



**PLANNING & ZONING COMMISSION  
AGENDA  
Thursday, April 30, 2026, 6:00 PM  
CITY HALL - LIBRARY  
8 MORGAN'S POINT BOULEVARD**

**1. Call to Order**

**2. Announcements and Citizens Comments**

**3. Presentation(s)**

PUBLIC HEARING – SPECIAL USE PERMIT – 18 ROBIN CIRCLE

**4. Approval of Minutes**

- a.** Consider approving the minutes from March 24, 2026, meeting

**5. Regular Agenda**

- a.** Discuss and take appropriate action on SUP at 18 Robin Circle – Air B&B
- b.** Discuss and take appropriate action Chapter 3 ordinance draft and clean version for City Council consideration and adoption.
- c.** Discuss and take appropriate action Chapter 14 Appendix B Section 10-4 (B) (2) draft and clean version for City Council consideration and adoption.
- d.** Discuss and take appropriate action on signage for new sidewalk to Lake Belton High School.

**6. MPR Comprehensive Plan Update**

**7. Items for Future Agendas**

**8. P & Z Commission Updates & Comments**

**9. Staff Updates**

**10. Adjournment**

I certify that a copy of the 4-30-2026 agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the 4-21-2026 at 4:00 PM and remained posted continuously for at least 72 hours succeeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-780-1334 ext. 104 for further information.

Kelli Merolillo, City Secretary



**PLANNING & ZONING COMMISSION  
MINUTES  
Tuesday, March 24, 2026, 6:00 PM  
EVENT CENTER  
60 MORGAN'S POINT BOULEVARD**

**1. Call to Order**

Meeting called to order by Chairperson, Ken Hobbs, at 6:17 PM

**PRESENT**

Ken Hobbs  
Tom Edwards  
Leslie Minor  
Thomas Westmoreland  
Andrew Roberts  
Louis Guillaud

**ABSENT**

Maria Martinez

Ashlynn Uschek, CTCOG

**2. Announcements and Citizens Comments**

No citizen comments

**3. Presentations**

No presentations

**4. Approval of Minutes**

**a.** Discuss and consider approving minutes from February 24, 2026, meeting

Motion made to approve the minutes with by Westmoreland, Seconded by Edwards.

Voting Yea: Hobbs, Minor, Roberts, and Guillaud

*Motion passed by unanimous vote (6:0)*

**5. Regular Agenda**

**a.** Discuss and take appropriate action on SUP at 18 Robin Circle – Air B&B

Motion made to table by Guillaud, seconded by Westmoreland

Voting Yea: Hobbs, Minor, Edwards, and Roberts

*Motion passed by unanimous vote (6:0)*

**6. MPR Comprehensive Plan Update**

Discuss Chapters 1 -3 and schedule for the next City Council meeting for review. The next meeting scheduled for the Planning and Zoning Commission is Thursday, March 26, 2026.

**7. Items for Future Agendas**

Signage for new sidewalk to Lake Belton High School.

**8. P & Z Commission Updates & Comments**

None.

**9. Staff Updates**

**a.** Search for City Manager in progress. The current City Manager final date is April 29, 2026.

**b.** City Building Official is out for medical leave.

**10. Adjournment**

Meeting adjourned at 6:53 PM

I certify that a copy of the 3-24-2026 agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the 3-17-2026 at 4:00 PM and remained posted continuously for at least 72 hours succeeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-780-1334 ext. 104 for further information

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Ken Hobbs, Chair  
City of Morgan's Point Resort

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Kelli Merolillo, City Secretary  
City of Morgan's Point Resort



ONLY PRINT  
PAGES 1-7

CITY OF MORGAN'S POINT RESORT, TX  
SPECIFIC USE PERMIT APPLICATION

Office Use Only: Date: \_\_\_\_\_ App #: \_\_\_\_\_ Staff Review: \_\_\_\_\_  
P and Z Hearing: \_\_\_\_\_ Council Hearing: \_\_\_\_\_ Fees Paid (\$500): \_\_\_\_\_ Receipt # \_\_\_\_\_

Please Print Clearly

ALL TAXES Paid: YES  
2025  
WHEN PURCHASED:  
8/16/2021

Applicant Name:

Edebrand Rosado-Gonzalez

Address: 144 Tonkawa Rdg City: Hutto

State: Tx Zip: 78634

Phone #: 254-541-2803 Email:

Rosadopaul1@aol.com

Size of lot: (COVE)  
12,408 sq. ft.

Size of RESIDENT:  
2,542 sq. ft.

**OWNERS INFORMATION**

Owner

Name: Same as Above

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

**PROJECT INFORMATION**

Site Address:

18 Robin Circle

BellCad Prop

ID: 416358

Legal Description: Morgan's Point Resort Section 8A

Block: 008 Lot: 0009

Total Acreage/ Square Feet: 2433 Deed Recorded

in: Bell County

**SPECIFIC USE REQUEST**

Air B+B

- Council Scheduled Date: \_\_\_\_\_
- Council Approval Date: \_\_\_\_\_
- Final Inspection Date: \_\_\_\_\_
- Certificate of Occupancy Issue Date: \_\_\_\_\_




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**MY REQUEST IS BASED ON THE FOLLOWING:**

- The use requested by the applicant is set forth as a conditional use in the zoning ordinance.
- The nature of the use is reasonable
- The specific use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area.
- The Specific Use Permit does not adversely affect and adjacent property by its resulting traffic through the location, or its lighting; and
- That any additional conditions specified, if any, ensure that the intent and purposes of the zoning ordinances are being upheld.

**SUBMITTAL VERIFICATION**

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand the City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm or agent may delay the review of the application. I authorize the City of Morgan's Point Resort staff to visit and inspect the property for which this application is being submitted. I agree to attend or have a representative attend the Planning and Zoning Commission and the City Council meetings related to this application. I have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and

understand that the City zoning action does not relieve any obligation of these restrictions.

Applicants Signature: Edeltraud Rosado-Gonzalez

Date: \_\_\_\_\_



**ADDITIONAL QUESTIONS AND LIST OF CONDITIONS  
THAT MAY BE INCLUDED IN A SHORT TERM  
RENTAL SUP**

Property Owner:

Edeltraud Rosado-Gonzalez

Property Address:

18 Robin Circle

Legal Description: Morgan's Point Resort Section 8A

Block: 008 Lot(s): 009

Existing Use: Single Family Existing

Zoning: single family

HOA Contact Information:

N/A

**15.4 Specific Use Permit Fees.**

No permit required by this article shall be issued until the fees prescribed in this section have been paid, nor shall any amendment to a permit be approved until the additional fees, if any, have been paid. The fee for Specific Use Permits Application shall be:

1. Upon applying for a Specific Use Permit: \$500.00 Application Fee

2. Upon Denial of a Specific Use Permit: 50% refund of the Specific Use Permit application fee

SF Single Family Residential and MF Multi Family Residential

of or forward of any building setback line (as shown by the property's plat or the zoning ordinance) and not upon an improved surface which has been inspected and approved by the City, upon property within a residential area.

(b) *Parking vehicle with motor or equipment running.* It shall be unlawful for any person owning or having control of any motor vehicle or trailer to park or leave standing said motor vehicle or trailer in a residential area with the motor or accessory equipment (such as a refrigeration unit) running.

Initial LL **NOISE AND LIGHTING:** Exterior lighting to be only landscape lighting. All noise audibles from outside, and all light visible from outside the property shall be maintained at low levels appropriate to a single-family neighborhood. No large parties permitted.

