

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING CHAPTER 3, ARTICLE 3.02, OF THE CODE OF ORDINANCES OF THE CITY OF UNIVERSITY PARK, TEXAS, BY AMENDING SECTIONS R105.5 AND R105.5.1 TO THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City of University Park has adopted the 2021 International Residential Code with amendments, as required by Section 214.002 (d) of the Local Government Code; and

WHEREAS the City has determined that it is necessary to regulate the time allowed for completion of major residential construction activities to safeguard the public; and

WHEREAS the purpose of a construction completion deadline is to protect neighborhoods from the long-term dust, noise, parking congestion, and disruption caused by major residential construction projects; and

WHEREAS the City Council finds and determines that the extension fees established by this ordinance are reasonably necessary to administer, inspect, monitor, and enforce the requirements for construction; and

WHEREAS the purpose of this ordinance is to promote the health, safety, and general welfare of the citizens of the City; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:

SECTION 1. That the Code of Ordinances of the City of University Park, Texas, is hereby amended by amending Sections R105.5 and R105.5.1 of the 2021 International Residential Code, heretofore adopted by amendment of Article 3.02, "Technical and Construction Codes and Standards," Division 2, of the Code of Ordinances of the City of University Park, Texas, as follows:

"Section R105.5 is changed to read as follows:

R105.5 Expiration. Every permit issued shall expire and become invalid unless the work authorized by such permit is commenced within sixty (60) days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of sixty (60) days after the time the work is commenced. A new permit must be obtained for any construction which has been suspended

or abandoned for a period of more than sixty (60) days. The permittee shall make a new application, resubmit plans for review, and pay a new full permit fee to resume work.

Construction of a one- or two-family residence of 10,000 square feet or less in area, including all concurrent sub-project accessory and fence structures on the site, shall be completed within eighteen (18) months after the date of issuance of the original building permit. Construction of a one- or two-family residence of 10,001 square feet or greater in area, including all concurrent sub-project accessory and fence structures on the site, shall be completed within twenty-four (24) months after the date of issuance of the original building permit. The Community Development Director is authorized to grant, in writing, one or more extensions of time upon application by the owner, with justifiable cause demonstrated and payment of the building permit extension fee provided in Section 105.5.1 below.”

“R105.5.1 is changed to read as follows:

R105.5.1 Extensions; Extension permit required. A new permit must be obtained for an extension of any construction which is not completed in the allowable time or extended as provided in this section. Prior to the issuance of an extension of a building permit for major residential construction activities:

- A. If the date to which a building permit is extended is a date that is no more than sixty (60) days after the original expiration date of the permit, the owner shall pay to the City a building permit extension fee in an amount equal to two hundred fifty dollars (\$250.00) per day. Building permit extensions shall be purchased in increments no less than 15 days; or,
- B. If the date to which a building permit is extended is a date that is more than sixty (60) days after the original expiration date of the permit, the owner shall pay to the City a building permit extension fee in an amount equal to five hundred dollars (\$500.00) per day. Building permit extensions shall be purchased in increments no less than 15 days.”

SECTION 2. All ordinances of the City of University Park in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance or the Codes or amendments adopted hereby be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, or the Code of Ordinances as a whole, other than the part so declared to be invalid, illegal, or unconstitutional.

SECTION 4. Any person, firm or corporation violating any of the provisions of a Code adopted by this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of University Park, shall be fined in an amount not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such offense continues shall constitute a separate offense.

SECTION 5. This ordinance shall take effect immediately from and after its passage, and the publication of the caption, as the law and Charter in such cases provide.

DULY PASSED by the City Council of the City of University Park, Texas, on the ____ day of _____ 2023

APPROVED:

TOMMY STEWART, MAYOR

ATTEST:

CHRISTINE GREEN, CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY
(RLD/06-28-23)

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DULY PASSED by the City Council of the City of University Park, Texas, on the ____ day of _____ 2023.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY