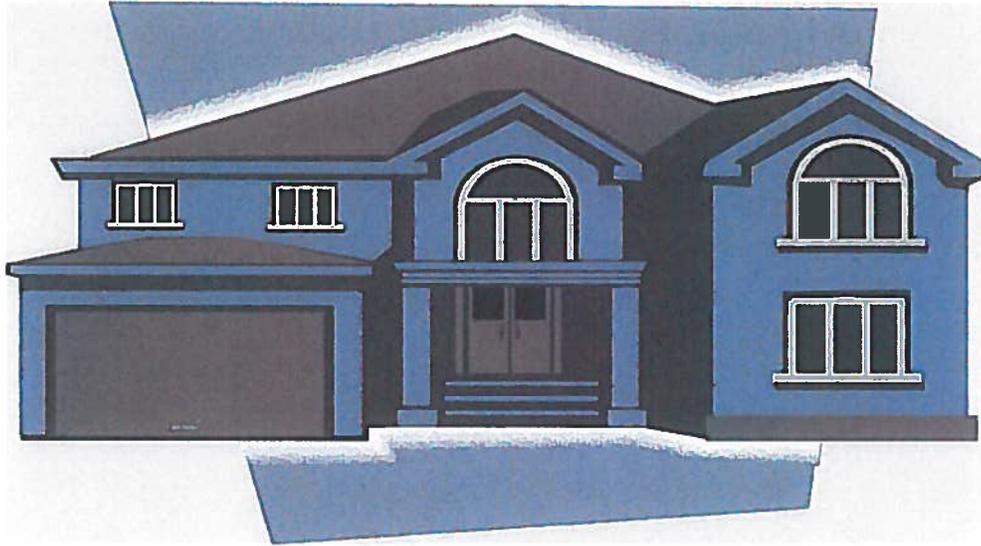


# TOWN OF RANSOM CANYON



## BUILDING PERMIT PROCEDURES

- PROJECT TIMELINE
- CONSTRUCTION REQUIREMENTS
- PROJECT SUBMITTAL CHECKLIST
- APPLICATION FOR PLAN REVIEW AND BUILDING PERMIT
- BUILDING REGULATIONS
- CITY CONTACT INFORMATION



## PROJECT TIME-LINE

1. Two complete sets of plans are delivered to Ransom Canyon City Hall no later than the 1st or 3rd Monday of the month.
2. Plan review by City Staff and Building Inspector. If plans are complete and meet IBC code requirements, they are forwarded to Building Review Committee. Builders are advised to attend all meetings.
3. The Committee examines the plans for compliance with Deed Restrictions and City Ordinances and takes the following action: A) Takes no exception and authorizes a permit. B) Rejects the plans with request for more information. C) Rejects the plans with explanation.
4. If plans are approved, the builder provides City with a Performance Bond and pays for his permit. A stamped set of plans is returned to him; these plans must remain on site throughout construction.
5. All construction must begin within 180 days and must be "weathered-in" within one year. If project is not weathered-in within a year, a new permit must be obtained and Performance Bond renewed.
6. 12 regular inspections are conducted by the Building Inspector. If a re-inspection is required, the builder will be charged for the re-inspection. No one may occupy the structure until the Operations Manager signs off on the final inspection, and a Certificate of Occupancy is issued.

## CONSTRUCTION REQUIREMENTS

- Builders are required to provide their own open-top containers for construction trash. Containers shall be covered or trash weighted down when not in use to prevent littering.
- Builders shall provide portable restroom facilities on site at all times.
- Erosion prevention measures shall remain in place throughout life of project.
- All subcontractors shall be fully licensed.
- Inspections must be arranged through City Hall (806-829-2470); allow 24 hours for an inspection.

## RES-check and STORM WATER POLLUTION PREVENTION INFORMATION

- RES-check: see [www.energycodes.gov/rescheck](http://www.energycodes.gov/rescheck)
- STORM WATER POLLUTION PREVENTION: use wire reinforced silt fencing that has been secured with soil to prevent collapse. Combine this with straw "snakes" or other measures to control erosion as required by weather conditions. All erosion measures shall remain in place and in good condition for the life of the project and until landscaping is established.

