

ORDINANCE NO. 191

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, ADOPTING THE UNIFORM BUILDING CODE, 1973 EDITION AND SUCH OTHER REVISED EDITIONS AS ADOPTED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, PROVIDING MINIMUM STANDARDS TO SAFEGUARD LIFE OR LIMB, HEALTH, PROPERTY, AND PUBLIC WELFARE BY REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES WITHIN THE CITY AND CERTAIN EQUIPMENT SPECIFICALLY REGULATED HEREIN; AMENDING SAID UNIFORM BUILDING CODE, 1973 EDITION TO PROVIDE THAT THE BOARD OF APPEALS BE THE CITY COUNCIL, APPLICATIONS FOR PERMIT, BUILDING PERMIT FEES, PLAN-CHECKING FEE, FEE EXEMPTION, REFUNDS, FEE FOR CERTIFICATE OF OCCUPANCY; PROVIDING FOR A SEVERABILITY CLAUSE, PROVIDING FOR A PENALTY NOT TO EXCEED \$200.00 DOLLARS FOR EACH OFFENCE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. There is hereby adopted by the City of Addison, Texas, for the purpose of providing minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials used, use and occupancy, location and maintenance of all buildings and structures within the city and certain equipment specifically regulated herein, the Uniform Building

Code, 1973 Edition and such other revised editions as adopted by the International Conference of Building Officials, and the same is hereby adopted, a copy of which is attached hereto and made a part hereof for all purposes as though such Code were copied at length herein, subject however to the deletions, amendments and additions provided in Section 2 hereof.

SECTION 2. The Uniform Building Code, as adopted in Section 1 hereof is hereby modified by the following deletions, amendments and addition:

Section 204. Board of Appeals. Section amended to read, "In order to determine the suitability of alternate materials, and methods of construction and to provide for reasonable interpretation of the provisions of this Code, there shall be and is hereby created, a Board of Appeals, consisting of three (3) members of the City Council. The building official shall be the ex officio member and shall act as Secretary of the Board. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the building official with a duplicate copy to the appellant."

Section 205. Violations and penalties. Second paragraph amended to read, "Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in Municipal Court, in any sum not to exceed Two Hundred Dollars (\$200.00) and each and every day of continuance thereof shall constitute a distinct and separate offense."

Section 301(c) Application for permit. Last line amended to read, "The building official shall require plans and specifications to be prepared and designated by a registered professional engineer or architect licensed by the State of Texas to practice as such. This requirement shall be carried out when the building is used for commercial, industrial or manufacturing purposes, assembly buildings, or multi-family dwellings, which shall include apartments, townhouses and duplexes."

Section 303(a). Building permit fees. Amended to read: "A fee for each building permit shall be paid to the City of Addison as set forth in the schedule of fees. The determination of value or valuation under any of the provisions of this code shall be made by the building official. The evaluation to be the total value of all construction work for which the permit is issued, as well as all finished work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire extinguishing systems and any other permanent work or permanent equipment.

Where work for which a permit is required by this code is started or proceeded with, prior to obtaining said permit, the fee specified shall be doubled, but the payment of such fee shall not relieve any person from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

The fee for permits for new construction shall be based on the area to be constructed in the following manner:

BUILDING AREA.

For fee calculation purposes, the building area includes:

- (A) Total floor under the roof of all stories (excluding garages, porches, and patios)
- (B) One-half of the garages, porches, patios, and ground-covered area.

The sum of all the above areas constitute the building area for permit fee determination and is to be stated on the permit application.

VALUATION ESTIMATE.

The valuation estimate is not used to determine the permit fee for new construction (Building area is used), but it is used for remodeling, additions, and alterations, including swimming pools, fences, etc. The shell classification applies to structures when plans are incomplete, allowing for completion at a later date according to the tenants requirements. Completions of shell buildings are based on valuation."

