ORDINANCE 022723 PO

AN ORDINANCE OF THE CITY OF ROGERS, TEXAS ADOPTING PERMIT AND INSPECTION REGULATIONS FOR THE CONSTRUCTION AND IMPROVEMENT OF PROPERTY IN THE CITY AND FOR RELATED MATTERS; ESTABLISHING AND CREATING THE OFFICE AND POSITION OF BUILDING OFFICIAL FOR THE CITY; PROVIDING FOR THE AUTHORITY TO APPOINT THE BUILDING OFFICIAL; ESTABLISHING THE AUTHORITY AND POWERS OF THE BUILDING OFFICIAL; ADOPTION OF A FEE SCHEDULE FOR PERMIT FEES AND PERMIT-RELATED INSPECTIONS; PROVIDING FOR AMENDMENT OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTIES CLAUSE; PROVIDING FOR SAVINGS AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the public health, safety and welfare, require the adoption and enforcement of regulations as ordinances to govern the issuance of permits and the inspections for the purpose of issuing and approving permits for the completion of construction, plumbing, electrical work, and buildings, and other improvements to property within the City of Rogers, Texas;

WHEREAS, in order to provide minimum standards to safeguard the health, property and public welfare by regulating and controlling the design, construction, quality of materials, use, occupancy, location and maintenance of all buildings and structures within the city and other such equipment regulated herein as well as to regulate all construction, site clearance, alteration, moving and repair of any building or structure within the city, it is necessary to adopt regulations providing for the issuance and review of permits for such actions and activities within the city

WHEREAS, the public health, safety and welfare of the citizens of the City will be protected and served by adopting the regulations set forth in this ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, TEXAS, THAT:

Section 1. **Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this Ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. **Amendment of Ordinances.** All other ordinances or parts thereof in conflict with this ordinance are amended to the extent of such conflict only. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

Section 3. **Violations and Penalties.** Any person violating any provision of this ordinance shall be fined for each and every day during which any violation of any provision of this ordinance is committed, continued, or permitted in an amount not to exceed $ 2,000.00.

Section 4. **Savings Clause.** All rights and remedies of the City are expressly saved as to any and all violations of the provisions of any ordinances affecting dangerous and substandard buildings within the City which are pending or have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 5. **Severability.** It is hereby declared that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

Section 6. **Open Meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Texas Government Code.*

Section 7. **Effective Date.** This ordinance shall take effect immediately upon its approval and passage and publication as required by law.

PASSED AND APPROVED on this the 20 day of November 2023.

THE CITY OF ROGERS, TEXAS

Jeff Watson, Mayor

ATTEST:

Mercedes Covey, City Secretary

Article 1. General Provisions

Section 1. Authority. This ordinance is adopted pursuant to the police powers and authority given general law cities by the constitution, codes and general laws of the State of Texas, including but not limited to Chapt. 51, Tex. Local Gov't. Code, Chapt. 54, Tex. Local Gov't. Code, Chapt. 214, Tex. Local Gov't. Code, and the Tex. Health and Safety Code.

Section 2. Purpose and scope. The purpose of this article is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use, occupancy, location and maintenance of all buildings and structures within the city and other such equipment regulated herein. The provisions of this article shall apply to all construction, site clearance, alteration, moving and repair of any building or structure within the city.

Section 3. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory building. A subordinate building located on the same lot as a principal building, the activity of which is clearly integral with or incidental to the permitted use of the principal building.

Alterations. Any change, addition or modification in construction, including any change in structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed."

Approved. Having paid all permit fees and receiving the written approval of the building official, or appropriate inspector, as the result of an investigation and, if necessary, tests conducted by the building official or appropriate enforcement official of the city.

Building. Any structure, either temporary or permanent, having a roof or other covering, and designed or used for the shelter or enclosure of any person, animal or property of any kind, including tents, awnings or vehicles situated on private property.

Building official (herein "inspector" or "building official"). The person, his staff or employees, or entity designated by the city or appointed to perform the duties and responsibilities set forth herein, or, if none has been appointed, the chief executive officer. Where the inspection is for plumbing, electrical or other such inspection or permitting, the inspector designated to perform such specific duties is the building official for such project.

Certificate of occupancy or completion. A written certificate issued by the building official authorizing use and occupancy of a structure upon the satisfactory completion of any work or operations authorized by the city's building permit or other permit or same [sic] in occupancy. No occupancy of any new or altered portion of any structure or building, or any such building or structure for which there is a change requiring a permit, shall take place until a written certificate titled "certificate of occupancy" or "certificate of completion" therefor shall have been issued by the city building official.

City or municipality. The City of Rogers, Texas.

City attorney or corporate counsel. The attorney appointed to represent the city.

City official. The legally designated head of a city department or his authorized representative when acting in an official capacity.

Dwelling. A building used for residential purposes.
Dwelling unit. A residential unit designed to accommodate one (1) household.

Fire chief. The chief of the city fire department or his authorized representative.

Fire marshal. The person designated by the fire chief to be in charge of fire prevention activities, fire inspections, and fire and arson investigations for the city.

Health officer or health inspector. The legally designated head of the city health department or his authorized representative, or, where none, the head of the county health department or his authorized representative.

Occupant. Any person who rents, leases or appears to reside, rent or lease a building, structure or property through custody of the premises or who has the legal right to possession of such premises.

Owner. Any person who holds any interest in the legal title of a building, structure or property or who has the legal right of possession thereof.

Permit. A written document or certification issued by the building official permitting the specific construction, alteration, or extension requiring a permit under the provisions of this article and regulations stated herein.

Person. An individual human, partnership, co-partnership, firm, company, limited liability partnership or other partnership or other such company, joint venture, joint stock company, trust, estate, governmental entity, association or corporation or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine; the singular shall include the plural where indicated by the context.

Plot plan or site plan. A graphic representation, drawn to scale, in a horizontal plane, delineating the outlines of the land included in the plan and all proposed use locations, accurately dimensioned, the dimensions also including the relation of each use to that adjoining and to the boundary of the property.

Police chief. The legally designated chief of the police department of the city, or his authorized representative.

Repair. The reconstruction, renovation or renewal of any part of an existing building or structure for the purpose of its maintenance or improvement.
Responsible parties or responsible party. The owner or occupant, including the person in custody of the building or property and/or any mortgagee or lienholder.

Utility service. Shall have its common meaning and shall specifically include, but not be limited to, electric, water, wastewater, gas and telephone service.

Variance. A modification of the literal provisions of this ordinance granted when strict enforcement of this ordinance would cause undue hardship caused by circumstances unique to the individual property on which the variance is granted.

Section 4. Permit, bond and insurance required

(a) Permits generally.

(1) No building or structure or part thereof shall be constructed, erected, altered, moved, or placed within the city unless all appropriate permits to comply with this ordinance shall have first been issued for such work. No permit or certificate of occupancy shall be issued by the city for a building or for a private sewage facility upon any lot in a subdivision or confirming plat for which a final plat has not been approved by the city and filed for record, or upon any lot or parcel in the city or any lot in a subdivision in which the standards contained in the city's subdivision ordinance, as amended, or referred to therein, have not been complied with in full. No site clearance, excavation, grading, or landfill on public or private land shall commence unless all applicable permits shall have first been issued for such work.

(2) Any owner or occupant may personally make minor improvements and ordinary repairs on any structure without a permit provided that such improvements and repairs conform to all applicable building laws and codes. The building official shall have the right to inspect all such improvements or repairs and determine whether a permit is necessary.

(b) Moving permit. No building or structure or part thereof shall be moved onto or over the city streets unless a permit shall have first been issued for such move.

(c) Bond or deposit. Before any permit pursuant to this article is issued, the applicant shall file with the city a corporate surety bond, approved by the city attorney, or a cash deposit with the city, which deposit shall be placed in an escrow account in accordance with the following table:

Estimated Cost of Construction	Surety Bond	Cash Deposit
$0 - $500.00	None	None
$500.01 - $1,000.00	$250.00	$250.00
$1,000.01 - $2,000.00	$500.00	$50.00
$2,000.01 - $5,000.00	$1,000.00	$100.00
$5,000.01 - $10,000.00	$2,500.00	$250.00

$10,000.01 - $30,000.00	$10,000.00	$1,000.00
$30,000.01 and above	Percentage of costs	Percentage of costs

When applications are submitted where the costs of the total project are estimated to be more than $30,000.00, the building official may require that a bond or deposit in an amount based on a percentage of the cost of the project in question shall be tendered prior to issuance of a permit. The building official may require a larger or smaller bond or deposit when, in his or her opinion, the nature of the permit indicates such a need. Such bond shall be conditioned upon the applicant's compliance with this ordinance and other ordinances of the city and shall secure and may be used for the payment of any and all damages to persons or property (including the city) which damages arise out of, or are caused by, any act or conduct of or authorized by the applicant.

(d) Insurance. Before a construction project is started for which a bond or deposit is required under this article, each person applying shall furnish to the city evidence that he or she has procured public liability and property damage insurance in the following amounts:

(1) For damages arising out of bodily injury or death of one person in any one accident: $100,000.00.

(2) For damages arising out of bodily injury or death of two or more persons in any accident: $300,000.00.

(3) For injury or destruction of property in any one accident: $100,000.00.

Such insurance shall be kept in full force and effective during the period of time for which a bond or deposit shall be issued for the premises occupied. The city may waive this insurance request for minor construction projects.

(e) Exemptions. State, county and federal agencies are exempt from the bond and deposit requirements.

Section 5. Application for permit

(a) Generally. To obtain a permit under this article, the applicant shall first file an application therefor in writing. Each such application shall be accompanied by the required fee and shall:

(1) Identify and describe the work to be covered by the permit for which application is made;

(2) Describe the land on which the proposed work is to be done, by lot, block, tract and house or structure and street address, or similar description that will readily identify and definitely locate the proposed work;

(3) Indicate the use and occupancy for which the proposed work is intended;

(4) Be accompanied by plans and specifications as required in subsections (b) and (c) of this section;

(5) State the valuation of the proposed work;

(6) Be signed by the permittee, or his authorized agent, who may be required to submit evidence to indicate authority;

(7) Give such other information as reasonably may be required by the building official.

(b) Site plan. All applications for building permits shall be accompanied by a site plan drawn to scale, together with such additional copies as the building official may determine to be necessary for review by other city officials. The site plan shall contain the following:

(1) A legal description of the land included on the site plan and of the lot; the addresses and telephone numbers of the owner, the builder and the designer or architect;

(2) Lot and block number, and street number as approved by the U.S. Postal Service;

(3) The actual shape, location, and dimensions of the lot, an arrow pointing north and the lot area of the land included in the site plan;

(4) Erosion and sedimentation controls in use during construction;

(5) Location and dimensions of easements and setback requirements;

(6) Floodplain elevations, showing the floodway and that portion of the lot which is subject to inundation by the 100-year flood;

(7) Location of existing and proposed walks, driveways, off-site parking design and access roads;

(8) The existing and intended use of the lot and of all such structures upon it, including, in residential areas, the number of dwelling units the building is intended to accommodate;

(9) Existing and proposed grades and drainage systems and structures with topographic contours at intervals not exceeding two (2) feet;

(10) The architectural design, shape, size and location of all buildings or other structures to be erected, altered, or moved and of any buildings or other structures already on the lot;

(11) Site clearance and excavation plans;

(12) Exterior lighting plans;

(13) Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this ordinance are being complied with.

(c) Construction plans. Construction plans and specifications for all contemplated construction on the site shall be provided to the building official, and such plans shall include at least the following information:

(1) Scaled floor plan of each floor and of the basement, if any, for each building.

(2) Plan of all attached terraces, porches, or covered walkways, and/or attached or detached garage or carport and accessory buildings, parking lots and driveways, and all other structures as herein defined. All setback dimensions shall be indicated on the plans.

(3) Location and size of all permanently installed construction and equipment, such as closets, storage, plumbing fixtures, appliances, etc.

(4) Location and symbols of all electrical equipment, including switches, outlets, fixtures, etc.

(5) Exterior elevations:

(A) All exterior elevations;

(B) Wall and roof finish materials;

(C) Dimensions of overhang;

(D) Height from finished ground grade;

(E) Undisturbed and finished ground grade line.

(6) Structural section:

(A) Cross-section of typical wall construction details;

(B) Scale plan of foundation and pertinent section of typical beams, footings, etc.

(7) Architect/engineer seal, when applicable (only if required by state law):

(A) Architects or engineers shall affix their seal, actual signature, and date of affixation to all original construction drawings, including index sheets identifying all drawings covered, addendums and change orders which are developed and issued under the direct supervision or authorship of the architect as contract documents.

(B) Those sheets or pages prepared by consultants (structural, mechanical, electrical, etc.) retained by the architect or engineer shall also bear the seal and registration number of the consultant responsible therefor. The architect's seal on the work of his/her consultants shall be applied only after the seal of the consultant has been applied and shall attest only to the architect's coordination of the consultant's work with that of the architects and does not imply the architect's practice of engineering or other consultant's specialty. The engineer's seal on the work of his/her consultants shall be applied only after the seal of the consultant has been applied and shall attest only to the engineer's coordination of the consultant's work with that of the engineer's and does not imply the engineer's practice of architecture or other consultant's specialty.

(C) An architect's seal is required on plans relating to new commercial permits. An engineer's seal is required when mandated by state law, city ordinance or the technical codes.

(8) Erosion and sedimentation control plan to be used during construction.

(9) Such other information as deemed reasonably necessary by the building official. If a geotechnical report or engineer's foundation plans are required, the applicant may provide a report covering the soil conditions typical to the area and may provide a typical foundation plan for such conditions. The applicant would not have to submit a separate report or a separate plan for each individual site.

(d) License required. Any work required to be performed by a licensed operator must have such license submitted at the time of application for a permit. The permit may only be issued in the name of the licensed operator. No other person may perform services or work requiring a license unless such person is permitted by the terms of this ordinance, has a valid permit for the work or service and has a current valid license from the state to perform the services or work.

