

ORDINANCE NO. 24-08-01-04

AN ORDINANCE OF THE CITY COUNCIL OF LAGO VISTA, TEXAS, AMENDING SECTION 3.104 AND ARTICLE 3.1000 OF CHAPTER 3 OF THE LAGO VISTA CODE OF ORDINANCES RELATED TO THE USE OF SHIPPING CONTAINERS FOR RESIDENTIAL CONSTRUCTION; 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 provisions within Chapter 3 of the Lago Vista Code of Ordinances that establish requirements related to industrialized housing; and

WHEREAS, Ordinance No. 24-05-16-03 recently updated those provisions in accordance with a joint recommendation from the Building and Standards Commission and the Planning and Zoning Commission; and

WHEREAS, the Building and Standards Commission subsequently initiated research to determine how the Texas Department of Licensing and Regulation (TDLR), which includes the Texas Industrialized Building Code Council, regulates the use of shipping containers when proposed as a residential construction component; and

WHEREAS, that research revealed that certain language to clarify the local regulations as it relates to the potential use of one or more shipping containers for residential construction is warranted; and

WHEREAS, the Building and Standards Commission of the City of Lago Vista has undertaken an extensive review of those regulations at their regular meetings on May 1, 2024, and June 5, 2024, and a special call meeting on July 8, 2024; and

WHEREAS, the Building and Standards Commission of the City of Lago Vista has forwarded a recommendation to the City Council to amend the provisions contained in Section 3.104 and Article 3.1000 of Chapter 3 of the Lago Vista Code of Ordinances as described below; and

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 Section 3.104 and Article 3.1000 of Chapter 3 of the Lago Vista Code of Ordinances as shown in **Exhibit "A."**

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 1st day of August 2024.



Kevin Sullivan, Mayor

ATTEST:



Lucy Aldrich, City Secretary



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

EXHIBIT "A"

CHAPTER 3

BUILDING REGULATIONS

Sec 3.104 Definitions

Definitions not supplied herein shall be obtained from adopted editions of the International Building Code, International Mechanical Code, International Plumbing Code, National Electrical Code, International Property Maintenance Code, International Fuel Gas Code, International Energy Conservation Code, the International Fire Code and Webster's Third New International Dictionary of the English language, unabridged.

Alterations. Any change, addition or modification in construction, any change in the structural members of the building, such as exterior walls, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed."

City Engineer. A person or entity so qualified according to state regulations to provide the required services.

Container Homes. Also known as "shipping container homes," are a type of dwelling made out of steel shipping containers that are typically used to transport goods on trucks, trains, and ships. These containers are repurposed and modified to create livable spaces.

Dwelling. Any building which contains one or more "dwelling units" or "guest rooms" used, intended or designed to be built, used, rented, leased, let or hired out to be occupied, or which are occupied for living purposes.

Industrialized Building. A commercial structure that:

- (a) is constructed in one or more modules or constructed using one or more modular components built at a location other than the commercial site;
- (b) is designed to be used as a commercial building when the module or the modular components are transported to the commercial site and erected or installed;
- (c) includes the structure's plumbing, heating, air conditioning, and electrical systems; and
- (d) includes a permanent commercial structure and a commercial structure designed to be transported from one commercial site to another commercial site but does not include a commercial building or structure that is:

- (1) installed in a manner other than on a permanent foundation; and
- (2) either:
 - (A) not open to the public; or
 - (B) less than 1,500 square feet in total area and used other than as a school or a place of religious worship.

Industrialized Housing.

- (a) A residential structure that is:
 - (1) Designed for the occupancy of one or more families;
 - (2) Constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site, including modular components constructed of shipping containers; and
 - (3) Designed to be used as a permanent residential structure when the module or modular component is transported to the permanent site and erected or installed on an engineered permanent foundation system.
- (b) Industrialized housing includes the structure's plumbing, heating, air conditioning, and electrical systems.
- (c) Industrialized Housing does not include:
 - (1) housing constructed of a sectional or panelized system that does not use a modular component; or
 - (2) A ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.
- (d) Only housing designed as single-family housing, duplexes, townhouses, or apartments are considered industrialized housing. Residential occupancies such as dormitories and motels or hotels would be considered industrialized buildings, not industrialized housing.

Journeyman Electrician. Except as otherwise provided, a person undertaking electrical work under the supervision, direction and control of a licensed master electrician and who has been properly licensed by the state department of licensing and regulations. The term "journeyman electrician," however, shall not include an apprentice electrician, and nothing in this article shall be construed as prohibiting an apprentice electrician from doing electrical work under the direct, constant, personal supervision and control of either a licensed master or journeyman electrician.

