

CITY OF COUPLAND, TEXAS

ORDINANCE No. 2026-08-18-01

AN ORDINANCE OF THE CITY OF COUPLAND, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF COUPLAND, TEXAS, PROVIDING AN ORDINANCE FOR BUILDING AND CONSTRUCTION SPECIFICATIONS AND PERMITS; ADOPTING A FEE SCHEDULE FOR BUILDING AND CONSTRUCTION PERMITS; PROVIDING FOR CERTIFICATES OF OCCUPANCY; ADOPTING MODEL CODES; PROVIDING FOR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING RELATED MATTERS.

WHEREAS, the City of Coupland, Texas, is a Texas type B general law city; and

WHEREAS, Section 51.01 of the Texas Local Government Code provides that Texas municipalities may adopt an ordinance for the good government, peace and order of the city; and

WHEREAS, Chapter 214 of the Texas Local Government code provides Texas municipalities with the authority to adopt and enforce building, residential, electrical, and related construction codes.

WHEREAS, the City of Coupland desires to adopt an ordinance to regulate building permitting, the granting of certificate of occupancy, and the adoption of building codes to protect the health, safety, and welfare of the citizens of the City of Coupland.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COUPLAND, TEXAS, THAT:

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council of the City of Coupland, Texas, and are made a part hereof for all purposes as findings of fact.

**Section 2. Adoption of Building and Construction Ordinance.** The City of Coupland, Texas, hereby adopts the Building and Construction Ordinance attached hereto as **Exhibit A** and incorporated herein for all purposes.

**Section 3. Adoption of Building and Construction Permit Fee Schedule.** The City of Coupland hereby adopts the Building and Construction Fee Schedule attached hereto as **Exhibit B** and incorporated herein for all purposes.

**Section 3. Repealing all Conflicting Ordinances.** All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein are amended to the extent of such conflict or inconsistency. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City of Coupland, the terms and provisions of this ordinance control.

**Section 4. Savings Clause.** The City Council of the City of Coupland, Texas hereby declares that if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this Ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that,

in such event that it 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 portion thereof, and that all said remaining portions shall continue in full force and effect.

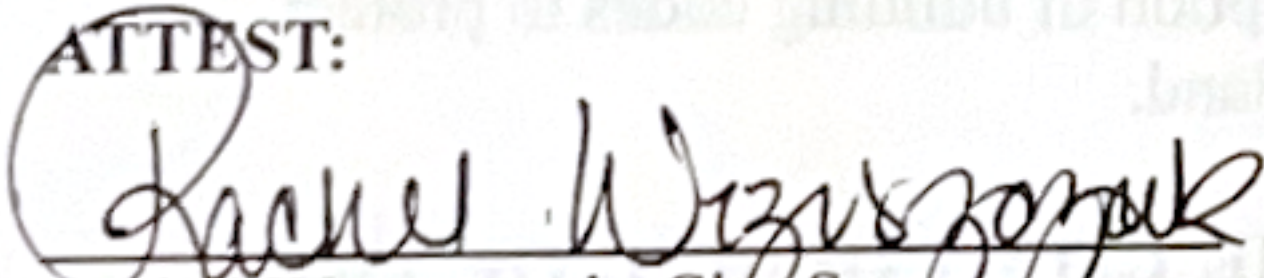
**Section 5. Severability.** If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

