



STATE OF TEXAS

§

IN THE COMMISSIONERS COURT

COUNTY OF COMAL

§

ORDER TO ABATE NUISANCE IN THE PUBLIC RIGHT-OF-WAY (BRACKEN)

WHEREAS, the Comal County Commissioners Court desires to abate nuisances in accordance with Comal County Public Nuisance Abatement Order #82 and the laws of the State of Texas in the interest of the health, safety and welfare of the citizens of Comal County, Texas;

WHEREAS, Texas Health and Safety Code §343.011(c)(2) states that a public nuisance is "keeping, storing, or accumulating rubbish on premises in a neighborhood or within 300 feet of a public street for 10 days or more";

WHEREAS, Texas Health and Safety Code §343.011(c)(5) states that a public nuisance is "maintaining a building in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of dilapidation and abandonment";

WHEREAS, Texas Health and Safety Code §343.021 states that a County may abate a public nuisance under Chapter 343 by demolition or removal;

WHEREAS, personal service was not obtainable and the address of the person to be notified is unknown; as such, written notice was posted on the premises on the structure and was published in the New Braunfels Herald-Zeitung on October 13, 2016, and October 20, 2016, in accordance with Texas Health and Safety Code §343.022 and Comal County Public Nuisance Abatement Order #82; and

WHEREAS, the Comal County Commissioners Court finds that the owner, occupant, agent or person in charge of the structure located in the public right-of-way (Bracken), Comal County, Texas, is keeping, storing or accumulating refuse on premises in a neighborhood or within 300 feet of a public street for 10 days or more and maintaining a building in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of dilapidation and abandonment;

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF COMAL COUNTY THAT upon proper notice as required by law, and upon motion duly made and seconded, and passed by a majority vote, as indicated by the signatures of the Commissioners below, that the structure located in the public right-of-way (Bracken) in Comal County, Texas, is hereby declared a public nuisance.

BE IT FURTHER ORDERED THAT that the public nuisance located in the public right-of-way (Bracken) in Comal County, Texas, be abated, and the County Purchasing Agent and the County Engineer are authorized to take action to abate such public nuisance.

EFFECTIVE THIS 19th DAY OF JANUARY, 2017


SHERMAN KRAUS, COUNTY JUDGE


DONNA ECCLESTON,
COUNTY COMMISSIONER PCT. #1


SCOTT HAAG,
COUNTY COMMISSIONER PCT. #2


KEVIN WEBB,
COUNTY COMMISSIONER PCT. #3


JEN CROWNOWER,
COUNTY COMMISSIONER PCT. #4

ATTEST: 
BOBBIE KOEPP, COUNTY CLERK