# PROJECT SUBMITTAL CHECKLIST



## DOCUMENTS:

\_\_\_\_\_ Two sets of plan drawings that clearly define the project. Drawings shall be accurate, 1/4" scaled delineations, supplemented with necessary notations and dimensions. Plan drawings shall include the following:

### A. Site Drawings

1. \_\_\_\_\_ Lot perimeter survey with Surveyor's seal.
2. \_\_\_\_\_ Site plan showing building location on the site with dimensions and setbacks clearly indicated.
3. \_\_\_\_\_ Topographic plan showing existing and proposed grades with 2' elevation changes and site drainage.
4. \_\_\_\_\_ Retaining wall details with engineer's seal (if engineering is required by code).

### B. Architectural Drawings:

1. \_\_\_\_\_ Floor plan of each floor level.
2. \_\_\_\_\_ Exterior building elevations that clearly show the design features of each exterior wall and roof surface. Roof slopes and heights shall be noted. Provide sufficient number of elevations to clearly describe the building; minimum of four elevations are required.
3. \_\_\_\_\_ Typical wall sections showing the wall construction components and construction materials clearly noted. Stud sized and spacing shall be noted.

### C. Structural Drawings:

1. \_\_\_\_\_ Foundation details that indicate the sizes, depths, and steel reinforcing of concrete footings and grade beams.
2. \_\_\_\_\_ Roof framing plan and materials detail.

### D. Electrical Drawings:

1. \_\_\_\_\_ Lighting (including yard light), power, communication, and smoke detector locations. Electric box shall be clearly marked.

### E. Building Materials—specifications noted on plans shall include but are not limited to:

1. \_\_\_\_\_ Roofing materials 40 yr. minimum; no 3-tab or strip shingles. Metal roofs shall be architectural grade with covered seam.
2. \_\_\_\_\_ Other material specifications such as exterior veneer, mechanical equipment, garbage disposal, kitchen and bathroom vents, spark arrestor.

### F. RES-check and Storm Water Pollution Prevention Plan are also required.

## TOWN OF RANSOM CANYON APPLICATION FOR PLAN REVIEW AND BUILDING PERMIT

Date: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_ Project: \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_ Cell Number \_\_\_\_\_

e-mail \_\_\_\_\_

Property Owner: \_\_\_\_\_

Property Legal Description: Block \_\_\_\_\_ Lot \_\_\_\_\_

Project Address: \_\_\_\_\_

**Note:** Submit 2 sets of plans and attach this application along with the completed Project Submittal Checklist in order to be placed on the Building Review Committee agenda. Application and plans must be received at City Hall no later than 4 p.m. on the first or third Monday of the month. Plans will first be reviewed for content by office staff and building inspectors before being forwarding on to the Building Review Committee. **Plans that do not have all items requested on the Project Submittal Review Checklist will NOT be considered.**

### FOR OFFICE USE ONLY:

Date Rec'd \_\_\_\_\_ Date of Plan Review- \_\_\_\_\_ Date of BRC Review \_\_\_\_\_

