

ORDINANCE NO. 2004-13

AN ORDINANCE OF THE CITY COUNCIL OF SHOREACRES, TEXAS, ESTABLISHING REQUIREMENTS AND REQUIRING A PERMIT FOR CONSTRUCTION, PLACEMENT, ALTERATION, REPAIR, MOVEMENT, OR DEMOLITION OF ANY STRUCTURE; PRESCRIBING PERMIT FEES AND CHARGES; PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING A SEVERABILITY CLAUSE; SUPERCEDING ORDINANCE NUMBER 2004-11; BY ADOPTING NEW REGULATIONS FOR SITE REQUIREMENTS APPLICABLE TO SINGLE-FAMILY DWELLINGS AND FEES RELATED THERETO.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES, TEXAS:**

**Section 1. Permits Required**

Every person, company, firm or corporation designing to build, construct, place, alter, repair, move, or demolish a structure in the City of Shoreacres shall secure a permit from the Building Official before commencement of work. The placement of more than 12 yards of fill or sand per platted lot within a twelve month period of time to level lawns, driveways, culverts, patios, fences, accessory buildings, swimming pools, air conditioners, heating furnaces, plumbing, signs and the placement of new roofing, siding, or any other work that alters the exterior appearance or lines of a building shall also require a permit. Changes to the inside of a building may also require a permit. Painting and minor spot roof repairs will not require a permit.

**Section 2. Permit Application and Procedures**

An application shall be made to the Building Official for each permit required under Section 1 of this ordinance, in such form as specified by the Building Official.

Each new home or extensive remodeling permit shall include two (2) sets of building plans that show the square footage, wind storm load and framing detail of construction, foundation plan, site plan that includes set backs and right-of-ways, drainage plan, legal survey, and an elevation certificate. All plans must be signed and sealed by an engineer. Extensive remodeling is defined as replacement of thirty-three percent (33%) or more of damage or deterioration of the supporting members or fifty percent (50%) of damage or deterioration of the non-supporting members or outside wall coverings.

The Building Official shall issue a permit as set forth above only when the proposed activity and plans are not in conflict with City ordinances or other laws and only after fees as set forth have been paid to the City.

**Section 3. Building Requirements**

All building sites must be kept neat and streets kept clean. Any new dwelling or extensive remodeling permits shall require a dumpster and a portable toilet on location from start of construction to issuance of final certificate of occupancy. No final occupancy inspection shall be approved until proper drainage is verified, a final elevation certificate has been received, and house numbers are permanently applied and visible from the street.

#### **Section 4. Erosion and Storm Water Measures**

Erosion control measures shall be implemented prior to commencement of any work. The user shall comply with storm water management erosion control that complies with the city, state and federal laws, regulations, and guidelines. Requirements may include, but shall not be limited to, silt fencing around any excavation that will be left overnight, silt fencing in erosion areas until reasonable vegetation is established and barricade fencing around open holes. High erosion areas shall require wire-backed silt fencing.

#### **Section 5. Length of Time Permit is Valid**

No permit issued by the Building Official shall be valid for a period of more than one (1) year from date of issuance. If work is not completed within that period of time, the applicant must secure a new permit from the City. The new permit may be valid for a period of time less than one (1) year if specified by the Building Official. If no new permit is secured to continue work, the Building Official may require demolition of all existing construction. The Building Official may require that plans be reviewed again. If so, a new plan check fee shall be charged and paid for by the applicant before the inspector reviews the plans. If no additional plan checking is required, the applicant shall be charged the permit fees shown in Attachment "A".

#### **Section 6. Permit Fees**

Building permit fees are listed in Attachment "A" of this ordinance. Additional fees may also be charged for use of an outside consultant for plan review, inspections, or both and administrative or overhead costs not designated by Attachment "A". No permit shall be issued until fees are paid in full, except as detailed in the following paragraph.

For all applications for a dwelling or extensive remodeling in which plans or drawings are required to be submitted, the applicant shall pay one hundred-fifty dollars (\$150) at the time of original submission. After review of the plans, this fee shall be deducted from the overall permit price. This may not include the total plan review fee. Any additional fee will be included in the overall permit. This fee shall not be returned to the applicant due to change of mind or failure of applicant to meet the City ordinances and codes in his/her plans. If, in the opinion of the Building Official, the plans are incomplete or inadequate and therefore cannot be used to issue a permit, the inspector may charge an additional plan review fee for re-checking the plans after correction. Plans shall not be rechecked until all appropriate fees have been paid.

#### **Section 7. Future Amendments to the Fee Structure**

## ATTACHMENT "A"

### A. Inspections fees:

<u>Single-family dwelling</u>	<u>Per Inspection</u>	<u>Per Reinspection</u>	<u>Plan Review</u>
0 to 1499 sq. ft.	\$50.00	\$50.00	\$80.00
1500 to 1799 sq. ft.	\$80.00	\$50.00	\$100.00
1800 to 2199 sq. ft.	\$120.00	\$50.00	\$110.00
2200 to 2999 sq. ft.	\$180.00	\$50.00	\$130.00
3000 to 4399 sq. ft.	\$210.00	\$50.00	\$190.00
4400 to 5000 sq. ft.	\$250.00	\$50.00	\$230.00
Each 1,000 sq. ft. Over 5000	\$50.00		\$50.00
 <u>Commercial</u>			
0 to 4,000 sq. ft.	\$180.00	\$50.00	\$210.00
Each 1,000 sq. ft. Over 4000	\$50.00		\$50.00
 <u>Swimming Pools</u>	 \$50.00	 \$50.00	 \$50.00
 <u>Temporary Electric Pole</u>	 \$50.00	 \$50.00	
 <u>Plumbing, electrical and mechanical</u>	 \$50.00	 \$50.00	

\* All work not listed above: Use single-family dwelling schedule

**Persons working without pulling a permit or to continue work started without a permit for which a permit is required will be charged the normal fee + 200% + all legal administrative fees.**

Future amendments to the fee structure may be amended by ordinance.

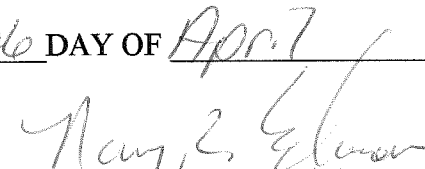
**Section 8. Penalties**

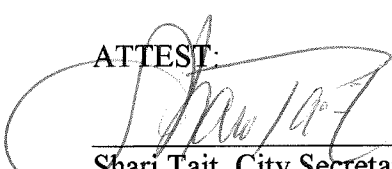
Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction shall be fined an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

**Section 9. Severability Clause**

The City Council of the City of Shoreacres hereby declares that if any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid by final judgment of a court of competent jurisdiction, it will not affect the remaining portions of this ordinance. The City Council declares it would have passed and ordained all the remaining portions of this ordinance without the inclusion of those portions found to be unconstitutional or invalid.

PASSED AND APPROVED ON THIS 26 DAY OF April, 2004.

  
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Nancy R. Edmonson, Mayor

ATTEST:  
  
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Shari Tait, City Secretary