

City of Caney City
ORDINANCE NO. 2025-01
Ordinance for Building Permits

AN ORDINANCE OF THE CITY OF CANEY CITY ESTABLISHING AUTHORIZATION, DEFINITIONS, GENERAL REGULATIONS, AND THE BUILDING PERMIT APPLICATION PROCESS; PROVIDING FOR A BUILDING PERMIT APPLICATION AND FEES, PROVIDING FOR A CERTIFICATE OF OCCUPANCY, PROVIDING FOR PENALTIES, PROVIDING REPEAL OF CONFLICTS, PROVIDING FOR SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

WHEREAS, it is the purpose and intent of the City Council of the City of Caney City (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 of Caney City (City). They have been made with reasonable consideration of the zoning regulations; and with the goal of ensuring that building permits are consistent with the current City Zoning Ordinance, 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 No. 2025-01, known as the **Ordinance for Building Permits**, for the City of Caney City, Henderson County, Texas.

01.02 DEFINITIONS

Accessory Structures Commercial - refer to the current City Zoning Ordinance

Accessory Structures Residential - refer to the current City Zoning Ordinance

Camper - Motor homes, Travel Trailers, Camping Trailers, and Pickup Coaches as defined in the current City Zoning Ordinance

Industrialized Housing - refer to the current City Zoning Ordinance

Manufactured Home - refer to the current City Zoning Ordinance

Modular Housing - refer to the current City Zoning Ordinance

Nonconforming Use - refer to the current City Zoning Ordinance

Three-phase Inspection - A series of inspections performed during new construction of a building. The phases are pre-pour, pre-drywall, and final.

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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 the current City Zoning Ordinance 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/ addition, or placement of residential dwellings within the City of Caney City territorial limits. For any new residential dwelling build or addition, a Three-phase Inspection by a certified/licensed building inspector is required.

★ *Work that is completely interior to a 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. A permit, approved by the City Council, is required for the following **Accessory Structures – Residential**. All Accessory Structures must be used in connection with the use of the main building located upon the same or a connected lot or parcel of land. Refer to the current City Zoning Ordinance.

1. Site built guest structures and/or non-portable guest structures meeting the definition in the current City Zoning Ordinance as having a minimum of 400 square feet of conditioned space. For any new site built guest structure and/or non-portable guest structure or addition, a Three-phase Inspection by a certified/licensed building inspector is required.
2. Other structures meeting the definition of Accessory Structures - Residential in the current Zoning Ordinance, if such structure's external dimensions exceed 200 square feet of space including porch areas. This includes but is not limited to:
 - a. Garages
 - b. Storage buildings
 - c. Stables
 - d. Hay storage structures
 - e. Barns
 - f. Equipment sheds
 - g. Well houses
 - h. Pet or play structures
 - i. Add on construction such as enclosed porches and rooms

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C. Fences do not require a permit approved by the City Council 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 the current City Zoning Ordinance.

★ *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 the current Zoning Ordinance.*

D. A permit, approved by the City Council, is required for all **Campers** intended to be towed behind a vehicle or self-propelled, and where the Camper is not hooked up to a wastewater removal system, and is not permanently attached to water or electric, and the duration of occupancy is temporary but expected to exceed 30 days. Such Campers shall not be used on any lot or parcel at any time as a permanent residence in accordance with the current City Zoning Ordinance.

★ *Campers must be used in connection with the use of the main building located upon the same or a connected lot or parcel of land. Refer to the current City Zoning Ordinance.*

E. 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 Commercial structure or land within the City of Caney City corporate limits. For any new commercial build or addition, a Three-phase Inspection by a certified/licensed building inspector is required.

