingwood, TX 78746
Unverified User	0	Cpulecio		3/27/2018	1	3	0	Austin, TX 78701
Registered User	391	danerenberg		3/28/2018	1	2	1	Austin, TX 78727
		DavidW		3/10/2018	1	3	3	Austin, TX 78731
		djones008		5/18/2018	1	1	0	Austin, TX 78739
		dminAustin		5/18/2018	1	1	0	Austin, TX 78749

Screen Name	Email	Joined	Aware Visits (unique)	Informed Actions	Engaged Contributions	ZIP Code
dnegrete	[REDACTED]	5/18/2018	1	2	8	Austin, TX 78753
donlb55	[REDACTED]	8/20/2018	4	3	3	Austin, TX 78757
EMathews	[REDACTED]	8/19/2018	6	7	3	Austin, TX 78704
Ford Prefect	[REDACTED]	3/18/2018	1	4	21	Austin, TX 78757
girardkinney	[REDACTED]	5/30/2018	0	0	0	Austin, TX 78702
Greg Ruopp	[REDACTED]	5/21/2018	1	3	1	Austin, TX 78721
Jason	[REDACTED]	7/19/2018	1	1	0	Austin, TX 78702
jbsteeley	[REDACTED]	5/20/2018	1	1	0	Austin, TX 78726
jfoshea	[REDACTED]	8/15/2018	1	1	0	Austin, TX 78727
jjphaskins	[REDACTED]	8/15/2018	1	0	0	Round Rock, TX 78664
lchrisrr	[REDACTED]	8/23/2018	0	0	0	Austin, TX 78724
Lori	[REDACTED]	7/19/2018	1	0	0	Austin, TX 78731
LP	[REDACTED]	6/15/2018	1	1	4	Austin, TX 78745
LSmyth	[REDACTED]	6/16/2018	1	2	1	Austin, TX 78703
M.M.M.	[REDACTED]	3/4/2018	1	1	1	Tarrytown, TX 78703
meghallatx	[REDACTED]	5/30/2018	0	0	0	Austin, TX 78758
mhatchett	[REDACTED]	8/21/2018	1	3	0	Austin, TX 78722
micahjking	[REDACTED]	4/5/2018	1	1	0	Austin, TX 78701

Screen Name	Email	Joined	Aware Visits (unique)	Informed Actions	Engaged Contributions	ZIP Code
ncarty97	[REDACTED]	6/14/2018	1	4	8	Austin, TX 78739
ncook	[REDACTED]	8/16/2018	1	1	0	Austin, TX 78701
Onetalltreeman	[REDACTED]	3/27/2018	1	4	7	Austin, TX 78704
paladinoc	[REDACTED]	3/9/2018	1	3	10	Austin, TX 78702
Reality Check	[REDACTED]	5/20/2018	1	2	0	Austin, TX 78702
red wassenich	[REDACTED]	3/1/2018	0	0	0	Austin, TX 78703
RioGTomlin	[REDACTED]	3/4/2018	2	3	7	Austin, TX 78702
Sogden	[REDACTED]	3/2/2018	2	4	13	Austin, TX 78703
Southie	[REDACTED]	3/27/2018	1	3	19	Austin, TX 78704
SpeakerJeremy	[REDACTED] M	9/2/2018	3	3	2	Austin, TX 78753
steve.portnoy	[REDACTED]	8/15/2018	1	1	0	Austin, TX 78735
Susan Wallace	[REDACTED]	6/13/2018	1	2	2	Austin, TX 78702
Taejin	[REDACTED]	7/19/2018	1	4	0	Austin, TX 78722
thedaveymac	[REDACTED]	7/19/2018	1	2	0	Austin, TX 78723
wimi	[REDACTED]	3/28/2018	13	21	61	Austin, TX 78757
x	[REDACTED]	3/26/2018	1	0	0	Austin, TX 78704

Summary Report

01 February 2018 - 05 September 2018

SpeakUp Austin!

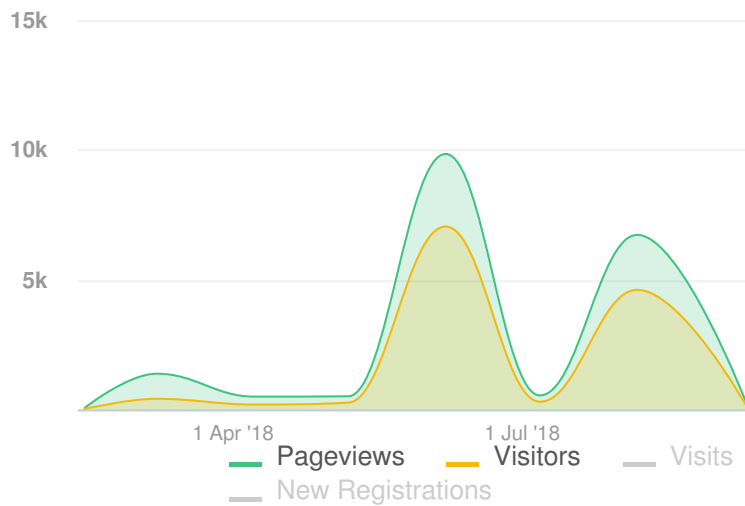
PROJECTS SELECTED: 1

Demolition Permit Process

FULL LIST AT THE END OF THE REPORT



Visitors Summary



Highlights

TOTAL VISITS	MAX VISITORS PER DAY	
15.6 k	744	
NEW REGISTRATIONS		
51		
ENGAGED VISITORS	INFORMED VISITORS	AWARE VISITORS
41	547	8.4 k

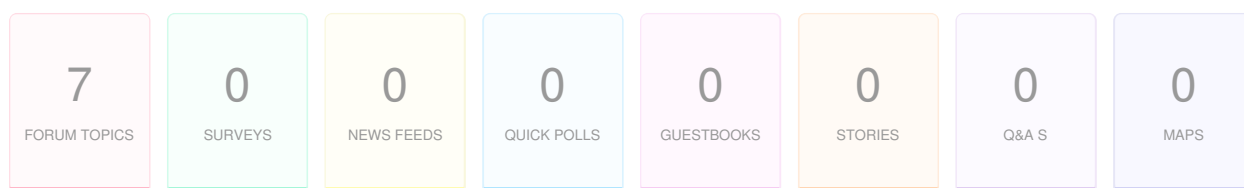
PARTICIPANT SUMMARY

ENGAGED	41 ENGAGED PARTICIPANTS				TOP PROJECTS		
		Registered	Unverified	Anonymous		Participants (%)	
INFORMED		Contributed on Forums	41	0	0	Demolition Permit Process	41 (0.5%)
		Participated in Surveys	0	0	0		
		Contributed to Newsfeeds	0	0	0		
		Participated in Quick Polls	0	0	0		
AWARE		Posted on Guestbooks	0	0	0		
		Contributed to Stories	0	0	0		
		Asked Questions	0	0	0		
		Placed Pins on Places	0	0	0		
		Contributed to Ideas	0	0	0		
				* A single engaged participant can perform multiple actions			* Calculated as a percentage of total visits to the Project

ENGAGED	547 INFORMED PARTICIPANTS				TOP PROJECTS		
				Participants		Participants (%)	
INFORMED		Viewed a video		0		Demolition Permit Process	547 (6.5%)
		Viewed a photo		0			
		Downloaded a document		62			
		Visited the Key Dates page		95			
AWARE		Visited an FAQ list Page		0			
		Visited Instagram Page		0			
		Visited Multiple Project Pages		488			
		Contributed to a tool (engaged)		41			
					* A single informed participant can perform multiple actions		

ENGAGED	8,388 AWARE PARTICIPANTS				TOP PROJECTS		
				Participants		Participants	
INFORMED		Visited at least one Page		8,388		Demolition Permit Process	8,388
AWARE							
				* Aware user could have also performed an Informed or Engaged Action			* Total list of unique visitors to the project

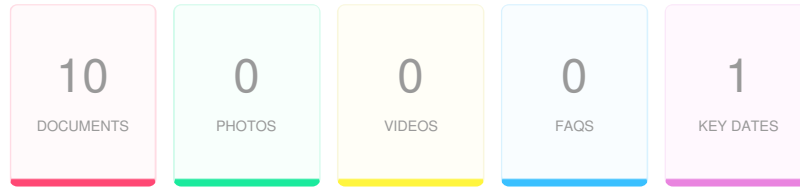
ENGAGEMENT TOOLS SUMMARY



FORUM TOPICS SUMMARY	
7	Forum Topics
41	Contributors
391	Contributions

TOP 3 FORUM TOPICS BASED ON CONTRIBUTORS		
23	21	20
Contributors to	Contributors to	Contributors to
How might the City of Austin better reinforce safety requirements for demolitions?	What is a reasonable timeframe and an appropriate boundary for notification about	How should the City of Austin address the concerns about the lack of licensing or oversight for

INFORMATION WIDGET SUMMARY



DOCUMENTS	
10	Documents
62	Visitors
127	Downloads

TOP 3 DOCUMENTS BASED ON DOWNLOADS		
24 Downloads Demolition Permits Audit Report	19 Downloads Resolution No. 20171214-066	18 Downloads Demolition and Relocation Permits

KEY DATES	
1	Key Dates
95	Visitors
101	Views

TOP 3 KEY DATES BASED ON VIEWS
101 Views Demolition Permit Process

TRAFFIC SOURCES OVERVIEW

REFERRER URL	Visits
m.facebook.com	697
www.google.com	132
www.facebook.com	64
www.austintexas.gov	60
l.facebook.com	53
www.austinmonitor.com	42
ads-bidder-api.twitter.com	31
android-app	26
austintexas.gov	17
mail.google.com	11
t.co	10
outlook.live.com	6
metabase.ehqstag.com	4
www.bing.com	3
duckduckgo.com	3

