

ORDINANCE NO. 1212

AN ORDINANCE OF THE CITY OF CLEVELAND, TEXAS AMENDING CHAPTER 26, "BUILDING AND BUILDING REGULATIONS," OF THE CITY OF CLEVELAND CODE OF ORDINANCES BY AMENDING THE FEE SCHEDULE FOR BUILDING PERMITS, INCLUDING FENCE PERMITS; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, the City Council finds that the amended fees are based on the approximate amount of time reasonably necessary to cover the costs of regulation for each category or sub-category of permit, to the extent such data is readily available; and

WHEREAS, the City Council further finds that fees should be waived for certain categories of repairs or other work requiring a permit that promotes the health, safety and welfare of the general public;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEVELAND, TEXAS

Section 1. Section 26-3, "Permit fees," of Chapter 26, "Buildings and Building Regulations," of the City of Cleveland Code of Ordinances is amended to read as follows.

"Sec. 26-3. - Permit fees.

(a) *Building permits.* Building permits shall be issued by the building official and the fees shall be as follows:

Effective 2/19/20	
Sign permit	\$75.00
Fence permit	\$75.00
Driveway permit	\$75.00
Residential water heater replacement permit	\$10
Issuing fee for any building permit other than a sign, fence, or driveway permit)	\$75.00
In addition, the following fees will be charged for commercial construction and remodels, including roof repair or replacement:	

Up to \$1,000.00	\$50.00
\$1,001.00 to \$50,000.00	\$50.00 plus \$5.25 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$307.25 for the first \$50,001.00 plus \$4.50 for each additional thousand or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$532.25 for the first \$100,001.00 plus \$3.25 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,001.00 and up	\$2,364.50 for the first \$500,001.00 plus \$2.75 for each additional thousand or fraction thereof.
Commercial - Demolition permit	\$45.00
Commercial Plan Checking Fee	equal to 50 percent of the building permit fee will be charged for plan checking of commercial construction. The building official may cause the blueprints and drawings to be reviewed by a third party at the applicant's expense.
Commercial Certificate of occupancy inspection	\$75.00
In addition, the following fees will be charged for residential construction and remodels (for one- and two-family dwellings only):	
Residential New Construction	\$0.55 per square foot
Residential Remodel	a) \$250 for remodels involving less than 50% of the total square footage of the house, provided no walls are being added or removed; b) \$0.55 per square foot for remodels adding square footage; or c) \$500 for all other remodels.
Residential Plan Review Fee	\$285
Residential Accessory Buildings – new construction or remodel	\$35
Residential – Plumbing Permit	\$130 for remodels involving less than 50% of the total square footage of the house, \$200 for all other remodels and new construction, \$45 for irrigation system only
Residential – Electrical Permit	\$130
Residential – Mechanical Permit	\$130
Residential – Roofing Permit	\$10
Residential - Demolition Permit	\$35.00
Residential - Certificate of occupancy inspection for change of occupancy classification	\$60.00

In addition, the following miscellaneous fees will be charged if applicable (issuing fee does not apply to the following fees):	
Moving permit	\$100.00 (\$60.00 for portable buildings)
Reinspection fee for each callback	\$50.00 for 1st two reinspections, \$85.00 for each additional reinspection
Customer service inspection (commercial)	\$75.00
Customer service inspection (residential)	\$60.00
Temporary certificate of occupancy inspection	\$80.00
Temporary pole inspections	\$35.00
Fuel gas test or inspection	\$60.00
All other activities required to obtain a permit by the adopted construction codes of the City shall be charged at the following rate: \$200	


- (b) *Fire protection system permits.* Fire protection system permits shall be issued by the fire chief and the fees shall be calculated in the same manner fees are calculated for building permits.
- (c) *Fee for work commencing before permit issuance.* In the event that work requiring a permit is started prior to obtaining the required permit, the fee and charges established by this section shall be two times the stated fee or charge.
- (d) *Reference to job cost in residential code.* Notwithstanding any other provision to the contrary, any reference to information regarding job cost or building valuation in the International Residential Code, as adopted and amended by the City, shall be satisfied by providing information on the square footage of roof covered floor space for a particular job.
- (e) *No fee for shut-off valve installation.* Notwithstanding any other provision to the contrary, there shall be no permit fee for installation of a water system shut-off valve.
- (f) *Waiver of certain fees for demolition or repair.* Notwithstanding any other provision to the contrary, the City Manager is hereby authorized and directed to waive permit fees upon a showing by the permit applicant of the any of the following situations, provided the work complies with all other City Code requirements:
 - (1) flood or wind damage repair caused by a storm for which Council has previously declared a disaster, regardless of whether the disaster declaration is still in force;
 - (2) demolition of a structure that has received a citation or notice of hearing due to the presence of a dangerous or substandard structure; or
 - (3) demolition, repair or replacement of a structure damaged by fire.

Section 2. Section 26-517, "Permit to Construct Required," of the City Code is hereby deleted in its entirety.

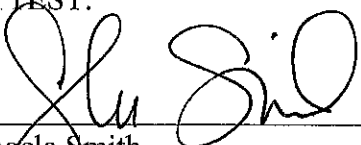
Section 3. Severability. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Cleveland, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. Repeal. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

PASSED, APPROVED and ADOPTED this, the 18th day of Feb, 2020.


Otis Cohn
Mayor *MAYOR PRO TEM*

ATTEST:



Angela Smith
City Secretary