

ORDINANCE NO. 2384

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE CODE OF THE CITY OF MESQUITE, TEXAS BY PROVIDING CERTAIN CLASSIFICATION, REQUIREMENTS AND SCHEDULES OF FEES FOR CERTAIN TYPES OF CONSTRUCTION AND INSTALLATION BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY:

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

SECTION 1. That the Code of the City of Mesquite is hereby amended in the following particulars, effective February 1, 1987, in all other respects to remain in full force and effect:

1. Section 2B-13 a. and b. Classification and Fees is amended to read:
  - (a) Building construction within the City shall be classified according to occupancy or proposed occupancy as follows:
    - (1) Single-family residential (single-family dwellings, duplexes, townhouses, condominiums);
    - (2) Multifamily residential (apartments);
    - (3) Nonresidential (office, retail, commercial, industrial, including nursing homes and hospitals).
  - (b) In addition to filing an application as herein provided, the applicant shall pay to the City a mechanical permit inspection fee as follows:

Occupancy Classification	Building Area in Square Feet	Mechanical Permit Fees
Single Family, duplexes, townhouses, condominiums, per unit	N/A	\$ 30.00
Multifamily (apartments) per unit	N/A	30.00
Nonresidential	0 to 250	30.00
	251 to 550	30.00
	551 to 50,000 per sq. ft.	2 1/2¢ sq. ft.
	50,001 to 100,000 per sq. ft.	1 1/2¢ sq. ft.
	100,001 or more, per sq. ft.	1 1/4¢ sq. ft.

Building shell: Permit fee for building shell shall be one-half the permit fee for complete building of same size; fee for completion of the interior of a building shell shall be identical to the fee for building shell.

Additions, alterations and repairs, all groups:

<u>Value of Proposed Work:</u>	<u>Permit fee</u>
\$0-\$1,000 . . . . .	\$ 20.00
\$1,001-\$3,000 . . . . .	25.00
\$3,001-\$10,000 . . . . .	30.00
\$10,001-\$50,000 . . . . .	.0030
\$50,001-\$100,000 . . . . .	25.00
Plus . . . . .	.0025
\$100,001 or more . . . . .	75.00
Plus . . . . .	.0020

(c) No permit fee shall be required for air conditioning or ventilating as defined in this chapter when installed or repaired in any building or on any premises the title to which is directly vested in the state, county, city, the Mesquite Independent School District, or any church. When a request for such permit is made, this exemption shall be claimed in writing.

(d) Reinspection Fee. When the inspector finds that the work does not pass the required inspection or test, the corrections shall be made and the mechanical contractor shall request a reinspection. When reinspection is requested, and the inspector finds the exact same violation uncorrected, a twenty five (\$25.00) dollar reinspection fee will be assessed for each additional reinspection until corrections are made.

2. Section 5-7.5 a., b., c., d. and a new section e. Building permits, fees - Classifications is hereby amended to read:

(a) No permit as required by the Uniform Building Code adopted by this chapter shall be issued until the fee prescribed in this section shall have been paid, nor shall any amendment to a permit be approved

until the additional fee, if any, caused by such amendment shall have been paid.

(b) Building construction within the City shall be classified according to occupancy or proposed occupancy as follows:

- (1) Single-family residential (single-family dwellings, duplexes, townhouses, condominiums);
- (2) Multifamily residential (apartments);
- (3) Nonresidential (office, retail, commercial, industrial, including nursing homes and hospitals).

(c) Building permit fees shall be as follows:

Occupancy Classification	Building Area in Square Feet	Building Permit Fees
Single Family, Duplexes, Townhouses Condominiums, per unit	N/A	\$ 140.00
Multifamily (apartments) per unit	N/A	70.00
Nonresidential	0 to 250	180.00*
	251 to 550	180.00*
	551 to 50,000 per sq. ft.	3 1/2¢ sq. ft.
	50,001 to 100,000 per sq. ft. plus \$400.00	3¢ sq. ft.
	100,001 or more, per sq. ft. plus \$800.00	2¢ sq. ft.

\*Minimum Permit Fee for Non-Residential: \$180.00

Building Shell. Permit fee for building shell shall be one-half the permit fee for complete building of same size; fee for completion of the interior of a building shell shall be identical to the fee for building shell.

Additions, alterations and repairs, all groups:

Value of Proposed Work	Permit Fee
\$0-\$1,000 . . . . .	\$ 20.00

Value of Proposed Work	Permit Fee
\$1,001-\$3,000 . . . . .	25.00
\$3,001-\$10,000 . . . . .	30.00
\$10,001-\$50,000 . . . . .	.0030
\$50,001-\$100,000 . . . . .	25.00
Plus . . . . .	.0025
\$100,001 or more . . . . .	75.00
Plus . . . . .	.0020

(d) Certificate of Occupancy - \$50.00  
 (fee will only be assessed on change of occupancy)

(e) Exemption. [Except as provided in section 5-8,] no building permit fee shall be required for the construction or repair of any building or structure the title to which is directly vested in the federal government, state, county, city, the Mesquite Independent School District or any church. When a request for a permit is made, this exemption shall be claimed in writing.