(e) Verification of compliance with Architectural Barriers Act. For all public and private commercial projects in excess of $50,000.00, the owner shall be required to verify compliance with the Texas Architectural Barriers Act or claim exemption.

Section 6. Issuance of permits and licenses; expiration; transfer; suspension or revocation.

(a) Review of application. The application, plans, specifications and other data filed in support of a permit or license shall be reviewed by the building official or other inspector. The city engineer may be asked by the building official to review the permit application and plans to insure compliance with this ordinance and other applicable city ordinances, codes, standards and specifications, and good engineering practices. If the building official determines that the work described in an application and the required plans, specifications, and other data comply with this ordinance and other applicable ordinances, and that all fees have been paid, he/she shall issue the permit or license, as applicable, to the applicant.

(b) Permit fees. Applicable fees pursuant to city ordinances and as set forth in the this ordinance shall be paid, including, but not limited to, all professional fees, engineer, and attorney fees insured [incurred] by the city for or with respect to the review, processing and approval of the application for the approval of the permit.

(c) Approval or denial of permit. When the building official issues a permit where plans are required, the approved plans and specifications shall be endorsed or stamped "APPROVED." The approved plans and specifications shall not be changed, modified, or altered without authorization from the building official. All work shall be done in accordance with the approved plans. Approval of an application for permit is not guaranteed and approval does not authorize deviation from any ordinance or statute. The applicant must complete all relevant information requested by the building official in the format required in a timely fashion to the building official. All applications denied must be endorsed or stamped "DENIED." The building official shall indicate the reason for denial in writing to the applicant. The applicant may appeal the decision of the building official as provided in this ordinance as set forth herein by filing a notice of appeal with the city secretary specifying the grounds for appeal therein. The duration of time required for review of permit applications and plans shall depend on the availability of the building official.

(d) Issuance of permit for part of work. The building official may issue a permit for construction of part of a building, structure, or building service equipment before the entire plans and specifications for the whole building, structure, or building service equipment have been submitted or approved, when information and detailed statements have been filed with the city which the building official determines adequately comply with requirements of this ordinance. The holder of a permit issued under this subsection may proceed with construction at his or her own risk, without assurance that the permit for the entire building or structure will be approved. No vested right shall arise under a permit issued under this subsection.

(e) Validity of permit. The issuance of a permit and the approval of plans and specifications is not a permit for, or an approval of, any violation of any provision of this ordinance or any other city ordinance. Issuance of a permit based on plans, specifications, and other data shall not prevent the building official from thereafter requiring the correction of errors in the plans, specifications, and other data, or from preventing building operations being carried on continued when in violation of this ordinance or other applicable city ordinances. No permit presuming to give authority to violate or cancel any requirement or provision of this ordinance shall be valid.

(f) Expiration and extension or permit.

(1) A building permit expires if work authorized by the permit is not commenced within 180 days. An extension may be granted by the building official for good cause. This extension must be requested in writing before the permit expires and must be granted in writing to be effective.

(2) A building permit [expires], if work authorized by the permit, once begun, is suspended or abandoned for more than 180 days. A single extension of up to 180 days may be granted by the building official for good cause. The extension must be requested before the permit expires and must be granted in writing to be effective.

(3) After a building permit has expired, no work shall be commenced until a new permit has been applied for, fees paid and the permit has been issued by the building official.

(g) Suspension, withholding or revocation.

(1) For good cause, the building official may suspend, withhold or revoke a permit or license issued by the city. Good cause may include, but is not limited to, the following:

(A) Failure or refusal to permit inspection of a site, location or building where work is being performed under a current permit.

(B) Failure or refusal to stop work and correct deficiencies when duly notified as described in section 8 of this ordinance.

(C) Fraud or misrepresentation in obtaining a permit or license.

(D) Violation on more than one occasion, either willfully or maliciously, or by reason of incompetence, of any provisions of the technical codes.

(E) Refusal to comply with the lawful requirements of the building official, bad faith or unreasonable delay in the performance of any installation, alteration or changes required by the building official or the correction of any defect pointed out by the building official.

(F) Consumption of alcoholic beverages, intoxication or use of narcotics during construction which may create a dangerous work environment or workers being impaired by the use of narcotics on a permitted work site.

(G) Existing adjudication of insanity of the permittee or licensee.

(H) Conviction of the permittee or licensee, who are to be contractors on a site, of defrauding any person to whom (s)he has rendered or intends to render services.

(I) Using a permit or license for work that is not actually performed or supervised, when permitted by the permittee or licensee.

(J) Securing a permit under any pretense for construction or installation concerning which the applicant has no valid contract.

(2) Each permittee shall have a fiduciary duty to supervise any person performing work at a site for which the permittee holds a permit. The permittee shall be responsible for any violation of this ordinance by any person performing work at a site for which the permittee holds a permit.

(3) The building official may withhold the issuing or renewal of a license or permit to an applicant for the same reason and by the same process used for revocation or suspension described in this subsection.

(h) Transfer.

(1) No license or permit issued in accordance with this article shall be assignable or transferable.

(2) No work shall be performed by any person not the holder of a license required by this ordinance.

(3) No person shall employ another person for doing work for which a license is required unless such person proposed to be employed is the holder of the proper license.

(4) No licensee shall assign or in any other manner convey his or her license, the use thereof or any rights thereunder to anyone by power of attorney or any other process. Should any licensee violate this subsection, the license theretofore issued to him or her under this ordinance shall by that act alone become null and void. However, any such prior assignment or other conveyance made by a licensee shall not be an effective or valid assignment of such license after its expiration date.

Section 7. Inspections.

(a) Generally. Before issuing a permit, the building official may examine or cause to be examined any building and electrical, gas, mechanical, or plumbing systems for which an application has been received for a permit to enlarge, alter, repair, move, demolish, install, or change the occupancy or use. The building official shall inspect all buildings, structures, and

electrical, gas, mechanical and plumbing systems, from time to time, during and upon completion of the work for which a permit was issued. Prior to issuing a certificate of occupancy to any premises, the building official may conduct a thorough inspection of the premises for which a certificate of occupancy is requested. The building official shall make a record of every such examination and inspection and of all apparent violations.

(b) Manufacturers and fabricators. When deemed necessary by the building official, the building official shall make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record shall be made of every such examination and inspection and of all violations of the building regulations.

(c) Use of inspection services. The building official may make, or cause to be made, the inspections required by this article. The building official may accept reports of inspectors of recognized inspection services provided that after investigating the building official is satisfied as to their qualifications and reliability. A certificate called for by any provision of the technical codes shall not be based on such reports unless the same are in writing and certified by a responsible officer of such service.

(d) Inspection prior to issuance of certificate of occupancy or completion. The building official shall inspect or cause to be inspected at various intervals all construction or work for which a permit is required, and a final inspection shall be made of every building, structure, and electrical, gas, mechanical or plumbing system upon completion, prior to the issuance of the certificate of occupancy or completion.