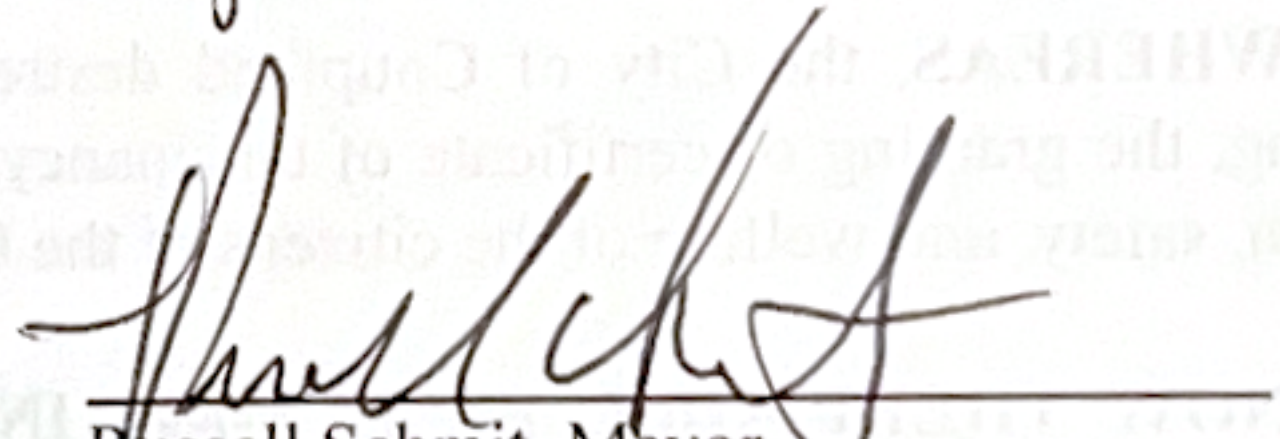
**Section 6. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance was considered was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**Section 7. Effective Date.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Texas Local Government Code.

PASSED AND APPROVED THIS 18<sup>th</sup> DAY OF August, 2024.

ATTEST:

  
Rachel Wrzuszcak, City Secretary

  
Russell Schmit, Mayor

## EXHIBIT A

### **BUILDING AND CONSTRUCTION ORDINANCE**

#### **I. Purpose.**

Subject to exemptions provided herein, this ordinance requires the issuance of a building permit by the Building Official before the commencement of development within the City of Coupland.

#### **II. Building Official.**

(A) The Building Official is the person(s) or entity designated by the City of Coupland to review and act on all applications, perform or cause to have performed all necessary inspections, and take all appropriate enforcement actions as related herein.

(B) The Building Official is authorized to receive applications, review plans and documents, issue or deny permits, conduct inspections, issue certificates or approvals, issue notices of violation, issue stop work orders, require corrections, and take other lawful enforcement action necessary to administer and enforce this Ordinance and the adopted codes.

(C) The Building Official is authorized to render interpretations of the adopted codes, provided that such interpretations are consistent with the intent of the applicable code, this Ordinance, and applicable law.

(D) The City may use third-party plan reviewers, inspectors, consultants, fire protection reviewers, engineers, or other qualified professionals to assist in administration or enforcement of the adopted codes to the extent authorized by law and City policy.

#### **III. Permits Required; Application.**

Subject to the exemptions provided herein, no person shall engage in the erection, construction, enlargement, alteration, movement, conversion, or demolition of any building, structure, or improvement within the city limits without first obtaining a separate permit for each building, structure, or improvement.

#### **IV. Permit Application.**

(A) To obtain a building permit, the applicant shall file a completed application available from the City Secretary. Only completed applications will be reviewed by the Building Official. Information required in the application shall include, but not be limited to the following:

(1) Plans and specifications drawn to scale showing the nature and extent of the proposed improvements including the address and legal description of the property and the property owner.

(2) The address and contact information for the individual overseeing the project and charged with accepting all notices from the city.

(2) The name and address of the person(s) that prepared the plans and specifications.

(3) Computations, stress diagrams, and other supporting data sufficient to support the plans.

(4) Any other information requested by the Building Official or city staff within seven days of submitting the application.

(B) To obtain a demolition permit the applicant shall file a completed application available from the City Secretary and provide any additional information as requested by the Building Official.

#### V. Permit Issuance.

(A) An administratively complete application will be reviewed by the Building Official and the necessary city staff to confirm the conformance with applicable ordinances, building codes, zoning restrictions, and law and shall approve or disapprove an application within 45 days of submission. An administratively complete application consists of all items provided in IV.(A) hereinabove.

