

ORDINANCE NO. 3725

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, BY DELETING SECTIONS 5-34(C)(1), 5-34(C)(2), 5-256(D)(1), 5-256(D)(2), 5-319(B), 5-319(C), 5-387(C) AND 5-387(D) IN THEIR ENTIRETY AND ADDING NEW SECTIONS 5-34(C)(1), 5-34(C)(2), 5-256(D)(1), 5-256(D)(2), 5-319(B), 5-319(C), 5-319(D), 5-387(C) 5-387(D) AND 5-387(E) THEREBY EXEMPTING PUBLIC SCHOOL DISTRICTS FROM CERTAIN PERMIT FEES; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1: That Chapter 5 of the Code of the City of Mesquite, Texas, is hereby amended by deleting Sections 5-34(c)(1), 5-34(c)(2), 5-256(d)(1), 5-256(d)(2), 5-319(b), 5-319(c), 5-387(c) and 5-387(d) in their entirety and adding new Sections 5-34(c)(1), 5-34(c)(2), 5-256(d)(1), 5-256(d)(2), 5-319(b), 5-319(c), 5-319(d), 5-387(c), 5-387(d) and 5-387(e) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

- (a) Amend Sections 5-34(c)(1) and 5-34(c)(2) by deleting the sections in their entirety and adding new Sections 5-34(c)(1) and 5-34(c)(2) to read as follows:
 - (1) *Generally.* 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, a public school district or any church. A claim for exemption from the building permit fee must be made in writing at the time application for such permit is submitted.
 - (2) *Exception.* Exemption from building permit fees shall not apply to a public school district or any church in connection with the construction of living quarters, parsonages or day care operations used in connection therewith.

- (b) Amend Sections 5-256(d)(1) and 5-256(d)(2) by deleting the sections in their entirety and adding new Sections 5-256(d)(1) and 5-256(d)(2) to read as follows:
 - (1) *Generally.* 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, a public school district or any church. A claim for exemption from the plumbing permit fee must be made in writing at the time application for such permit is submitted.

- (2) *Exception.* Exemption from plumbing permit fees shall not apply to a public school district or any church in connection with the construction of living quarters, parsonages or day care operations used in connection therewith.

- (c) Amend Sections 5-319(b) and 5-319(c) by deleting the sections in their entirety and adding new Sections 5-319(b), 5-319(c) and 5-319(d) to read as follows:
 - (b) *Exemption.* No mechanical permit fee shall be required for air conditioning or ventilation as defined in this article when installed or repaired in any building or on any premises, the title to which is directly vested in the federal government, state, county, city, a public school district or any church. A claim for exemption from the mechanical permit fee must be made in writing at the time application for such permit is submitted.
 - (c) *Exception.* Exemption from mechanical permit fees shall not apply to a public school district or any church in connection with the construction of living quarters, parsonages or day care operations used in connection therewith.
 - (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 a mechanical reinspection is requested, a forty-dollar (\$40.00) reinspection fee will be assessed for each reinspection until corrections are made and compliance achieved.

- (d) Amend Sections 5-387(c) and 5-387(d) by deleting the sections in their entirety and adding new Sections 5-387(c), 5-387(d) and 5-387(e) to read as follows:
 - (c) *Exemption.* No electrical 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, a public school district or any church. A claim for exemption from the electrical permit fee must be made in writing at the time application for such permit is submitted.
 - (d) *Exception.* Exemption from electrical permit fees shall not apply to a public school district or any church in connection with the construction of living quarters, parsonages or day care operations used in connection therewith.
 - (e) *Investigation fee.* Whenever any work has been commenced without first obtaining the necessary electrical permit, an investigation fee shall be collected which is equal to the amount of the permit fee required by this Code.

SECTION 2. That all ordinances or portions thereof 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 are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. That this ordinance shall take effect immediately from and after its passage.

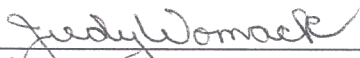
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 18th day of April, 2004.



Mike Anderson
Mayor

ATTEST:

APPROVED:



Judy Womack
City Secretary



B.J. Smith
City Attorney