

ORDINANCE NO. 97-11-06-28

AN ORDINANCE AMENDING ORDINANCE 86-8-21-19, LAND DEVELOPMENT AND SUBDIVISION REGULATIONS OF THE CITY OF CORINTH, TEXAS; PROVIDING FOR INSPECTION FEES TO BE CHARGED TO CONTRACTORS/DEVELOPERS OPERATING IN THE CITY OF CORINTH; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A PENALTY OR FINE NOT TO EXCEED (\$1,000) ONE THOUSAND DOLLARS FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, it has become necessary for the City to employ personnel qualified to make inspections of utilities, storm drains and streets in each development built in the City; and

WHEREAS, it has become necessary to establish fees to be paid by the contractors/developers to reimburse the City of Corinth for compensation to the inspectors;

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

SECTION I: The Land Development and Subdivision Regulations of the City of Corinth is hereby amended by deleting existing Section 9 - Inspections and substituting new Section 9 - Inspections as follows:

SECTION 9. - INSPECTIONS

9.01 Inspections

- A. A letter of acceptance from the City's inspector will be required prior to the City's acceptance of the project.
- B. Any phase of any project that has been backfilled prior to inspection provided by the City will not be acceptable until the area has been uncovered and reviewed by the City inspector.
- C. Each developer/builder shall notify the City's inspector at least two (2) hours prior to request for inspection.

9.02 Inspection Fees

A. The developer/builder shall be charged an inspection fee in an amount equal to three percent (3%) of the total construction cost of the public utilities, storm drains and streets in each subdivision for inspections conducted during normal working hours, 8:00 A.M. to 5:00 P.M. Monday through Friday.

(1) Prior to approval of construction and acceptance of the public improvements the developer/builder shall file copies of the executed construction contracts with the City Director of Public Works for a determination of the actual amount of fees to be assessed by the City.

B. In the case of urgent necessity and/or in the interest of public safety, public works inspections may be conducted at times other than normal working hours with the prior approval of the Public Works Director.

(1) The developer/builder shall submit a request in the format of Exhibit "A" and reimburse the City in accordance with the overtime fee schedule attached as Exhibit "B" for inspections conducted outside of normal working hours defined in paragraph 9.02A above.

(2) Upon execution of Exhibit "A" and completion of inspection(s) the developer/builder agrees to reimburse the City upon receipt of an invoice.

SECTION II - Repealing all Ordinances in Conflict

All Ordinances of the City of Corinth, Texas, in conflict with the provisions of this Ordinance are repealed and all other Ordinances of the City not in conflict with the provisions of the Ordinance shall remain in full force and effect.

SECTION III - Penalty for Violation

That any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Corinth, Texas, shall be subject to a fine not to exceed the sum of One Thousand (\$1,000) dollars for each offense, and each and every day of such offense.

SECTION IV - Severability Clause

If and section, paragraph, 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 decided to be invalid or unconstitutional.

SECTION V - Providing an Effective Date

This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

PASSED AND APPROVED THIS 6th DAY OF NOVEMBER, 1997



Shirley Spellerberg
Shirley Spellerberg, Mayor
City of Corinth, Texas

ATTEST:

Connie Bell

Connie Bell, City Secretary
City of Corinth, Texas

Approved as to form:

Robert Dillard
City Attorney