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DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)



DEPARTMENT: DEVELOPMENT SERVICES

AGENDA DATE: INTRODUCTION: AUGUST 11, 2009
PUBLIC HEARING: AUGUST 18, 2009

CONTACT PERSON/PHONE: VICTOR Q. TORRES, (915) 541-4557

DISTRICT(S) AFFECTED: ALL

SUBJECT:

An ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) of the El Paso City Code, to provide for revised building permit fees, a non-business hours inspection fee, annual contractor registration requirements and registration fee and a home improvement contractors registration fee; the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.

BACKGROUND / DISCUSSION:

Building permit fees for commercial projects shall be based on the valuation of construction of all repair work, new work and remodeling. The amount of each fee shall be in accordance with the fee schedule established pursuant to budget resolution.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

REQUIRED AUTHORIZATION

LEGAL: (if required) FINANCE: (if required)

DEPARTMENT HEAD: Victor Q. Torres, Development Services Director

OTHER: (Example: if RCA is initiated by Purchasing, client department should sign also) Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

Development Services Department
Victor Q. Torres - Director
2 Civic Center Plaza - 5th Floor - El Paso, Texas 79901 - (915) 541-4622 - Fax (915) 541-4799

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson

CITY MANAGER: _____ DATE: _____



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ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.02 (BUILDING AND CONSTRUCTION ADMINISTRATIVE CODE) OF THE EL PASO CITY CODE, TO PROVIDE FOR REVISED BUILDING PERMIT FEES, A NON-BUSINESS HOURS INSPECTION FEE, ANNUAL CONTRACTOR REGISTRATION REQUIREMENTS AND REGISTRATION FEE AND A HOME IMPROVEMENT CONTRACTORS REGISTRATION FEE; THE PENALTY BEING AS PROVIDED IN SECTION 18.02.107 (VIOLATIONS AND PENALTIES) OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

Section 1. That Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) is hereby amended by adding a new section 18.02.108.6 (Contractors and Licensing) as follows:

Section 18.02.108.6 CONTRACTORS AND LICENSING

A. Contractors' responsibilities. Every person who enters into a contract for or performs the construction, installation, maintenance or repair of buildings, structures, or fire protection, electrical, gas, mechanical or plumbing systems, for which a city building permit is required, and every person making contracts for the performance of such work and/or subletting the same, or any part thereof, (hereafter, "Contractor") shall meet and comply with the requirements of this code and with all other federal and state regulations.

B. Applicability. The provisions of this code shall govern all construction and installations, regardless of the trade areas concerned or of the type or class of permit under which the work is performed.

C. City registration fee. Every Contractor shall register with the *building official* and provide the proof of bond and insurance as required in this code. The application shall be filled with a registration fee that shall be in an amount pursuant to the current budget resolution or such other resolution approved by the City Council. Each Contractor shall provide a copy of the assumed name registration, if applicable.

Section 2. That Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) is amended by adding a new Section 18.02.109.1.1.5 (Non-business hours inspection requests) as follows:

Section 18.02.109.1.1.5 Non-business hours inspection fee. Inspections requested for weekends, holidays, or other times outside regular business hours of the Development Services Department shall be subject to prior approval of the building official and shall be subject to additional fees in accordance with the fee schedule established pursuant to budget resolution or such other resolution approved by the City Council.

Section 3. That Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) Section 18.02.109.1.6 (Home improvement contractor license) is hereby amended by as follows:

Section 18.02.109.1.6 Home improvement contractor registration and fee.

Home improvement contractors shall file an annual registration application with the Development Services Department to be eligible to apply for and obtain permits. The application shall be filled with a registration fee that shall be in an amount pursuant to the current budget resolution or such other resolution approved by the City Council.

Section 4. That Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) Section 18.02.109.2 (Building permit fees) Subsection C (Building Permit Fee Schedule for Other Than R3 or R4 Occupancies) is hereby amended as follows:

18.02.109.2.C. Building Permit Fee Schedule for Other Than R3 or R4 Occupancies.

Building permit fees for building other than R3 or R4 occupancies shall be based on the following valuation categories of construction of all repair work, new work and remodeling. The amount of each fee shall be in accordance with the fee schedule established pursuant to budget resolution or such other resolution approved by the City Council.

1. All work with a valuation over five hundred dollars and less than two thousand dollars.
2. All work with a valuation from two thousand dollars and including fifteen thousand dollars.
3. All work with a valuation over fifteen thousand dollars up to and including twenty five thousand dollars.
4. All work with a valuation over twenty five thousand dollars up to and including fifty thousand dollars.

5. All work with a valuation over fifty thousand dollars up to and including one hundred thousand dollars.
6. All work with a valuation over one hundred thousand dollars up to and including two hundred fifty thousand dollars.
7. All work with a valuation over two hundred fifty thousand dollars up to and including five hundred thousand dollars.
8. All work with a valuation over five hundred thousand dollars up to and including one million dollars.
9. All work with a valuation over one million dollars.

Section 5. Except as expressly herein amended, Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) of the El Paso City Code, shall remain in full force and effect.

Section 6. This ordinance shall take effect on September 1, 2009.

PASSED AND APPROVED THIS _____ OF _____, 2009.

The City of El Paso

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:



Mark Shoosmith, Assistant City Attorney

APPROVED AS TO CONTENT:



Victor Q. Torres, Director

Development Services Department