

CITY OF GUNTER, TEXAS

ORDINANCE NO. 2019-07-18-01

AN ORDINANCE OF THE CITY OF GUNTER, TEXAS, REVISING SECTIONS F1.004 OF THE GUNTER MASTER FEE SCHEDULE; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the City of Gunter, Texas ("City") has authority to regulate building construction and set fees for inspection of buildings and appurtenances under Texas Local Government Code, Chapters 51, 54, 211, 216 and 217; and

WHEREAS, the City of Gunter's fee schedule needs to be updated to amend certain permit fees due to the passage of Texas House Bill No. 852 which provides that in determining the amount of a building permit or inspection fee required in connection with the construction or improvement of a residential dwelling, a city may not consider: (a) the value of the dwelling; or (b) the cost of constructing or improving the dwelling; and

WHEREAS, Texas House Bill No. 852 was signed by the Governor on May 21, 2019 and became effective immediately; and

WHEREAS, the City Council has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Gunter to amend the City of Gunter's Code of Ordinances as set forth below.

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

Section 1. Proposed Amendment

SECTIONS F1.004 OF THE MASTER FEE SCHEDULE IN THE GUNTER CODE OF ORDINANCES ARE HEREBY REVISED TO READ AS FOLLOWS:

Sec. F1.004 Construction

- (a) Single family and duplex residential construction permit and inspection fees. Building permit fees will be a flat fee of \$785 plus .45 cents per square foot of the total structure (includes garages, patios, and other non-air conditioned space).

Example Square Footage	Example Fee
2500	=785+(2500*.45) = \$1,910
3500	=785+(3500*.45) = \$2,360

- (g) Residential Trade Permits:

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1. Plumbing inspection. \$125
2. Electrical inspection. \$125
3. HVAC/mechanical inspection. \$125

(h) Other residential project types not listed above - inspection fee. \$185
Subsequent sections to be renumbered.

Section 2. Repealer Clause

This Ordinance shall be cumulative of all other ordinances dealing with the same subject and any provision of any ordinance in direct conflict with any provision of this Ordinance is hereby repealed and the provisions of this Ordinance shall supersede any provisions in conflict herewith. All provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

Section 3. Savings Clause

If any section, part, or provision of this Ordinance is declared unconstitutional or invalid, by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Council in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

Section 4. Publication and Effective Date

This Ordinance shall take effect immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GUNTER, TEXAS on this 20th day of June, 2019, by the following vote:


AYES	<u>5</u>
NAYS	<u>0</u>
ABSTENTIONS	<u>0</u>

APPROVED:



Mark Millar, Mayor

ATTEST:



Detra Gaines, City Secretary



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