(e) Posting of permit. Work requiring a permit shall not commence until the permit holder or his or her agent posts the permit card in a conspicuous place on the premises. The permit shall be protected from the weather and located in such position as to permit the building official or representative to conveniently make the required entries thereon. This permit card shall be maintained in such position by the permit holder until the certificate of occupancy or completion is issued by the building official.

(f) Required inspections. The building official, upon notification from the permit holder or his or her agent, shall make the following inspections and such other inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes:

(1) Building.

(A) Foundation inspection. To be made after trenches are excavated and forms erected.

(B) Frame inspection. To be made after the roof, all framing, fireblocking and bracing is in place, and all concealed wiring, all pipes, chimneys, ducts and vents are complete.

(C) Final inspection. To be made after the building is completed and ready for occupancy.

(2) Electrical.

(A) Underground inspection. To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.

(B) Rough-in inspection. To be made after the roof framing, fireblocking and bracing is in place and prior to the installation of wall or ceiling membranes.

(C) Final inspection. To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected and the structure is ready for occupancy.

(3) Plumbing.

(A) Underground inspection. To be made after trenches or ditches are excavated, piping installed and before any backfill is put in place.

(B) Rough-in inspection. To be made after the roof, fireblocking and bracing is in place and all soil, waste and vent piping is complete, and prior to the installation of wall or ceiling membranes.

(C) Final inspection. To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

(4) Mechanical.

(A) Underground inspection. To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.

(B) Rough-in inspection. To be made after the roof, framing, fireblocking and bracing is in place and all ducting and other concealed components are complete, and prior to the installation of wall or ceiling membranes.

(C) Final inspection. To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

(g) Other inspections. In addition to the required inspections specified above, the building official shall make or require to be made any other inspections of any construction work

to ascertain compliance with the provisions of this ordinance and other laws which are enforced by the city.

Section 8. Stop-work orders; occupancy and use violations.

(a) Stop-work orders. Whenever any building work is being done contrary to the provisions of this ordinance or another controlling ordinance or statute governing the building, the building official may order the work stopped by notice verbally or in writing served on any persons engaged in doing or causing such work to be done, and the city shall post a stop-work order on the property adjacent to the posted building permit, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work. If no permit has been issued, all work shall stop until a permit has been properly issued and all errors corrected to the satisfaction of the building official. The building official may also issue a work correction order, which shall be served upon any persons who are working on a certain aspect of the construction project. The work on other aspects of the construction not in violation of the city's ordinances may proceed, but work shall cease as to that aspect in violation of the city's ordinances.

(b) Occupancy and use violations. Whenever any structure is being used contrary to the provisions of this ordinance, the city zoning ordinance provisions applicable to such structure, lot, parcel or tract of property upon which the structure is located or the city subdivision ordinance provisions applicable to such structure, lot, parcel or tract upon which the structure is located, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within ten (10) days after receipt of such notice or make the structure, or portion thereof, comply with the requirements of this ordinance. If the building official determines that any building, structure or premises have not been brought into compliance within the requisite time period, the building official may by written notice, as provided in section 13 of this ordinance, immediately revoke the certificate of occupancy.

Section 9. Certificate of occupancy or completion.

(a) Required. No building or structure shall be occupied, and no change in the existing occupancy or classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor, as provided herein, and such permit is current and not revoked. Prior to any connection of utilities or transfer of utilities from one name to and/or from one location to another, the primary occupant must have been issued a certificate of occupancy or a temporary certificate of occupancy.

(b) Change in use. Changes in the character or use of a building or structure shall not be made except as specified by this ordinance and the technical codes adopted by the city

(c) Issuance. After final inspection, when it is found that the building or structure complies with the provisions of this ordinance, the city zoning ordinance provisions applicable to such lot, parcel or tract of property upon which the structure is located and the city subdivision ordinance provisions applicable to such structure, lot, parcel or tract upon which the structure is located, the building official shall issue a certificate of occupancy or completion, which shall contain the following:

(1) The use and occupancy for which the certificate is issued;

(2) A certification that the building or structure complies with the provisions of this ordinance;

(3) The permit number of the building or structure;

(4) The address of the building or structure;

(5) The name and address of the owner and occupant;

(6) A description of that portion of the building or structure for which the certificate is issued;

(7) A statement that the described portion of the building or structure complies with the requirements of this ordinance for the group and division of occupancy and the use for which the proposed occupancy is classified;

(8) The name of the building official.

(d) Temporary certificate. A temporary certificate of occupancy may be issued by the building official for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure. The temporary certificate shall state thereon the duration for which the certificate is issued and, where no duration is indicated, the certificate shall be for no more than 180 days from the date of issuance.

(e) Nonconforming uses. A certificate of occupancy shall be required for all lawful nonconforming uses of land or buildings created by any ordinance of the city identifying the lawful nonconforming use. Application for such certificate of occupancy for a nonconforming use shall be filed with the building official by the owner or primary occupant of the building or land occupied by such nonconforming use within one (1) year of the effective date of this article. It shall be the duty of the building official to issue a certificate of occupancy for a lawful nonconforming use, or refusal of the building official to issue a certificate of occupancy for such nonconforming use shall be evidence that said nonconforming use was either illegal or did not lawfully exist.

(f) Connection of utilities. No person shall make connections from a utility source which is regulated by the technical codes for which a permit is required to any building or system until released by the building official and a certificate of occupancy or completion is issued.

(g) Temporary connection of utilities. The building official may authorize the temporary connection of the building or system to the utility source of fuel or power for the purpose of testing building service systems or for use under a temporary certificate of occupancy.

(h) Authority to disconnect utilities in case of emergency. The building official shall have the authority to authorize disconnection of utility service to the building, structure or

system regulated by the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility, and whenever possible the owner and occupant of the building, structure or service system, of the decision to disconnect, if possible, prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

(i) Authority to disconnect utilities for failure to obtain certificate of occupancy.

The building official shall have authority to authorize disconnection of utility services to any building, structure or system regulated by the technical codes for which a certificate of occupancy has been revoked or is required and has never been issued to the current occupant after written notice and an opportunity to correct as provided in section 12 and section 13 of this ordinance. Before utilities may be disconnected, the building official shall send a notice specifying that the owner or occupant must bring the property into compliance or the utilities will be disconnected and indicating that the owner or occupant may appeal to the board of adjustments within ten (10) days of the date of the letter.

Section 10. Variances.

(a) Any person may apply for a variance of any provision of this ordinance by submitting a written application to the building official citing the specific provision of this ordinance for which a variance is sought and setting forth with particularity the reasons for such request. The building official shall review such an application and forward the application to the board of adjustments for consideration and approval or denial. If a person wants to protest the decision of the board of adjustments, an appeal must be made to the district court of competent jurisdiction within ten (10) days of the denial as provided in section 15.

(b) A person may not proceed with any operation for which a permit or variance is required by this article unless and until the appropriate permit or variance has been granted.

Section 11. Enforcement generally; notices; citations.

(a) Enforcement officers. The building official, his or her representatives, and any officer charged with enforcement of the ordinances of the city, including any peace officer of the city, may enforce the provisions of this ordinance.