SELECTED PROJECTS - FULL LIST

PROJECT TITLE	AWARE	INFORMED	ENGAGED
Demolition Permit Process	8388	547	41

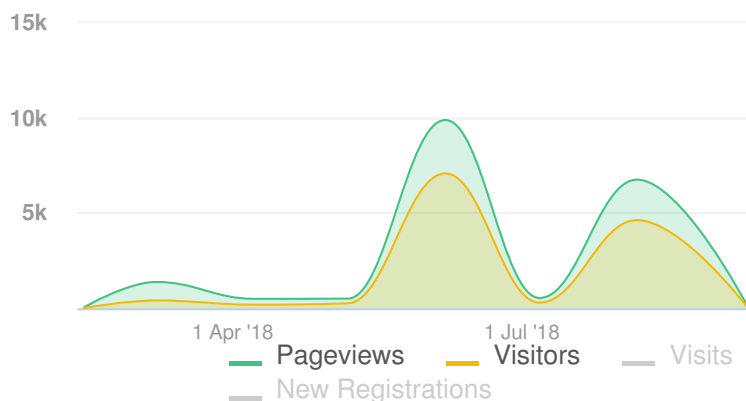
Project Report

01 February 2018 - 05 September 2018

SpeakUp Austin! Demolition Permit Process



Visitors Summary

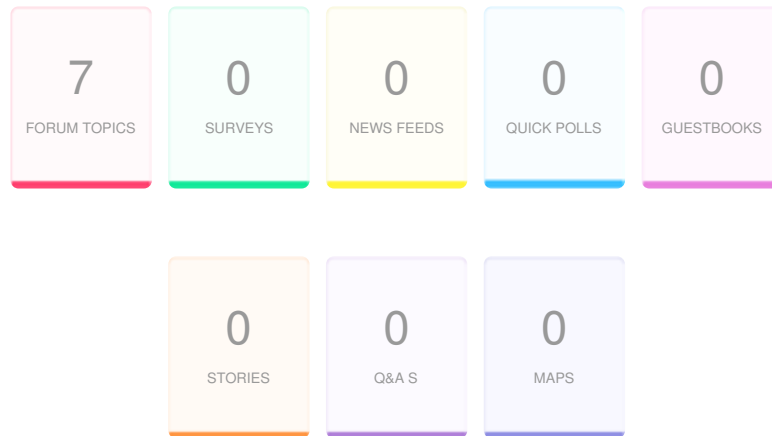


Highlights

TOTAL VISITS	MAX VISITORS PER DAY	
15.6 k	744	
NEW REGISTRATIONS		
51		
ENGAGED VISITORS	INFORMED VISITORS	AWARE VISITORS
41	547	8.4 k

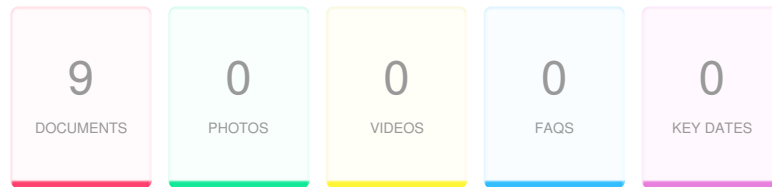
Aware Participants	8,388	Engaged Participants	41		
Aware Actions Performed	Participants	Engaged Actions Performed	Registered	Unverified	Anonymous
Visited a Project or Tool Page	8,388				
Informed Participants	547	Contributed on Forums	41	0	0
Informed Actions Performed	Participants	Participated in Surveys	0	0	0
Viewed a video	0	Contributed to Newsfeeds	0	0	0
Viewed a photo	0	Participated in Quick Polls	0	0	0
Downloaded a document	62	Posted on Guestbooks	0	0	0
Visited the Key Dates page	95	Contributed to Stories	0	0	0
Visited an FAQ list Page	0	Asked Questions	0	0	0
Visited Instagram Page	0	Placed Pins on Places	0	0	0
Visited Multiple Project Pages	488	Contributed to Ideas	0	0	0
Contributed to a tool (engaged)	41				

ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Forum Topic	How might the City of Austin better reinforce safety requ...	Archived	265	23	0	0
Forum Topic	What is a reasonable timeframe and an appropriate boundar...	Archived	190	21	0	0
Forum Topic	How should the City of Austin address the concerns about ...	Archived	170	20	0	0
Forum Topic	Please provide feedback on Goal #2 recommendations.	Archived	49	7	0	0
Forum Topic	Please provide feedback on Goal #1 recommendations.	Archived	40	6	0	0
Forum Topic	Please provide feedback on Goal #3 recommendations.	Archived	35	5	0	0
Forum Topic	Any additional feedback you would like to provide about t...	Archived	50	2	0	0

INFORMATION WIDGET SUMMARY



Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Key Dates	Key Date	95	101
Document	Demolition Permits Audit Report	22	24
Document	Resolution No. 20171214-066	18	19
Document	Demolition and Relocation Permits	16	18
Document	Demolitions in Austin GIS Map	14	14
Document	Public Meeting Presentation 3/7/2018	13	15
Document	Demolition Permit Application	13	13
Document	Proposed Recommendations	10	11
Document	Public Meeting Presentation 8/18/18	4	7
Document	Federal & State Regulations	4	4
Document	deleted document from	1	2

FORUM TOPIC

Any additional feedback you would like to provide about the demolition permitting process?

VISITORS	50	CONTRIBUTORS	2	CONTRIBUTIONS	3
----------	----	--------------	---	---------------	---

14 June 18

ncarty97

AGREES

1

DISAGREES

0

REPLIES

0

The demolition process is already burdensome in this city, involving multiple commissions/committees to review, and far more neighbors and organizations than have any legitimate concern over a specific piece of property. Austin is a horrible housing crisis. Slowing down the demolition process and increasing its costs, in many cases, like the asbestos question from above, where there isn't even a real problem to address, will just continue the rise in property costs in this city. At the end of the day, any additional cost in construction is passed onto all home buyers, whether new construction or not, and that is the last thing this city needs.

28 June 18			<p>Adding additional cost for asbestos removal or demo notifications only exacerbates our affordability crisis. Where is the affordability impact statement for the proposed regulations? Wetting during demo is an intriguing idea, why not consider that as an alternative?</p>
scottturner			
AGREES	DISAGREES	REPLIES	
0	0	0	

FORUM TOPIC

Please provide feedback on Goal #1 recommendations.

VISITORS	40	CONTRIBUTORS	6	CONTRIBUTIONS	7
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20 August 18			Tree review and Asbestos abatement are critical.
donlb55			
AGREES	DISAGREES	REPLIES	
1	0	0	

21 August 18			The city should put all the local historic districts, national register districts, local landmarks and historic resource surveys on the GIS layer of the city's website. And, tell people that the information is on the maps. This is so people who want to avoid the historic areas can.
Preservation Austin			
AGREES	DISAGREES	REPLIES	
1	0	0	

22 August 18			It wasn't that long ago you were putting people in jail for killing old oak trees, we should find a way to save them if we can, they have been here longer than us.
Phillip Mossbarger			
AGREES	DISAGREES	REPLIES	
0	0	0	

30 August 18

all78757

AGREES	DISAGREES	REPLIES
0	0	0

1.The house across the street from me was just torn down. There was no notification posted. I mentioned this to the builder and his answer was that nothing could be posted because the house was being torn down and there was nothing to attach a notice to . I'm pretty sure there is a way that a sign could be put up. I think the city needs to require that permits be posted before demolition and that neighbors be notified. 2. This demolition was permitted as a "remodel" because 2 or 3 walls were going to be left standing. There is no way this is a remodel, and the wall that was left standing fell down yesterday. I really think the city needs to exercise more control over property demolition.

02 September 18			<div>The City of Austin should require Demolition Contractors to be registered with the city. COA should also require proof of a minimum safety training and demolition skills program.</div>
SpeakerJeremy			
AGREES	DISAGREES	REPLIES	
0	0	0	

FORUM TOPIC

Please provide feedback on Goal #3 recommendations.

VISITORS	35	CONTRIBUTORS	5	CONTRIBUTIONS	7
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19 August 18

EMathews

AGREES	DISAGREES	REPLIES
0	0	0

On Goal #3 item #1, clarify who the applicant is. For liability purposes, the City should include the contact information for both the property owner and their representative if the owner has a hired representative managing the permit application. In a demolition in our neighborhood, the owner acted unaware that the person he hired to do the demolition was not following the law including stealing utilities from the adjacent property without permission. Ultimately, the homeowner is liable for anything that occurs on their property as well as workers they hire. The signage and door hangers should notify the adjacent property owners of the time, date and place of the pre-demolition meeting. The City should also require a performance bond be posted with the application and that bond should also be included in the notice. The homeowners insurance carrier and policy number should be listed on the notification and all signs. Neighborhood plan contact teams should be notified when a demolition application is submitted.

20 August 18

donlb55

AGREES	DISAGREES	REPLIES
2	0	0

Notification is paramount. Too many times I have witnessed demolition of houses in my neighborhood with asbestos siding (causing it to become friable and dispersed) while young children were playing in the yards of adjacent houses. This is unacceptable.

21 August 18

Marshall0709

AGREES	DISAGREES	REPLIES
0	0	0

Neighborhood Associations should also be notified. The City already has NA contact info where they send zoning changes, etc. Add Demolition Permits to that mailing list so ALL in the neighborhood can be informed, not just contiguous properties.

29 August 18

Broncomoto

AGREES	DISAGREES	REPLIES
0	0	0

Goal#3, Bulletpoint #2: Allowing timely and equal access to demolition information will discourage city employees from “selling” this information to buyers interested in moving these houses to a new site outside of Austin and/or Travis County. I have purchased seven houses that were slated for demolition over the past three years and have moved them to my property in Bastrop County. Many of these homes had to be purchased from “brokers” because somehow, these “brokers” were able to get the “inside line” on houses slated for demolition. If indeed something nefarious like this were to happen, it would inflate the cost and makes recycling these houses less attractive.

FORUM TOPIC

Please provide feedback on Goal #3 recommendations.

31 August 18			<p>Goal#3 Point# 1: There should be a mailed notification to residents within a minimum 400' radius (1) of the site to be sent out when the permit application is received and door hangers issued to same properties five days prior to "approximate(2)" date of demolition. This would bring the city in line with best practices and current science(3) that show how far lead fallout travels in SFH demos. This is especially important since DSD is not recommending any action on lead or asbestos handling and/or abatement and are instead forcing residents to protect themselves as best they can. DSD's current proposal falls well short of this prescribed distance and goes instead by lots. This would afford different neighborhoods with different lot sizes varying levels of warning. In any case one adjacent lot is too little. There is no good reason to not follow the latest science on this matter.

 In the audit DSD said it was reviewing the possibility of sending notifications out to 200' radius, but there is now no mention of mailings in DSD's current proposal. U.S. Mail is still standard for official notifications and more universally accessible and understandable than web interfaces. It is important that everyone have equal access to this information.

 It is good that contact information for OSHA will be included on the hang tag, but I think it needs to be understood that by doing this (and little else) DSD is removing the burden from itself to actually verify that contractors are properly qualified to do the work and are complying with OSHA rules and is instead transferring this responsibility to ordinary citizens who do not have the specialized knowledge to spot and report problems and who most likely will not even be present when the work is performed.

 Additionally the required yard signs need to have set visibility and content requirements that ensure easy legibility and that the sign be of a size and coloration that stands out from typical yard signs. There should be basic protective measures included on the door hangers and mailed notices as well. The city should consider creating a loanable sealed HEPA vacuum program for concerned residents near these sites, though this would do little to help with environmental and yard contamination... It would be far more effective to make sure these materials are handled properly at the job-site itself.

 (1) Ideally should be 500' to bring range in line with City's definition of "interested party" (2) DSD needs to define time range covered by term "approximate"</p> <p>(3) https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3804089/</p>
AustinCitizen			
AGREES	DISAGREES	REPLIES	
0	0	0	

FORUM TOPIC

Please provide feedback on Goal #2 recommendations.

