

City of Caney City
ORDINANCE NO. 2018-04
Building Permits

AN ORDINANCE OF THE CITY OF CANEY CITY ESTABLISHING WHEN A BUILDING PERMIT IS REQUIRED, THE BUILDING PERMIT PROCESS, AND PROVIDING FOR A BUILDING PERMIT FEE.

WHEREAS, it is the purpose and intent of the City Council in enacting this ordinance that the process and fees herein established have been made for the purpose of promoting health, safety and the general welfare of the City. They have been made with reasonable consideration of the zoning regulations; and with the goal of ensuring that building permits are consistent with Zoning Ordinance No. 2016-02 which establishes zoning districts, general regulations, and permitted uses.

NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CANEY CITY, TEXAS:

01.01 AUTHORIZATION

The Mayor of the City of Caney City, Texas, or his designee, is hereby authorized to implement the provisions of this ordinance, 2018-04, known as the Ordinance for Building Permits, for Caney City, Henderson County, Texas.

01.02 DEFINITIONS

Accessory Structures Commercial – see Ordinance No. 2016-02

Accessory Structures Residential – see Ordinance No. 2016-02

Manufactured Home – see Ordinance No. 2016-02

Industrialized Housing – see Ordinance No. 2016-02

Modular Housing – see Ordinance No. 2016-02

01.03 GENERAL REGULATIONS-BUILDING PERMITS

All requests for building permits will be considered and approved or denied by the City Council. The City Council will utilize as its guide Zoning Ordinance, 2016-02 to determine if the permit request complies with the City Zoning Requirements.

- A. A permit, approved by the City Council, is required, prior to the performance of work of any kind, related to external construction/conversion/alteration/ additions, or placement of single family residential dwellings in the ***R-1 through R-5 Residential Districts***. These Residential Districts are defined in Zoning Ordinance 2016-02.
 - Work that is completely interior to a single family residential dwelling does not require a building permit. Examples include but are not limited to: cabinet replacement, interior wall demolition or restructuring, bathroom interior remodeling, interior flooring replacement.

- B. The following Accessory Structures-Residential, require a permit. ***All Accessory Structures must be used in connection with the use of the main building located upon the same lot or parcel of land.*** See Ordinance 2016-02.
 - 1. Site built guest structures and/or non-portable guest structures meeting the definition in Ordinance 2016-02 as having a minimum of 400 square feet of air-conditioned floor space.
 - 2. Motor homes, travel trailers and camping trailers intended to be towed behind a vehicle or self-propelled, where the unit is not hooked up to a sewer system and is not permanently attached to water or electric and the duration of occupancy is temporary but

expected to exceed 30 days. ***Such structures shall not be used on any lot or parcel at any time as a permanent residence in accordance with Ordinance 2016-02.***

3. The following other structures meeting the definition of Accessory Structures-Residential in Zoning Ordinance 2016-02, if such structures exceed 200 square feet of space including porch areas. This includes but is not limited to:

1. Garages
2. Storage buildings
3. Stables
4. Hay storage structures
5. Barns,
6. Equipment sheds
7. Well houses,
8. Pet or play structures
9. Add on construction such as enclosed porches and rooms

C. Fences do not require a permit for construction or installation but must be originally constructed of new materials including stone, wood, metal and masonry in accordance with the definition of Accessory Structures-Residential found in Zoning Ordinance 2016-02.

- Fences which are not constructed of new materials, may be found to be in violation and the City of Caney City may take actions set forth in Zoning Ordinance, 2016-02.

D. A permit approved by the City Council is required prior to the performance of work of any kind related to external construction/conversion/alteration/additions of/to a structure or land in the ***C-1 or C-2 Commercial Districts*** as defined in the Zoning Ordinance, 2016-02.

- Work that is completely interior to a commercial dwelling does not require a building permit. Examples include but are not limited to: alteration of interior floor plans, interior wall

demolition or restructuring, bathroom interior remodeling, interior flooring replacement.

- There shall be minimum setbacks for all properties and associated driveways that abut or have access to state roadways. Such setbacks shall be determined in coordination with the Texas Department of Transportation (TxDOT) and will be based on current plans and plats, utility easements, other state regulations and future TxDOT expansion plans.

E. The following Accessory Structures – Commercial, customarily used in connection with the use of the main building located on the same lot or parcel of land, require a permit if such structures exceed 200 square feet including porch areas. This includes but is not limited to:

1. Buildings designed for off-street parking
2. Garages
3. Storage buildings
4. Equipment sheds

F. A permit, approved by the City Council, is required, prior to the performance of work of any kind, for the use, construction, conversion or structural alteration of a structure or land in the **Special Use District** as defined in the Zoning Ordinance, 2016-02.

G. A permit, approved by the City Council, is required prior to the placement, conversion or structural alteration, movement for any distance, or replacement of any **manufactured home**.