(b) Citations. If an officer charged with the enforcement of this ordinance shall determine that a situation exists which immediately affects or threatens the health, safety and well-being of the general public, and that immediate action is necessary, such officer may take such action as shall be necessary, including issuing citations for violations of the terms and provisions hereof to the owner, occupant and/or responsible party for the property upon which such condition exists, as may be deemed appropriate and necessary.

(c) Imminent threat. If an officer charged with enforcement of this ordinance determines a situation constitutes an immediate threat to the public health, safety and welfare and

the owner, occupant or responsible party for the property is absent or fails to immediately remedy the violation, the city council may, at a regular session or at an emergency session called for the purpose of considering the issue, upon evidence heard, determine that an emergency exists and order such action as may be required to protect the public be [sic] safety and welfare. In such event, the city may prosecute an action in any court of competent jurisdiction to recover its costs.

(d) Failure to correct conditions. If any owner, occupant or responsible party shall fail or refuse to remedy any of the conditions prohibited by this ordinance within ten (10) days after written notice to do so, the city may do such work or cause the same to be done, and pay therefor, and charge the expenses in doing or having such work done or improvements made to the property, and such charge shall be a personal liability of such owner(s), occupant(s), and/or responsible parties to the city.

(e) Service of notice. Notices required pursuant to this article shall be in writing. Such notices may be served upon such owner(s), occupant(s) and/or responsible party as follows: in person by an officer or employee of the city; by certified letter addressed to such owner, occupant and/or responsible party at his/her post office address; or, if personal service may not be had, or the owner, occupant or responsible party's address be not known, then notice may be given by publishing a brief summary of such order at least once in the official newspaper of the city or by posting a notice on or near the front door of each building on the property upon which the violation relates, or, if no building exists, by posting notice on a placard attached to a stake driven into the ground on the property to which the violation relates. The notice shall state "Building and Construction Regulations," "To Whom It May Concern," and a brief statement of the violation(s). Service of the notice by any one of the above methods, or by a combination thereof, shall be deemed sufficient notice.

(f) Refusal of notice. If an owner is mailed a notice in accordance with subsection (4) and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered as delivered.

Section 12. Abatement of dangerous conditions without notice.

Whenever an immediate danger to the health, life or safety of any person exists as a result of any building or premises violations or conditions on any lot, parcel or premises within the city, the city may abate the nuisance without notice to the owner. If the utility connections to the property need to be disconnected to the property to prevent further risk or damage, the building official may direct that the necessary utilities be disconnected. In the event the city abates the nuisance under this section, the city shall forward notice to the owner within ten (10) days in the manner set forth herein.

Section 13. Abatement hearing.

(a) Notice; right of appeal. In addition to any other remedy provided in this article and cumulative thereto, the building official, after giving to the owner, occupant and/or responsible party of the property ten (10) days' notice in writing, as provided herein, may cause any of the work or improvements mentioned in this article to be done at the expense of the city,

and charge the utility bill of the property on which such work or improvements are done as well as cause all of the actual cost to the city to be assessed on the real estate or lot on which such expenses occurred; provided that the owner, occupant and/or responsible party of any such real estate may appeal to the board of adjustments from the order of the building official by filing an appeal, as provided in section 15, within ten (10) days after receipt of the notice provided for above, stating that such real estate complied with the provisions of this article before the expiration of a ten (10) day period and requesting a hearing.

(b) Appeal hearing. The board of adjustments shall set a date, within thirty (30) days from the date of the appeal, for hearing the appeal to determine whether the real estate complied with the provisions of this article before the expiration of such ten (10) day period.

(c) Effect of appeal. The authority of the building official to proceed to cause such work to be done shall not be suspended while an appeal from the order is pending.

(d) Compliance prior to abatement. If it shall be determined by the board of adjustment the premises complied with the provisions of this article before the expiration of the ten (10) day period, then no personal liability of the owner or occupant shall arise nor shall any lien be created against the premises upon which such work was done.

Section 14. Assessment of costs of abatement; lien.

(a) Authority. Cumulative of the city's remedy by fine, as set forth herein, the city may do such work or cause the same to be done to remedy such condition [and] to remove such matter from such owner's premises at the city's expense and cause the same [to be added] to the utility bill of such property and assess the same against the real estate or lot or lots upon which such expense is incurred.

(b) Assessment of costs. Expenditures plus ten (10) percent per annum interest on the expenditures from the date of such payment by the city shall be added to the next billing cycle for utility bills for the real estate or lot or lots, if not already paid. Payment shall be due and payable in full by the owner or occupant at the time of payment of such utility bill. If the property is unoccupied, no utilities shall be furnished to the property where the work occurred until such obligation, as herein set out, payable to the city for abatement of any nuisance described herein is paid in full.

(c) Lien. Upon filing with the county clerk of a statement by the city secretary or designee of such expenses, the city shall have a privileged lien upon said real estate or lot or lots, second only to tax liens and liens for street improvements, to secure the expenditure so made and ten (10) percent per annum interest on the amount from the date of such payment so made by the city.

(d) Suit to recover costs. The city may, additionally, institute suit and recover such expenses and foreclose such lien in any court of competent jurisdiction, and the statement so filed with the county clerk or a certified copy thereof shall be prima facie proof of the amount expended in any such work or improvements to remedy such condition or remove any such matter.

Section 15. Appeals.

(a) Right of appeal; filing. Unless otherwise provided in this ordinance, any person aggrieved by a decision of an officer or building official acting under this article or any officer, department, board or bureau of the city affecting a property under this article may appeal such decision to the board of adjustments. Such appeal shall be made by filing with the office of the board of adjustments within ten (10) days of the action or incident being appealed. A note of appeal specifying each and every ground for appeal shall accompany the appeal and state thereon "Notice of Appeal." The officer, department, board or bureau from which the appeal is taken shall forthwith transmit to the board all of the papers constituting the record from which the action appealed from is taken.

(b) Notice of hearing. The board shall fix a reasonable time for the hearing of the appeal or other matter referred to it and shall give public notice of the hearing and due notice to the parties in interest.

(c) Findings of fact. The board of adjustments shall file findings of fact within a reasonable time after the final decision of the board of adjustments is announced. The findings shall be in writing filed in the office of the city secretary. Filing of the minutes of the meeting of the board of adjustments meeting at which the appeal hearing was held shall constitute a filing of the findings of fact absent a more specific filing prior to filing the minutes.

(d) Appeal of decision of board of adjustments. Any party aggrieved by the decision of the board of adjustments shall have ten (10) days from the date of the filing of the findings of fact to file an appeal with the district court of competent jurisdiction.

(e) Conflicting provisions. The board of adjustments shall serve and act as the board of appeals established under this ordinance. The provisions of established by City ordinance governing membership of the board of adjustment, member qualifications, alternate members, notice of board meetings, and board decisions pertaining to dangerous and substandard buildings shall control in the event of a conflict with such provisions governing the board of appeals set forth in the building codes adopted under this ordinance.

Section 16. Offenses and penalties.

