



CITY COUNCIL SPECIAL AGENDA

Tuesday, April 19, 2022

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Special Session on Tuesday, April 19, 2022, at 5:30 pm at the City Council Chambers Located at 307 East 4th Street, Big Spring, Texas. **We welcome the public to attend the meeting via telecommunication. Citizens will be able to view the City Council Meeting on Our Local Channel 17 through Suddenlink or on Our Website <http://mybigspring.com/224/Channel-17-Live>.**

CITY COUNCIL MEETING ETIQUETTE

Gentlemen are requested to remove their hats inside the City Council Chambers. As a courtesy to those in attendance, please place your cell phone on “Silent” or “Vibrate.” Please, no Talking during the meetings. Take all conversations outside so that others can hear.

Open Session

1. Call to Order Thomason
2. Invocation Thomason
3. Pledge of Allegiance to the United States Flag and to the Texas State Flag Thomason

Public Comment

Public Comment – Members of the public are entitled to speak on any topic. Additionally, members of the public may comment on any action item before or during its consideration. Speakers are Requested to Stand at the Podium and State Their Name and Address. Speakers Should Fill out the Form at the Podium and Turn it into the City Secretary. Please Do Not Exceed Five (5) Minutes.

4. **Public Comment – If you have public comments, please call 432-264-2411.** Thomason

Public Hearings

Public Hearings – The Council will take Input on Items Requiring Public Hearing Items Prior to any Action.

- | | | | |
|----|--|-------|-------|
| 5. | PUBLIC HEARING – Consideration and Possible Action
Concerning Abatement of Public Nuisance, to wit: Sanitation,
Accumulation of Rubbish and Garbage, and Other Violations of the
Property Maintenance Code, at 710 E 13TH ST., BIG SPRING,
TEXAS 79720 - LT 6, BK 11 COLE AND STRAYHORN -
OWNER: ROSEMARY KNECHT, 710 E 13TH ST. BIG SPRING,
TEXAS. | 4-15 | Hagen |
| 6. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, to wit: Hazardous
Structure or Premises, Accumulation of Rubbish or Garbage, and
Other Violations of the Property Maintenance Code at 1305 ROBIN,
BIG SPRING, TEXAS 79720 - LOTS 6-9, BK 2 – OWNER: GAIL
JUNE MCCONNELL, 7707 MESQUITE PASS, CONVERSE,
TEXAS 78109. | 16-19 | Hagen |
| 7. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, to wit: Sanitation,
Accumulation of Rubbish and Garbage, and Other Violations of the
Big Spring Property Maintenance Code, at 1407 E 14TH ST., BIG
SPRING, TEXAS 79720 - W/27.5 OF LT 2 & E/2 OF LT 3, BK 3
SUNSET PLACE OWNER: GUADALUPE RODRIGUEZ, 1407 E
14TH ST, BIG SPRING, TEXAS 79720. | 20-23 | Hagen |
| 8. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, to wit: Sanitation,
Accumulation of Rubbish and Garbage, and Other Violations of the
Property Maintenance Code, at 710 LORILLA, BIG SPRING,
TEXAS 79720 - LT S/50 OF LT 11, BK 12 SETTLES HEIGHTS
OWNER: KATHY SIGMON 3304 W HWY 80, APT 29, BIG
SPRING, TEXAS 79720. | 24-27 | Hagen |

Council Input

- | | | |
|-----|---------|----------|
| 9. | Input | Thomason |
| 10. | Adjourn | Thomason |

The City Council reserves the right to meet in executive session on any agenda item should the need arise pursuant to Chapter 551, Subchapter D of the Texas Government Code, or the Texas Disciplinary Rules of Professional Conduct.

Sec. 551.144. CLOSED MEETING; OFFENSE; PENALTY.

