

DIVISION 1. ADMINISTRATION OF TECHNICAL CONSTRUCTION CODES

Sec. 14-201. Purpose.

(a) The purpose of this article is to provide for the administration and enforcement of the City of Corpus Christi Technical Construction Codes, including the City of Corpus Christi Building, Electrical, Energy Conservation, Fuel Gas, Mechanical, Plumbing, and Residential Code for One and Two Family Dwellings, and the City of Corpus Christi Flood Hazard Prevention Code.

(b) The City of Corpus Christi has adopted, with local amendments for the International Code Council ("ICC) International Building, Energy Conservation, Fuel Gas, Mechanical, Plumbing, and Residential Code for One and Two Family Dwellings Codes, 2003 edition, and the National Electrical Code, 1999 edition, copies of which, authenticated by the signatures of the mayor and City secretary, made public record, by section 14- (Building), 14- (Electrical), 14- (Energy Conservation), 14- (Fuel Gas), 14- (Mechanical) 14- (Plumbing), and 14- (Residential Code for One and Two Family Dwellings).

(c) Copies of the adopted codes are on file in the City secretary's office.

(d) Collectively these codes, as adopted and amended, are known as the City of Corpus Christi Technical Construction Codes, and are known individually as the City of Corpus Christi Building, Electrical, Energy Conservation, Fuel Gas, Mechanical, Plumbing, and Residential Code for One and Two Family Dwellings Codes.

(e) Chapter 1, Administration, of the International Code Council International Building Code, Energy Conservation Code, Fuel Gas Code, Mechanical Code, Plumbing Code, and Residential Code for One and Two Family Dwellings, 2003 edition, are not adopted.

(f) Sections 14-201 -- 14-230 of this Article may be referred to as the City of Corpus Christi Technical Construction Administration Codes, and govern the administration of the City's Technical Construction Codes and the City of Corpus Christi Flood Hazard Code.

Sec. 14-202. Definitions. As used in this Article and the City of Corpus Christi Technical Construction Codes:

"Board" means the applicable appeal or advisory board appointed by the City Council, including the Building Code Board of Appeals, Landmark Commission, and Zoning Board of Adjustment, Electrical Advisory Board, or Mechanical/Plumbing Advisory Board.

"Building Section" means the section of Inspections Operations charged with responsibility for administration of the City of Corpus Christi Building Code and the Residential Code, except for the electrical, fuel gas, mechanical, and plumbing provisions.

"Building inspector" means an individual, designated by the Building Official as a building inspector, who has proper code certifications from a model code organization.

"Building Official" means the person designated by the City Manager to administer and enforce the Corpus Christi Technical Codes. The term also includes an individual designated in writing by the City Manager to act on behalf of the Building Official.

"Certificate of occupancy" means a certificate issued by the Building Official that authorizes occupancy of a building or structure or portions of a building or structure, for its authorized use, or temporary events.

"Building Team Leader" means the employee of the City designated by the Building Official who is in charge of the Building Section.

"Electrical Team Leader" means the employee of the City designated by the Building Official who is in charge of the Electrical Section.

"Permit Team Leader" means the employee of the City designated by the Building Official who is in charge of the permit office.

"Mechanical and Plumbing Team Leader" means the employee of the City designated by the Building Official who is in charge of the Mechanical and Plumbing Sections.

"City" means the territory within the corporate limits of the City of Corpus Christi, Texas, or the legally constituted governing body of the City of Corpus Christi, its agents, employees, and its officers.

"Code Enforcement Official" means the Building Official or other employees of the City designated in writing by the City Manager to make application for administrative and criminal search warrants under authority of the Texas Code of Criminal Procedure, Article 18.05, as the warrants may be necessary to enforce any provision of the Code of Ordinances of the City of Corpus Christi or other municipal ordinances duly promulgated.

"Design Professional" means a registered architect or licensed professional engineer legally registered or licensed under the laws of this state, registered or licensed in this state, and regulating the practice of architecture or engineering.

"Director of Development Services" means the department head who supervises the Building Official, the Director of Planning, and the Special Services Engineer and oversees administration of Inspections Operations, Planning, and Special Engineering Services.

"Electrical inspector" means an individual, designated by the Building Official as an electrical inspector, who has proper code certifications from a model code organization.

"Electrical Section" means the section of Inspections Operations charged with responsibility for administration of the City of Corpus Christi Electrical Code.

"Electrical system" means any electrical wiring system and the appurtenances, apparatus, or equipment used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises for light, heat, power, or signaling purposes. The term includes service entrance

conductors, as defined by the National Electrical Code, and any ducts, race ways or conduits for the reception or protection of wires or conductors.

"Final inspection" means the inspection that is made when the scope of building, electrical, energy conservation, fuel gas, mechanical, and plumbing work on a permit is complete.

"Floodplain Administrator" means the Building Official or the person designated in writing by the City Manager who is responsible for administration of the City of Corpus Christi Flood Hazard Prevention Code.

"Fuel gas system" means any piping, fixtures, appurtenances, and appliances that supply fuel gas from the fuel gas supply outside the building or premises to an appliance that utilizes fuel gas to produce light, heat, power, refrigeration, or air conditioning; any the fuel utilization equipment, including any appliance that utilizes fuel gas to produce light, heat, power, refrigeration, or air conditioning; any equipment that utilizes a fuel gas; and any pipes or ducts used to carry the products of combustion from the fuel utilization equipment to the atmosphere.

"Inspections Operations" means the division within the Department of Development Services charged with the responsibility for the administration of the City of Corpus Christi Technical Construction Codes, and includes any employee of the City, who has been delegated authority to carry out duties relating to the administration of the technical construction codes.

"Inspector" means an employee of the City, designated by the Building Official, to inspect structures, components, installations, and other work for compliance with the Technical Construction Codes of the City of Corpus Christi.

"Licensed plumber" means a person who holds a current and valid license issued pursuant to the Texas State Board of Plumbing Examiners, and under the Plumbing License Law.

"Licensed Plumbing Inspector" means a person who holds a current and valid license issued pursuant to the Texas State Board of Plumbing Examiners and under the Plumbing License Law.

"Licensed Irrigator" means an irrigator who is licensed under Chapter 34 of the Texas Water Code.

"Licensed Installer" means a person who actually connects an irrigation system to a private or public raw or potable water supply system or any water supply, who is licensed under Chapter 34 of the Texas Water Code.

"Maintenance" means the act of keeping in a state of safe operating condition any construction component, structural member, electrical, energy conservation, fuel gas, mechanical, or plumbing system or piece of equipment used inside or outside, attached or connected to any structure's or building system by the replacement of components, members, or elements thereof, but may not include additions to, or replacement of any existing system or extension of a structure or system.

"Mechanical/Plumbing Section" means the section of Inspections Operations charged with responsibility for administration of the City of Corpus Christi Fuel Gas, Mechanical, and Plumbing Codes.

"Mechanical system" means any permanently installed systems used to control environmental conditions, such as the temperature, humidity, cleanness, and distribution of air and related processes within a building or structure, and includes the equipment or a product in an environmental air conditioning system, hydronic piping systems; a commercial refrigeration system; and special heating systems, such as boilers, cooking equipment, fireplaces, kilns, stoves, furnaces, and dryers.

"Open-structure" means a structure, or appurtenance, which is not enclosed or confined by walls or other barriers on more than of fifty percent (50%) of its perimeter, i.e., two (2) sides of its perimeter walls (floor to ceiling), and permits the unobstructed flow of natural environmental air.

"Plumbing system" means the water supply and distribution pipes; plumbing fixtures and traps; water-treating or water-using equipment; soil, waste, and vent pipes; sanitary and storm sewers and building drains; and any piping, fixtures, appurtenances, and appliances, including disposal systems, drain or waste pipes, or any combination of these that supply, recirculate, drain, or eliminate water, storm water, fuel gas, medical gasses and vacuum, liquids, and sewage for all personal or domestic purposes in and about buildings where persons live, work, or assemble; connect buildings and structures with the source of water, gas, or other liquid supply, or combinations of these, on the premises, or the utility supply mains on public property; and carry waste water, sewage, or storm water from or within a building to the sewer service lateral or storm water system on public property or the disposal or septic terminal that holds private or domestic sewage.

"Service system" means any electrical, energy conservation, fuel gas, mechanical, or plumbing system.

"Temporary or Conditional certificate of occupancy" means a certificate that authorizes temporary or conditional occupancy of an entire building or only those portions of a building that can be safely occupied prior to final completion and full occupancy of the building. A temporary certificate of occupancy may also be issued for temporary events or temporary structures that will be removed after a specified time."

Sec. 14-203. Codes remedial.

(a) **General.** The Technical Construction Codes are remedial, and must be construed to secure the beneficial interests and purposes of the codes, which are public safety, health, and general welfare, through structural strength, stability, sanitation, adequate light and ventilation, energy conservation, accessibility, safety to life and property from fire, windstorms, flood hazards, and other hazards attributed to the built environment, including alteration, repair, removal, demolition, use, and occupancy of buildings, structures, or premises, and by regulating the installation and maintenance of all

electrical, gas, mechanical and plumbing systems, which may be referred to as service systems.

(b) **Quality control.** Quality control of materials and workmanship is not within the purview of the codes, except as it relates to the purposes stated in this section.

(c) **Limited purpose of permitting and inspection.** The taxpayers and citizens of the City of Corpus Christi, with only limited resources for the operation of government, in deciding to provide the services described in these codes, undertakes to act only for the purposes, and to the limited extent, described in this section.

(1) Any activity under these codes, including, without limitation, actions or inactions related to applications, plan review, permitting, inspection, investigation, enforcement, and revocation of permits, authorizations, certificates, or releases of any kind, is an exercise of the police power of the City, which power is exercised for the health, safety and welfare of the public generally.

(2) The City specifically does not undertake to perform, and does not perform, any activity for the benefit of any particular person, persons, or groups, and the City may not have nor ever be deemed to have a duty to any particular person, persons, or groups.

(3) No City officer, employee, agent, or representative is authorized to create a duty to any person with respect to any activity, and any act or omission of a City officer, employee, agent, or representative purporting to or which might be construed to create any duty is unauthorized and ultra vires.

(4) No person may rely in any way whatsoever upon any City inspection, examination, permit, investigation, enforcement, granting or revocation of any permit, authorization, certificate, or release of any kind, or other action or inaction related to this code, or absence thereof, as assurance or indication or to decide that any structure, premises, or activity is safe, sufficient, advisable, or suitable for any purpose, or that it is in compliance with this code.

(5) It is the duty of the person who constructs, alters, or occupies a structure or premises, and their contractors, subcontractors, design professional, and others assisting them, to determine on the basis of their own efforts and investigation, without relying on the City in any way, whether the structure or premises is in compliance with this code.

(6) The City may never be liable in tort, contract, or any other theory of liability whatsoever, for damages for any defect or hazardous or illegal condition or inadequacy in any building, premises, system, or plan, nor for any failure of any component of such, which arises out of or is alleged to arise out of any action or inaction under or related to this code.

(7) As used in this section:

a. "City" includes the City of Corpus Christi, and its officers, employees, agents, and representatives, past, present, and future.

b. "Person" includes, without limitation, individuals, all legal entities of any nature, owners of any interest in property, whether fee, leasehold,

security, or otherwise, builders, developers, renovators, contractors, subcontractors, invitees, licensees, trespassers, insurers, owners of adjacent or nearby properties, and the successors of any of the foregoing.

c. "Codes" means the Building Code, Electrical Code, Energy Conservation Code, Fuel Gas Code, Mechanical Code, Plumbing Code, Residential Code for One and Two Family Dwellings, and the Flood Hazard Prevention Code.

(8) This section applies notwithstanding any other provision of a City Code or Ordinance; presently existing or which may be adopted in the future, unless the provision expressly provides that this paragraph does not apply.

(d) **Responsibility for safe work.** These codes may not be construed to relieve from or lessen the responsibility or liability of any person owning, operating, installing or maintaining a building or structure, or an electrical, fuel gas, mechanical or plumbing system for damages to persons or buildings caused by any defect therein.

Sec. 14-204. Scope.

(a) General.

(1) Where, in any specific case, different sections of the City of Corpus Christi Code of Ordinances or Technical Construction Codes specifies different materials, methods of construction, or other requirements, the most restrictive governs.

(2) Where there is a conflict between a general requirement and a specific requirement, the specific requirement is applicable.

(3) Where there is a conflict between the Technical Construction Codes and manufacturer's instructions, the manufacturer's instructions govern.

(4) In the case of any conflict in construction, permitting, or proposed construction standards between the Corpus Christi Building Code and the Fire Prevention Code, the provisions of the Building Code governs.

(b) **Building.** The Building Code applies to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building, structure, residential accessory building or structure, or any appurtenances connected or attached to the buildings or structures or any detached buildings or structures on the same property.

(1) Compliance with and participation in the Texas Windstorm Insurance Association's program for windstorm insurance is waived for accessory residential buildings or structures provided the owner submits a sworn affidavit to the Building Official stating that the owner has voluntarily decided not to participate in the windstorm program with the knowledge that the accessory residential buildings or structures may not be insurable. The owner must file a copy of the affidavit in the county in which the building or structure is located.

(2) An accessory residential building or structure, which is not constructed under the Texas Windstorm Insurance Association's program, must be constructed to the prescriptive standards outlined in the Building Code.

(c) **Electrical.** The Electrical Code applies to the installation, alterations, maintenance, repairs, or replacement of the electrical service and systems.

(d) **Energy Conservation.** The provisions of the Energy Conservation Code applies to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition, of every commercial building or structure or any appurtenances connected or attached to the buildings or structures or any detached buildings or structures on the same property.

(e) **Fuel Gas.**

(1) The Fuel Gas Code applies to the installation, alteration, repair, replacement, and maintenance of the fuel gas system.

(2) The Fuel Gas Code also applies to the installation, alteration, repair, replacement, and maintenance of fuel gas systems, which are located outside of the City when the building or structure is connected to the water, wastewater storm water, or gas systems or gas franchise of the City of Corpus Christi.

(f) **Mechanical.**

(1) The Mechanical Code applies to the installation, alterations, repairs, replacement, and maintenance of mechanical systems.

(2) The Mechanical Code also applies to the installation, alteration, repair, replacement, and maintenance of mechanical systems, which are located outside the City when the building or structure is connected to water, wastewater, storm water, or gas systems or gas franchise of the City.

(g) **Plumbing.**

(1) The 2003 International Plumbing Code applies to the installation, alteration, repair, replacement, and maintenance of every plumbing system.

(2) The Plumbing Code also applies to the installation, alteration, repair, replacement, and maintenance of equipment, appliances, fixtures, fittings, and appurtenances thereto, which are located outside of the City when the building or structure is connected to the water, wastewater, or storm water systems of the City of Corpus Christi.

(h) **Residential Code for one and two family dwellings.**

(1) The provisions of the 2003 International Residential Code for One and Two Family Dwellings, as amended and adopted, applies to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition, of every one and two family residential building or structure or any appurtenances connected or attached to the buildings or structures.

(2) The Residential Code also applies to every plumbing installation, alteration, repair, replacement, and maintenance of piping used for potable water, grey water, or sewage; the installation equipment, appliances, fixtures, fittings, and appurtenances that are connected to the plumbing system; the installation, alteration, repair, replacement, and maintenance of fuel gas piping, fuel gas equipment, fuel gas appliances, fuel gas fixtures, fuel gas fittings, and appurtenances to fuel gas piping, fuel gas equipment, fuel gas appliances, and fuel gas fixtures; and the installation, alteration, repair, replacement, and maintenance of mechanical systems, mechanical equipment, appliances, fixtures, fittings and appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, thermal energy storage systems, and other energy-related systems which are located outside the City when the building or structure is connected to water, wastewater, storm water, or gas systems or gas franchise of the City.

Sec. 14-205. Federal and State Authority. The provisions of this code shall may not be held to deprive any federal or state agency, or any applicable governing authority having jurisdiction, of any power or authority which it had on the effective date of the adoption of this code or of any remedy then existing for the enforcement of its orders, nor may it deprive any individual or corporation of its legal rights as provided by law.

Sec. 14-206. Appendices. To be enforceable, the appendices included in one of the technical construction codes must be referenced in the code text and specifically included in the adopting ordinance.

Sec. 14-207. Referenced standards. Standards referenced in the technical construction codes are an integral part of the codes without separate adoption. If specific portions of a standard are denoted by code text, only those portions of the standard will be enforced. Where code provisions conflict with a standard, the code provisions will be enforced. Permissive and advisory provisions in a standard may not be construed as mandatory.

Sec. 14-208. Maintenance and Code Compliance. All buildings, structures, electrical, fuel gas, mechanical and plumbing systems, devices or safeguards, and all parts thereof, which are required by this code, whether existing or new, must be installed and maintained in a safe, sanitary condition and in good working order. Failure to maintain a system in a safe and sanitary condition, or making changes to a building, structure, or system that are not in compliance with this code, may result in the disconnection of the service utilities. The owner, or owner's designated agent, shall be responsible for the maintenance of buildings, structures, electrical, energy conservation, fuel gas, mechanical, and plumbing systems and the accessibility of the building or structure.

