
ORDINANCE NO. 23-10-19-03

AN ORDINANCE OF THE CITY COUNCIL OF LAGO VISTA, TEXAS, AMENDING SECTION 3.804 OF ARTICLE 3.800 WITHIN CHAPTER 3, AND SECTION 3.100 OF ARTICLE 3.000 WITHIN APPENDIX A OF THE LAGO VISTA CODE OF ORDINANCES REGARDING THE APPLICATION AND REVIEW PROCEDURES REQUIRED FOR BUILDING PERMITS; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Lago Vista, Texas is a Home Rule City; and

WHEREAS, the City Council of the City of Lago Vista has previously established application and review procedures required for building permits within Chapter 3 and Appendix A of the Lago Vista Code of Ordinances, and

WHEREAS, the staff and members of the Building and Standards Commission of the City of Lago Vista have become aware of needed changes to those requirements to incentivize more complete, accurate, and compliant building permit applications and to discourage single-family residential building permit applications that are highly speculative or absent adequate financial resources to be completed in a timely manner; and

WHEREAS, a subcommittee of the Building and Standards Commission of the City of Lago Vista that has been working on a broad range of issues related to municipal building regulations met on August 9, 2023 to discuss potential strategies to address these specific concerns; and

WHEREAS, that subcommittee presented a potential strategy for review by the entire membership of the Building and Standards Commission of the City of Lago Vista at the regular meeting on September 6, 2023, at which the members of the Commission unanimously directed the staff to prepare a draft ordinance amendment for potential recommendation to the Lago Vista City Council; and

WHEREAS, the Building and Standards Commission of the City of Lago Vista has undertaken a review of Section 3.1000 of Article 3.000 within Appendix A of the Lago Vista Code of Ordinances at their regular meeting on October 4, 2023; and

WHEREAS, the Building and Standards Commission of the City of Lago Vista has also undertaken a related review of Section 3.804 of Article 3.800 within Chapter 3 of the Lago Vista Code of Ordinances to address current enforcement problems involving newly constructed single-family residences at their regular meeting on October 4, 2023; and

WHEREAS, the Building and Standards Commission of the City of Lago Vista has forwarded a recommendation to the City Council to amend the requirements contained in both Chapter 3 and Appendix A of the Lago Vista Code of Ordinances as described below; and

WHEREAS, the City Council at its public hearing to consider this ordinance amendment held on October 19, 2023, reviewed the recommendation, and found the changes to be warranted.

WHEREAS, the City Council desires to amend the Lago Vista Code of Ordinances as described below.

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

SECTION 1. FINDINGS OF FACT. All of the above and foregoing recitals are hereby found to be true and correct legislative findings of the City and are incorporated herein as findings of fact.

SECTION 2. AMENDMENT. The City Council of the City of Lago Vista, Texas, does hereby amend Chapter 3 and Appendix A of the Lago Vista Code of Ordinances as shown in Exhibit “A,” and Exhibit “B.”

SECTION 3. REPEALER. All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Lago Vista, Texas, are hereby repealed to the extent said ordinances, orders or resolutions or parts thereof are in conflict herewith.

SECTION 4. SEVERABILITY CLAUSE. If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. CODIFICATION AND PUBLICATION. The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City’s Code of Ordinances as authorized by Section 52.013 of the *Texas Local Government Code*.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication in accordance with the provisions of the *Texas Local Government Code*.

SECTION 7. OPEN MEETINGS. It is hereby officially found and determined that the meeting at which this ordinance is passed 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 of the *Texas Government Code*.

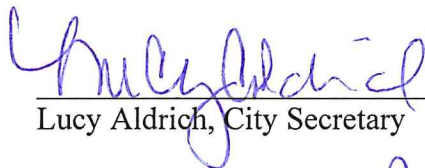
AND, IT IS SO ORDERED.

PASSED AND APPROVED this 19th day of October 2023.


