

Ordinance amending Corpus Christi Code to change residential building permit fees from valuation based to square footage based; providing for publication; and declaring an emergency

Whereas, Texas House Bill 852, effective May 21, 2019, prohibits the use of the value of the dwelling or the cost of constructing or improving the dwelling in determining the amount of a building permit or inspection fee required in connection with the construction or improvement of a residential dwelling

Now therefore, be it ordained by the City Council of the City of Corpus Christi, Texas:

Section 1. The Corpus Christi Code of Ordinance, Chapter 14, Article XIII, Division 1, Section 14-1302 is amended by adding the following language that is underlined (**added**) and deleting the language that is stricken (**deleted**) as delineated below:

Sec. 14-1302. - Commercial and residential building permit and inspection fees~~Standardized building valuation.~~

(a) The building permit fees applicable to the issuance of a building permit for residential construction shall be based on the total square footage at a rate according to the fee schedule published in section 14-1313 rounded up to the nearest cent.

(ab) The standardized building valuation system to be used to compute commercial construction permit fees will consider the total value of all construction work, including plumbing, electrical, paving, parking, driveway approach, energy conservation, fuel gas, mechanical equipment, and other systems, including appurtenances and site improvements, materials, labor, contractor's profit and overhead.

(1) The valuation of building, alteration, or structure used in computing commercial building permit fees will be based on, and at least equivalent to, the latest standardized building valuation data as published by the International Code Council Building Safety Journal, as adjusted by the latest regional construction cost adjustment factors published annually by Engineering News Record. The building official may alternatively accept a comparable valuation submitted by the applicant. The applicant's valuation shall be verified against the Elimination of Architectural Barriers Report, if one is required, and the higher of the two (2) valuations shall be used. In the event the Elimination of Architectural Barriers Report valuation is not available prior to issuance of the permit, the Elimination of Architectural Barriers Report valuation shall be confirmed prior to conducting the final inspection. If additional permit fees are required, the final inspection shall not be passed until all fees are paid. If no Elimination of Architectural Barriers Report is available, the building official may refer to the latest standardized building valuation data as published by the International Code Council Building Safety Journal, as adjusted by the latest regional construction cost adjustment factors published annually by Engineering News Record.

(2) The applicant for a construction permit may appeal any determination of the building official to the building code board of appeals.

(3) Standardized building valuations required pursuant to paragraph (1) will be used as the basis for permitting of a commercial project.

(4) Standardized building valuations required pursuant to paragraph (1) for pre-engineered metal building warehouses must be values derived pursuant to paragraph (1).

(5) Standardized building valuations required pursuant to paragraph (1) will be derived from the latest data published by International Code Council Building Safety Journal and Engineering

News Record and adjusted based on the regional multiplier published by the International Code Council.

- (6) The standardized building valuations referred to in paragraph (1) are adopted by reference and declared to be a part of this section.
 - (7) If, in the opinion of the building official, or the building official's authorized representative, the valuation of a commercial building, alteration, structure, electrical, energy conservation, fuel gas, mechanical, or plumbing systems appears to be underestimated on the application, the permit may be denied, unless the applicant can show detailed estimates or appraisals that meet the approval of the building official. Alternatively, the building official may set the permit valuation pursuant to the standardized building valuation data adopted in paragraph (1), and issue the permit with a fee based on that valuation. Permit valuations must be based upon total construction cost, such as electrical, energy conservation, fuel gas, mechanical, plumbing equipment and other systems, including materials and labor, site improvements, contractor's profit and overhead.
 - (b) When determining the value that is applied to the fee schedule, values are rounded up to the next higher one thousand dollar-valuation category.
- (Ord. No. 028756, § 1, 8-31-2010)

Section 2. The Corpus Christi Code of Ordinance, Chapter 14, Article XIII, Division 1, Section 14-1304 is amended by adding the following language that is underlined (**added**) and deleting the language that is stricken (**deleted**) as delineated below:

Sec. 14-1304. - Processing and plan review fee.

