

Historic Landmark Commission Meeting

Bastrop City Hall
1311 Chestnut Street
Bastrop, TX 78602
(512) 332-8840



AGENDA – July 17, 2019, at 6:00 P.M.

Historic Landmark Commission meetings are available to all persons regardless of disability. If you require special assistance, please contact the Commission Secretary at (512) 332-8840, or write to 1311 Chestnut Street, Bastrop, TX 78602, or call Relay Texas through a T.D.D. (Telecommunication Device for the Deaf) at 1-800-735-2989 at least 48 hours in advance of the meeting.

1. CALL TO ORDER

2. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the Board Secretary prior to the meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, the Commission cannot discuss issues raised or make any decision at this time. Issues may be referred to City Staff for research and possible future action.

To address the Commission concerning any item on the agenda, please submit a fully completed request card to the Board Secretary prior to the meeting.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

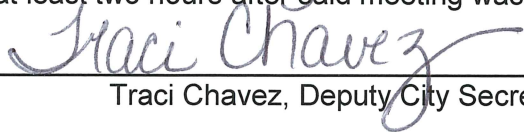
- 3A. Consider action to approve meeting minutes from the June 19, 2019 Historic Landmark Commission Regular Meeting.
- 3B. Discussion on the new development at 921 Main Street.
- 3C. Discussion for Certified Local Government designation requirements and the required resumes for Commissioners.
- 3D. Presentation and discussion of Bastrop's oldest fire hydrant.
- 3E. Discussion on HB 2496 passed by the Texas State Legislature and the impact on future historic landmark designations.
- 3F. Discussion on HB 2439 passed by the Texas State Legislature and a governmental entity's ability to regulate building products, materials and methods.

4. UPDATES

- 4A. Individual Requests from Historic Landmark Commissioners that particular items be listed on future agendas (no group discussion allowed).

5. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: July 12, 2019 at 4:45 p.m. and remained posted for at least two hours after said meeting was convened.



Traci Chavez, Deputy City Secretary



STAFF REPORT

MEETING DATE: July 17, 2019

AGENDA ITEM: 3A

TITLE:

Consider action to approve meeting minutes from the June 19, 2019 Meeting.

STAFF REPRESENTATIVE:

Launa Johnson, Permit Technician

ATTACHMENTS:

- June 19, 2019 Meeting Minutes



**MINUTES OF BASTROP HISTORIC LANDMARK COMMISSION MEETING
June 19, 2019**

The Bastrop Historic Landmark Commission met in a Regular Meeting on Wednesday June 19, 2019 at 6:00 p.m. at Bastrop City Hall, located at 1311 Chestnut Street, Bastrop, Texas. Members present were:

Christine Cartwright	Present	Susan Long	Present
Dan Hays-Clark	Present	Janean Whitten	Present
Blake Kaiser	Present	Matthew Lassen	Absent
Pat Crawford	Absent		

CALL TO ORDER

Chair Hays-Clark called the meeting to order with a quorum being present. 6:07 p.m.

CITIZEN COMMENTS

No citizen speakers.

ITEMS FOR INDIVIDUAL CONSIDERATION

3A. Consider action to approve meeting minutes from the February 20, 2019 Historic Landmark Commission Special Meeting.

A motion was made by Commissioner Christine Cartwright to approve the meeting minutes for the February 20, 2019 Historic Landmark regular meeting, seconded by Commissioner Blake Kaiser. Motion passed unanimously.

3B. Consider action to approve a Certificate of Appropriateness for an exterior addition to a street facing façade at 1101 Hill Street which is a National Register Structure known as the Minnie Wilkes House.

A motion was made by Commissioner Christine Cartwright to postpone a decision until building plans are submitted in order for the Commission to see the impact on the historic structure. Seconded by Commissioner Blake Kaiser. Motion passed unanimously.

3C. Discussion on the development at 921 Main Street.

Jean Riemenschneider with the Bastrop Economic Development Corporation updated the Commission on the plans for the development at 921 Main Street.