- Accessory Structures related to a manufactured home are subject to the same requirements as Section 01.03 A. B. and C. of this ordinance.

- H. A permit, approved by the City Council, is required prior to the placement, conversion, structural alteration, or replacement of all industrialized and modular homes.
- Accessory Structures related to an industrialized or modular home are subject to the same requirements as Section 01.03 A. B. and C. of this ordinance.
- I. A permit, approved by the City Council, is required prior to the enlargement, reconstruction, or alteration in any way of a ***nonconforming use*** which is defined in Zoning Ordinance 2016-02.
- J. A permit, approved by the City Council, is required prior to the demolition of any structure in any zoning district of the City.
- K. Uses not specifically identified in Zoning Ordinance 2016-02 may be issued a special permit approved by the City Council, provided the requirements in Zoning Ordinance 2016-02 are met, the Council determines that said uses are compatible with existing and permitted uses, and the Council determines there is not a negative impact to the health, safety and welfare of the City or its citizens.

01.04 APPLICATION FOR BUILDING PERMIT

- A. A Building Permit Request, or Application for Manufactured Home Permit, may be obtained from the City Secretary and must be completed and returned to the City Secretary.
- B. In order for the request to be considered at the next regularly scheduled Council Meeting, it must be submitted to the City Secretary at least two weeks prior to the meeting.

- C. Requests not received within the specified timeframe, or which do not have the required information, or where there are questions related to the information provided may delay consideration by the City Council.
- D. As part of the permitting process, the following types of information will be requested. The City Council may request additional information as deemed necessary to ensure a full review of the request. Such additional requests may delay final Council approval until a future meeting.
- For ***non-manufactured homes***, one copy (to remain with the City) of professionally drawn Architectural ***plans and drawings*** which include the following:
 - type of construction
 - construction methods
 - floor plan
 - roofing plan
 - foundation plan
 - size
 - front, rear and side elevations
 - site plan showing placement of structure and including the location of water, sewer and Tarrant Regional Water District (TRWD) setbacks, if applicable
 - For ***manufactured homes***, information, plans ***and/or drawings*** (to remain with the City) from the manufacturer and/or supplier which include the following:
 - type of construction
 - floor plan
 - roofing plan
 - foundation plan
 - size
 - HUD certification
 - under skirting construction

- front, rear and side elevations
 - site plan showing placement of structure and including the location of water, sewer and Tarrant Regional Water District (TRWD) setbacks, if applicable
- For **Accessory Structures**, architectural plans and drawings and/or information from the manufacturer and/or supplier (to remain with the City) showing sufficient detail regarding
 - type of construction
 - floor plan
 - roofing plan
 - foundation plan
 - size
 - roofing plan
 - front, rear and side elevations
 - site plan showing placement of structure and including the location of water, sewer and Tarrant Regional Water District (TRWD) setbacks, if applicable
- Septic System details including approval by the appropriate authorities such as Henderson County and/or Tarrant Regional Water District
 - Water supply description and how supplied
 - Size and dimensions
 - Foundation Type
 - % Masonry Exterior
 - Engineer and/or builder
 - Estimated construction begin and end dates
 - Estimated Cost of Construction

E. The City Council may request additional information as deemed necessary to ensure a full review and understanding of the request.

- F. The City Council may require the requestor to use a certified/licensed building inspector and/or certified architect or certified engineer throughout the construction process, depending on the size and type of construction project. If required, the cost will be paid for by the person/entity requesting the building permit.

01.05 CALCULATION OF THE BUILDING PERMIT FEE

- A. The fee for building permits is \$1.00 for each \$1,000 of estimated construction cost up to \$10,000 in construction cost and \$2.00 for each \$1,000 of construction cost over \$10,000.
- B. The minimum cost of any building permit shall be \$25.00
- C. The requester shall remit the Building Permit fee, as follows:
- a. The applicable fee, payable by check or money order **only**, is due upon submission of the Building Permit Request.
 - b. The Building Permit Request will not be considered by the City Council until the fee is paid.
 - c. If the request is not approved by the City Council, the check or money order will be returned to the requestor.
- D. All permits are **effective for one year** from the date of approval by the City Council. All work related to the permit must be completed within that time.
- If work is not completed within that time, the requester must submit a request for a new permit in accordance with this ordinance. The applicable building permit fee will apply.

01.11 REPEAL

This ordinance repeals Ordinance 10-73.

01.12 SEVERABILITY

If any section or part of any section or paragraph of this ordinance is declared invalid or unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

01.13 EFFECTIVE DATE

This ordinance shall be effective as of the date of approval by the City Council of the City of Caney City, Texas.

PASSED AND APPROVED this 12 day of April, 2018.



Ronald Welch, Mayor

ATTEST:



City Secretary