

ORDINANCE NO. 307

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ADOPTING THE PROVISIONS OF THE NATIONAL BUILDING CODE, 1955 EDITION, AND AS AMENDED IN 1957, DELETING THEREFROM SECTION 106.1; ADOPTING APPENDIX "L" THEREOF; ESTABLISHING THE OFFICE OF BUILDING INSPECTOR; PROVIDING FOR THE ENTRY OF BUILDINGS FOR INSPECTION; DEFINING TERMS; PROVIDING FOR PERMIT FEES; EXEMPTING PUBLIC SCHOOLS AND CHURCHES FROM SUCH FEES, EXCEPT FOR LIVING QUARTERS; REQUIRING THE NAMES OF ARCHITECTS AND ENGINEERS UPON ALL PLANS AND SPECIFICATIONS; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE, AND DECLARING AN EMERGENCY.

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

SECTION 1 - ADOPTION OF BUILDING CODE. There is hereby adopted by the City of Mesquite, Texas, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures. The National Building Code, as recommended by the National Board of Fire Underwriters of New York, 1955 Edition, and as amended in 1957, with the exception of such sections thereof as are hereinafter deleted, modified or amended, and the same is hereby adopted and incorporated herein the same as if fully set out at length, and the provisions thereof shall be controlling in the construction of all buildings and other structures therein contained within the corporate limits of the City of Mesquite, Texas.

SECTION 2 - DELETION. Section 106.1 of the National Building Code is hereby deleted and of no force and effect.

SECTION 3 - AMENDMENT TO THE CODE. Section 802.2 of the National Building Code is hereby amended by adding thereto Appendix "L" of the National Building Code.

SECTION 4 - OFFICE OF BUILDING INSPECTOR. The office of Building Inspector is hereby created, and its official in charge shall be known as the Building Inspector, and he shall perform such duties as may be prescribed by the City Manager.

SECTION 5 - BUILDING INSPECTOR. The Building Inspector, in the discharge of his official duties, and upon proper identification, shall have the authority to enter any building, structure or other premises at any reasonable hour.

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SECTION 6 - DEFINITION OF TERMS.

(a) Wherever the word "municipality" is used in the National Building Code, it shall be held to mean the City of Mesquite, Texas.

(b) Wherever the term "corporation council" is used in said Building Code, it shall be held to mean the City Attorney for the City of Mesquite, Texas.

(c) Wherever the term "building official" is used in said Code, it shall be held to mean the Building Inspector of the City of Mesquite, Texas, or one of his duly designated assistants.

SECTION 7 - PERMIT FEES.

(a) No permit as required by the said Building Code shall be issued until the fee prescribed in this ordinance shall have been paid, nor shall any amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure shall have been paid. For a permit for the construction or alteration of a building or other structure, the fee shall be at the rate of \$2.00 per \$1,000.00 of the estimated cost up to \$20,000.00, plus \$1.00 per \$1,000.00 of the estimated cost in excess of \$20,000.00, up to \$100,000.00, plus 50¢ per \$1,000.00 of the estimated cost in excess of \$100,000.00, but not less than \$2.00 in any case, provided, however, that no fee shall be required when the estimated cost does not exceed \$200.00.

(b) The fees as set out in subparagraph (b) hereof shall be based upon an estimated cost for the type of construction determined as follows:

- (1) \$6.00 per square foot for frame residence with one bath.
- (2) \$6.25 per square foot for frame residence with one bath, masonry trim.
- (3) \$6.50 per square foot for frame residence with two baths.
- (4) \$6.75 per square foot for frame residence with two baths, masonry trim.
- (5) \$7.00 per square foot for brick or masonry with one bath.

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(6) \$7.25 per square foot for brick or masonry with one and one-half baths.

(7) \$7.50 per square foot for brick or masonry with two baths.

One-half of the above cost per square foot shall be included for porches, garages, and car ports. The estimated cost of extra equipment in the building or other structure, such as central heating, central air-conditioning, etc., shall be included in addition to the above cost based upon the square footage of the building or other structure.

(c) The term "estimated cost", as used in this Section, means the reasonable value of all services, labor and materials and use of scaffolding and other appliances or devices entering into or necessary to the prosecution and completion of the work ready for occupancy, provided that the cost of excavation or grading and of painting, decorating or other work that is merely for embellishment or not necessary for the safe and lawful use of the building or structure is not deemed a part of such estimated cost.

SECTION 8 - EXEMPTION FROM PERMIT FEES. All public schools and churches shall be and the same are exempt from the payment of building permit fees contained herein, with the exception that such fees shall be paid by all public schools and churches for the construction of living quarters or parsonages used in connection therewith.

SECTION 9 - NAME OF ARCHITECT OR ENGINEER REQUIRED. No permit shall be issued for any building or other structure used for commercial purposes, or as a place of assembly, unless the plans or specifications submitted shall have the name of the architect or engineer responsible for such plans and specifications plainly indicated thereon, and set forth on the face of the title sheet of all of such plans or specifications.

SECTION 10 - SAVING CLAUSE. Nothing in this ordinance or in this Code as hereby adopted shall be construed to affect any litigation or proceedings now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing under any act or ordinance repealed hereby, nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

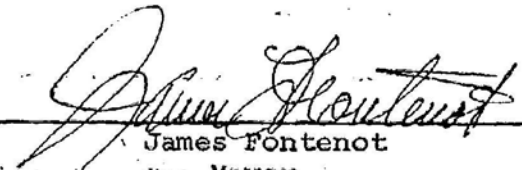
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SECTION 11 - VALIDITY. Should any word, phrase, sentence, paragraph or section of this ordinance, or of the Code as adopted herein, shall be held to be void or unconstitutional, the remaining provisions of this ordinance and the Building Code shall remain in full force and effect.

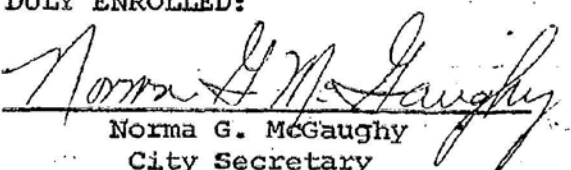
SECTION 12. PENALTY. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction in the Corporation Court shall be subject to a fine not to exceed Two Hundred Dollars (\$200.00), and each and every day such violation continues shall constitute a separate offense.

SECTION 13. EMERGENCY CLAUSE. The fact that at the present time there is no ordinance of the City of Mesquite, Texas adopting the 1955 Edition and the 1957 Amendments of the National Building Code, regulating the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and other structures within the City of Mesquite creates an urgency and an emergency, and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED on the 18th day of July, 1960.


James Fontenot
Mayor

DULY ENROLLED:


Norma G. McGaughy
City Secretary

Amended by Jan 4-58