(a) Any person who shall violate any of the provisions of this ordinance or the technical codes adopted herein, or shall fail to comply therewith, or with any of the requirements thereof, within the city limits, shall be deemed guilty of an offense and shall be liable for a fine in accordance with the penalties set forth in this ordinance, and each day the violation exists shall constitute a separate offense. Such penalty shall be in addition to all the other remedies provided herein.

(b) Any person who shall remove a notice of violation or a placard posted pursuant to this article from a property prior to correction of the deficiencies indicated thereon shall be deemed guilty of a misdemeanor offense.

(c) Any person who shall knowingly or intentionally provide false information on any application required pursuant to this article shall be deemed guilty of a misdemeanor offense.

(d) Any person who shall occupy or shall authorize another person to occupy a building, or any part thereof, without having received a certificate of occupancy in compliance herewith, within the city limits, shall be deemed guilty of an offense and shall be liable for a fine in accordance with the penalty provision set forth in this ordinance. Each day the violation exists shall constitute a separate offense. Such penalty shall be in addition to all the other remedies provided herein. A person in violation of this ordinance as described in this subsection shall also be liable for an administrative penalty of $100.00 per calendar day that the violation occurs. The building official (or designee) shall give notice to the person of the violation and shall give notice of the administrative penalty due that is established by the section. The person may request a hearing regarding the building official's determination with the municipal court judge, who is hereby designated as the hearing officer pursuant to section 54.044, Texas Local Government Code, by submitting a written request to the building official within fifteen days of the building official's determination. The hearing shall be held in accordance with section 54.044, Texas Local Government Code.

(e) On motion of the city or the judge of municipal court, any person convicted under this article or placed on deferred adjudication or other form of deferral who is assessed a penalty and who does not pay the penalty in full as ordered by the court may be assessed the penalty against the defendant's property in the same manner as a judgment in a civil suit by order of the municipal judge pursuant to Texas Code of Criminal Procedure, article 45.047, as amended from time to time.

Section 17. Enforcement methods.

(a) No building permit, certificate of occupancy, plumbing permit, electrical permit, or utility tap shall be issued by the city for or with respect to any lot, tract or parcel of land within the city limits, after the effective date of this article, except in compliance with all then-applicable requirements of this ordinance, the city zoning ordinance provisions applicable to the property and the city subdivision ordinance provisions applicable to the property.

(b) This ordinance and any code or provision adopted by this ordinance may be further enforced by civil injunction and other civil and criminal judicial proceedings, either at law or in equity, and in lieu of or in addition to any other authorized enforcement or action taken. Any person who violates any term or provision of this ordinance with respect to any land, property, building or development within the city may also be fined as well as charged all other penalties, civil and criminal, as provided herein and by state law.

(c) Upon the request of the city council, the city attorney or other authorized attorney shall file an action in the district courts to enjoin the violation or threatened violation of this ordinance, or to obtain declaratory judgment, and to seek and recover court costs and attorney fees, and/or to recover damages in an amount sufficient for the city to undertake any construction or

other activity necessary to bring about compliance with a requirement regarding the property and established pursuant to this ordinance.

Section 18. Duties of utility service providers.

No utility service provider using the rights-of-way of the city to access any customer within the city limits shall connect or reconnect utility services to such customer after the effective date of this article unless and until the customer has provided proof that the structure to be serviced has a current and valid certificate of occupancy or temporary certificate of occupancy. Each utility service provider utilizing city rights-of-way to provide services to any customer within the city limits shall cooperate with the building official to terminate services as provided herein and shall provide information concerning the services provided to any customer within the city limits to the building official to carry out the duties of the building official under the provisions of this ordinance.

Section 19. Prima facie evidence of responsibility for violation.

In any prosecution charging a violation of this article governing the failure to comply with any notice or order or failure to apply for a building permit or other permit or license required herein, proof that the particular property described in the complaint was in violation of any section of this article, together with proof that the defendant named in the complaint was, at the time of such notice or order or at the time when work was performed without a permit, the registered owner of such property, shall constitute in evidence a prima facie presumption that the registered owner of such property was the person who failed to comply with the notice or order or failed to apply for a permit for the time during which such violation occurred.

Article II. Building Official

Section 1. Office created; appointment; acting building official.

(a) Office created. The office of building official is hereby created, and the executive official in charge shall be known as the building official.

(b) Appointment. The building official shall be the employee or a non-employee consultant designated from time to time by the city council for the city to perform the duties of the position.

(c) Acting building official. During temporary absence or disability of the building official, the appointing authority shall designate an acting building official.

Section 2. Qualifications.

The building official shall be in good health and physically capable of making the necessary examinations and inspections. The building official shall not have any interest whatever, directly

or indirectly, in the sale or manufacture of any material, process or device entering into or used in or in connection with building construction, alterations, removal and demolition.

Section 3. Duties.

(a) Permits. The building official shall receive applications required by the technical codes, issue permits and furnish the prescribed certificates. (S)He shall examine the premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with and that construction is conducted safely. (S)He shall enforce all provisions of the building code and, when requested by proper authority, or when the public interest so requires, make investigations in connection with matters referred to in the codes and render written results on the same. To enforce compliance with the law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction, or to require adequate exit facilities in buildings and structures, he shall issue such notices or orders as may be necessary.

(b) Inspections. Inspections required under the provisions of the technical codes shall be made by the building official or his duly appointed assistant. The building official may accept reports of inspectors or recognized inspection services, after investigation of their qualifications and reliability. No certificate called for by any provision of the technical codes shall be issued on such reports unless the same are in writing and certified to by a responsible officer of such service.

(c) Records required. The building official shall keep permanent comprehensive records of applications, all permits issued, any and all fees collected, certificates issued, inspections made, reports rendered and of notices or orders issued for each property accurately reflecting the names, physical location of the property and dates on each document.

(d) Records to be open to public inspection. All such records shall be open to public inspection for good and sufficient reasons at the stated office hours, but shall not be removed from the office of the building official without his written consent.

(e) Monthly reports. The building official shall make written reports to his immediate superior once each month, or more often if requested, including statements of permits and certificates issued and orders promulgated.

(f) Fees. The building official shall keep a permanent, accurate account of all fees and other monies collected and received under this article, the names of the persons upon whose account the same were paid, and the date and amount thereof, together with the location of the building or premises to which they relate.

Section 4. Right of entry.

Whenever necessary to make an inspection to enforce any of the provisions of this article, or whenever the building official or his authorized representative has reasonable cause to believe that

there exists in any building or upon any premises any condition which makes such building or premises unsafe or constitutes a violation of this article, the building official or his authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the building official by this article; provided that if such building or premises be occupied, he shall first present proper credentials and demand entry, and if such building or premises be unoccupied he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the building official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

Section 5. Inspectors and other employees.

In accordance with the procedure and with the approval of the city council, the building official may appoint such number of officers, inspectors and assistants, and other employees as shall be authorized from time to time. With the approval of the city council, he may deputize such employees as may be necessary to carry out the functions of the building official.

Section 6. Liability.

