



## **ORDINANCE 2008-02**

**AN ORDINANCE OF THE CITY OF TOM BEAN, TEXAS AMENDING THE BUILDING CODE FEES FOR RESIDENTIAL AND COMMERCIAL BUILDING PERMITS; ESTABLISHING A PERMIT APPLICATION; ESTABLISHING A SWIMMING POOL CLAUSE; CONTAINING A REPEALER CLAUSE AND TO REPLACE ALL PREVIOUS ORDINANCES COVERING FEES FOR BUILDING.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOM BEAN, TEXAS AS FOLLOWS:**

**Section 1:** The City of Tom Bean hereby adopts the following permit fees for residential and commercial construction, remodeling, alterations, repairs, and inspection fees.

**Section 2: PERMIT FEES:**

A. Permits are required for the following construction:

1. All concrete drives, walks, parking lots, etc.
2. Drainage and storm sewers.
3. All on site constructed structures.
4. All pre-assembled buildings and fences
5. All fences, above or below ground swimming pools, portable buildings, etc.
6. All new or remodel construction if structural, plumbing or electrical work is involved.
7. Signs larger than a real estate yard sign.

B. All applications shall include:

1. Plot plan - lot with present and/or building to be constructed.
2. Plans and specifications that include materials to be used in foundation, walls, roofs, etc.
3. Estimated value/cost
4. Legal description of property and street address
5. Any known deed restrictions.
6. All parameter fencing and buildings regardless of size-for easements, property lines, utility lines, etc.

C. City Inspector will have two full working days to issue permit on residential buildings. Additional time may be required on commercial buildings.

D. Inspector must have 24-hour notice to make inspections after City hall is notified of inspections needed.

- E. All portable buildings must be tied down regardless of size.
- F Construction or building without a permit is subject to a fine.
- G. The building inspector may appoint an alternate or assistant when deemed necessary.
- H. Construction dumpsters are available from an approved provider and must be ordered through City Hall.
- I. Permits for roof replacement are not required, but available if requested by citizens to have roof inspected by a City Inspector.
- J. Builders and contractors must provide port-a-potty facilities at their construction site for workers to use if facilities are not available.

### **INSPECTIONS REQUIRED**

1. Property stakes and building stakes in place.
2. Temporary Power Pole
3. Plumbing rough in, including taps.
4. Electrical rough in (if underground or in foundation)
5. Ready for concrete (all slabs, walks, drives, etc.)
6. Mechanical (AC drainage duct work - min. 2 ft decking required)
7. Wafer board - if diagonal supports are not used
8. Framing when walls and roof are in place before finished exterior and interior walls are in place, to include all tie if brick.
9. Plumbing top out.
10. Electrical rough in (No "NM" wire or .14 ga. shall be used)
11. Plumbing complete.
12. Electrical complete.
13. Completed grading, walks and other site completion.
14. All fences and buildings regardless of size to check for easements, property lines, etc.
15. Customer Service Inspection
16. NEW CONSTRUCTION MUST BE COMPLETED AND FINAL INSPECTION PASSED PRIOR TO OCCUPANCY OF BUILDING.

### **ZONING REQUIREMENTS**

Minimum lot requirements:	7700 square feet *width: 70 feet *depth: 110 feet
Minimum front yard:	25 feet (residential)
Minimum rear yard:	10 feet (residential)
Minimum side yard:	10 feet (residential) 25 feet on corner lot on street side.
Minimum dwelling size:	900 square feet
Maximum lot coverage main building:	35% with accessory 45%

\*Refer to Section 8 of City Subdivision Ordinance

**Table 1-A Building Permit Fees**

One time inspections (including electrical, plumbing, gas, etc)	\$80.00
\$1.00 to \$10,000.00	\$153.84
\$10,001 to \$25,000.00	\$199.38 for the first \$10,000.00 plus \$15.40 for each additional \$1,000.00, or fraction thereof, to and including
\$25,001.00 to \$50,000.00	\$430.38 for the first \$25,000.00 plus \$11.11 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$708.13 for the first \$50,000.00 plus \$7.70 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1,093.13 for the first \$100,000.00 plus \$6.16 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,557.13 for the first \$500,000.00 plus \$5.23 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$6,172.13 for the first \$1,000,000.00 plus \$3.47 for each additional \$1,000.00 or fraction thereof
Swimming pools – above ground and In ground	\$153.84
Single inspections (plumbing, electrical, roof decking, pre-pour concrete)	\$80.00
Fences, portable buildings, inflatable pools	\$35.00

**Building Permit Valuation**

The building permit fee charged to build a new building, to add on to an existing building, to remodel or to alter an existing building shall be based on the declared valuation of the proposed work. For one- and two-family dwellings only, the value of \$60.00 per square foot of total area under roof shall be used to determine the valuation for the purpose of computing permit fees in accordance with Table 1-A. The Building Official may require the applicant to verify the declared value. The building permit fee shall be calculated based upon figures from Table 1-A.

### **Additional Fees and Information**

1. Permits for accessory and portable buildings which have electrical, plumbing and or concrete will be charged according to schedule of fees shown on Table 1-A.
2. Failed inspections which require re-inspection will be done at no charge.
3. Twenty-four (24) hour notice of inspection need is required.
4. Inspections called in on Fridays will be completed on the following Monday.
5. Persons needing inspections should contact the inspection company, Bureau Veritas during regular business at 1-877-837-8775.