Sec. 14-209. Records. The Building Official will keep, or cause to be kept, a record of the business of the division that is open to public inspection that complies with the Texas Open Records Act, Local Government Code, and in conformance with the Texas State Library and Archives Commission standards.

Sec. 14-210. Liability. Any officer or employee, or member of the Building Code Board of Appeals, the Electrical Advisory Board, or the Mechanical/ Plumbing Advisory

Board, charged with the enforcement of this code, acting for the City of Corpus Christi in the discharge of officer's, employee's, or member's duties, does not render the officer, employee, or member personally liable, and is hereby relieved from all personal liability, for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of officer's, employee's, or member's duties. Any suit brought against any officer, employee or board member because of the act performed by the officer, employee, or member, in the course and scope of their duties, in the enforcement of any provision of this code will be defended by the City attorney until the final termination of the proceedings.

Sec. 14-211. Existing buildings.

(a) **General.** Alterations, repairs or rehabilitation work may be made to any existing structure, building, electrical, gas, mechanical or plumbing system without requiring the building, structure, plumbing, electrical, mechanical or gas system to comply with all the requirements of the technical construction codes provided that the alteration, repair or rehabilitation work conforms to the requirements of the technical construction codes.

(b) **Change of occupancy.** If the occupancy classification of any existing building or structure is changed the building, electrical, gas, mechanical and plumbing systems must be made to conform to the intent of the Technical Construction Codes as required by the Building Official for the new occupancy. Any alterations or repairs to the building or structure are subject to the fifty percent rule in subsection (c) of this section.

(c) **Fifty (50) percent rule.**

(1) Requirement to bring building or structure up to current codes. When alterations or repairs costing in excess of fifty percent (50%), of the then physical value of the building, structure, or service system are made within any period of twelve (12) months to an existing building, structure, or service system, the entire building, structure, or service system must be made to conform to the requirements of this code for new construction, except when alterations or repairs are funded wholly or in part by federal housing assistance funds.

(2) Determination of value. The value of the building, structure and/or service system is determined by the Building Official based upon the value of the building, structure, or service system on the tax rolls of the Nueces County Tax Appraisal District on or before the date the alterations or repairs are permitted or commenced, whichever is earlier.

(3) Exceptions.

a. Additions. Construction of an addition built on a new foundations system does not require the upgrading of the previously existing structure, foundation, or service system to the current code requirements except that those portions of an existing wall to which the addition connects or the bearing walls if a second story addition, must conform to all of the requirements of this code.

b. Repairs subject to the Texas Windstorm Insurance Association's Building Code for Windstorm Resistant Construction. If a structure is repaired, those portions of the structure that were not damaged are not

required to be reconstructed to the prescriptive standards of the Texas Windstorm Insurance Association's Building Code for Windstorm Resistant Construction or any model code acceptable to the Texas Department of Insurance.

(d) **Damaged structures or service system.** An existing structure or service system, damaged by fire or otherwise, must be surveyed for damage by Inspections Operations, after the applicable survey fees are paid. If the structure or service system is found to be damaged in excess of fifty (50) percent, of its previous value, the structure or service system must be brought into compliance with the current requirements of this code, if the repair is made, except when the repairs are funded wholly or in part by federal housing assistance funds.

(e) **Structures damaged from rising waters.** An existing structure or service system in a Special Flood Hazard Area, damaged by rising water from a flood hazard, must be surveyed for damage by Inspections Operations, after the applicable survey fees are paid. If the structure or service system is found to be damaged in excess of fifty (50) percent, of its previous physical condition, the structure or service system must be elevated to one foot above the base flood elevation, moved out of the Special Flood Hazard Area, or demolished and removed.

(f) **Physical value.**

(1) The physical value of the building or structure is measured as the value of the improvements on the tax rolls of the Nueces County Tax Appraisal District on or before the date of destruction or damage.

(2) The physical value of a service system is measured by the current cost of a replacement system on or before the date of destruction or damage.

(g) **Nonconforming uses.** Nothing contained within this code may be construed to allow a nonconforming use to be replaced in contravention of the zoning ordinance of the City.

Sec. 14-212. Special historic buildings.

(a) **Authority of Building Official.** The provisions of the technical construction codes and the City of Corpus Christi Flood Hazard Prevention Code relating to the, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures may not be mandatory for existing buildings or structures identified and classified by the state or the City as historic buildings, provided that, in the opinion of the Building Official, any proposed alteration, repair, enlargement, restoration or relocation of the buildings, not in strict compliance with the technical construction codes will nevertheless meet the spirit and intent of the technical construction codes. Accompanying the application for a permit for the work, the applicant must submit documentation acceptable to the Building Official which identifies the structure to be a historic structure or historic building and must submit complete architectural and engineering plans and specifications bearing the seal of a licensed design professional registered in the State of Texas.

(b) **Variances for Historic Buildings from the Flood Hazard Prevention Code.** The Building Code Board of Appeals will vary the provisions of the City of Corpus Christi Flood Hazard Prevention Code for historic buildings after determining that the proposed

repair or rehabilitation will not preclude the structures continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

Sec. 14-213. Inspections Operations.

(a) There is established Inspections Operations in the Department of Development Services.

(b) Inspections Operations is under the charge of the Building Official.

(c) The City Manager may designate an employee in the department who will, during the absence or disability of the building official, exercise all the powers of the Building Official.

(d) **Restrictions on employees.** An officer or employee connected with Inspections Operations, except one whose only connection is as a member of an appeal board or advisory committee established by this code, may not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system, or in the making of plans or of specifications thereof, unless he is the owner of such. This officer or employee may not engage in any other work, which is inconsistent with officers or employee's duties or conflicts with the interests of the division. The City of Corpus Christi Code of Ethics governs the conduct of board members, officers and employees of the City.

Sec. 14-214. Powers and duties of the Building Official.

(a) **General.** The Building Official is hereby designated, authorized and directed by the City Manager to enforce the provisions of this code including the authority to render interpretations of the technical construction codes, which are consistent with its spirit and purpose. The Building Official may, on a temporary basis only delegate the authority to assistants, inspectors and other employees of Inspections Operations as may be required to carry out the Building Official's duties.

(b) **Code enforcement officials.**

(1) The Building Official is designated as a code enforcement official for the City of Corpus Christi.

(2) The City Manager may designate other employees of Inspections Operations, in writing, as code enforcement officials.

(3) The Building Official and any other employee of Inspections Operations, who has be designated as a code enforcement official, may make an application for administrative and criminal search warrants under authority of the Texas Code of Criminal Procedure as the warrants may be necessary to enforce any provision of the Code of Ordinances of the City of Corpus Christi.

(c) **Titles of officials.** When reference is made to the duties of a certain official named in this chapter, that designated official of the City of Corpus Christi, who has duties corresponding to the named official in the respective code, or in any state statute, is deemed the responsible official insofar as enforcing the provisions of the code, or state statute are concerned.

(d) **Right of entry.**

(1) **Reasonable Cause.** Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the Building Official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes the building, structure, premises, electrical, fuel gas, mechanical, or plumbing systems unsafe, dangerous or hazardous, the Building Official may enter the building, structure or premises at all reasonable times to inspect the building, structure, premises, or system or to perform any duty imposed upon the Building Official by this code.

a. If the building or premises is occupied, the Building Official will first present proper credentials and request entry.

b. If the building, structure, or premises is unoccupied, the Building Official will first make a reasonable effort to locate the owner or other persons having charge or control of the building, structure, or premises and request entry.

c. If entry is refused, the Building Official will have recourse to every remedy provided by law to secure entry.

d. When the Building Official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building structure, or premises may fail or neglect, after proper request is made as provided, to promptly permit entry therein by the Building Official for the purpose of inspection and examination pursuant to this code.

(e) **Periodic Inspections.** The Building Official may conduct or cause to be conducted systematic and periodic inspections of all buildings, structures, or service systems now constructed or installed, or that may hereafter be constructed or installed within the scope of this code.

(1) If any building, structure, or system is found to be dangerous, in violation of the technical construction code or in an unsafe condition, the person, firm or corporation owning, using or operating the building, structure, or system will be notified in writing and may be required to immediately make the necessary repairs or changes required to place the building, structure, or service system in a safe condition or correct the violation.

(2) The Building Official may immediately order the disconnection, or discontinuance of utility or electric services to the building, structure, or system which appears to be unsafe until the unsafe condition has been made safe as directed by the technical construction code.

(f) **Stop Work Orders and Field Correction Notices.**

(1) **Notification to Stop Work.** Upon notice from the Building Official or Building Official's authorized representative, work on any building, structure, electrical, gas, mechanical, plumbing system or premises that is being done contrary to the

provisions of this code or in a dangerous or unsafe manner, must immediately cease.

- a. The notice will be in writing by a field correction notice, and must be given to the owner of the property, or to the owner's agent, or to the person doing the work, and state the conditions under which work may be resumed.
- b. If the person to whom any order or notice issued pursuant to the provisions of these technical construction codes can-not be found after a reasonable search has been made, then the order or notice may be served by posting the notice or order in a conspicuous place upon the premises occupied by the person or the premises where the improper work is taking place or on the premises which are deemed unsafe or dangerous.
- c. The posting of a notice under paragraph b of this subsection (d)(1) is equivalent to personal service of the order or notice.
- d. Where an emergency exists, the Building Official is not required to give a written notice prior to stopping the work.

(2) **Defacing of Posted Notification.** The Building Official, or Building Official's designee has the power to attach to a structure any official notice or seal which might be necessary to prevent the use of the building or structure, or any electrical, consumer gas, mechanical or plumbing system; and it is unlawful for any person to use any system or to break, change, destroy, tear, mutilate, cover or otherwise deface or injure any official notice or seal posted by any inspector.

(g) **Revocation of permits.**

(1) **Misrepresentation of Application.**

- a. The Building Official may revoke a permit or approval issued under the provisions of this code in case there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based or whenever the permit approval was issued in error.
- b. Any refunds of permit fees is based upon the provisions of Section 14-308.

(2) **Violation of code provisions.** The Building Official may revoke a permit upon Building Official's determination that the construction, erection, alteration, repair, moving, demolition, installation or replacement of the building, structure, electrical, gas, mechanical or plumbing systems for which the permit was issued is in violation of, or does not conform with the provisions of this code.

(h) **Unsafe buildings, or sites, systems.**

(1) All buildings, structures, sites, electrical, fuel gas, mechanical, or plumbing systems, which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard or windstorm hazard, or are otherwise dangerous

to human life, conducive to rodent infestation, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings, service systems or sites.

(2) All unsafe buildings, structures, service systems or sites are declared illegal and must be abated by repair and rehabilitation, by demolition, or clean up in accordance with the provisions of the Code of Ordinances of the City of Corpus Christi.

(i) **Requirements not covered by code.** The Building Official will determine what if any requirements will be necessary for the strength, stability or proper operation of an existing building or building proposed to be relocated or proposed new building for which structural, electrical, gas, mechanical or plumbing system, or for which the public safety, health and general welfare, are not specifically covered by this or the other technical construction codes, will be determined by the Building Official.

Sec. 14-215. Permits

(a) General.

(1) It is unlawful for any person, owner, authorized agent, or contractor to fill or excavate, construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, to construct a swimming pool, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the technical construction codes, to erect or construct a sign of any description, or to install or alter fire extinguishing apparatus, lawn irrigation systems, elevators, engines, or to install a steam boiler, furnace, heater, incinerator or other heat producing apparatus, or to install a mobile home for occupancy upon a lot, or to erect, construct, fabricate, apply or repair more than twenty-five (25) percent of any roof covering of any building or to erect any fence over seven (7) feet in height, or to cause any work to be done, without first making application to the Building Official and obtaining the required permit(s) for the work.

(2) All connections to City-owned, City-leased, City-franchised, or City-operated utility service lines inside or outside the City must be made and installed by the City at a point determined by the City; provided, that charges for this utility service and for tap fees must be paid in accordance with the established rates and fees of the City.

(3) Every extension on and into private premises from each City utility line must be made only after a permit has been issued for the extension or connection to the utility line.

(4) One (1) permit is required for each building and for each inspection discipline.

(5) Permits are valid only for work performed, as described on the permit, by or under the supervision of the applicant who obtained the permit and only applies to the location specified by legal description on the permit.

(b) **Conditional permit.** A conditional permit may be issued by the Building Official for applications that have been denied, provided that the applicant has filed for an appeal

on the specific item in question, and that the applicant has submitted design documents to the Building Official and that the applicant will comply with the code requirements for the item should the appeal be rejected by the board.

(c) *Permits for part-jobs or incomplete projects.*

(1) When one (1) person completes the rough-in work, in whole or in part, on any building or system, and a second person is called upon to complete the work in whole or in part, then, in that event, a separate permit is required for which regular fees must be paid for the work to be done for the remaining work.

(2) Each person may be held responsible only for the portion of the work actually installed.

(3) Before the second contractor is issued a permit for the completion of the remaining work or the installation of fixtures or equipment, Inspections Operations will first notify the person holding the original or first permit, that the second permit is proposed to be issued and the original permit will be cancelled.

(4) A twenty-four (24) hour waiting period will transpire between notification to the first permit holder and issuance of a second permit, unless the permit is canceled by the holder of the first permit, upon which the second permit may be issued immediately thereafter.

(5) If the first permit holder cannot be notified, or has not responded to the notification within a twenty-four (24) hour waiting period, Inspections Operations will issue the second permit on the first business day after the waiting period expires.

(6) The issuance of the second permit cancels the first permit, and no refund of fees paid for the canceled permit will be made.

(d) *Homeowner's permit.*

(1) A homeowner's permit may be issued to property owners for construction, alteration, installation or repairs within the scope of this code, in a single family residential building owned and occupied by the property owner as their homestead.

(2) The Building Official may require the homeowner to demonstrate sufficient knowledge and competence in the respective trade or require drawings delineating the proposed work before issuing a homeowner's permit for complicated construction of electrical, mechanical, or plumbing projects. (See Section 14-217(j) for additional guidance.)

(e) *Temporary Event Permit.*

(1) A permit is required for a temporary event, when the event requires a tent or other temporary structure, which is ancillary and adjacent to an existing ongoing commercial operation or function and will be removed after a specified period of time not to exceed fifteen (15) days.

(2) The inspection made prior to issuing the permit will confirm that there are no life safety, zoning, or public health issues associated with temporary sanitary facilities.

(3) In the event that temporary electrical services are required, an electrical permit and inspection is required.

(4) The temporary event permit expires at the end of the specified period.

(f) *Emergency work.*

(1) If the need arises to begin work on a project because of an emergency situation, the contractor shall, before that a specific job is started, notify Inspection Operations that work is starting.

(2) The contractor must, within twenty-four (24) hours (excluding Saturdays, Sundays, and legal holidays) file an application for the related permit with Inspection Operations and pay the appropriate permit fees.

(3) If the contractor fails to submit the application, the permit fee will be subject to the fees specified by the permit fee schedule for work being performed without a permit and as required in Sections 14-1306(b).

(4) An application with payment submitted by mail must be post marked no later than the call in date or the next business day if on a Sunday or holiday to be exempt from these requirements.

(5) This section does not permit any work to be done in violation of this code.

(g) *Permits for Demolition of a Building or Structure.*

(1) A permit to demolish a building or structure includes the demolition of the related electrical, mechanical, and plumbing systems.

(2) The owner or the contractor must coordinate termination of service with the utility owner to ensure that all electrical, mechanical, and plumbing systems are disconnected and inactive prior to the start of demolition operations.

(h) *Texas Department of Health Requirements.* Prior to issuance of a permit to renovate or demolish a commercial or public building or structure, the owner must provide evidence to the Building Official that an asbestos survey has been performed by a design professional as outlined in this code or by an asbestos inspector licensed by the Texas Department of Health. The applicant must verify on the application that the survey was performed and approved.

(i) *U.S.-Environmental Protection Agency and Texas Commission on Environmental Quality Requirements.* The owner must comply with all U.S. Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) rules relating to the purchase, handling, recovery, and disposal of EPA regulated refrigerants.

(j) *Permits for excavation and fill.* Permits are required for excavation and fill within the corporate City limits in compliance with Articles VI, Excavations, and VII, Regulation of Fill Materials, of this Chapter.

(k) **Permits not transferable.** Permits are valid only for the work described on the permit. The work may be performed only by or under the supervision of the applicant who obtained the permit and only at the location specified.

(l) **Public rights-of-way and utility easements.**

(1) A permit may not be issued by the Building Official for the construction of any building, or for the alteration of any building where the building is to be changed and the change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placement on any lot or premises of any building or structure removed from another lot or premises when the change encroaches into the public right-of-way or utility easement, unless the applicant has made application at the office of the director of engineering services for the lines of the public street on which he proposes to encroach by building, erecting or locating the building and the director of engineering services has approved the encroachment by the use of an instrument approved by City Council.