The building official, members of the board of adjustments, or any employee charged with the enforcement of this ordinance, acting in good faith and without malice for the city in the discharge of his duties, shall not thereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act performed or by reason of any act or omission in the discharge of his or her duties. Any suit brought against the building official or such employee by any act or omission by him in the discharge of his duties under any provision of this article, shall be defended by the city attorney an attorney [sic], appointed by the city's insurance carrier until final determination of the proceedings.

Section 7. Cooperation of other officials.

The building official may request and shall receive so far as may be necessary in the discharge of his duties, the assistance and cooperation of other officials of the city. (2003 Code, sec. 3.207)

Article III. Building Permit Fees and Inspection and Related Fees

Section 1. Permit and Inspection Fees.

The permit and inspection fees set forth in this ordinance are attached as Exhibit A and Exhibit B:

Exhibit A

Billing is based on Valuation

New SFR - homes are based on Square footage PLUS an additional 15% for Administrative Fees

Additions/Remodels
Base fee $115 - Plus $115 per trade
With a max fee of $460.00

Solar Panels - $184.00

Manufactured Homes - $460.00

Pools – based on valuation PLUS an additional 15% for Administrative Fees

Misc. Projects based on valuation are
Carports, patios, pergola, garages, and storage building (non-living space)

Trade Permits – Electrical, plumbing, Mechanical

- Valuation of $10,000 or less is $88.46,
- Valuation of $10,001 or more is based on Valuation PLUS an additional 15% for Administrative Fees.

Electric Service upgrades, generators, etc.
Water lines, sewer lines, water heaters, etc.
HVAC change out, etc.

EXHIBIT B
FEE SCHEDULE

CONSTRUCTION CODE SERVICES

Fee Table 1 - Commercial and Multi-Family construction plan review

Valuation	Fee
$1.^{00}$ to $10,000.^{00}$	$50.^{00}$
$10,001.^{00}$ to $25,000.^{00}$	$70.69 for the first $10,000.^{00}$ plus $5.46 for each additional $1000.^{00}$
$25,001.^{00}$ to $50,000.^{00}$	$152.59 for the first $25,000.^{00}$ plus $3.94 for each additional $1000.^{00}$
$50,001.^{00}$ to $100,000.^{00}$	$251.09 for the first $50,000.^{00}$ plus $2.73 for each additional $1000.^{00}$
$100,001.^{00}$ to $500,000.^{00}$	$387.59 for the first $100,000.^{00}$ plus $2.19 for each additional $1000.^{00}$
$500,001.^{00}$ to $1,000,000.^{00}$	$1,263.59 for the first $500,000.^{00}$ plus $1.85 for each additional $1000.^{00}$
$1,000,001.^{00}$ and up	$2,188.59 for the first $1,000,000.^{00}$ plus $1.23 for each additional $1000.^{00}$

Fee Table 2 - Commercial and Multi-Family construction inspection

Valuation	Fee
$1.^{00}$ to $10,000.^{00}$	$76.^{92}$
$10,001.^{00}$ to $25,000.^{00}$	$108.75 for the first $10,000.^{00}$ plus $8.40 for each additional $1000.^{00}$
$25,001.^{00}$ to $50,000.^{00}$	$234.75 for the first $25,000.^{00}$ plus $6.06 for each additional $1000.^{00}$
$50,001.^{00}$ to $100,000.^{00}$	$386.25 for the first $50,000.^{00}$ plus $4.20 for each additional $1000.^{00}$
$100,001.^{00}$ to $500,000.^{00}$	$596.25 for the first $100,000.^{00}$ plus $3.36 for each additional $1000.^{00}$
$500,001.^{00}$ to $1,000,000.^{00}$	$1,940.25 for the first $500,000.^{00}$ plus $2.85 for each additional $1000.^{00}$
$1,000,001.^{00}$ and up	$3,365.25 for the first $1,000,000.^{00}$ plus $1.89 for each additional $1000.^{00}$

Fee Table 3 - Construction or Improvement of a Residential Dwelling

New Residential Construction	
Plan Review and Inspection Fee	
Square Footage (S.F.)	**Fee**
0 - 1,500 S.F.	$785.00
1,501 - 10,000 S.F.	$785.00 for the first 1,500 S.F. plus $0.35 for each additional S.F. to and including 10,000 S.F.
Over 10,000 S.F.	$3,760.00 for the first 10,000 S.F. plus $0.15 for each additional S.F. over 10,000 S.F.

Plan Review Only	
Plan Review Fee Only Per Dwelling Unit, a new plan for previously reviewed plan or Master Plan	$200.00 per Plan or per Address
Plan review fee when a permit has been issued for the dwelling and the construction plans are altered such that an additional plan review is required (excludes new plan)	$150.00 per Plan or per Address
Alterations / Additions / Improvements for Residential Construction	
Trade Permits	**Fee**
Building, Mechanical, Electrical, Plumbing, Fuel Gas and similar	$100.00 per trade
Other project types not listed above	$160.00 per trade
Miscellaneous residential projects such as, but not limited to, Accessory Structures, Fences, Pools, etc.	See Fee Table 2

* All fees billed upon issuance of the permit by the jurisdiction

Back-up Inspections

* Backup inspections will be performed during times of inspector absence due to illness, vacation or training at the listed rates. All other project activity will utilize the tables above.

Single Family Residential $76.92 per address/building
Commercial and non-Single Family Residential $125.00 per address/building/unit

FIRE SERVICES

Single Family Residential Fire Services

Fire Code Plan Review Services	$175.00
Fire Code Inspection Services	$400.00

Fire Code Plan Review Services - Commercial and Multi-Family construction (Fire Alarm System & Fire Sprinkler System)

Valuation	Fee, Each System
Less than $6,250	$200.00
$6,250 to $250,000	$300.00
$251,000 to $500,000	$425.00
$501,000 to $1,000,000	$550.00
$1,001,000 to $3,000,000	$800.00
$3,001,000 to $6,000,000	$1,200.00
$6,000,000 and up	$1,200.00 plus $0.38 for each additional $1,000.00

Fire Code Inspection Services - Commercial and Multi-Family construction (Fire Alarm System & Fire Sprinkler System)

Valuation	Fee, Each System
Less than $6,250	$300.00
$6,250 to $250,000	$425.00

$251,000 to $500,000	$525.00
$501,000 to $1,000,000	$675.00
$1,001,000 to $3,000,000	$950.00
$3,001,000 to $6,000,000	$1,425.00
$6,000,000 and up	$1,425.00 plus $0.38 for each additional $1,000.00

Valuation is based on construction valuation for project

Fire Underground

Fire Code Plan Review (1 hour minimum)	$100.00 per hour
Fire Code Plan Inspection (1 hour minimum)	$250.00 per hour

Fire Extinguisher Suppression System

Per permit, one Inspection	$450.00
Each re-inspection	$100.00

Fire Certificate of Occupancy Inspections

Fire Certificate of Occupancy inspections * Minimum one hour per inspection	$150.00 per hour

Annual Fire Safety Inspections

Day Care, Foster Home, Commercial Business (each inspection and re-inspection per location)	$100.00
Nursing Home / Assisted Living / School (each inspection and re-inspection per location)	$250.00