★ *Work that is completely interior to a commercial structure 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.*

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- F. 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 **Accessory Structures - Commercial**, customarily used in connection with the use of the main building located on the same or a connected lot or parcel of land, 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
- G. 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 a Special Use District as defined in the current City Zoning Ordinance. For any new construction build or addition designed for human occupancy, a Three-phase Inspection by a certified/licensed building inspector is required.
- H. A permit, approved by the City Council, is required prior to the placement, conversion, structural alteration, movement for any distance, or replacement of any **Manufactured Home**.
- I. Accessory Structures and Fences related to a Manufactured Home are subject to the same requirements as Sections 01.03 B. and C. of this ordinance.
- J. A permit, approved by the City Council, is required prior to the placement, conversion, structural alteration, or replacement of all **Industrialized Housing and Modular Housing**.
- K. Accessory Structures and Fences related to Industrialized or Modular Housing are subject to the same requirements as Sections 01.03 B. and C. of this ordinance.
- J. 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 the current Zoning Ordinance.
- K. A permit, approved by the City Council, is required prior to the demolition of any structure within the City of Caney City corporate limits.
- L. Uses not specifically identified in the current Zoning Ordinance may be issued a special permit approved by the City Council, provided the requirements in the current Zoning Ordinance are met, and the City Council determines that said uses are compatible with existing and permitted uses, and the City Council determines there is not a negative impact to the health, safety and welfare of the City or its citizens.

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01.04 APPLICATION FOR BUILDING PERMIT

- A. A Building Permit Application may be obtained from the City Secretary and must be completed and returned to the City Secretary.
- B. In order for the application to be considered at a 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:
 - 1. Septic System details including approval by the appropriate authorities such as Henderson County or Tarrant Regional Water District
 - 2. Water supply description and how supplied
 - 3. Size and dimensions
 - 4. Foundation Type
 - 5. % Masonry Exterior
 - 6. Engineer and/or builder
 - 7. Estimated construction begin and end dates
 - 8. Additionally, for non-Manufactured Homes, one copy (to remain with the City) of professionally drawn architectural plans and drawings which include the following:
 - a. type of construction
 - b. construction methods
 - c. floor plan
 - d. roofing plan
 - e. foundation plan
 - f. size
 - g. front, rear and side elevations
 - h. site plan showing placement of structure(s) and including the location of water, sewer and setbacks, if applicable

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9. Additionally, for Manufactured Homes, information, plans and/or drawings (to remain with the City) from the manufacturer and/or supplier which include the following:
 - a. type of construction
 - b. floor plan
 - c. roofing plan
 - d. foundation plan
 - e. size
 - f. HUD certification
 - g. under skirting construction
 - h. front, rear and side elevations
 - i. site plan showing placement of structure and including the location of water, sewer and setbacks, if applicable

10. Additionally, 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
 - a. type of construction
 - b. floor plan
 - c. roofing plan
 - d. foundation plan
 - e. size
 - f. roofing plan
 - g. front, rear and side elevations
 - h. site plan showing placement of structure and including the location of water, sewer and setbacks, if applicable

- E. The City Council may require a 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.

- F. The City Council may request additional information as deemed necessary to ensure a full review and understanding of the request. Such additional requests may delay final City Council approval until a future meeting.

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01.05 BUILDING PERMIT APPLICATION AND FEES

- A. An Application, approved by the City Council, shall be part of the building permit process.
- B. The Application shall include information deemed necessary to consider a building permit request, fee amounts, and fee calculations.
- C. All fees shall be set with the consent of the City Council, which may review and update the application information, fees, and calculations as deemed necessary.
- D. A non-refundable application fee, payable by check, credit/debit card, or money order only, shall be collected at the time of submission.
- E. The fee for building permits shall be calculated based on the total number of square feet under roof. If the building permit is approved by the City Council, the application fee will be credited against the final calculated Permit Fee amount.
- F. The applicant shall submit the completed Building Permit Application with the following:
 - a. All requested information and documentation
 - b. Payment of the non-refundable application fee, payable by check, credit/debit card, or money order.

★ *A Building Permit Application will not be considered by the City Council until the application fee is paid and all requested documentation has been received.*
- G. All Building Permits are effective for one year from the date of Permit Fee acceptance by the City. All work related to the permit must be completed within that time.
 - ★ *If work has not been completed within that time, the requester must submit a new Building Permit Application in accordance with this Ordinance. Previous payments made for previous permits will not be credited or refunded.*

01.06 CERTIFICATE OF OCCUPANCY

- A. When a Three-phase Inspection is required, the City shall issue a Certificate of Occupancy (COO) upon presentation of the passing inspection reports.
- B. Occupancy of a structure requiring a COO shall not occur until a Certificate of Occupancy (COO) is issued by the City.