VISITORS 49	CONTRIBUTORS 7	CONTRIBUTIONS 13
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19 August 18

EMathews

AGREES	DISAGREES	REPLIES
0	0	0

On item #1 under Goal #2 what the City calls the onsite pre-construction meeting should be called the onsite pre-demolition meeting. This reinforces that the process includes two phases governed by two separate permits: Demolition and Construction. The permit for Construction should be released only on the condition that the permit for Demolition has been closed according to all regulatory criteria. Also, the City should not release the Demolition Permit unless the proposed construction complies with the existing zoning regulations and other current law.

19 August 18

EMathews

AGREES	DISAGREES	REPLIES
1	0	0

The city could ease the burden of enforcement by tracking the demolition contractors who do not comply with state and local law. We were told at the meeting that violations are documented by the site where they occur, not by the contractor who commits the violation. This is like giving a ticket to a car that is speeding, not the driver. This allows the bad actors to continue and suffer no financial disincentive to do better.

20 August 18

donlb55

AGREES	DISAGREES	REPLIES
1	0	1

On-site review by City Staff is important to assure that the application is accurate (which many are not). As noted earlier, asbestos and lead abatement are necessary to protect the Health, Safety and Welfare of citizens and workers.

21 August 18

Preservation Austin

AGREES	DISAGREES	REPLIES
1	0	1

As goal 3 has been closed, I'll put my comment here but I think it is relevant: many cities have bigger fines and don't allow redevelopment of a site if there are violations. San Antonio makes the developer wait 2 years before they can redevelop. These types of rules may help to cut down on "bad" demo contractors. We also need a list of the serial violators with consequences for their bad behavior.

21 August 18

rachel.crist

AGREES	DISAGREES	REPLIES
0	0	0

Hello and thank you for your feedback. Goal #3 is currently open and can be commented on at https://www.speakupaustin.org/demolitionpermits/forum_topics/please-provide-feedback-on-goal-3-recommendations. We apologize for any confusion as the questions below Goal #3 have closed.

FORUM TOPIC

Please provide feedback on Goal #2 recommendations.

31 August 18			<p>Goal #2 Point#2 The statement about enforcing compliance with state law has the potential to be very misleading as state law specifically exempts SFHs from the state's asbestos program and I can find no state level abatement or hazard reduction requirements relating to lead that would apply to total demolition of SFHs. Concerns about these hazards were the driving force behind this permit redesign, and were spoke of at length at council meetings as well as being a noted safety concern in the audit. This proposal however does nothing to address these issues even though SFH's represent the majority of demolitions here. If DSD is not perfectly clear with the council and the public about the limitations of state law in this matter (on hang-tags, press releases etc.) than I worry that the public may assume that DSD is correcting a problem of enforcement, rather than what is actually a lack of regulation, and as a result will believe they are now being protected, when in most cases they will not be. Requiring a contractor to merely sign an unenforced pledge that they intend to follow all federal regulation is not meaningful without verification that the contractor has provided its crews with the training OSHA requires to handle the lead, asbestos (as well as demolition specific) hazards they will inevitably encounter. (80% of demolitions looked at in the audit were built pre '78.) Doing this would begin to address the audit's concern that contractors be "appropriately qualified." and I believe would go a long way to addressing public health issues as well. This proposal does nothing to ensure this.</p>
AustinCitizen			
AGREES	DISAGREES	REPLIES	
0	0	0	

31 August 18			<p>I agree with you that the proper handling of asbestos and lead hazards is very important. Please note however that DSD's current proposal is essentially silent on this matter when it comes to demolition of single family homes. Thank you for including workers as a specific concern as people working in residential construction often have very little leverage to improve their own working conditions without risking their employment. It's clear to me that worker safety and public health in this instance go hand in hand.</p>
AustinCitizen			
AGREES	DISAGREES	REPLIES	
0	0	0	

FORUM TOPIC

Please provide feedback on Goal #2 recommendations.

01 September 18			<p>Goal #2 Point #1. It would certainly be an improvement for DSD to now check that utilities are properly capped and that tree protections are in place prior to demolition, but it is unfortunate that DSD has chosen to consider health and safety issues raised in the audit so narrowly. Will DSD now check that IBC required barriers are in place? Demolition sites are hazardous by nature and need access controls (fencing, etc.) in place. Will the contractor's required demolition plan (OSHA 29 CFR 1926.850(a)) be reviewed by the city so it is clear that the structure can be taken down in a predictable and manageable way that does not affect surrounding buildings? Since DSD will now require a pledge that contractors follow all federal regulation they should now have this easily available. How, if at all, will lead and asbestos hazards be addressed by city inspectors during the meeting and how will the contractor be required to show they are able to keep dust and debris from traveling off site? These are just some of the many questions that are not addressed in DSD's single page proposal. The same questions many other cities facing increasing demolitions have taken the time to think about critically and have come up with far more robust safeguards for the public, ones that would be more in line with DSD's stated mission of "Building a Better and Safer Austin." If I understand this current proposal correctly, it would be entirely conceivable that a city inspector could walk completely around a house obviously clad in asbestos-cement siding and lead painted trim work (which must be assumed in pre '78 housing) and not say a word about it to the contractor while at the same time making sure that the on-site trees were adequately protected; more protection than afforded their human neighbors. I think this proposal needs a lot more work before it can claim to address the inadequacies found in the city's demolition audit.</p>
AustinCitizen			
AGREES	DISAGREES	REPLIES	
0	0	0	

01 September 18			<p>Goal#2 Point#3 What level of site preparation is required to close out a demo permit and pass inspection? Does the city take into account if the lot will sit vacant for a period of time or be immediately built on? DSD should require that the demolition process take a set period of time and that the site be at least fully cleared of debris to pass inspection (backed up by a performance bond). If there is not a pending permit to build, there needs to be an active attempt to grow vegetation to help mitigate "fugitive dust" issues. This is especially important if DSD will not verify the proper handling of lead and asbestos hazards or require tests for soil contamination. I have seen vacant lots where demolitions have occurred where all major debris are gone, but the yard was littered with shards of asbestos-cement siding. Debris such as this, or even less visible threats such as lead dust in soil, represent an ongoing risk to neighbors.</p>
AustinCitizen			
AGREES	DISAGREES	REPLIES	
0	0	0	

FORUM TOPIC

Please provide feedback on Goal #2 recommendations.

02 September 18			The City of Austin should require appropriate DOL-certified safety training certifications for workers prior to demolition work being done. It is critical that we ensure appropriate training to ensure careers and the safety of workers and all Austinites, while also protecting the environment.
SpeakerJeremy			
AGREES	DISAGREES	REPLIES	
0	0	0	

FORUM TOPIC

What is a reasonable timeframe and an appropriate boundary for notification about a demolition site?

VISITORS	190	CONTRIBUTORS	21	CONTRIBUTIONS	96
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28 February 18			30 days and 150 feet		
Mark Lind					
AGREES	DISAGREES	REPLIES			
0	4	1			

01 March 18			Posted sign on property 14-days in advance.		
Christopher Johnson					
AGREES	DISAGREES	REPLIES			
6	2	1			

02 March 18			No less than 14 days in advance.		
Mary Reed					
AGREES	DISAGREES	REPLIES			
1	2	0			

04 March 18			Can you further explain, "And 150 Feet"		
RioGTomlin					
AGREES	DISAGREES	REPLIES			
0	0	1			

04 March 18			150 feet to either side of the property is what I meant, however I think in retrospect that may be too much, so how about: "Notification shall be given 30 days prior to demolition for property owners and neighbors (i.e.: renters) that reside in or own property that is either : one lot (or) 75' away (whichever is the greater of the two) to either side of the property in question."		
Mark Lind					
AGREES	DISAGREES	REPLIES			
0	3	1			

FORUM TOPIC

What is a reasonable timeframe and an appropriate boundary for notification about a demolition site?

09 March 18

paladinoc

AGREES	DISAGREES	REPLIES
3	3	1

14 days should be MORE than enough time. A notification should just be to make those who are closest to the property aware that it is happening. Adjoining lots should be more than enough. Other proposals I've read in the news about a 150' radius, or 30-35 days, only serve to slow down and raise costs - which raises cost of housing! Why do some people think the City has a right to tell a property owner what to do with their building? We already have literally dozens of rules, historical reviews, etc etc. Why are we even discussing another layer?

10 March 18

DavidW

AGREES	DISAGREES	REPLIES
1	1	1

Zoning requires notification, because it requires public hearing. Do building permits and demolition permits require notification? Notification is reasonable, let's just define the purpose of the notification. Figure out the cost.

16 March 18

AustinResident

AGREES	DISAGREES	REPLIES
2	3	1

Many demolitions are older homes that already have to send notification for the historic landmark commission hearing - and the fees on that are already too high. Why would additional notification be needed? Just ask the homeowner to put up their own sign a week in advance of the demolition starting. If you move forward, then adjacent homes/properties only should have to be notified.

16 March 18

AustinCitizen

AGREES	DISAGREES	REPLIES
2	3	1

A Recent 2013 study in lead and other heavy metal dust-fall from SFH demolitions showed that dangerous particulate can travel upwards of 400' from the demolition site and came to the conclusion that "Neighbor notification should be expanded to at least 400 feet away from single-family housing demolition, not just adjacent properties." I would support this required distance for a notification. Source: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3804089/>

FORUM TOPIC

What is a reasonable timeframe and an appropriate boundary for notification about a demolition site?

17 March 18

AustinCitizen

AGREES	DISAGREES	REPLIES
3	3	0

30 days would seem fair to me with a set time for a demolition contractor to perform their work in. While you suggest that notification of “Adjoining lots should be more than enough” this is not inline with the latest studies that shows just of how far lead and other particulate can travel off site. The city has a “right” to limit your actions to what you do with your property in so far as it may affect other people’s right to live in health and safety. This is one of those tradeoffs to living in a city vs. an unincorporated area. Would you agree that nearby residents have the right to not be dusted with hazardous fall out from a demolition on someone else’s lot? The cost of housing is already such, that I do not believe any passed on cost from regulation of demolition would have any real effect on baseline affordability here. Speaking personally, I have never seen anything that an Austinite of ordinary means would ever consider to be affordable be built on any of these razed lots, so I don’t see much merit to your “affordability” argument.

17 March 18

AustinCitizen

AGREES	DISAGREES	REPLIES
0	3	0

How did you come up with distance of “75’ or one lot over”? Are they from a field study, or just arbitrary, based only on what you would tolerate and feel to be necessary?

18 March 18

Ford Prefect

AGREES	DISAGREES	REPLIES
3	1	0

Consider 60 days and 300 feet. Notification should inform the surrounding and nearby residents within 300 feet not only of the pending demolition but also of the potential hazards related to the demolition of houses containing asbestos, lead and other toxic materials. In addition, require that the City Arborist have adequate time to review the application, visit the property and recommend appropriate tree protection actions prior to approval of the demolition permit.