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**Sec. 8.03.003. - Specific noises prohibited.**

(2) The playing of any radio, phonograph or any musical instrument in such manner, or with such volume, particularly during the hours between 11:00 p.m. and 7:00 a.m., as to create a noise such as reasonably calculated to disturb a person of ordinary disposition under the same or similar circumstances residing in a dwelling or other type of residence in the vicinity. No stationary loudspeaker or amplifier shall be operated on any weekday between the hours of 11:00 p.m. and 7:00 a.m., and no such stationary loudspeaker or amplifier shall be operated at any time on Sunday between the hours of 7:00 a.m. and 1:00 p.m.

Number of Bedrooms:   3   Proposed Maximum  
Occupancy   6  

Initial LL **OCCUPANT REGULATIONS AND GUIDELINES:** Guest guidelines are attached hereto and made a part of the Specific Use Permit. The short-term rental shall be operated in accordance with the stated guidelines. The guidelines shall be furnished to all guests.

Initial LL **PROPERTY MANAGEMENT:** Owner will provide guests and City police department with owner's phone number to assure Owner's immediate knowledge of any concerns that may arise. (If not Owner Occupied) Owner agrees to always retain under contract a responsible local management company the property is used as a non-owner occupied short-term rental. The management company shall advise guests of the applicable

conditions contained herein, receive and pass on the owner any complaints received and at the owner's direction act upon such complaints. (If owner occupied) The property shall be the owner's principal place of residence and the owner shall always actively supervise and manage the property that is used as a short-term rental.

Initial AR **MISCELLANEOUS:** Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles. No trash bags shall be left out in the open. The exterior of the rental and the landscaping including lawns will always be maintained in good condition.

Initial AR **REVOCATION:** The SUP may be revoked by the City Council upon recommendation of the Planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

Initial AR **OWNER COMPLIANCE:** Owner/s agree to comply with all of the City of Morgan's Point Resort Ordinances and codes and all state, county and city laws, rules and regulations.

TO SCHEDULE AN INSPECTION, EMAIL [BuildingandSafety@mprtx.us](mailto:BuildingandSafety@mprtx.us)

**ACCEPTED AND AGREED TO:**

OWNER SIGNATURE: Edeltraud Rosado-Gonzalez

Date: \_\_\_\_\_

OWNER PRINT: Edeltraud Rosado-Gonzalez

Date: \_\_\_\_\_

**Code of Ordinances**

**APPENDIX B - ZONING ORDINANCE**

**Section 15. - Specific Use Permit.**



EDELTRAUD MUELLER ROSADO  
144 TONKAWA RDG  
HUTTO, TX 78834

131  
88-627/1119

3/09/2026

Date

CHECK ASSURE

Pay to the  
Order of

Mirgona Point Resort

\$ 500<sup>00</sup>/<sub>100</sub>

five hundred

Dollars



Photo  
Safe  
Deposit  
Option on back



A Member of First National Bank Texas  
800-903-7490 or www.1stcb.com

For

Edeltraud Mueller Rosado

⑆ 11906271⑆ ⑆ 673219465⑆ 0131

Model Check

Air BNB Rev  
02-00-4316  
short term rental



• **Section 15. - Specific Use Permit.**

15.1 Specific Uses. The City Council by an affirmative vote may, after public hearing and proper notice to all parties affected, and after recommendations from the Zoning Commission that the uses are in general conformance with the Comprehensive Plan and general objectives of the City and containing such requirements and safeguards as are necessary to protect adjoining property, authorize application [sic] and shall be accompanied by a site plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials, and locations of buildings and the uses to be permitted; location and instruction [construction] of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200'). The Planning Commission or City Council may require additional information or drawings (such as building floor plans), operating data and expert evaluation or testimony concerning the location, function and characteristics of any building or use proposed.

15.2 Specific Use Permit Regulations.

A. In recommendation that a Specific Use Permit for the premises under consideration be granted, the Zoning Commission shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property in the vicinity of the premises under consideration, and shall make recommendations as to the requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of buildings. The Zoning Commission and City Council shall consider the following criteria in determining the validity of the Specific Use Permit request:

1. Is the use harmonious and compatible with its surrounding existing uses or proposed uses?
2. Are the activities requested by the applicant normally associated with the requested use?
3. Is the nature of the use reasonable?
4. Has any impact on the surrounding area been mitigated?

B. In granting a Specific Use Permit, the City Council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the building official for use of the building on such property pursuant to such Specific Use Permit and such conditions precedent to the granting of the certificate of occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy.

C. No Specific Use Permit shall be granted unless the applicant, owner and grantee or [of] the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the

written requirements of the Specific Use Permit, as attached to the site plan drawing (or drawings) and approved by the Zoning Commission and City Council.

D. If required, a building permit shall be applied for and secured within six (6) months from the time of granting the Specific Use Permit, provided however, that the City Council, may authorize an extension of this time upon recommendation by the Zoning Commission. After six (6) months from the date of approval has elapsed, the Zoning Commission and City Council may review the site plan for continued validity. If the site plan is determined invalid, the property owner(s) must submit a new or revised site plan for approval prior to any construction or application for building permit for the area designated for the Specific Use Permit.

E. No building, premises, or land used under a Specific Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless a separate Specific Use Permit is granted for such enlargement, modification, structural alteration, or change.

F. The City Council authorizes granting of a Specific Use Permit, the Zoning Map shall be amended according to its legend to indicate that the affected area has conditioned and limited uses, and said amendment is to indicate the appropriate zoning district for the approved use and prefixed by an "S" designation.

15.3 Use Regulations. A building permit or premises used for any of the following purposes shall be permitted by Specific Use Permit only unless already allowed by right in a District's Permitted Uses.

15.4 Specific Use Permit Fees. No permit required by this article shall be issued until the fees prescribed in this section have been paid, nor shall any amendment to a permit be approved until the additional fees, if any, have been paid. The fee for Specific Use Permits Application shall be:

1. Upon applying for a Specific Use Permit: \$500.00 Application Fee
2. Upon Denial of a Specific Use Permit: 50% refund of the Specific Use Permit application fee

SF-- Single-Family Residential and MF--Multifamily Residential

1. Bed and Breakfast Inn or facility, Tourist Home or Short-Term Rental.

a. A maximum of 8 adults and 3 motor vehicles for a structure with 3 or more bedrooms.

b. A maximum of 6 adults and 2 motor vehicles for a structure with 2 Bedrooms.

c. A maximum of 4 Adults and 2 motor vehicles for a structure with only one bedroom.

d. A maximum of 2 household pets for each structure. Dogs, cats and domestic ferrets must be currently vaccinated (annually) for the rabies virus.

#### 10. Home occupations

#### C/R – Commercial/Retail

#### 1. Bed and breakfast facility

### **Section 16. - Off-street Parking and Loading Requirements.**

16.1 Purpose. To facilitate the adequate provision of parking and loading; to lessen congestion on public streets; to conserve the value of buildings; and to encourage the most appropriate use of land, off-street parking and loading shall be provided as set forth below.

#### 16.2 General Requirements.

A. The street right-of-way between the roadway and the property line of any property shall not be used for parking of travel trailers, motor homes, boats and/or trailers, whether or not attached to towing vehicles, for longer than 48 consecutive hours.

B. The street right-of-way between the paved roadway and the property line of adjacent property shall be available for parking of passenger cars and light trucks of not more than one ton carrying capacity. Planting of trees, shrubs or other plants or placement of obstacles which interfere with access to the right-of-way for such authorized parking or other public use of street areas is not permitted. The only exception is that a mailbox may be placed in the street right-of-way in a manner approved specifically in each instance by the Belton, Texas Postmaster.

#### 16.3 Special Off-Street Parking Provisions – Residential Districts.

A. A truck-tractor, road tractor, semi-trailer, bus, trailer, truck with more than two axles, rated capacity in excess of one and one-half tons (1-½ tons), or with a height of more than nine (9) feet, according to the manufacturer's classification, must stop, park or stand on an improved surface behind any building setback line as shown by the property's plat or the zoning ordinance, in accordance with City ordinance 10-24 [section 12.04.002 of the Code of Ordinances].

