

ORDINANCE NO. 2021-24

AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 22 (ENTITLED "BUILDING AND BUILDING REGULATIONS") FOR THE PURPOSES OF ESTABLISHING A FEE TABLE AND REVISING THE BUILDING ADDITIONS AND REMODELING FEE; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Whereas, pursuant to the city's inherent powers as a home rule municipality, the laws and constitution of this state, including Texas Local Government Code Chapter 214, city council has adopted national building, fire, electrical, plumbing, mechanical and similar codes within Chapter 22 of the City Code; and

Whereas, city council desires to amend Chapter 22 to revise the permit fee for construction additions and remodeling to be calculated on a square footage basis; and

Whereas, city council desires to amend Chapter 22 to place all fees authorized by said chapter in one fee schedule.

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

Section One. Fee Revision. The permit fee for building additions and remodeling is hereby revised to eight cents per square foot as reflected in section eight of this ordinance.

Section two. Code Amendment. City Code Chapter 22 (entitled "Buildings and Building Regulations") Article III (entitled "Building Code") Section 22-55 (entitled "amendments to the building codes") is hereby amended by revising subsection (c) (entitled "building permit fee") to read as follows:

- (c) *Building permit fee.* The table of the International Building Code entitled, "Building Permit Fees" is hereby replaced by Article XXI (entitled "Fee Schedule") Table One (entitled "Building Permit Fees").

Section three. Code Amendment. City Code Chapter 22 (entitled "Buildings and Building Regulations") Article VI (entitled "Plumbing Code") Section 22-129 (entitled "plumbing permit fees") is hereby amended by revising the section to read as follows:

Sec. 22-129. Plumbing permit fees.

All applications for permits required under this Article shall be made on such form as provided by the Building Official with payment of permit fees as stated in Article XXI (entitled "Fee Schedule") Table Two (entitled "Plumbing Permit Fees").

Section four. Code Amendment. City Code Chapter 22 (entitled "Buildings and Building Regulations") Article VII (entitled "Mechanical Code") Section 22-152 (entitled "mechanical permit fees") is hereby amended by revising the section to read as follows:

Sec. 22-152. Mechanical permit fee.

Table 1-A of the Uniform Mechanical Code entitled "Mechanical Permit Fees" is hereby replaced by Article XXI (entitled "Fee Schedule") Table Three (entitled "Mechanical Permit Fees").

Section five. Code Amendment. City Code Chapter 22 (entitled "Buildings and Building Regulations") Article VIII (entitled "Miscellaneous Codes") Section 22-160 (entitled "International Fire Code") is hereby amended by revising subsection (a)(2) to read as follows:

- (2) Section 105.1.2 Types of Permits. All applications for permits required under this Article shall be made on such form as provided by the Building Official with payment of permit fees as stated in Article XXI (entitled "Fee Schedule") Table Four (entitled "Fire Code Permit Fee Schedule").

Section six. Code Amendment. City Code Chapter 22 (entitled "Buildings and Building Regulations") Article VIII (entitled "Miscellaneous Codes") Section 22-160 (entitled "International Fire Code") is hereby amended by revising subsection (a)(15) to read as follows:

- (15) 307.9 Permit fee and duration.

307.0 Permit fee and duration is hereby amended as provide in Article XXI (entitled "Fee Schedule") Table Five (entitled "Outdoor Burning and Fireworks Fees").

Section seven. Code Amendment. City Code Chapter 22 (entitled "Buildings and Building Regulations") Article VIII (entitled "Miscellaneous Codes") Section 22-160 (entitled "International Fire Code") is hereby amended by revising subsection (a)(22) by adding the language that is underlined (underlined) as follows:

- (22) Section 5608.2 Permit application.