27 March 18

Onetalltreeman

AGREES	DISAGREES	REPLIES
1	2	1

Formal notification of signage and mailings to neighboring lots within 300 feet of site 21 days in advance of demolition permit review. Proper asbestos removal procedures (to prevent air-borne contamination) must be in place prior to start of any demolition for any home or accessory buildings older than 1978. Pre-demo meeting with EV inspect or for tree protection, silt fencing and preventative measures required. Spot inspections required to ensure compliance.

FORUM TOPIC

What is a reasonable timeframe and an appropriate boundary for notification about a demolition site?

28 March 18

wimi

AGREES	DISAGREES	REPLIES
1	0	0

The notification requirement should not be added. Our city has a grave housing crisis. We need more housing and missing middle. This requirement does little but increase the cost of housing by increasing holding costs. And again the risk of people living in homes for decades far outweighs the risks of a one time event of home demolition. If anything the city should be promoting the demolition of homes with asbestos. They are a health risk due to long time exposure to residents and nearby owners. This is doubly true when they are older and in a state of decay.

28 March 18

cmgiles0

AGREES	DISAGREES	REPLIES
1	0	0

not sure i agree, but at least you have some science and logic behind this! why is the city just asking for random opinions instead of looking into available science, studies, etc? I guess voters' opinions are more important than scientific studies.

28 March 18

wimi

AGREES	DISAGREES	REPLIES
1	2	1

From cancer.gov "Who is at risk for an asbestos-related disease? Everyone is exposed to asbestos at some time during their life. Low levels of asbestos are present in the air, water, and soil. However, most people do not become ill from their exposure. People who become ill from asbestos are usually those who are exposed to it on a regular basis, most often in a job where they work directly with the material or through substantial environmental contact." So it sounds like there is a high risk from people living in homes with asbestos for years and years and years. And a low risk from a one time event from people 300 feet away. And this regulation would increase the chance of someone living for additional decades in a home with asbestos. At the very least the city needs to show conclusively they are not increasing the risk of people developing problems by making it more likely people will have long term exposure (by staying in homes for additional decades) and making it more likely asbestos homes will be remodeled instead of demoed. When a home is remodeled its generally unregulated and people are less likely to water down a home they plan to live in because of mold related issues.

28 March 18

MP

AGREES	DISAGREES	REPLIES
1	2	1

This seems reasonable--it doesn't add significant cost of mailing all residents within an area but still provides notice to nearby property owners and renters.

FORUM TOPIC

What is a reasonable timeframe and an appropriate boundary for notification about a demolition site?

29 March 18

Caroline Reynolds

AGREES

0

DISAGREES

0

REPLIES

0

Unfortunately, you did not mention the citation for your quote. There is no date. There is no context. Additionally, the quote was a sweeping generalization -- it is not true th at EVERYONE is exposed to asbestos sometime during their life. Simply looking at a piece of asbestos does not cause ingestion or inhalation. The clouds of particulates surrounding every demolition in Shoalmont and Allandale indicates to any serious eng ineer or scientist that there is a significant potential for children, pets, other residents and wild life to inhale and /or ingest everything from allergenic roach and rat droppings to toxic and hazardous lead paint dust and mercury thermometer vapor to a sbestos particles caused by crushing the house with a back hoe and running over it w ith a bull dozer. It is well known by environmental engineers and scientists that asbest os is contained in mastic, linoleum and wall board.

29 March 18

Caroline Reynolds

AGREES

0

DISAGREES

2

REPLIES

0

unfortunately, Mr. Sadowsky allows the demo contractors to drop the application in hi s office the afternoon or morning before work is to start and obtain a permit immediately. This raises question regarding the level of review given to the permit to begin with. Alternatively, Mr. Sadowsky and his staff may be reviewing the permit appl ications without payment of the fee, and then letting the demo contractor drop the check by the morning that work will begin. That would be intentionally cutting the neig hbors out of the review process and a repudiation of Mr. Cronk's professed desire for t ransparency.

29 March 18

Caroline Reynolds

AGREES

0

DISAGREES

2

REPLIES

1

None of the Austin fees are high enough. They are half or less than those charged in Dallas, Houston, Ft. Worth and San Antonio. Austin seems to get the whining contract ors and builders. In fact, I do not believe that your are indeed, an AustinResident -- m ore likely a Russian robot causing grief. Notification is necessary so that severely aller gic children and residents, as well as small children can make arrangements to be ab sent during demo activities that will release, at the least, 50 years or more of rat and r oach droppings and pollen by smashing in the house with a back hoe and running ove r the pieces with a bull dozer. At worse, the demo will release lead-containing paint du st, mercury thermometer/ thermostat vapors and asbestos particles. The area should be covered by by fine water mist during crushing activity to protect the demo workers and the neighbors.

FORUM TOPIC

What is a reasonable timeframe and an appropriate boundary for notification about a demolition site?

30 March 18

AustinCitizen

AGREES	DISAGREES	REPLIES
0	2	0

I don't think a sign alone is adequate warning. How would people living in properties in back of the demolition site be notified if they never walk or drive on the street the job-site faces? Also, I think people often tune out the visual clutter of signs they already see, (garage sales, lawn care advertisements etc.) and that used by themselves may go unnoticed. I think mailed notices within a 400' radius of the site upon the city's receipt of application for a permit and the beginning of the delay period would work better. This with a posted sign (with set visibility requirements) posted at the site together with the use of followup door hangtags distributed to same properties closer to (but not right before) the actual demolition date would be a good starting point.

30 March 18

AustinCitizen

AGREES	DISAGREES	REPLIES
0	2	0

I think you're on the right track here, but I would increase radius to 400' to be in line with a recent studies recommendation and would increase the delay period as well. (see my other post in this section) Also, while 1978 may be a good cutoff for lead paint in houses. it may not work as a cut-off date for asbestos concerns.

01 April 18

AustinResident

AGREES	DISAGREES	REPLIES
1	0	0

While I'm sure the Russians are well-versed in our historic landmark process, I am indeed an Austin resident. You say fees aren't high enough - how high is high enough? What would you base the fees on? There are restrictions on this based on State law, and while you may want high fees to achieve the goals of keeping Austin as close to 1970s as possible, unfortunately the only thing certain is change has and will continue in this town. So, if you want people who live here to be able to tear down homes past their useful life (nothing lasts forever) and stay on their lot that they rightfully own, then you can't just tax them and put unreasonable fees on them and expect them to stay.

22 May 18

Austinite

AGREES	DISAGREES	REPLIES
0	0	0

For properties that are contributing to a national register historic district, there should be more time allowed for historic research prior to release of demolition permits. The time periods in code currently are not enough time to do the research and make it through the commissions and council for a vote. These timeframes may have made sense when Austin was much smaller, but are too short given how much demolition the city is undergoing in modern times.

FORUM TOPIC

What is a reasonable timeframe and an appropriate boundary for notification about a demolition site?

29 May 18

ATX-Citizen

AGREES

DISAGREES

REPLIES

0

0

0

The rules in place are fine, any additional notification requirements only add cost to the project and do nothing to improve the required safety of the project.

14 June 18

ncarty97

AGREES

DISAGREES

REPLIES

0

0

0

Only immediate neighbors should be informed. 100 feet seems reasonable. Anything beyond that and you're just asking for people that aren't directly affected by the work to become involved, and the only ones that will do that are the ones who just want to see all demolitions and construction stopped.

28 June 18

scottturner

AGREES

DISAGREES

REPLIES

0

0

0

The property is looked at by the Historic Preservation office to see if it may be historic. If so, it has to go through the Historic Landmark Commission with related notifications. If not, it's not historic and there would be no need to notify anyone about its removal. Demo notifications would only add delay and cost to the process. There is no rationale for the question posed here?

FORUM TOPIC

How should the City of Austin address the concerns about the lack of licensing or oversight for demolition contractors?

VISITORS 170

CONTRIBUTORS 20

CONTRIBUTIONS 126

28 February 18

Mark Lind

AGREES

6

DISAGREES

2

REPLIES

1

First of all, I think you need to distinguish between commercial buildings and residential buildings! As far as residential demolitions go, I do not believe that this is a big enough problem to warrant yet another layer of codes and regulations. Unless you can show definitively that neighbors are getting sick from houses being demolished, then I don't think this is a large enough problem that it would require more regulations. I have lived here all of my life and I do not recall hearing about someone getting sick from a house being demolished. The level of regulations in Austin is currently far too high already, and I say that as someone who firmly believes that one of a government's primary responsibilities is regulating businesses. But a government also needs to show a degree of restraint and judgement that I feel is sorely lacking in Austin these days! This city keeps adding layers and layers of regulations and at the same time wondering what it can do to make living here more affordable! The two issues are directly related to each other!! We the citizens of Austin are the ones who pay the extra thousands of dollars in cost every time you guys create a new rule, so please just stop!! There are enough rules on the books at the moment, thank you. You guys at the city are like junkies addicted to adding more rules. When will it ever stop??

02 March 18

Sogden

AGREES

6

DISAGREES

1

REPLIES

1

Austin has more regulation than most other municipalities and is well known for that. Why try to emulate another City on regulations that we are "lacking" in? Reign in the regulations. It makes housing more affordable for the little guy and affordable housing could actually happen rather than trying to legislate it on builders and contractors

04 March 18

anyckturgeon

AGREES

5

DISAGREES

1

REPLIES

0

For the last 10 years, I have tried to improve my house and find ridiculous the amount of permitting requirements that are required in Austin. In fact, after meeting with 15 different contracting firms to add a deck to my house, I came to the conclusion with the contractors that it would be easier for me to buy a house elsewhere or build from scratch - rather than trying to expand / replace the deck around my house given the current permitting regulations and requirements that already exist. When a deck expansion is estimated to cost \$280,000 for a house priced at \$450,000, I think that we already have too many regulations and are prohibiting people from being able to fix their properties from dangerous situations - like rotting deck, termite-infestation, etc. By coming up with more regulations, it is clear that we have TOO MUCH GOVERNMENT and need to cut down on the amount of politicians. Let's not add more permitting requirements when the current ones do not make sense at all and are prohibitive of enabling people from fixing current issues.

FORUM TOPIC

How should the City of Austin address the concerns about the lack of licensing or oversight for demolition contractors?

04 March 18

RioGTomlin

AGREES

DISAGREES

REPLIES

4

1

0

I would simply like to agree with the other comments posted regarding a current environment in COA that has created too many regulations and permits for homeowners.

09 March 18

paladinoc

AGREES

DISAGREES

REPLIES

6

3

1

Who has these "concerns"? The City government - looking for another solution to a problem that doesn't exist? Neighbors who just don't want anything in their neighborhood to change, and see this as another way to try to stop it? Where is the evidence that his "lack of licensing or oversight" is causing any actual problems or injuries? Sorry to sound so blunt and grouchy, but I have never lived anywhere where those who are already here/have try as hard as we do to stop others from coming in/having. CHANGE IS CONSTANT. Growth is good; replacing old structures with new ones has far more positives than negatives. This City where i live has got to stop trying to "manage" growth in ways that are actually attempts to just stop it.

10 March 18

DavidW

AGREES

DISAGREES

REPLIES

4

0

0

If state regulation is not deemed sufficient by the City, is the City planning on creating a department that issues and oversees licensing and registration? What will the requirements be and how will contractors obtain licensing and registration. Please include in this discussion the cost of such a new City department, and clarify the authority to operate under Texas Property Code.

16 March 18

AustinResident

AGREES

DISAGREES

REPLIES

4

2

1

The only "concerns" come from a very small subset of people and a few Council Members whose primary objectives are to slow down and eliminate demolitions altogether. Please post all of the concerned comments you've received somewhere publicly. How many documented cases are there where contractors worked in harmful ways? Can you share those on the website, if so? Requiring more licensing will raise costs and will exacerbate the affordability problem that everyone is supposedly concerned about too.

FORUM TOPIC

How should the City of Austin address the concerns about the lack of licensing or oversight for demolition contractors?

16 March 18

AustinCitizen

AGREES

3

DISAGREES

3

REPLIES

1

You seem to suggest that this problem would seem to take care of itself as “Sick guys can't work, after all, and Contractors don't want to lose their employees.” This may be true in a narrow sense, but one wouldn't expect someone to get ill right away from some of these hazards. Asbestos is a carcinogen considered unsafe at any level of exposure. Asbestos related illnesses have a long latency period, often robbing people of health and ultimately life, long after their usefulness to their past employers. It sounds as though the contractors you have worked with are conscientious about what they expose their employees to and how they approach their work. This is by no means widespread however, as many contractors fail to properly train and protect them from these hazards in accordance with OSHA rules. If workers are not being properly protected then the public most likely isn't either. Lead is similarly unsafe at any level of exposure and through accumulation can lead to many health issues in adults. It is most harmful, however, to the cognitive and behavioral development of children, even in very small amounts. I think this is what is guiding many Austinite's concern about how these demolitions are being carried out and what neighbors to demolition sites are being exposed to in the fallout. The dust generated during these demolitions does not stop at the property line and I don't think Austinites should have to be exposed to these hazards, especially on their own properties and in their own homes. Also, Your characterization of lead paint as typical even in homes as recent as late 1990s is incorrect as the manufacture of lead paint for residential use was banned at the federal level in 1978.

16 March 18

AustinCitizen

AGREES

0

DISAGREES

1

REPLIES

0

Sorry, this was intend as a reponse to your post under "How might the City of Austin better reinforce safety requirements for demolitions? "

17 March 18

AustinCitizen

AGREES

3

DISAGREES

4

REPLIES

1

Hi, Council Member Tovo said that she had heard from constituents with concerns about what they were being exposed to from these demolitions. Likewise, KXAN had a segment with a business owner surrounded by demolition sites, who is concerned as well. “http://www.kxan.com/news/local/austin/audit-safety-risks-are-not-fully-considered-in-austin-demolitions_20180227103811675/994663940”. When watching the video you will see that none of the debris is being wetted during removal, and there is also a lack of adequate barrier fencing, allowing dust and debris to travel off-site easily. As there is currently no meaningful regulation of residential demolition I wouldn't expect there to be documented cases of contractors violating non-existent city rules. While requiring proper abatement and demolition may increase costs to builders and investors, the affordability issues that this city faces are the result of much stronger factors than health and safety regulations.

FORUM TOPIC

How should the City of Austin address the concerns about the lack of licensing or oversight for demolition contractors?

18 March 18

Ford Prefect

AGREES

DISAGREES

REPLIES

4

3

1

20 March 18

Mark Lind

AGREES

DISAGREES

REPLIES

2

0

1

"...may increase costs to builders and investors, ..." This is a symptom of the problem! People incorrectly believe that only wealthy investors or builders are behind redevelopment projects and home demolitions, but who do you think hires the builder or pays for the home after it has been completed?? The citizens of Austin, of course. Every single fee and cost is going to be passed along to the buyer! So while you denigrate concerns over the ever increasing cost of living here, it is becoming really difficult for anyone other than wealthy people to live here! And all of the layers of bureaucracy and fees and delays on the part of the City are directly responsible for contributing to the problem. So what you may think you are trying to prevent, is EXACTLY what you are in fact creating !!! (i.e.: gentrification itself) We need to exhibit a reasonable degree of restraint when making new laws and regulations, and only do those that are essential !!

20 March 18

AustinCitizen

AGREES

DISAGREES

REPLIES

3

2

0

I think we may have a fundamental disagreement about what constitutes "affordable." I don't think of anyone who has the resources to demolish an existing house and hire a builder for a new one as someone who worries about affordability, at least how I understand the word. This is why I conceded that ensuring a level of safety and professionalism in demolitions may increase costs (a bit), but I don't think they'll have an effect on baseline affordability. That said, this is not what this discussion is about, which is to bring up ideas that would increase the safety of home demolitions here. I also hope that those in the real estate industry who may be currently opposed to these changes think about how they may appeal to buyers. It would go a long way to ensuring a client's piece of mind to be assured that the lot their new house sits on was less likely to be contaminated with lead and other hazards from the previous house, and that they could grow a vegetable garden or let their children play in the dirt with less worry.

27 March 18

Onetalltreeman

AGREES

DISAGREES

REPLIES

2

1

0

I agree that the City of Austin needs to have all its contractors that do demolition, whether partial or full, be licensed. If by chance, someone does get impacted by the lack of demolition precautions, then the contractors general liability insurance should be able to cover the situation, whether it is physical or medical in nature.

FORUM TOPIC

How should the City of Austin address the concerns about the lack of licensing or oversight for demolition contractors?

28 March 18			I think Austin already has more regulations in place than most other cities and this has lead to a housing shortage. More regulations is probably not the best answer to t his problem. If people were dying every year in accidents related to demolitions (and r egulations could fix that) then I could see regulations being warranted. But otherwise t his is a case of simply making our housing shortage worse than it already is.
wimi			
AGREES	DISAGREES	REPLIES	
3	2	1	

28 March 18			i'm ok with that if we can follow their lead on how quickly you can get a permit too.
cmgiles0			
AGREES	DISAGREES	REPLIES	
4	0	0	

28 March 18			yep, we never try to mimic any of those municipalities when it comes to making things easier, do we??
cmgiles0			
AGREES	DISAGREES	REPLIES	
2	0	0	

28 March 18			Honestly, COA needs to ask themselves the question of "what level of demolition sho uld require a permit". As everyone else has chimed in, it's ridiculous that I have to sub mit a survey of my property to enlarge a window in my house. GTFO of my business! It's expensive enough to fix up my aging home. I don't need you to get in the way. Ev ery bit of time contractors spend going through the permit process ends with me spen ding exponentially more money without having any work done. And, what about OSH A? Why is this a problem for COA? If you're going to make it harder for people to get demolition permits, then you better have very clear guidelines of exactly how you exp ect the work to be carried out in every situation. That sounds like an awful lot of stuff we don't need COA to be expending efforts on. Why don't you focus more on getting t hese damn toll roads out of our town. I'd prefer you just get out of the way and let thes e hard working guys and gals do their jobs!
danerenberg			
AGREES	DISAGREES	REPLIES	
4	0	0	

28 March 18			I support city licensing of demolition contractors, a requirement of which should be trai ning of their crews in applicable OSHA standards as well as an onsite safety coordinator. To ensure that existing federal regulation is followed would go a long way to improving job site safety as well as reduce health risks to workers and the public.
AustinCitizen			
AGREES	DISAGREES	REPLIES	
2	1	0	

FORUM TOPIC

How should the City of Austin address the concerns about the lack of licensing or oversight for demolition contractors?

28 March 18					
AustinCitizen					
AGREES	DISAGREES	REPLIES			
1	0	0			
			<p>The problem is not *just* people dying (or being seriously injured) due to physical hazards on the job, though that is certainly a risk in demolition work, the issue is also about workers and the public being exposed to health hazards that have very serious effects on people's health down the road. Asbestos related diseases, for instance, have a long latency period. Take a moment and look at OSHA's violation database sorted by the Austin office and by NAICS code 238910 (site preparation contractors) and you'll see a variety of violations. Keep in mind that OSHA does not actively inspect residential job sites and often times workers are kept ignorant of the health hazards they're encountering or are fearful for various reasons about filing a complaint. Here is a link to an OSHA press release citing several contractors for willful violations relating to asbestos on their job site. Though this happened in San Antonio, it may give you some idea of what goes on. Link: https://www.osha.gov/news/newsreleases/region6/03222016</p>		

18 May 18					
dnegrete					
AGREES	DISAGREES	REPLIES			
1	1	1			
			<p>What is the purpose of Licensing? HSW - Health Safety & Welfare; a concept long accepted in state and local law. Licensing requires continuing education in a person's area of work. That should not be a problem but an attribute to that service provider and has the benefit of public HSW. There is ample evidence that construction methods of the early, mid and even late 20th century commercial and residential construction were heavy users of asbestos products. Careful removal is not the expense it once was and it is in everyone's interest to not have friable fibers floating all over neighborhoods or commercial sites. Proper control of hazardous materials is not what is driving up the cost of housing in Austin. It's the successful economy and the open market. Something most people seem to have wanted. Having said all that, there should be an age specific time limit and simple categorization of systems and materials to justify a full blown testing procedure before demolition. This can't be one rule applies to everything.</p>		

30 May 18					
Pam Harmatiuk					
AGREES	DISAGREES	REPLIES			
0	0	0			
			<p>The City of Austin should immediately require general contractors to be licensed for asbestos abatement and other specialty trades. Almost every week we see news stories about contractors that take advantage of people hiring their services. If they were required to be licensed they would think long and hard about misleading their customers regarding their work and the cost because their licenses would be at risk.</p>		

FORUM TOPIC

How should the City of Austin address the concerns about the lack of licensing or oversight for demolition contractors?

03 June 18

Mark Lind

AGREES

0

DISAGREES

0

REPLIES

0

If any sort of regulation is enacted, it must be FOCUSED on houses built between years 190? and 196?, as this is the period in which asbestos was most widely used. And it should stipulate exactly _where_ and _how_ the presumed asbestos was applied, and whether that particular application would require remediation. Otherwise -- to simply require that ALL homes and ALL commercial buildings in ALL parts of town that were built in ANY era be regulated equally, would be an absolute overreach and an unjustifiably wide application of regulations intended to address a specific concern. (BUT) First, an objective study by independent researchers should be performed to assess the degree to which this concern is a problem (or whether it really is a problem at all). Depending on the results, the City could consider enacting regulations that are TARGETED only at those properties which are most likely to require remediation. Let's start basing City policies on facts and science rather than upon emotions and politically-based motivations. I would like to believe that City policies are objective, fair, balanced, and based upon some scientific or statistically-justifiable basis. Without fact-based regulations, people lose confidence in the legitimacy of governmental actions/decisions, and the important role of government regulatory processes becomes susceptible to misuse.