B. An application for a building permit must be submitted and approved by the Building Official for the required paved concrete or asphalt parking space.

C. For each residential building site, there shall be a minimum of two (2) off-street parking spaces on an improved surface, inclusive of the garage, to allow for stacking and maneuvering.

The concrete apron from the roadway to the property line required by City Ordinance 4-1 [Article 3.02 of the Code of Ordinances] may be used to satisfy some or all of this requirement.

#### 16.4 Off-Street Parking and Loading—Nonresidential.

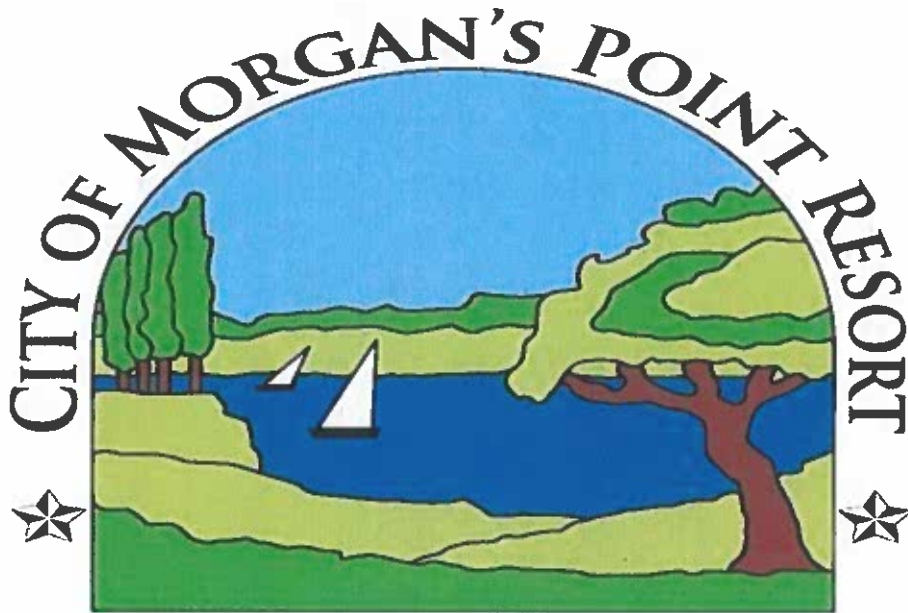
A. For safety and firefighting purposes, unimpeded access through parking areas shall be provided.

B. Handicapped parking space(s) shall be provided according to the International Building Code, the Americans With Disabilities Act Design Guide, and the Texas Accessibility Code.

C. Each commercial property must dedicate adequate off-street space to allow for the maneuvering and off-loading of delivery and maintenance trucks.

D. Application for a building permit on commercial property shall include a drawing showing adequate parking to accommodate the anticipated patronage of the commercial activity. The City Building Official shall be guided by "Standard Engineering Practices" in verifying the adequacy of parking and loading spaces planned.

E. In the event of a dispute regarding the adequacy of the parking and loading space planned, the applicant for a permit may request the City Council to consider whether or not an appeal of the decision of the Building Official shall be heard.



**RECOMMENDED  
ORDINANCE UPDATES FOR  
CONSTRUCTION, HOUSING  
AND ZONING**

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### CHAPTER 3 BUILDING REGULATIONS

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#### ARTICLE 3.03. - HOUSING CODE

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## Recommended Ordinance Updates for Construction, Housing and Zoning

### ARTICLE 3.02. - TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

#### Sec. 3.02.002. - Building Official

The City Building Official will be the City Manager. The City Building Official works under the guidance and direction of the City Manager and shall perform all the duties necessary for the processing of permit applications. The City Building Official has the duty to receive, review, approve, modify or reject all applications for the issuance by the City of building permits. No building permit shall be issued without the written approval of the Building Official. The Building Official shall have the authority to grant minor variances on setback lines and side and rear lot lines, with City Manager approval. The City Building Official may also perform the duties of City Building Inspector

*BO: Remove requirement for the City Manager to be the Building Official. The Building Official should not have the authority to allow variances of setback lines. This should be reviewed by P and Z.*

*DH suggestions from 1/13/2026 Join Meeting.*

*Per City Council meeting of 4/14/2026 added back BO's ability to approve minor setbacks with City Manager sign off.*

#### Sec. 3.02.003. - Building Inspector

The City Building Inspector shall inspect all phases of construction as outlined in the building, electrical, plumbing and mechanical **and energy** codes to ensure compliance with the applicable rules and regulations as set forth by this Article.

*BO: Add "and energy" to the 1<sup>st</sup> sentence. The State of Texas requires that we enforce energy codes as well as the others stated.*

#### Sec. 3.02.004. - Permit required

It shall be unlawful for any person to start construction on a new building, remodel or alter an existing building, place a storage building upon a home site, install a mobile home, install a septic or sewer system, install a swimming pool, install a fence, perform any electrical, plumbing or mechanical work on any structure, or demolish any structure, without first obtaining a permit for such work. **Refer to 2015 IRC R105.2 to reference what does not require a permit.**

*BO: We have the 2015 IRC adopted and R105.2 shows what does not require permits. We need to refer to the IRC language*

#### Sec. 3.02.005. - Plans, specifications and surveyed plot plan required

## Recommended Ordinance Updates for Construction, Housing and Zoning

The City Building Official shall require ~~their that his~~ office be provided with the following:

- (1) Plans and specifications to include the front, side and rear elevations, **foundation plan** and a detailed floor plan of the proposed structure.
- (2) A plot plan of the subdivision with the subject lot identified on the plot.
- (3) A survey showing the location of the proposed structure upon the lot in reference to all property boundaries, **setback and/or easements**.
- (4) A survey reflecting the approximate location of the septic system in relation to the proposed structure and the property lines.

*BO: Add "foundation plan" to (1) as all new home construction must have a State of Tx stamped plan. Also add "setback and/or easements" to (3). We need all the information on the survey we can get so we can make an informed decision.*

*Per CC meeting on 4/14/2025 modify to gender neutral statement.*

### Sec. 3.02.006. - Permit procedures; stop work orders

~~(c) Approval of plans and specifications. All plans and specifications must be approved by the City Building Official prior to the issuance of any permit required by this Article. In addition, the County Fire Marshal must review and approve all commercial construction permits in the interest of fire safety and seating capacity.~~

*BO: Remove the last sentence requiring County Fire Marshal to review commercial plans. The Building Official should have the knowledge of fire safety and load requirements as shown in the 2015 IBC*

~~(f) Expiration of permit. All permits shall expire and be considered no longer valid one year ~~180 days~~ after issuance unless construction work there under has actually started before the expiration of such period of time. In addition, construction must be completed within one year from the date of issuance of the building permit. The Building Official is authorized to waive these provisions if, in ~~their his~~ opinion, the situation warrants such waiver without fee.~~

*BO: This needs to be 180 days flat because it will be nearly impossible to determine when all projects in the city have started. The contractor/owner can ask for a one-time extension of 180 days without fee. The second and subsequent requests for extension will require fee and inspection.*

*DH suggested adjustment*

*Per City Council meeting of 4/14/2026 remove gender.*

### Sec. 3.02.007. - Permit fees

## Recommended Ordinance Updates for Construction, Housing and Zoning

### (1) New residential construction.

- a. Includes single- and multiple-family residences.
- b. Square footage includes all under-roof construction. Multi-story structures shall be calculated as above for each occupied floor and the sum of all floor area shall be construed as the aggregate area.
- c. Fees to be paid by individual contractors upon application for a permit are as follows:
  1. Building: \$0.06 per square foot (\$25.00 minimum).
  2. Foundation: \$64.00 (each inspection).
  3. Framing: \$40.00 (one phase inspection).
  4. Insulation: \$40.00 (one phase inspection).
  5. Wallboard: \$40.00 (one phase inspection).
  6. Electrical: \$160.00 (four phase inspection).

