

ORDINANCE No. 2221

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAINT HEDWIG, TEXAS, REQUIRING THE OWNER OR AUTHORIZED AGENT OF AN OWNER OF PROPERTY TO OBTAIN A PERMIT PRIOR TO COMMENCING CONSTRUCTION; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION OF NOTICE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Saint Hedwig City Council has recently experienced increased development and construction; and

WHEREAS, the requirements for building permits are referenced in Zoning and Subdivision Ordinances of the City; and

WHEREAS, Ordinance 1103, adopted April 7, 2011 was approved by City Council adopting certain International Codes and Standards, including the 2006 Building Code, Plumbing Code, Mechanical Code, Energy Code, Fire Code and the 2005 National Electric Code, including the permit requirements provided for within each code; and

WHEREAS, the City Council of the City of Saint Hedwig has determined that it is necessary to consolidate and clarify the need for a building permit and other relevant permits as required under the adopted international code, prior to beginning construction within the City; and

WHEREAS, the City Council finds it necessary to provide that any construction within the City must comply with the adopted regulations and the fees provided for a building permit and all other permits are reasonably necessary to administer the services provided for herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAINT HEDWIG, TEXAS:

Part I. Enacted.

- (a) Permit required. Prior to any excavation or construction, any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by the city or state codes, or to cause any such work to be done, shall submit an application to the city and obtain the required permit in accordance with the ordinances of the city. Such application shall be filed with the City Community Development Coordinator.
- (b) Fees. The City shall charge and collect such fees and charges as may be prescribed by the City Council for building and development inside the corporate limits of the city as provided in the City of Saint Hedwig Fee Schedule.
- (c) Permit Expiration. Any permit issued by the City shall be effective for 12 months. An extension of an additional 6 months may be granted by the Community Development Coordinator.

Part 2. Findings of Fact.

The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life in the City.

Part 3. Penalty.

The failure or refusal of any person to comply with any of the provisions of Part 1 of this Ordinance and the violation of and provisions of the Ordinance by any person shall constitute a misdemeanor. Any person, firm or individual who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined in a sum not exceeding Five Hundred Dollars \$500.00. Each and every day the violation continues shall constitute a separate and distinct offense. A culpable mental state is not required to prove any such offense.

Part 4. Repeal.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Part 5. Severability.

It is the express intent of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, sentence, paragraph or section should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance as the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision, and to this end the provisions of this ordinance are hereby declared to be severable.

Part 6. Publication.

The City Secretary is authorized and direct to publish the caption and penalty prescribed by this Ordinance in accordance with State Law.

Part 7. Effective Date.

This Ordinance shall be in force and effect from and after its publication.

Part 8. Open Meetings.

The City Council finds and determines that the meeting at which this ordinance is passed was open to the public as required by law and that public notice of the time, place, and purpose of said meeting was duly given as required by the Texas Open Meetings Act.

PASSED AND APPROVED ON THIS THE 15TH DAY OF SEPTEMBER 2022.

CITY OF SAINT HEDWIG



Dee Grimm, Mayor

Attest:


Janice Staudt, City Secretary