

## CHAPTER 219

## S.B. No. 631

## AN ACT

relating to the authority of a municipality to provide for the repair and assessment of repairs of bulkheads or other structures.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 214.002, Local Government Code, is amended to read as follows:

Sec. 214.002. **REQUIRING REPAIR, REMOVAL, OR DEMOLITION OF BUILDING OR OTHER STRUCTURE.** (a) If the governing body of a [~~Type A general-law~~] municipality finds that a building, *bulkhead or other method of shoreline protection*, fence, shed, awning, or other structure, or part of a structure, is likely to [~~fall and~~] endanger persons or property, the governing body may:

(1) order the owner of the structure, the owner's agent, or the owner or occupant of the property on which the structure is located to *repair*, remove, or demolish the structure, or the part of the structure, within a specified time; or

(2) *repair*, remove, or demolish the structure, or the part of the structure, at the expense of the municipality, on behalf of the owner of the structure or the owner of the property on which the structure is located, and assess the *repair*, removal, or demolition expenses on the property on which the structure was located.

(b) The governing body shall provide by ordinance for:

(1) the assessment of *repair*, removal, or demolition expenses incurred under Subsection (a)(2);

(2) a method of giving notice of the assessment; and

(3) a method of recovering the expenses.

(c) The governing body may punish by a fine, confinement in jail, or both a person who does not comply with an order issued under Subsection (a)(1).

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 21, 1993: Yeas 30, Nays 0; passed the House on May 11, 1993, by a non-record vote.

Approved May 18, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.