(2) When a building permit is issued, it is the duty of the Building Official to see that the street lines are not encroached upon, except as provided for by the Zoning Ordinance and any other provisions of the Code of Ordinances of the City of Corpus Christi.

(m) **House moving permits.**

(1) *General.* A building or part of any building may not be moved through or across any sidewalk, street, alley or highway within the City limits without first obtaining a house moving permit from the Building Official.

(2) *House movers license required.* A house moving permit may be issued only to holders of current and valid house mover's licenses.

(3) *Written application.*

a. *Contents of application.* Any person desiring to move a building shall first file with the Building Official a written application-containing the following information:

1. Type and kind of building to be moved.
2. The original costs of the building.
3. The extreme dimensions of the length, height and width of the building.
4. Its present location and proposed new location by lot, block, subdivision, and street numbers.
5. The approximate time the building or structure will be upon the streets, and the route that will be taken from the present to the new location. The route must have been reviewed and approved by the City's Traffic Engineer.

(4) *Owner's deposit and agreement required.* As a condition precedent to the issuance of the building permit for the necessary improvements, the owner of the

lot to which the house, building, or structure is proposed to be moved must place on deposit with the City a cash deposit of five hundred dollars (\$500.00), and an affidavit in which the owner agrees that if the specified required improvements are not made within the required time period, then the five hundred dollar (\$500.00) deposit will be forfeited and the City retains the deposit, provided that the Building Official is authorized to grant extensions of time not to exceed an aggregate total of one hundred twenty (120) calendar days for cause beyond the control of the owner. The retainage of the deposit is to help defray the additional clerical and inspection costs incurred under the circumstances and is not a penalty and is not preclusive of any remedy otherwise available to the City to enforce this code. If the necessary improvements are completed within the required time period, then the five hundred dollars (\$500.00) cash deposit will be refunded when the certificate of occupancy is issued.

(5) *Substandard buildings and structures.* Upon forfeiture of the owner's deposit and depending upon the state of completion of the building or structure and the site, the Building Official must initiate a substandard case against the property through the Department of Housing and Community Development, Code Enforcement Administrator.

(6) *Bond required.*

- a. The Building Official, as a condition precedent to the issuance of such permit, may require a bond to be executed by person desiring such removal permit, with corporate surety to the satisfaction of the Risk Manager. The bond must be made payable to the City of Corpus Christi and for the amount the City's Risk Manager prescribes.
- b. The bond must indemnify the City against any damage caused by the moving of the building to streets, curbs, sidewalks, shade trees, highways, and any other property which may be affected by the moving of the building or structure.
- c. The surety bond must be conditioned upon and liable for strict compliance with the terms of the house moving permit, as to the route to be taken, limit of time in which to effect the move, to repair or compensate for the repair of any damages to public or private property and public improvements, and to pay the City as liquidated damages an amount not exceeding \$50.00 to be prescribed by the Building Official for each and every day's delay in completing the move or in repairing any damages to property or public improvement of in clearing all public streets, alleys, or highways of all debris occasioned by the movement of the building or structure over the public streets, alleys, or highways.

(7) *Improvements by owner.*

- a. The owner of any house, building, or structure proposed to be moved must make all necessary improvements required in order for the house, building or structure to comply with the requirements of this subsection

within one hundred fifty (150) days from the date of the issuance of the house moving permit.

b. Extensions of time as deemed reasonable may be granted by the Building Official upon a showing of delay caused by matters beyond the control of the owner or house mover.

c. The application for the house moving permit must be accompanied by an application for a building permit, a complete set of plans and specifications showing the conditions of the house, building, or structure as the house, building, or structure is being moved, and a complete set of plans and specifications showing all contemplated improvements to the house, building, or structure at the new location within the City, and signed by the owner or the owner's agent.

(8) Additional improvements by owner required.

a. The owner of any house, building, or structure proposed to be moved to any new location within the City or within five thousand (5,000) feet of the city limits shall make any necessary improvements required in order to bring the house, building, or structure into compliance with the current requirements of the Building Code, Electrical Code, Energy Conservation Code, Fuel Gas Code, Mechanical code, Plumbing Code, Residential Code for One- and Two-Family Dwellings, Flood Hazard Prevention Code, Zoning Ordinance, and Platting Ordinance of the City within one hundred fifty (150) calendar days from the date of the issuance of the house moving permit.

b. The application for the building permit, if for a permanent dwelling, must include evidence of the availability of electricity, an approved potable water supply, an approved method of sewage disposal, a method of containing construction debris, and a method to haul trash so the site remains clear of blowing trash, if the proposed new location is within the City or the extraterritorial jurisdiction of the City.

(9) Exemptions for moving small buildings, mobile homes, HUD code manufactured housing, or industrialized buildings.

a. Any building or structure for which the maximum dimensions are less than thirteen (13) feet six (6) inches in height, twelve (12) feet zero (0) inches in width, and fifty-five (55) feet zero (0) inches in length may be moved without a house mover's license or house moving permit.

b. Any mobile home, HUD code manufactured housing or an industrialized building bearing the inspection sticker of the Texas Department of Licensing and Regulations or Texas Department of Housing and Community Affairs may be moved without a house mover's license or house moving permit.

(10) *Removal of piers, foundations, stairs, and other debris.*

a. When any building is moved, the house mover shall remove from the site any piers previously used to support the structure, elements of the foundation that are above grade, stairs that provided access to the structure, or any debris resulting from the moving or partial demolition of the structure.

b. The house mover may leave at the site any structures, including piers, elements of the foundation, and stairs that will be used to construct a new structure on the site, if a building permit has been issued for the new structure.

(11) The licensed house mover shall notify the Water and Wastewater Departments so the taps and meters can be removed by the City.

(n) ***Permits not required.***

(1) ***Governmental property.***

a. No permit is required within and on the premises within the control and supervision of the state or federal government and where the installations will be a part of the facilities operated, maintained, and controlled by the state or federal government.

b. When City inspections are not provided, all connections to the City water system must be equipped with backflow prevention devices.

1. The Water Superintendent and the Building Official will determine the type of backflow prevention device necessary to prevent backflow and back siphonage.

2. To assure the connection, the Building Official has the right to inspect any installations, connected to the City water system to the point of the valves or safety devices and failure to install or maintain in good operating condition the device, authorizes the City to refuse to connect or authorize the City to disconnect, the installation from the City water supply system.

(2) ***Industrial work.***

a. A permit is not required and no inspections will be performed by the City relating to the construction, assembly, disassembly, reassembly, modification, alteration, or improvement of an industrial facility or industrial processing unit if:

1. The industrial facility or industrial processing unit occupies a site of twenty (20) or more contiguous acres.

2. The industrial facility or industrial processing unit is inaccessible to the general public.

3. The construction, assembly, disassembly, reassembly, modification, alteration, or improvement of the industrial facility or

industrial processing unit is under the observation and direct supervision of a licensed professional engineer.

4. The industrial facility or industrial processing unit is used to manufacture, compound, package, process, refine, sorting, testing, and treat raw materials and other processed materials into finished or intermediate products.

5. The industrial facility or industrial processing unit may store materials that will be used in or produced by the manufacturing, compounding, packaging, processing, refining, sorting, testing, and treatment processes.

b. In order to qualify for an industrial exemption under this subparagraph, an professional engineer licensed in the State of Texas must certify, at the beginning of each calendar year, that all construction, assembly, disassembly, reassembly, modification, alteration, or improvement of the industrial facility or industrial processing unit during the previous year complied with the technical construction codes.

1. The affidavit must contain sufficient information that the industrial facility or industrial processing unit is entitled to the exemption requested.

2. The affidavit must affirm that all construction, assembly, disassembly, reassembly, modification, alteration, or improvement of the industrial facility or industrial processing unit during the previous year were performed under the direct supervision of a professional engineer licensed in the State of Texas. The affidavit must be accompanied by a site plan of a scale sufficient to delineate the industrial facility or processing unit in relation to any surrounding buildings or structures. Any connections to the City's water or wastewater systems must be shown on the site plan.

3. The affidavit must be on a form provided by the building official.

4. The licensed professional engineer who completes, signs and seals the affidavit must certify that all improvements meet the intent or spirit of the City's Technical Construction Codes and life safety criteria for the occupancy as outlined in chapter 13 of the Code of Ordinances of the City of Corpus Christi.

c. Any building or structure, which is not principally used in the manufacturing, compounding, packaging, processing, refining, sorting, testing, and treatment processes, is not be exempt, and permits and inspections are required for any construction, modification, alteration, or improvement to the building or structure.

d. All connections between an industrial facility or industrial processing unit and the City's water system must be equipped with backflow prevention devices, which will prevent backflow and back siphonage.

- a. All reduced pressure backflow preventers, pressure type vacuum breakers, and double check valve assemblies must be inspected and certified on an annual basis by a backflow prevention assembly tester to the Building Official.
- b. The Inspections Operations has the right to inspect any connections to the City's water system, including any valves and backflow prevention devices.
- c. If the owner or operator of an industrial facility or industrial processing unit fails to install or maintain valves and backflow prevention devices in the good operating condition, the City may refuse to the industrial facility or industrial processing unit to or disconnect the facility or unit from the City's water supply system.
- e. Nothing in this section may be construed to waive or exempt industrial sites from the provisions of any other provision of the Code of Ordinances or any other ordinance of the City.

(3) *Agricultural uses.*

- a. Permits and inspections are not required for installations, alterations, additions, changes, or repairs within the scope of this code to any structure, which is being used exclusively in connection with the ranching or agricultural use of any tract of land of ten (10) acres or more in area, within the City of Corpus Christi, at the time of annexation as long as the entire premises being used for agricultural or ranching purposes at the time of annexation is not converted to any other use.
- b. Any agricultural building or structure used for residential occupancy or connected to utility services may not be exempt under this section from the requirements for permits and inspections.

(4) *Amateur radio operations.*

- a. Permits, inspections, and engineered design are not required for the owner or occupant of a one-family dwelling who possesses a current and valid amateur radio operator license issued by the Federal Communications Commission for the erection of any amateur radio antenna tower structure on the premises of the one-family dwelling.
- b. Any tower authorized under this paragraph may not exceed fifty (50) feet in height.
- c. Any tower constructed under this paragraph must be either located a distance equal to or greater than one-half its height from the nearest property line, or the adjoining property owner must agree to the location of the tower in writing. The agreement must be filed with the County Clerk and bind the property owner's successors in interest.

Sec. 14-216. Minor repairs and alterations. Ordinary repairs and minor alterations may be made without obtaining a permit, provided that the repairs and alterations do not violate any of the provisions of the technical construction codes. Permits are not

required and licenses (unless noted otherwise, for mechanical, electrical, and plumbing systems) are not required for the repair, replacement, alteration, or installation of the following:

(a) **Building.**

- (1) Screens for windows and doors;
- (2) Fences less than seven (7) feet in height measured from the lowest "adjacent grade" level along the fence;
- (3) Driveways, sidewalks, flatwork, and paving less than 8" above adjacent grade and not for support of a structure;
- (4) Roof repairs (less than twenty-five percent (25%) of the roof areas may be repaired within any twelve-month period, however, the owner or the owner's agent must confirm that the requirements of the Texas Department of Insurance windstorm requirements have been met, and the work has been coordinated with the Department);
- (5) Painting;
- (6) Floor or wall coverings;
- (7) Repair and/or replacement of exterior siding, brick veneers, masonry, trims or other exterior wall coverings provided that not more than twenty-five (25) percent of the total wall area is being repaired and/or replaced within any twelve month period;
- (8) Surface mounted cabinets and open shelving not supported by furr downs;
- (9) Replacing doors, door hardware, windows or window hardware;
- (10) Repairing interior, non-load-bearing and non-fire resistive components of a building without altering the exit access;
- (11) Replacing or repairing gypsum wallboard and paneling that maintains existing standards, configuration, and wall arrangements;
- (12) Uncovered patios at ground level or not more than eight inches (8") above grade;
- (13) Tennis courts, batting cages and related chain link fencing;
- (14) Fixing broken stair treads and risers (excluding repair and replacement of stringers);
- (15) Anchored/tied down pet housing less than 40 square feet in area or play houses and storage sheds less than 60 square feet in area;
- (16) Temporary frame work used to protect shrubbery from freeze conditions;
- (17) Recreational equipment such as pre-fabricated swing sets, picnic tables, lawn furniture and other portable equipment; and
- (18) Clothes hanging pole supports.

(b) **Electrical.**

- (1) Garage door openers, if plug-in type;
- (2) Replacement of light fixtures with similar fixtures including ceiling fans;
- (3) Replacing fluorescent ballasts in a residence by the home owner;
- (4) Replacement of receptacles, light switches and door bell transformers;
- (5) Replacement of residential type garbage disposals, dishwashers and trash compactors provided that the electrical system is not modified;
- (6) Replacement of residential type electric water heaters when wired with copper conductors. If wired with aluminum conductors, a qualified electrician shall make the connections;
- (7) Replacement of circuit breakers in electric panels with another circuit breaker listed and labeled as a replacement breaker for a specific brand and amperage;
- (8) Replacement of any fluorescent ballast by any licensed electrician under contract to perform routine maintenance by the owner or manager of the structure, or by a certified electrical maintenance person, employed to perform building maintenance while on the premises of their employer (for the purposes of this subsection, "replacement" includes the changing of individual items that are broken or that are removed and replaced with a similar item as part of an ongoing routine maintenance program, but does not include the replacement with a different type of ballast, which requires rewiring of a fixture or fixtures, or the change out of more than twenty-five (25) percent of the ballasts in a structure within a one year period, unless the item has a shorter life expectancy, is no longer functioning, or is damaged);
- (9) Replacement of air conditioning system or furnace if done by state licensed mechanical contractor with a City mechanical permit;
- (10) Disconnection and reconnection or the installation of disconnects (including the home run back to a panel), and reconnection of air conditioning systems or furnaces, if done by a licensed electrical contractor as part of the replacement of the air conditioning system or furnace by a state licensed mechanical contractor with a City mechanical permit;
- (11) Oil well pump and service wiring;
- (12) Changing light bulbs, flood lights or lamps;
- (13) Maintenance work performed by a City licensed master or journeyman electrician on the premises of electrician's employer;
- (14) Replacement of any sign ballast and transformer up to a rating of fifteen thousand (15,000) secondary volts (sixty (60) ma), by any City licensed master electrician; and
- (15) Installation of an electric sign where no new electrical work is being performed by the installer. (However, a building permit may be required.)

(c) **Fuel Gas.**

- (1) Replacement of any fixtures or appurtenances thereto which are to remain at their existing location.
- (2) Repair of sections of gas lines which do not exceed five (5) feet in length.
- (3) Replacement of residential type water heaters (excluding boilers) without any changes to the gas system, to the capacity, to the type of heat source, or to the location, provided that the exhaust vent consists of a double-walled vent pipe, and that the temperature and pressure relief valve is replaced with a new valve.

(d) ***Mechanical.***

- (1) Repair of any portable electric heating device.
- (2) Repair of any portable ventilation equipment.
- (3) Repair of any portable cooling unit, except repairs involving the addition, replacement, or removal of any flammable refrigerant or refrigerant substitute, which contains a liquid petroleum-based product that has been approved by the Environmental Protection Agency, must be done by a licensed air conditioning and refrigeration contractor or the holder of a certificate of registration issued by the Texas Department of Licensing and Regulation.
- (4) Repair of any steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
- (5) Replacement of any individual component part or composite component part within an approved assembly unit, in which its replacement and replacement part do not alter its original approval or make it unsafe and complies with this code, except repairs involving the addition, replacement, or removal of any flammable refrigerant or refrigerant substitute, which contains a liquid petroleum-based product that has been approved by the Environmental Protection Agency, must be done by a licensed air conditioning and refrigeration contractor or the holder of a certificate of registration issued by the Texas Department of Licensing and Regulation. This exception may not be construed to include replacement of a complete assembly unit, such as a condensing unit, furnace, or other such assembly units as assembled by the original equipment manufacturer.
- (6) Repair of any portable evaporative cooler.
- (7) Repair of any self-contained refrigeration system containing ten (10) pounds (four and fifty-four hundredths (4.54) kg) or less of refrigerant and actuated by motors of one (1) horsepower (seven hundred forty-six (746) W) or less, except repairs involving the addition, replacement, or removal of any flammable refrigerant or refrigerant substitute, which contains a liquid petroleum-based product that has been approved by the Environmental Protection Agency, must be done by a licensed air conditioning and refrigeration contractor or the holder of a certificate of registration issued by the Texas Department of Licensing and Regulation.
- (8) Replacing or repairing of existing vent pipes with proper clearance and roof flashing, in accordance with the manufacturer's recommendation.

- (9) Replacement or extension of ducts within an existing duct chase.
- (10) Replacement of air devices.