NEW CONSTRUCTION

Occupancy Classification	Building Area Square Feet	Building Fee
SINGLE FAMILY, DUPLEX, TOWNHOUSE (GROUP I)	1,000 or less	\$ 40
	1,001 to 1,250	55
	1,251 to 1,500	75
	1,501 to 1,750	90
	1,751 to 2,000	100
	2,001 to 2,250	125
	2,251 to 2,500	150
	2,501 to 3,000	175
	3,001 to 3,500	200
	3,501 to 4,000	225
	4,001 to 4,500	250
4,501 or more	275	
APARTMENTS (GROUP H)	2,000 to 20,000	\$.04/sq ft
	20,001 to 50,000	200+ .03/sq ft
	50,001 to 100,000	700+ .02/sq ft
	100,001 to 200,000	1200+ .015/sq ft
	200,001 or more	2200+ .01/sq ft
GROUPS: A,B,C,D, E,F (Div. 2), H (except apartments)	0 to 50	\$ 10
	51 to 100	15
	101 to 250	20
	251 to 400	25
	401 to 500	25
	501 to 100,000	.05/sq ft
	100,001 to 500,000	1,000+.04/sq ft
	500,001 or more	6,000+.03/sq ft
GROUPS: F (Div. 1&3), G,J, all shell Buildings	0 to 50	10
	51 to 100	15
	101 to 250	20
	251 to 500	25
	501 to 5,000	.05/sq ft
	5,001 to 100,000	50+.04/sq ft
	100,001 to 500,000	1,050+.03/sq ft
	500,001 or more	6,050+.02/sq ft

ADDITIONS, ALTERATIONS AND REPAIRS

Occupancy Classification	Value of Proposed Work	Building Fee
ALL GROUPS Including Completion of Shell Buildings	\$ 0 to 500	\$ 10
	501 to 1,000	15
	1,001 to 1,500	20
	1,501 to 2,000	20
	2,001 to 2,500	20
	2,501 to 3,000	25
	3,001 to 5,000	25
	5,001 to 10,000	$\frac{1}{2}$ of 1% of Value
	10,000 or more	$\frac{1}{2}$ of 1% of Value

OCCUPANCY CLASSIFICATION

Group	
A	Any assembly building with a stage and an occupant load of 1000 or more in the building
B	1 - Any assembly building with a stage and an occupant load of less than 1000 in the building
	2 - Any assembly building without a stage and having an occupant load of 300 or more in the building including such buildings used for educational purposes not classed as a Group C or Group F, Division 2 Occupancy
	3 - Any assembly building without a stage and having an occupant load of less than 300 in the building, including such buildings used for educational purposes and not classed as a Group C or Group F, Division 2 Occupancy
	4 - Stadiums, reviewing stands, and amusement park structures not included within Group A nor Divisions 1, 2 and 3, Group B, Occupancies
C	1 - Any building used for educational purposes through the 12th grade by 50 or more persons for more than 12 hours per week or four hours in any one day
	2 - Any building used for educational purposes through the 12th grade by less than 50 persons for more than 12 hours per week or four hours in any one day
	3 - Any building used for day care purposes for more than 6 children

D

1 - Mental hospitals, mental sanitariums, jails, prisons, reformatories, houses of correction, and buildings where personal liberties of inmates are similarly restrained

2 - Nurseries for full-time care of children under kindergarten age. Hospitals, sanitariums, nursing homes with nonambulatory patients, and similar buildings (each accommodating more than five persons)

3 - Nursing homes for ambulatory patients, homes for children of kindergarten age or over (each accommodating more than five persons)

E

1 - Storage and handling of hazardous and highly inflammable or explosive materials other than flammable liquids

2 - Storage and handling of Class I, II and III flammable liquids, as specified in U.B.C. Standard No. 10-1; dry cleaning plants using flammable liquids, paint stores with bulk handling; paint shops and spray painting rooms and shops

3 - Woodworking establishments, planing mills and box factories; shops, factories where loose, combustible fibers or dust are manufactured, processed, or generated; warehouses where highly combustible material is stored

4 - Repair garages

5 - Aircraft repair hangars

F

1 - Gasoline and service stations, storage garages where no repair work is done except exchange of parts and maintenance requiring no open flame, welding, or the use of highly flammable liquids

2 - Wholesale and retail stores, office buildings, drinking and dining establishments having an occupant load of less than 100, printing plants, municipal police and fire stations, factories and workshops using material not highly flammable or combustible, storage and sales rooms for combustible goods, paint stores without bulk handling
Buildings or portions of buildings having rooms used for educational purposes, beyond the 12th grade with less than 50 occupants in any room

3 - Aircraft hangars where no repair work is done except exchange of parts and maintenance requiring no open flame, welding, or the use of highly flammable liquids
Open parking garages. (for requirements, see Sec. 1109)

G

Ice plants, power plants, pumping plants, cold storage, and creameries, factories and workshops using noncombustible and nonexplosive materials. Storage and sales rooms of noncombustible and nonexplosive materials.