(a) A member of a governmental body commits an offense if a closed meeting is not permitted under this chapter and the member knowingly:

- (1) calls or aids in calling or organizing the closed meeting, whether it is a special or called closed meeting;
- (2) closes or aids in closing the meeting to the public, if it is a regular meeting; or
- (3) participates in the closed meeting, whether it is a regular, special, or called meeting.

(b) An offense under Subsection (a) is a misdemeanor punishable by:

- (1) a fine of not less than \$100 or more than \$500;
- (2) confinement in the county jail for not less than one month or more than six months; or
- (3) both the fine and confinement.

I hereby certify that this agenda was posted on the official bulletin board at the City of Big Spring, City Hall Building, located outside 310 Nolan Street. Given by order of the City Council and Posted on Thursday, April 14, 2022 at 4:45 p.m. in accordance with Title 5, Texas Government Code and Chapter 551.

In addition, this agenda and supporting documents are posted on the City of Big Spring's Website, www.mybigspring.com, in accordance with legal requirements.



Tami L. Davis, City Secretary

PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT TAMI DAVIS AT 264-2513 or tdavis@mybigspring.com. REQUESTS FOR AN INTERPRETER SHOULD BE MADE AT LEAST 72 HOURS IN ADVANCE OF THE MEETING TIME.



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

<MASTER_TOP-BEGIN>

**NOTICE OF VIOLATION, ORDER TO ABATE
AND NOTICE OF HEARING**

**710 E 13TH ST., BIG SPRING, TEXAS 79720
Lot: 6 BK: 11 COLE & STRAYHORN**

April 8, 2022

Case No: 699077

ROSEMARY KNECHT
710 E 13TH ST.
BIG SPRING, TEXAS 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION	Description of Violation
Sec. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises...shall be free from any accumulation of rubbish or garbage.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
Removal of the garbage, rubbish, construction debris, appliances, tree limbs, carpeting, and other debris shall be removed from the premises.	Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

Jacob Leos
Name

Code Compliance
Department

432-264-2502

Phone

jleos@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 19, 2022** at **5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.

- (e) Rights of Parties. Each party shall have the following rights, among others:
1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 2. To introduce documentary and physical evidence;
 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 4. To impeach any witness regardless of which party first called him to testify;
 5. To rebut the evidence against him;
 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

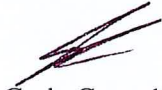
NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping, slanted strokes.

Code Compliance Officer
City of Big Spring, Texas

-MASTER_TOP_END-



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

<MASTER_TOP_BEGINS>

**NOTICE OF VIOLATION, ORDER TO ABATE
AND NOTICE OF HEARING**

**710 E 13TH ST., BIG SPRING, TEXAS 79720
Lot: 6 BK: 11 COLE & STRAYHORN**

April 8, 2022

Case No: 699077

SIDNEY JO HILLGER
710 E 13TH ST.
BIG SPRING, TEXAS 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

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Sec. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
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The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
Removal of the garbage, rubbish, construction debris, appliances, tree limbs, carpeting, and other debris shall be removed from the premises.	Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

Jacob Leos

Name

Code Compliance

Department

432-264-2502

Phone

jleos@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 19, 2022 at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

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 5. To rebut the evidence against him;
 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

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NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

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Sincerely,

A handwritten signature in black ink, consisting of several overlapping, stylized strokes.

Code Compliance Officer
City of Big Spring, Texas

<MASTER_TOP_END>



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

<MASTER_TOP_BEGINS>

**NOTICE OF VIOLATION, ORDER TO ABATE
AND NOTICE OF HEARING**

**710 E 13TH ST., BIG SPRING, TEXAS 79720
Lot: 6 BK: 11 COLE & STRAYHORN**

April 8, 2022

Case No: 699077

TORI BAUM
710 E 13TH ST.
BIG SPRING, TEXAS 79720

Sent via: First Class US Mail and Certified Mail

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For further information about this notice, please contact the following person:

Issued by

Jacob Leos
Name

Code Compliance
Department

432-264-2502

Phone

jlecos@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY

RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

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NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

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Sincerely,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a cursive-like name.