4. UPDATES

4A. Individual Requests from Historic Landmark Commissioners that particular items to be included on future agendas (no group discussion allowed).

Chair Hays-Clark adjourned the meeting at 6:59 p.m. without objection.

APPROVED:

ATTEST:

Dan- Hays-Clark, Chair

Susan Long, Vice-Chair



STAFF REPORT

MEETING DATE: July 17, 2019

AGENDA ITEM: 3B

TITLE:

Discussion on the new development at 921 Main Street.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

BACKGROUND/HISTORY:

The Bastrop Economic Development Corporation presented preliminary renderings for the new building at 921 Main Street. As the BEDC moves forward, it would like to continue to solicit feedback from the Historic Landmark Commission as the designers move closer to producing final plans.

The lot at 921 Main Street has been vacant since the previous building burned down in 2003. For the integrity of the buildings on both sides, as well as the consistent use of the 900 block of Main Street, the Bastrop Economic Development Corporation has been working to construct a new two-story, 9,000 square foot building in this space. The front façade will blend with the existing buildings, with a single door entry on the first floor and a second story gallery with double door access. Preliminary renderings will be presented at the meeting for discussion.

ATTACHMENTS:

N/A



STAFF REPORT

MEETING DATE: July 17, 2019

AGENDA ITEM: 3C

TITLE:

Discussion for Certified Local Government designation requirements and the required resumes for Commissioners.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

BACKGROUND/HISTORY:

The Texas Historical Commission (THC) has the Certified Local Government (CLG) Program, which is a local, state, and federal partnership designed to help cities and counties develop high standards of preservation. The program helps local communities by providing access to financial and technical services to further the identification, evaluation, designation and protection of buildings, sites, districts, structures, and objects. The Texas Historical Commission administers the program at the state level and the National Park Service is the responsible federal agency.

To become a CLG a local government must:

- ✓ Enforce state or local legislation that protects historic properties
- ✓ Establish a qualified review commission composed of professional and lay members
- ✓ Maintain a system for surveying and inventorying historic properties
- ✓ Provide for public participation in the historic preservation process, including recommending properties to the National Register of Historic Places.

Submission requirements to become a CLG Community:

- ✓ A copy of the local historic preservation or landmark ordinance, including any and all amendments to same;
- A listing of individual properties and/or districts designated under the city historic preservation ordinance, including addresses and statements of significance for each landmark or district;
- ✓ A list, with appropriate location maps, of Recorded Texas Historic Landmarks, State Archeological Landmarks, and any individual properties and/or districts identified and/or listed in the National Register of Historic Places with statements of significance for each property or district;
- Resumes of the designated historic preservation officer and members of the historic preservation review commission, board, or committee, indicating their qualifications, credentials, or expertise in fields related to historic preservation; and,

- A copy of the local preservation plan, if available, or a statement of goals and objectives for the preservation program.

After certification, each CLG must provide an annual report to the THC.

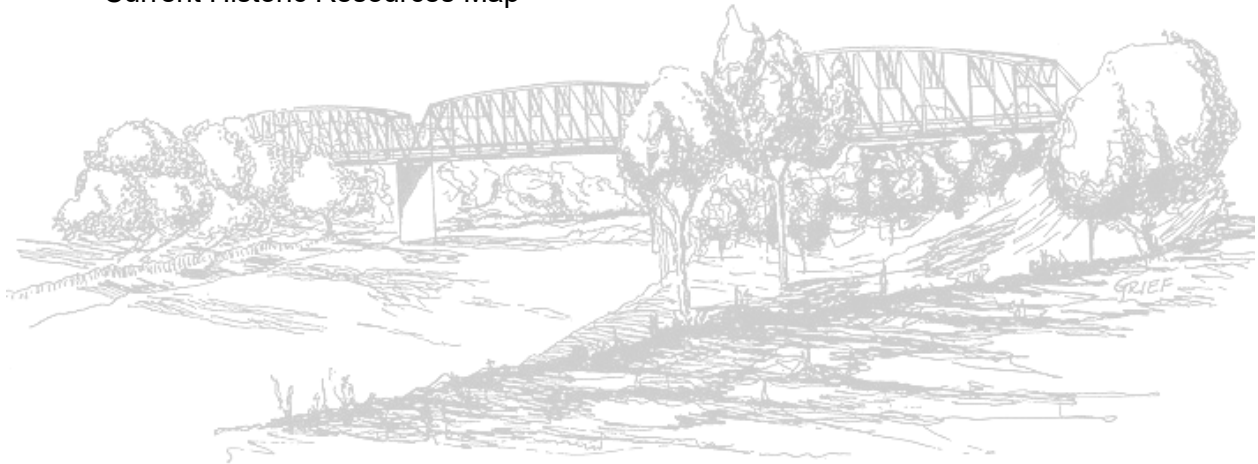
TIMELINE:

