

AMENDMENT TO ORDINANCE NO. 2013-08

AN AMENDMENT TO ORDINANCE NO. 2013-08 OF THE CITY COUNCIL OF THE CITY OF NEDERLAND, TEXAS THAT ADOPTED THE 2012 EDITION OF THE INTERNATIONAL BUILDING CODE, REGULATING AND GOVERNING THE CONDITIONS, MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF NEDERLAND; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTIONS OF FEES THEREFORE; REPEALING ARTICLES 1 IN GENERAL AND ARTICLE 2 BUILDINGS, IN CHAPTER 18 OF THE CITY OF NEDERLAND CODE OF ORDINANCES.

WHEREAS, the Nederland City Council on May 20, 2013 approved Ordinance No. 2013-08, which adopted the 2012 edition of the International Building Code; and

WHEREAS, House Bill 852 stipulates that when determining the amount of a building permit or inspection fee in connection with the construction or improvement of a residential dwelling, a city may not consider the value of the dwelling nor the cost of constructing or improving the dwelling and that a city not require the disclosure of information related to the value of or cost of constructing or improving a residential dwelling as a condition of obtaining a building permit except as required by FEMA.

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

SECTION 1. The statements set out in the preamble to this Ordinance are true and correct.

SECTION 2. Ordinance No. 2013-08 is hereby revised with the following revisions:

A. Section 105.1 Permits required. is amended as follows:

Section 105.1 **Permits required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace and electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause and such work to be done, shall first make application to the Inspection Department and obtain the required permit.

RESIDENTIAL BUILDING PERMIT FEES:

- **New residential single-family, two-family (duplex), and town home construction:** issuance fee \$30.00 plus \$0.54/square foot in the living area;

- **Additions:** issuance fee \$30.00 plus \$0.54/square foot in the living area;
- **Manufactured homes:** flat fee of \$100.00;
- **Garage attached or detached, shops, cabanas, sun rooms and storage buildings (over 400 square feet):** issuance fee \$30.00 plus \$0.26/square foot;
- **Remodels/Renovations:** issuance fee of \$30.00 plus \$0.08/square foot of each room or rooms involving the work of completely demolishing the interior veneer and exposing the framing to install any one of the numbered items below:
 - 1) Installing new interior veneer,
 - 2) Replacing or adding windows,
 - 3) Replacing or adding a fireplace,
 - 4) For build-outs involving work of adding walls, stairways for creating new rooms to be used as living areas under the existing roof and within the existing conditioned space or non-conditioned space (ex. garage or attic area) with or without exposing the framing, and
 - 5) Completely removing and replacing kitchen cabinets or countertop space.
- **For adding or replacing windows, fireplace without the remodel demolition:** issuance fee \$30.00 plus \$2.00 per window;
- **Permits for replacing an asphalt or metal residential roof:** issuance fee of \$30.00 plus \$2.00 per roofing square;
- **Foundation repair (concrete or pier and beam foundations):** flat fee of \$20.00
- **Attached or detached carports, patio covers, porches:** issuance fee of \$30.00 plus \$0.08/square foot;
- **Portable storage buildings (120 square feet to 400 square feet), gazebos, decks, driveways, above ground swimming pools, fences:** flat fee of \$30.00;
- **Building moving, Building demolition:** flat fee of \$50.00;
- **Inground swimming pools and spas:** issuance fee of \$30.00 plus \$0.02/gallon of the swimming pool and/or spa

* Inspection and permit issuance fee \$30.00

* The Building Official reserves the right to determine whether an inspection should be required for work not fully described above and in doing so, the permit fee shall include the permit issuance and inspection fee of \$30.00 plus \$10.00 for each additional inspection as required.

Electrical permit: per electrical application

Plumbing permit: per plumbing application

HVAC permit: per application

B. Section 109.2 Schedule of permit fees. is amended as follows:

Section 109.2 **Schedule of non-residential building permit fees.** On buildings, structures, additions, remodels, alterations and any other item required to obtain a building permit, a fee for each permit shall be paid in accordance with the following schedule:

Permit issuance fee	\$20.00
Inspection	\$10.00
Total Valuation	Fee
Up to \$999.99	\$10.00 dollars for any amount up to \$999.99
\$1,000.00 to \$49,999.99	\$15.75 for the first \$1,000.00 plus \$5.25 for each additional thousand or fraction thereof, to and including \$49,999.99

\$50,000.00 to \$99,999.99	\$273.00 for the first \$50,000.00 plus \$4.20 for each additional thousand or fraction thereof, to and including \$99,999.99
\$100,000.00 to \$499,999.99	\$483.00 for the first \$100,000.00 plus \$3.15 for each additional thousand or fraction thereof, to and including \$499,999.99
\$500,000.00 and up	\$1,743.00 for the first \$500,000.00 plus \$2.10 for each additional thousand or fraction thereof.