(e) **Plumbing.**

- (1) Repair of leaks which do not alter the plumbing system.
- (2) Replacement of shower heads, including spray massage.
- (3) Replacement and resetting of any plumbing fixtures, faucets, or appurtenances thereto which are to remain at their existing location.
- (4) Repair of sections of water or sewer lines which do not exceed five (5) feet in length.
- (5) Replacement of appliances such as garbage disposals, trash compactors, and dishwashers without altering the plumbing system; excluding boilers.
- (6) Replacement of residential type water heaters (excluding boilers) without any changes to the gas system, to the capacity, to the type of heat source, or to the location, provided that the exhaust vent consists of a double-walled vent pipe, and that the temperature and pressure relief valve is replaced with a new valve.
- (7) The use of temporary hoses connected to the outlets of clothes washing machines and condensate drains from dehumidifiers and air conditioning units that allow the gray water or condensate to be used to irrigate vegetation or water the building's foundation.
- (8) The installation of a separate drain for clothes washing machines that allow the gray water to be used to irrigate vegetation or water the building's foundation. The drain may not be connected to the plumbing system, and the drain may not be connected to any device used to store gray water for future use.

Sec. 14-217. Permit application.

- (a) **Work authorized.** The applicable building, electrical, fuel gas, mechanical or plumbing permit is a license to perform and carries with it the right to perform the respective work identified in the scope of work, provided the scope of work is shown on the drawings and set forth in the specifications filed with the application for the permit. Where items are not shown on the drawings or not covered by the specifications submitted with the application, separate supplemental permits are required.
- (b) **Information required.** Each application for a permit, with the required fee, must be filed with Inspections Operations on a form furnished for that purpose, and must contain a general description of the proposed work, individual costs for building, electrical, energy conservation, fuel gas, mechanical, and plumbing systems, and its location.
- (c) **Authorized applicants.** The application must list the name, address and phone number of the owner of the property and the contractor retained to perform the work separately, and must be signed by the owner of the property, by a person authorized by the owner to perform the work described in the permit, or by an authorized representative or agent of the owner or contractor. If the permit application is signed by an authorized representative or agent of the owner or contractor the permit application

must bear the name, address and phone number of the applicant, representative, or agent.

(d) **Applications by regulated trades.**- Permits for work in the regulated trades that are obtained by a business must be obtained by the business' licensee or an authorized agent of the business.

(1) The person obtaining the permit for work in a regulated trade shall provide positive photo identification displayed in the form of a valid driver's license, a state identification card, or federal agency or an armed forces identification card.

(2) If acting on behalf of a licensed or registered individual, the required identification must have an affidavit or power of attorney authorizing the individual to apply for a permit on behalf of the licensed or registered individual.

(e) **Proposed use or occupancy.** The building permit application must indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure, and must contain the other information as may be required by the building official.

(f) **Asbestos survey:** For the renovation of a commercial or public building, the permit application must be accompanied by proof that an asbestos survey has been completed by a design professional as outlined in this code or an asbestos inspector licensed by the Texas Department of Health. See Section 14-215(h).

(g) **Accessibility review:** For buildings covered by Article 9102 Elimination of Architectural Barriers Program, the permit application must be accompanied by an EAB project number. See Section 14-217(i)(6).

(h) **Time limitations on applications.** An application for a permit for any proposed work will be deemed to have been abandoned two (2) months from the date of filing for the permit, unless all required information and drawings are provided before then.

(i) **Drawings and specifications.**

(1) **Requirements.** At least two (2) copies of plans and specifications with drawings drawn to scale with sufficient clarity and detail to indicate the nature and character of the work must be provided with the application for a permit.

(2) The drawings and specifications must contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical construction codes.

(3) The information must be specific, and the technical construction codes may not be cited as a whole or in part, nor may the term "legal" or its equivalent be used, as a substitute for specific information.

(4) All information, drawings, specifications and accompanying data must bear the name, address, phone number, and signature of the person responsible for the design documents.

(j) **Additional data.**

(1) The Building Official may require, at any time during the plans examination or inspection process, details, computations, stress diagrams, shear and moment diagrams, or other data necessary to describe the construction or installation and the basis of the calculations.

(2) In order to make a determination under Section 14-215(d) Homeowner's permit, the Building Official may require an applicant for a homeowner electrical, gas, mechanical, or plumbing permit to provide detailed drawings, riser diagrams, manufacturer's literature, and any other information necessary to delineate the scope of the proposed work.

(3) An applicant for a homeowner's plumbing permit for the installation of an irrigation system shall provide detailed drawings and specifications, including proposed maximum operating pressures, specifications for individual spray heads, and information on the backflow prevention device to ensure compliance with Section 608.16.5 of the Plumbing Code.

(4) All drawings, specifications and accompanying data required by the Building Official and by the state laws regulating the practice of architecture and engineering, must be prepared by an architect or engineer, and the architect or engineer must affix their official seal, properly sign, and date the drawings, specifications, and accompanying data.

(5) ***Windstorm plan Information.***

a. Prior to issuing a permit, the Building Official will require a separate building plan or plans with building sections and details showing the components, their types, locations, and framing elements that delineate that the framing will resist the pressures developed from, and the wind speeds in ASCE-7 as adopted by the Texas Windstorm Insurance Association's Building Code for Windstorm Resistant Construction or any model code approved by the Texas Department of Insurance.

b. All documentation submitted must be sealed by a Professional Engineer, licensed to practice in the State of Texas and approved to participate in the Texas Windstorm Insurance Association's windstorm program.

c. For buildings or structures having unusual geometric shapes, response characteristics or site locations for which channeling effects or buffeting in the wake of upwind obstructions may warrant special consideration, wind loads must be based on wind tunnel tests or nationally recognized data approved by the Texas Department of Insurance.

d. All structures within the City must be designed and constructed under the provisions of Section 1609.1, Applications, of the City's Building Code.

e. All engineered structures must be designed and inspected by a Texas registered professional engineer. The engineer must submit Building Design Certificate, Form WPI-2D, with a sealed design drawings, and a Building Certificate, Form WPI-2, approved by the Texas Department of Insurance.

(6) **Accessibility.**

a. The Building Official must, prior to issuing a building permit, require proof that plans have been submitted to the Texas Department of Licensing and Regulation, Elimination of Architectural Barriers Program, a Registered Accessibility Specialist registered with the Texas Department of Licensing and Regulation, in compliance with the requirements of Article 9102 Vernon's Texas Civil Statutes Annotated, and the rules and regulations of the Texas Department of Licensing and Regulation.

b. An EAB Project Number issued by the Texas Department of Licensing and Regulation will be accepted as proof that the project has been registered with the Texas Department of Licensing and Regulation.

c. **Accessibility for projects not subject of State registration.** The building official, before a permit is issued, will examine, or cause to be examined each commercial project valued at less than \$50,000 to determine if the project falls within the requirements of Article 9102 Vernon's Texas Civil Statutes Annotated, the Elimination of Architectural Barriers Program.

1. For projects that are not required to be registered with the Texas Department of Licensing and Regulations, but which are required to comply with Article 9102 Vernon's Texas Civil Statutes Annotated, no occupancy will be allowed without required City inspection and City certification that the project complies with the requirements of Article 9102.

2. This City's certification of a project does not imply that the Texas Department of Licensing and Regulation also certifies the project.

(7) **Structural and fire resistance integrity.** Plans for all buildings must indicate how required structural and fire resistance integrity will be maintained where a penetration of a required fire resistant wall, floor, ceiling or partition will be made for electrical, gas, mechanical, plumbing and communication conduits, pipes and systems and also indicate in sufficient detail how the fire integrity will be maintained where required fire resistant floors intersect the exterior walls. The information must include Underwriters Laboratories system numbers for each fire resistive assembly required by the technical construction codes.

(k) **Design professional.** The design professional must be a registered architect or licensed professional engineer legally registered or licensed under the laws of this state regulating the practice of architecture or engineering.

(1) If an engineer, the engineer must be knowledgeable in the discipline for which the engineer is designing.

(2) The practice of architecture and engineering in coincidence with enforcement of this code will be in keeping with the rules regulating the practice of engineering.

(3) The design professional shall affix the design professional's official seal to the drawings, specifications, and accompanying data determined necessary by the Building Official, for the following:

- a. All group A-Assembly, E-Education, and I-Institutional occupancies.
- b. Buildings and structures three (3) stories or more high, two (2) story buildings containing more than four (4) dwelling units, and one (1) story buildings containing more than eight (8) dwelling units.
- c. Buildings and structures having more than one (1) story or five thousand (5,000) square feet (four hundred sixty-five (465) square meters) or more in area except group R - Residential occupancy.
- d. Buildings of all occupancies having components of the consumer gas system of a complex nature.
- e. Buildings in special flood hazard areas, as required by the Flood Hazard Prevention Code.
- f. Boat and fishing piers.
- g. Post tensioned concrete foundations.
- h. Concrete foundation repairs or repairs to concrete pier foundations when the number of piers to be repaired or replaced exceeds 25% of the existing piers.
- i. Any trusses, beams, or other roof supporting members or unsupported spans having a structural clear span between supporting structures greater than twenty-four (24) feet on the narrow side excluding members that can be selected from typical manufacturers span tables, and which do not carry concentrated loads.
- j. Any free-standing structure, such as a sign, antenna, or tower, exceeding twenty-five (25) feet in height or producing over fifteen thousand (15,000) foot pounds of wind moment on the structure, except as provided in the technical construction codes.
- k. Any fence over seven (7) feet in height, except fences more than eighty (80) percent open to the wind up to ten (10) feet in height.

(4) For all other buildings and structures, the submittal must bear the certification of the applicant that some specific state law exception permits its preparation by a person who is not a registered design professional.

(l) **Site drawings.** Drawings must show the location of the proposed building or structure and of every existing building or structure on the site or lot.

(1) The Building Official may require a boundary line survey prepared by a qualified Registered Professional Land Surveyor, registered in the state of Texas.

(2) When work is to be performed on land adjacent to state owned land or land controlled by the General Land Office, the Building Official will require a boundary survey performed by a Licensed State Land Surveyor.

(3) When exterior work is to be performed, the Building Official may require drawings showing the location of the structure, the proposed work on the site or lot, setbacks and easements, other platting information, and a storm water quality management plan or pollution control plan.

(4) The site information must:

- a. Delineate how drainage patterns will be modified by the new work.
- b. Show how storm water that flows on the site prior to construction or modification of the site will be managed.
- c. Provide a means to ensure that the improvements will not cause storm water to drain onto the property of others.
- d. Indicate the elevation readings of systems.

(m) **Hazardous occupancies.** The Building Official may require the following:

(1) *General site plan.* A general site plan drawn at a legible scale which must include, but not be limited to, the location of all buildings, exterior storage facilities, permanent access ways, evacuation routes, parking lots, internal roads, chemical loading areas, equipment cleaning areas, storm water and wastewater accesses, emergency equipment and adjacent property uses.

(2) *Building floor plan.* A building floor plan drawn to a legible scale which must include, but not be limited to, all hazardous materials storage facilities within the building and must indicate rooms, doorways, corridors, exits, fire rated assemblies with their hourly rating, location of liquid tight rooms, and evacuation routes.

(3) Each hazardous materials storage facility or area within a structure or exterior storage must be identified on the general site or building floor plan, with the hazard classes and quantity range per hazard class of the hazardous materials stored.

(n) **Windstorm requirements.** All engineered structures must be designed by a Texas registered professional engineer. The engineer must submit Building Design Certificate, Form WPI-2D, with sealed design drawings, and a Building Certificate, Form WPI-2, approved by the Texas Department of Insurance.

Sec. 14-218. Plan Review.

(a) The Building Official will examine, or cause to be examined each application for a permit and the accompanying documents, consisting of drawings, specifications, computations and additional data, and will ascertain by the examinations whether the construction indicated and described is in accordance with the requirements of the technical construction codes and other pertinent laws or ordinances.

(b) The permittee must disseminate any information resulting from the plan review process regarding the project's compliance with this code to any contractors and subcontractors.

Sec. 14-219. Issuing permits.

(a) **Action on permits.** The Building Official will act upon an application for a permit without unreasonable or unnecessary delay.

(1) If the Building Official is satisfied that the work described in an application for a permit and the contract documents filed with the application conform to the requirements of the technical construction codes and other pertinent laws and ordinances, the Building Official will issue a permit to the applicant.

(2) Authority to proceed with a project begins with the issuance of a building permit after which electrical, fuel gas, mechanical or plumbing system permits will be issued using the same or similar form.

(b) **Refusal to issue permit.** If the application for a permit and the accompanying plans and specifications describing the work do not conform to the requirements of the technical construction codes or other pertinent local, state, or federal laws or ordinances, or is incomplete or does not have the required accompanying information, the Building Official may not issue a permit, but will return the contract documents to the applicant with the Building Official's refusal to issue the permit. The refusal will, when requested, be in writing and contain the reason(s) for refusal.

(c) **Special foundation only permit.**

(1) When application for permit to erect or enlarge a building has been filed and pending issuance of the permit, the Building Official may issue a special permit for the foundation, under floor/ground work, or systems associated with the foundation of the building, unless the permit is denied for cause.

(2) The holder of a special permit is proceeding at the holder's own risk and without assurance that a permit for the remainder of the work will be granted or that corrections will not be required in order to meet provisions of the technical cons

(3) The permit holder may not proceed with any work, which is not authorized by the special foundation permit.

(4) Any work that is not specifically authorized by the special foundation permit is subject to the administrative fees for the failure to obtain a permit.

(d) **Contractors and owner responsibilities.**

(1) **Compliance with licensing requirements.**

a. It is the duty of every contractor and owner, who makes contracts or causes contracts to be made for the installation or repairs of building; structure; electrical, gas, mechanical, plumbing, or energy conservation systems, for which a permit is required, to comply with state or local rules and regulations concerning licensing, which the applicable governing authority may have adopted.

b. Written proof of compliance with state law and the applicable rules and regulations of appropriate governing agencies is required before a permit will be issued.

103.5.2.-Damage to City infrastructure.

- a. It is the responsibility of every contractor and owner who makes contracts or causes contracts to be made for the installation or repairs of building, structure, electrical, gas, mechanical, plumbing, or energy conservation systems, for which a permit is required, to repair or replace any component of the City's utility or street infrastructure that is damaged as a result of the work authorized by the contract or the permit.
- b. Repairs must be completed to the satisfaction of the City's Director of Engineering Services.

(e) Conditions of the permit.

(1) **Permit intent.** A permit issued may be construed to be a license to proceed with the work, but is not authority to violate, cancel, alter or set aside any of the provisions of the technical construction codes, nor does the issuance of a permit prevent the building official from requiring a correction of errors in plans, construction, or violations of this code at a later date.

(2) **Expiration of permit.** Every permit issued becomes invalid unless the work authorized by the permit is commenced within two (2) months after its issuance, or if the work authorized by the permit is suspended or abandoned, for a period of six (6) months after the time the work is commenced.

- a. The Building Official may approve one (1) or more extensions of time, for periods not more than forty-five (45) days each, upon the written request of the owner or permittee outlining the reasons for the request and that the reasons are beyond the control of the owner or permittee.
- b. If a request for an extension is approved, the approval will be in writing from the Building Official.
- c. The Building Official may not grant extensions that would extend a permit for a period more than a total of three hundred sixty-five (365) days (one (1) year) from the date of issuance, after which the permit expires and the project must be re-permitted.
- d. The life of the permit will be verified through the inspection procedures established in this Article.

(j) **Plans.**-When the Building Official issues a permit, the Building Official will endorse, in writing or by stamp, both sets of plans "cleared."

(1) One (1) set of cleared plans will be retained by the Building Official and the other set will be returned to the applicant.

(2) One (1) set of cleared plans must be kept at the site of work and must be open to inspection by the Building Official or Building Official's authorized representative.

Sec. 14-220. Alternate Materials or Methods.

- (a) The provisions of the technical construction codes are not intended to prevent the use of any alternate material or method of construction not specifically prescribed by them, provided the alternate has been approved by the Building Official or the cognizant board for the electrical, gas, mechanical, and plumbing codes.
- (b) The Building Official may approve any alternate materials.
- (c) The approval does not become final until approved by the Building Official or until approved by the cognizant board for the electrical, gas, mechanical, and plumbing codes.
- (d) The alternate, for the purpose intended, must be at least the equivalent of that prescribed in the applicable code, in quality, strength, effectiveness, fire resistance, durability and safety.
- (e) The Building Official may require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate.
- (f) The proposal for alternate materials or methods of construction and any required evidence must be filed with Inspections Operations. The proposal must set forth the required evidence and proof on a form provided by the Building Official.
- (g) Appeals of Building Official's decisions on alternate materials and methods of construction are outlined in Section 14-226(a)(3)a.1.A for the Building Code Board of Appeals.

Sec. 14-221. ~~103.8-~~Inspections.