ARTICLE 3.1000 INDUSTRIALIZED HOUSING AND BUILDINGS

- (a) Whenever a provision of this section and any other provision of this article, or any provision in any other law, ordinance, resolution, rule or regulation of any kind contains any restrictions covering any of the same subject matter, whichever restrictions are more restrictive or impose higher

standards or requirements shall govern. Any provisions of this article that are in conflict with state law shall be governed by state law to the extent of the conflict only.

(b) Definitions.

Alteration. Any construction, other than ordinary repairs of the house or building, to an existing industrialized house or building after affixing of the decal by the manufacturer or Relocatable Educational Facility (REF) builder. Industrialized housing or buildings that have not been maintained shall be considered altered.

Alteration Decal. The approved form of certification issued by the department to an industrialized builder to be permanently affixed to an industrialized building module indicating that alterations have been constructed to meet or exceed the code requirements and in compliance with this chapter.

Code. Chapter 1200 of the Texas Occupation Code, as amended.

Council. Texas Industrialized Building Code Council.

Decals and Insignia. Labels used to certify that modules or modular components are constructed and inspected in accordance with the approved design package, the mandatory building codes and the in-plant inspection requirements approved by the Texas Industrialized Building Code Council. Decals are used for module certification and insignia are used for modular component certification.

Industrialized Builder. A person who is engaged in the assembly, connection, and on-site construction and erection of modules or modular components at the building site or who is engaged in the purchase of industrialized housing or buildings modules or modular components for sale or lease to the public. An industrialized builder also includes a person who assembles and installs site-built Relocatable Educational Facilities (REFs) that are moved from the initial construction site.

Industrialized Building. See Section 3.104 of Chapter 3.

Industrialized Housing. See Section 3.104 of Chapter 3.

Mandatory Building Codes. Codes adopted by the Texas Department of Licensing and Registration (TDLR) in 16 TAC Chapter 70.100 and as may be further amended in 16 TAC Chapter 70. 101.

Relocatable Educational Facility (REF). A portable, modular building capable of being relocated, regardless of whether the facility is built at the installation site, that is used primarily as an educational facility for teaching the curriculum required under Section 28.002, Education Code. An REF that is purchased or leased on or after January 1, 2010, must comply with all provisions applicable to industrialized buildings under this Chapter.

Texas Department of Licensing and Regulation (TDLR). The state agency that is primarily responsible for the oversight of businesses, industries, general trades, and occupations that are regulated by the state and assigned to the department by the legislature.

- (c) Residential structures constructed utilizing shipping containers and meeting the definition of industrialized housing contained in Section 3.104 of Chapter 3 shall be considered industrialized housing subject to the requirements of this Article. Residential structures that utilize shipping containers that are modified only at the permanent location shall be required to comply with the

permitting and inspection requirements of Section 3.110 and Section 3.112, including but not limited to documentation of compliance with all applicable codes and regulations such as the adopted edition of the International Residential Code (IRC).

- (d) Industrialized housing and industrialized buildings shall not be permitted to be installed or constructed within the city limits unless each of the following conditions are met:
 - (1) All applicable approvals and permits required by this Article or this Chapter have been obtained.
 - (2) Strict compliance with the requirements of Chapter 14, the Lago Vista Zoning Ordinance and consistency with all other zoning, subdivision, landscaping, site development plan review requirements, and other development standards as applicable to site constructed homes or buildings.
 - (3) Construction and installation meets or exceeds requirements of the *Mandatory Building Codes* as defined above.
 - (4) All modules or modular components are affixed with an approved decal or insignia provided by the TDLR.
 - (5) Installation is performed by:
 - (A) an industrialized builder who is licensed by the TDLR; or
 - (B) a person who is purchasing or leasing an industrialized house or building for their own use, or their company's use, and has a valid TDLR permit for the installation.
 - (6) Except for temporary uses specifically identified in Section 3.124 in Article 3.100 of this chapter, industrialized homes and buildings shall be securely fixed to a permanent foundation which is completed in accordance with a foundation system design and any on-site details that have been sealed by a Texas licensed engineer or registered architect.
- (e) In addition to meeting the requirements of Section (c)(1) through Section (c)(5) immediately above, industrialized housing must also comply with each of the following conditions:
 - (1) In all residential zoning districts:
 - (A) Must have all local permits and licenses that are applicable to site-built single-family or two-family residences.
 - (B) Must comply with aesthetic standards, building setbacks, subdivision regulations and design standards, landscaping and tree preservation requirements, and all other applicable site requirements or development standards within the Lago Vista Code of Ordinances.
 - (2) In all single-family or two-family residential zoning districts except the R-MH ("Manufactured Home and Industrialized Housing") district:
 - (A) Must have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll

for each county in which the properties are located. Whenever only vacant lots are within five hundred feet of the proposed location, the appraisal shall be required to meet or exceed the value of the nearest single-family residence. For purposes of this subsection, "value" means the taxable value of the industrialized housing and the lot after installation of the housing.

- (B) Must have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located.

(f) Permit Requirements. Any owner or authorized agent who intends to construct erect, install or move any industrialized building or housing into the City shall first make application to the Building Official or Development Services Director and obtain the required permits, licensing and approvals as set forth in Section 3.110 of Article 3.100 of this chapter. In addition to the specified minimum requirements within Section 3.110 to be submitted for a permit review request, the applicant must submit:

- (1) A complete set of the design plans and specifications in a digital (electronic) format bearing the Texas Industrialized Building Code Council's stamp of approval for each installation of an industrialized home or building. Plans shall include the site-specific foundation system design and any unique on-site construction details.
- (2) Verification that the building or home has not been altered, modified or remodeled since receiving approval as required in the code, or, if such changes have occurred, an explanation of the extent of alteration, modification or remodeling.
- (3) Plans that demonstrate the industrialized building will be securely attached to a permanent foundation as described in section (c)(6) of this article.
- (4) Plans that indicate which items of the industrialized building installation will be performed a TDLR registered industrialized builder and which items will be performed by a TDLR permitted owner or agent if both are responsible for the installation.
- (5) Proof of TDLR registration of any industrialized builder and/or a copy of the TDLR permit of any owner or agent performing any part of the installation.
- (6) The owner of an industrialized building or home that has been modified or altered since applicable seal was affixed shall be required to bring the building or home into compliance with the building codes as provided in Section 1202.1535 of the Texas Occupation Code. If issues arise on the sufficiency of compliance, code equivalency or alternative material authorized for use in the industrial building codes, the building official shall contact the appropriate state agency for determination as provided in Section 1202.156.

(g) In addition to meeting requirements of Section (e)1 through Section (e)5 immediately above, an industrialized housing building permit application must also submit the following:

- (1) Plans that depict the exterior siding composition, roofing composition, roofing pitch, foundation fascia and fenestration of the proposed industrialized housing.
- (2) Plans that demonstrate compliance with residential aesthetic standards, building setbacks, subdivision regulations and design standards, landscaping and tree preservation

requirements, and all other applicable site requirements or development standards applicable to single-family and two-family residences in the City.

- (3) Identification of each single family dwelling located within 500 feet of the lot on which the industrialized housing is to be located, listing the following for each:
 - (A) Address;
 - (B) Lot and block number; and
 - (C) Appraised value as determined by the most recent certified tax appraisal for the county in which the industrialized housing is to be located.
 - (4) Description and front view photographs depicting exterior siding, roofing, roof pitch, foundation fascia and fenestration for each dwelling located within 500 feet of the lot on which the industrialized housing is to be located.
 - (5) Documentation verifying the projected value of the improved property, using one, or a combination of the following:
 - (A) A copy of the sales receipt, signed by the purchaser, of the industrialized housing unit, and documentation showing the taxable value of the lot as determined by the most recent certified tax appraisal roll for the county in which the industrialized housing is to be located.
 - (B) Appraisal of estimated value performed by a qualified appraiser. At the sole discretion of the City, it may commission its own appraisal, and use that appraisal for the estimated value.
 - (C) For the purposes of this subsection, “value” means the taxable value of the industrialized housing and the lot after installation of the housing.
- (h) Required Inspections.
- (1) Residential.
 - (A) Inspection #1. To be performed by an agent of the City Building Official when:
 - (i) Layout Inspection. All property corner pins have been located and flagged, string lines stretched along property lines, easement boundaries flagged, foundation staked out, all required erosion-control devices are installed, culverts are installed, the signed building permit available, and the municipal address is posted.
 - (ii) Plumbing rough. Locations of utility and sewer lines from city tie-in points to slab entry points are identified.
 - (iii) Form survey. The form survey required by Section 3.110(l) of Article 3.100 of this chapter has been submitted.
 - (B) Inspection #2. To be performed by an agent of the City Building Official when:

- (i) Foundation inspection. Trenches excavated, forms erected, vapor barrier and reinforcing steel in place, and changes in slab elevation(s) installed and ready to pour.
 - (ii) Plumbing Rough. Water and wastewater pipes in place.
- (C) Either the industrialized builder or the TDLR permit holder must have Inspections #3 and #4 performed by a TDLR approved inspector.
 - (i) The industrialized builder shall notify the City Building Official of the date and time of each inspection at least two business days before its performance.
 - (ii) A copy of each completed inspection or re-inspection report shall be furnished to the City Building Official within two business days of its receipt by the industrialized builder or permit holder.
- (D) Inspection #3 (TDLR Set Inspection). To be performed when modules or modular components are connected and fastened to the foundation.
- (E) Inspection #4 (TDLR Final On-Site Inspection). To be performed when utility services are connected, and all required tests have been performed.
- (F) Inspection #5 (Certificate of Occupancy). To be performed by an agent of the City Building Official after review of Inspections #2 through #4 and all necessary approvals including, but not limited to septic systems have been received by the City.
- (2) Commercial Buildings. Same basic requirements as for residential unless during the plan review it is determined that additional or different inspections or requirements are needed. A form survey will be required in accordance with section 3.110(l) at the time of layout inspection.
 - (i) A Certificate of Occupancy will be issued by the City Building Official in accordance with applicable requirements of Section 3.113 of Article 3.100 of this chapter.

EXHIBIT "A"

CHAPTER 3

BUILDING REGULATIONS

Sec 3.104 Definitions

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City Engineer. A person or entity so qualified according to state regulations to provide the required services.

Container Homes. Also known as "shipping container homes," are a type of dwelling made out of steel shipping containers that are typically used to transport goods on trucks, trains, and ships. These containers are repurposed and modified to create livable spaces.

Dwelling. Any building which contains one or more "dwelling units" or "guest rooms" used, intended or designed to be built, used, rented, leased, let or hired out to be occupied, or which are occupied for living purposes.

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- (a) is constructed in one or more modules or constructed using one or more modular components built at a location other than the commercial site;
- (b) is designed to be used as a commercial building when the module or the modular components are transported to the commercial site and erected or installed;
- (c) includes the structure's plumbing, heating, air conditioning, and electrical systems; and
- (d) includes a permanent commercial structure and a commercial structure designed to be transported from one commercial site to another commercial site but does not include a commercial building or structure that is:

- (1) installed in a manner other than on a permanent foundation; and
- (2) either:
 - (A) not open to the public; or
 - (B) less than 1,500 square feet in total area and used other than as a school or a place of religious worship.

Industrialized Housing.

- (a) A residential structure that is:
 - (1) Designed for the occupancy of one or more families;
 - (2) Constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site, **including modular components constructed of shipping containers; and**
 - (3) Designed to be used as a permanent residential structure when the module or modular component is transported to the permanent site and erected or installed on an engineered permanent foundation system.
- (b) Industrialized housing includes the structure's plumbing, heating, air conditioning, and electrical systems.
- (c) Industrialized Housing does not include:
 - (1) housing constructed of a sectional or panelized system that does not use a modular component; or
 - (2) A ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.
- (d) Only housing designed as single-family housing, duplexes, townhouses, or apartments are considered industrialized housing. Residential occupancies such as dormitories and motels or hotels would be considered industrialized buildings, not industrialized housing.

Journeyman Electrician. Except as otherwise provided, a person undertaking electrical work under the supervision, direction and control of a licensed master electrician and who has been properly licensed by the state department of licensing and regulations. The term "journeyman electrician," however, shall not include an apprentice electrician, and nothing in this article shall be construed as prohibiting an apprentice electrician from doing electrical work under the direct, constant, personal supervision and control of either a licensed master or journeyman electrician.

ARTICLE 3.1000 INDUSTRIALIZED HOUSING AND BUILDINGS

- (a) Whenever a provision of this section and any other provision of this article, or any provision in any other law, ordinance, resolution, rule or regulation of any kind contains any restrictions covering any of the same subject matter, whichever restrictions are more restrictive or impose higher

standards or requirements shall govern. Any provisions of this article that are in conflict with state law shall be governed by state law to the extent of the conflict only.

(b) Definitions.

