

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.02 (BUILDING AND CONSTRUCTION ADMINISTRATIVE CODE) SECTION 18.02.108.5.1 (BOND REQUIRED), OF THE EL PASO CITY CODE, TO ALLOW FOR ADDITIONAL EXCEPTIONS TO THE \$50,000.00 BOND REQUIREMENT, 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 18.02 (Building and Construction Administrative Code), Section 18.02.108.5.1 (Bond required), of the El Paso City Code be deleted in its entirety and replaced with the following:

18.02.108.5.1 Bond required. It shall be the duty of every contractor, owner, firm, partnership, corporation, builder who shall make contracts to construct, install, maintain or repair buildings, structures or systems for which a permit is required, and every contractor, owner, or builder making such contracts and subletting the same, or any part thereof, to have on file with the City, a bond in the sum of fifty thousand dollars (\$50,000) executed in a form prescribed and approved by the city attorney. This section shall apply to plumbing, mechanical, electrical, irrigation and fire contractors acting as general contractors, whether or not state law requires a bond for their particular discipline.

Exceptions:

1. The following type of work shall require a bond in the sum of \$10,000 executed in the form prescribed and approved by the city attorney:
 - a. Irrigation installations
 - b. Site Lighting and Landscape installations
 - c. Temporary structure placement
 - d. Mobile Placement Permits
 - e. Temporary sign placements
 - f. Tents in excess of 200 square feet
 - g. Fences
 - h. Patch & Paint permits

However, the building official shall have the authority to require a bond in the amount of \$50,000 if the subject work exceeds \$10,000 in valuation.

2. The following type of work shall not require a bond:
 - a. Residential property owners doing all the construction work or who will be hiring workers without employing a licensed contractor to perform the

construction work on the residence they claim as their homestead.

b. Federal, state, county and city agencies and departments performing building work on their facilities and using only their employees to perform the construction work.

c. Commercial building and facilities owners, agents or lessees requesting permits for change of occupancy permits or minor nonstructural remodeling work which does not affect means of egress, such as non-load bearing partitions within tenant spaces and whose cost does not exceed five thousand dollars.

Section 2. Except as herein provided, Title 18 (Building and Construction) shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2011.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:



R. Alan Shubert, P.E.
City Engineer