- (a) **Inspections of existing buildings.** Before issuing a permit the Building Official may examine or cause to be examined any building, electrical, gas, mechanical, or plumbing systems for which an application has been received for a permit to enlarge, alter, repair, move, demolish, install, or change the occupancy. The building official may inspect all buildings, structures, electrical, gas, mechanical and plumbing systems, from time to time, during and upon completion of the work for which a permit was issued. The building official will make a record of every examination and inspection and of all violations of the technical construction codes.
- (b) **Manufacturers and fabricators.** When deemed necessary by the Building Official, the Building Official may make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record must be made of every examination and inspection and of all violations of the technical construction codes. The fees for inspections are provided in Section 14-1313.
- (c) **Independent Third Party Inspection service.** The Building Official may make, or cause to be made the required inspections, except that the Building Official may accept independent inspection reports for cause from design professionals knowledgeable in the disciplines being inspected on an exception only basis.
 - (1) There will be no penalty for proceeding, if the original inspection report is "wet" sealed by a design professional, if just cause exists for an exception for the building official's inspection, and the Building Official previously approved the independent third party inspection.

(2) A certificate called for by any provision of the technical construction codes may not be based on any third party inspection reports, unless the third party inspection reports are in writing and certified by a design professional.

(d) **Inspections prior to issuance of a certificate of occupancy.** The Building Official may inspect or cause to be inspected at various intervals of all construction or work for which a permit is required, and a final inspection must be made of every building, structure, electrical, gas, mechanical or plumbing system upon completion, prior to the issuance of the certificate of occupancy. The Building Official may conduct spot/random inspections, as required or desired.

(e) **Posting of inspection record.** Work requiring a permit may not commence until the permit holder or permit holder's agent posts the inspection record in a conspicuous place on the premises.

(1) The inspection record must be protected from the weather and located in a position that allows the Building Official or the Building Official's representative convenient access to make the required entries on the inspection record.

(2) This inspection record must be maintained in an accessible position by the permit holder until the certificate of occupancy is issued.

Sec. 14-222. Required inspections. The Building Official or the Building Official's designee upon twenty-four-hour advance notification from the permit holder or permit holder's authorized agent will endeavor to make the following inspections and the other inspections as necessary, and either release that portion of the construction or notify the permit holder or permit holder's agent of any violations, which must be corrected in order to comply with the technical construction codes. The permit holder or permit holder's authorized agent shall at the time of the request for inspection provide a physical address for the job site, the permit number for the project, and the type of inspection being requested. It is the responsibility of the permittee or the permittee's authorized representative to call for inspections. Failure to call for required inspections could result in the removal of finishes and systems to ensure that the inspections can be performed in compliance with this code. Removal and replacement of finishes and systems is at the expense of the owner and owner's agent or representative.

(a) **Building.**

(1) **Foundation excavation inspection.** Must be called for by the permit holder or permit holder's representative and inspection made after trenches are excavated, forms erected, the building pad is scarified of all vegetation, and the fill is in place and compacted.

(2) **Inspections during placement of concrete.** The engineer or engineer's representative that certifies the foundation system must be present during the placement of the concrete for the foundation system and must further certify that all preparations for the concrete placement are in compliance with the technical construction codes.

(3) **Foundation pre-pour inspection.** To be made after utility trenches have been backfilled.

(4) **Frame inspection.** To be made after the roof, wall sheathing, decking, all framing, fire blocking, furr downs, and bracing is in place, all wiring, all pipes, chimneys, ducts and vents are complete.

Note: These inspections do not include or take the place of inspections or certifications for compliance with the Texas Department of Insurance's windstorm requirements!

(5) **Final inspection.** To be made after the building is completed and prior to occupancy.

(6) **TDI Windstorm Resistant Construction Inspections.** When authorized by the Texas Department of Insurance, building inspectors will also perform the following inspections for the Texas Department of Insurance.

a. **TDI Foundation Inspection.** This inspection must be requested by the permittee after placement of reinforcements, but prior to pouring of concrete.

b. **TDI Rough Framing Inspection.** This inspection must be requested by the permittee prior to any type of covering that would keep the inspector from being able to verify the required connector or fastener pattern.

c. **TDI Final Framing Inspection.** This inspection must be requested by the permittee prior to installation of insulation and concealment of fastener patterns of exterior coverings and roof coverings. Re-roofing inspections fall into this category.

d. **TDI Mechanical Inspection.** This inspection must be requested by the permittee after all outside mechanical equipment has been anchored, particularly air conditioning condensers. This category of inspections includes anchorage of other exterior equipment, including floodlights, turbine vents, propane tanks, swimming pool filters, water cooling towers, and satellite dishes, and other similar equipment.

e. All engineered structures must be designed and inspected by a Texas registered professional engineer. The engineer must submit Building Design Certificate, Form WPI-2D, with sealed design drawings, and a Building Certificate, Form WPI-2, approved by the Texas Department of Insurance.

f **Approved engineers inspection.** It is the certifying engineer's responsibility to ensure that the engineer or the engineer's representative has completed the TDI framing inspection prior to the City inspector completing the City's frame inspection.

g All non-engineered structures must be inspected by an inspector certified by the Texas Department of Insurance or by a Texas registered professional engineer.

h A Certificate of Compliance, Form WPI-8, issued by the Texas Department of Insurance is evidence of compliance with this section, and

is required before issuance of a certificate of occupancy. No substitutions will be accepted. A temporary certificate of occupancy may be issued prior to receipt of the Certificate of Compliance from the Texas Department of Insurance upon presentation of a copy of the Building Certificate, Form WPI-2, and copies of all required Field Forms, Form WPI-7, from a Texas Department of Insurance inspector, a Texas registered professional engineer, or the contractor.

i Only inspectors employed or certified by the Texas Department of Insurance or Texas registered professional engineers may be used to inspect for compliance with this section. Unless the Building Official and building inspectors employed by the City of Corpus Christi are certified as inspectors by the Texas Department of Insurance, the Building Official and building inspectors employed by the City of Corpus Christi will not certify compliance with this section, but may notify the Texas Department of Insurance if any suspected violations are observed during the normal course of other inspections."

(b) Electrical.

(1) ***Rough inspection.*** A rough inspection must be called for by the permittee and must be made prior to the concealment of the work.

(2) ***Final inspection.*** A final inspection must be called for by the permittee within thirty (30) days of the completion of work, and must be made of every structure or premises, for which a permit was obtained, upon completion and prior to final approval of or the issuance of the certificate of occupancy, and release of permanent power as required.

(3) ***Re-out inspection.*** It is unlawful for any person, firm, or corporation to connect, or cause to have connected, the source of energy at a utility meter which has been disconnected, for a specified period of time, until a re-out inspection is made and approval has been issued in writing by the Building Official or Building Official's authorized representative, authorizing the reconnection and use of the wiring, devices, or equipment.

a. For commercial buildings a re-out inspection is required if the energy has been disconnected for a period more than twenty-four (24) hours, excepting weekends and holidays.

b. For residential buildings a re-out inspection is required if the energy has been disconnected for a period more than six (6) months.

(c) ~~103.8.6.5~~-Fuel Gas.

(1) ***Utility service inspection.*** A utility service inspection must be called for by the permittee or the permittee's authorized agent, and must be made after the piping from the utility easement to the building is installed and prior to the concealment of the work. An additional pressure test may be required on all utilities before the inspection is approved.

(2) ***Under floor (rough) inspection.*** An under floor inspection must be called for by the permittee or the permittee's agent, and must be made after all the piping under the floor is installed and prior to the concealment of the work. A pressure test may be required on all piping before the inspection is approved.

(3) ***Rough-in inspection.*** A rough-in inspection must be called for by the permittee or the permittee's authorized agent, and must be made after the roof, framing, fire blocking, and bracing is in place and all gas, and vent piping is installed and prior to the concealment of the work. An additional pressure test may be required on all piping before the inspection is approved.

(4) ***Final inspection.*** A final inspection must be called for by the permittee, or the permittee's authorized agent, and must be made of every structure or premises, for which a permit was obtained, upon completion and prior to final approval of or the issuance of the certificate of occupancy, as required herein. An additional pressure test for all piping is required before the inspection is approved.

(d) **Mechanical.**

(1) ***Under floor (rough) inspection.*** An under floor inspection must be called for by the permittee or the permittee's authorized agent, and must be made after all components of the mechanical system under the floor are installed and prior to the concealment of the work. An additional pressure test may be required on all pertinent components before the inspection is approved.

(2) ***Rough-in inspection.*** A rough-in inspection must be called for by the permittee or the permittee's authorized agent, and must be made after the roof, framing, fire blocking, and bracing is in place and components of the mechanical system are installed and prior to the concealment of the work. An additional pressure test may be required on all pertinent components of the mechanical system before the inspection is approved.

(3) ***Final inspection.*** A final inspection must be called for by the permittee, or the permittee's authorized agent, and must be made of every structure or premises, for which a permit was obtained, upon completion and prior to final approval of or the issuance of the certificate of occupancy, as required herein. A pressure test for all pertinent components of the mechanical system is required before the inspection is approved.

(e) **Plumbing.**

(1) ***Utility service inspection.*** A utility service inspection must be called for by the permittee or the permittee's authorized agent, and must be made after the piping from the utility easement to the building is installed and prior to the concealment of the work. A pressure test must be performed by the plumber and results verified by the inspector on all utilities before the inspection is approved.

(2) ***Under floor/pre-pour under slab (rough) inspection.*** An under floor/pre-pour under slab (rough) inspection must be called for by the permittee or the permittee's authorized agent, and must be made after all the piping under the

floor is installed and prior to the concealment of the work. An additional pressure test may be required on all piping before the inspection is approved.

(3) **Rough-in (top out) inspection.** A rough-in inspection must be called for by the permittee or the permittee's authorized agent, and must be made after the roof, framing, fire blocking, and bracing is in place and all gas, drainage, water supply, and vent piping is installed and prior to the concealment of the work. An additional pressure test may be required on all water and sanitary sewer piping systems before the inspection is approved.

(4) **Final inspection.** A final inspection must be called for by the permittee, or the permittee's authorized agent, and must be made of every structure or premises, for which a permit was obtained, upon completion and prior to final approval of or the issuance of the certificate of occupancy, as required herein. Additional testing of the building drainage and vent systems may be required as provided in Section 312 of the Plumbing Code. Before the final inspection is approved, if a reduced pressure backflow preventer, pressure-type vacuum breaker, and double check-valve assembly is required in the plumbing system, a separate test must be conducted by a backflow prevention assembly tester and a certificate filed by the tester with the Building official. A pressure test for all piping is required before the inspection is approved.

(f) **Special hurricane inspections.** During the periods of time as are designated by the National Oceanic and Atmospheric Administration as being a hurricane warning or alert, the Building Official or the Building Official's designee, will make inspections of residences, commercial, and industrial establishments, and construction sites to ensure that all furniture, display racks, construction supplies and materials, and other loose objects in exposed outdoor locations, are secured to rigid construction or stored in buildings.

(1) These inspections will be made to ensure, to the extent practicable, that portable storage buildings and manufactured housing units (either being offered for sale, stored on lots, or installed on private property) are properly anchored, reinforced, and secured.

(2) Orders issued by the Building Official may be oral or written and may be given to the person on the premises responsible for the custody or management or care or maintenance of the premises, or the person's employee or agent, and the order must be carried out before winds of hurricane velocity are anticipated.

(g) **Inspection tag.**

(1) **Inspection tags.** Work may not be performed on any part of a building structure, electrical, fuel gas, mechanical, or plumbing system beyond the point indicated in each successive inspection without first obtaining an inspection tag of approval from the building official or his authorized representative. An inspection tag may be given only after an inspection has been made of each successive step in the construction or installation as indicated by each of the required inspections. A re-inspection fee may apply.

(2) **Nonconforming work.** When a permit is obtained, and inspections are called for, and it is found that the work is nonconforming (e.g., faulty or incorrectly or defectively installed), the inspector will notify the responsible person who installed the work of the changes necessary to be made in order that the work may conform to the technical construction code. Within a reasonable period of time and upon completion of any additional work needed to correct the problem, the permittee must notify Inspections Operations that the nonconforming work has been corrected and can be re-inspected.

(h) **Reinforcing steel and structural frames.** Reinforcing steel or structural frame work of any part of any building or structure may not be covered or concealed without first obtaining a release from the Building Official.

(i) **Plaster fire protection.** In all buildings where plaster is used for fire protection purposes, the permit holder or his agent shall notify the Building Official after all lathing and backing is in place. Plaster may not be applied until the release from the Building Official has been received.

(j) **Concealed work.** No work may be covered or concealed in any manner whatsoever without first obtaining the written approval of the Building Official or the Building Official's authorized representative. The Building Official or the Building Official's authorized representative shall have the authority to order the removal of items that obscure the view of components that require inspection. Any costs associated with the removal and replacement of the coverings will be the responsibility of the owner. Re-inspection fees may apply.

(k) **Hazardous or complex work.** Whenever the work covered by a permit involves construction under conditions, which, in the opinion of the Building Official, are hazardous or complex, the Building Official will notify the permittee.

(1) The permittee shall require that an architect and/or engineer observe and inspect work for its conformity with the approved drawings.

(2) If an architect or engineer is not available upon the completion of the permitted work, the permittee shall employ in his stead a competent person or agency whose qualifications are approved by the Building Official.

Sec. 14-223. Certificates.

(a) **Certificate of occupancy.**

(1) **Building occupancy.** A new building may not be occupied or a change made in the occupancy, nature or use of a building or part of a building until after the Building Official has issued a certificate of occupancy. The certificate of occupancy may not be issued until all required construction and electrical, gas, mechanical, plumbing and fire protection systems have been inspected for compliance with the technical construction codes and other applicable laws and ordinances of the City of Corpus Christi, and released by the Building Official.

(2) **Issuing certificate of occupancy.** Upon satisfactory completion of construction of a building or structure and installation of electrical, gas, mechanical and plumbing systems under the technical construction code,

reviewed plans and specifications, and after the final inspection, the building official will issue a certificate of occupancy stating the nature of the occupancy permitted, the number of persons for each floor when limited by law, and the allowable load per square foot for each floor in accordance with the provisions of this code.

(3) **Temporary/partial occupancy.** A temporary/partial certificate of occupancy may be issued for a portion or portions of a building which may safely be occupied prior to final completion of the building. A temporary certificate of occupancy may also be issued for temporary events or temporary structures which will be removed after a specified time.

(4) **Existing building certificate of occupancy.** A certificate of occupancy for any existing building is required and may be obtained by applying to the Building Official and supplying the information and data necessary to determine compliance with the technical construction codes for the proposed occupancy. Where necessary, in the opinion of the Building Official, two (2) sets of detailed drawings, or a general inspection, or both, may be required.

a. When, upon examination and inspection, it is found that the building conforms to the provisions of the technical construction codes and other applicable laws and ordinances for the occupancy, a certificate of occupancy may be issued.

b. A processing and compliance investigation fee must be paid at the time of application as provided in Section 14-1313.

(b) **Service utilities.**

(1) **Connection of service utilities.** No person may make connections from a utility, source of energy, fuel, or power to any building or system, which is regulated by the technical construction codes and for which a permit is required, until released by the Building Official or the Building Official's authorized representative and a certificate of occupancy is issued.

(2) **Temporary connection.** The Building Official or the Building Official's authorized representative may authorize the temporary connection of the building or system to the utility source of energy, fuel, or power for the purpose of testing building service systems or for use under a temporary certificate of occupancy.

(3) **Authority to disconnect service utilities.**

a. The Building Official or the Building Official's authorized representative has the authority to disconnect utility service to a building, structure, or system regulated by the technical construction codes, under the following circumstances:

1. In an emergency where necessary to eliminate an immediate hazard to life or property.
2. Where the continued use of the utilities may interfere with the work of the fire department

3. When a temporary connection of utility services has been authorized under paragraph (2) of this subsection, and a final inspection has not been requested under Section 14-222 (b) (2).

4. Where work has been determined not to be in compliance with this chapter or the Technical Construction Codes.

b. The Building Official will notify the serving utility, and whenever possible the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking the action.

c. If not notified prior to disconnecting, the owner or occupant of the building, structure, or service system will be notified in writing, as soon as practical after the utility service has been disconnected.

d. The Building Official or the Building Official's authorized representative is authorized to disconnect any utility service to a building that is occupied and for which a certificate of occupancy is required, but has not been issued.

(c) **Posting floor loads.**

(1) **Occupancy.** An existing or new building may not be occupied for any purpose, which will cause the floors of the building to be loaded beyond their safe capacity. The building official may permit occupancy of a building for mercantile, commercial, or industrial purposes, by a specific business, when he is satisfied that the capacity will not thereby be exceeded.

(2) **Storage and factory-industrial occupancies.** It is the responsibility of the owner, agent, proprietor, or occupant of group S and group F occupancies, or any occupancy, where excessive floor loading is likely to occur, to employ a competent design professional in computing the safe floor load capacity. All computations must be accompanied by an affidavit from the design professional stating the safe allowable floor load on each floor in pounds per square foot uniformly distributed. The computations and original affidavit must be wet sealed by the design professional and filed with Inspections Operations.

