

ORDINANCE NO. 2021-045

An Ordinance amending the Code of Ordinances of the City of Pasadena, Texas at Chapter 9, Buildings and General Building Regulations, by amending Article III. Building Code, by adding section (i) for Building Permit fee for the waiver of residential building permit fees for a 120 day period; following the termination of any declaration of federal, state or local disaster; providing a repealing clause; providing a savings clause; providing for severability; and providing a penalty.

WHEREAS, effective 6:00 a.m. Monday 2/15/2021, Mayor of the City by order declared the disaster caused by the imminent threat to the City and its residents resulting from a winter storm and that said declaration would continue until 6 a.m. 2/22/2021 unless rescinded, pursuant to Tex. Govt. Code 418.108; and

WHEREAS, the City has adopted a fee schedules for residential and commercial permits, including building, mechanical, electrical, plumbing and miscellaneous permits; and

WHEREAS, the City Council desires to provide for the amendment to the residential building permit fee schedules in consideration of the circumstances of the winter storm adversely affecting the property of the citizens of Pasadena; and

WHEREAS, Commercial building, mechanical, electrical and plumbing permits fees will remain as identified by the City of Pasadena Code of Ordinances; NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASADENA, TEXAS:

SECTION 1. That Chapter 9, Buildings and General Building

Regulations, of the Code of Ordinances of the City of Pasadena, Texas, is hereby amended at Chapter 9, Buildings and General Building Regulations, by amending Article III. Building Code, by adding section (i) for Building Permit fee for the waiver of residential building permit fees for a 120 day period beginning 2/22/21 to read as follows:

Chapter 9 - BUILDINGS AND GENERAL BUILDING REGULATIONS

Section 9-60; Subsection (i) Building Permit Fee (Exception for declaration of a local disaster)

1. All residential permits (including building, mechanical, electrical, plumbing and miscellaneous permits) that encompass the repair, remodel or re-construction of all or a portion of a residential structure, shall have the fees waived for a period of time that extends from the last date of the declaration of local disaster, 2/22/2021 and up to 120 days following.
2. Any residential permit application, affected by this policy, shall be accompanied by a Homeowner Affidavit, on the form provided, that is signed by the owner/ occupant, in order to have the fees associated with that permit waived.
3. Only the scope of work that is a direct result of the winter storm event, shall be considered under this limited 2/15/21 declaration of local disaster as amended.
4. Furthermore, in any future events, whereby a declaration of federal, state or local disaster is made the foregoing provision's for waiver of a residential permit application shall apply to such future declaration of disaster and the 120 day permit fee waiver period will begin on the date the declaration of disaster is terminated.

SECTION 2. That all ordinances in force when this Ordinance becomes effective which are inconsistent with, or in conflict

with this Ordinance are hereby expressly repealed insofar as said ordinances are inconsistent with or are in conflict with this Ordinance.

SECTION 3. That all rights and remedies which have accrued in favor of the City under this Chapter and amendments thereto shall be and are preserved for the benefit of the City.

SECTION 4. That the City Council of the City of Pasadena, Texas does hereby declare that if any Section, subsection, paragraph, sentence, clause, phrase, word or portion of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the City Council would have passed and ordained any and all remaining portions of this Ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declares that its intent is to make no portion of this Ordinance dependent upon the validity of any other portion thereof, and that all said remaining portions shall continue in full force and effect.

SECTION 5. That it shall be unlawful and a misdemeanor to violate any provision or requirement hereof and any person convicted of violating any provision, restriction, requirement, or prohibition of this Chapter shall be fined in a sum of not more than Five Hundred Dollars (\$500.00) for each violation. A separate offense shall be deemed committed on each day during or

on which a violation occurs or continues.

SECTION 6. That the City Council officially determines that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further confirms such written notice and the contents and posting thereof.

(SIGNATUR AND APPROVAL - NEXT PAGE)

PASSED ON FIRST READING by the City Council of the City of
Pasadena, Texas in regular meeting in the City Hall this the
_____ day of _____, A.D., 2021.

APPROVED this the _____ day of _____, A.D., 2021.

JEFF A. WAGNER, MAYOR
OF THE CITY OF PASADENA, TEXAS

ATTEST:

APPROVED:

LINDA RORICK
CITY SECRETARY
CITY OF PASADENA, TEXAS

JAY W. DALE
CITY ATTORNEY
CITY OF PASADENA, TEXAS

PASSED ON SECOND AND FINAL READING by the City Council of the
City of Pasadena, Texas in regular meeting in the City Hall
this the _____ day of _____, A. D., 2021.

APPROVED this the __16__ day of _____March_____, A.D.,
2021.

JEFF A. WAGNER, MAYOR
OF THE CITY OF PASADENA, TEXAS

ATTEST:

APPROVED:

LINDA RORICK

JAY W. DALE

CITY SECRETARY
CITY OF PASADENA, TEXAS

CITY ATTORNEY
CITY OF PASADENA, TEXAS