

## Planning & Inspections Department

Mayor  
Oscar Leeser

City Council

*District 1*  
Ann Morgan Lilly

*District 2*  
Larry Romero

*District 3*  
Emma Acosta

*District 4*  
Carl L. Robinson

*District 5*  
Dr. Michiel R. Noe

*District 6*  
Claudia Ordaz

*District 7*  
Lily Limón

*District 8*  
Cortney C. Niland

City Manager  
Tommy Gonzalez

### CITY OF EL PASO, TEXAS AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: PLANNING & INSPECTIONS DEPARTMENT

AGENDA DATE: INTRODUCTION: MARCH 31, 2015  
PUBLIC HEARING: APRIL 7, 2015

CONTACT PERSON NAME AND PHONE NUMBER: VICTOR  
MORRISON-VEGA (915) 212-1553

DISTRICT(S) AFFECTED: ALL

#### SUBJECT:

An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.105 (permits), Subsection 18.02.105.9 (Design Professional) of the El Paso City Code, to exclude Group R-3 Occupancy Construction documents from design professional seal requirements, the Penalty being as provided in Section 18.02.111 (Violations and Penalties) of the El Paso City Code.

#### BACKGROUND / DISCUSSION:

The revision to Title 18.02 Building Code, Section 105.9 removes the requirement to obtain a Licensed/Registered Architect and allows for designers to provide design services in the development of Single Family residence without the 5,000 square foot limitation.

#### PRIOR COUNCIL ACTION:

N/A

#### AMOUNT AND SOURCE OF FUNDING:

N/A

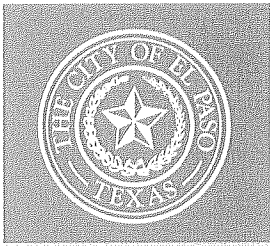
#### BOARD / COMMISSION ACTION:

N/A



Planning & Inspections Department  
City 3 | 801 Texas Avenue | El Paso, Texas 79901 | (915) 212-0083

*Dedicated to Outstanding Customer Service for a Better Community*



## City Development Department

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**Mayor**  
Oscar Leeser

**DEPARTMENT HEAD:** \_\_\_\_\_

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

*Information copy to appropriate Deputy City Manager*

**City Council**

*District 1*  
Ann Morgan Lilly

*District 2*  
Larry Romero

*District 3*  
Emma Acosta

*District 4*  
Carl L. Robinson

*District 5*  
Dr. Michiel R. Noe

*District 6*  
Claudia Ordaz

*District 7*  
Lily Limón

*District 8*  
Cortney C. Niland

**City Manager**  
Tommy Gonzalez



City Development Department  
City 3 | 801 Texas Avenue | El Paso, Texas 79901 | (915) 212-0083  
*Dedicated to Outstanding Customer Service for a Better Community*

**AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.02 (BUILDING AND CONSTRUCTION ADMINISTRATIVE CODE), SECTION 18.02.105 (PERMITS), SUBSECTION 18.02.105.9 (DESIGN PROFESSIONAL) OF THE EL PASO CITY CODE, TO EXCLUDE GROUP R-3 OCCUPANCY CONSTRUCTION DOCUMENTS FROM DESIGN PROFESSIONAL SEAL REQUIREMENTS, THE PENALTY BEING AS PROVIDED IN SECTION 18.02.111 (VIOLATIONS AND PENALTIES) OF THE EL PASO CITY CODE.**

**WHEREAS**, Title 18 (Building and Construction) of the El Paso City Code (the “Code”) was adopted to promote the health, safety, morals and general welfare of the community and regulates the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City to provide standards to safeguard the public; and

**WHEREAS**, Title 6 (Regulation of Engineering, Architecture, Land Surveying, and Related Practices) of the Texas Occupations Code requires certain types of buildings be designed by a registered design professional; and

**WHEREAS**, Title 18 of the City Code establishes restrictions in addition to those outlined by the Texas Occupations Code; and

**WHEREAS**, Title 18 of the City Code is being amended in response to requests from industry stakeholders and consideration by City staff to clarify the occupancy classifications requiring preparation by a design professional to more closely adhere to State requirements; and

**WHEREAS**, the El Paso City Council has determined that this amendment is in the best interest of the public and will promote the public health, safety and welfare of the City;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**Section 1.** That Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.105 (Permits), Subsection 18.02.105.9 (Design professional), of the El Paso City Code is hereby amended to read as follows:

Subsection 18.02.105.9 Design professional.

The architect or engineer who prepares construction documents shall have full responsibility for complying with Texas Occupations Code, Chapter 1001 (Engineers) or Chapter 1051 (Architects), as applicable, and shall affix his official seal to said drawings, specifications and accompanying data for the following:

1. For new construction, additions, expansions or for changes in occupancy or use of:
  - A. All Group A, B, E, F, H, I, and M occupancies;
  - B. Buildings and structures three stories or more high;

- C. All buildings and structures, five thousand square feet or more in area, excluding group R-3 occupancies.
2. For alterations, repair, or rehabilitation of:
- A. All Group A, B, E, F, H, I, and M occupancies where the affected area exceeds one thousand square feet or the proposed work involves or affects structural elements, fire-resistive elements or fire exits;
- B. All other buildings and structures three stories or more high.

For all other buildings and structures, the submittal shall bear the certification of the applicant that some specific state law exception permits its preparation by a person not so registered.

Every application for a permit to do electrical work on residential premises over two thousand five hundred square feet in area and all nonresidential premises shall be accompanied by drawings. Such drawings shall be signed by a master electrician, unless they bear the signature and seal of an electrical engineer.

**Section 2.** Except as expressly herein amended, Title 18 (Building and Construction) of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2015

CITY OF EL PASO

\_\_\_\_\_  
Oscar Leaser  
Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
John R. Batoon  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Mathew S. McElroy, Director  
Planning & Inspections Department