*BO: Add a wallboard inspection to new construction because we should be inspecting it per 2015 IRC.*

### (2) New commercial construction.

- a. Building: \$0.08 per square foot (minimum \$48.00).
- b. Foundation: \$64.00 (each inspection).
- c. Framing: \$40.00 (one phase inspection).
- d. Electrical: \$160.00 (four phase inspection).
- e. Plumbing: \$120.00 (three phase inspection).
- f. Mechanical: \$80.00 (two phase inspection).
- g. Wallboard: \$40.00 (one phase inspection).
- h. Sprinkler system: \$64.00 (one phase inspection).

*BO: Add a wallboard inspection to new construction because we should be inspecting it per 2015 IBC*

### (6) Residential/commercial remodel, renovation and alteration.

- a. Residential.
  1. Building: \$0.06 per square foot (\$50.00 minimum).
  2. Foundation: \$64.00 (each inspection).

## Recommended Ordinance Updates for Construction, Housing and Zoning

3. Framing: \$40.00 (each phase inspection).
4. Electrical: \$40.00 (each phase inspection).
5. Plumbing: \$40.00 (each phase inspection).
6. Mechanical: \$40.00 (each phase inspection).
7. Wallboard: \$40.00 (one phase inspection).
8. Certificate of occupancy: \$40.00 (one phase inspection).

**BO:** Add a wallboard inspection to new construction because we should be inspecting it per 2015 IRC/IBC

### (7) Swimming pools.

- a. Flat rate fee for each swimming pool: ~~\$80.00~~ \$160.00
- b. Includes a layout inspection, a rough-in inspection of the steel bonding, high/low voltage electrical, deck bonding and plumbing and then a final inspection of the security fencing, electrical system and security fencing, pool barriers and the required window and door alarms that comply with ASTM f2090.

**BO:** Change rate of swimming pools due to fact there must be so many inspections for a pool. The current price does not cover the required inspections. We should always conduct a layout inspection to verify the pool is in the correct location. Then when the shell is done, we check shell bonding with stingers and low voltage conduit along with verifying a water bond in the skimmer or at the equipment. We will also verify a halo bond is installed with deck bonding and any other metal parts within 5' of waters edge. Then the final requires fencing and alarms and verifying all pool equipment is bonded.

**DH Suggestion of final inspection of security fencing**

### Sec. 3.02.008. - Certificate of occupancy; required inspections

(b) Required inspections.

(1) Building:

- a. Survey plan setback lines.
- b. Foundation and steel.
- c. Framing.
- d. Insulation.

e. Wallboard

f. Masonry/fireplace.

## Recommended Ordinance Updates for Construction, Housing and Zoning

g. Driveways and flatwork.

h. Final and certificate of occupancy.

(2) Electrical:

a. TBM (temporary building meter/pole).

b. Rough-in.

c. Conditional final.

d. Final.

**e. Electrical service**

(3) Plumbing/gas:

a. Rough-in

b. Top out (stack)

c. Final.

(4) Mechanical:

a. Mechanical rough-in.

b. Mechanical final.

**(5) Energy final**

**(6) Miscellaneous inspections:**

a. Accessory building.

b. Garage/carport additions (attached or detached).

c. Blasting.

d. Fence.

e. Swimming pools.

f. Other.

**BO: Add "wallboard, electrical service and energy final inspections to the required inspections for new homes.**

**Sec. 3.02.012. - Sanitation facilities on construction sites**

## Recommended Ordinance Updates for Construction, Housing and Zoning

Temporary sanitation facilities shall be required on all construction sites **and shall not be placed on the public street.**

*BO: I have recently had issues with contractors placing port a johns on the street which is a risk for storm water drainage. They should all be on a controlled lot.*

### **Sec. 3.02.015. - Swimming pool fencing**

(a) All outdoor swimming pools of a permanent or semi-permanent construction having a depth of more than 14 inches, whether constructed above or below the ground, shall be enclosed by a fence installed in accordance with **Chapter 3 Sec.305 Barrier Requirements of the 2018 International Swimming Pool and Spa Code ISPSC per State of Texas. Appendix B, Section B105, of the International One and Two Family Dwelling Code, 2000 edition.** At no time shall the fence be in conflict with or violation of existing ordinances setting out clearances around fire hydrants or clearances from street corners or ordinances touching upon sight clearances.

*BO: Replace verbiage with "Ch. 3 Sec. 305 Barrier Requirements of the 2018 International Swimming Pool and Spa Code ISPSC per State of Texas"*

Aug 12, 2019 — Texas passed HB 2858 to improve safety of pools and spas throughout the state.

### **Sec. 3.02.051. - Residential construction**

All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Residential **Code For One- and Two-Family Dwellings Code**, 2015 edition, International Energy Conservation Code, 2015, published by the International Code Council, on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article, with amendments thereto.

*BO: Add "Code For" and remove "Code" at the end of the code title to be correct in our terminology.*

### **Sec. 3.02.052. - Commercial construction**

All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, or addition to commercial property in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Building Code, 2015 edition, **International Energy Conservation Code, 2015 edition** published by the International

## Recommended Ordinance Updates for Construction, Housing and Zoning

Code Council, and the ADA and 2012 TAS standards, on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article.

**BO:** Add "International Energy Conservation Code, 2015 edition" to be in compliance with State

*Also ADA Compliance Regulations as approved by P&Z and City Council.*

### Sec. 3.02.101. - Residential construction

**Standards.** All plumbing work performed within the City limits must be in compliance with the ~~International One- and Two-Family Dwelling Code, 2015 edition.~~ **International Residential Code For One and Two-Family Dwellings, 2015 edition**

**BO:** Make the above correction to have accurate title of publication

### Sec. 3.02.151. - Electrical code; permits

(a) **Standards.** All electrical work performed within the City limits must be in compliance with the National Electrical Code, ~~2014 edition~~ **2023 edition per TDLR**. The Building Inspector may authorize minor deviations from the code as long as the work is considered safe and durable and within the intent of the code.

(b) **Application for permit; bond.** All applications for electrical permits must be personally made by a licensed electrical contractor or licensed electrician ~~The City will accept electrical licenses that are current from any other City provided the appropriate surety bond has been posted with the Building Official.~~

**BO:** Remove "2014 edition" and replace with " 2023 edition per TDLR". The State of Texas minimum requirement for electrical is the 2023 NEC.

*The licenses for Electricians are state issued by TDLR. Remove language for city licensing. Makes it confusing.*

### Sec. 3.02.201. - Residential construction

(a) **Standards.** All mechanical work done within the City limits must be in compliance with the International Residential ~~Code For One- and Two-Family Dwellings Code, 2015 edition.~~ The Building Inspector may authorize minor deviations from the code as long as the work is safe, durable and within the intent of the code.

**BO:** Make above change to reference correct document title.

### Sec. 3.02.251. - Residential construction

(a) **Standards.** All gas work performed within the City limits must be in compliance with the International Residential ~~Code For One- and Two-Family Dwelling Code, 2015 edition.~~ The

## Recommended Ordinance Updates for Construction, Housing and Zoning

Building Inspector may authorize minor deviations from the code as long as the work is considered safe, durable and within the intent of the code.

*BO: Make above change to reference correct document title.*

### Sec. 3.02.301. - Application for permit; blasting permit; penalty.

(a) All applications for permits must be made by the homeowner or the contractor who will perform the work. Should blasting be required for the installation of said system, a permit must be issued in compliance with [Article 3.07](#).