Underground / Aboveground Fuel Storage Tanks

Fire Code Plan Review	$350.00
Fire Code Inspection	$450.00

Site Plan

Fire Code Plan Review (2 hour minimum)	$250.00 per hour
Fire Code Plan Inspection (2 hour minimum)	$250.00 per hour

The construction valuation is determined by the greater of the declared valuation of the project or the valuation calculated using the International Code Council Building Valuation Data table, first update of each calendar year.
Example:

Square Foot Construction Costs

Group (2018 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B Business	200.26	192.96	186.54	177.38	161.90	155.84	170.40	142.43	136.08

The Square Foot Construction Cost does not include the price of the land on which the building is built. The Square Foot Construction Cost takes into account everything from foundation work to the roof structure and coverings but does not include the price of the land. The cost of the land does not affect the cost of related code enforcement activities and is not included in the Square Foot Construction Cost.
New Building

Group B occupancy
Type VB construction
10,000 square feet total building area
Declared construction valuation $1,200,000.
Calculated construction valuation - 10,000 square feet X $136.08 per square foot = $1,360,800.
The calculated construction valuation is greater than the declared construction valuation so $1,360,800 is used to calculate the Bureau Veritas fee for the project.

* Note: BVNA fees do not include any taxes, licensing or other fees imposed by governmental or outside agencies.

HEALTH SERVICES

FULL SERVICE:

Cost of Service for Permanent Food Establishment permit (2 TFER inspections) (No fee for one re-inspection, per permit year, if required)	$400.00
Cost of Service for Mobile Food Vendor (Hot and Cold Truck) and Seasonal Vendor permits (1 TFER inspection) (No fee for one re-inspection, per permit year, if required)	$200.00
Cost of Service for Public Swimming Pool inspections (1 inspection per year) (No fee for one re-inspection, per permit year, if required)	$200.00
Cost of Service for each Temporary Event permit (1 TFER inspection)	$100.00
Cost of Service for each Complaint Investigation (1 TFER inspection)	$150.00
Consultation outside of the aforementioned scope of services: Health Plan review, Health Final and CO inspections and/or for more than one re-inspection. * Minimum one hour.	$150.00 per hour

PUBLIC WORKS SERVICES

Public Works Inspection Only	2.5% of the cost of construction
Public Works Plan Review & Inspection	3.0% of the cost of construction
Temporary Back Up Inspection	$150/hour, minimum 4 hours.

PLANNING AND MAPPING SERVICES

Fixed Fees (Based on estimated population in $/1,000 people, minimum 5,000 people)

Comprehensive Planning and Mapping			
Item	**Elements**	**Cost / 100 people**	**Min. Hours**
1	Base Planning a. Base Map* b. Land Use c. Population d. Housing+D45	$2,000	67
2	Parks & Recreation	$750	25

3	Thoroughfare Plan	$750	25
4	Central Business District Planning	$1,250	42
5	Zoning Ordinance	(fixed fee) $6,500	43
6	Subdivision Ordinance	(fixed fee) $6,500	43
7	Streets Condition Study	$700	23
8	Water Study Distribution and Supply	$1,000	33
9	Wastewater Collection and Treatment	$1,000	33
10	Capital Improvement Plan	$300	10
11	Digital Map preparation*	$1,000	33
12	Citizen Participation	$1,250	42
As a minimum Item 1 and 12 must be included in any study except Item 11 which is a standalone element			
* Assume easy access to documents - additional research listed under additional services			

Hourly Fees

Available Planning Services	
Element	**Cost**
Site Plan Review	$150 per hour (1 hour minimum)
Site Plan Preparation	$150 per hour (1 hour minimum)
Zoning Application Review	$150 per hour (1 hour minimum)
SUP Application Review	$150 per hour (1 hour minimum)
Zoning Board of Adjustment Application Review	$150 per hour (1 hour minimum)
Sign Application Review	$150 per hour (1 hour minimum)
Zoning Case Ordinance Preparation	$150 per hour (1 hour minimum)
Plat Review - Planning Perspective	$150 per hour (1 hour minimum)
Public Hearing Notice map and ownership list (City Mails)	$150 per hour (1 hour minimum)
Zoning Map Updates	$150 per hour (1 hour minimum)
911 Address mapping (First Time)	$1,000 per person | Min. 33 hours
911 Address mapping updates	$150 per hour (1 hour minimum)
City Council/Planning and Zoning Meeting	$225 per hour (1 hour minimum)
Contract Planning Director	$175 per hour (1 hour minimum)
Contract Planner	$150 per hour (1 hour minimum)
Contract work for Developer interests	$150 per hour (1 hour minimum)
Easement Acquisition Negotiator	$150 per hour (1 hour minimum)
Additional Services	$150 per hour (1 hour minimum)
* Assume easy access to documents - additional research listed under additional services	

Reimbursable Expenses ($150 per hour)

Reimbursable expenses shall include, but not be limited to, the following:

Mileage (Per current IRS rate)

Domestic Travel Per Diem (Per current GSA rate plus lodging)

Other Direct Project Expenses (at cost plus 15%) including:

- Printing, graphics, photography and reproduction
- Special shipping

ADA SERVICES

Grand Total for Phase 1 Scope of Work

Phase 2 Details	Number of Hours	Rate per Hour	Sub-total
1A – ADA Coordinator & Liaisons Selection & Training	40	$150.00	$6,000.00
1B – ADA Notice Development & Distribution	40	$150.00	$6,000.00
1C – ADA Grievance Procedure Development & Distribution	40	$150.00	$6,000.00
1D – ADA Training of City Staff of Public Facing Depts.	56	$150.00	$8,400.00
Grand Total:	**176 (1.5 wks)**		**$26,400.00**

Grand Total for Phase 2 Scope of Work

Phase 2 Details	Number of Hours	Rate per Hour	Sub-total
2A – ADA Self-evaluation	576	$150.00	$86,400.00
2B – ADA Transition Plan	96	$150.00	$14,400.00
2C – Public Participation, Outreach, and City Staff Training	40	$150.00	$6,000.00
2D – Meetings, Presentation to Council, and Documentation	168	$150.00	$25,200.00
Grand Total:	**880 (5.5 mos.)**		**$132,000.00**

Note that any additional services above and beyond the scope of work noted above will incur additional fees which BV can review and provide cost estimates to accommodate the City.

HYGIENE SAFETY EXCELLENCE

Service(s)	Related Protocol(s)	Fee(s)
Consulting – Hygiene Safety Excellence Protocol (Guide)	Client Specific (One-time fee)	$1,250 per man day
eLearning platform and sector specific modules	Client Specific	$15 per user, plus • One-time setup cost $500 • Optional custom portal per unique module / department function ($2,000)
Physical Audit	Client Specific	$1,450 ***estimate per Facility****
Surface Testing (optional)**	Client Specific	Pricing available for review
Certification	Client Specific	$195 ***estimate per Facility***
*The fee for a larger-sized building may be a higher fee than the estimated Fee shown in the Table. BVNA will propose a fee per facility. **BVNA recommends 10 surface tests per property of random surfaces of service counters, etc.		