Section 5608.2 Permit application is hereby amended as follows:

Any person, company or other entity desiring to ignite fireworks in a controlled public display, use pyrotechnic before a proximate audience or use flame effects before an audience must file an application, with the application fee stated as provide in Article XXI (entitled "Fee Schedule") Table Five (entitled "Outdoor Burning and Fireworks Fees"), with the city secretary at least 30 days prior to the proposed display along with. The applicant must:

1. Meet all requirements for the same as outlined in Title 28. Insurance; Part 1, Texas Department of Insurance; [Chapter 34](#), State Fire Marshal; Subchapter H, Storage and sale of fireworks;
2. Provide state required documentation to the city for review and final approval of the event, including recommendations or proposals for any changes as required.
3. The Fire Marshal, with approval from the City Manager, may issue a permit for public fireworks displays; use of pyrotechnics before a proximate audience and/or use of flame effects before an audience. The event permitted may only be ignited as provided in the application and any restrictions added in the permit. At the time of the event, the Fire Marshal may require that the fire department be on standby at the site. As a requirement of the permit, the Permittee may be charged the reasonable costs for the fire department being on standby status for the display.

5608.2.1 The city, its agents, assigns and contractors may sponsor city fireworks displays with the express authorization of a majority vote of the city council. The person(s), company or entity contracted to operate the display, or use pyrotechnics or flames before an audience shall meet all state requirements. The Fire Marshal shall be notified of all city fireworks displays and shall review the proposed ignition site, the proposed trajectory and landing site for all fireworks displays and make recommendations or proposals for any changes. City sponsored fireworks, pyrotechnic and/or flame events shall be exempt from the local permit requirements. The Fire Marshal shall be notified of the location for storage of fireworks.

5608.2.2 The city reserves the right to deny any application. The city reserves the right, with or without notice, to revoke any fireworks permit. All permits shall expire, and no longer be valid, immediately after the fireworks, pyrotechnic or flame event permitted was to occur.

Section eight. Code Amendment. City Code Chapter 22 (entitled “Buildings and Building Regulations”) Article IX (entitled “Electrical Code”) Section 22-187 (entitled “fees and reinspection”) is hereby amended by revising subsection (b) (entitled “schedule of fees”) to read as follows:

- (b) *Schedule of fees.* All fees shall be paid to the city by each person doing any electrical work for which such fees are required in subsection (a) of this section. The permit and inspection fees provided in this subsection shall be paid to the city before the issuance of a permit and before any work is started. The fees shall be as stated in Article XXI (entitled “Fee Schedule”) Table Four (entitled “Fire Code Permit Fee Schedule”).

Section eight. Code Amendment. City Code Chapter 22 (entitled “Buildings and Building Regulations”) is hereby amended by the adoption of a new Article XXI (entitled “fee schedule”) and recodifying and restating fees set out in Articles I through X in Article XXI as attached hereto and incorporated herein.

Section nine. Findings. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section ten. Penalty. A violation of this ordinance is unlawful and subject to City Code of Ordinances Sec. 1-6 (entitled “general penalty”).

Section eleven. Cumulative. This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event Section 5, (entitled “Repealer”) shall be controlling.

Section twelve. Repealer. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section thirteen. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall

nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section fourteen. TOMA Compliance. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was conducted in compliance with the Texas Open Meeting Act as modified by Executive Orders of the Governor of the State of Texas in response to the COVID-19 pandemic.

Section fifteen. Publication. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.


Section sixteen. Effective Date. This Ordinance shall be effective upon the date of final adoption hereof and publication as required by law.

Passed on first reading on the 13th day of July, 2021

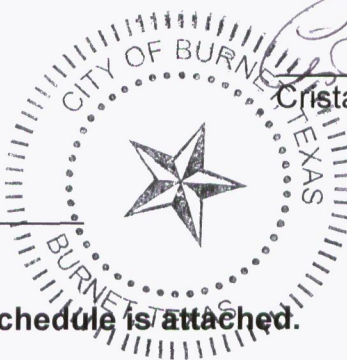
Passed, Approved and Adopted on 27th day of July, 2021


CITY OF BURNET

ATTEST:



Kelly Dix, City Secretary





Crista Goble Bromley, Mayor

Note: Article XXI. - Fee Schedule is attached.

Attachment to Ordinance No. 2021-24

Article XXI. - Fee Schedule.

