



# **THE CITY OF LAKE** **JACKSON**

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## **FOR IMMEDIATE RELEASE**

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## **AN EDUCATIONAL MESSAGE ABOUT THE DEMOLITION PROCESS**

We are aware of concerns that some residents and non-residents have about the demolition of a house today. Demolition is not a well understood process that city governments throughout the nation undertake. Staff who are involved in executing the process do so with a seriousness that surpasses many other activities and functions they perform for the taxpayer.

City staff understand that the structure they are preparing to raze may be dangerous and unsafe now but at one time, it may have been a home that brought a family joy and happiness.

That said, we would like to explain how the process works and how any citizen can learn when homes are scheduled for demolition in the City of Lake Jackson.

The first item we want to clarify regards land ownership. Demolition is not eminent domain. Eminent domain refers to the process where a municipality forces a person to sell the municipality their property. The City of Lake Jackson has never conducted any eminent domain process.

Demolition does not begin in one fell swoop. It happens when all attempts to bring the house into compliance fails. Most of the time, the city staff and property owner can bring substandard houses into compliance.

Investigations into house conditions usually begin when the city staff receives a notice from a neighbor that a house appears to be in neglect. Staff investigates and learns as much as they can from the property owner to determine the state of the house.

When items do not meet code, staff will work between many months and many years with the property owner to bring the items into compliance. At this point, the house is not deemed a dangerous structure and most of the time, the process stops here because the staff and property owner find ways to bring the house into compliance with building codes.

A building only becomes a dangerous structure when it does not meet a set of minimum standards that are set out in Chapter 14 “Buildings” in the City’s Code of Ordinances. By that time, it oftentimes has become extremely unsafe to occupy and puts the neighborhood at risk. Many structural items are deteriorated to the point that they become hazards.

At this point, however, the house is still not considered for demolition. Instead, staff schedules a meeting of the Dangerous Structure Determination Board (DSDB). Real estate, health, and construction experts comprise the board. The DSDB hears from both staff and the property owner. The property owner may present a plan to bring the building into compliance. If no action to save the house can be accomplished, the DSDB orders demolition. If the property owner cannot comply with the DSDB orders, the property owner can ask the DSDB for more time. If all these steps fail, the DSDB then orders the building to be demolished. The property owner may appeal the DSDB order to district court. By law, the City Council cannot rescind the board’s order.

While seeking demolition bids, staff continues to communicate with the property owner. While waiting for demolition, the property owner can remove items from the building.

DSDB meetings are public and by law, they must be advertised in the local newspaper. The meetings are held on an as-needed basis because it is uncommon for the city to have a building that meets the dangerous structure definition. Register to receive notices about DSB meetings through our Notify Me link. <https://www.lakejackson-tx.gov/list.aspx#agendaCenter>

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