Current Performance Bond \_\_\_\_\_ Variance Requested \_\_\_\_\_

Approved \_\_\_\_\_ Denied \_\_\_\_\_

04/05/2012

# **BUILDING REGULATIONS**

TOWN OF RANSOM CANYON

24 LEE KITCHENS DRIVE

RANSOM CANYON, TX 79366

806-829-2470

# BUILDING REGULATIONS

## QUICK REFERENCE TABLE OF CONTENTS

Backflow Device—Protection of Water Supply	pg. 3-9 to 3-12.7
Boat Docks & Shoreline Retaining Walls	pg. 3-5
Building Materials (new vs. used)	pg. 3-17
Construction Codes (building & plumbing)	pgs. 3-7 to 3-9
Construction Codes (mechanical, electrical, residential)	pgs. 3-12.8 to 3-12.11
Compliance with Deed Restrictions	pg. 3-17
Contractor's Bond	pg. 3-12.11
Damage to other property or utilities	pg. 3-16
Disposal of Building Materials/Cleaning of Site	pg. 3-16
Driveways	pg. 3-16
Earth Moving/ Site Clearing	pg. 3-17
Easement (digging, planting, etc.)	pg. 3-17
Fence Ordinance	pg. 3-48
Garage & Carport Floors	pg. 3-16
Garbage Disposer	pg. 3-17
Garden Homes	pg. 3-18
Inspections	pg. 3-15
Outdoor Storage, Permanent	pg. 3-3
Permits & Permit Fees	pg. 3-5
Permit Required; exceptions	pg. 3-15
Plans Required	pg. 3-15
Radio Antenna Towers	pg. 3-19
Roofing	pg. 3-18
Spark Arrestors	pg. 3-16
Subcontractors	pg. 3-15
Storage containers, temporary	pg. 3-3
Trailers, tents, temporary buildings	pg. 3-4
Temporary utilities during construction	pg. 3-16
Waterfront	pg. 3-18
Wind generators & windmills	pg. 3-5
Yard Light	pg. 3-17
Fences	pg. 3-48

# CHAPTER 3

## BUILDING REGULATIONS

Article 3.01	General Provisions	3-3
Article 3.02	Permit Fees	3-5
Article 3.03	Technical and Construction Codes	3-7
Division 1.	Generally	3-7
Division 2.	Building Code	3-7
Division 3.	Plumbing Code	3-9
Part I.	In General	3-9
Part II.	Protection of Water Supply	3-9
Division 4.	Mechanical Code	3-12.8
Division 5.	Fuel Gas Code	3-12.9
Division 6.	Electrical Code	3-12.9
Division 7.	Residential Code	3-12.10
Article 3.04	Supplemental Regulations	3-12.11
Article 3.05	Substandard Buildings	3-20
Article 3.06	Flood Damage Prevention	3-31
Division 1.	Generally	3-31
Division 2.	Administration	3-39
Division 3.	Flood Hazard Reduction Standards	3-43
Article 3.07	Signs	3-47
Article 3.08	Fences	3-48

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**ARTICLE 3.01 GENERAL PROVISIONS****Sec. 3.01.001 Temporary outdoor storage containers; outdoor storage at residences**

(a) Definitions. The following definitions and word usage are hereby adopted for the purposes of this section:

Outdoor storage, temporary residential. Portable, weather-resistant containers designed and used for the temporary storage or shipment of household goods, wares, building materials, merchandise, or yard waste may be permitted.

(b) Restrictions. "Open storage and use areas" [shall] be defined as follows:

(1) Residential uses. In all residential districts, no open outside accessory storage or display of materials, commodities, or machinery shall be permitted, other than that which is incidental to the main use of the property as a residence. The following conditions shall apply to incidental storage and temporary residential outdoor storage:

(A) Incidental storage.

- (i) Permitted behind the front of the main structure and must be visually screened.
- (ii) Area devoted to storage is not more than 25 percent of the permitted area.
- (iii) Said area shall be kept neat and clean and free of all tall grass and weeds.
- (iv) Must be screened from all adjacent properties and streets.
- (v) No materials shall be stacked to a height greater than the visual screen.
- (vi) Materials shall not be stored in a manner which would attract or harbor vermin.

(B) Temporary enclosed storage.

- (i) Permit required. The homeowner must contact the building official or his designee to apply for a temporary permit that will be displayed on the container and identify when the container shall be removed. (See subsection (c)(1) for fee schedule.)
- (ii) Effective period of permit. Temporary permit valid for 30 days. Limited to 2 times per year. Under extreme circumstances, the applicant may appeal to the building official, who may consider granting an extension.
- (iii) Portable on demand (PODS) containers can be no larger than 8' x 16' on the ground and 8' tall.
- (iv) Cannot be located in easement, alleyway, street, or public right-of-way.