H

Hotels and apartment houses
Convents, monasteries (each accommodating more than 10 persons)

I

Dwellings and lodging houses

J

1 - Private garages, carports, sheds and agricultural buildings used as accessories only when not over 1000 square feet in area

2 - Fences over 6 feet high, tanks and towers

Section 303(b). Added to read: "A plan-checking fee is an additional fee that is paid at the time of submitting plans and specifications for checking. There are no plan-checking fee refunds. This fee is at the rate of 20% of the Building Fee schedule. The following are exempt from the plan-checking fee:

- (1) Any private dwelling, or apartments having a maximum height of two stories, or garages or other structures pertinent to such buildings; or
- (2) Private buildings which are to be used exclusively for farm, ranch or agricultural purposes, or used exclusively for storage of raw agriculture commodities; or
- (3) Other buildings (except public buildings involving public work) having no more than one story and containing no clear span between supporting structures greater than 24 feet on the narrow side and having a total floor area not in excess of 5,000 square feet."

Section 303(c). Added to read: "No permit fee or plans-checking fee is required for work involving buildings or structures, the title of which is directly vested in the U.S. Government, State of Texas, County of Dallas or the City of Addison."

Section 303(d). Added to read: "There will be no refunds of building permit fees except in the following instances:

1. When it is determined that the permit was issued due to an error by the Building Official, a full refund may be authorized.
2. When it is determined that a permit cannot be legally issued, or
3. In cases where the building permit has been issued and the fee paid, and no portion of the work has been commenced. However, the City will, in any case, retain \$50.00, or the total amount paid if less than \$50.00."

Section 306(f). Fee for Certificate of Occupancy. Added to read:

- " (1) Where a Certificate of Occupancy is required in connection with the completion of work under a building permit, no fee is charged for the Certificate.
- (2) Where a Certificate of Occupancy is required for any reason except in direct connection with work done under a building permit, a fee of \$20.00 is charged.
- (3) Where the structure must be examined and/or a structural analysis made to determine the suitability of the existing structure for the proposed occupancy, such examination or analysis must be done by a registered

architect or engineer selected and paid for by the applicant for a Certificate of Occupancy. "

Section 402-A. Definitions. Assembly Building - Definition amended to read: "Assembly building is a building or a portion of a building used for the gathering together of persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement or awaiting transportation or drinking and dining establishments."

SECTION 3. In the event any section, paragraph, sub-division, clause, phrase or provision of this Ordinance or the Uniform Building Code, 1973 Edition or any revisions thereof adopted herein shall be adjudged invalid or held unconstitutional, the same shall not effect the validity of this Ordinance or of the Uniform Building Code, 1973 Edition or any revisions thereof, as a whole or any part or revision other than the part so decided to be invalid or unconstitutional.


SECTION 4. All Ordinances heretofore passed and approved by the City Council that are in conflict with this Ordinance are hereby repealed except that this shall not effect any structure or building being constructed under a building permit issued prior to the adoption of this Code if the same would cause an unreasonable increase of cost of such structure.

SECTION 5. The fact that the City of Addison, Texas present Building Code does not adequately and sufficiently provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of material, use and occupancy, location and maintenance of all buildings and structures within the City and certain equipments specifically regulated therein, creates

an urgency and emergency and in the preservation of public health, safety and welfare, requires that this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provide.

DULY PASSED by the City Council of the City of Addison, Texas, on this the 24 day of February, 1975.

APPROVED:



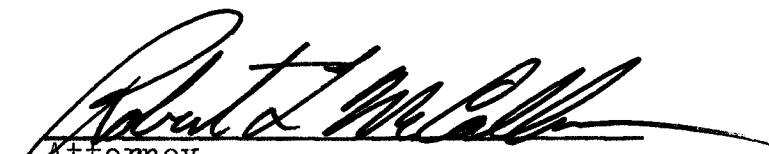
Mayor

ATTESTED:



Asst City Secretary

APPROVED AS TO FORM:



Attorney