



Antonio Araujo
Mayor

Leticia Miranda
Alderson Place 1

David Cantu
Alderson Place 2

Lorenzo E. Leyva Sr.
Alderson Place 3

Maria Covernali
Alderson Place 4

George Almanzar
Alderson Place 5

ORDINANCE NO. 1915.04

AN ORDINANCE REPEALING AND REPLACING ORDINANCES NOS. 1515.04 AND 1515.04.01 IN THEIR ENTIRETY AND TO RE-ESTABLISH AND APPROVE NEW FEES FOR BUILDING PERMITS FOR THE CITY OF SAN ELIZARIO; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, ADOPTION, ENACTMENT, REPEALER, SEVERABILITY AND EFFECTIVE DATE.

RECITALS

WHEREAS, to promote safe and orderly construction and development within the city limits, the City of San Elizario ("City") adopted building codes and by Ordinances Nos. 1515.04 and 1515.04.01, adopted fee schedules to cover costs in implementation of the codes; and

WHEREAS, the City now finds it necessary to repeal and replace Ordinance Nos. 1515.04 and 1515.04.01 in their entirety in order to re-establish and approve new fees that will be in compliance with H.B. No. 852, as adopted by the 86th Texas Legislature; and

WHEREAS, pursuant to Local Government Code, Chapters 212 and 214, the City has authority to regulate building development.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of San Elizario:

I. FINDINGS OF FACT

The foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

II. GENERAL PROVISIONS AND ADOPTION

Section 1. That Ordinance No. 1515.04, the Building Permit Fee Schedule, and Ordinance No. 1515.04.01, establishing additional fees, are hereby repealed in their entirety and are replaced by the Building Permit Fee Schedule, attached and set forth as Attachment A, which is hereby adopted and incorporated herein for all purposes; All applicants for building permits within the city limits of the City

shall pay the fee specified in the fee schedule at the time of application for a building permit, or in the case of an application submitted between May 21, 2019 and the effective date of this Ordinance where the fee has not yet been paid, the applicant shall pay the fee specified herein. Further, the applicant shall pay any additional fees prior to the issuance of the Certificate of Occupancy which shall not be issued by the City until payment of all fees in connection with the permit and inspection process have been paid in full.

Section 2. All applicants for building permits must provide documentation and proof to the satisfaction of the Building Official or his designees of the criteria required under this Ordinance for the City to determine the applicable permit fee. An application for a building permit shall not be deemed to be accepted, nor shall the timetable for the issuance of a building permit under Section 214.904 of the Texas Local Government Code begin, until the requirements of this Section have been met.

III. REPEALER AND SEVERABILITY

REPEAL AND REPLACEMENT: Ordinances Nos. 1515.04 and 1515.04.01 are hereby repealed and replaced by the provisions of this Ordinance simultaneously upon the effective date of this Ordinance.

REPEALER: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

SEVERABILITY: Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

IV. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

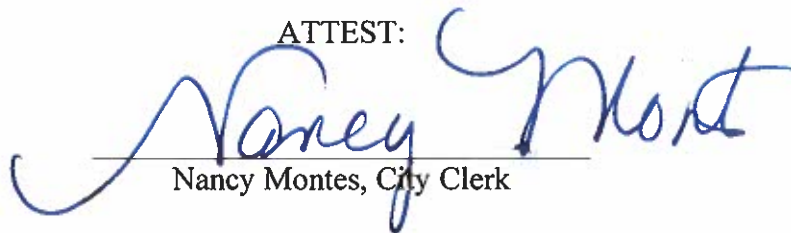
PASSED AND APPROVED this, the 6th day of June, 2019, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of San Elizario, Texas.

CITY OF SAN ELIZARIO, TEXAS



Antonio Araujo, Mayor

ATTEST:



Nancy Montes, City Clerk

SECTION 1. RESIDENTIAL BUILDING CODE

- 1.1 Single Family and Two-Family Dwelling Construction Building Permit and Plan Review Fees: includes fees for Building Permit, Inspections & Plan Review for new construction. Includes move in of existing dwelling, enlargement, remodel, alteration, finish-out, major repair, for all structures on the property with a covered roof. Building permit fee includes electrical, mechanical and plumbing work.

Plan Review	Fee: \$.10 per sq. ft. of covered roof
Building Permit	Fee: \$.40 per sq. ft. of covered roof
Building Permit, addition to dwelling	Fee for addition 400 sq. ft or more: \$.40 per sq. foot of covered roof. Fee for addition less than 400 sq. ft.: \$225.00
Building permit, new or alteration to storage structure	Fee for structure 260 sq. ft or more: \$.40 per sq. foot of covered roof. Fee for structure less than 260 sq. ft.: \$104.00

- 1.2 *Reserved.*
- 1.3 Mobile & Modular Home Move-In Permit Fee: includes fees for Move-In Permit, Inspections & Plan Review: \$450.00
- 1.4 Residential Inspection Fees; \$50.00 one inspection, \$100.00 two inspections, and \$150.00 three inspections.
- 1.5 Residential Demolition/Moving Permit Fee: \$100.00
- 1.6 Replacement Permit Fee (lost or damaged): \$25.00
- 1.7 Waiver/Variance Request Fee: \$500.00
- 1.8 Work begun without permit(s) shall be double the normal permit fee amount.
- 1.9 Trade Registration Fees -- A Contractor is defined as a General Contractor, Electrical Contractor, Plumbing contractor, Irrigation Contractor, Mechanical Contractor, Sign Contractor, Backflow Tester or Third-Party Rater. Contractors shall register annually and pay annual fees as provided in the Business Registration Ordinance of the City of San Elizario. Provided, however, a Journeyman may register under the Business Registration Ordinance annually for a fee of \$25.00 when a fee is required for registration of such type of Contractor.

SECTION 2. COMMERCIAL AND MULTI-FAMILY BUILDING CODE

- 2.1 Commercial and Multi-Family Construction Building Permit Fees: includes fees for Building Permit, Inspections & Plan Review. (Does not include a two-family residential dwelling, which is covered under Sections 1.1 and 1.2 of this Ordinance.)

Value of Construction	Fees
\$1.00 to \$10,000	\$160.00
\$10,001 to \$25,000	\$200.00 for the first \$10,000 plus \$16.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$450.00 for the first \$25,000 plus \$12.00 for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$725.00 for the first \$50,000 plus \$8.00 for each additional \$1,000, or fraction thereof, to and including \$100,000

\$100,001 to \$500,000	\$1100.00 for the first \$100,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,525.00 for the first \$500,000 plus \$6.00 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$6,125.00 for the first \$1,000,000 plus \$4.00 for each additional \$1,000, or fraction thereof

- 2.2. Replacement Permit Fee (lost or damaged): \$25.00
- 2.3. Waiver/Variance Request Fee: \$500.00
- 2.4. Work begun without a permit shall be double the normal permit fee amount.
- 2.5. Commercial Demolition Permit Fee: \$200.00
- 2.6. Trade Registration Fees -- A Contractor is defined as a General Contractor, Electrical Contractor, Plumbing contractor, Irrigation Contractor, Mechanical Contractor, Sign Contractor, Backflow Tester or Third-Party Rater. Contractors shall register annually and pay annual fees as provided in the Business Registration Ordinance of the City of San Elizario. Provided, however, a Journeyman may register under the Business Registration Ordinance annually for a fee of \$25.00 when a fee is required for registration of such type of Contractor.