(b) The same penalties shall apply as set forth in [Section 3.02.001](#) of this Article for any violations of the sewer/septic system requirements.

(Ord. No. 4-1, part VIII, § I, 6-13-02)

### Sec. 3.02.302. - Issuance of a permit

The following procedures shall be complied with in obtaining a sewer/septic system permit:

(1) All applications for septic permits must be submitted to the [Bell County Public Health District](#) for approval and will state in writing that the structure for which the permit is requested will or will not be connected to the sewage treatment plant located in this City.

~~(2) If the structure for which the permit is requested is not to be connected to the sewage treatment plant referred to above, the permit may be issued unless its issue is prohibited by provisions or restrictions contained elsewhere in this Article or other ordinances.~~

(3) If the structure for which the permit is requested will be connected to the sewage treatment plant referred to above, the permit will be withheld until an opinion in writing is obtained by the City Manager or Building Official from the State Commission on environmental quality stating that the connection of the structure for which the permit is requested will not cause an overload of sewage input which would exceed the capacity of the plant to treat. All fees and other costs, if any, in connection with obtaining this statement will be paid in advance by the applicant at the time the application for permit is presented to the City.

### Sec. 3.02.303. - On-site sewage facilities.

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**Recommended Ordinance Updates for Construction, Housing and Zoning**

- (a) Generally. Where the sanitary sewer is not available, on-site septic systems may be installed as approved by the Bell County Public Health District. ~~s provided herein according to the plans and specifications as outlined below.~~
- ~~(b) Location near flood area. If the septic system is located within 75 horizontal feet from the 50-year flood level (the 642 elevation line) of Lake Belton, the applicant must get approval from the Corps of Engineers prior to the installation of the system.~~
- ~~(c) Construction standards. Construction standards for on-site sewerage facilities adopted by the State Commission on environmental quality on May 23rd, 2001, or the most current rules enforced by the County Health District are further adopted by the City without change, and made effective within the City by this Article.~~
- ~~(d)(b) Application for permit.~~
- (1) The application for sewer/septic permit called for by Section 3.02.301(a) shall be known as application for permit to construct on-site sewage facility (OSSF). This permit process is under the jurisdiction of the Bell County Public Health District, and all on-site sewage facilities must be approved by them.
- (2) ~~A completed site evaluation form which has been approved by a registered professional engineer or a qualified site evaluator must be submitted with the application for OSSF permit.~~
- (3) ~~The application must include a water line locator form as provided by the City.~~
- (4) ~~Application for an OSSF permit must show that the facility and proposed OSSF will meet the requirements for estimated daily sewage flow, application rate and all applicable setback requirements.~~
- (5) ~~Each builder, whether a general contractor or subcontractor, who applies for this permit must have in his possession a copy of the publication referred to in subsection (c) above, and each builder shall confirm in writing on the application form that he has the publication in his possession.~~
- ~~(e) (c) Cesspools and seepage pits prohibited. Cesspools and seepage pits will not be used or approved within the City limits.~~
- ~~(f)(d) Plot plan. All requests for sewer/septic permits which contemplate installation or alteration of septic systems will be accompanied by a plot of the building site showing the exact location of the sewer/septic system and approved by the Bell County Public Health District.~~
- ~~(g) (e) Penalties: Penalties shall apply as reflected in Section 3.02.001 of this Article for any violations of the sewer/septic system requirement.~~
- Ord. No. 4-1, part VIII, § III, 6-13-02)

## Recommended Ordinance Updates for Construction, Housing and Zoning

### CTCOG/P&Z/DH/DA Recommended changes suggested to on-site aerobic septic systems

#### Sec. 3.02.351. - One- and two-family dwelling code

The City adopts the International Residential ~~Code For~~ One- and Two-Family Residential Building Code ~~Dwellings~~ with the following changes:

*BO: Make above change to reference correct document title*

(E) Page 89, R403.1.6, Foundation anchorage:

~~Delete: Shall extend a minimum of 7 inches into masonry or concrete.~~

~~Insert: 1/2" x 8" anchors shall extend a minimum of 6 inches into masonry or concrete and be placed within 12 inches of every exterior corner and plate end, and not more than 6 feet on center on all exterior plates.~~

*BO: Why. Delete deletion. This is less restrictive and there is an inch less of uplift protection.*

#### ARTICLE 3.03. - HOUSING CODE

#### Sec. 3.03.003. - Scope; designation of Building Official

~~(c) The City Manager is referred to in this Code as the "Building Official." The City Manager Building Official may delegate his responsibility to the City Building Inspector or other City employee as he deems appropriate.~~

*BO: Remove 1<sup>st</sup> sentence and the position City Manager in the second sentence and replace with Building Official*

#### Sec. 3.03.004.- Penalty

~~Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punishable by a fine not to exceed \$1,000.00 in all cases arising under the ordinances of the City that govern fire safety, zoning and public health and sanitation, other than vegetation and litter violations, and not to exceed \$200.00 in all other cases; provided that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the State. Each day or fractional part~~

## Recommended Ordinance Updates for Construction, Housing and Zoning

thereof any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

**BO: Remove "and not to exceed \$200.00 in all other cases" to keep simple. Litter violations are one of the smallest violations of housing code but is shown under \$1000 fine.**

### Sec. 3.03.031. - Created; membership; hearings.

(a) There may be ~~is hereby~~ established in the City a board, ~~in lieu of City Council acting in this capacity,~~ to be called the Housing Board of Adjustments and Appeals, hereinafter referred to within this Article as the Housing Board, which shall consist of five members. The members of the Housing Board shall be appointed by the City Council.

(b) Of the members first appointed, two shall be appointed for a term of one year, two for a term of two years, and one for a term of three years, and thereafter they shall be appointed for terms of four years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. ~~Consecutive~~~~Continued~~ absence of any member from ~~3 (three)~~ regular meetings of the Housing Board shall render any such member liable to immediate removal from office. Any member of the Housing Board may be removed at any time by a majority vote of the City Council for inefficiency, neglect of duty or malfeasance in office.

(c) Three members of the Housing Board shall constitute a quorum. In varying the application of any provision of this Article or in modifying an order of the Building Official, affirmative votes shall be required. No Housing Board member shall act in a case in which he has a personal interest.

(d) The ~~Building Official~~ City Secretary or designee shall act as Secretary to the Housing Board and shall make a record of all its proceedings.

(e) The Housing Board shall elect a ~~ChairPerson~~ chairman from among its members.

(f) The Housing Board shall establish rules and regulations for its own procedure and for the conduct of hearings not inconsistent with the provisions of this Article. The Housing Board shall meet at regular intervals to be determined by the ~~ChairPerson~~ Chairman, or, in any event, the Housing Board shall meet within ten days after a notice of appeal has been received.

**BO: Do we need to create a Housing Board or can City Council act as Board? Per City Counsel, no need for board at this time.**

## Recommended Ordinance Updates for Construction, Housing and Zoning

*Suggest removing "Building Official" from (d) and replace with City Secretary or designee. The Building Official will be too busy presenting a housing case to the Board to be able to record the minutes of the meeting as well.*

### Sec. 3.03.061. - Duties of Building Official

The Building Official, or **his** designate, is hereby charged with the duty of enforcing this housing code. For the purposes of the housing code, **his designates designate** may include the ~~Fire Marshal~~ Director of Emergency Services, Fire Chief, Police Chief or City Manager.