3. Section 5-19 a., b., c. and d. is hereby amended to read:

Should the inspection provided in section 5-20 reveal that any such residence or other building or structure fully complies with the requirements of this code and other applicable ordinances of the city, then a permit must be obtained authorizing such building to be brought into the city. For such permit, in addition to all other inspection fees, bonds and costs required under the provisions of this article, the applicant shall pay one of the following permit fees:

- (a) For the moving of any buildings or any structure from one point outside the city, to another point outside the city, but which must pass through a part of of the city . . . . . \$50.00
- (b) For the moving of any building or any structure from one point inside the city to a point outside the city . . . . . \$50.00
- (c) For the moving of a building or any structure from one part of the city to another part of the city . . . . . \$50.00
- (d) For the moving of a building or any structure inside the city from outside the city . . . . . \$50.00

4. Section 7-10 a. and b. is amended to read:

(a) Building construction within the city shall be classified according to occupancy or proposed occupancy as follows:

- (1) Single-family residential (single-family dwellings, duplexes, townhouses, condominiums);
- (2) Multifamily residential (apartments);
- (3) Nonresidential (office, retail, commercial, industrial, including nursing homes and hospitals).

(b) In addition to filing an application as herein provided, the applicant shall pay to the city an electrical permit inspection fee as follows:

Occupancy Classification	Building Area in Square Feet	Electrical Permit Fees
Single-family, duplexes, townhouses, condominiums, per unit	N/A	\$ 30.00
Multifamily (apartment) per unit	N/A	30.00
Nonresidential	0 to 250	30.00
	251 to 550	30.00
	551 to 50,000 per sq. ft.	2 1/2¢ sq. ft.
	50,001 to 100,000 per sq. ft.	1 1/2¢ sq. ft.
	100,001 or more per sq. ft.	1 1/4¢ sq. ft.

Building Shell: Permit fee for building shell shall be one-half the permit fee for complete building of same size; fee for completion of the interior of a building shell shall be identical to the fee for building shell.

Additions, alterations and repairs, all groups:

Value of Proposed Work	Permit Fee
\$0-\$1,000 . . . . .	\$ 20.00
\$1,001-\$3,000 . . . . .	25.00
\$3,001-\$10,000 . . . . .	30.00
\$10,001-\$50,000 . . . . .	.0030

Value of Proposed Work	Permit Fee
\$50,001-\$100,000 . . . . .	25.00
Plus . . . . .	.0025
\$100,001 or more . . . . .	75.00
Plus . . . . .	.0020

(c) No permit fee shall be required for electrical installation or repairs in or upon any building or premises the title to which is directly vested in the federal government, state, county, city, the Mesquite Independent School District or any church. When a request for such permit is made, this exemption shall be claimed in writing.

5. Section 7-11 a., b., c. and d. is amended to read: Same - Notice of readiness, reinspection; failure to being work, etc., within six months after issuance.

(a) Electrical contractors shall give twenty-four hour notice exclusive of Saturdays, Sundays, and holidays, to the building inspection division that electrical work is ready for inspection.

(b) The electrical contractor shall make sure that the work will stand inspection and the test prescribed before giving the above notification.

(c) When the inspector finds that the work does not pass the required inspection and test, the corrections shall be made and the electrical contractor shall request a reinspection. When reinspection is requested and the inspector finds the exact same violation uncorrected, a twenty five (\$25.00) dollar reinspection fee will be assessed for each additional reinspection until corrections are made.

(d) Every specific permit issued by the building inspection division shall expire by limitation and become null and void if the work authorized by such permit has not been started within six (6) months from the date of such permit is suspended or abandoned at any time for a period of six (6) months after the work is started. Before such work is started again, a new permit shall be obtained.

6. Section 14A-26 a., b., c. and d. Permit classifications; fees is hereby amended to read:

(a) Any person granted a plumbing permit shall pay to

the city, for each permit, an inspection fee in the amount specified herein.

(b) Building construction within the city shall be classified according to occupancy or proposed occupancy, as follows:

- (1) Single-family residential (single-family dwellings, duplexes, townhouses, condominiums);
- (2) Multifamily residential (apartments);
- (3) Nonresidential (office, retail, commercial, industrial, including nursing homes and hospitals).

(c) In addition to filing an application as herein provided, the applicant shall pay to the city a plumbing permit inspection fee as follows:

Occupancy Classification	Building Area in Square Feet	Plumbing Permit Fees
Single-family, duplexes, townhouses, condominiums per unit	N/A	\$ 30.00
Multifamily (apartments) per unit	N/A	30.00
Nonresidential	0 to 250	30.00
	251 to 550	30.00
	551 to 50,000 per sq. ft.	2 1/2¢ sq. ft.
	50,001 to 100,000 per sq. ft.	1 1/2¢ sq. ft.
	100,001 or more per sq. ft.	1 1/4¢ sq. ft.