(3) **Signs required.** In every building or part of a building used for storage, industrial, or hazardous purposes, the safe floor load for each floor must be marked on a plate that is posted in a conspicuous place on the floor.

a. The posted safe floor load for each floor must have been reviewed by the Building Official.

b. The safe floor load plate must be of a design approved by the Building Official.

c. The owner of the building must supply and securely post the safe floor load plate that relates to each story on which it is posted.

d. The plates may not be removed or defaced, and if lost, removed, or defaced, must be replaced by the owner of the building.

(d) **Posting occupant loads.**

(1) **Occupancy.** An existing or new building classified by the Building Official as an assembly occupancy may not be occupied for an assembly purpose if the safe occupant load is exceeded. The Building Official, in cooperation with the Fire Marshall, may permit occupancy of a building for assembly purposes, by a specific business, when the Building Official is satisfied that the safe occupant load capacity will not be exceeded.

(2) **Signs required.** In every building or part of a building used as an assembly occupancy, the safe occupant load, as reviewed by the Building Official on the plan, must be marked on plates, of an approved design, which plates must be supplied and permanently affixed by the owner of the building in a conspicuous place adjacent to the front entry or at the entry point for each story to which the safe occupant load plate relates. The safe occupant load plates may not be removed, altered, or defaced, and must be promptly replaced by the owner of the building if removed, altered, or defaced.

Sec. 14-224. Tests.

- (a) The Building Official may require tests or test reports as proof of compliance.
- (b) Required tests are to be made at the expense of the owner, or the owner's agent, by an approved testing laboratory or other approved agency.
- (c) Copies of test reports, or the results of all tests, will be kept on file in Inspections Operations.

Sec. 14-225. Licensing.

- (a) Electricians.

(1) City licensing of electricians.

a. **Requirement for license.** It is unlawful for any person to engage in the business of installing, maintaining, altering or repairing any wiring, fixtures or equipment used for the conducting of electricity, or for any person or employee of any business in any manner to undertake to execute the work unless the person or employee is the holder of a currently valid license as required herein. All licenses must be renewed annually on forms provided by Inspections Operations and payment of the fee specified in Section 14-1313.

b. False representation of licensing. It is unlawful for any person to falsely represent himself in this jurisdiction as a licensed electrician of any class set forth in this subsection or to use the words electrical contractor, master electrician, electrician, or words of similar meaning, on signs, cards, stationery, or by any other manner whatsoever, unless the person is properly licensed within the meaning of the word as prescribed by this subsection unless authorized by State law.

c. **Unauthorized use of license.** It is unlawful for any person to lend, rent, or transfer the person's electrician's license or certificate, badge, or any rights to any other person, and for any person to make use of any rights that have not been granted to the person.

d. **Altering or amending licenses.** It is unlawful for any person other than the Electrical Team Leader at the direction of the Examination Committee to alter or amend in any manner any electrician's license or certificate.

(2) Exceptions from electrician license requirements.

a. **Low voltage wiring.** The installation, alteration, or repairing of any wiring devices or equipment in accordance with Article 720, Article 725 and Article 820 of the Corpus Christi Electrical Code is exempt from licensing requirements.

b. **Electrical utility companies.** The installation, alteration or repair of electric wiring, wiring devices, and electrical equipment by an employee of or contractor for an electrical utility company for the generation, transmission, and distribution or metering of electrical energy is exempt from the licensing requirement of this subsection.

c. **State and federal sites.** The installation, alteration or repair of electric wiring, devices, appliances and equipment installed by or for the state or federal government in connection with construction or repair of buildings used, owned, and located on property owned by the state or federal government is exempt from licensing requirements of this subsection.

d. **Industrial sites.** Where any industry located inside of the incorporated City limits of the City of Corpus Christi that complies with Section 14-215(n)(2) has secured the exemption under Section 14-215(n)(2), no electrical license is necessary. However, electrical licensing is required and must be followed for any project or portion of a project that falls under the provisions of Section 14-215(n)(2)c.

e. **Homeowner.** If the installation complies with the exemptions referred to in Section 14-216(b) no electrical license is required.

(3) Types of licenses and certifications.

a. **License and certification classifications.** There are six (6) classes of licenses and two (2) classes of certifications, which are known as follows:

1. Master electrician license.
2. Master electrician-sign license.
3. Master electrician-elevator license.
4. Journeyman electrician license.
5. Limited journeyman electrician license.
6. Maintenance electrician license.
7. Apprentice electrician certificate.
8. Electrical maintenance person certificate.

b. *Master electrician license.*

1. An applicant for a license as a master electrician must file with the application an affidavit in Inspections Operations, which sets forth that the applicant:
 - A. Is not less than twenty-one (21) years of age.
 - B. Has had not less than five (5) years experience in the installation, alteration and repair of electrical equipment and conductors.
 - C. Two (2) of the applicant's years of experience must have been worked as a journeyman electrician.
2. Applicants must be examined as provided in this subsection.
3. As an alternative to the required experience, a certificate of graduation from, or successful completion of a recognized technical school, college or military service in the electrical field may be accepted.
 - A. The applicant may be credited with one (1) year of experience for each year of education, but not to exceed three (3) years as part of the required five (5) years experience.
4. The applicant must file an affidavit in Inspections Operations certifying that as a Master Electrician, the applicant will perform all electrical work in the City of Corpus Christi under the Corpus Christi Electrical Code.

c. *Master electrician-sign or elevator license.*

1. If the applicant desires to do work exclusively on electrical elevator or electrical sign installations, sign manufacturing, repair, alteration, and/or maintenance, the applicant must pass a special examination on the same basis as that given to his particular classification.
2. The applicant must file with the application an affidavit with Inspections Operations, which sets forth that the applicant:
 - A. Is not less than eighteen (18) years of age.
 - B. Has had not less than five (5) years experience in the installation, alteration, maintenance, and repair of electrical elevators or signs, or equally qualifying experience for at least five (5) years.
3. The applicant must be examined as provided herein.
4. A certificate of graduation or successful completion of a recognized technical school, college or military service in the electrical field may be credited one (1) year of experience for each

year of education, but not to exceed three (3) years as part of the required five (5) years experience.

5. The applicant must file an affidavit with Inspections Operations certifying that:

A. As a Master Electrician sign or elevator license holder, the applicant will perform all electrical work in the City of Corpus Christi under the Corpus Christi Electrical Code.

B. The applicant will only engage in the business of contracting the electrical work only through his ownership or employment with a single elevator or sign company and not independently.

d. *Journeyman electrician license.*

1. An applicant for a journeyman electrician license may not be less than eighteen (18) years of age and meet either of the following requirements:

A. The applicant has at least four (4) years experience in the electrical trade.

B. The applicant has at least three (3) years experience as an electrician's helper or apprentice, and has successfully completed a course related to the electrical trade of at least forty-nine (49) continuing education hours at a college or vocational school or in an approved apprenticeship program.

2. The applicant must be examined as provided in this subsection.

3. The applicant must file an affidavit in Inspections Operations certifying that

A. The applicant has the required experience, education, or training.

B. The applicant will perform all electrical work in the City of Corpus Christi under the Corpus Christi Electrical Code.

C. The applicant perform electrical work only under the supervision of the holder of a master electrician license, master electrician-sign license, or master electrician-elevator license.

D. The applicant will not independently engage in the business of contracting electrical work.

e. *Limited journeyman electrician license.*

1. An applicant for license as a limited journeyman electrician must file with the application an affidavit in Inspections Operations, which sets forth that the applicant:

- A. Is at least eighteen (18) years of age.
- B. Has had not less than two (2) years experience in the electrical trade.
- C. Will only engage in electrical work as an employee or under the supervision of a master electrician (sign) or a master electrician (elevator).
- D. Will perform all installation, sign manufacturing, alteration, maintenance, and repair of equipment under the Corpus Christi Electrical Code.
- E. Will not independently engage in the business of contracting electrical work.

2. The applicant must be examined as provided in this subsection.

f. *Maintenance electrician license.*

1. An applicant for a license as a maintenance electrician must file with the application an affidavit in Inspections Operations, which sets forth that the applicant:

- A. Is at least eighteen (18) years of age.
- B. Has had not less than two (2) years of experience in building electrical maintenance under a person licensed as a master or journeyman electrician.

2. The applicant must file with the application a letter from the person by whom the applicant will be regularly employed, with the following:

- A. Name of the employer.
- B. Address of the place of employment.
- C. Signature of the employer's authorized representative.

3. The applicant must pass an examination administered by Inspections Operations.

4. The applicant must file an affidavit in Inspections Operations certifying that the applicant:

- A. Will only perform electrical work in the City of Corpus Christi under the Corpus Christi Electrical Code.
- B. Will not contract electrical work independently.

g. *Apprentice electrician certificate.*

1. An application filed for a certificate as an apprentice electrician must state

- A. The age of the applicant.

- B. The applicant will be learning of and assisting in the installation, maintenance or repair of electrical wiring, fixtures, and equipment.
- C. The applicant will be working directly under the supervision of a person holding a valid electrician's license issued by the City.
- D. The applicant will only perform installations, sign manufacturing, alterations, maintenance, and repair of equipment under the Corpus Christi Electrical Code.
- E. The applicant will not contract electrical work independently.

h. ***Certified Electrical maintenance person certificate.***

1. An application for an electrical maintenance person certificate must be made in writing in Inspections Operations and addressed to the Building Official.
2. The application must show the applicant's name and address, and the other information prescribed by the examination committee.
3. The application must be made out on forms available in Inspections Operations Offices.
4. The applicant shall file with his application a letter from the person by whom the applicant is regularly employed, with the following:
 - A. The name of the employer.
 - B. The address of the place of employment.
 - C. The signature of the employer's authorized representative.
5. The applicant must file an affidavit that:
 - A. States the applicant will notify the Electrical Team Leader of any change in the applicant's employment.
 - B. Acknowledges that work time as a certified electrical maintenance person will not be credited towards experience needed for an electrician's license.
 - C. The applicant will engage in maintenance or repair of electrical wiring and fixtures.
 - D. The applicant will only perform electrical work in the City of Corpus Christi under the Corpus Christi Electrical Code.
 - E. The applicant will not contract electrical work independently.

6. An applicant for certification must have done one of the following:

- A. Passed an examination administered by Inspections Operations on electrical basics.
- B. Been certified through the completion of a certified or accredited trade school in the electrical trades.
- C. Passed an examination administered through any approved model code agency.

(4) Method of licensing.

a. **Application.**

- 1. To secure any class of license as an electrician under this subsection, an application must be made in writing.
- 2. The application must be on a form available in the offices of the Electrical Team Leader and Chief Permit Officer.
- 3. The application must contain:
 - A. The applicant's name.
 - B. The applicant's address.
 - C. The applicant's phone number.
 - D. Any other information required by the Examination Committee.

b. **Examination.** An examination must then be taken and passed by the applicant for a license to become effective.

- 1. An examinations must be a comprehensive written examination from a nationally recognized testing agency selected by the Examination Committee, with the concurrence of the Electrical Advisory Board.
- 1. All examinations must be based on the most recently adopted edition of the National Electrical Code, which is adopted by the City of Corpus Christi.
- 2. All examinations must be supervised, and administered in and by the City of Corpus Christi, Texas.

c. **Examination committee.**

- 1. The Examination Committee is the Building Official and the Electrical Team Leader.
- 2. Each member may appoint an alternate to act in their absence.
- 3. The Examination Committee will review and approve the qualifications of all applicants for licenses.

4. Upon receipt of an application, the Examination Committee will review the application for approval.
5. The applicant must be notified of approval or disapproval within ten (10) days of the submission of the application.
6. If an application is approved, the applicant must pay the examination fee and will be scheduled for the next examination.

d. **Scheduling examinations.**

1. Applications must be approved and examination fees paid in full, at least thirty (30) days prior to a scheduled exam date.
2. Examinations will be scheduled on the first Monday of each calendar quarter, unless the day is an official City holiday. If an examination date falls on an official City holiday, the examination will be held on the following business day.
3. No refunds will be made if an applicant's fails to sit for the examination at the scheduled date and time.
4. The examination site will be secured at the scheduled time and date, and no one will be admitted after the scheduled start time and date.

e. **Issuance of license.**

1. An applicant will be issued a license upon confirmation that an applicant has satisfied all requirements for a license paid the required annual license fee.
2. The license must bear the signature of the Building Official, or the Building Official's authorized representative, and the signature of the Electrical Team Leader.

f. **Examination fees and license and certificate fees.** The application, examination, license, and certification fees are listed in the fee schedule adopted under Section 14-1313.

g. **Lost or destroyed licenses and certificates.** If a license or certificate is lost or destroyed during the year, the Electrical Team Leader may reissue the license or certificate upon payment of the reissuance fee listed in the fee schedule adopted under Section 14-1313.

h. **No refund for early termination of license.** Refunds will not be paid for the unexpired portion of the annual license period, if a license is revoked, suspended, or voluntarily surrendered.

i. **License expiration.** All electrician licenses and certificates expire December thirty-one (31) of each year, and unless renewed, the holder will be deemed unlicensed under the provisions of this code; provided, however, reinstatement and renewal can be made by payment of the annual fee within six (6) months; or the license holder can secure the

license by examination or by payment of twice the annual fee within two (2) years of the date of expiration. Failure to secure reinstatement and renewal within two (2) years from the expiration date requires a new application and examination.

(5) Suspension or revocation of licenses and certificates.

a. **Authority of Electrical Advisory Board.** The Electrical Advisory Board may suspend or revoke the license or certificate of any electrician, who after a hearing, is found guilty of:

1. Using fraud or deceit to obtain an electrician's license or certificate.
2. Taking out electrical permits in the name of some person, firm or corporation authorized by law to do electrical work and then permitting a person without a proper license to do the work.
3. Any gross negligence, incompetency, or misconduct in the performance of electrical work within the jurisdiction of the City.

b. **Filing complaints.**

1. Any person who has been aggrieved by the action of an electrician in the performance of electrical work for which an electrical permit is required by the this article or the City's Electrical Code may file a complaint with the Electrical Team Leader.
2. Any officer or employee of the City, who is aware of any facts that would indicate that an electrician, who holds a license or certificate issued by the City, has knowingly and intentionally violated any provisions of this article or the City's Electrical Code must file a complaint with the Electrical Team Leader.
3. The complaint must be in writing and sworn to by an official authorized to administer an oath.
4. The complaint must state the facts that could support a finding that an electrician has knowingly and intentionally violated any provisions of this article or the City's Electrical Code, or that an electrician has performed electrical work in an incompetent or negligent manner.

c. **Review of grievances.**

1. It is the responsibility of the Electrical Team Leader to reviews and investigate complaints and grievances.
2. If the Electrical Team Leader determines that a complaint or grievance has merit and the Electrical Advisory Board should conduct a hearing to determine whether an electrician's license should be revoked or suspended, the Electrical Team Leader may refer the grievance or complaint to the Board.

d. **Board Hearing**

1. Upon receipt of a recommendation from the Electrical Team Leader that the Board conduct a hearing to determine whether to revoke or suspend an electrician's license, the Board deems the complaint or grievance sufficient to support further action on its part, will set a public hearing on the complaint or grievance at a specified time and place.
2. The Secretary of the Board, with the advice of the City Attorney, will cause a copy of the board's order and of the information to be served upon the electrician by certified mail at least thirty (30) days before the hearing date.
3. The licensee may appear in person or by counsel at the hearing.
4. The City Attorney, as directed by the City Manager, will provide counsel for the board.
5. If the electrician fails or refuses to appear, the Board may proceed to hear and determine the charge in the electrician's absence.
6. If the licensee confirms the allegations, or if, upon a hearing of the complaint or grievance, the Board determines the complaint or grievance to be true, it may suspend or revoke the license or certificate.
7. Upon completion of its hearing, the Board shall file its findings and recommendations with the City Secretary. The City Secretary will provide a copy of the Board's decision and the record of the proceedings to the City Council.
8. The Board's secretary shall also forward a certified copy of the Board's findings to the electrician.

e. **Suspension of a license or certificate.**

1. In the event of a decision to suspend the electrician's license or certificate, the Board specify:
 - A. The length of the suspension, for a period not to exceed one year.
 - B. Whether the electrician is eligible to receive and work under a lower classification of license during the suspension.
2. The Electrical Team Leader will reissue the electrician's license or certificate at the of the suspension period upon payment of any required fees.
3. The notice of the suspension and reinstatement of the electrician's license or certificate will be filed in the electrician's record. A copy will be provided to the electrician.

f. *Revocation of license or certificate.*

1. In the event a decision to revoke the electrician's license or certificate, the Board must specify:
 - A. The length of time before the electrician may apply for a new period for when the applicant will be allowed to re-apply for the revoked license. The period must be at least one year, but not more than three years.
 - B. Whether the electrician is eligible to receive and work under a lower classification of license during the suspension.
2. The notice of the revocation of the electrician's license or certificate will be filed in the electrician's record. A copy will be provided to the electrician.
3. After the minimum length of time, the electrician may reapply for the license that was revoked.
4. The Electrical Team Leader may reissue the electrician's license or certificate if the electrician passes the required examination and pays any required fees.

g. *Appeal to City Council hearing.*

1. An electrician, whose license or certificate has been revoked or suspended by the Electrical Advisory Board, may appeal the revocation or suspension to the City Council within thirty days of the Board's findings.
2. The appeal must be filed with the City Secretary, and state the reasons the Board's decision should be modified or reversed.
3. The City Secretary will:
 - A. Schedule the hearing before the City Council.
 - B. Notify the electrician of the time and date of the hearing. The notice must be given to the electrician by certified mail at least five (5) days prior to the date the hearing.
 - C. Provide a copy of the proceedings before the Board to the City Council.
4. The hearing will be based on the record of the Board's hearing.
5. After the hearing on the appeal, the City Council may uphold, amend, or set aside the findings of the Board.

h. *Violation of order.* It is unlawful for any person, firm or corporation whose rights under a license have been suspended or revoked by the City Council to engage in or do electrical work.

