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**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: City Development Department

AGENDA DATE: Introduction: October 22, 2013
Public Hearing: October 29, 2013

CONTACT PERSON NAME AND PHONE NUMBER: Victor
Morrison-Vega, (915) 541-4556

DISTRICT(S) AFFECTED: All

SUBJECT:

An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.106 (Permit Fees), Subsection 18.02.106.28 (Starting work without a permit, of the El Paso City Code, to increase the amount of the permit fee for starting work without a permit on commercial property, to establish a permit fee for contractors starting work on residential property without a permit and to establish a permit fee for homeowners starting work on their own residential property without a permit, the Penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.

BACKGROUND / DISCUSSION:

Starting work without a permit has historically been a violation of the City Code. At a City Council meeting dated August 20, 2013, the council requested that we differentiate and separate the penalty fee for homeowners from contractors who should be more familiar with Municipal codes because of their registry with the city to perform work. This amendment identifies penalties for commercial construction work, residential construction work and homeowners performing work on their respective homes.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

Mayor
Oscar Leeser

City Council

District 1
Ann Morgan Lilly

District 2
Larry Romero

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Lily Limón

District 8
Cortney C. Niland

City Manager
Joyce A. Wilson

City Development Department
222 S. Campbell | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 541-
4622

EL PASO.IT'SALLGOOD.

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD: _____

(If Department Head Summary Form is initiated by Purchasing,
client department should sign also)

Information copy to appropriate Deputy City Manager

City Development Department
222 S. Campbell | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 541-
4622

EL PASO. IT'S ALL GOOD.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.02 (BUILDING AND CONSTRUCTION ADMINISTRATIVE CODE), SECTION 18.02.106 (PERMIT FEES), SUBSECTION 18.02.106.28 (STARTING WORK WITHOUT A PERMIT, OF THE EL PASO CITY CODE, TO INCREASE THE AMOUNT OF THE PERMIT FEE FOR STARTING WORK WITHOUT A PERMIT ON COMMERCIAL PROPERTY, TO ESTABLISH A PERMIT FEE FOR CONTRACTORS STARTING WORK ON RESIDENTIAL PROPERTY WITHOUT A PERMIT AND TO ESTABLISH A PERMIT FEE FOR HOMEOWNERS STARTING WORK ON THEIR OWN RESIDENTIAL PROPERTY WITHOUT A PERMIT, THE PENALTY BEING AS PROVIDED IN SECTION 18.02.107 (VIOLATIONS AND PENALTIES) OF THE EL PASO CITY CODE.

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

Section 1. That Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.106 (Permit Fees), Subsection 18.02.106.28 (Starting work without a permit), of the El Paso City Code, is hereby amended to read as follows:

18.02.106.28 Starting work without a permit – commercial.

Any person who commences any work on a commercial building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits or written authorization from the building official shall be required to obtain a permit at 300% of the established permit fee. The payment of such permit fee shall not relieve such person from concurrent or later prosecution for violation of this Code or the technical codes.

Section 2. That Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.106 (Permit Fees), of the El Paso City Code, is hereby amended to add the following section:

18.02.106.29 Contractor starting work without a permit – residential.

Any contractor who commences any work on a residential building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits or written authorization from the building official shall be required to obtain a permit at 300% of the established permit fee. The payment of such permit fee shall not relieve such person from concurrent or later prosecution for violation of this Code or the technical codes.

Section 3. That Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.106 (Permit Fees), of the El Paso City Code, is hereby amended to add the following section:

18.02.106.30 Homeowner starting work without a permit –residential.

Any homeowner who commences any work on his own residential building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits or written authorization from the building official shall be required to obtain a permit at 200% of the established permit fee. The payment of such permit fee shall not relieve such person from concurrent or later prosecution for violation of this Code or the technical codes.

Section 4. Except as herein provided, Title 18 (Building and Construction) shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2013.

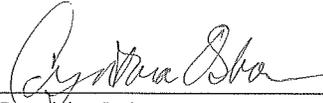
THE CITY OF EL PASO

Oscar Leecer
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:



Mathew McElroy, Director
City Development Department