*BO: I was told we do not have an active Fire Marshal for MPR. Suggest removing Fire Marshal and replacing with Fire Chief, Police Chief or City Manager so we have someone that can perform the BO duties in his/her absence.*

*DH Suggestion to include Director of Emergency Services*

*Per City Council meeting of 4/14/2026 modify gender.*

### Sec. 3.03.063. - Notice of violation—Service on owner

(c) The notice shall state that, if such repair, reconstruction, alteration, removal or demolition is not voluntarily completed within the stated time as set forth in the notice, the ~~Housing~~ Building Official shall schedule the subject property for presentation to the Housing Board of Adjustments and Appeals for their review and decision. The owner and all others with legal interest in the property, as shown by deed records of the County, shall be notified of the date, time and place of the hearing of such case presentation. **This notification shall be by certified mail.**

*BO: Remove term "Housing" Official and replace with "Building" Official. Its better having a SPOC instead of a Building Official, Housing Official, Health Official, Code Official, etc.*

*DH Suggestion required by certified mail*

(3) ~~By publication of such notice in a newspaper of general circulation not less than three times within a 15-day period. This form of notice shall only be used when notice as provided in subsections (1) and (2) above is unobtainable.~~ By posting such notice on or at the property in question.

*BO: Remove all language in number 3 and add "By posting such notice on or at the property in question". The state of Texas says by registered mail alone it is considered delivered. Removing would save the city money.*

#### CHAPTER 214. MUNICIPAL REGULATION OF HOUSING AND OTHER STRUCTURES

(r) When a municipality mails a notice in accordance with this section to a property owner, lienholder, mortgagee, or registered agent and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

## Recommended Ordinance Updates for Construction, Housing and Zoning

### Sec. 3.03.101. - Notice of appeal.

(a) The Housing Board shall have the power, and it is hereby authorized, to hear any person who may appeal from any decision of the Building Official with respect to the repair, vacation, or demolition of any building, or portion thereof.

(b) **Owner** appeal shall be made by written statement, original and two copies, addressed to the board and mailed or delivered in person to the Secretary of the Building Official within ten days after receipt of ~~the his~~ final written decision.

(c) **Owner** appeal to the Housing Board shall operate as a stay against all proceedings under the notice of the Building Official until the Housing Board renders a decision.

(d) Upon receipt of the written notice of appeal, the Building Official shall notify the ~~chairman~~ **Chairperson** of the Housing Board. The ~~chairman~~ **Chairperson** shall call a meeting of the Housing Board to be held within ten days after receipt of the notice of appeal.

(Ord. No. 4-20, § 1-031, 12-14-89)

CC: City Council meeting on 2/10/2026 adjustment to require owner to go directly to District Court for ruling instead of appealing to City Council, since they act as the Housing Board.

Per City Council meeting of 4/14/2026 remove gender.

### Sec. 3.03.102. - Demolition of property

~~(a) In all instances where the decision of the Building Official requires demolition of property and where, although notice of such order is sent, neither appeal from such order nor compliance with the terms of such order is had, the Building Official shall, after the date set out for the initiation of compliance with the order has passed, file an appeal for such person for the purpose of having such decision reviewed by the Housing Board. The appeal shall be filed in the name of the owner of the property ordered demolished and the Building Official shall notify the owner of such action and the time, date and place of the hearing.~~

~~(b) When the Building Official appeals a case in which demolition is required, he shall cause to be printed in a newspaper of the County a list of such buildings, which shall have a heading describing the hearing, the purpose thereof, and the date thereof and shall list all buildings by street address, lot, block, and subdivision, and the owner's name as per tax records of the City.~~

*BO: Remove entire section of 3.03.102. Sec 3.03.101 has the Notice of Appeal procedures that are available to the violators. This is a lot of unnecessary work and cost to city and no other local cities offer this.*

Chapter 214 The Texas Housing Code does not specifically require a Building Official to file an appeal for a demolition order.

## Recommended Ordinance Updates for Construction, Housing and Zoning

### Sec. 3.03.103. - Conduct of hearing

(a) Upon receipt of the notice of appeal, the Building Official shall give written notice to the owner, occupant, mortgagee, and/or all other persons having an interest in the building to appear before the Housing Board on the date specified in the notice to show cause why the order contained in the notice of the Building Official should not be complied with. Such written notice may be served by any Police or Warrant Officer of the City or any other persons of good character or may be sent via Certified mail, the United States mail.

*BO: If sending by mail is sufficient then it makes sense to reduce cost by removing requirement for someone to physically serve the notice.*

*DH suggestion by Certified Mail not US mail*

### Sec. 3.03.106. - Appeal to City Council

~~(a) The City Council shall review every case involving a decision of the Housing Board requiring demolition of property for the limited purpose of determining if there is substantial evidence to support the findings and decision of the Housing Board. The aggrieved party shall file with the City Secretary a written notice of appeal to the City Council within ten days after rendition of the decision of the City Council. City Council may act as the Housing Board of Adjustments. Housing Board: If the aggrieved party shall fail or refuse to do so, then the Building Official shall file a notice of appeal for him.~~

*BO: Why have Council review every Demo order. They should review appeals received from the violators. They should have confidence in the expert witness of the Building Official and prior proceedings with the Housing Board.*

*Also, they have the opportunity to file an appeal themselves. The state does not require the Building Official to file the appeal for them as shown above*

*DH Suggestion to removing Housing Board and adding that City Council may as the Housing Board of Adjustments*

### Sec. 3.03.152. - Space and egress requirements

~~(b) Every dwelling shall contain at least 150 square feet of floor space plus 100 square feet of floor space for each occupant, the floor space to be calculated on the basis of total habitable room area~~

## Recommended Ordinance Updates for Construction, Housing and Zoning

**BO: Remove all language in Sec 3.03.152 (b). This contradicts the requirements of Zoning Appendix B Table 10.1 Area Regulations. Minimum of any dwelling is 800 square feet**

(c) Floor area shall be calculated on the basis of habitable room area. ~~However, the closet area and hall area within the dwelling, where provided, may count for not more than ten percent of the required habitable floor area~~

**BO: Remove second sentence regarding closet and hall allowed as habitable space. Contradicts adopted 2015 IRC Ch. 2 Definitions, "Habitable Space". A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.**



**RECOMMENDED  
ORDINANCE UPDATES FOR  
CONSTRUCTION, HOUSING  
AND ZONING**

# INDEX

## CHAPTER 3 BUILDING REGULATIONS

### ARTICLE 3.02. - TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

- **Sec. 3.02.002. - Building Official**
- **Sec. 3.02.003. - Building Inspector**
- **Sec. 3.02.004. - Permit required**
- **Sec. 3.02.005. - Plans, specifications and surveyed plot plan required**
- **Sec. 3.02.006. - Permit procedures; stop work orders**
- **Sec. 3.02.007. - Permit fees**
- **Sec. 3.02.008. - Certificate of occupancy; required inspections**
- **Sec 3.02.012. – Sanitation**
- **Sec 3.02.015. – Swimming Pool Fencing**
- **Sec 3.02.051. – Residential Construction**
- **Sec 3.02.052. – Commercial Construction**
- **Sec 3.02.101. – Residential Construction**
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- **Sec 3.02.201. – Residential Construction**
- **Sec 3.02.251. – Residential Construction**
- **Sec 3.02.301 - Application for Permit**
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### ARTICLE 3.03. - HOUSING CODE

- **Sec. 3.03.003. - Scope; designation of Building Official**
- **Sec. 3.03.004. – Penalty**
- **Sec. 3.03.031. - Created; membership; hearings**
- **Sec. 3.03.061. - Duties of Building Official**
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- **Sec. 3.03.103. - Conduct of hearing**
- **Sec. 3.03.106. - Appeal to City Council**
- **Sec. 3.03.152. - Space and egress requirements**

## **Recommended Ordinance Updates for Construction, Housing and Zoning**

### **ARTICLE 3.02. - TECHNICAL AND CONSTRUCTION CODES AND STANDARDS**

#### **Sec. 3.02.002. - Building Official**

The City Building Official works under the guidance and direction of the City Manager and shall perform all the duties necessary for the processing of permit applications. The City Building Official has the duty to receive, review, approve, modify or reject all applications for the issuance by the City of building permits. No building permit shall be issued without the written approval of the Building Official. The Building Official shall have the authority to grant minor variances on setback lines and side and-rear lot lines, with City Manager approval. The City Building Official may also perform the duties of City Building Inspector

#### **Sec. 3.02.003. - Building Inspector**

The City Building Inspector shall inspect all phases of construction as outlined in the building, electrical, plumbing and mechanical and energy codes to ensure compliance with the applicable rules and regulations as set forth by this Article.