This Article establishes fees for permits, inspections and other services provided by the City under this Chapter. Unless a fee is specified elsewhere in this Chapter, all permit fees required under Articles I through X of this Chapter are due and payable with an application for a permit and are as follows:

Table One. - Building Permit Fees

Single-family	\$0.08 per square foot
Apartments and duplexes	0.08 per square foot
Commercial and institutional	0.08 per square foot
Additions, remodeling, etc.	0.08 per square foot
	Minimum of 25.00
Demolition	50.00
House moving	100.00 plus any additional costs incurred by the police department and/or the utility department
Storage sheds in excess of 120 square feet	15.00
Reinspection	35.00
Plan review—Bldg. Dept.	100.00 each review
Plan review—Fire Marshal	100.00 each review

Table Two. - Plumbing Permit Fee Schedule

New Construction		
Single-family residence		\$ 0.08 per square foot
Apartments and duplexes		0.08 per square foot
Commercial and institutional		0.08 per square foot
Repair and Additions		
	Basic permit	\$25.00 plus items below
	Fixture, each	2.50
	Sewer yard line	2.50
	Gas yard line	2.50
	Water heater	2.50
	Gas piping system	5.50 plus \$0.50 each outlet over five

	Lawn sprinkler system	5.00 plus \$0.50 each outlet over five
	Swimming pool	10.00
	Reinspections	35.00

Table Three. - Mechanical Permit Fees

Single-family, duplex and apartments	\$40.00 per unit
Commercial and institutional	40.00 per unit
All other types of mechanical equipment regulated by this code	10.00 per unit
Reinspection	35.00 per unit

Table Four. – Fire Code Permit Fees

Type	Cost	Notes
Burn Permits		
Residential Burn Permit	\$20	
HOA, POA, Subdivision	\$40	Community burn location
Res. or Com. Development	\$120	
Fireworks Displays	\$100	
New and Remodel Construction		
Fire Safety Plan Review	\$100	General — New Construction
Fire Safety Plan Review	\$50	General — Major Remodel
Sprinkler System	\$100	< 12,000 sqft
Sprinkler System	\$200	> 12,000 sqft
Alarm System	\$100	< 12,000 sqft
Alarm System	\$200	> 12,000 sqft
Commercial Hood Suppression	\$75	
System Inspections		
Underground Fire Main Inspection	\$30	

Sprinkler System Pressure Test	\$25	
Sprinkler System Final	\$50	< 12,000 sqft
Sprinkler System Final	\$100	> 12,000 sqft
Alarm System Final	\$50	< 12,000 sqft
Alarm System Final	\$100	> 12,000 sqft
Commercial Hood Suppression Final	\$25	
Re-inspection Fees	½ rate	Of Initial Inspection charge
Licensing Inspections		
Foster Home	\$0	
Group Home	\$25	
Day Care	\$25	
Nursing Home/Asst. Living	\$75	
Hospital	\$100	
Private Correction Facility	\$50	
County or State Corrections Facility	\$0	
Insurance Inspection	\$25	
After Hour Inspection Rate	Fee +	Inspector over time rate — 1 Hr. Minimum

Table Five. – Outdoor Burning Fireworks Fees

The fee for issued permits for the conducting of approved outdoor burning is subject to the following information:

1. Established Residential or Vacant Lots: \$20.00 for 30 calendar days
2. HOA, POA, of Established Subdivision community Lot: \$40.00 for 30 calendar days
3. Commercial or Residential Development Property under developer control: \$150 for 30 calendar days
4. Exception: Extensions may be granted if the time period was shortened due to weather conditions, state or county issued burn bans, extended red flag warnings or any other reasonable situation as determined by the Fire Marshal.

The fireworks application fee is \$100.00.

Table Six. - Electrical Permit Fees

New Construction		
Single-family residence		\$0.08 per square foot
Apartments and duplexes		0.08 per square foot
Commercial and institutional		0.08 per square foot plus \$50.00 for service over 200 amp, plus \$20.00 per feeder panel
Remodeling and Additions		
	Basic permit	\$25.00 plus items listed below
	Feeder panels	20.00
	Electric outlets and fixtures	0.20 each
	Service size	
	100 amp	\$30.00
	200 amp	30.00
	300 amp	45.00
	400 amp	60.00
Other Electrical Charges		
	Construction meter loop	\$15.00
	Mobile home hookup	10.00
	Swimming pool	10.00
	Reinspection	35.00