

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, AMENDING ORDINANCE NO. 16-12-102, EXHIBIT A (ADOPTING THE 2015 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE); MODIFYING SECTION R108.2 PERMIT, INSPECTION AND MISCELLANEOUS CONSOLIDATED FEE SCHEDULE OF THE 2015 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas (“City Council”) has investigated and determined that it would be advantageous, beneficial and in the best interest of the citizens of the City of Frisco, Texas (“Frisco”) to amend Ordinance No. 16-12-102, Exhibit A (Adopting the 2015 Edition of the International Residential Code), as set forth below.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: State Law Change and New Fee Methodology. On May 21, 2019, Governor Abbott signed into law H.B. No. 852 that amends Section 214.907, Texas Local Government Code. The new law prohibits a city from determining the amount of a building permit or inspection fee in connection with the construction or improvement of a residential unit by considering the value of the dwelling or the cost of constructing or improving the dwelling. In response, Frisco has evaluated the cost of providing city services related to building permits and inspections fees in connection with the construction or improvement of a residential dwelling in Frisco, including, city planning, building permit plan review, building inspection, and responses for services directly related to residential development. Based on this evaluation, Frisco has determined that it should amend Ordinance No. 16-12-102 to establish building permit or inspection fees based on the evaluation and not on the value of the dwelling or the cost of construction or improving the dwelling and the amended fees are more particularly described below.

SECTION 3: Amendment to Ordinance No. 16-12-102, Exhibit A (Adopting the 2015 Edition of the International Residential Code). Ordinance No. 16-12-102, Exhibit A (Adopting the 2015 Edition of the International Residential Code) is hereby amended as set forth below:

“... ”

Chapter 1. Scope and Administration of the 2015 International Residential Code is amended as follows:

Section R108 Fees of the 2015 International Residential Code is amended as follows:

R108.2 Permit, Inspection and Miscellaneous Consolidated Fee Schedule.
[Paragraph remains unchanged.]

PERMIT, INSPECTION AND MISCELLANEOUS CONSOLIDATED FEE SCHEDULE

...

[Delete Table I-A in its entirety]

...

New Construction and Addition - Square feet are measured as gross.	
1 to 1999 Square Feet	\$150 for the first 300 SQFT plus \$0.50 for each additional 1SQFT, or fraction thereof, to and including 1999 SQFT.
2000 to 2499 Square Feet	\$1000 for the first 2000 SQFT plus \$0.37 for each additional 1SQFT, or fraction thereof, to and including 2499 SQFT.
2500 to 2999 Square Feet	\$1,185 for the first 2500 SQFT plus \$0.35 for each additional 1SQFT, or fraction thereof, to and including 2999 SQFT.
3000 to 3499 Square Feet	\$1,360 for the first 3000 SQFT plus \$0.34 for each additional 1SQFT, or fraction thereof, to and including 3499 SQFT.
3500 to 3999 Square Feet	\$1,530 for the first 3500 SQFT plus \$0.33 for each additional 1SQFT, or fraction thereof, to and including 3999 SQFT.
4000 to 4499 Square Feet	\$1,695 for the first 4000 SQFT plus \$0.32 for each additional 1SQFT, or fraction thereof, to and including 4499 SQFT.
4500 to 4999 Square Feet	\$1,855 for the first 4500 SQFT plus \$0.31 for each additional 1SQFT, or fraction thereof, to and including 4999 SQFT.
5000 to 5499 Square Feet	\$2,010 for the first 5000 SQFT plus \$0.30 for each additional 1SQFT, or fraction thereof, to and including 5499 SQFT.
5500 to 5999 Square Feet	\$2,160 for the first 5500 SQFT plus \$0.29 for each additional 1SQFT, or fraction thereof, to and including 5999 SQFT.
6000 to 6499 Square Feet	\$2,305 for the first 6000 SQFT plus \$0.29 for each additional 1SQFT, or fraction thereof, to and including 6499 SQFT.
6500 to 6999 Square Feet	\$2,450 for the first 6500 SQFT plus \$0.28 for each additional 1SQFT, or fraction thereof, to and including 6999 SQFT.
7000 and above	\$2,590 for the first 7000 SQFT plus \$0.26 for each additional 1SQFT or fraction thereof.
Inspection outside of normal business hours	\$150.00
Alterations	
General Alterations	\$75 plus \$0.45 for each 1SQFT gross area, or fraction thereof, to a maximum of \$550
Windows / Doors Replacement	\$75 plus \$25 for each additional element to a maximum of \$150
Foundation Repair	\$75
Storm Shelter	\$75
Alteration of Structural	\$75
Exterior Veneer	\$150
Outdoor Improvements	
Patio Cover	\$75 plus \$0.59 for each 1SQFT gross area, or fraction thereof, to a maximum of \$550
Arbor	\$75 plus \$0.59 for each 1SQFT gross area, or fraction thereof, to a maximum of \$550
Deck	\$75 plus \$0.59 for each 1SQFT gross area, or fraction thereof, to a maximum of \$550
Conventionally Framed Shed	\$75 plus \$0.59 for each 1SQFT gross area, or fraction thereof, to a maximum of \$550
Outdoor Amenity	\$75 plus \$25 for each additional element to a maximum of \$150
Fireplace, Kitchen other...	
Concrete Driveway / Pad	\$75
Structural Landscape Features	\$50
Modular Shed	\$50
Solar Installations	\$75

...”

SECTION 3: Savings/Repealing. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 4: Penalty. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined

a sum not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00), and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 5: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 7: Effective Date. This Ordinance shall become effective upon its passage and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this _____ day of _____, 2019.

Mayor Jeff Cheney

**ATTESTED AND CORRECTLY
RECORDED:**

APPROVED AS TO FORM:

Kristi Morrow, City Secretary

Abernathy, Roeder, Boyd & Hullett, P.C.
Ryan D. Pittman, City Attorneys

Dates of Publication: _____, *Frisco Enterprise*

City Council Meeting held Tuesday, June 4th, 2019 (passed and approved by the Council.)