(B) The Building Official shall provide a permit in writing for approved plans. All plans approved by the Building Official shall not be changed, modified, or altered without authorization of the Building Official and all work shall be performed according to the approved plans. The Building Official shall arrange for inspections of all improvements subject to a permit as needed to ensure compliance with city ordinances.

#### VI. Exemptions.

The following are exempt from the requirement of a building permit unless the project includes work subject to the building and other codes related herein and not exempted from any other applicable requirements of city ordinances, or state or federal law.

(A) One-story detached accessory structure not greater than 120 square feet measured along exterior walls that are intended and used for storage and similar purposes.

(B) Retaining walls which are not over four feet in height.

(C) Minor repairs to existing structures including, without limitation, installation of cabinets, counter tops, tiling, and carpeting.

(D) Roof repair or replacement made with same materials.

#### VII. Permits.

(A) The issuance of a permit shall not be construed to be a permit or an approval of a violation of any city ordinance.

(B) The issuance of a permit shall not prevent the Building Official requiring the correction of errors in plans or specifications or from the prevention of building operations that are in violation of city ordinances or applicable laws.

(C) Permits issued under this ordinance shall expire and void if the approved work of the permit is not commenced within 90 days of approval or if work is suspended or abandoned for a

period of greater than 30 days from commencement. Resubmission of an application is required for all projects subject to an expired or voided permit.

(D) The Building Official may revoke or suspend an issued permit if a permit was issued upon incorrect information supplied in the application, failure to adhere to the submitted and approved or amended plans, or upon the unremedied violation of city ordinances or applicable law by the issuance of a stop work order delivered to the person designated in the application as responsible for the acceptance of notices from the city. Work may be resumed on a suspended permit upon satisfactory remedy of the basis of the suspension as determined by the Building Official. Work on a revoked permit may not be resumed, and the applicant must resubmit an application.

#### VIII. Certificate of Occupation.

(A) No building or structure for which a permit has been issued for may be used or occupied until a certificate of occupancy has been issued by the Building Official.

(B) A certificate of occupancy may be issued upon the finding by the Building Official that the building or structure subject to a permit is consistent with the submitted plans and meets all applicable regulations and building codes.

(C) A certificate of occupancy shall not be deemed a warranty or representation that the building or structure is free from defects or dangerous conditions.

#### IX. Fees.

The fees for permit application, plan review, inspection, re-inspection and related fees shall be established by a fee schedule as adopted and amended from time to time by the city council and available at the City Secretary's Office.

#### X. Building and Other Related Codes.

The following codes, as published by the International Code Council or the National Fire Protection Association, are hereby adopted by reference as codes of the City of Coupland, Texas, as if fully set forth herein, subject to the scope limitations, administrative provisions, and local amendments set forth in this Ordinance and any future amendments adopted by the City Council. A copy of each adopted code shall be maintained in the office of the City Secretary, or such other municipal office as may be designated by the City and shall be available for public inspection during regular business hours.

(A) The City Council may adopt local amendments, fee schedules, permit requirements, inspection procedures, forms, and administrative policies for the codes adopted herein by separate ordinance, resolution, or other lawful action.

(B) Local amendments adopted by the City Council shall control over any conflicting provision of a model code to the extent permitted by state law.

(C) The administrative provisions of each adopted code are adopted to the extent necessary for administration and enforcement, except where modified by this Ordinance, another City ordinance, a City fee schedule, or a lawful administrative policy.

(D) Fire Code. The 2018 International Fire Code, including all appendices thereto, is hereby adopted as the Fire Code of the City of Coupland and shall apply to all structures, facilities, premises, processes, conditions, and operations within the City to the extent provided by the code and applicable law.

