

ORDINANCE # 87-9-17-16

AN ORDINANCE AMENDING THE EXISTING ORDINANCE #86-4-21-13 GOVERNING THE LOCATION, CONSTRUCTION, MAINTENANCE, AND ALTERATIONS OR REPAIRS OF BUILDINGS AND STRUCTURES IN THE TOWN OF CORINTH, TEXAS; PROVIDING A FEE SCHEDULE; PROVIDING FOR THE OFFICE OF COMMUNITY DEVELOPMENT DIRECTOR/BUILDING INSPECTOR; PROVIDING FOR A BOARD OF CONSTRUCTION APPEALS; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE; REPEALING CONFLICTING ORDINANCES; AND, PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CORINTH, TEXAS:

SECTION 1. Permit Required

- (a) It shall be unlawful for any person, firm or corporation to commence the construction of any building or structure, or to make any alterations or repairs to any existing building or structure within the Town of Corinth, Texas, or move any structure other than a mobile or manufactured home, from without or within the corporate limits of the Town without first receiving a permit authorizing such move or construction from the Director of Community Development of the Town of Corinth, Texas. Application for said permit, along with a filing fee, shall be filed with the Department of Community Development in accordance with the fee schedule contained herein.
- (b) The permit application shall contain plans, specifications, and estimates of the cost of construction.
- (c) Fee Exemptions: No permit fee or plan review fee shall be required for any work involving buildings or structures belonging to the U.S. Government, the State of Texas, the County of Denton, or the Town of Corinth.
- (d) Building Permit Fees: A Building Permit Fee shall include all fees applicable to the erection, electrical, plumbing, mechanical, fire systems, and concrete installations specified to be performed on the plans submitted with the permit application. Any additional construction or installations commenced following passage of the final inspection for said Building Permit shall require the issuance of a separate Building Permit. Additional construction or installations include, but are not limited to, repairs, alterations, additions, swimming pools, fences, sprinkler systems, and accessory buildings. The fee schedule for such Building Permits shall be as follows:
 - 1. \$420.00 per single family dwelling up to 1,750 square feet and ten cents (.10) per each additional square foot thereafter.
 - 2. \$420.00 per each duplex or multi-family unit up to 1,750 square feet and ten cents (.10) per each additional square foot thereafter.
 - 3. \$250.00 per commercial or light industrial structure up to 2,000 square feet and ten cents (.10) per each additional square foot thereafter.
 - 4. \$50.00 or ten cents (.10) per square foot, whichever amount is the greatest, per detached accessory building.

ORDINANCE # 89-9-19-16

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 - 3. \$250.00 per commercial or light industrial structure up to 2,000 square feet and ten cents (.10) per each additional square foot thereafter.
 - 4. \$50.00 or ten cents (.10) per square foot, whichever amount is the greatest, per detached accessory building.
 - 5. \$75.00 or ten cents (.10) per square foot, whichever amount is the greatest, per addition.
 - 6. \$25.00 per temporary building.
 - 7. \$75.00 per in-ground swimming pool.
 - 8. \$50.00 per above-ground swimming pool.
 - 9. \$50.00 per hot tub or spa.

10. \$25.00 per fence.
 11. \$25.00 for the pouring of concrete.
 12. \$25.00 per automatic lawn sprinkler system.
- (e) Inspection Fees: 1) A \$75.00 inspection fee shall be charged for the inspection of site locations and electrical hook-ups for mobile homes and manufactured housing. 2) The Town shall receive from the State the installation inspection fee charged for mobile homes and manufactured housing in accordance with the Town's contract and agreement with the Texas Department of Labor and Standards.
- (f) The following miscellaneous fees shall be charged:
1. \$10.00 per demolition permit.
 2. \$25.00 per re-inspection (following "red tag").
 3. \$25.00 per dish antenna.
 4. \$100.00 per Certificate of Occupancy, provided no other fees have been collected.
- (g) Refunds: There will be no refunds of any of the fees prescribed herein except in the following instances:
1. When it is determined that the permit was issued due to an error by the Department of Community Development, a full refund may be authorized. If the error is due to incorrect or incomplete information furnished by the applicant, no refund shall be authorized.
 2. When it is determined that a permit cannot be legally issued
 3. When the permit has been issued and the fee paid and no portion of the work has commenced, a refund may be authorized; however, the Town shall, in any case, retain \$50.00 or the total fee amount if less than \$50.00.

SECTION 2. Rules and Regulations

Rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, and location and maintenance of buildings and structures shall conform to the requirements of the UBC as amended from time to time, except for those portions of the UBC which have been modified or amended by local ordinance.