- (a) A processing and plan review fee must be paid in addition to the regular permit fee as in the fee schedule published in section 14-1313~~Table 13-4~~.
- (b) The plan review fees must be paid at the time application is filed for each application processed and reviewed for the purposes of obtaining a permit as required by the technical construction codes except:
 - (1) Permits categorized over the counter as deemed by the building official. An official list will be published each calendar year.
- (c) Plan review fee is non-refundable.
- (d) A third party plan review or inspection may be requested by the applicant at the time the application is filed. The fee for a third party plan review or inspection requested by the applicant pays the costs of services of an approved third party consultant and the applicable overhead rate. The fee for a third party plan review requested by the applicant must be paid at the time the application is filed. The fee for a third party inspection requested by the applicant must be paid prior to the inspection. The fees for third party plan review and inspection requested by the applicant are listed in the fee schedule in section 14-1313. Third party consultant contracts are available through the development services department.
- (e) Expedited plan review by internal staff may be requested by the applicant at the time the application is filed. The expedited fee is payable at the time of application submittal according to the fee schedule published in section 14-1313. Expedited plan review does not constitute an approval of submitted plans.
- (f) Customized plan review.
 - (1) Customers who desire expedited approval may schedule a meeting with the plan review coordinator and staff in order to obtain the necessary permits for the submitted project.

Customers must be accompanied by their design professional(s), (engineers, contractors, owners, or any else) who may make on the spot corrections, changes or decisions necessary to address all of the deficiencies on the plans.

- (2) Submitted plans must be ready for permit issuance.
- (3) If all plan deficiencies can be addressed, a site/foundation permit has or can be issued, a contractor has been hired and is present, and all fees paid, then a building permit will be issued at the end of the customized plan review meeting.
- (4) If some issues cannot be resolved at the customized plan review meeting, but can be addressed at a later date, another customized plan review meeting will not be required. Once the issues addressed, a building permit will be issued to the contractor.

(Ord. No. 028756, § 1, 8-31-2010)

Section 3. The Corpus Christi Code of Ordinance, Chapter 14, Article XIII, Division 1, Section 14-1313 is amended by adding the following language that is underlined (**added**) and deleting the language that is stricken (**deleted**) as delineated below:

Sec. 14-1313. - Technical construction codes fee schedules.

The following fee schedules apply to activities under article II of this chapter:

PLAN REVIEW FEES	AMOUNT OF FEE
<i>Plan Review Fees</i>	
<i>(Based as a percentage of the Building Permit Fee)</i>	
<u>Residential – New Construction, Additions, and Remodeling</u>	<u>\$0.10 per square foot (Includes Building, Mechanical, Plumbing & Electrical Permit) 25% of the Building Permit Fee</u>
Commercial	<u>(Based as a percentage of the Building Permit Fee)</u> 40% of the Building Permit Fee
Multiple plan review fee	15% of original plan review fee for third review submittal; 30% of original plan review fee for fourth review submittal; 45% of original plan review fee for fifth review submittal; 60% of original plan review fee for sixth review submittal; 75% of original plan review fee for seventh review submittal; 90% of original plan review fee for eighth review submittal; 100% of original plan review fee for ninth and above review submittals
Third party plan review when requested by applicant	Contract rate + 32% overhead rate
Expedited plan review (internal staff)	150% of the plan review rate
Customized plan review	150% of the plan review rate plus \$150.00 per hour with a two-hour minimum.

