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# RESIDENTIAL CONSTRUCTION PERMIT OVERVIEW

June 21, 2017

# History

- City has adopted and is currently utilizing the 2015 International Residential Code (IRC)
- The City has used the International Code Council (ICC) products for approximately 16 years. Prior to the inception of the ICC the City used the Uniform Codes from the International Conference of Building Officials (ICBO) starting in approximately 1976.
- Permits are typically broken down into two parts, the permit ***application(plan review)*** and the actual ***permit*** document.

# Permit applications (plan review)

- Currently the 2015 International Residential Code(IRC) states permit applications(plan review) are considered abandoned 180 days after the date of filing such application if not pursued in good faith.
- The 1976 Uniform Building Code(UBC) stated applications for which no permit had been issued shall expire 180 days following the application.
- No local amendments have been made addressing applications or plan review.

# Permits

- Currently the 2015 International Residential Code(IRC) section R105.5 states “every permit shall become invalid unless the work authorized is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.”
- The 1976 Uniform Building Code(UBC) section 302 d stated “every permit shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 120 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work has commenced for a period of 120 days.”

# Permits – local amendments

- Farmers Branch has a local amendment to R105.5 of the 2015 IRC which states “every permit issued shall become invalid unless the work authorized by such permit is commenced within 90 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 90 days after the time the work is commenced.”
- This amendment goes on to establish a final expiration of all residential permit of 365 days. It also allows 30 day extensions of the final expiration with justifiable cause.

# Challenges

- Building permits are a “ministerial act”. Permit applications cannot be withheld if they meet the minimum criteria to be issued.
- Perception of the Building permit process as being a burden or cumbersome.
- City of FB local amendment is already more strict than surrounding communities.
- 252 Residential remodel permits issued last year (June 2016-2017), approximately 5 with lack of activity issues. (2%)

# Solutions

- Consider charging a re-instatement fee for permits taking longer than 90 days or 180 days. Fee could be weighted or tiered based upon progress or lack thereof.
- Turn stagnant projects over to Code Enforcement Officers for correction notice. Could result in a court citation which is typically more expensive than the permit itself.
- Consider charging an upfront, non-refundable plan review deposit. Currently there is no upfront charge to start the permit process. Having upfront fees may discourage those projects that tend to be less serious.
- Consider crafting an amendment creating a time frame in which all exterior items need to be completed. Items such as exterior siding and painting (weather protection).
- Make no changes to existing process.