Alteration. Any construction, other than ordinary repairs of the house or building, to an existing industrialized house or building after affixing of the decal by the manufacturer or Relocatable Educational Facility (REF) builder. Industrialized housing or buildings that have not been maintained shall be considered altered.

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Code. Chapter 1200 of the Texas Occupation Code, as amended.

Council. Texas Industrialized Building Code Council.

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Industrialized Building. See Section 3.104 of Chapter 3.

Industrialized Housing. See Section 3.104 of Chapter 3.

Mandatory Building Codes. Codes adopted by the Texas Department of Licensing and Registration (TDLR) in 16 TAC Chapter 70.100 and as may be further amended in 16 TAC Chapter 70.101.

Relocatable Educational Facility (REF). A portable, modular building capable of being relocated, regardless of whether the facility is built at the installation site, that is used primarily as an educational facility for teaching the curriculum required under Section 28.002, Education Code. An REF that is purchased or leased on or after January 1, 2010, must comply with all provisions applicable to industrialized buildings under this Chapter.

Texas Department of Licensing and Regulation (TDLR). The state agency that is primarily responsible for the oversight of businesses, industries, general trades, and occupations that are regulated by the state and assigned to the department by the legislature.

- (c) Residential structures constructed utilizing shipping containers and meeting the definition of industrialized housing contained in Section 3.104 of Chapter 3 shall be considered industrialized housing subject to the requirements of this Article. Residential structures that utilize shipping containers that are modified only at the permanent location shall be required to comply with the

permitting and inspection requirements of Section 3.110 and Section 3.112, including but not limited to documentation of compliance with all applicable codes and regulations such as the adopted edition of the International Residential Code (IRC).

(ed) Industrialized housing and industrialized buildings shall not be permitted to be installed or constructed within the city limits unless each of the following conditions are met:

- (1) All applicable approvals and permits required by this Article or this Chapter have been obtained.
- (2) Strict compliance with the requirements of Chapter 14, the Lago Vista Zoning Ordinance and consistency with all other zoning, subdivision, landscaping, site development plan review requirements, and other development standards as applicable to site constructed homes or buildings.
- (3) Construction and installation meets or exceeds requirements of the *Mandatory Building Codes* as defined above.
- (4) All modules or modular components are affixed with an approved decal or insignia provided by the TDLR.
- (5) Installation is performed by:
 - (A) an industrialized builder who is licensed by the TDLR; or
 - (B) a person who is purchasing or leasing an industrialized house or building for their own use, or their company's use, and has a valid TDLR permit for the installation.
- (6) Except for temporary uses specifically identified in Section 3.124 in Article 3.100 of this chapter, industrialized homes and buildings shall be securely fixed to a permanent foundation which is completed in accordance with a foundation system design and any on-site details that have been sealed by a Texas licensed engineer or registered architect.

(de) In addition to meeting the requirements of Section (c)(1) through Section (c)(5) immediately above, industrialized housing must also comply with each of the following conditions:

- (1) In all residential zoning districts:
 - (A) Must have all local permits and licenses that are applicable to site-built single-family or two-family residences.
 - (B) Must comply with aesthetic standards, building setbacks, subdivision regulations and design standards, landscaping and tree preservation requirements, and all other applicable site requirements or development standards within the Lago Vista Code of Ordinances.
- (2) In all single-family or two-family residential zoning districts except the R-MH ("Manufactured Home and Industrialized Housing") district:
 - (A) Must have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll

for each county in which the properties are located. Whenever only vacant lots are within five hundred feet of the proposed location, the appraisal shall be required to meet or exceed the value of the nearest single-family residence. For purposes of this subsection, "value" means the taxable value of the industrialized housing and the lot after installation of the housing.

- (B) Must have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located.

(ef) Permit Requirements: Any owner or authorized agent who intends to construct erect, install or move any industrialized building or housing into the City shall first make application to the Building Official or Development Services Director and obtain the required permits, licensing and approvals as set forth in Section 3.110 of Article 3.100 of this chapter. In addition to the specified minimum requirements within Section 3.110 to be submitted for a permit review request, the applicant must submit:

- (1) A complete set of the design plans and specifications in a digital (electronic) format bearing the Texas Industrialized Building Code Council's stamp of approval for each installation of an industrialized home or building. Plans shall include the site-specific foundation system design and any unique on-site construction details.
- (2) Verification that the building or home has not been altered, modified or remodeled since receiving approval as required in the code, or, if such changes have occurred, an explanation of the extent of alteration, modification or remodeling.
- (3) Plans that demonstrate the industrialized building will be securely attached to a permanent foundation as described in section (c)(6) of this article.
- (4) Plans that indicate which items of the industrialized building installation will be performed a TDLR registered industrialized builder and which items will be performed by a TDLR permitted owner or agent if both are responsible for the installation.
- (5) Proof of TDLR registration of any industrialized builder and/or a copy of the TDLR permit of any owner or agent performing any part of the installation.
- (6) The owner of an industrialized building or home that has been modified or altered since applicable seal was affixed shall be required to bring the building or home into compliance with the building codes as provided in Section 1202.1535 of the Texas Occupation Code. If issues arise on the sufficiency of compliance, code equivalency or alternative material authorized for use in the industrial building codes, the building official shall contact the appropriate state agency for determination as provided in Section 1202.156.

(fg) In addition to meeting requirements of Section (e)1 through Section (e)5 immediately above, an industrialized housing building permit application must also submit the following:

- (1) Plans that depict the exterior siding composition, roofing composition, roofing pitch, foundation fascia and fenestration of the proposed industrialized housing.
- (2) Plans that demonstrate compliance with residential aesthetic standards, building setbacks, subdivision regulations and design standards, landscaping and tree preservation

requirements, and all other applicable site requirements or development standards applicable to single-family and two-family residences in the City.

- (3) Identification of each single family dwelling located within 500 feet of the lot on which the industrialized housing is to be located, listing the following for each:
 - (A) Address;
 - (B) Lot and block number; and
 - (C) Appraised value as determined by the most recent certified tax appraisal for the county in which the industrialized housing is to be located.
- (4) Description and front view photographs depicting exterior siding, roofing, roof pitch, foundation fascia and fenestration for each dwelling located within 500 feet of the lot on which the industrialized housing is to be located.
- (5) Documentation verifying the projected value of the improved property, using one, or a combination of the following:
 - (A) A copy of the sales receipt, signed by the purchaser, of the industrialized housing unit, and documentation showing the taxable value of the lot as determined by the most recent certified tax appraisal roll for the county in which the industrialized housing is to be located.
 - (B) Appraisal of estimated value performed by a qualified appraiser. At the sole discretion of the City, it may commission its own appraisal, and use that appraisal for the estimated value.
 - (C) For the purposes of this subsection, “value” means the taxable value of the industrialized housing and the lot after installation of the housing.

(gh) Required Inspections.

(1) Residential.

- (A) Inspection #1. To be performed by an agent of the City Building Official when:
 - (i) Layout Inspection. All property corner pins have been located and flagged, string lines stretched along property lines, easement boundaries flagged, foundation staked out, all required erosion-control devices are installed, culverts are installed, the signed building permit available, and the municipal address is posted.
 - (ii) Plumbing rough. Locations of utility and sewer lines from city tie-in points to slab entry points are identified.
 - (iii) Form survey. The form survey required by Section 3.110(l) of Article 3.100 of this chapter ~~has been~~ has been submitted.
- (B) Inspection #2. To be performed by an agent of the City Building Official when:

- (i) Foundation inspection. Trenches excavated, forms erected, vapor barrier and reinforcing steel in place, and changes in slab elevation(s) installed and ready to pour.
 - (ii) Plumbing Rough. Water and ~~waste-water~~ wastewater pipes in place.
- (C) Either the industrialized builder or the TDLR permit holder must have Inspections #3 and #4 performed by a TDLR approved inspector.
 - (i) The industrialized builder shall notify the City Building Official of the date and time of each inspection at least two business days before its performance.
 - (ii) A copy of each completed inspection or re-inspection report shall be furnished to the City Building Official within two business days of its receipt by the industrialized builder or permit holder.
- (D) Inspection #3 (TDLR Set Inspection). To be performed when modules or modular components are connected and fastened to the foundation.
- (E) Inspection #4 (TDLR Final On-Site Inspection). To be performed when utility services are connected, and all required tests have been performed.
- (F) Inspection #5 (Certificate of Occupancy). To be performed by an agent of the City Building Official after review of Inspections #2 through #4 and all necessary approvals including, but not limited to septic systems have been received by the City.
- (2) Commercial Buildings. Same basic requirements as for residential unless during the plan review it is determined that additional or different inspections or requirements are needed. A form survey will be required in accordance with section 3.110(l) at the time of layout inspection.
- (hi) A Certificate of Occupancy will be issued by the City Building Official in accordance with applicable requirements of Section 3.113 of Article 3.100 of this chapter.