03 June 18

Mark Lind

AGREES

0

DISAGREES

0

REPLIES

0

Well, you may be right.... Since the McMansion ordinance itself has not completely deterred tear downs, it may be that some people are now trying to use the regulatory process in order to further prevent tear downs and deter new construction. *If* that's the case, it would be shameful if the City were to use concerns for health and safety to enact a politically-motivated series of new regulatory hurdles, but that *may* be what's actually prompting this proposal. And that would do long-lasting damage to our City, because that kind of regulatory abuse damages the confidence that citizens should have: namely, that their local governments are acting in an unbiased and objective manner.

13 June 18

Susan Wallace

AGREES

0

DISAGREES

1

REPLIES

0

Require licensed contractors to perform demolitions.

FORUM TOPIC

How should the City of Austin address the concerns about the lack of licensing or oversight for demolition contractors?

14 June 18			<p>In most aspects of construction, the contractors are not licensed. Licensed or not, demolition companies are still required to follow federal, state and local laws and face penalties for non-compliance. How will requiring licensing do anything to improve safety or compliance with regulations? The permit process now requires that the permit be obtained in the name of the demolition company. Companies that had a record of violating the law can simply be denied permits. Licensing won't do anything but add an extra level of bureaucracy, which means increased time and money for demolitions and ultimately consumers paying higher property prices.</p>
ncarty97			
AGREES	DISAGREES	REPLIES	
1	0	0	

28 June 18			<p>I don't think demo contractors should be singled out. What is the need or the expected outcome of licensing demo contractors? The only time you see something going wrong with a demo in the news is when a house mover gets stuck, and that's not the same issue at all. My understanding is that demo contractors are required to be insured and are liable under the permit.</p>
scottturner			
AGREES	DISAGREES	REPLIES	
0	0	0	

FORUM TOPIC

How might the City of Austin better reinforce safety requirements for demolitions?

VISITORS 265

CONTRIBUTORS 23

CONTRIBUTIONS 139

28 February 18

Mark Lind

AGREES

4

DISAGREES

2

REPLIES

3

I have worked with a lot of Contractors and they are smarter than people give them credit for. Most Contractors know when asbestos is present and will undertake remediation efforts, since they don't want to run afoul of the law and especially because they don't want to make their guys sick. Sick guys can't work, after all, and Contractors don't want to lose their employees. And since (as you note above) the state already prohibits unlawful removal of asbestos, there's really no need for the city to enact its own set of rules, which, after all, cannot supersede the higher regulatory authority of the existing state law. Anyway, if this was indeed a huge problem, we'd have already read about all the people who have gotten sick, which just simply is not the case.... As for lead, almost every home in this country that is more than fifteen or twenty years old is going to have lead in the paint on the walls, both inside and out. Is your solution to require remediation of every single residential demolition in central Austin?? That is a completely unworkable scenario. I know that your efforts are well-intentioned and they seem reasonable, but this just doesn't seem to be a big problem that it would require more experts, more money, and more delays. Passing regulations is all well and good, but you really should be considering their impact.

02 March 18

Sogden

AGREES

5

DISAGREES

3

REPLIES

2

Creating more regulations is not the answer and I doubt this is a big problem. Environmental remediation companies are probably behind this push.

04 March 18

M.M.M.

AGREES

3

DISAGREES

2

REPLIES

1

I would like to see a timeframe for the demolition - a set period when the demolition must be commenced and completed. And including this in the notice to neighbors would be very helpful - we could know what to expect and when instead of guessing as to why there is a delay and what is happening. Demolition is messy and the condition of the property during such work is dangerous so I think a narrowly tailored window would be appreciated by neighbors.

FORUM TOPIC

How might the City of Austin better reinforce safety requirements for demolitions?

09 March 18

paladinoc

AGREES	DISAGREES	REPLIES
2	2	1

A set period is generally a good idea, except when an appropriate demolition contract or can't be scheduled within that time frame - with EVERY regulation, we need to be a ware of unintended consequences. Would we want an owner to have a less-than-ideal contractor demolish the building just so they can meet a time frame? Every single regulation I have seen this City implement has come with literally dozens of unexpected and unintended consequences. It seems no one ever sits down and looks at how all of these processes conflict with each other and with the City's overarching goals. We SAY we want more affordable housing, and we want to slow the increase in housing costs. Yet all of these processes that are supposedly to "protect" residents just wind up driving the costs higher, while providing little real protection. Those residents who despise developers fail to remember that these are businesses, and it is in the BUSINESS' best interest to do things right - a builder's interests are actually quite well aligned with the neighborhood's.

09 March 18

paladinoc

AGREES	DISAGREES	REPLIES
4	3	1

In addition, I don;t think the City has provided any real examples of where citizens have been "exposed" or otherwise harmed by the safety risks posed by demolitions. I'm afraid this is another example of a solution being sought to a problem that does not exist.

10 March 18

DavidW

AGREES	DISAGREES	REPLIES
5	1	1

It would be valuable during the decision making process if the City could provide data on how many injuries or health issues have been reported and attributed to the residential demolition industry here in Austin. Then focus any new requirements accordingly.

16 March 18

AustinResident

AGREES	DISAGREES	REPLIES
4	2	3

If the City wants to know which properties have asbestos that don't fall under the state law, then the City should subsidize the costs of surveys. There are reasons that the State excluded smaller buildings, and an accurate presentation of the limits to the dangers of small levels of asbestos haven't been raised enough in this current process. Where's the science saying minimal asbestos exposure is worse than the State has determined? Please share this somewhere, otherwise it sure looks like this is politically motivated and not actually tied to the physical act of demolition.

FORUM TOPIC

How might the City of Austin better reinforce safety requirements for demolitions?

17 March 18

AustinCitizen

AGREES

3

DISAGREES

3

REPLIES

3

I don't think SFH demolitions are so common in TX as a whole that the State sees it as worthwhile to look into and regulate. Travel through most of the state and you will find people living in modest housing of various ages that are maintained in place and seen as sufficient. Austin however, has seen a large increase in home demolitions, and they are concentrated in certain areas of the city, making the exposure risk greater. As the demolition audit notes, demolition permits have risen 13% every year since 2010 and 77% of those have been for SFHs. Since this is an occurrence that is increasingly common in our city in particular, it is an issue that lends itself well to city level regulation. Asbestos exposure at any level is unsafe, and to say that the fallout from residential demolitions is "minimal" or "small" is not based in fact, but would be expected to vary by materials used in the home, the size of a home, distance from other properties, dust controls used, etc. Right now, there are no real standards for how these demolitions are conducted and how neighboring properties and those doing the work are protected. No one should be forced to be unwittingly exposed to these substances.

18 March 18

Ford Prefect

AGREES

1

DISAGREES

4

REPLIES

0

Consider mitigation requirements for asbestos, lead and other toxic chemicals on single-family residential demolitions.

20 March 18

Mark Lind

AGREES

3

DISAGREES

1

REPLIES

2

Your assumption is that demolitions have a large percentage of asbestos, although there is NO EVIDENCE whatsoever of this. Please show us statistics that would justify enacting new regulations BEFORE new regulations are adopted or proposed. Not to do so, means that the City is passing new regulations that are not justified. You also suggest that most demolitions are "concentrated in certain areas of the city." This is another assumption that is clearly not true, as they are happening all over. ***TO WIT : Let's have a facts based system of regulation in Austin; otherwise we're going to be forever chasing well-intentioned but ultimately self-defeating regulations that are not based upon real conditions. ***

FORUM TOPIC

How might the City of Austin better reinforce safety requirements for demolitions?

20 March 18					
AustinCitizen					
AGREES	DISAGREES	REPLIES			
4	3	1			
			<p>I did not write that residential demolitions in general “have a large percentage of asbestos” (this would be the purpose of a pre-demolition survey) I wrote that it was wrong to assume, as the poster before me did that the risks from asbestos exposure in residential demolitions are “small” when there are so many variables involved. I’m also not clear on what you are saying there is “no evidence” for. Are you suggesting that asbestos hazards aren’t common in older homes? For much of the 20th century asbestos containing materials were very common in residential building; this is a fact. Asbestos is often present in cement siding, drywall mud and ceiling texture, roofing materials, flooring and mastic, various types of insulation and other building products of a certain vintage. While I haven’t been able to find a reliably hard cut-off date for ACM in residential housing, the city’s demolition audit noted that 80% of all demolition permits were issued for pre’78 housing. These houses would have a strong likelihood of containing ACM as well as lead painted surfaces. The EPA states that “Asbestos-containing materials that aren’t damaged or disturbed are not likely to pose a health risk.” Of course home demolition (without pre-abatement and other safeguards) goes directly against this guidance and creates a health risk where one likely didn’t exist before. To correct this issue the city needs new rules for demolitions. As to where these demolitions are happening, yes they are occurring everywhere in this city, but looking at the maps in Exhibit 2 and Appendix B of the Demolition Audit you’ll see definite clustering in certain areas. I would be concerned if I lived in a neighborhood with multiple demolitions of older housing knowing that there are no real safeguards and no recourse with the city even if I knew the work wasn’t being done right. I think the city is belatedly realizing this and responding to people’s legitimate concerns about the issue.</p>		

28 March 18					
wimi					
AGREES	DISAGREES	REPLIES			
0	1	2			
			<p>In regards to Asbestos I think a bigger concern is people living in houses with asbestos (especially floors and ceilings). Has the city looked at the health risks of people living in these houses for years and decades. And if these regulations are added obviously builders will look to avoid these houses. So by adding these regulations will likely increase the number of people at risk of long term exposure. Also for neighbors one must consider the danger of living next to a degrading house with asbestos for years and years vs the one time exposure of demolition. In my view the city must make sure the regulations don't make problems worse before moving forward.</p>		

28 March 18					
wimi					
AGREES	DISAGREES	REPLIES			
1	0	0			
			<p>In regards to what the city should do. They should require watering the house before the demo. This is one of the best ways to avoid particles becoming airborne. This would also not increase the chance of asbestos houses not being demoed but continually degrading.</p>		

FORUM TOPIC

How might the City of Austin better reinforce safety requirements for demolitions?