SECTION 3. Office of Community Development Director/Building Inspector

- (a) The Office of Community Development Director/Building Inspector is hereby created and the executive official in charge shall be known as the Community Development Director.
- (b) The Community Development Director/Building Inspector shall be appointed by the Town Council.
- (c) During temporary absence or disability of the Building Inspector, the governing body shall designate an acting Building Inspector.
- (d) The Building Inspector shall be in good health, physically capable of making the necessary examinations and inspections. He/she shall not have any interest whatsoever, directly or indirectly with the sale or manufacture of any material, process, or device entering into or used in or in connection with building, construction, alterations, removal, and demolition.

SECTION 4. Duties of Community Development Director/Building Inspector

- (a) The Community Development Director/Building Inspector shall receive applications required by the construction codes and ordinances of the Town of Corinth, Texas; issue building permits and certificates of occupancy.
- (b) He/she shall examine the premises for which permits have been issued and shall make necessary inspections to see that the provisions of the law are complied with.
- (c) He/she shall enforce all provisions of the construction code, the zoning ordinances, and the subdivision regulations.
- (d) He/she shall, when requested by proper authority, upon complaint, or when the public interest so requires, investigate ostensible violations of codes and ordinances of the Town.
- (e) To enforce compliance with law, to remove illegal or unsafe conditions or to secure the necessary safeguards during construction, he/she shall issue such notices or orders as he/she may deem necessary.
- (f) Inspections required under the provisions of the construction codes shall be made by the Community Development Director/Building Inspector or duly appointed assistants, provided the person who shall make plumbing inspections shall be licensed in accordance with the Plumbing License Law of the State of Texas.
- (g) The Community Development Director/Building Inspector shall keep accurate, comprehensive records of applications, or permits issued, of certificates issued, of inspections made, of reports rendered, and of notices or orders issued.
- (h) The Community Development Director/Building Inspector shall make written reports to the Town Council once each month, or more often if requested, including statements of permits and certificates issued, fees collected and orders promulgated.
- (i) All such records shall be open to public inspection during office hours, but shall not be removed from the office of the Community Development Director/Building Inspector.
- (j) The Community Development Director/Building Inspector shall perform such other duties as the Town Council shall from time to time impose upon the office.

SECTION 5. Liability

Any officer or employee charged with the enforcement of the construction codes or other ordinances, acting for the Town in the discharge of his/her duties, shall not thereby render himself liable personally, 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 his/her duties. any suit brought against any officer or employee because of such act performed by him/her in the enforcement of any provision of the construction codes or other ordinances shall be defended by the attorney for the Town of Corinth, Texas.

SECTION 6. Entry Authority

The Community Development Director/Building Inspector, in the discharge of his/her official duties, and upon proper identification, and with permission of the occupant, shall have the authority to enter any building, structure, or premises at any reasonable hour.

SECTION 7. Board of Construction Appeals

- (a) The Town Council shall constitute the Board of Construction Appeals.
- (b) The Community Development Director/Building Inspector and Town Secretary shall be ex officio, non-voting members of the Board.
- (c) Any person, firm, or corporation aggrieved by any interpretation or by any decision or ruling of the Community Development Director/ Building Inspector under the construction codes or building regulations, shall have the right to make an appeal to the Board of Construction Appeals. Notice of appeal shall be in writing and filed within ninety (90) days. A fee of Ten (\$10.00) Dollars shall accompany such notice of appeal.
- (d) Within a period of thirty (30) days from the filing of the appeal, the Board shall hear the appeal, together with the testimony of all parties concerned, and render a decision thereon within three (3) days thereafter.
- (e) In hearing such an appeal, the Board shall not have the power to waive or set aside the requirements of the construction codes, but shall have the power to interpret its provisions, and in case of alternate types of construction or materials, shall determine whether or not such alternate type of construction or material is, in fact, equal to the standards of the construction codes, considering adequacy, stability, strength, sanitation, and safety to the public health and welfare. The action of the Town Council, sitting as the Board of Construction Appeals shall be final.

SECTION 8. Penalty for Violation

Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be fined a sum not to exceed One Thousand (\$1,000.00) Dollars, and each and every day's continuance of any violation of any provision of this ordinance shall constitute and be deemed a separate offense.

SECTION 9. Severability Clause

If any article, paragraph or subdivision, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so determined to be invalid or unconstitutional.

SECTION 10. Repeal of Ordinances in Conflict

All ordinances, or parts of ordinances, inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 11. Effective Date

WHEREAS, the present ordinances of the Town of Corinth are inadequate to define the office of Community Development Director, and to provide permit fees for the Town of Corinth, Texas, an emergency is created that necessitates that this ordinance take effect immediately upon its passage and approval and publication.

PASSED AND APPROVED THIS 17th DAY OF September, 1987.

Approved:

Shirley Spellerberg
Shirley Spellerberg, Mayor
Town of Corinth

ATTEST: Patricia Chapman, City Secretary

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