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01.07 PENALTIES

- A. Failure to obtain a Building Permit approved by the City Council before start of construction shall require immediate cessation of all work and, a doubling of all Building Permit related fees.
- B. Occupancy of a structure requiring a COO before the COO has been issued shall result in a fine not to exceed \$2,000.
- C. When it is shown a person was notified of a violation of this Ordinance and, after receiving notice of the violation, failed to take action necessary for compliance, the City may assess a penalty of up to \$2,000 a day for each day of continued violation.

01.08 REPEAL

This ordinance repeals Ordinance No. 2018-04 and any part of any ordinance, resolution, and/or measure in conflict with the terms of this Ordinance to the extent of said conflict.

01.09 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.

01.10 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 13 day of March, 2025



Steve Pine, Mayor



Blake Box, City Secretary



Number BP- _____

City of Caney City Application for Building Permit

(Non-Manufactured Homes & Accessory Structures)

Applicant Name: _____

Mailing Address: _____ Phone: _____

City, State, Zip: _____ Email: _____

Site Address/Legal Description: _____

Description of Structure to be Built: _____

Residential Dwelling Commercial Structure Accessory-R Accessory-C

Other (describe): _____

Site Layout: Dimensions _____ x _____ Overall Size of Lot/Plat _____ acres

✓ **Attach professionally drawn site plan that accurately depicts the structure as it will be located on the site. Include location of septic system, water supply, and any required setbacks. Also include accessory structures, porches, decks, and fences. A copy of such drawing shall be left on file with the City of Caney City, Texas.**

Wastewater Removal System(WWRS): On-site Septic Private WWRS Co.

WWRS Approved by: Tarrant Regional Water District Henderson County

Potable water supply: On-site Well Private Water Co.

Type of Foundation _____ Builder Name _____

Type of Construction _____ Builder Phone _____

% Masonry Exterior _____ Builder Email _____

Total Square Footage _____ Engineer/Architect _____

Expected Start Date _____ E/A Phone _____

Expected End Date _____ E/A Email _____

✓ **Attach professionally drawn architectural drawings for the structure(s) to be built showing front, rear, side elevations, floor plan, roofing plan, and foundation plan. A copy of such drawings shall be left on file with the City of Caney City, Texas.**

Applicant Certification and Signature: I certify that the above information is a correct representation of the location, layout, and structure(s) to be built.

Applicant Signature: _____ **Date:** _____

City of Caney City Building Permit

(Non-Manufactured Homes & Accessory Structures)

Number BP- _____

FEE Calculation

Permit Application Fee (Payable upon submission of Building Permit Application) \$ 25.00

Permit Fee \$25 minimum (Total Area Under Roof _____ sq. ft. x \$0.30/sq. ft.) _____

Total Permit Fee Due On Approval (Permit Fee - Application Fee) (X2 penalty) _____

Date Approved by City Council _____

Date Paid _____ Building Permit Amount Paid _____

Payments accepted by check, credit/debit card, or money order ONLY.

Building Permit Application Check-list

Date	
	Completed Application
	Application Fee Paid
	All requested site & structural build documentation submitted
	Potable Water System plan & approval submitted, if required
	Wastewater Removal System plan & approval submitted, if required
	Agenda Date for City Council consideration
	Approved by City Council
	All Fees and Penalties assessed by the City of Caney City paid
	Passing Three-phase Inspection Reports submitted

It is the sole responsibility of the property owner to fulfill all requirements set forth by the Caney City Council and submit proof of such in order to obtain the Certificate of Occupancy.

Number BP- _____

CERTIFICATE OF OCCUPANCY (C00)

This certifies that having met all requirements set forth by the City Council of the City of Caney City, Henderson County, Texas, related to this Application & Building Permit, the Applicant is hereby granted this Certificate of Occupancy.

Issued this _____ day of _____, 20_____

[City Seal]

Blake Box, City Secretary