- (v) Placement shall be on a paved surface. Location on an unpaved surface shall be approved by the building official.
  - (vi) Cannot be located any closer than 3 feet from the primary structure.
  - (vii) The container should be secured when unattended for safety reasons. The structure must be kept clean and free of trash and debris at all times.
- (c) Fees. The following fees shall apply:
- (1) Enclosed storage, temporary residential permit: \$25.00.

(d) Penalty. It shall be unlawful for any person, firm or corporation to build or construct any building or structure or to place any temporary storage unit on or about any residential homesite which is not in compliance with the codes herein adopted. Any person, firm or corporation violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of an amount not to exceed the maximum as mandated by the state. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense.

(Ordinance 05-00295, secs. I-III, V, adopted 12/6/05; Ordinance adopting Code)

### **Sec. 3.01.002 Occupancy of tent, trailer or other temporary or portable building**

(a) Prohibited; exception. No tent, lean-to, house trailer or other temporary portable building or shack of any character shall be constructed or placed on any lot, tract, or parcel of land within the city and used as a principal place of abode for a continuous period of more than three (3) days. Provided, however, that there is excepted from the terms of this section a tract of land to be used for municipal buildings, the tract described as follows:

Beginning at a found 3" iron rod from which the SE corner of Section 8, Block I bears south 1722.40 feet and east 87.40 feet;

Thence South 89°57'15" East a distance of 255 feet for the SE corner of this tract;

Thence north a distance of 218.60 feet more or less to the south line of a 5.286-acre tract described in Vol. 1771, page 279 of the Deed Record of Lubbock County, Texas;

Thence North 89°57'15" W. a distance of approximately 255 feet to a found 1/2" iron rod;

Thence South 0°02'45" W. at a distance of 120 feet pass a 1/2" iron rod set in the northeast corner of the telephone lease tract continued for a total distance of 218.60 feet to the point of beginning.

(b) Enforcement. Violation of this section is hereby declared to be a nuisance and shall be abated by any procedure provided by law.

(Ordinance 74, sec. 1, adopted 5/24/83; Ordinance adopting Code)

**Sec. 3.01.003 Boat docks and retaining walls at shoreline**

The following requirements are to be applied to any boat dock construction:

- (1) Retaining walls in existence prior to 12/14/04 are considered legal non-conforming. If the existing wall fails, the new wall shall be placed within a foot of the existing wall and backfilled appropriately.
- (2) New retaining walls shall be constructed at the existing shoreline and abut the retaining wall of adjacent properties if such retaining wall exists. Retaining walls shall be backfilled appropriately.
- (3) Docks shall extend no more than 30 feet from the shoreline and no dock shall have a covered structure. Docks located at Block 30 Lot 33 and all lots west of this point shall not extend more than 12 feet or no more than 25% of the channel width, whichever is less. The dock shall be constructed within the middle 50% of the lot. Docks may have electrical features. No plumbing other than fresh (potable) water shall be allowed at docks. A building permit shall be required for dock construction.
- (4) A survey shall be required for construction of a new dock.

(Ordinance 04-00245, adopted 12/14/04; Ordinance adopting Code)

**Sec. 3.01.004 Wind generators and windmills**

Only ornamental windmills under twelve (12) feet in height are permitted. Energy producing wind generators are prohibited. (Ordinance adopting Code)

**ARTICLE 3.02 PERMIT FEES**

**Sec. 3.02.001 Fee schedule; plan review**

(a) Permit fees.

- (1) One permit shall be assessed to each general contractor on each new single-family home to be constructed within the corporate limits of the city, which fee shall be in the amount of \$0.30 per square foot under roof for each level but in no case shall the permit fee be less than \$1,000.00. This permit fee is composed of the following:
  - (A) General building permit fee: \$0.12 per square foot.
  - (B) Plumbing permit fee: \$0.06 per square foot.
  - (C) Electrical permit fee: \$0.06 per square foot.
  - (D) Mechanical permit fee: \$0.06 per square foot.

