

Permitting Ordinance

Revised January 16, 2020

ARTICLE X PERMITS

Section 1: Purpose

The Town of Bayview (the Town) issues permits to those areas in the Town and the Town's ETJ allowed by state law to promote safety, quality of construction and appearance consistent with the Town's natural beauty.

Section 2: Policies

No work, that requires a permit, may begin without a permit issued by the Town of Bayview Building Inspector.

New buildings and new construction projects as well as some updates, remodels and repairs require building permits and must conform to the Town's inspection process. If the Building Inspector is unable to determine if a permit is required based on Building Codes or the Town's Ordinances, the Building Inspector will inform the Board and ensure that the item is included in the monthly Building Inspector's report to the Board. The Board will make the final determination.

In the event any of the Town Ordinances and/or codes conflict, the more stringent restriction or requirement shall prevail.

Section 3: Requirements for Permits

Contact the Town Office to obtain building permit forms or for specific instructions for obtaining permits before any work begins. If any building construction project requiring a permit is started before a permit is issued, the permit fee will be doubled.

A. General Requirements

- 1) Applications for permits should be submitted at least fifteen (15) days prior to the expected start date of the work. No permit shall be granted until the Building Inspector has first approved the valuation, reviewed the plans and project site, signed the permit application, and fees are paid.
- 2) The Building Inspector shall be permitted entrance to any building or site during the construction process until the Certificate of Occupancy is issued.
- 3) All contractors doing work in the Town of Bayview that requires a permit must register with the Town and provide to the Town:

- a. A registration fee of \$25 that is valid for twelve calendar months from the date of registration. *(A fee paid during the month would be valid until the end of the same month the following year)*
 - b. Contractors must show proof of comprehensive general liability insurance coverage with limits of not less than \$250,000 per occurrence for bodily injury and \$100,000 per occurrence for property damage. A company duly authorized to write insurance in the State of Texas shall issue all insurance.
 - c. General Contractors must comply with all building codes, standards and ordinances subscribed to by the Town of Bayview and are responsible for sub-contractor's insurance.
 - d. For all work engaging a General Contractor the General Contractor will be responsible for permits required by Sub-Contractors. Stop work orders will be issued if permits are not obtained. Any fines incurred will be the responsibility of the General Contractor. Penalties are outlined in Article XV.
- 4) All work shall conform to the standards specified in the 2012 editions of the International Building Code, the International Plumbing Code, the International Residential Code, the International Fuel Gas Code, the International Mechanical Code and the 2014 edition of National Electric Code. Exceptions to these requirements are outlined in this Article.
 - 5) For the purpose of establishing minimum standards for the construction of windstorm resistant buildings, all new construction shall comply with the windstorm speed standards set forth by the Texas Department of Insurance for the Town's geographical location.
 - 6) New home construction must be completed within eighteen (18) months after the permit issue date. New home construction not completed within eighteen (18) months of the permit issue date must renew the building permit prior to the original permit expiration date. A three (3) month extension, if applied for before the expiration date, may be granted by the Building Inspector with approval of the Mayor. If an extension is not granted by the Building Inspector, the permit must be renewed. The fee will be equal to the original permit fee.
 - a. Each three (3) month extension fee will be prorated to reflect one sixth (1/6) the cost of the original permit fee. No work will be allowed until the extension is issued and all fees are paid.
 - 7) All permits, except new home construction, must be completed or the permit renewed within one (1) year. Permits with health and/or safety infractions must be completed or renewed within a thirty (30) day period or as provided by the Board of Aldermen or the Building and Standards Commission.
 - 8) All permits shall expire if construction is not started within one year.
 - 9) Guest houses or any building serving as living quarters shall not be issued a Certificate of Occupancy (COO) without a valid unexpired building permit for a single-family home on the same property. This COO will be revoked in the event said building permit expires without a

COO being issued for the single-family home. No one may reside, sleep or stay overnight in any structure without a valid COO.

- 10) Structures which may be built prior to the building of the main single family dwelling are: independent electrical installations (i.e. power poles and connection boxes as listed in Article II, Section 11), fences, retaining walls, docks, auxiliary structures such as gazebos, arbors, pergolas, pavilions, pump houses and accessory buildings. All structures must satisfy all permit requirements.
- 11) No permit of any type shall be issued unless all taxes, fines and fees due and owing the Town of Bayview are current.
- 12) When excavating, or digging, the permit holder must call 811 at least 48 hours in advance (2 business days) so the location of underground utilities can be marked. In addition, Bayview Irrigation District 11 must also be notified, and permission obtained.