In order to complete the application requirements, the Historic Landmark Commission will review the following at upcoming meetings.

- July: Discuss resume requirement
- August: Not meeting due to budget meetings
- September: Finalize resumes and discuss statement of goals & objectives
- October: Review inventory and statements of significance

ATTACHMENTS:

- Request for Certified Local Government Status application
- Current Historic Resources Map



TEXAS HISTORICAL COMMISSION

real places telling real stories

REQUEST FOR CERTIFIED LOCAL GOVERNMENT STATUS

THC Contact

Local Contact

Contact: Lorelei Willett, State Coordinator
Address: Certified Local Government Program
Texas Historical Commission
PO Box 12276
Austin, TX 78711-2276
Email Address: lorelei.willett@thc.texas.gov
Phone: 512.463.7812
Fax: 512.463.5862

Contact:
Address:
Email
Address:
Phone:
Fax:

FROM:

(Name, title and mailing address of chief elected official of the applicant government)

In accordance with the National Historic Preservation Act of 1966, and the amendments to the Act approved in 1980, as well Rule 15.6 (f) of the Texas Administrative Code, I hereby request Certified Local Government status for

(city or county)

Enclosed are [check off as applicable]

- _____ (1) a copy of the local historic preservation or landmark ordinance, including any and all amendments to same; **(required for cities only)**
- _____ (2) a copy of by-laws adopted by an appointed county historical commission; **(required for counties only)**
- _____ (3) a listing of individual properties and/or districts designated under the city historic preservation ordinance, including addresses and statements of significance for each landmark or district; **(required for cities only)**
- _____ (4) a list, with appropriate location maps, of Recorded Texas Historic Landmarks, State Antiquities Landmarks, and any individual properties and/or districts identified and/or listed in the National Register of Historic Places with statements of significance for each property or district;
- _____ (5) resumes of the designated historic preservation officer and members of the historic preservation review commission, board, or committee, indicating their qualifications, credentials, or expertise in fields related to historic preservation; and,
- _____ (6) a copy of the local preservation plan, if available, or a statement of goals and objectives for the preservation program.

The requirements for certification of local governments, as described in the Texas Administrative Code, Rule 15.6 (e) (1-5) Rules and Procedures for Certified Local Governments, are presently fulfilled by

(city/county making application)

[check one]

_____ without exception

_____ with exception(s), as follows: [indicate the item(s), above, for which exceptions exist, and explain each, below]

I understand that if my (city/county) is certified, a written certification agreement specifying the responsibilities of the local government will be required and that

(city/county)

will be eligible to apply for special Certified Local Government matching grants to be used for eligible local historic preservation projects.

(Signed by chief local elected official)

(Dated)

Enclosures (as applicable):

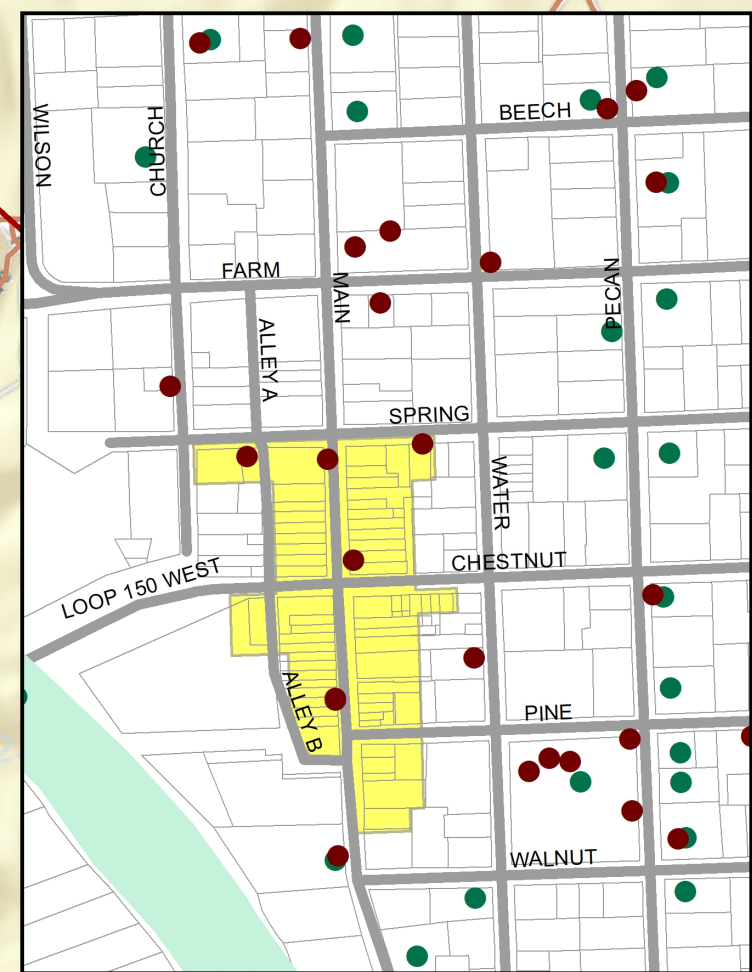
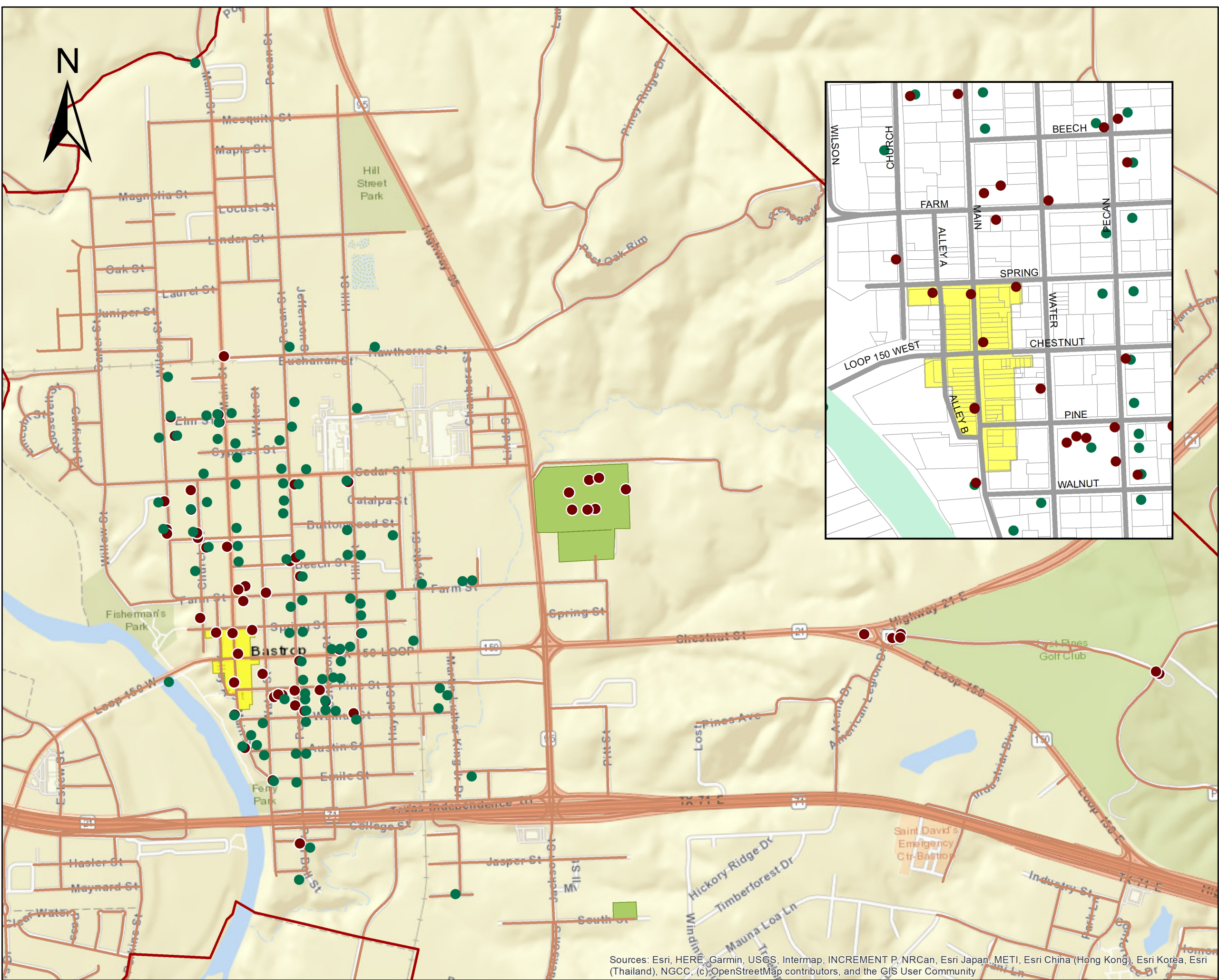
- (1) Local historic preservation ordinance
- (2) By-laws of the county historical commission
- (3) List of locally designated properties/districts
- (4) List of identified properties and districts
- (5) Resumes of historic preservation review commission/board/committee members
- (6) Local preservation plan or statement of goals and objectives
- (7) HPO appointment form

Revised 3/26/19

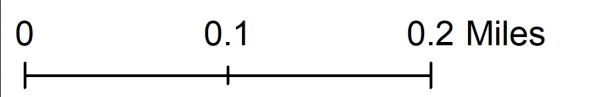




City of Bastrop Historic Resource Map



- Legend**
- Nationally Registered Properties
 - Bastrop City Limit
 - State Historical Markers
 - Road Centerlines
 - Historical Cemeteries
 - Nationally Registered District



Updated: 7/2/2019

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



STAFF REPORT

MEETING DATE: July 17, 2019

AGENDA ITEM: 3D

TITLE:

Presentation and discussion on Bastrop's oldest fire hydrant.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

BACKGROUND/HISTORY:

The hydrant was cast in 1888 and was one of four installed between 1888-1889. This is the only one that remains. The location is important because it signifies the first water line established in the City of Bastrop solely for fire protection. The new residential growth at the time triggered the need for increased fire protection. Additionally, the height is significant because it was meant to accommodate the tall sidewalks at the time that serviced horse-drawn carriages. The hydrant was designated as locally significant landmark on September 19, 2007.



ATTACHMENTS:

- Bastrop's Oldest Fire Hydrant History by Susan B. Long

Bastrop's Oldest Fire Hydrant SE Corner of Farm and Main Streets

Located at the SE corner of Farm and Main Streets a squatty, silver fire hydrant quietly stands guard, watching over the City of Bastrop, as it has faithfully done for almost 120 years. Its pudgy, short appearance immediately brings a smile to the observer's face, giving it a personality all its own. Its colorful history makes it even more significant among all things antique...