(Ordinance 13-00911 adopted 9/10/13)

- (2) One permit shall be assessed for concrete work that involves cut and fill. This fee is \$75.00.
- (b) Reinspection fee. As required, a fee will be charged for reinspection; the cost of same shall not exceed the charge to the city.
- (c) Fees for roofing permits shall be based on the valuation of the project as follows:
  - (1) For valuations up to \$5,000 the fee shall be \$75.00.
  - (2) For valuations from \$5,001–\$10,000 the fee shall be \$125.00.
  - (3) For valuations over \$10,000 the fee shall be \$200.00.

The roofers charge to the homeowner shall determine the value. A final inspection shall be performed by the city.

- (d) Plan review fee. The building permit fee shall cover up to three plan reviews. If more than three reviews are required, a fee of \$100.00 per review, after the third review, may be charged to the builder.
- (e) Expiration of plan review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.
- (f) Investigation when work commenced without permit.
  - (1) Investigation required. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation may be made before a permit may be issued for such work.
  - (2) Investigation fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to an inspection fee as required by this code. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(Ordinance 05-00285, sec. 1, adopted 9/13/05; Ordinance adopting Code)

- (g) Water meter fee. A fee of \$800.00 shall be assessed for up to a one-inch water meter. This fee includes the cost of the meter, the water tap, and labor. Larger meters shall be assessed based on the cost of the actual meter plus labor for the water tap of \$150.00. (Ordinance 13-00911 adopted 9/10/13)

**Sec. 3.02.002 Issuance of permit; collection of fees from subcontractors**

Upon payment of the fees set out in section 3.02.001 of this article, all permits set out in section 3.02.001 shall be issued to the general contractor, who may collect such permit fee from the respective subcontractors. (Ordinance 05-00285, sec. 2, adopted 9/13/05)

**Sec. 3.02.003 Minimum permit fee/other permit fees**

Fees for building permits that are not addressed in this chapter shall be based on the number of inspections required but shall not be less than \$75.00. (Ordinance adopting Code)

**Sec. 3.02.004 Payment required**

It shall be unlawful for any person, firm or corporation to build or construct any building or structure without first having paid the permit fees herein established and adopted. (Ordinance 05-00285, sec. 6, adopted 9/13/05)

**Sec. 3.02.005 Penalty**

Any person, firm or corporation violating any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding the current state maximum for a class C misdemeanor. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense. (Ordinance 05-00285, sec. 7, adopted 9/13/05)

**ARTICLE 3.03 TECHNICAL AND CONSTRUCTION CODES**

**Division 1. Generally**

**Sec. 3.03.001 Board of appeals**

The building review committee shall function as the board of appeals. (Ordinance adopting Code)

**Secs. 3.03.002–3.03.050 Reserved**

**Division 2. Building Code\***

**Sec. 3.03.051 Adoption**

(a) The 2012 edition of the International Building Code is hereby adopted. (Ordinance 13-001016 adopted 10/15/13)

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\* **State law references**–Building and residential codes, V.T.C.A., Local Government Code, sec. 214.211 et seq.; adoption of rehabilitation codes or provisions, V.T.C.A., Local Government Code, sec. 214.215; International Building Code adopted as municipal commercial building code, V.T.C.A., Local Government Code, sec. 214.216.

(b) A copy of this code shall be kept and maintained and be made available for inspection within the office of the building inspector for the city, and all building and construction shall be in conformance with said code.

(c) It shall be unlawful for any person, firm, or corporation to build or construct any building or structure which is not in compliance with the code herein adopted.

(d) The code set out above in subsection (a) is hereby incorporated by reference as though set out herein in full.