Ed Tidwell, Mayor

ATTEST:




Lucy Aldrich, City Secretary

On a motion by Councilor Roberts, seconded by Councilor Durbin, the above and foregoing ordinance was passed and approved.

CHAPTER 3

BUILDING REGULATIONS

ARTICLE 3.800 OUTDOOR OR EXTERIOR LIGHTING

Sec 3.804 Procedures And Compliance

- (a) Single-family and Two-family Residential Outdoor Lighting.
- (1) The permit application for a single-family or two-family residence shall include information sufficient to demonstrate compliance with these provisions for use during the required local ordinance review. An approved permit shall include a signed acknowledgment by the applicant confirming that they are aware of and will comply with these outdoor lighting regulations.
 - (2) In addition to the required permit application review described above, compliance with outdoor lighting requirements for single-family or two-family residences will be reviewed onsite and verified before issuance of a Certificate of Occupancy. The Building Official may require manufacturer's data on any outdoor light fixture, adaptive controls, or lamp prior to that onsite review.

EXHIBIT "B"

APPENDIX A

FEE SCHEDULE

ARTICLE 3.000 BUILDING RELATED FEES.

Sec 3.100 Building Permit Fees

- (a) Residential review and permit fees. Unless otherwise noted, the review fees below are for compliance with local zoning and building regulations only. As a prerequisite to the local review, an applicant must provide documentation of a successful review for compliance with all applicable model building and fire codes from a third-party vendor that has been prior approved by the Building Official or Development Services Director. The cost of that third-party review is the responsibility of the applicant. Residential permits do not authorize the construction of fences, irrigation systems, solar panels, pools, spas, or similar improvements which require separate permits in accordance with the remainder of the fee schedule below.
- (1) Single-family: \$180.00 plan review fee plus \$0.75/sq. ft. permit fee.
 - (2) Single-family in the floodplain: \$200.00 plan review fee plus \$0.75/sq. ft. permit fee.
 - (3) Industrialized housing: \$180.00 plan review fee plus \$0.75/sq. ft. permit fee.
 - (4) Duplex: \$180.00 plan review fee plus \$0.75/sq. ft. permit fee.
 - (5) Multifamily: \$600.00 plan review fee plus \$0.80/sq. ft. permit fee (requires site development plan approval and design approval as a prerequisite to a building permit application; see Article 5.000 of Appendix A and Section 6.105 of Chapter 14).
 - (6) Manufactured home: \$180.00 plan review fee plus \$820 permit fee.
 - (7) Local review after each prior review failure: Single-family in the floodplain \$100.00, Multifamily \$300, all others \$90.00.
 - (8) Applicant initiated revision review fee (after approval, for items under local review only): \$25.00.
- (b) Commercial review and permit fees. Unless otherwise noted, the review fees below are for compliance with local zoning and building regulations only. As a prerequisite to the local review, an applicant must provide documentation of a successful review for compliance with all applicable model building and fire codes from a third-party vendor that has been prior approved by the Building Official or Development Services Director. The cost of that third-party review is the responsibility of the applicant. Commercial permits do not authorize the construction of fences, irrigation systems, solar panels, pools, spas, or similar improvements which require separate

permits in accordance with the remainder of the fee schedule below. All commercial development requires site development plan approval and design approval as a prerequisite to a building permit application; see Article 5.000 of Appendix A and Section 6.105 of Chapter 14).

- (1) Commercial building or shell (including industrialized buildings): \$600 review fee plus \$0.85/sq. ft permit fee.
 - (2) Tenant finish-out permit: \$150 review fee plus \$0.30/sq. ft. permit fee.
 - (3) Local review after each prior review failure: \$300.
 - (4) Applicant initiated revision review fee (after approval, for items under local review only): \$150.00
- (c) Building permits Renewals and Extensions (minimum – see Chapter 3, Article 3.100 Building Codes and Construction Requirements):
- (1) 1st renewal: \$200.00.
 - (2) 2nd and subsequent renewal: \$450.00.
- (d) Subcontractor permit renewals and extensions:
- (1) 1st renewal: \$50.00.
 - (2) 2nd and subsequent renewals: \$100.00.
- (e) Engineering review and inspection fees: \$200.00 + \$1.00 for every 100 square feet.
- (f) Remodeling that does not include additions: \$50.00 local plan review fee plus \$0.20/sq. ft.
- (g) Water well permit: \$200.00.
- (h) Plumbing permit (includes local and model building code review):
- (1) Single-family residence and each unit within a duplex or multifamily development: \$100.00.
 - (2) Commercial:
 - (A) Up to 3,000 sq. ft.: \$125.00.
 - (B) 3,001 sq. ft. and above: \$125.00 plus \$0.05/sq. ft of the area above 3,000 sq. ft.
- (i) Mechanical permit (includes local and model building code review):
- (1) Single-family residence and each unit within a duplex or multifamily development: \$100.00.
 - (2) Commercial:
 - (A) Up to 3,000 sq. ft.: \$125.00.

- (B) 3,001 sq. ft. of conditioned space or larger: \$125 plus \$0.05/sq. ft. of the area above 3,000 sq. ft.
- (j) Electrical permit (includes local and model building code review:
 - (1) Single-family residence and each unit within a duplex or multifamily development: \$100.00.
 - (2) Commercial:
 - (A) Up to 3,000 sq. ft.: \$125.00.
 - (B) 3,001 sq. ft. and above: \$125.00 plus \$0.05/sq. ft of the area above 3,000 sq. ft.
- (k) Reinspection fee and construction activity violation inspections (includes inspections out of sequence and without required documentation): \$75.00.
- (l) Reinspection fee (including construction activity violations) for items not initially corrected (2nd or subsequent trips): \$150.00.
- (m) Special project specific inspections: \$75.00.
- (n) Site visit requested by application (no inspection required): \$75.00.
- (o) Special third-party plan review and/or inspection (when required by the building official): 115% of actual cost.
- (p) Fire suppression system permit (local review only included): \$125.00.
- (q) Variance or appeal request (Building Codes or Chapter 3): \$250.00.
- (r) Administrative Fees:
 - (1) Upload documents for permit applicants: \$10.00.
 - (2) Scan and upload documents for permit applicants: \$35.00.
 - (3) Establish MPN permit file for applicants: \$75.00 plus any scan and/or upload fees.
- (s) Temporary Certificate of Occupancy:
 - (1) Initial (1-30 Days): \$250.
 - (2) First Extension (31-60 Days): \$500.00.
 - (3) Additional 30-day Extensions: \$750.00 each.
- (t) Amended or replacement Certificate of Occupancy (includes changes in use and/or occupancy classification):
 - (1) Name of business or ownership change only: \$25.00.
 - (2) All others: (Does not include cost of inspections or required permits): \$150.00.

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- (u) Other permits (includes all required reviews unless specifically stated otherwise):
- (1) Residential accessory buildings and structures:
 - (A) 120 sq. ft. or less: \$50.00.
 - (B) Over 120 sq. ft.: \$125 plus \$0.25/sq. ft.
 - (2) Boat docks, decks, and patios:
 - (A) 100 sq. ft. or less: \$100.00.
 - (B) Over 100 sq. ft.: \$150.00.
 - (3) Irrigation systems: \$75.00.
 - (4) Fences (regardless of when constructed): \$75.00.
 - (5) Pools, including all related construction with associated electrical and plumbing provisions as well as the required barrier reviews and inspections.
 - (A) Residential:
 - (i) Within the 100-year floodplain: \$575.00
 - (ii) Outside of the 100-year floodplain: \$475.00
 - (iii) Hot Tub (Spa) or portable above-ground pool: \$150.00.
 - (B) Commercial:
 - (i) Hot Tub (Spa) only: \$400.00.
 - (ii) All others: \$600.00.
 - (6) Minor plumbing, electric and mechanical repairs (excludes water heater and HVAC replacement): \$25.00.
 - (7) Small Job Permit (includes windows, doors, HVAC, and water heater replacement; no structural changes): \$75.00.
 - (8) Demolition permit: \$150.00.
 - (9) Solar Panels and associated equipment: \$250.00.

APPENDIX A

FEE SCHEDULE

ARTICLE 3.000 BUILDING RELATED FEES.

Sec 3.100 Building Permit Fees

- (a) Residential review and permit fees. Unless otherwise noted, the review fees below are for compliance with local zoning and building regulations only. As a prerequisite to the local review, an applicant must provide documentation of a successful review for compliance with all applicable model building and fire codes from a third-party vendor that has been prior approved by the Building Official or Development Services Director. The cost of that third-party review is the responsibility of the applicant. ~~(Fees Residential permits do not include authorize the construction of fences, irrigation systems, solar panels, pools, or spas, or similar improvements which require separate permits in accordance with the remainder of the fee schedule below.)~~
- (1) Single-family: ~~\$175.00~~ \$180.00 plan review fee plus \$0.75/sq. ft. permit fee.
 - (2) Single-family in the floodplain: \$200.00 plan review fee plus \$0.75/sq. ft. permit fee.
 - (3) Industrialized housing: ~~\$175.00~~ \$180.00 plan review fee plus \$0.75/sq. ft. permit fee.
 - (4) Duplex: ~~\$175.00~~ \$180.00 plan review fee plus \$0.75/sq. ft. permit fee.
 - (5) Multifamily: ~~\$175.00~~ \$600.00 plan review fee plus \$0.80/sq. ft. permit fee (requires site development plan approval and design approval as a prerequisite to a building permit application; see Article 5.000 of Appendix A and Section 6.105 of Chapter 14).
 - (6) ~~Mobile~~ Manufactured home: ~~\$1,000.00~~ \$180.00 plan review fee plus \$820 permit fee.
 - (7) ~~Applicant Permit Revision Re-Review fee~~ Local review after each prior review failure: \$25.00 Single-family in the floodplain \$100.00, Multifamily \$300, all others \$90.00.
 - (8) ~~Re-review fee after two failures~~ Applicant initiated revision review fee (after approval, for items under local review only): ~~\$75.00~~ \$25.00.
 - (9) ~~Driveways and Parking (temporary and permanent): \$150.00.~~
 - (10) ~~Separate Flatwork (other than driveways): \$75.00.~~
- (b) Commercial review and permit fees: ~~Plan review fee: \$600.00 plus \$0.85~~. Unless otherwise noted, the review fees below are for compliance with local zoning and building regulations only. As a prerequisite to the local review, an applicant must provide documentation of a successful review for compliance with all applicable model building and fire codes from a third-party vendor that has been prior approved by the Building Official or Development Services Director. The cost of that third-party review is the responsibility of the applicant. Commercial permits do not authorize the construction of

fences, irrigation systems, solar panels, pools, spas, or similar improvements which require separate permits in accordance with the remainder of the fee schedule below. All commercial development requires site development plan approval and design approval as a prerequisite to a building permit application; see Article 5.000 of Appendix A and Section 6.105 of Chapter 14).

- (1) ~~Re-review fee: \$200.00~~ Commercial building or shell (including industrialized buildings): \$600 review fee plus \$0.85/sq. ft permit fee.
 - (2) Tenant finish-out permit: \$150 review fee plus \$0.30/sq. ft. permit fee.
 - (3) Local review after each prior review failure: \$300.
 - (4) Applicant initiated revision review fee (after approval, for items under local review only): \$150.00
- (c) Building permits Renewals and Extensions (minimum – see Chapter 3, Article 3.100 Building Codes and Construction Requirements):
- (1) 1st renewal: \$200.00.
 - (2) 2nd and subsequent renewal: \$450.00.
- (d) Subcontractor permits ~~renewals and extensions~~:
- (1) 1st renewal: \$50.00.
 - (2) 2nd and subsequent renewals: \$100.00.
- (e) Engineering review and inspection fees: \$200.00 + \$1.00 for every 100 square feet.
- (f) ~~Residential accessory storage buildings~~ Remodeling that does not include additions: \$50.00 local plan review fee plus \$0.20/sq. ft.
- ~~(1) 120 sq. ft. or less: \$50.00.~~
 - ~~(2) Over 120 sq. ft.: \$125.00 plus \$0.25/sq. ft.~~
- (g) ~~Remodeling that does not include additions: \$50.00 plan review fee plus \$0.20/sq. ft.~~ Water well permit: \$200.00.
- (h) ~~Boat docks/decks/patios~~ Plumbing permit (includes local and model building code review):
- (1) ~~100 sq. ft. or less~~ Single-family residence and each unit within a duplex or multifamily development: \$100.00.
 - (2) ~~Over 100 sq. ft.~~ Commercial: ~~\$150.00.~~
 - (A) Up to 3,000 sq. ft.: \$125.00.
 - (B) 3,001 sq. ft. and above: \$125.00 plus \$0.05/sq. ft of the area above 3,000 sq. ft.
- (i) ~~Irrigation systems~~ Mechanical permit (includes local and model building code review): ~~\$75.00.~~

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- (1) ~~Single-family residence and each unit within a duplex or multifamily development: \$100.00.~~
- (2) Commercial:
- (A) Up to 3,000 sq. ft.: \$125.00.
- (B) 3,001 sq. ft. of conditioned space or larger: \$125 plus \$0.05/sq. ft. of the area above 3,000 sq. ft.
- (j) ~~Fences (constructed at any time)~~ Electrical permit (includes local and model building code review: \$75.00.
- (1) Single-family residence and each unit within a duplex or multifamily development: \$100.00.
- (2) Commercial:
- (A) Up to 3,000 sq. ft.: \$125.00.
- (B) 3,001 sq. ft. and above: \$125.00 plus \$0.05/sq. ft of the area above 3,000 sq. ft.
- (k) ~~Pools including pool, electrical, plumbing, and barrier review and inspection~~ Reinspection fee and construction activity violation inspections (includes inspections out of sequence and without required documentation): \$75.00.
- (1) ~~Residential:~~
- (A) ~~Flood plain: \$575.~~
- (B) ~~Non Flood plain: \$475.~~
- (C) ~~Hot Tub: 150.00.~~
- (2) ~~Commercial:~~
- (A) ~~Hot Tub Only: \$400.00.~~
- (B) ~~All others: \$600.00.~~
- (l) ~~Plumbing permit~~ Reinspection fee (including construction activity violations) for items not initially corrected (2nd or subsequent trips): \$150.00.
- (1) ~~Single family residence, multifamily multiply by number of units: \$100.00.~~
- (2) ~~Commercial:~~
- (A) ~~Up to 3,000 sq. ft. minimum: \$125.00.~~
- (B) ~~3,001 sq. ft. and larger: Permit fee plus \$0.05/sq. ft.~~
- (m) ~~Water well permit~~ Special project specific inspections: ~~\$200.00~~ \$75.00.
- (n) ~~Mechanical permit~~ Site visit requested by application (no inspection required): \$75.00.
- (1) ~~Single family residence, multifamily multiply by number of units: \$100.00.~~

~~(2) Commercial:~~

~~(A) Up to 3,000 sq. ft. minimum: \$125.00.~~

~~(B) 3,001 sq. ft. and larger of heated and AC space: Permit fee plus \$0.05/sq. ft.~~

- (o) ~~Electrical permit~~ Special third-party plan review and/or inspection (when required by the building official): 115% of actual cost.

~~(1) Single-family residence, multifamily multiply by number of units: \$100.00.~~

~~(2) Commercial:~~

~~(A) Up to 3,000 sq. ft. minimum: \$125.00.~~

~~(B) 3,001 sq. ft. and larger: Permit fee plus \$0.05/sq. ft.~~

- (p) ~~Minor plumbing, electric and mechanical repairs (excludes water heater and HVAC replacement)~~ Fire suppression system permit (local review only included): ~~\$25.00~~ \$125.00.