Cast in 1888, it was one of 4 installed in the Main Street area sometime around 1888-1889 (the others being located on corners at Spring, Chestnut and Pine). These hydrants were pressed into service during their early years for several fires of historic note – fires which could have taken a huge toll on the area had these hydrants not been there. This particular little hydrant is known as a Siamese Hydrant because of its two fire hose connections. It is actually much taller than it now appears. At least 3 feet are now hidden underground. Sidewalks in the 1800's were built higher due to horse-drawn buggy wheels and of course the street has been resurfaced several times over the past century, raising the street level as paving layers accumulated.

During the 1960's, a new water line was installed to service the growing Main Street district. As a result, new fire hydrants were installed. This lone, faithful servant is all that remains of the original four.

This historic hydrant caused a ripple effect in Bastrop's economy... The need for fire protection for the homes being built in that area in the 1800's caused the first water line to be designed expressly for the purpose of supplying the fire hydrants. As a result, this water line could then supply drinking water to those very same homes as well as support an ice plant, just 2 blocks away. This precipitated the construction of an electric generating station for the ice plant (at the location of the current city library). Along with the railroad for transport, the city had fire protection, drinking water, electricity and could now preserve food – a significant economic factor in those days.

This little hydrant in its original location stands as a tribute to the water system and infrastructure development of Bastrop. The hydrant *location* is of equal importance. In fact many antique fire hydrant buffs from several

states have already visited the little hydrant as noted by Mike Fisher, who was the City Water & Wastewater Director in past years as well as a past Fire Chief. Although still attached to the 4-inch water main, it is not used since there is already a modern operational hydrant at its side to handle today's increased fire protection demand. In the future when new water lines replace current ones, **it is important that it remain at its original location**, disconnecting it from the water line, but restoring and resetting it at its original height in order to give visitors a true representation of its original stature. Proper restoration will allow extraction of valuable historical information cast in the metal but not visible at this time.

I enthusiastically request that this loyal and faithful servant be preserved at its original location as the historic treasure it truly is!

Sincerely,

Susan B. Long
Safety Officer – Bastrop Fire Department
Commissioner – Bastrop Historic Landmark Commission

August 21, 2007



STAFF REPORT

MEETING DATE: July 17, 2019

AGENDA ITEM: 3E

TITLE:

Discussion on HB 2496 passed by the Texas State Legislature and the impact on future historic landmark designations.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

ITEM SUMMARY:

In the 86th Legislative Session, House Bill 2496 was passed, effective upon passing on May 25, 2019. This bill lays out requirements for municipalities when designating historic structures.

Requirements:

- 1) The owner of the property must consent to the designation.
- 2) The designation is approved by a three-fourths vote of:
 - i) The governing body of the municipality; and
 - ii) The zoning, planning or historical commission of the municipality.
- 3) The city must provide the owner a statement that describes the impact the designation will have to the owner and the owner's property not later than 15 days before the first hearing.
- 4) The historic designation impact statement must include lists of the:
 - Regulations that may be applied to any structure on the property after the designation;
 - Procedures for the designation;
 - Tax benefits that may be applied to the property after the designation; and
 - Rehabilitation or repair programs that the municipality offers for a property designated as historic."

In the Bastrop Code of Ordinances, the process for designating a historic landmark does not include the requirement for the three-fourths vote and does not provide the historic designation impact statement.

Moving forward, the process will be revised to include this information for the processing of historic landmark designation requests.

ATTACHMENTS:

- 86th Session House Bill 2496

AN ACT

relating to the designation of a property as a historic landmark by a municipality.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 211, Local Government Code, is amended by adding Section 211.0165 to read as follows:

Sec. 211.0165. DESIGNATION OF HISTORIC LANDMARK. (a) Except as provided by Subsection (b), a municipality that has established a process for designating places or areas of historical, cultural, or architectural importance and significance through the adoption of zoning regulations or zoning district boundaries may not designate a property as a local historic landmark unless:

.(1) the owner of the property consents to the designation; or

.(2) the designation is approved by a three-fourths vote of:

.(A) the governing body of the municipality; and

.(B) the zoning, planning, or historical commission of the municipality, if any.

.(b) If the property is owned by an organization that qualifies as a religious organization under Section 11.20, Tax Code, the municipality may designate the property as a local historic landmark only if the organization consents to the designation.