BUILDING PERMIT FEES (\$80.00 Min. Permit Fee)	AMOUNT OF FEE
RESIDENTIAL - <u>New Construction</u>	<u>\$0.315 per square foot (Includes Building, Mechanical, Plumbing & Electrical Permit)</u> <u>(\$100.00 Min permit fee) 0.52% of Valuation</u>
<u>RESIDENTIAL - Additions & Remodeling</u>	<u>\$0.165 per square foot of the new addition or remodeled area for building permit (excludes Mechanical, Plumbing & Electrical Permit)</u> <u>(\$100.00 Min permit fee)</u> <u>An additional \$0.05 per square foot of the new addition or remodeled area for each required plumbing, electrical & mechanical permit.</u> <u>(\$50.00 Min. permit fee for each required plumbing, electrical & mechanical permit-)</u>
COMMERCIAL	
\$0 to \$5 Million	.70% of Valuation
\$5.001 to \$10 Million	.65% of Valuation
\$10.001 to \$20 Million	.60% of Valuation
\$20.001 to \$50 Million	.58% of Valuation
Construction site offices	\$80.00
<i>Signs</i>	
Sign	\$108.00
Building permit for electrical signs, per transformer	\$6.75 Min Fee \$80.00
<i>Residential Construction Building Permits</i>	
New one and two family dwellings, apartments, townhouses, condominiums, accessory buildings, remodel, and repair <u>For all other residential building permits NOT associated with new construction, additions, or remodels</u>	<u>\$100.00 0.52% of Valuation</u>
<i>Residential - Other</i>	
Swimming pool	80.00
Roofing and siding	\$.045 sq.ft.
2nd driveway	\$80.00

FEES FOR MOVING STRUCTURES - BOTH RESIDENTIAL AND COMMERCIAL	AMOUNT OF FEE
House moving permit	\$467.00

Traffic engineering moving route sheet	\$61.00
Relocation survey	\$110.25
Survey fee (14-306(d))	\$140.00
Mobile home/HUD-code manufactured housing installation permit	\$106.50

MISCELLANEOUS CONSTRUCTION FEES	AMOUNT OF FEE
<i>Certificate of Occupancy</i>	
Certificate of occupancy for change of use of existing building or structure	\$215.00
Duplicate certificate of occupancy/Certificate of completion	\$25.00
<i>Temporary Events</i>	
Temporary event permit w/o food service	\$80.00
Temporary event permit w/ food service	\$199.80
<i>Miscellaneous Fees</i>	
Permit extension	Greater of: \$80.00 or 33.75% of permit fee
Renewal of expired permit	Greater of: \$80.00 or 33.75% of permit fee + permit extension fee
Request for refund on canceled permit if no work done	\$40.00
Permit research	\$15.00 per hour
<i>Demolition Permits</i>	
Demolition permit	Greater of: \$80.00 or \$0.027 per square foot
<i>Penalty Fees</i>	
Work commenced but not finished	Greater of 2× permit fee or investigative fee
Work completed	Greater of 2× permit fee or investigative fee
Investigative fee	\$450.00
Re-inspection fee (per inspection)	\$80.00
<i>Special Inspection Fees</i>	
Inspections outside City, but within ETJ	Inspection fee + \$100.00+ \$1.83 per mile

Inspections outside City and ETJ	Inspection fee + \$1.83 per mile + \$100.00 for each 200 miles
Third party inspections when requested by applicant	Contract rate + 32% overhead rate
<i>Reduced Fees</i>	
Reduced fee for public schools, Federal, State, county, municipal governments and other political subdivisions with ad valorem tax status	Greater of: 50% of regular permit fee or minimum fee
Minimum fee	\$80.00

BUILDING PERMIT FEES (ELECTRICAL ONLY)	AMOUNT OF FEE
<i>Building Permit Fees (ELECTRICAL ONLY) are for Stand Alone Permits NOT Associated with a Building Permit for new construction</i>	
Residential	\$0.05 per square foot 0.52% of Valuation
Commercial	
\$0 to \$5 Million	.70% of Valuation
\$5.001 to \$10 Million	.65% of Valuation
\$10.001 to \$20 Million	.60% of Valuation
\$20.001 Million to \$50 Million	.58% of Valuation
Minimum fee	\$10080.00