Building Shell: Permit fee for building shell shall be one-half the permit fee for complete building of same size; fee for completion of the interior of a building shell shall be identical to the fee for building shell.

Additions, alterations and repairs, all groups:

Value of Proposed Work	Permit Fee
\$0-\$1,000	\$ 20.00
\$1,001-\$3,000	25.00
\$3,001-\$10,000	30.00
\$10,001-\$50,000	.0030

Value of Proposed Work	Permit Fee
\$50,001-\$100,000 . . . . .	25.00
Plus . . . . .	.0025
\$100,001 or more . . . . .	75.00
Plus . . . . .	.0020

(d) Exemption: No plumbing permit fee shall be required for plumbing installed or repaired in any building or structure the title to which is directly vested in the federal government, state, county, city, the Mesquite Independent School District or any church. When a request for a permit is made, this exemption shall be claimed in writing.

7. Section 14A-30 a., b., and c. Notice of readiness; reinspection is hereby amended to read:

- (a) Plumbing contractors shall give twenty-four hours notice exclusive of Saturdays, Sundays and holidays, to the chief plumbing inspector that plumbing work is ready for inspection.
- (b) The plumbing contractor shall make sure that the work will stand inspection and the test prescribed before giving the above notification.
- (c) When the inspector finds that the work does not pass the required inspection and test, the corrections shall be made and the plumbing contractor shall request a reinspection. When reinspection is requested and the inspector finds the exact same violation uncorrected, a twenty five (\$25.00) dollar reinspection fee will be assessed for each additional reinspection until corrections are made.

8. Amendments to Chapter 14A Air Conditioning and Heating Systems

Article VIII, Section 14A-52. Same-Inspection Fees. a., b. and c. is amended to read:

- (a) Any person granted a mechanical permit shall pay to the city an inspection fee, according to the following schedule:



Occupancy Classification	Building Area in Square Feet	Mechanical Permit Fees
Single Family duplexes, town-houses, condominiums, per unit	N/A	\$ 30.00
Multifamily (apartments) per unit	N/A	30.00
Nonresidential	0 to 250	30.00
	251 to 550	30.00
	551 to 50,000 per sq. ft.	2 1/2¢ sq. ft.
	50,001 to 100,000 per sq. ft.	1 1/2¢ sq. ft.
	100,001 or more, per sq. ft.	1 1/4¢ sq. ft.

Building Shell: Permit fee for building shell shall be one-half the permit fee for complete building of same size; fee for completion of the interior of a building shell shall be identical to the fee for building shell.

Additions, alterations and repairs, all groups:

Value of Proposed Work	Permit Fee
\$0-\$1,000 . . . . .	\$ 20.00
\$1,001-\$3,000 . . . . .	25.00
\$3,001-\$10,000 . . . . .	\$ 30.00
\$10,001-\$50,000 . . . . .	.0030
\$50,001-\$100,000 . . . . .	25.00
Plus . . . . .	.0025
\$100,001 or more . . . . .	75.00
Plus . . . . .	.0020

(b) Reinspection Fee: When the inspector finds that the work does not pass the required inspection or test, the corrections shall be made and the heating and air conditioning contractor shall request a reinspection. When reinspection is requested, and the inspector finds the exact same violation uncorrected, a twenty five (\$25.00) dollar reinspection fee will be assessed for each additional reinspection until corrections are made.

(c) No permit fee shall be required for air conditioning or

ventilating, as defined in this chapter, when installed or repaired in any building or on any premises, the title to which is directly vested in the state, county, city, the Mesquite Independent School District or any church. When a request for such permit is made, this exemption shall be claimed in writing.

9. Section 15A-2. Building permit required for construction of pool is hereby amended to read:

A building permit shall be required for the construction of swimming pools within the limits of the city, and plans for each swimming pool shall show compliance with the requirements of this chapter. Final inspection of such swimming pool shall be withheld until compliance with the requirements of this chapter has been obtained. The fee for such permit shall be:

	Permit Fee
Above ground pool . . . . .	\$ 50.00
In ground pool . . . . .	100.00

SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance, shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1973.

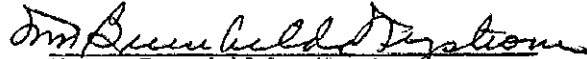
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred (\$200.00) Dollars for each offense.


SECTION 7. The fact that the present ordinances of the City of Mesquite are inadequate to protect the health and welfare of the inhabitants of the City of Mesquite creates an urgency and an emergency and necessitates that this ordinance become effective immediately from and after its date of passage and the publication of its caption as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 19th day of January A.D., 1987.

  
Mrs. Brunhilde Nyström  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
Lynn Prugel  
City Secretary

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Elland Archer  
City Attorney

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