.(c) The municipality must provide the property owner a statement that describes the impact that a historic designation of the owner's property may have on the owner and the owner's property. The municipality must provide the statement to the owner not later than the 15th day before the date of the initial hearing on the historic designation of the property of:

.(1) the zoning, planning, or historical commission, if any; or

.(2) the governing body of the municipality.

.(d) The historic designation impact statement must include lists of the:

.(1) regulations that may be applied to any structure on the property after the designation;

.(2) procedures for the designation;

.(3) tax benefits that may be applied to the property after the designation; and

.(4) rehabilitation or repair programs that the municipality offers for a property designated as historic.

.(e) The municipality must allow an owner to withdraw consent at any time during the designation process.

SECTION 2. Section 211.0165, Local Government Code, as added by this Act, applies only to a designation of a property as a historic landmark made on or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

I certify that H.B. No. 2496 was passed by the House on April 26, 2019, by the following vote: Yeas 124, Nays 11, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2496 was passed by the Senate on May 14, 2019, by the following vote: Yeas 25, Nays 6.

Secretary of the Senate

APPROVED: _____
Date

Governor



STAFF REPORT

MEETING DATE: July 17, 2019

AGENDA ITEM: 3F

TITLE:

Discussion on HB 2439 passed by the Texas State Legislature and a governmental entity's ability to regulate building products, materials and methods.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

ITEM SUMMARY:

In the 86th Legislative Session, House Bill 2496 was passed, effective September 1, 2019. This bill includes language about how cities can regulate building products, materials and methods used in the construction or renovation of residential or commercial buildings.

The city is still working with legal staff to determine the full effects of this regulation on our existing standards.

Below is a basic summary of the bill:

A governmental entity may not adopt or enforce any regulation that:

1. Prohibits or limits, directly or indirectly a building product or materials that is approved for use in a national model code (e.g. International Building Code) published within the last three cycles (IBC is published every three years).
2. Establishes a standard for a building product, material or aesthetic method if the standard is more stringent than the standard in a national model code published within the last three cycles.

Exceptions:

1. Requirements for windstorm or hail insurance coverage.
2. Outdoor lighting requirements.
3. Buildings located in a place or area designated for its historical, cultural or architectural importance and significance regulated under Section 211.003 (b) of the Local Government Code if the municipality:
 - a. Is a certified local government under the National Historic Preservation Act; or
 - b. Has an applicable landmark ordinance that meets the requirements of the certified local government program as determined by the Texas Historical Commission.
4. A building located in a place or area designated for its historical, cultural or architectural importance and significance before April 1, 2019.
5. A building located in an area designated as a historic district on the Nation Register of Historic Places.
6. A building designated as a Recorded Texas Historic Landmark.
7. A building designated as a State Archeological Landmark or State Antiquities Landmark.

8. A building listed on the National Register of Historic Places or designated as a landmark by a governmental entity.
9. A building located in a World Heritage Buffer Zone.
10. A building located in an area designated for development, restoration or preservation in a main street city under the main street program.

ATTACHMENTS:

- 86th Session House Bill 2439



AN ACT

relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction or renovation of residential or commercial buildings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 10, Government Code, is amended by adding Subtitle Z to read as follows:

SUBTITLE Z. MISCELLANEOUS PROVISIONS PROHIBITING CERTAIN GOVERNMENTAL ACTIONS

CHAPTER 3000. GOVERNMENTAL ACTION AFFECTING RESIDENTIAL AND COMMERCIAL CONSTRUCTION

Sec. 3000.001. DEFINITIONS. In this chapter:

(1) "National model code" has the meaning assigned by Section 214.217, Local Government Code.

(2) "Governmental entity" has the meaning assigned by Section 2007.002.

Sec. 3000.002. CERTAIN REGULATIONS REGARDING BUILDING PRODUCTS, MATERIALS, OR METHODS PROHIBITED. (a) Notwithstanding any other law and except as provided by Subsection (d), a governmental entity may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation that:

(1) prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or

(2) establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.

