

ORDINANCE NO. 018938

AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.02 (BUILDING AND CONSTRUCTION ADMINISTRATIVE CODE), SECTION 18.02.106 (PERMIT FEES), SUBSECTION 18.02.106.5 (BUILDING PERMIT VALUATIONS), SUBSECTION 18.02.106.6 (VALUATION FOR NEW RESIDENTIAL OR COMMERCIAL MASTER PERMITS) TO CLARIFY RESIDENTIAL PERMIT VALUATIONS AND ADDING A NEW SUBSUBSECTION 18.02.106.6.1 (PERMIT FEE FOR NEW RESIDENTIAL AND RESIDENTIAL ADDITION PERMITS). THE PENALTY BEING PROVIDED IN SECTION 18.02.115 OF THE EL PASO CITY CODE.

WHEREAS, the 86<sup>th</sup> Legislature passed a bill, effective May 21, 2019, that prohibits municipalities from considering the value of a dwelling or the cost of constructing or improving a dwelling in determining the amount of a building permit or inspection fee required in connection with the construction or improvement of a residential dwelling which required the City to amend the fees and ordinances in order to comply with the new law.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

**SECTION 1.** That Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.106 (Permit Fees), Subsection 18.02.106.5 (Building Permit Valuations) is amended to read as follows:

**18.02.106.5- Building permit valuations. (Excluding New Residential and Residential Additions)**

If, in the opinion of the building official, the valuation of building, alteration, structure, electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Permit valuations shall include total cost, such as required earthwork within the building area, electrical, gas, mechanical, plumbing, including materials, labor and equipment, and all other permanent equipment.

**SECTION 2.** That Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.106 (Permit Fees), Subsection 18.02.106.6 (Valuation for new residential or commercial master permits) is amended to read as follows including the addition of a new Subsubsection 18.02.106.6.1 (Permit fee for new residential or residential addition permits.) as follows:

**18.02.106.6 - Valuation for commercial master permits.**

Permit valuation for the master permit for new commercial buildings and structures construction work shall be based on the International Code Council rates for building type and occupancy in effect on the date of the permit application. Subsequent to the completion of work, a final accounting of all costs or a certified professional appraisal may be submitted to the building official for a re-valuation.

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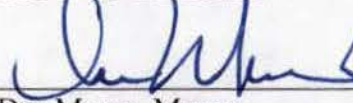
**18.02.106.6.1-Permit fee for new residential or residential addition permits.**

Permit fees for the master permit for new residential or residential additions buildings and structures construction work shall be based on the square footage cost prescribed by the FY Schedule C in effect on the date of the permit application. Permit fees for new residential buildings may be adjusted per council action.

**SECTION 3.** Except as herein amended, Title 18 of the El Paso City Code shall remain in full force and effect.

ADOPTED this 25<sup>th</sup> day of JUNE, 2019.


CITY OF EL PASO

  
Dee Margo, Mayor

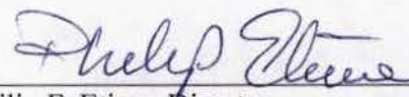
ATTEST:

  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
Omar A. De La Rosa  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
Philip F. Etiwe, Director  
Planning & Inspections Department

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