#### **Sec. 3.02.004. - Permit required**

It shall be unlawful for any person to start construction on a new building, remodel or alter an existing building, place a storage building upon a home site, install a mobile home, install a septic or sewer system, install a swimming pool, install a fence, perform any electrical, plumbing or mechanical work on any structure, or demolish any structure, without first obtaining a permit for such work. Refer to 2015 IRC R105.2 to reference what does not require a permit.

#### **Sec. 3.02.005. - Plans, specifications and surveyed plot plan required**

The City Building Official shall require their office be provided with the following:

- (1) Plans and specifications to include the front, side and rear elevations, foundation plan and a detailed floor plan of the proposed structure.
- (2) A plot plan of the subdivision with the subject lot identified on the plot.
- (3) A survey showing the location of the proposed structure upon the lot in reference to all property boundaries, setback and/or easements.
- (4) A survey reflecting the approximate location of the septic system in relation to the proposed structure and the property lines.

#### **Sec. 3.02.006. - Permit procedures; stop work orders**

## **Recommended Ordinance Updates for Construction, Housing and Zoning**

(c) *Approval of plans and specifications.* All plans and specifications must be approved by the City Building Official prior to the issuance of any permit required by this Article:

(f) *Expiration of permit.* All permits shall expire and be considered no longer valid one year after issuance. The Building Official is authorized to waive these provisions if, in their opinion, the situation warrants such waiver without fee.

### **Sec. 3.02.007. - Permit fees**

#### **(1) New residential construction.**

a. Includes single- and multiple-family residences.

b. Square footage includes all under-roof construction. Multi-story structures shall be calculated as above for each occupied floor and the sum of all floor area shall be construed as the aggregate area.

c. Fees to be paid by individual contractors upon application for a permit are as follows:

1. Building: \$0.06 per square foot (\$25.00 minimum).
2. Foundation: \$64.00 (each inspection).
3. Framing: \$40.00 (one phase inspection).
4. Insulation: \$40.00 (one phase inspection).
5. Wallboard: \$40.00 (one phase inspection).
6. Electrical: \$160.00 (four phase inspection).

#### **(2) New commercial construction**

- a. Building: \$0.08 per square foot (minimum \$48.00).
- b. Foundation: \$64.00 (each inspection).
- c. Framing: \$40.00 (one phase inspection).
- d. Electrical: \$160.00 (four phase inspection).
- e. Plumbing: \$120.00 (three phase inspection).
- f. Mechanical: \$80.00 (two phase inspection).
- g. Wallboard: \$40.00 (one phase inspection).
- h. Sprinkler system: \$64.00 (one phase inspection).

## Recommended Ordinance Updates for Construction, Housing and Zoning

### **(6) Residential/commercial remodel, renovation and alteration.**

#### a. Residential.

1. Building: \$0.06 per square foot (\$50.00 minimum).
2. Foundation: \$64.00 (each inspection).
3. Framing: \$40.00 (each phase inspection).
4. Electrical: \$40.00 (each phase inspection).
5. Plumbing: \$40.00 (each phase inspection).
6. Mechanical: \$40.00 (each phase inspection).
7. Wallboard: \$40.00 (one phase inspection).
8. Certificate of occupancy: \$40.00 (one phase inspection).

### **(7) Swimming pools.**

#### a. Flat rate fee for each swimming pool: \$160.00

b. Includes a layout inspection, a rough-in inspection of the steel bonding, high/low voltage electrical, deck bonding and then a final inspection of the security fencing, pool barriers and the required window and door alarms that comply with ASTM f2090.

### **Sec. 3.02.008. - Certificate of occupancy; required inspections**

#### *(b) Required inspections.*

##### **(1) Building:**

- a. Survey plan setback lines.
- b. Foundation and steel.
- c. Framing.
- d. Insulation.
- e. Wallboard
- f. Masonry/fireplace.
- g. Driveways and flatwork.
- h. Final and certificate of occupancy.

## Recommended Ordinance Updates for Construction, Housing and Zoning

(2) Electrical:

- b. Rough-in.
- c. Conditional final.
- d. Final.
- e. Electrical service

(3) Plumbing/gas:

- a. Rough-in
- b. Top out (stack)
- c. Final.

(4) Mechanical:

- a. Mechanical rough-in.
- b. Mechanical final.

(5) Energy final.

(6) Miscellaneous inspections:

- a. Accessory building.
- b. Garage/carport additions (attached or detached).
- c. Blasting.
- d. Fence.
- e. Swimming pools.
- f. Other.

### **Sec. 3.02.012. - Sanitation facilities on construction sites**

Temporary sanitation facilities shall be required on all construction sites and shall not be placed on the public street..

### **Sec. 3.02.015. - Swimming pool fencing**

(a) All outdoor swimming pools of a permanent or semi-permanent construction having a depth of more than 14 inches, whether constructed above or below the ground, shall be enclosed by a fence installed in accordance with Chapter 3 Sec.305 Barrier Requirements

## **Recommended Ordinance Updates for Construction, Housing and Zoning**

of the 2018 International Swimming Pool and Spa Code ISPSC per State of Texas. At no time shall the fence be in conflict with or violation of existing ordinances setting out clearances around fire hydrants or clearances from street corners or ordinances touching upon sight clearances.

### **Sec. 3.02.051. - Residential construction**

All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Residential Code For One- and Two-Family Dwellings, 2015 edition, International Energy Conservation Code, 2015, published by the International Code Council, on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article, with amendments thereto.

### **Sec. 3.02.052. - Commercial construction**

All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, or addition to commercial property in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Building Code, 2015 edition, International Energy Conservation Code 2015 edition published by the International Code Council, and the ADA and 2012 TAS standards, on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article.

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*Standards.* All plumbing work performed within the City limits must be in compliance with the International Residential Code For One and Two Family Dwellings, 2015 edition.

### **Sec. 3.02.151. - Electrical code; permits**

(a) *Standards.* All electrical work performed within the City limits must be in compliance with the National Electrical Code, 2023 edition per TDLR. The Building Inspector may authorize minor deviations from the code as long as the work is considered safe and durable and within the intent of the code.

(b) *Application for permit; bond.* All applications for electrical permits must be personally made by a licensed electrical contractor or licensed electrician.

### **Sec. 3.02.201. - Residential construction**

## **Recommended Ordinance Updates for Construction, Housing and Zoning**

(a) *Standards.* All mechanical work done within the City limits must be in compliance with the International Residential Code For One- and Two-Family Dwellings, 2015 edition. The Building Inspector may authorize minor deviations from the code as long as the work is safe, durable and within the intent of the code.

### **Sec. 3.02.251. - Residential construction**

(a) *Standards.* All gas work performed within the City limits must be in compliance with the International Residential Code For One- and Two-Family Dwelling 2015 edition. The Building Inspector may authorize minor deviations from the code as long as the work is considered safe, durable and within the intent of the code.

### **Sec. 3.02.301. - Application for permit; blasting permit; penalty.**

(a) All applications for permits must be made by the homeowner or the contractor who will perform the work. Should blasting be required for the installation of said system, a permit must be issued in compliance with Article 3.07.