- (q) Variance or appeal request (Building Codes or Chapter 3): \$250.00.

- (r) ~~Reinspection fee and construction activity violation inspections (includes inspections out of sequence and without required documentation)~~ Administrative Fees: ~~\$75.00.~~

(1) Upload documents for permit applicants: \$10.00.

(2) Scan and upload documents for permit applicants: \$35.00.

(3) Establish MPN permit file for applicants: \$75.00 plus any scan and/or upload fees.

- (s) ~~Reinspection fee (including construction activity violations) for items not initially corrected (2nd or subsequent trips)~~ Temporary Certificate of Occupancy: ~~\$150.00.~~

(1) Initial (1-30 Days): \$250.

(2) First Extension (31-60 Days): \$500.00.

(3) Additional 30-day Extensions: \$750.00 each.

- (t) ~~Model home permit (per dwelling, per year)~~ Amended or replacement Certificate of Occupancy (includes changes in use and/or occupancy classification): ~~\$50.00.~~

(1) Name of business or ownership change only: \$25.00.

(2) All others: (Does not include cost of inspections or required permits): \$150.00.

- (u) ~~Fire suppression permit~~ Other permits (includes all required reviews unless specifically stated otherwise): ~~\$125.00.~~

(1) Residential accessory buildings and structures:

(A) 120 sq. ft. or less: \$50.00.

~~(B) Over 120 sq. ft.: \$125 plus \$0.25/sq. ft.~~

(2) Boat docks, decks, and patios:

(A) 100 sq. ft. or less: \$100.00.

(B) Over 100 sq. ft.: \$150.00.

(3) Irrigation systems: \$75.00.

(4) Fences (regardless of when constructed): \$75.00.

(5) Pools, including all related construction with associated electrical and plumbing provisions as well as the required barrier reviews and inspections.

(A) Residential:

(i) Within the 100-year floodplain: \$575.00

(ii) Outside of the 100-year floodplain: \$475.00

(iii) Hot Tub (Spa) or portable above-ground pool: \$150.00.

(B) Commercial:

(i) Hot Tub (Spa) only: \$400.00.

(ii) All others: \$600.00.

(6) Minor plumbing, electric and mechanical repairs (excludes water heater and HVAC replacement): \$25.00.

(7) Small Job Permit (includes windows, doors, HVAC, and water heater replacement; no structural changes): \$75.00.

(8) Demolition permit: \$150.00.

(9) Solar Panels and associated equipment: \$250.00.

~~(v) Demolition permit: \$150.00.~~

~~(w) Tenant finish-out permit: \$150.00 plan check fee plus \$0.30/sq. ft. permit fee.~~

~~(x) Third-party plan review and inspections (if required by building official): Actual cost plus 15%.~~

~~(y) Administrative Fees:~~

~~(1) Upload documents for permit applicants: \$10.00.~~

~~(2) Scan and upload documents for permit applicants: \$35.00.~~

~~(3) Establish MPN permit file for applicants: \$75.00 plus any scan and/or upload fees.~~

~~(z) Temporary Certificate of Occupancy:~~

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- ~~(1) — Initial (1-30 Days): \$250.~~
 - ~~(2) — First Extension (31-60 Days): \$500.00.~~
 - ~~(3) — Additional 30-day Extensions: \$750.00 each.~~
 - ~~(aa) — Certificate of Occupancy, Change of Occupancy/Change of Use:~~
 - ~~(1) — Name Change only on existing CO: 25.00.~~
 - ~~(2) — All others: (Does not include cost of inspections or required permits): \$150.00.~~
 - ~~(bb) — Solar and Charging Equipment: \$250.00.~~
 - ~~(cc) — Non-Inspection related site visit requested by applicants: \$75.00.~~
 - ~~(dd) — Small Job Permit (Includes windows, doors, HVAC, and water heater replacement; no structural changes): \$75.00.~~
 - ~~(ee) — Project Specific Inspection: \$75.00.~~