All outstanding permit fees must be paid prior to issuance of certificate of occupancy

#### **MOVING FEE**

For the moving of any building or structure, the fee shall be \$100.00.

#### **DEMOLITION FEE**

For the demolition of any building or structure, the fee shall be: \$.50 per 1,000 cu ft.

#### **PENALTIES**

Where work for which a permit is required by this Code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

### **SWIMMING POOLS** **CITY OF TOM BEAN**

The National Electrical Code and the Southern Building code which the City of Tom Bean has adopted, include the following items:

#### **Electrical**

No Extension cords.

No receptacle shall be located within 10 feet of the pool wall.

Outside receptacles shall be ground fault circuit interrupter breaker.

All switching devices shall be at least 5 feet from the pool walls.

All underground wiring shall be in conduit.

Rigid metal conduit shall be buried at least 6".

All rigid nonmetallic (PVC or Poly) conduits shall be buried at least 18 inches.

#### **Pool and Hot Tub Enclosures over 24 inches Deep**

All outdoor pools or hot tubs shall be enclosed by a barrier of at least 48 inches with self-closing and self-latching pedestrian gates, which open away from the pool. If the house or a building serves as a part of the barrier, all doors opening into the pool area shall be equipped with a special alarm.

## **Plumbing**

All drain and backwash lines shall be either plumbed into the sewer or directed into the sewer by means of a flexible hose when in use. No draining or backwashing is allowed in yards or streets. All filling devices shall be kept properly guarded and must be equipped with back flow protection.

## **SWIMMING POOL CONSTRUCTION HIGHLIGHTS**

### **Permits**

Plot plans showing property lines, easements, overhead utilities, existing structures, fences and other relevant characteristics adjacent to the pool area, include dimensions in all areas.

### **Filter Waste Discharge Piping**

Connection to drainage system is to be made through an air gap or other approved methods into the sanitary sewer. 3 inch P-trap shall be installed on the lower terminus of the building drain and the tailpiece from the trap shall extend a minimum of 3 inches above the finished grade. The connection between the filter waste discharge piping and the P-trap shall be made by means of an indirect connection. Item 308.2.

### **Water Supply**

No over the rim fill spout shall be accepted and all must have an air gap. Item 307 & TNRCC rules.

### **Enclosure**

All outdoor swimming pools shall be provided with a barrier complying with items 315.2.1.1 & 315.2.1.10. The top of the barrier shall be at least 48 inches above grade, measured on the side, which faces away from the pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches. Where the top of the pool structure is above grade the barrier may be at ground level or mounted on top of the pool structure. Openings in the barrier shall not allow passage of a 4-inch diameter sphere, Item 315.2.1.1. Where a wall of the dwelling serves as part of the barrier, all doors with direct access to the pool area shall be equipped with an alarm that produces sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout the house. The alarm shall automatically reset. Deactivation switch shall be a minimum of 54 inches above the threshold of the door. Item 315.2.1.0. Where an above ground pool structure and means of access is by a ladder or steps, then the ladder or steps shall be capable of being secured, locked or removed to prevent access or the ladder or steps shall be surrounded by a barrier which meets the requirements of 315.2.1.1 through 315.2.1.9 and 315.2.1.10.

### **Location**

Pools shall not be located closer than 10 feet from buildings, especially the main building or residence. There shall be a minimum of 10 feet between the pool and property lines. No pools will be permitted under overhead wiring and only under special conditions shall a pool be placed over underground utilities.

### **Inspections**

Plot inspection, all underground plumbing and electrical prior to covering and upon completion of project.

### **Electrical**

All electrical outlets within 10 feet of the pool as well as the pump motor shall be ground fault protection type device. Underground electric wires in rigid conduit shall be buried a minimum of 12 inches, PVC and all other shall be buried a minimum of 18 inches.

## **FENCES IN RESIDENTIAL AREAS**

1. Know your property, check surveys stakes or have your property surveyed. Check your access routes.
2. Check with City Hall:
  - a. Fences or obstructions shall not be over 30 inches in height on a corner lot within 25 feet of a corner.
  - b. Fences shall not be placed over a utility easement. Fences placed over easements are subject to removal for repair. Replacement of the fence will be the responsibility of the property owner.
  - c. Utility meters shall not be fenced in without checking with utility companies.
3. Check deed restrictions as to type of fence allowed.
4. Check with neighbors prior to installing fence on property line.
5. Contact the building inspector at the City office for any questions

## **SIGNS**

1. Small permanent signs not requiring electrical will be charged as follows:  
Permit Fee \$10.00  
Site Inspection \$30.00  
Final Inspection \$30.00
2. Political or real estate signs are considered non-permanent signs. These signs do not require any type of permit.
3. All other sign's refer to sign Ordinance.

**Section 3:** If any section, subsection, paragraph, sentence, clause, phrase, or word in the Ordinance, or application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity.

**Section 4:** This Ordinance shall not be construed so as to conflict with any superior law, including but not limited to the laws and statutes of the State of Texas and laws and statutes of the United States.

**Section 5:** All Ordinances, parts of Ordinances, Resolutions, or policies of the City of Tom Bean in conflict, or to come in conflict with this Ordinance are expressly repealed to the extent of such conflict.

**Section 6:** That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required.

**PASSED AND APPROVED BY THE CITY COUNCIL OF TOM BEAN, TEXAS THIS 11<sup>TH</sup> DAY OF FEBRUARY, 2008.**

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**Mayor, Sherry Howard**

**Attest:**

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**City Secretary, Cathy Pugh**