(E) Residential Code. The International Residential Code applicable under Texas Local Government Code Section 214.212, together with any lawful local amendments adopted by the city council, shall apply to the construction, alteration, enlargement, repair, relocation, demolition, and occupancy of detached one- and two-family dwellings and townhouses not more than three stories above grade plane, and their accessory structures, within the scope of that code.

(F) Building Code. The 2015 International Building Code is hereby adopted and shall apply to all non-residential buildings and to all multifamily residential structures containing three (3) or more dwelling units, including construction, alteration, enlargement, repair, removal, demolition, change of occupancy, and related work within the scope of that code.

(G) Electrical Code. The 2023 National Electrical Code, NFPA 70, is hereby adopted as the Electrical Code of the City of Coupland and shall apply to electrical installations, alterations, repairs, equipment, and systems within the scope of that code and applicable law.

(H) Mechanical Code. The 2015 International Mechanical Code is hereby adopted as the Mechanical Code of the City of Coupland and shall apply to the design, installation, alteration, repair, maintenance, and inspection of mechanical systems within the scope of that code.

(I) Plumbing Code. The 2015 International Plumbing Code is hereby adopted as the Plumbing Code of the City of Coupland and shall apply to the design, installation, alteration, repair, relocation, replacement, maintenance, and inspection of plumbing systems within the scope of that code.

#### XI. Penalties.

A. A person commits an offense if the person violates, causes, permits, maintains, or allows the continuation of a violation of this Ordinance, an adopted code, a permit condition, an approved plan, a lawful order of the Building Official, or any rule or regulation adopted pursuant to this Ordinance.

B. Any person violating this Ordinance or an adopted code shall, upon conviction, be punished by a fine not exceeding Five Hundred Dollars (\$500.00) for each offense; provided, however, that if the violation governs fire safety, zoning, or public health and sanitation, the fine shall not exceed Two Thousand Dollars (\$2,000.00) for each offense, as authorized by Texas Local Government Code Section 54.001.

C. Each day that a violation occurs or continues shall constitute a separate offense.

D. The criminal penalty provided herein is cumulative of all other remedies available to the City, including civil enforcement, injunctive relief, abatement, permit revocation, withholding of approvals or inspections, and any other remedy authorized by law.

## EXHIBIT B

### **CITY OF COUPLAND BUILDING AND CONSTRUCTION FEE SCHEDULE**

I. Permit fee schedule for all non-exempted residential and commercial new builds, remodels, and improvements subject to the building and trade codes adopted by the city council excepting the specific building permit fees set out in Section II.

| <b>Project Value</b>  | <b>Fee</b>                                                                        | <b>Fire Inspection</b>                                                           |
|-----------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Up to \$2000          | \$50                                                                              | \$15                                                                             |
| \$2001 - \$15,000     | \$50 for first \$2,000 in value; \$10.00 for each additional \$1,000 in value.    | \$25 for first \$2,000 in value; \$1.50 for each additional \$1,000 in value.    |
| \$15,001 - \$50,000   | \$180 for first \$15,000 in value; \$7.00 for each additional \$1,000 in value    | \$50 for first \$15,000 in value; 1.25 each additional \$1,000 in value.         |
| \$50,001 - \$100,000  | \$425 for first \$15,000 in value; \$5.00 for each additional \$1,000 in value.   | \$100 for first \$50,000 in value; \$1.00 for each additional \$1,000 in value.  |
| \$100,001 - \$500,000 | \$675 for first \$100,000 in value; \$3.00 for each additional \$1,000 in value.  | \$150 for first \$100,000 in value; \$0.65 for each additional \$1,000 in value. |
| \$500,001 and above   | \$1875 for first \$500,000 in value; \$2.00 for each additional \$1,000 in value. | \$500 for first \$500,000 in value; \$0.35 for each additional \$1,000 in value. |

II. Specific Building Permits:

|                         |       |
|-------------------------|-------|
| Structure moving permit | \$50  |
| Demolition              | \$100 |