B. Building Permit Fee

- a. Building Permit Fee for Residential Dwelling: For new construction or additions \$1.00 per square foot of the project for the first 2000 square feet plus \$0.25 per square foot over the 2000 square feet with a minimum fee of \$75. For new constructions requiring additional permits, the permits will be issued upon approval without any additional cost.

Permit Fees for other than residential dwellings will be based on the valuation stated in the contract between the Owner and the builder/contractor or, in the absence of a contract (including owners acting as their own general contractor), the most current International Code Council (ICC) Building Valuation Data. The valuation shall include the total value of work being done including materials and labor for which the permit is being issued such as electrical, gas, mechanical, plumbing, equipment and permanent systems. The final valuation will be determined by the Building Inspector.

- b. Building Permit Fee: 1% of the total cost of the project with a minimum fee of \$75.
- c. Electrical Permit Fee: \$75.
- d. Plumbing System Permit Fee: \$75.
- e. OSSF/Septic Systems Permit Fee: \$150. Includes validation of perk test data and septic system design.
- f. Probe Letter Fee: \$75.
- g. Plat Review Fee: \$200.
- h. Mechanical Permit Fee: \$75.
- i. Fuel Gas Permit Fee: \$75.

- j. Yard Irrigation Permit Fee: \$75. Applicable when connected to the municipal water supply.

Note: Initial pump installation, drawing water from Resaca, requires appropriate electrical permit. In addition, the permit holder is responsible to notify the Bayview Irrigation District.

- k. Re-inspection or Failure to be Prepared for Inspection Fee: \$75.
- l. 3 Month Permit Extension Fee (New home construction only): Calculated at 1/6 the cost of the total original building permit fee.
- m. 18 Month Permit Renewal Fee (New home construction only): 100% of the original permit fee.
- n. 1 year Permit Renewal Fee: 100% of the original permit fee.
- o. Contractor Registration Fee: \$25.

C. Specific Requirements

The following requirements may or may not be found in the code book(s) required by the Town of Bayview. However, these requirements supersede what is found in the code books.

The Town of Bayview is located in Wind Zone "Inland 1" as designated by the Texas Department of Insurance (TDI). All construction within the city shall comply with the wind design and construction standards promulgated by the TDI for the Inland 1 Zone. New structures built in the Inland 1 zone shall be designed and constructed to resist a 3 second gust basic wind speed of 120 miles per hour (mph).

For structures, which may be site specific and not covered by the codes required by the Town of Bayview (i.e. residential wind turbines, prefabricated structures), the applicant shall provide the Building Inspector with engineered drawings for the specific use. The engineered drawings must be signed and sealed by a State of Texas Licensed Engineer.

When excavating, or digging, the permit holder must call 811 at least 48 hours in advance (2 business days) so the location of underground utilities can be marked. In addition, Bayview Irrigation District 11 must also be notified and permission obtained.

1. Permits - Permits shall be obtained in accordance with the adopted model codes stated in Article X, Section 3(A)(4), or as amended by the Town of Bayview Code of Ordinances, whichever is more stringent. It is the responsibility of the owner or agent of the owner to ensure that proper permits have been obtained from the Town of Bayview. In the event of an emergency repair the owner or agent of the owner shall contact the Town of Bayview Office to make application for the permit no later than the end of the next business day, or by contacting the Building Inspector during his scheduled working hours.
2. Permits Required

- a. Roofing: Repairs to existing roof with an accumulated area equal to or greater than 100 square feet.
- b. Retaining Walls: New construction or replacement of over 25% of an existing seawall.
- c. Docks: See Article II Section 5: Docks, Piers, and Boat Houses.
- d. Property Line Fences and Gates: Property line fences and gates not replacing a previously approved fence must have verification by survey to ensure the placement of the fence does not encroach on neighboring properties or the public right of way.

The installation of a new electrical circuit for an electronic gate is subject to a Building Permit for electrical work.

- e. Septic Systems: All new septic systems and repairs to leach fields or tanks.

Note: See Article II Section 7.

3. Permits recommended but not Required

- a. Replacement of water heater with same type.
- b. Replacement of air conditioner component with like type.
- c. Installation of Mini-split air conditioning system that run on 110 volts with regular duplex outlet cord and no ducting and no refrigerant installation required.

D. VALIDITY CLAUSE

Should any part of this Ordinance be held invalid, no other part shall necessarily be affected thereby, and to this end, the provisions of this ordinance are declared to be severable.

E. CONFLICTS

This Ordinance repeals and replaces any previous Article X: Permits Ordinances for the Town of Bayview, Texas.