

**ORDINANCE NO.2025-44**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 1-BUILDING REGULATIONS, SECTIONS 15-1-6, 11, & 12, ADOPTING THE 2024 INTERNATIONAL BUILDING CODE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the City is updating its building codes and desires to adopt the 2024 versions of the International Building Codes to enhance public safety;

**WHEREAS**, staff will have a copy of the 2024 version of the International Building Code by the effective date of this ordinance;

**WHEREAS**, this Ordinance is necessary to protect the public safety, health, and welfare of the City of Kingsville.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

I.

**THAT** Sections 15-1-6, 11, & 12 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

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**§ 15-1-6 SCHEDULE OF PERMIT FEES.**

- (A) On all repairs or alterations to existing buildings or on construction of other than buildings, fees will be based on a flat fee as restated in subdivision (B)(1) hereof shall apply.
- (B) The permit fee for all new buildings or additions to existing buildings where the floor area is increased, shall be as follows:
  - (1) (a) Permit fees for remodeling, repair, or alterations to existing buildings will be charged on a flat fee basis. A project with one inspection or more, if necessary, (that is not a re-inspection) will be charged a flat fee of \$100.00 dollars. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit. Permit fees for roof repairs shall be charged a permit fee of \$0.08 per square foot. When the work performed does not meet the code requirements and a reinspection is required, a reinspection fee of \$50.00 will be charged for the first reinspection, the second reinspection fee will be \$100.00; the third reinspection fee will be \$150.00.
  - (b) Permit fees; new buildings and additions.

1. All buildings shall be charged a permit fee of \$0.30 per square foot. The minimum fee shall be \$25. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit. A Construction Site Office shall be charged a permit fee based on inspection and review requirements.
  2. In applying paragraph 1. of this subdivision (b), square footage shall be determined by including each floor level including basements and cellars, mechanical rooms, storage areas, lofts, balconies, porches, sun decks, covered patios, breezeways, carports, garages, sheds and other similar areas.
  3. *Moved buildings or structures.* A fee of \$0.20 per square foot shall be charged for the issuance of any permit for a moved building or structure.
- (c) A plan review fee shall be paid upon submission of permit for review as listed below. These fees will be credited to any plan review or administrative fees set forth in later sections of this ordinance, should those fees be in excess of the fees stated below:
1. \$250.00 for new single family or two-family residential construction and a \$35 permit fee.
  2. \$500.00 for new multi-family residential
  3. \$500.00 for new commercial construction and a \$100 permit fee
  4. \$25.00 for any plumbing, mechanical or electrical permit.
  5. \$25.00 for any accessory building
  6. \$25.00 and \$0.20/square foot for signs
  7. \$25.00 and \$0.30/square foot for residential remodel
  8. \$25.00 for commercial tenant finish out
  9. \$50.00 fence permit.
  10. \$75.00 for a permit renewal
  11. \$125.00 (review fee) and \$0.30/square foot for any commercial remodel.
- (2) *Moving buildings or structures.* A fee of \$110.00 shall be charged for the issuance of any permit for the moving of a building or structure.
  - (3) *Demolition of building or structure.* A fee of \$75.00 shall be charged for issuing a permit for the demolition of any building or structure.
  - (4) *Plan-checking fee.* A plan-checking fee shall be paid at the time of submitting plans and specifications for review of commercial projects. The plan-checking fee shall be equal to one-half of the building permit fee as set forth in § 109 of the *International Building Code*. Such plan-checking fee is in addition to the building permit fee. A Plan Update or Revision fee shall be charged equal to 50% of the original Plan Review fee and shall be payable upon submission of update or revision.
  - (5) *Starting work without permit.* Where work for which a permit is required by this code is started or proceeded with prior to obtaining the permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

- (6) *Investigation fee.* The fee for any investigation required for building construction is equal to the cost of the plan review.
- (7) *After hours inspection fee.* The cost of performing and inspection after regular business hours is equal to \$50.00 per hour with a 2 hour minimum charge.
- (8) *Reinspection fee.* When the work performed does not meet the code requirements and a reinspection is required, a fee of \$50.00 will be charged for each reinspection.
- (9) *Refunds on permits.* No refund will be granted on individual permit fees assessed at the minimum fee amount for a specific type of permit. Refunds of permit fees greater than minimum fee amounts may be made at a rate not to exceed 75% of that portion of the fee in excess of the minimum fee amount provided: (a) no work has commenced, (b) no inspections have been made, and the refund claim is submitted within 180 days after the issuance of the permit. Refund claims must be submitted in writing with a copy of the permit receipt.

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#### **§ 15-1-11 CERTIFICATE OF OCCUPANCY REQUIRED.**

- (A) The Building Official shall have the authority to suspend water, electricity, gas or other public utilities if a Certificate of Occupancy is not provided or is revoked.
- (B) There shall be two types of certificates of occupancy. These shall be designated as an Interim Certificate of Occupancy and a Permanent Certificate of Occupancy.
  - (1) An Interim Certificate of Occupancy may be issued by the Building Official for use in necessary construction. The fee for an interim Certificate of Occupancy shall be \$3.00 per day for the first 30 calendar days; \$6.00 per day for the second 30 calendar days; and \$10.00 per day for each calendar day thereafter. The fees for such Interim Certificate of Occupancy shall be tendered prior to the issuance of such Interim Certificate of Occupancy. The Interim Certificate of Occupancy shall be valid a maximum of 180 days unless approved in writing by the Building Official.
  - (2) A Permanent Certificate of Occupancy shall be issued when the Building Official determines that the proposed structure meets all applicable laws and ordinances, and not before. The fee for a Permanent Certificate of Occupancy shall be \$75.00. A Permanent Certificate of Occupancy shall not be subject to renewal, and shall be valid as long as the premises for which it was issued meets all applicable codes and utility services are not terminated for any reason to such premises, whichever occurs first.

#### **§ 15-1-12. FAILURE TO COMPLY.**

It shall be unlawful for any person to commence any work on a building or structure before obtaining the necessary permit, or otherwise fail to comply with any provision of the *International Building Code, 2024 Edition*, or any provision of this subarticle.

(1962 Code, § 4-1-6; Ord. 99018, passed 3-22-99; Ord. 2001-32, passed 12-17-01; Ord. 2010-27, passed 9-7-2010, eff. 9-25-2010; Ord. 2019-65, passed 12-17-19)

**Cross reference—** Penalty, see § 1-1-999.

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II.

**THAT** all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

III.

**THAT** if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

**THAT** this Ordinance shall be codified and become effective on and after adoption and publication as required by law.

**INTRODUCED** on this the 23<sup>rd</sup> day of June, 2025.

**PASSED AND APPROVED** on this the 14<sup>th</sup> day of July, 2025.

Effective Date: August 4, 2025

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney