

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 010-034

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 18, BUILDING AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE TOWN BY CHANGING SECTION 18-1 (BUILDING PERMIT FEE SCHEDULE) AND SECTION 18-2. (SUBCONTRACTOR'S AND MISCELLANEOUS PERMIT FEE SCHEDULE) OF ARTICLE I. (IN GENERAL); PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS FOR ANY OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the "City") has conducted an investigation and analysis regarding building and structure permit fees, subcontractor's permit fees, and certain miscellaneous fees (including fees relating to zoning) charged by the City as set forth in Sections 18-1 and 18-2 of the City's Code of Ordinances (the "Code"), and have determined that such fees should be adjusted as set forth in this Ordinance, and such fees are established with a view of and to further the purposes and objectives set forth in Section 18-31 of the Code, including to promote the health, safety, welfare, convenience and enjoyment of the public, including to protect the public welfare, and are to comply with applicable State law; and

WHEREAS, the adoption of this Ordinance and the amendments set forth herein are for and in the best interests of the health, safety and welfare of the City and its citizens.

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

Section 1. Incorporation of Recitals. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. The Code of Ordinances of the Town of Addison, Texas (the "City") is hereby amended by amending certain sections and provisions of Chapter 18, Building and Building Regulations, thereof as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, sentences, phrases and words of the said Code of Ordinances are not amended hereby.

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided, however, that the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right,

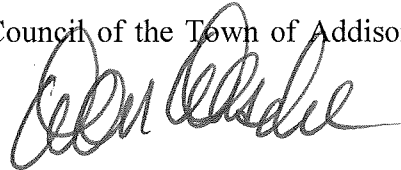
property or claim which was or is vested in the City, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 4. Penalty. It shall be unlawful for any person, firm, corporation, or other business entity to violate any provision of this Ordinance, and any person, firm, corporation, or other business entity violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Five Hundred and No/100 Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation or failure occurs or continues.

Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 21st day of September, 2010.




Don R. Daseke, Mayor Pro Tempore

ATTEST:

By: 
Lea Dunn, City Secretary

APPROVED AS TO FORM:

By: 
John Hill, City Attorney
Jason Mathis, Assistant
City Attorney

**EXHIBIT A
TO ORDINANCE NO. 010-034**

Chapter 18, Building and Building Regulations, of the Code of Ordinances (the "Code") of the Town of Addison, Texas is hereby amended by amending Sections 18-1 and 19-2 of the said Code as set forth below and as follows (additions are underlined; deletions are ~~struck through~~):

A. Section 18-1 of the Code is amended by changing it to read as follows:

Sec. 18-1. Building permit fee schedule.

The building permit fee schedule shall be as follows:

Combined permits:

The term "combined permit" shall mean a single permit, issued for a single fee, authorizing all structural, plumbing, electrical, mechanical and fence work to be performed in the construction of a building or structure.

TABLE 1-A, BUILDING PERMIT FEES

Total Valuation	Fee
\$1.00 to \$500.00	\$40.00 <u>25.00</u>
\$501.00 to \$2,000.00	\$40.00 <u>25.00</u> for the first \$500.00 plus \$5.00 <u>3.00</u> for each additional \$100.00, or fraction thereof, to and including \$2,000.00.
\$2,001.00 to \$25,000.00	\$115.00 <u>70.00</u> for the first \$2,000.00 plus \$23.00 <u>15.00</u> for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00.
\$25,001.00 to \$50,000.00	\$644.00 <u>415.00</u> for the first \$25,000.00 plus \$15.00 <u>10.00</u> for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$1019.00 <u>665.00</u> for the first \$50,000.00 plus \$11.00 <u>7.00</u> for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$1,569.00 <u>1,015.00</u> for the first \$100,000.00 plus \$9.00 <u>6.00</u> for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00.

\$500,001.00 to \$1,000,000.00	\$ 5169.00 3,415.00 for the first \$500,000.00 plus \$ 8.00 5.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00.
\$1,000,001.00 and up	\$ 9,169.00 5,915.00 for the first \$1,000,000.00 plus \$ 6.00 4.00 for each additional \$1,000.00 or fraction thereof.

Other Inspections and Fees:

1.	Inspections outside of normal business hours (Minimum charge--two hours)	\$50.00 per hour ¹
2.	Reinspection fees	\$50.00 per hour ¹
3.	Inspections for which no fee is specifically indicated (Minimum charge--one-half hour)	\$50.00 per hour ¹
4.	Additional plan review required by changes, Additions or revisions to plans (Minimum charge--one-half hour)	\$50.00 per hour ¹
5.	For use of outside consultants for plan checking	Actual costs ²

¹ Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

² Actual costs include administrative and overhead costs.

B. Section 18-2 of the Code is amended by changing it to read as follows:

Sec. 18-2. Subcontractor's and miscellaneous permit fee schedule.

The subcontractor's and miscellaneous permit fee schedule shall be as follows:

Subcontractor work:

"Subcontractor's work" shall mean the various types of work listed below which are not done as part of the work allowed under a combined permit.

Type of Work	Fee
Electrical work	Table 1-A
Plumbing work	Table 1-A

Mechanical work	Table 1-A
Irrigation sprinkler system	Table 1-A
Demolition	\$100.00
Note: If ordered by the town to demolish a building, there is no fee charged.	
Zoning Verification Letter	\$30.00
Zoning Fee--Less than one acre	\$250.00 150.00
Zoning Fee--One acre, but less than 5 acres	\$450.00 300.00
Zoning Fee--Five acres or more	\$750.00 500.00
Special Use Permit Fee	\$650.00 425.00
Variance Fee	\$50.00
Moving all buildings	\$100.00