(e) Wherever any provision of this Code of Ordinances contains construction prohibitions or building requirements or limitations that are predicated upon a minimum or maximum distance from a property line, or that prohibit encroachment of building construction upon a property line, the building official may, at his discretion, grant relief from such requirements, limitations, or prohibitions, provided that all of the following are met:

- (1) The land parcels or lots sharing the property line are under common ownership;
- (2) A covenant agreement approved by the city attorney is executed by the owner of the property wherein the property owner agrees to hold both parcels as one so that they may not thereafter be separately conveyed;
- (3) The covenant agreement shall be filed in the deed records of the county, and shall run with the land;
- (4) The covenant agreement procedure shall not be used to contravene or circumvent subdivision regulations that are otherwise valid and applicable, as determined by the building review committee.

(f) Any person, firm, or corporation violating any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction, shall be subject to a fine of not more than the maximum as mandated by the state. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense.

(Ordinance 12-00410 adopted 4/10/12)

**Secs. 3.03.052–3.03.100            Reserved**

**Division 3. Plumbing Code\*****Part I. In General****Sec. 3.03.101 Adoption**

(a) The 2012 edition of the International Plumbing Code is hereby adopted. (Ordinance 13-001016 adopted 10/15/13)

(b) A copy of this code shall be kept and maintained and be made available for inspection within the office of the building inspector for the city, and all building and construction shall be in conformance with said code.

(c) It shall be unlawful for any person, firm or corporation to build or construct any building or structure which is not in compliance with the code herein adopted.

(d) The code set out above in subsection (a) is hereby incorporated by reference as though set out herein in full.

(e) Any person, firm or corporation violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than the maximum as mandated by the state. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense.

(Ordinance 05-00305, secs. 1–5, adopted 12/6/05; Ordinance adopting Code)

**Secs. 3.03.102–3.03.120 Reserved****Part II. Protection of Water Supply****Sec. 3.03.121 Definitions**

For the purposes of this part of the city, and section 312.9 and section 608 of the 2006 International Plumbing Code, sections P2503.7 and P2902 of the 2006 International Residential Code, and the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, the following definitions shall apply. In the event of a conflict between the definitions set forth below and the definitions provided in the 2006 International Plumbing, 2006 International Residential Codes, the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, for the purposes of the this part of the city, the definitions set forth below shall control.

*Air gap.* The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet conveying water to a tank, fixture, receptor, sink, or other

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\* **State law references**—Authority to regulate sewers and plumbing, V.T.C.A., Local Government Code, secs. 214.012 and 214.013; authority to regulate plumbing, V.T.C.A., Occupations Code, sec. 1301.551; Plumbing License Law. V.T.C.A., Occupations Code, ch. 1301; adoption of plumbing codes and amendment of codes by municipality, V.T.C.A., Occupations Code, sec. 1301.255.

assembly and the flood level rim of the receptacle. The vertical, physical separation must be at least twice the diameter of the water supply outlet, but never less than 1.0 inch. An air gap may also be a horizontal space between two pipes at no less than 6.0 inches.

Approved. Accepted by the authority responsible as meeting an applicable specification stated or cited in this part or as suitable for the proposed use.

Auxiliary water supply. Any water supply on, or available to, the premises other than the purveyor's approved public water supply that presents a potential contamination hazard of the public water system. These auxiliary waters may include water from another purveyor's public water supply or any natural source(s) such as a well, spring, river or stream or used waters; or industrial fluids. These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

Backflow. The undesirable reversal of flow in a public water distribution system as a result of a cross connection.

Backflow prevention assembly. An approved assembly to counteract backpressure or prevent backsiphonage.

Backflow prevention assembly test and maintenance report. The report required for each backflow prevention assembly upon initial installation and periodically thereafter as required, giving evidence that the backflow prevention assembly has been properly selected based on the degree of hazard, and has been properly installed and tested in accordance with applicable standards, and showing the results of this test. The completed form will be forwarded to the building inspection department of the city for documentation and forwarded to the water purveyor for annual recordkeeping.

Backflow prevention assembly tester, backflow tester, or general tester. A backflow assembly device tester who is qualified to test backflow prevention assemblies on any domestic, commercial, industrial or irrigation service (excepting firelines). This person must be licensed by TCEQ and registered with the city.

