

**TOWN OF BARTONVILLE
ORDINANCE NO. 493-10**

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING ARTICLE 3.1000 BUILDING CODE BY AMENDING SECTION 3.112 BUILDING PERMITS BY ADDING REQUIREMENTS FOR A PRELIMINARY GRADING AND DRAINAGE PLAN AND AMENDING SECTION 3.114 CERTIFICATE OF OCCUPANCY BY ADDING A NEW SUBSECTION (4) REQUIRING A FINAL GRADING AND DRAINAGE INSPECTION; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS:

SECTION 1. That the Code of Ordinance be and the same is hereby amended by amending Article 3.100 Building Code by amending Section 3.112 Building Permits by adding requirements for a preliminary grading and drainage plan and by amending section 3.114 Certificate of Occupancy by adding a new subsection (4) requiring a final grading and drainage inspection to read as follows:

“ARTICLE 3.100 BUILDING CODE

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Sec. 3.111 Building Official

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Sec. 3.112 Building Permits

(a) Application for Building Permit. All persons desiring to construct, refurbish, remodel or improve any building or structure within the corporate limits of the town shall make application for a building permit for said structure with the town secretary. All applications for building permits shall be accompanied by three (3) copies each of a property survey, site plan, building plan, and foundation plan, together with such copies as the town secretary or building official determines to be necessary for review by other administrative officers and agencies; shall be drawn to scale, showing the actual dimensions and shape of a lot to be built upon, the exact size and location of the building on the lot already existing, if any, and the location and dimensions of proposed buildings, structures or alterations. Prior to the issuance of a building permit the following must be provided:

1. A permit for the installation or construction of a septic system, if required, is approved by the town sanitarian.
2. A preliminary grading and drainage plan must be submitted with all applications for new construction (i.e. residences, additions, accessory structures or commercial structures in excess of 1,500 square feet, swimming pools or other features that may affect the Town's drainage). The plans shall incorporate all information as required by the Town Engineer including, but not limited to, the proposed finish-floor elevations, location of existing structures, proposed building footprint and erosion control measures. Erosion control measures shall be installed to ensure that no sediment is discharged onto the Town's right-of-way, adjacent properties or drainage facilities, such as easements or ponds.
3. Verification that the lot is in compliance with all platting requirements of the town.
4. Any additional information as lawfully may be required by the town secretary or building official, including: a copy of trade licenses of the general contractor or subcontractors; existing or proposed uses of the building or structure and land; conditions existing on the lot; and such other matters as may be necessary to determine conformance with the town's comprehensive zoning ordinance, subdivision control ordinance and/or building code.

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Sec. 3.113 Fees

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Sec 3.114 Certificate of Occupancy

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(3) Issuance.

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(4) Final as-built grading surveys. A final as-built grading and drainage survey must be provided for the Town Engineer's review prior to final inspection approval on all new construction (i.e. residences, additions, accessory structures or commercial structures in excess of 1,500 square feet, swimming pools or other features that may affect the Town's drainage). The grading and drainage survey must be prepared by a Texas state licensed surveyor or professional engineer and must include site elevations, finish-floor elevations, site features (i.e. trees, sod, A/C units, accessory buildings, etc.), drainage arrows, building foot print(s) and fence locations. The survey must also include a written statement by a licensed surveyor certifying that the final grading of the individual site conforms to the engineered drainage and grading plans approved by the Town Engineer for the particular lot/subdivision, or the

approved preliminary grading plan. The building inspection department will not issue an approval of the project until this survey and corresponding certification have been received and approved by the Town Engineer or his designee.”

SECTION 2. That should any word, phrase, paragraph, section or portion of this Ordinance be held to be invalid, unenforceable, void or unconstitutional, the same shall not affect the validity of the remaining portions of this Ordinance which shall remain in full force and effect.

SECTION 3. That any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the Town of Bartonville, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 4. That all provisions of the Ordinances of the Town of Bartonville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby amended, repealed, and all other provisions of the Ordinances of the Town not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That the Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

SECTION 6. That the Town Secretary of the Town of Bartonville is hereby directed to publish in the Official Newspaper of the Town of Bartonville the Caption and the Effective Date of this Ordinance for two (2) days.

SECTION 7. That this Ordinance shall be in full force and effect on July 1, 2010.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the Town Council of the Town of Bartonville, Texas, by a vote of 4 to 0, on the 15th day of June 2010.

(Seal)

APPROVED:

Ron Robertson, Mayor

ATTEST:

Debbie E. Millican, Town Administrator