

ORDINANCE NUMBER _____

AN ORDINANCE AMENDING THE CODE OF THE CITY OF FORT WORTH TO AMEND SECTION 7-1, “BUILDING ADMINISTRATIVE CODE” OF ARTICLE 1, “IN GENERAL” OF CHAPTER 7, “BUILDINGS” TO AMEND PART 2 – ADMINISTRATION AND ENFORCEMENT TO PROVIDE FOR AN EXEMPTION TO PERMITTING FOR THE REPLACEMENT OF RESIDENTIAL DOORS IN CERTAIN AREAS AND TO REQUIRE THIRD PARTY COMPANIES TO REGISTER AS A QUALIFIED PLUMBING INSPECTION COMPANY TO PERFORM PLUMBING INSPECTIONS AND ESTABLISH AN ANNUAL REGISTRATION FEE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR A PUBLICATION DATE IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, AS FOLLOWS:

WHEREAS, on December 6, 2016, the Fort Worth Building Administrative Code was adopted in Ordinance 22523-12-2016. The Fort Worth Building Administrative Code serves as the administrative, organizational, and enforcement regulations for the Fort Worth Building, Residential, Plumbing, Mechanical, Electrical, Sign and Existing Building codes; and

WHEREAS, this amendment will eliminate the permit requirement when replacing a residential door in areas not in a designated historic district when the replacement does not require a change in the framed opening size; and

WHEREAS, the amendment will require third party plumbing inspection companies to register with the city as a qualified inspection company to be able to conduct plumbing inspections.

SECTION 1.

That Section 7-1, “The Fort Worth Building Administrative Code” Part 2 – Administration and Enforcement, Section 105.2 “Work exempt from permit” is hereby amended to add item 18 to provide for an exemption from permitting for the replacement of residential doors not in a historic district when there is no change to the frame opening size, read as review as follows:

Section 105.2- Work exempt from Permit

18. Residential door replacements outside of designated historic districts that do not require a change in framed opening size.

SECTION 2.

That Section 7-1, The Fort Worth Building Administrative Code Part 2 – Administration and Enforcement, Section 109.2.1 “Building Permit Fees” is hereby amended to delete language in “Exemptions” item 4 providing for a deposit of 10 percent of the building permit fee or an \$80.00 flat fee for third party plumbing inspections, to read as follows:

109.2.1 Building Permit Fees. The fee for each permit shall be as follows:

Note: items 1 through 5 are not being amended.

Exceptions:

Note: items 1-3 are not being amended.

4. When the project is to be plan reviewed or inspected by an approved third party organization as described in Section 117, the fee shall be reduced as follows:

a. Residential projects (one- and two-family dwellings, and townhouses regulated by the IRC, and their accessory structures):

i. When plan review and field inspections are performed by Third Party, the permit fee shall be reduced by multiplying the sum by thirty-five (35) percent (0.35). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

ii. When plan review is performed by Third Party with field inspections performed by City Staff, the permit fee shall be reduced by multiplying the sum by seventy (70) percent (0.70). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

iii. When plan review is performed by City Staff with field inspections performed by Third Party, the permit fee shall be reduced by multiplying the sum by fifty-five (55) percent (0.55). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

b. Commercial projects (those not included in item an above):

i. When plan review and field inspections are performed by Third Party, the permit fee shall be reduced by multiplying the sum by twenty-five (25) percent (0.25). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

ii. When plan review is performed by Third Party with field inspections performed by City Staff, the permit fee shall be reduced by multiplying the sum by seventy (70) percent (0.70). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

iii. When plan review is performed by City Staff with field inspections performed by Third Party, the permit fee shall be reduced by multiplying the sum by fifty-five (55) percent (0.55). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

~~However, an additional ten (10) percent deposit of the building permit fee for new construction and additions with plumbing work shall be required to cover third party plumbing inspections, except that for new one and two family dwellings inspected by third party, a flat deposit of eighty dollars (\$80.00) shall be collected. Such deposit shall be used to pay, through a billing process established by the Planning and Development Department, for the plumbing inspection services performed.~~

Exemption or reduction of the permit fees under this section shall not waive the requirements to pay a full investigation fee for doing work without a permit as required under Section 109.4.2.

SECTION 3.

That Section 7-1, “The Fort Worth Building Administrative Code” Part 2 – Administration and Enforcement, Section 117.3 “Field Inspections” is hereby amended to add language to provide that only a Qualified Plumbing Inspection Company may make plumbing inspections, to read as follows:

117.3.1 Application process. Whenever the owner, builder or authorized agent wishes to use a Third Party Organization for field inspection, he shall submit the appropriate forms to the *building official* for approval before inspections commence. The *Building Official* shall review the application to confirm that the chosen Third Party Organization is approved and has all required insurance. No Third Party Organization may make plumbing inspections unless they are registered as a Qualified Plumbing Inspection Company.

SECTION 4.

That Section 7-1, “The Fort Worth Building Administrative Code” Part 2 – Administration and Enforcement, Section 119 “Fees” is hereby amended to add an annual fee for the registration for qualified plumbing inspection company, to read as follows:

**Table 1-D
Contractor Registration Fee**

First year or portion thereof	\$120.00
Yearly renewal	\$120.00
<u>Qualified Plumbing Inspection Company Registration, annually</u>	<u>\$1000.00</u>

SECTION 5.

This article shall be cumulative of all provisions of ordinances of the Code of the City of Fort Worth, Texas (2015), affecting Administrative Code provisions, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 6.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared void, ineffective, or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such void, ineffective, or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 7.

Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000.00) for all violations involving fire safety, or public health and sanitation and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day or any portion thereof during which any violation of this ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

SECTION 8.

All rights and remedies of the City of Fort Worth, Texas are expressly saved as to any and all violations of the previous Administrative or Building Code, or any other ordinances affecting construction and fire safety, which have accrued at the time of the effective date of this ordinance: and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 9.

The Development Services Department of the City of Fort Worth, Texas, is hereby authorized to publish this ordinance in pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof, as provided in Chapter XXV, Section 3, of the Charter of the City of Fort Worth, Texas.

SECTION 10.

The City Secretary of the City of Fort Worth, is hereby directed to publish the caption and Sections 2 and 4 of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas as authorized by Section 2, Chapter XXV of the Charter of the City of Fort Worth, Texas and by Section 52.013 (a) of the Texas Local Government Code.

SECTION 11.

This ordinance shall take effect on January 1, 2021.

APPROVED AS TO FORM AND LEGALITY:

ATTEST:

By: _____
Melinda Ramos, Sr. Assistant City Attorney

By: _____
Mary Kayser, City Secretary

Adopted: _____

Effective: _____