FUEL GAS FEES	AMOUNT OF FEE
<i>Fuel Gas Fees for Stand Alone Permits NOT Associated with a Building Permit</i>	
Residential	0.52% of Valuation
Commercial	
— \$0 to \$5 Million	.70% of Valuation
— \$5.001 to \$10 Million	.65% of Valuation
— \$10.001 to \$20 Million	.60% of Valuation
— \$20.001 to \$50 Million	.58% of Valuation
Minimum fee	\$80.00

MECHANICAL PERMIT FEES	AMOUNT OF FEE
<i>Mechanical Permit Fees for Stand Alone Permits NOT Associated with a Building Permit</i>	
Residential	<u>\$0.05 per square foot 0.52% of Valuation</u>
Commercial	
\$0 to \$5 Million	.70% of Valuation
\$5.001 to \$10 Million	.65% of Valuation
\$10.001 to \$20 Million	.60% of Valuation
\$20.001 to \$50 Million	.58% of Valuation
Temporary operation inspection	\$80.00
Minimum fee	\$ <u>100</u> 80.00

PLUMBING CODE FEES	AMOUNT OF FEE
<i>Plumbing Permit Fees for Stand Alone Permits NOT Associated with a Building Permit</i>	
Residential	<u>\$0.05 per square foot 0.52% of Valuation</u>
Commercial	
\$0 to \$5 Million	.70% of Valuation
\$5.001 to \$10 Million	.65% of Valuation
\$10.001 to \$20 Million	.60% of Valuation
\$20.001 to \$50 Million	.58% of Valuation
Minimum fee	\$80.00
<i>Backflow Prevention</i>	
Backflow prevention device test filing fee	\$20.00
Minimum fee	\$ <u>100</u> 80.00

LICENSE	FEES	
Classification	Examination Fee	License Fee
House mover	None	\$133.00

CONTRACTOR REGISTRATION FEES	AMOUNT
Mechanical contractor	\$135.00
Lawn irrigator	\$135.00
Backflow prevention assembly tester	\$135.00

TECHNICAL CONSTRUCTION APPEAL & ADVISORY BOARDS FEES	AMOUNT
Requests for interpretation, technical ruling, modification of code, concurrence for use of an alternative material or method, and appeal from decision of Building Official to technical construction appeals and advisory boards	\$265.00

(Ord. No. 028756, § 1, 8-31-2010; Ord. No. 031247, § 6, 9-19-2017)

SECTION 4. If for any reason any section paragraph subdivision clause phrase word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction it shall not affect any other section paragraph subdivision clause phrase word or provision of this ordinance for it is the definite intent of this City Council that every section paragraph subdivision clause phrase word or provision hereof be given full force and effect for its purpose.

SECTION 5. Publication shall be made one time in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

SECTION 6. Penalties are as provided in Section 1-6 of the Code of Ordinances.

SECTION 7. Upon the written request of the Mayor or five Council members, copy attached, the City Council finds and declares an emergency due to the need for immediate action necessary for the efficient and effective administration of City affairs and suspends the City Charter rule that requires consideration of and voting upon ordinances at two regular meetings so that this ordinance is passed and takes effect upon first reading as an emergency measure this 11th day of June, 2019.

11th Day of June 2019
TO THE MEMBERS OF THE CITY COUNCIL
Corpus Christi, Texas

For the reasons set forth in the emergency clause of the foregoing ordinance, an emergency exists requiring suspension of the City Charter rule as to consideration and voting upon ordinances at two regular meetings: I/we, therefore, request that you suspend said Charter rule and pass this ordinance finally on the date it is introduced, or at the present meeting of the City Council.

Respectfully,

Respectfully,

Mayor

Council Members

The above ordinance was passed by the following vote:

Joe McComb _____
Roland Barrera _____
Rudy Garza _____
Paulette M. Guajardo _____
Gil Hernandez _____
Michael Hunter _____
Ben Molina _____
Everett Roy _____
Greg Smith _____

PASSED AND APPROVED this _____ day of _____, 2019.

ATTEST:

CITY OF CORPUS CHRISTI

Rebecca Huerta
City Secretary

Joe McComb
Mayor