(b) A governmental entity that adopts a building code governing the construction, renovation, maintenance, or other alteration of a residential or commercial building may amend a provision of the building code to conform to local concerns if the amendment does not conflict with Subsection (a).

(c) This section does not apply to:

(1) a program established by a state agency that requires particular standards, incentives, or financing arrangements in order to comply with requirements of a state or federal funding source or housing program;

(2) a requirement for a building necessary to consider the building eligible for windstorm and hail insurance coverage under Chapter 2210, Insurance Code;

(3) an ordinance or other regulation that regulates outdoor lighting that is adopted for the purpose of reducing light pollution and that:

(A) is adopted by a governmental entity that is certified as a Dark Sky Community by the International Dark-Sky Association as part of the International Dark Sky Places Program; or

(B) applies to outdoor lighting within five miles

of the boundary of a military base in which an active training program is conducted;

.(4) an ordinance or order that:

.(A) regulates outdoor lighting; and

.(B) is adopted under Subchapter B, Chapter 229, Local Government Code, or Subchapter B, Chapter 240, Local Government Code;

.(5) a building located in a place or area designated for its historical, cultural, or architectural importance and significance that a municipality may regulate under Section 211.003(b), Local Government Code, if the municipality:

.(A) is a certified local government under the National Historic Preservation Act (54 U.S.C. Section 300101 et seq.); or

.(B) has an applicable landmark ordinance that meets the requirements under the certified local government program as determined by the Texas Historical Commission;

.(6) a building located in a place or area designated for its historical, cultural, or architectural importance and significance by a governmental entity, if designated before April 1, 2019;

.(7) a building located in an area designated as a historic district on the National Register of Historic Places;

.(8) a building designated as a Recorded Texas Historic Landmark;

.(9) a building designated as a State Archeological Landmark or State Antiquities Landmark;

.(10) a building listed on the National Register of Historic Places or designated as a landmark by a governmental entity;

.(11) a building located in a World Heritage Buffer Zone; and

.(12) a building located in an area designated for development, restoration, or preservation in a main street city under the main street program established under Section 442.014.

(d) A municipality that is not a municipality described by Subsection (c)(5)(A) or (B) may adopt or enforce a regulation described by Subsection (a) that applies to a building located in a place or area designated on or after April 1, 2019, by the municipality for its historical, cultural, or architectural importance and significance, if the municipality has the voluntary consent from the building owner.

(e) A rule, charter provision, ordinance, order, building code, or other regulation adopted by a governmental entity that conflicts with this section is void.

Sec. 3000.003. INJUNCTION. (a) The attorney general or an aggrieved party may file an action in district court to enjoin a violation or threatened violation of Section 3000.002.

(b) The court may grant appropriate relief.

(c) The attorney general may recover reasonable attorney's fees and costs incurred in bringing an action under this section.

(d) Sovereign and governmental immunity to suit is waived and abolished only to the extent necessary to enforce this chapter.

Sec. 3000.004. OTHER PROVISIONS NOT AFFECTED. This chapter does not affect provisions regarding the installation of a fire sprinkler protection system under Section 1301.551(i), Occupations Code, or Section 775.045(a)(1), Health and Safety Code.

Sec. 3000.005. SEVERABILITY. If any provision of a rule, charter provision, ordinance, order, building code, or other regulation described by Section 3000.002(a) is held invalid under this chapter, the invalidity does not affect other provisions or applications of the rule, charter provision, ordinance, order, building code, or other regulation that can be given effect without the invalid provision or application, and to this end the

provisions of the rule, charter provision, ordinance, order, building code, or other regulation are severable.

SECTION 2. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 2439 was passed by the House on April 30, 2019, by the following vote: Yeas 124, Nays 21, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2439 on May 23, 2019, by the following vote: Yeas 133, Nays 9, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2439 was passed by the Senate, with amendments, on May 19, 2019, by the following vote: Yeas 26, Nays 5.

Secretary of the Senate

APPROVED: _____
Date

Governor