Code Compliance Officer
City of Big Spring, Texas

<MASTER_TOP_END>



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

<MASTER_TOP-BEGIN>

**NOTICE OF VIOLATION, ORDER TO ABATE
AND NOTICE OF HEARING**

**1305 ROBIN, BIG SPRING, TEXAS 79720
Lot: 6-9 BK: 2**

April 8, 2022

Case No: 70088

GAIL JUNE MCCONNELL
7707 MESQUITE PASS
CONVERSE, TEXAS 78109

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Sec. 111.1.5 Hazardous structure or premises	Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.
Sec. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises...shall be free from any accumulation of rubbish or garbage.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

Deadline for Compliance

A fire on the premises occurred on March 14, 2022. A second fire occurred on March 17, 2022. The structure was destroyed. The premises is littered with structural debris, remnants from fire, tires, trash, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.

Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

Jacob Leos

Code Compliance

Name

Department

432-264-2502

jleos@mybigspring.com

Phone

E-mail

The City's goal is voluntary compliance.

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RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 19, 2022** at **5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called him to testify;
 - 5. To rebut the evidence against him;
 - 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address

of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Code Compliance Officer
City of Big Spring, Texas

<MASTER_TOP_END>



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

<MASTER_TOP_BEGINS>

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

1407 E 14TH ST., BIG SPRING, TEXAS 79720
Lot: W/27.5 OF LT 2 & E/2 OF LT 3 BK: 3 SUNSET PLACE

April 8, 2022

Case No: 70140

GUADALUPE RODRIGUEZ
1407 E 14TH ST.
BIG SPRING, TEXAS 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION	Description of Violation
Sec. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds.	The premises and exterior property are not being maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises...shall be free from any accumulation of rubbish or garbage.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
The garbage, rubbish, furniture, appliances, tools, buckets, and other debris shall be removed from the premises.	Seven (7) days from date of mailing
Weeds in excess of 12 inches shall be removed from the premises.	

For further information about this notice, please contact the following person:

Issued by

<u>Jacob Leos</u>	<u>Code Compliance</u>
<i>Name</i>	<i>Department</i>
<u>432-264-2502</u>	<u>jleos@mybigspring.com</u>
<i>Phone</i>	<i>E-mail</i>

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 19, 2022** at **5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which

might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.

(d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.

(e) Rights of Parties. Each party shall have the following rights, among others:

1. To call and examine witnesses on any matter relevant to the issues of the hearing;
2. To introduce documentary and physical evidence;
3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
4. To impeach any witness regardless of which party first called him to testify;
5. To rebut the evidence against him;
6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

(f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

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Sincerely,



Code Compliance Officer
City of Big Spring, Texas

<MASTER_TOP_END>



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

<MASTER_FOP_BEGINS>

**NOTICE OF VIOLATION, ORDER TO ABATE
AND NOTICE OF HEARING**

**710 LORILLA ST., BIG SPRING, TEXAS 79720
Lot: S/50 OF LT 11 BK: 12 SETTLES HEIGHTS**

April 8, 2022

Case No: 70063

KATHY SIGMON
3304 W HWY 80, APT 29
BIG SPRING, TEXAS 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** have been violated, constituting a nuisance:

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Sec. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
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The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
The garbage, rubbish, construction debris, appliances, metal, furniture, mattresses, and other debris shall be removed from the premises shall be removed from the premises.	Seven (7) days from date of mailing

Weeds in excess of 12 inches shall be removed from the premises.

For further information about this notice, please contact the following person:

Issued by

<u>Jacob Leos</u>	<u>Code Compliance</u>
<i>Name</i>	<i>Department</i>
<u>432-264-2502</u>	<u>jleos@mybigspring.com</u>
<i>Phone</i>	<i>E-mail</i>

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Sincerely,



Code Compliance Officer
City of Big Spring, Texas

<MASTER_TOP_END>