(b) The same penalties shall apply as set forth in Section 3.02.001 of this Article for any violations of the sewer/septic system requirements.

(Ord. No. 4-1, part VIII, § I, 6-13-02)

### **Sec. 3.02.302.-Issuance of a permit**

The following procedures shall be complied with in obtaining a sewer/septic system permit:

(1) All applications for septic permits must be submitted to the Bell County Public Health District for approval and will state in writing that the structure for which the permit is requested will or will not be connected to the sewage treatment plant located in this City.

(2) If the structure for which the permit is requested will be connected to the sewage treatment plant referred to above, the permit will be withheld until an opinion in writing is obtained by the City Manager or Building Official from the State Commission on environmental quality stating that the connection of the structure for which the permit is requested will not cause an overload of sewage input which would exceed the capacity of the plant to treat. All fees and other costs, if any, in connection with obtaining this statement will be paid in advance by the applicant at the time the application for permit is presented to the City.

### **Sec. 3.02.303 – On-site sewage facilities.**

## Recommended Ordinance Updates for Construction, Housing and Zoning

(a) Generally. Where the sanitary sewer is not available, on-site septic systems may be installed as approved by the Bell County Public Health District.

(b) Application for permit.

(1) The application for sewer/septic permit called for by Section 3.02.301(a) shall be known as application for permit to construct on-site sewage facility (OSSF). This permit process is under the jurisdiction of the Bell County Public Health District, and all on-site sewage facilities must be approved by them.

(c) Cesspools and seepage pits prohibited. Cesspools and seepage pits will not be used or approved within the City limits.

(d) Plot plan. All requests for sewer/septic permits which contemplate installation or alteration of septic systems will be accompanied by a plot of the building site showing the exact location of the sewer/septic system and approved by the Bell County Public Health District.

(e) Penalties: Penalties shall apply as reflected in Section 3.02.001 of this Article for any violations of the sewer/septic system requirement.

Ord. No. 4-1, part VIII, § III, 6-13-02)

### **Sec. 3.02.351. - One- and two-family dwelling code**

The City adopts the International Residential Code For One- and Two-Family Residential Dwellings with the following changes:

### **ARTICLE 3.03. - HOUSING CODE**

#### **Sec. 3.03.003. - Scope; designation of Building Official**

(c) The Building Official may delegate his responsibility to the City Building Inspector or other City employee as he deems appropriate.

#### **Sec. 3.03.004.- Penalty**

Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punishable by a fine not to exceed \$1,000.00 in all cases arising under the ordinances of the City that govern fire safety, zoning and public health and sanitation, other than vegetation and litter violations, provided that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the State. Each day or fractional part thereof any violation of this Code or of any ordinance shall continue and shall constitute a separate offense.

## **Recommended Ordinance Updates for Construction, Housing and Zoning**

### **Sec. 3.03.031. - Created; membership; hearings.**

(a) There may be established in the City a board, in lieu of City Council acting in this capacity, to be called the Housing Board of Adjustments and Appeals, hereinafter referred to within this Article as the Housing Board, which shall consist of five members. The members of the Housing Board shall be appointed by the City Council.

(b) Of the members first appointed, two shall be appointed for a term of one year, two for a term of two years, and one for a term of three years, and thereafter they shall be appointed for terms of four years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Consecutive absence of any member from 3 (three) regular meetings of the Housing Board shall render any such member liable to immediate removal from office. Any member of the Housing Board may be removed at any time by a majority vote of the City Council for inefficiency, neglect of duty or malfeasance in office.

(c) Three members of the Housing Board shall constitute a quorum. In varying the application of any provision of this Article or in modifying an order of the Building Official, affirmative votes shall be required. No Housing Board member shall act in a case in which he has a personal interest.

(d) The City Secretary or designee shall act as Secretary to the Housing Board and shall make a record of all its proceedings.

(e) The Housing Board shall elect a Chair Person from among its members.

(f) The Housing Board shall establish rules and regulations for its own procedure and for the conduct of hearings not inconsistent with the provisions of this Article. The Housing Board shall meet at regular intervals to be determined by the Chair Person, or, in any event, the Housing Board shall meet within ten days after a notice of appeal has been received.

### **Sec. 3.03.061. - Duties of Building Official**

The Building Official, or designate, is hereby charged with the duty of enforcing this housing code. For the purposes of the housing code, designates may include the Director of Emergency Services, Fire Chief, Police Chief or City Manager.

### **Sec. 3.03.063. - Notice of violation—Service on owner**

## **Recommended Ordinance Updates for Construction, Housing and Zoning**

(c) The notice shall state that, if such repair, reconstruction, alteration, removal or demolition is not voluntarily completed within the stated time as set forth in the notice, the Building Official shall schedule the subject property for presentation to the Housing Board of Adjustments and Appeals for their review and decision. The owner and all others with legal interest in the property, as shown by deed records of the County, shall be notified of the date, time and place of the hearing of such case presentation. This notification shall be by certified mail.

(3) By posting such notice on or at the property in question.

### **CHAPTER 214. MUNICIPAL REGULATION OF HOUSING AND OTHER STRUCTURES**

(r) When a municipality mails a notice in accordance with this section to a property owner, lienholder, mortgagee, or registered agent and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

#### **Sec. 3.03.101. - Notice of appeal.**

(a) The Housing Board shall have the power, and it is hereby authorized, to hear any person who may appeal from any decision of the Building Official with respect to the repair, vacation, or demolition of any building, or portion thereof.

(b) Owner appeal shall be made by written statement, original and two copies, addressed to the board and mailed or delivered in person to the Secretary of the Building Official within ten days after receipt of the final written decision.

(c) Owner appeal to the Housing Board shall operate as a stay against all proceedings under the notice of the Building Official until the Housing Board renders a decision.

(d) Upon receipt of the written notice of appeal, the Building Official shall notify the Chairperson of the Housing Board. The Chairperson shall call a meeting of the Housing Board to be held within ten days after receipt of the notice of appeal.

(Ord. No. 4-20, § 1-031, 12-14-89)

#### **Sec. 3.03.102. - Demolition of property (entire section to be deleted)**

#### **Sec. 3.03.103. - Conduct of hearing**

(a) Upon receipt of the notice of appeal, the Building Official shall give written notice to the owner, occupant, mortgagee, and/or all other persons having an interest in the building to appear before the Housing Board on the date specified in the notice to show cause why the order contained in the notice of the Building Official should not be complied with. Such written notice may be sent via Certified mail.

## **Recommended Ordinance Updates for Construction, Housing and Zoning**

### **Sec. 3.03.106. - Appeal to City Council**

(a) The aggrieved party shall file with the City Secretary a written notice of appeal to the City Council within ten days after rendition of the decision of the City Council. City Council may act as the Housing Board of Adjustments.

### **Sec. 3.03.152. - Space and egress requirements**

(c) Floor area shall be calculated on the basis of habitable room area.

## Chapter 14 Appendix B Section 10.4 (B) (2)

### B. Size of Building Site:

1. Lots must be platted with sufficient size to accommodate the minimum housing square footage with an approved on-site building plan.
2. In all new subdivision plats filed after January 1, 1988, where on-site septic system sewage disposal is utilized, the minimum lot size must be at least one-half acre and comply with all requirements of the Bell County Public Health District.
3. Any building site less than ½ acre, where an on-site septic system sewage disposal is utilized, must also comply with all requirements of the Bell County Public Health District.
4. All septic systems must be permitted, installed, inspected, and maintained in accordance with all applicable rules and regulations of the Bell County Public Health District and State of Texas.

Current Ordinance—Chapter 14 Appendix B Section 10.4 Changes in **RED**.

B. Size of Building Site:

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4. All septic systems must be permitted, installed, inspected, and maintained in accordance with all applicable rules and regulations of the Bell County Public Health District and state of Texas.