(6) *Supervision of and responsibility for work.*

- a. In the actual work of installing, maintaining, altering, or repairing any electrical conductors or equipment for which a permit is required by this article or the City's Electric Code, a qualified electrician of the proper classification must be present and in direct supervision of the work.
- b. An electrician with a license classification in one of the first three (3) grades listed in the license classifications in paragraph (3) of this subsection, is liable and responsible for layout, sizing of components, and technical supervision of any work which has required the securing of permits.
- c. A journeyman or higher classified grade electrician must be in direct "on the job" supervision of work carried out, except for work falling under the classifications of sign or elevator work, which work must be performed by or directly supervised by the person holding the license or a journeyman particularly qualified in the branch of electrical work.
- d. Should it come to the attention of the Building Official, the Building Official's designee, or an inspector that the supervision and control is not being maintained, in addition to filing of complaint in the municipal court for the violation, an inspector may order the work to be discontinued.
- e. The person, firm, or corporation to whom the permit has been issued, who receives the order to discontinue work, shall discontinue further work until the person, firm, or corporation receives authorization to continue work from an electrical inspector.
- f. Nothing, in this; provided further, nothing in this paragraph shall be construed as prohibiting the employment of apprentices assisting a person duly licensed and qualified under the provisions of this chapter.
- g. No more than three (3) apprentices may be employed for each duly licensed master or journeyman electrician on any one (1) electrical installation.

(7) Electrical contractors.

- a. Master of record -- Contractor relationship.**
 - 1. A master of record for a contractor, who is not the contractor, owes a high degree of fiduciary duty to the contractor.
 - 2. A master of record is the agent of the contractor authorized to apply for permits for the contractor when the contractor is not a master of record.
 - 3. Whenever an act or omission of the agent (master) constitutes a violation of law (this code), the act or omission.
 - 4. The contractor, as principal, engages a master at the contractor's peril and is obligated through the master's services to ensure that compliance with the City's Electrical Code and this article are observed.

5. This code imposes upon the contractor responsibility for the master's acts and omissions irrespective of any intent on the contractor's part.
6. The purpose of the strict obligation is founded in necessity to provide for public safety and promote a high degree of diligence on the part of the contractor for the public protection.
7. Because the contractor has employed and empowered the master to conduct business for the contractor, the contractor is charged with the responsibility for the master's acts and omissions when the master's acts or omissions constitute criminal conduct under this code.
8. The contractor's liability does not lessen the master's own responsibility for safe work or relieve the master of criminal liability for violations of this article or the City's Electrical Code resulting from the master's conduct.

b. Master of record -- Qualifications.

1. Every electrical contractor doing business in the City must have at least one master of record, who holds a current master electrician license and who is one (1) of the following:
 - a. A sole owner of the business;
 - b. A full-time paid employee of the business; or
 - c. An owner or officer of the business who is actively engaged full-time in the operation and conduct of this electrical contractor business.
2. If a master of record leaves the employ of the contractor, all work on permits issued to that master of record must cease until the contractor hires a new master of record, and the new master of record requests that all outstanding permits issued to the prior master of record be reissued in the name of the new master of record, and the records in the Inspections Operations are brought up to date with the proper information.
3. "Full-time" means actually engaged in the employment or conduct of the business' work for an average of at least thirty (30) hours per week, or who reasonably expects to be actively engaged in the employment or conduct of the business' work for an average of at least thirty (30) hours per calendar week over a period of at least six (6) consecutive calendar months.
4. A master of record may not act as master of record for more than one (1) electrical contractor business at one (1) time.
5. If the applicant is not the contractor, the applicant for master of record is a full-time employee and not an owner or officer of the

business, evidence of the employment relationship between the applicant (for master of record) and the employer/contractor must be presented by the applicant and employer/contractor.

A. The evidence must include a true and correct copy of the most recently filed, fully executed Texas Workforce Commission employers quarterly report form, showing the applicant as a bona-fide employee of the electrical contractor.

B. If the applicant has not been employed by the electrical contractor long enough to appear on the last quarterly report, applicant and employer/contractor must timely produce the true and correct copy of the fully executed and filed Texas Workforce Commission report at the time the next quarterly report is due.

C. Employer electrical contractor shall verify the report is a true and correct copy of the state filing.

D. False verification is unlawful under this article.

6. The Building Official may require the applicant to produce the applicant's current driver's license.

c. Disclosure under Chapter 91, Texas Labor Code.

1. When a master of record is employed under Chapter 91, Texas Labor Code, the master of record, the contractor (client company), who employs the master, and the licensee who reserves the right of direction and control over the master of record, must each make disclosure of the fact.

2. Disclosure must be made on forms promulgated by the Building Official.

3. Disclosure is required as a condition of the master of record's qualification of status under this code.

4. All code requirements apply to a master of record employed under the authority of Chapter 91, Texas Labor Code, including, but not limited to, the requirement that a master of record serve only a single electrical contractor/employer.

5. The licensee, under the act, which reserves the right of direction and control over the master of record, will be treated as an employer of the master, as required by state law.

6. The electrical contractor (client company) employing the master also will be treated as an employer of the master for the purpose of the electrical license credential, as required by state law.

7. The client company (electrical contractor) and the licensee (staff leasing company) shall each, upon demand of the Building Official,

provide those employment records deemed necessary by the Building Official.

A. The records must include, but be not limited to, Texas Employment Commission records, to determine that the services of the master of record are being employed by only a single electrical contractor at any time.

B. These records must include, but not be limited to, the contract and payments under the contract between the client company (electrical contractor) and the licensee (staff leasing company).

d. ***Electrical contractor's affidavit.***

1. Every electrical contractor doing business in the City shall file with the Electrical Team Leader a current electrical contractor's affidavit.

2. The affidavit must include:

A. The contractor's name.

B. The contractor's address.

C. The telephone numbers of the business.

D. The names of persons having at least a ten (10) percent ownership interest in the business.

E. The names and addresses of the officers of the business.

F. The principal address of the business.

G. The name and address of the master electricians who serve as masters of record.

H. The specific method of supervision of electrical work to be conducted by the business.

3. The affidavit must be updated annually at the time the master electrician license is renewed.

e. Master of record's place of business and elements of the master's supervision; unlawful misrepresentation.

1. Every master of record must have and maintain an established place of business.

2. Every master of record must have a local business telephone and make the necessary arrangements to receive messages from the Building Official, Electrical Team Leader, and other persons concerned during regular business hours.

3. The master of record is responsible for the supervision of all electrical work done under any electrical permits issued to the master of record or the master of record's authorized agent.

4. The master of record's authorized agent must be a full time employee of the electrical contractor business.
5. The master of record's supervisory responsibilities for permitted electrical work include, but are not be limited to:
 - A. Ensuring the appropriate class of electrician, master or journeyman, is present on site to perform direct "on the job" supervision for each permitted job.
 - B. Ensuring the appropriate ratio of journeyman and apprentices are present at each permitted job site.
 - C. Maintaining supervisory presence on the permitted job sites to ensure code compliance.
6. A master of record who secures a permit for electrical work, which the master of record does not supervise as required in Section 14-225(a)(7)a.5 commits an offense
7. An electrical contractor whose master of record (agent) commits a code violation, including the offense described in Section 14-225(a)(7)a.5 is also in violation of this article.
8. A misrepresentation made by the master of record or failure to supervise by a master of record will be presumed to be a code circumvention to benefit the electrical contractor to the detriment of the public health, safety, and welfare.
9. The contractor is responsible for code violations resulting from the master of record's acts and omissions.
10. Where code violations have been observed on a permitted job, or substantial deviation from the standards of good workmanlike electrical work has been observed, the presumption that the master of record is not performing the master of record's supervisory responsibilities may be made.

f. ***Display or evidence of license.*** All electricians must fittingly display their licenses as provided in this paragraph.

1. Every holder of a license as a master electrician, master electrician-sign, or master electrician-elevator shall display the license in a conspicuous place in master's principal place of business.
2. Every holder of a license shall:
 - A. Carry the holder's license on the holder's person at all times while doing electrical work.
 - B. Produce and exhibit the license when requested by any electrical inspector or official of the City.

g. Identification of vehicles.

1. Each electrical contractor engaged in the installation or repair of electrical wiring shall have the firm's name conspicuously displayed on all vehicles used by the firm in the transaction of his business.
2. The firm's name must be legible for a distance of at least fifty (50) feet from the vehicle.

(b) Mechanical contractors.

(1) Mechanical license law.

- a. Licensing of mechanical contractors is regulated by the Air Conditioning and Refrigeration Contractor License Law, Chapter 1302, Texas Occupations Code.
- b. If an application for a permit indicates that the work, or any portion of the work to be done, is required by that law to be performed by a licensed mechanical contractor, then the Building Official may issue the permit only if the applicant holds the required license and has paid the annual mechanical contractor registration fee required by Section 14-1313.
- c. The license holder must furnish Inspections Operations with a certificate of insurance evidencing the insurance coverage required by the Commissioner of Licensing and Regulations under Section 1302.102, Texas Occupations Code.
 1. The insurance coverage must include a provision that in the event the coverage is canceled or reduced the insurance carrier will notify Inspections Operations of the City at least ten (10) days prior to the cancellation or reduction in coverage.
 2. A permit holder's permit may be suspended during any period in which the permit holder fails to maintain the required insurance coverage in effect.

(2) Affidavit. A person licensed as a mechanical contractor by the State of Texas may file an affidavit with Inspections Operations authorizing a designated agent to apply for and receive permits in the person's behalf, and affirming that the licensed person assumes all responsibility for any permit obtained by the agent.

(3) Identification of vehicles. Each person engaged in the installation or repair of mechanical systems, or parts thereof, shall have the name under which the person does business and mechanical license number conspicuously displayed on all vehicles used by his firm in the transaction of his business. The business name and mechanical license number must be legible from a distance of at least fifty (50) feet from the vehicle.

(c) **Plumbers.**

(1) **Plumbing license law.**

- a. Licensing of plumbers is regulated by "The Plumbing License Law", Chapter 1301, Texas Occupations Code.
- b. If an application for a permit indicates that the work, or any portion of the work to be done, is required by the law to be performed by a licensed plumber, then the building official may issue the permit only if the applicant holds the required license.

(2) **Texas Water Code.**

- a. Licensing of irrigators is regulated by Chapter 1903, Texas Occupations Code.
- b. If an application for a permit indicates that the work to be done is required by the law to be performed by a licensed irrigator, then the building official may issue the permit only if the applicant holds the required license.

(3) **Agents.** A person licensed by the State of Texas as an irrigator or as a master plumber may file an affidavit with Inspections Operations authorizing a designated agent to apply for and receive permits in the licensed person's behalf, and affirming that the licensed person assumes all responsibility for any permit obtained by the agent.

(4) **Identification of vehicles.** Each person who engages in the business of plumbing or irrigation in the City of Corpus Christi shall have the name of the firm under which the person does business and the plumbing license number conspicuously displayed on all vehicles used in the transaction of business. The business name and plumbing license number must be legible from a distance of at least fifty (50) from the vehicle.

(d) **House movers.**

(1) **108.4.1.-House mover's license required.**

- a. A house mover's license is required before any person, firm, or corporation moves a houses, buildings, or other structures within the City.
- b. An applicant for a house movers license shall apply to the Building Official for a house mover's license.
- c. The applicant in the application must state the name and address of all persons owning any interest in the house moving business.
- d. The applicant must pay at the time of application the annual house movers license fee specified in Section 14-1313.

(2) **Term of license and renewal.**

- a. A house mover's license is valid for one (1) year from the date of issuance, unless sooner revoked.

b. A house mover's license may be renewed at the end of its term by filing an application for renewal and paying the annual license fee established in Section 14-1313.

(3) *House moving Permit Required.*

a. No person may move a house, building, or other structure without first obtaining a house moving permit.

b. House moving permits may only be issued to the holder of current and valid house movers license.

c. The house mover shall move (relocate and secure) the permitted structure within forty-five (45) days from the date of issuance of the moving permit.

d. The house mover must demolish and remove any debris, piers, porches, stairs, or foundation elements above from the location at which a house, building, or other structure was removed within forty-five (45) days from the date of issuance of the moving permit.

(4) *Notification, payments, and revocation of license.*

a. As a condition of the permit, any licensed house mover shall before moving any house, building, or structure within the City give notice to all persons, firms, or corporations, utilities, or other persons having poles, lines, wires, or other the fixtures that may be affected along the route over which the house building, or structure may be moved, at least twenty-four (24) hours before the house, building, or structure must be moved.

b. The house mover must obtain an approved route from the City Traffic engineer, and secure motorcycle police and utility company escort services to accompany the house, building, or structure along its movement on the approved route. The house mover must provide the required escorts at the house movers expense.

c. The house mover is responsible to the owner for ensuring that all requirements coincidental with the movement of a house, building, or structure are met, including, but not limited to the following:

1. That the structure is moved in a timely manner.

2. If the house, building, or structure is relocated to a lot within the City, the structure is located on the new lot in a manner that complies with all required setbacks and easements.

3. If the house, building, or structure is relocated to a lot within the City, the foundation system is designed and constructed under the technical construction codes.

4. If the house, building, or structure is relocated to a lot within the City, the engineer of record, responsible for the design and certification of the installation of the foundation system, has inspected the preparation of the foundation system, has supervised

the placement of the steel, has supervised the placement of any concrete supports, and has forwarded the foundation certificate to Building Operations in a timely manner.

d. Upon the completion of the moving operation and the final determination of the expenses, including time and material incurred by the City for services and material provided to the house mover, which are shown on an itemized statement furnished to the permit holder, the house mover shall pay the City's expenses within ten (10) days after receipt of the statement. If the house mover fails to pay the expenses within ten (10) days, the house mover's license is automatically cancelled. The house mover's license of the person, firm, or corporation engaged in the business of house moving in the City, and a letter from the building official upon the receipt of documentation from the aggrieved department/division to the person, firm, or corporation is sufficient to cancel the permit and suspend the house mover's license.

e. The Building Official may suspend or revoke, at any time a house mover's license, if the holder of the license while preparing, moving, or securing any house, building, or structure violates the terms of this code, or any other ordinance of the City.

1. The Building Official may suspend a house mover's license for any period less than sixty (60) days.

2. The Building Official may revoke a license for a minimum of sixty (60) calendar days, but not more than a period of one (1) year.

3. A revocation of license requires re-licensing under subsection (d)(1) of this section.

4. The decision of the Building Official to suspend or revoke a house mover's license may be appealed to the City Council. Any appeal must be filed in writing, with the City Secretary, within ten working days of the date of the Building Official's decision.

f. Requests for reinstatement of a house mover's suspended or revoked license may be filed by the house mover with the Building Official.

1. The house mover must submit documentation indicating that the house mover has completed the work or corrected the problem that lead to the infraction and has taken measures to prevent future infractions.

2. A license reinstatement fee must be paid before a house mover's license is reissued, as provided for in the permit fee schedule.

(5) Amount of house mover's bond.

a. The amount of bond required by Section 14-215(m)(6) is twenty thousand dollars (\$20,000.00).

b. In lieu of the bond in the amount of twenty thousand dollars (\$20,000.00), the applicant may give as surety upon the bond a good and reliable surety company or may give a sufficient personal bond with two (2) or more financially responsible persons as sureties.

1. Before becoming effective, the bond requires the approval of the City Attorney.

2. The bond must be conditioned that it will not be discharged by one (1) recovery on the bond, but that the obligation is a continuing obligation, which is effective for the term of the house mover's license.

(6) Required house mover's insurance.

a. The applicant shall file with the Building Official a comprehensive general liability, motor vehicle liability, and property damage insurance policies.

b. The policies must be accompanied by endorsements naming the applicant as the insured, and the City as an additional named insured, in an amount determined by the Director of Safety and Risk Management, under the provisions of Section 17-15 of the Code of Ordinances.

c. The policy must be effective for the duration of the license requested by the applicant.