28 March 18			is there any history of failure to follow safety requirements? any examples of those failures and impacts? this looks like a solution looking for a problem.
cmgiles0			
AGREES	DISAGREES	REPLIES	
3	0	1	

28 March 18			
cmgiles0			
AGREES	DISAGREES	REPLIES	
0	0	0	

28 March 18

AustinCitizen

AGREES	DISAGREES	REPLIES
0	1	0

Hi, This seems a bit convoluted to me. On the one hand you suggest a risk to long-term occupants of a house (as well as their neighbors), but then stop short of accepting a need for proper abatement prior to demolition, because it might dissuade investors from purchasing these properties because of the costs involved in responsibly taking them down. Thereby in a backhanded way increasing the risk to the public, by encouraging these structures to remain in place. Am I understanding you correctly? Many people in houses with these finishes you write about have taken steps to seal these surfaces. Your example of asbestos containing ceilings are often sealed and painted, your other example of asbestos tile floors (which are not typically friable unless broken or disturbed) are often covered over with other flooring. I'm not saying this is perfect, or risk is non-existent; it's unfortunate this material was ever used in building. However, I would think the risk here is minimal (both to occupants and neighbors) compared to the massive disruption of these surfaces by demolishing a house with asbestos materials in place. Because land values in this town have risen greatly, along with demand for high-end housing on them, I think these requirements will do little to diminish the attractiveness of these properties to investors. In the end, I think added requirements will amount to nothing more than a small hiccup in their re-development. So no, I don't think by adding abatement requirements and other safeguards would be encouraging the retention of what you see as unhealthy housing.

FORUM TOPIC

How might the City of Austin better reinforce safety requirements for demolitions?

29 March 18

Caroline Reynolds

AGREES

0

DISAGREES

1

REPLIES

0

Mr. Sadowsky seems oblivious of even the simplest of the City's own rules. How could he keep records to show anomalies or discrepancies? How many cases of rat- and roach-carried diseases have we had in Austin. The Austin/Travis County Health Officer only reports the growing number of typhus cases at the end of each year, never making public announcements about opossums being the vectors and notifying doctors to be looking for it. My case was diagnosed by my veterinarian, who knew exactly which zip codes it was appearing in. I had to ask to be tested for rickettsias so that my case was recorded. ATCHD isn't interested in confirmation of the outbreak. Subsequently, we have properly diagnosed two friends with "mystery disease" that tested positive for typhus. One man nearly died under treatment by a cardiologist, because he did not believe us and get tested.

29 March 18

Caroline Reynolds

AGREES

0

DISAGREES

2

REPLIES

0

Neighbors are exposed everyday that DAR and other demo contractors bang a house to pieces, allowing the dust, pollen, crushed linoleum and wall board to float free into the surrounding neighborhood. The dusts contain not only lead and asbestos from pre-1972 houses, but also pollens and dust particles and bacteria from the past 50 years. Additionally, the demo releases all the MERCURY vapor from broken thermometers back into the air of the neighborhood. All of these particles are a major source of allergens.

29 March 18

Caroline Reynolds

AGREES

0

DISAGREES

0

REPLIES

0

Scheduling is NOT a problem. DAR and other demo contractors do not file the application until the morning before they are going to start. Consequently, the neighbors have NO TIME to review and object to the permit issuance. I'm sure this suits Mr. Sadowsky, but it is a disservice to the neighbors and neighborhood associations. DAR started the demolition by tearing out all of the unpinning fascia, then leaving the broken wood and protruding nails to endanger our wild life, pets and children in an unfenced yard for SIX WEEKS. They are not welcome to come back to our neighborhood.

29 March 18

Caroline Reynolds

AGREES

0

DISAGREES

0

REPLIES

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The first thing that needs to happen is for Mr. Sadowsky to enforce the City and State rules and laws that apply. For instance, when the house across the street was moved to San Marcos, DAR did NOT check the box "using city streets". How did Mr. Sadowsky think they were going to take the 1000 sq ft house to San Marcos? By sky hook? I checked with Transportation and TXDOT, before DAR showed up at 11 PM (Yes, in the middle of the night!) to move the house. I called APD. The officer tried to convince me that a Demo Permit allowed the house to be taken on City streets. I had to tell him that wasn't true, and, moreover, DAR did not have a permit to take it on MoPac or I-35 or any other state highway on the way to San Marcos. How about training Mr. Sadowsky and APD to know, understand and enforce the rules on the books?

FORUM TOPIC

How might the City of Austin better reinforce safety requirements for demolitions?

29 March 18			<p>To begin with lead was removed from paint more than 15 years ago (2003? NO). Any contractor who tells you that he 'knows' when asbestos is present is pulling your leg and endangering his own life and those of the public. Asbestos doesn't make anyone sick ; asbestos digs thru the walls of your lungs and scars the lining of your lungs and keeps you from being able to absorb oxygen from the air you breathe. Then it kills you. Asbestos is not a problem in non-friable forms like mastic, linoleum and wall board. It becomes a problem when you crush it by tearing down a house with a back hoe. Lead paint is not a problem if you don't lick the paint on the window sills or try to sand it off the walls or window frames. Again crushing the house materials by crushing them with a back hoe is the problem. Austin doesn't know what they are playing with because Mr. Sadowsky has his head stuck in a sack.</p>
Caroline Reynolds			
AGREES	DISAGREES	REPLIES	
0	0	0	
29 March 18			<p>I do live in south Allandale/ Shoalmont, a neighborhood where 30 homes, 10% of all homes, are demolished each year ! Mr. Sadowsky doesn't even know what he is exposing our wild life, pets and children to every single week.</p>
Caroline Reynolds			
AGREES	DISAGREES	REPLIES	
0	3	0	
29 March 18			<p>Of course there is NO EVIDENCE, because no one does any assessment, even as simple as determining the date of construction. Pre 1972 -- probably has asbestos, and lead and mercury vapor from broken mercury thermometers. At least an air sample should be collected. Meanwhile, Mr. Sadowsky has his head in a sack.</p>
Caroline Reynolds			
AGREES	DISAGREES	REPLIES	
0	0	0	
29 March 18			<p>Texas is a Know-nothing, do-nothing buy whine state for the past 25 years. Department of State Health Services (previously Texas Dept. of Health) has been in turmoil since the early Rick Perry era, because the Exec Director and Commissioners have not been concerned about the general welfare of all Texans. If they pick on sick and disabled children and adults, they don't care very much about you and your problems.</p>
Caroline Reynolds			
AGREES	DISAGREES	REPLIES	
1	2	0	
29 March 18			<p>Why should the City of Austin subsidize the cost of the surveys. Let the buyers and developers and contractors pay for adequate surveys to assure the general public's protection from hazardous(lead) and toxic (lead and mercury) and carcinogenic (asbestos) materials. They are the ones stuffing \$1000 bills in their pocket every day and sucking at the government teat.</p>
Caroline Reynolds			
AGREES	DISAGREES	REPLIES	
1	3	0	

FORUM TOPIC

How might the City of Austin better reinforce safety requirements for demolitions?

29 March 18

Caroline Reynolds

AGREES

DISAGREES

REPLIES

1

2

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29 March 18

Caroline Reynolds

AGREES

DISAGREES

REPLIES

0

1

0

29 March 18

Caroline Reynolds

AGREES

DISAGREES

REPLIES

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1

0

01 April 18

AustinResident

AGREES

DISAGREES

REPLIES

2

0

0

30 May 18

Pam Harmatiuk

AGREES

DISAGREES

REPLIES

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There is no good reason that feds and state exempted single family homes. They exempted them because there was much weeping and gnashing of contractor and builders teeth. Meanwhile, most homeowners were taking their children to school and working to pay the mortgage, and didn't know how much whining the contractors were doing.

Yes, there certainly is in Shoalmont and Allandale. I find it hard to believe that Mr. Sandowsky enforces the rules everywhere else in town, except Allandale. Therefore, I assume that he follows them nowhere else.

This is nonsense! Your opinion is unsupported by either studies or facts. You need to study before opening your mouth and using your pen. Asbestos is only a problem in friable form or when non-friable forms are crushed with backhoes and bulldozers. The federal government recommends encapsulation to isolate asbestos. One way to do this is to paint asbestos-containing ceiling tiles. Linoleum is not considered a problem until a demo crew comes in with back hoes and bulldozers.

You make a couple of good points here, but there's one that needs to be addressed: "Asbestos exposure at any level is unsafe..." Unsafe may be right, but that doesn't meet a standard that has to be regulated by government necessarily. It's unsafe that construction workers might smoke and the neighbors would have to be exposed to secondhand smoke, but does it have to be regulated? It's unsafe when a whole bunch of workers park on the street and visibility is lost for drivers - but should we regulate that? It's harmful to workers that they're drinking large sodas and eating fast food - if we bear the cost in the healthcare system at the end of the day, should we regulate that too? Unfortunately the premise of your statement doesn't hold up.

Asbestos surveys should be required for the demolition of any building in Austin and the entire State of Texas. Developers, contractors etc should bear the burden of cost for these surveys and the city should have Inspectors to review and monitor the process. The safety of all citizens should be most important issue when it comes to any potential harms from things like asbestos and other substances. Often I do not believe our government agencies really see it that way.

FORUM TOPIC

How might the City of Austin better reinforce safety requirements for demolitions?

03 June 18			<p>Agreed. Usually there is a cottage industry with a small, select number of approved vendors preselected by the City who are allowed to perform the service and are pushing for further restrictions. Really folks, if this was such a huge problem, we'd be reading about all the hospitals full of people sickened by demolished houses. (I don't think that is the case here...) There are already too many aspects of construction and daily life in Austin that are regulated by the City and adding another at a time when the City should be looking to streamline its regulatory processes is frustrating and surreal. Commercial site plan process takes anywhere from SIX MONTHS to a YEAR AND A HALF! And I've recently been told that the City is something like four weeks BEHIND on some forms of inspections! That's ridiculous. The City of Austin really should have a moratorium on enacting new regulations until it figures out how to perform its duties for the regulations it has <u>already</u> enacted....</p>
Mark Lind			
AGREES	DISAGREES	REPLIES	
1	0	0	

03 June 18			<p>There really needs to be some science and statistical evidence that is studied and assessed before regulations are enacted! Has there been any kind of study performed that would justify another review, another set of required documents, another City department, hiring more inspectors, paying the cost of a specialty company and then delaying processes for at least another month if not longer? Has there been an objective Cost/Benefit analysis performed and where can we find that on the City's website? Like many other City regulations, this one seems destined to be an unnecessarily wide overreach driven by concerns that may or may not require a response from the City. But we will never know, as long as City policies are driven by emotion instead of science! All too often, City regulations are clothed in plausible concerns that disguise their true motivations. We desperately need factual, objective evaluation of all City regulations; that really isn't asking much....</p>
Mark Lind			
AGREES	DISAGREES	REPLIES	
3	0	0	

13 June 18			<p>Asbestos removal permit should be required for ALL demolitions whether residential or commercial.</p>
Susan Wallace			
AGREES	DISAGREES	REPLIES	
1	1	0	

14 June 18			<p>Is this an on-going problem? We already have a permit process and inspectors that review the work. Every demolition that occurs already is required to follow these regulations, bad actors are caught by the inspectors.</p>
ncarty97			
AGREES	DISAGREES	REPLIES	
1	0	1	

FORUM TOPIC

How might the City of Austin better reinforce safety requirements for demolitions?