Permit issuance and Inspection fee: Unless a permit is required through other sections of Chapter 18, a separate fee designated as a permit issuance fee shall be added to every permit issued. If a permit only requires an inspection or Certificate of Occupancy inspection, the inspection fee is added to the permit issuance fee.

Plan check fees: When the valuation of the proposed construction exceeds one hundred thousand dollars (\$100,000.00) and a plan is required to be submitted, a plan check fee shall be paid to the City in addition to the building permit fee. Said plan checking fee shall be equal to one-half (1/2) of the building permit fee.

C. Section 109.3 Building permit valuation. is amended as follows:

Section 109.3 **Building permit valuation.** The permit valuation shall be calculated by the Square Foot Construction Cost for each group shown in the following chart:

GROUP TYPE	I	II	III	IV	V
A-1 Assembly, theaters, with stage	191.00	179.00	163.00	173.00	148.00
A-1 Assembly, theaters, without stage	173.00	160.00	145.00	154.00	129.00
A-2 Assembly, nightclubs	147.00	137.00	126.00	132.00	113.00
A-2 Assembly, restaurants, bars, banquet halls	146.00	136.00	125.00	131.00	112.00
A-3 Assembly, churches	176.00	163.00	148.00	158.00	132.00
A-3 Assembly, general, community halls, libraries, museums	147.00	135.00	120.00	129.00	104.00
A-4 Assembly, arenas	172.00	159.00	144.00	153.00	128.00
B Business	147.00	136.00	119.00	131.00	104.00
E Educational	162.00	150.00	134.00	145.00	119.00
F-1 Factory and industrial, moderate hazard	88.00	80.00	69.00	77.00	56.00
F-2 Factory and industrial, low hazard	87.00	79.00	68.00	76.00	55.00
H-1 High Hazard, explosives	82.00	75.00	63.00	71.00	N.P.
H234 High Hazard	82.00	75.00	63.00	71.00	50.00
H-5 HPM	147.00	136.00	119.00	131.00	104.00
I-1 Institutional, supervised environment	148.00	138.00	125.00	139.00	112.00
I-2 Institutional, hospitals	252.00	241.00	N.P.	235.00	N.P.
I-2 Institutional, nursing homes	174.00	163.00	N.P.	158.00	N.P.
I-3 Institutional, restrained	170.00	159.00	142.00	153.00	126.00
I-4 Institutional, day care facilities	148.00	138.00	125.00	139.00	112.00
M Mercantile	108.00	98.00	87.00	94.00	75.00
R-1 Residential, hotels	150.00	140.00	127.00	141.00	114.00
R-2 Residential, multiple family	125.00	115.00	102.00	116.00	89.00
R-3 Residential, one and two family	119.00	113.00	106.00	111.00	96.00
R-4 Residential, care/assisted living facilities	148.00	138.00	125.00	139.00	112.00
S-1 Storage, moderate hazard	81.00	74.00	62.00	70.00	49.00
S-2 Storage, low hazard	80.00	73.00	61.00	69.00	48.00
*U Utility, miscellaneous	62.00	55.00	46.00	52.00	37.00


*Group U Utility, miscellaneous includes but not limited to detached garages, and storage buildings in excess of 400 total square feet.

SECTION 3. The meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.


SECTION 4. The Ordinance shall be effective from and after its passage.

PASSED AND APPROVED by the City Council of the City of Nederland, Texas at a regular meeting this the 10TH day of JUNE, 2019.



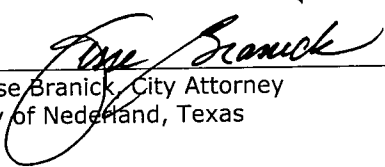


Don Albanese, Mayor
City of Nederland, Texas



Gay Ferguson, City Clerk
City of Nederland, Texas

APPROVED AS TO FORM AND LEGALITY:



Jesse Branick, City Attorney
City of Nederland, Texas