Sec. 14-226. Technical construction boards.

(a) Building Code Board of Appeals.

(1) **Appointment.** There is hereby established the Building Code Board of Appeals, which shall consist of seven (7) members. The board shall be appointed by the City Council. This board shall have the guidance and assistance of the Building Official and/or the Building Code Engineer.

(2) Membership and terms.

a. **Membership.** The Building Code Board of Appeals shall be composed of one (1) architect, one (1) general contractor, one (1) engineer, three (3) members at large from the building industry and one (1) member not connected with the building industry.

b. **Terms.** Members shall be appointed for terms of four (4) years. Terms shall be staggered so that no more than three (3) terms expire in any calendar year. The term of each member shall continue until his successor is appointed, subject to limitations of the City Charter or a term limitation established by ordinance. Any member of the board may be removed by the City council for cause. A vacancy shall be filled for the unexpired term in the same manner in which original appointments are required to be made. Absence of any member from regular meetings of the board shall be cause for removal from office in accordance with the City of Corpus Christi Code of Ordinances.

c. **Quorum and voting.** Four (4) members of the board shall constitute a quorum. In varying the application of any provisions of this code or in modifying an order of the Building Official, affirmative votes of the majority present, but not less than four (4) affirmative votes, required. No board member shall act in a case in which he or she has a personal or substantial interest in violation of the City of Corpus Christi Code of Ethics.

d. **Secretary of the board.** The Building Official or his authorized representative shall act as secretary of the board. The secretary shall make a detailed record of all of the board's proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence(s) of a member, and any failure of a member to vote. A record of all business conducted by the board shall be maintained in the offices of the inspection division.

(3) **Powers.** The Building Code Board of Appeals shall have the power to hear individual appeals of decisions and interpretations of the Building Official on rulings and alternate materials and methods of construction, consider individual variances of the City of Corpus Christi Building Code and the Flood Hazard Prevention Code, and recommend to the adoption of and changes to the City of Corpus Christi Building Code and the Flood Hazard Prevention Code to the City Council.

a. **Appeals of Decision of the Building Official.**

1. **Right to Appeal.** The owner of a building or structure, or his duly authorized agent, may appeal from the decision of the Building Official to the Building Code Board of Appeals whenever any one (1) of the following conditions are claimed to exist:

A. The Building Official rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the erection or alteration of a building or structure.

B. The provisions of the code do not apply to this specific case.

C. That an equally good or more desirable form of construction can be employed in any specific case.

D. The true intent and meaning of this code or any of the regulations thereunder have been misconstrued or incorrectly interpreted.

2. **Notice of appeal.** Notice of appeal shall be in writing and filed within ninety (90) days after the decision is rendered by the Building Official. Appeals shall be on forms provided by the Building Official. An application fee shall accompany the notice of appeal.

3. **Unsafe or dangerous buildings or service systems.** In the case of a building or structure which, in the opinion of the Building

Official, is unsafe, unsanitary, or dangerous the building official may in his order, limit the time for such appeal to a shorter period.

b. **Variances.**

1. **Authority to Grant Variance.** The Building Code Board of Appeals, when so appealed to and after a hearing, may vary the application of any provision of the City of Corpus Christi Building Code or the Flood Hazard Prevention Code to any particular case when, in the board's opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of these codes or public interest, or when in its opinion the interpretation of the Building Official should be modified or reversed, and also finds all the following:

A. That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.

B. That the special conditions and circumstances do not result from the action or inaction of the applicant.

C. That granting the variance requested will not confer on the applicant any special privilege that is denied by the City of Corpus Christi Building Code or the Flood Hazard Prevention Code to other buildings, structures or service system.

D. That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.

E. That the grant of the variance will be in harmony with the general intent and purpose of the City of Corpus Christi Building Code or the Flood Hazard Prevention Code and will not be detrimental to the public health, safety and general welfare.

2. **Conditions of the variance.** In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with the City of Corpus Christi Building Code or the Flood Hazard Prevention Code. Violation of the conditions of a variance is a violation of this Code.

(4) **Procedures of the board.**

a. **Rules and regulations.** The board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this code.

b. **Organization.** The board shall elect a chairman and a vice chairman during the first meeting of each calendar year. Members elected chairman and vice chairman shall serve for the calendar year in which elected. If a vacancy occurs in the office of chairman or vice chairman, the board shall elect a replacement to serve out the unfilled term.

c. **Frequency of meetings.** The board shall hold one (1) regular meeting per month. The regular called meeting shall be held on the fourth Thursday of each month, except when there are no transactions or business for the board to address, in which case the meeting may be canceled. The board shall meet on call of the chairman for such special or called meetings as necessary for the board's proper performance of duty.

d. **Decisions.**

1. The Building Code Board of Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay.

2. A decision of the Building Code Board of Appeals to vary the application of any provision of the City of Corpus Christi Building Code or the Flood Hazard Prevention Code or to modify an order of the building official shall specify (1) in what manner such variation or modification is made, (2) the condition upon which it is made and (3) the reasons therefore.

(5) **Appeal to City Council.** The Building Official and the person requesting a decision from the board shall have the right to appeal a decision of the Building Code Board of Appeals to the City Council; provided that if the decision is not appealed, the decision of the board shall become final in thirty-one (31) days.

(b) **Electrical Advisory Board.**

(1) **Appointment.** There is hereby established the Electrical Advisory Board which shall consist of nine (9) members. The board shall be appointed by the City council. This board shall have the guidance and assistance of the Building Official and the Chief Electrical Inspector.

(2) **Membership and terms.**

a. **Membership.** Persons who serve on the electrical Advisory board as members shall be qualified as follows:

1. Two (2) persons, each of whom shall have had at least five (5) years active experience as a master electrician;

2. One (1) person who shall have had at least five (5) years active experience as a journeyman electrician;

3. Two (2) engineers; one (1) shall be a licensed professional engineer in the State of Texas, and the other shall have a bachelor of science degree in electrical engineering and a minimum of five (5) years experience in the practice of electrical engineering;

4. One (1) person who shall have had at least five (5) years experience in the commercial building industry;
5. One (1) person who shall have had at least five (5) years experience in the home building industry; and
6. Two (2) persons, residents of Corpus Christi, not connected with the electrical industry.

b. **Terms.** Members shall be appointed for staggered terms of two (2) years, The term of each member shall continue until his successor is appointed, subject to limitations of the City Charter or a term limitation established by ordinance. Any member of the board may be removed by the City council for cause. A vacancy shall be filled for the unexpired term in the same manner in which original appointments are required to be made. Absence of any member from regular meetings of the board shall be cause for removal from office in accordance with the City of Corpus Christi Code of Ordinances.

c. **Quorum and voting.** Five (5) members of the board present at any meeting shall constitute a quorum for the transaction of business. The concurring vote of not less than five (5) members of the board shall be necessary to constitute an official action of the board. No board member shall act in a case in which he or she has a personal or substantial interest in violation of the City of Corpus Christi Code of Ethics.

d. **Secretary of board.** The Building Official or his authorized representative shall act as secretary of the board. The secretary shall make a detailed record of all of the board's proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence(s) of a member ,, and any failure of a member to vote . A record of all business conducted by the board shall be maintained in the offices of the Inspections division.

(3) **Powers.** The Electrical Advisory Board shall review grievances filed against any licensed electrical contractors, shall review grievances within the scope of the electrical code, shall concur on a proposed alternative material, alternate method of construction, or technical ruling prior to such alternative or ruling becoming effective, recommend changes of the City of Corpus Christi Electrical Code to the City Council, and may suspend or revoke an electrician's licensed issued under Section 14-225(a).

a. **Appeals of rulings and decisions regarding alternative materials methods of construction.** Both the Building Official and the Electrical Advisory Board must concur with a proposed alternate material, alternative method of construction, or technical ruling prior to such alternative or ruling becoming effective. The appellant has the right to appeal a decision of the Building Official or the Electrical Advisory Board to the City Council, and the Building Official has the right to appeal a decision of the Electrical Advisory Board to the City Council.

b. **Notice of appeal.** Notice of appeal shall be in writing and filed within ninety (90) calendar days after the decision is rendered by the Building Official.

c. **Unsafe or dangerous buildings or service systems.** In the case of a building, structure or service system which, in the opinion of the Building Official, is unsafe, unsanitary or dangerous, the Building Official may, in his order, limit the time for such appeals to a shorter period.

d. **Suspension or revocation of electrician's license.** The procedures for the suspension or revocation of an electrician's license, and the electrician's right to appeal a suspension or revocation the license to the City Council is in Section 14-225(a)(5).

(4) **Procedures of the board.**

a. **Rules and regulations.** The board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this code.

b. **Organization.** The board shall elect a chairman and a vice chairman during the first meeting of each calendar year. Members elected chairman and vice chairman shall serve for the calendar year in which elected. If a vacancy occurs in the office of chairman or vice chairman, the board shall elect a replacement to serve out the unfilled term in the same manner as the chairman and vice chairman were elected.

c. **Frequency of meetings.** The board shall hold one (1) regular meeting per month . The regular called meeting shall be held on the third Thursday of each month, except when there are no transactions or business for the board to address, in which case the meeting may then be canceled . The board shall meet on call of the chairman for such special or called meetings as necessary for the board's proper performance of duty.

d. **Decisions .** The Electrical Advisory Board shall, in every case, reach a decision without unreasonable or unnecessary delay.

(5) **Appeal to City Council.** The Building Official and the person requesting a decision from the board shall have the right to appeal a decision of the Electrical Advisory Board to the City Council; provided that if the decision is not appealed, the decision of the board shall become final in thirty-one (31) days.

(c) **Mechanical/Plumbing Advisory Board.**

(1) **Appointment.** There is hereby established the Mechanical/Plumbing Advisory Board which shall consist of eleven (11) members. The board shall be appointed by the City Council. This board shall have the guidance and assistance of the Building Official and the chief mechanical/plumbing inspector.

(2) **Membership and terms.**

a. **Membership.** Persons who serve on the Mechanical/Plumbing Advisory Board as members shall be qualified as follows:

1. Three (3) persons, each of whom shall have had at least five (5) years of active experience as a plumber, at least three (3) years of which shall have been in Corpus Christi, is currently licensed in the State of Texas, and is currently active in the plumbing trade. At least two (2) of these persons shall be licensed as master plumbers;
2. One (1) person who and shall have had at least five (5) years of active experience as a mechanical engineer, who is a licensed professional engineer in the State of Texas;
3. One (1) person who shall have had at least five (5) years of experience in the home building industry;
4. One (1) person who shall have had at least five (5) years experience in the commercial building industry;
5. Three (3) persons, each of whom shall have had at least five (5) years of active experience in the heating, ventilation, air conditioning, and refrigeration contracting business and licensed in the State of Texas;
6. One (1) person who shall have had at least five (5) years of active experience in landscape irrigation and is licensed as an irrigator by the State of Texas and
7. One (1) person not connected with the building industry.

b. **Terms.** Members shall be appointed for terms of two (2) years. The term of each member shall continue until his successor is appointed, subject to limitations of the City Charter or a term limitation established by ordinance. Any member of the board may be removed by the City Council for cause. A vacancy shall be filled for the unexpired term in the same manner in which original appointments are required to be made. Absence of any member from regular meetings of the board shall be cause for removal from office in accordance with the City of Corpus Christi Code of Ordinances.

c. **Quorum and voting.** Six (6) members of the board present at any meeting shall constitute a quorum for the transaction of business. The concurring vote of not less than six (6) members of the board shall be necessary to constitute an official action of the board. No board member shall act in a case in which he or she has a personal or substantial interest in violation of the City of Corpus Christi Code of Ethics.

d. **Secretary of board.** The Building Official or his authorized representative shall act as secretary of the board. The secretary shall make a detailed record of all of the board's proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of

a member , and any failure of a member to vote. A record of all business conducted by the board shall be maintained in the offices of the Building Inspections division.

(3) **Powers.**

a. **Advice & Recommendations.** The Mechanical/Plumbing Board shall advise the City Manager regarding any matter in the mechanical, plumbing, and irrigation fields which it considers should be brought to the attention of the City Council and shall recommend changes to the City of Corpus Christi Gas, Mechanical, and Plumbing Codes to the City council.

b. **Alternate materials.** The Mechanical/Plumbing Advisory Board may concur with a proposed alternate material alternative method of construction or technical ruling. Both the Building Official and the Mechanical/Plumbing Advisory Board must concur with a proposed alternate material, alternative method of construction, or technical ruling prior to such alternative or ruling becoming effective. In no case may the board concur with an alternate material, alternative method of construction or technical ruling which is contrary to or does not meet or exceed the standards set by technical construction codes as adopted by the City Council.

c. **Appeals.** The Mechanical/ Plumbing Advisory Board shall rule on appeals within the scope of the Gas, Mechanical, and Plumbing Codes

1. **Notice of appeal.** Notice of appeal shall be in writing and filed within ninety (90) calendar days after the decision is rendered by the Building Official Appeals shall be on a form provided by the Building Official.

2. **Unsafe or dangerous buildings or service systems.** In the case of a building, structure or service system which, in the opinion of the building official, is unsafe, unsanitary or dangerous, the Building Official may, in his order, limit the time for such appeals to a shorter period.

d. **Grievances.** The Mechanical/Plumbing Advisory Board shall review grievances within the scope of the Gas, Mechanical, and Plumbing Codes.

(4) **Procedures of the board.**

a. **Rules and regulations.** The board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this code.

b. **Organization.** The board shall elect a chairman and a vice chairman during the first meeting of each calendar year. Members elected chairman and vice chairman shall serve for the calendar year in which elected. If a vacancy occurs in the office of chairman or vice chairman, the board shall elect a replacement to serve out the unfilled term.

c. **Frequency of meetings.** The board shall hold one (1) regular meeting per month. The regular called meeting shall be held on the second Thursday of each month, except when there are no transactions or business for the board to address, upon which the meeting may then be canceled. The board shall meet on call of the chairman for such special or called meetings as necessary for the board's proper performance of duty.

d. **Decisions.**

1. The Mechanical/Plumbing Advisory Board shall, in every case, reach a decision without unreasonable or unnecessary delay.

2. A decision of the Mechanical/Plumbing Advisory Board to modify an order of the Building Official shall specify (1) in what manner such modification is made, (2) the condition upon which it is made and (3) the reasons therefore.

e. **Interpretations.** The board, when so appealed to and after a hearing, (1) may render an interpretation of this code, (2) may decide that the provisions of this code do not apply, (3) may approve or modify the request for an alternate method of construction or material submitted by the applicant for concurrence, or (4) may refuse the applicant's request.

(5) **Appeal to City Council.** The Building Official and the person requesting a decision from the board shall have the right to appeal the decision of the Mechanical/Plumbing Advisory Board to the City Council; provided that if the decision is not appealed, the decision of the board shall become final in thirty-one (31) days.

a. The applicant has the right to appeal a decision of the Building Official or the Mechanical/Plumbing Advisory Board to the City Council.

b. The Building Official has the right to appeal a decision of the Mechanical/Plumbing Advisory Board to the City Council.

Sec. 14-227. Violations and penalties.

(a) **Penalties.**

(1) Any person, firm, corporation or agent who violates a provision of this article or the Technical Construction Codes, or fails to comply with any of the requirements of this article of the Technical Construction Codes, or who erects, constructs, alters, installs, demolishes, or moves any structure, electrical, energy conservation, fuel gas, mechanical, or plumbing equipment or system, or has erected, constructed, altered, repaired, moved or demolished a building, structure, electrical, gas, mechanical or plumbing system, in a manner that varies from any detailed statements or drawings submitted and permitted under this article or the Technical Construction Codes, is guilty of a misdemeanor and liable to a fine of not less than two hundred dollars (\$200.00) and not more than two thousand dollars (\$2,000.00).

(2) Each day or portion of a day during which any violation of any of the provisions of this article or the Technical Construction Codes is committed or continued is a separate violation.

(3) Each owner of any building or structure failing to comply with any of the provisions of this article or the Technical Construction Codes, and each owner of any premises where a violation of the provisions of this article or the Technical Construction Codes occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm, or corporation employed the owner or owners of any building, who has assisted in the commission of any-violation of this article or the Technical Construction Codes, is guilty of a separate offense.

(b) ***Injunction.*** In addition to the penal remedy in this section, the City Attorney shall, upon the direction of the City Manager, institute any appropriate action or proceeding, including actions for injunction to prevent, restrain, correct or abate any act, conduct, work, business, practice, or use which is in violation of and illegal as specified this article or the Technical Construction Codes.

Sec. 14-228. Severability. If any section, subsection, paragraph, subparagraph, subdivision, sentence, clause, or phrase of this article or the Technical Construction Codes is for any reason held to be unconstitutional, the decision shall not affect the validity of the remaining portions of this article or the Technical Construction Codes.