15 June 18

LP

AGREES

1

DISAGREES

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REPLIES

1

Has the city fully researched wetting guidelines to reduce asbestos hazards during demolition? When proper procedures are practiced for wetting during demolition, air quality should be greatly improved. I would be curious to know if the city has researched this option which many cities use and is effective when properly monitored. Instead of asbestos removal for all historic homes (pre 1978 is the new historic), perhaps more monitoring of wetting procedures? Has the city hired an asbestos contractor to test the air quality of home demolitions with and without proper wetting and compared the differences?

15 June 18

LP

AGREES

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DISAGREES

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REPLIES

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Last year I remodeled (down to studs) a home with asbestos siding. Instead of removing the siding, I put new siding over the asbestos which is considered good business practice because asbestos is only a problem once it is disturbed. However, I added 3 new windows to this very cute bungalow, so the city required me to get a demolition permit. When window sizes are changed the COA requires a demo permit. Under the city's proposed asbestos removal procedures, restoring this home would have been a nightmare and the city would have incentivized me to demolish the entire home and build new construction. The city's far reaching policies in regard to trees, driveways, visitability, etc. have driven me out of the business of restoration of old homes and into the business of new construction.

28 June 18

scottturner

AGREES

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DISAGREES

0

REPLIES

0

Affordability is relevant to this discussion. The city has an affordability problem, due, in part to the high regulatory cost of construction and development, which, according to the Obama Housing Toolkit, is a barrier to the creation of housing nationwide. The high cost of asbestos abatement would be yet another barrier. As some of the comments on this issue indicate, there are many health risks we encounter in our everyday lives that could be abated via regulation but are not, frequently due to the high cost. The city council routinely makes decisions that impact the health of its residents based on budget concerns. It is not simply a health issue. The city should continue with the current policy of not requiring asbestos testing or abatement for 4 units or less.

FORUM TOPIC

How might the City of Austin better reinforce safety requirements for demolitions?

29 June 18

AustinCitizen

AGREES

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DISAGREES

0

REPLIES

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I agree that wetting procedures should be part of any demolition redesign. However this should be used only to supplement the pre-abatement of homes for lead and asbestos and to help minimize dust from these products that may escape discovery by a required pre-demolition (or preferably de-construction) survey. The cities that you may be referring to that rely heavily on "wet-wet" demolition, Detroit and Baltimore come to mind, are faced with the task of removing large areas of dilapidated/abandoned housing that are seen as a public burden. We can learn from this, but Austin does not face this same issue. We are a fast growing city that is seeing it's older housing stock replaced largely to suit the market demands of a new and affluent demographic (the root cause of our affordability issues). Our demolitions appear to me to be often (though certainly not always) of choice rather than necessity. I believe this imposes on us a greater obligation to take every available precaution to protect the health of workers and neighbors when these jobs are carried out. While adequate use of wetting has been shown to reduce lead fallout, I have not seen a study showing its effectiveness with asbestos, though it would make sense that it would help. The problem I see is that with wetting alone you're not removing the lead and ACM at it's source, but are disrupting it as part of a total structure where it may not be possible to adequately dampen it. For this process to be effective, wind must be monitored, the structure must be presoaked, the debris must be continually wetted as it's removed and stored on site and sealed for ultimate disposal. If any portion of the debris were not properly wetted or dries out before disposal it becomes a danger again. There is also the question of how to contain contaminated runoff. The use of this method alone introduces more chance of error than would be the case if ACM and lead painted surfaces were identified and removed prior to general demolition. It would also be harder for the city to know that it had been performed correctly. As stated earlier, I do think a defined and adequate (not just a garden hose or two) wetting procedure would help in diminishing the risk posed by undiscovered ACM and LBP missed during the survey and abatement process and would also help with general dust suppression.

30 June 18

AustinCitizen

AGREES

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DISAGREES

0

REPLIES

0

Yes, this is a problem. According to the city's demolition audit inspectors only conduct inspections after a demolition has occurred, there are no visits before or during the job. Additionally there are currently no city rules regarding the issue of LBP and ACM and so as far as the city is concerned there are currently no "bad actors." OSHA rules *do* apply, and there are detailed standards for lead and asbestos handling as well as for demolition work, but active enforcement is rare on the residential side of things and this enables contractors to regularly flaunt this minimum standard of safety for their crews and the public. I have suggested that a provision of any potential licensing requirement be the training of demolition crews and required compliance with OSHA regulations. I would also like to see inspectors more closely monitor these jobs and relay suspected health and safety violations to OSHA.



Development Services Department

Written by Rachel Austin [?] · June 5 ·

Have an opinion about the demolition permit process in Austin?



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Oldest



Richard Petersen Why is it every where I look in this area the concrete slabs are formed with stacked 2x6. Any concrete guy knows you can't vibrate the air out of the slab with such forming technique with out a blow out and is why every house formed this way has exposed air pockets and is why they follow up with a stucco finish. stucco covers up the exposed rocks only for cosmetic purpose the truth is the concrete's PSI strength is compromised. Wake up home inspectors turning a blind eye is wrong and is only going to cause problems down the road for the home owner. Want it done right? call Concrete Resolutions, I offer free estimates 7 days a week. Check us out on FB and see concrete finishing done right! I use inch an 1/8 concrete panels for all my thicken edge SOG's.

Like · Reply · Message · 12w



3



Dustin Snell while I agree with concrete being formed properly and not with stacked 2x6's, I believe it should be done that way because it's the proper way to ensure a true straight edge foundation for the sill plate to sit on. The psi "integrity" is hardly lost though, not to mention, any good contractor lays out their bar and makes their cages properly so that that is what is keeping the structural rigidity of the slab. Now we didn't stucco our slabs because they were clean because we used real forms, but again, lets say someone is using 3500 psi concrete for their foundation and they dont vibrate it, they are maybe going to end up at the equivalent of 3400 psi concrete when vibrated. At least if you are going to try to sell people that you are better, don't be selling them snake oil, be honest and just tell them that you'll do a cleaner job and that things like stucco won't be necessary. Also, so that you have this information for future, you don't want to remove all of the air, just the large pockets, and most contractors don't know that the frequency of the vibrator matters for removing the proper air, you don't want to remove the micro-air that creates the honeycomb effect in the mix which actually increases the structural rigidity of concrete. (You should probably take a trip to vegas next time the convention is there and sit in on some of the classes, there is some spectacular knowledge to be learned there).

Oh, I used to be a concrete contractor btw, and my family was in the concrete industry for almost 50 years. Now I pretty much stick to concrete countertops on outdoor kitchens because I thoroughly enjoy doing that. Don't go posting misinformation along on the internet just to make a sale though, someone will eventually call you out on it.

Like · Reply · Message · 12w



1



Richard Petersen Dustin Snell Everything I say is true per Washington State masons Union, As far experience I gave a great deal of experience from chasing curb machine, main line paver, Industrial concrete, residential deco, commercial road construction, high rise pan dec...

[See More](#)

Unhide · 12w



Michael Briggs Surface honeycomb has nothing to do with structural integrity. Want contractors to use \$20k in forming systems, look for it in the price of the final product.

Like · Reply · Message · 10w



Richard Petersen The final product put out with 2x6 forming, pouring at a 3 inch slump and not vibrating to avoid blow out in is resulting in crap finishes aesthetically and structurally. That that is why the face of slab is finished with stucco. If you would like I can share pics of rebar exposed on the face. I drive around job sites almost daily between Travis and Hays county and all stacked 2x6 thickened edge slabs are not clean. Test me I'll post pics. Want it done right with no short cuts due to unskilled cheap labor email concreteresolutions@gmail.com.

Like · Reply · Message · 10w



Dustin Snell Michael Briggs, do you understand concrete, and have you ever priced out forming materials? Maybe 10k in forming materials to do a proper job unless you are talking about something like a 4000sq.ft footprint that the house sits on. not 20k...

The honeycomb effect isn't just for the surface of the concrete, it is throughout. Hence why we sometimes ask for air to be added (especially in places that you have to account for freeze/thaw conditions. It allows for expansion and contraction, because as solid as concrete might seem to you, it does still expand and contract because it always stays pretty moisture rich. (Also why you can't lay wood floor directly on concrete).

Like · Reply · Message · 6d · Edited



Mark Garland A permit to perform demolition is only a good idea if the permit is free. Otherwise, it's just another way to collect yet another tax. We do demolition and improve our homes at OUR expense and then the county raises our property taxes because our homes are now worth more! Where is the fairness in that? Stop raising taxes on primary residences!

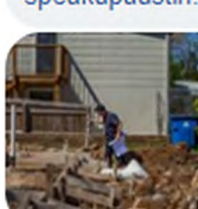
Like · Reply · Message · 12w



7



Development Services Department We appreciate your feedback and encourage you to post your opinion online at speakupaustin.org/demolitionpermits.



SPEAKUPAUSTIN.ORG

Demolition Permit Process



Like · Reply · Remove Preview · Commented on by Rachel Austin [?] · 12w



David Bebe Montoya Yes have city really inspect houses that are being demolished removed for asbestos and lead poison

Like · Reply · Message · 12w



2



Jerry Seale just another out of control taxing entity

Like · Reply · Message · 12w



1



Will Gordon I have an opinion about all permit processes.

Like · Reply · Message · 12w



3



Jody Greenland Yep. How a demo permit to demolish dsd and cca's tax scam.

Like · Reply · Message · 12w



Bradley Wilcox Permit fees levied upon homeowners doing their own renovations are simply revenue generation tactics so that the city can do things like pay attorney fees to defend illegal aliens that the city chooses to harbor against our will

Like · Reply · Message · 11w



3



Stephen Taylor If I really, badly wanted something demolished, I'd hire someone with a 'dozer who takes cash and is willing to do the work at 7 AM on a Sunday morning. Rather pay the fine and get the work done timely than deal with COA bureaucracy.

Like · Reply · Message · 9w



James O'Reilly Why does one have to pay to tear down their own possessions?

Like · Reply · Message · 9w · Edited



Jared Davis I do have an opinion, but I can't think of a professional way to express it.

Like · Reply · Message · 9w



1



Mark Clark Damn revenue finding another way to make money.

Reply · Unhide · 9w



Peter Toomey The city has demolished the permit process for years now.

Like · Reply · Message · 1w



2



Julio Castillo No but I want to know what Austin is going to do about all the bums downtown

Like · Reply · Message · 6d



Nathan Kosta Rodriguez Elle Kosta

Like · Reply · Message · 6d



Katherine Downes Firm believer in all permitting processes. Impact fees and vigilant inspections reduce costs long term and prevent accidents.

Like · Reply · Message · 5d



1



Eric Clarke Do away with it... #TooMuchGovernment

Like · Reply · Message · 3d



2



Katrina Harris Rosa Harris Hellman, Puggles Hellman

Like · Reply · Message · 1d



Bryan Arnett The city is nothing but a bunch of money hungry fools that try to tell you their policies are for the good of the public. BULLSHIT! They are only interested in your money! That goes for every office out there.

Reply · Unhide · 1d



Write a comment...