Backpressure. Pressure created by any means in the water distribution system, which by being in excess of the pressure in the water supply mains causes a potential backflow condition.

Backsiphonage. The backflow of potentially contaminated water into the potable water system as a result of the pressure in the potable water system falling below atmospheric pressure of the plumbing fixtures, pools, tanks or vats connected to the potable water distribution piping.

Building official. The officer charged with the enforcement of the building, plumbing, mechanical, electrical, fuel gas, and energy conservation codes of the city, or his duly authorized representative. For purposes of this part, all state-licensed plumbing inspectors under the supervision of the building official are his duly authorized representatives.

Bypass arrangements. Any jumper connections, removable section, unions, swivels or change-over devices and other temporary or permanent devices through which or because of which backflow can occur.

Contamination. An impairment of the quality of the potable water that created an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids or waste.

Cross connection. A physical connection of bypass arrangement between a public water system and either another supply of unknown or questionable quality, or another source that may contain contaminating or polluting substances, any source of water treated to a lesser degree in the treatment process, or any stream, gas or chemical system.

Cross-connection control by containment. The installation of an approved backflow prevention assembly at the water service connection to any customer's premises, where it is physically or economically unfeasible to find and permanently eliminate or control all cross connections or potential contamination hazards, within the customer's water system; or it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supplying a portion of a customer's water system where there are cross connections or potential contamination hazards, that cannot be effectively eliminated or controlled at the point of the cross connection.

Cross-connection control device. Any nationally approved or recognized device placed upon any connection, physical or otherwise, between a potable water supply system and any plumbing fixture of any tank, receptacle, equipment or device, which is designed to prevent nonpotable, used, unclean, polluted and contaminated water, or other substance, from entering into any part of such potable water system under any condition or set of conditions.

Cross connections controlled. A connection between a public water system and a nonpublic water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

Customer/property owner. The owner, as determined by the real property records of the county, or the agent of the owner in responsible charge of the subject premises. For purposes of this part, a licensed plumber and/or irrigator shall be deemed to be an agent of the owner when performing work under the scope of this part pursuant to a plumbing and/or irrigation permit.

Customer service inspection. An inspection designed to detect any actual or potential point of contamination of the potable water system and/or cross-connection hazards.

Degree of hazard. The nonhealth hazard or health hazard classification that shall be attached to all actual or potential cross connections.

- (1) Health hazard. The classification assigned to a cross connection or potential contamination hazard or other situation involving any substance that can cause illness, death, spread of disease or has a high probability of causing such effects if introduced into the potable drinking water supply.
- (2) Nonhealth hazard. A cross connection or potential cross connection involving any substance that generally would not be a health hazard but would constitute a nuisance or be aesthetically objectionable, if introduced into a public water supply.

Double check valve backflow assembly (DCVA), double check assembly, and double check (DC).

An assembly consisting of two independently acting, approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted properly located resilient seated test cocks. This assembly shall only be used to protect against a nonhealth hazard.

Fireline tester. A tester who is qualified to test backflow prevention assemblies on firelines. This person must be licensed by TCEQ and registered with the city.

Licensed professional. Any individual, or their representative, that must maintain a license obtained through a professional licensing board in order to conduct their business under state law.

Nonpotable water. Water not safe for drinking, personal or culinary utilization.

Point of use isolation. The appropriate backflow prevention within the consumer's water system at the point at which the actual or potential cross connection exists.

Pollution. An impairment of the quality of the potable water to a degree that does not create a hazard to the public health but that does adversely and unreasonably affect the aesthetic qualities of such potable water for domestic use.

Potable water. Water free from impurities present in amounts sufficient to cause disease or harmful physiological effects and conforming to the bacteriological and chemical quality requirements of the public health service drinking water standards or the regulations of any public health authority having jurisdiction over such matters.

Potential contamination hazard. A condition which, by its location, piping or configuration, has a reasonable probability of being used incorrectly, through carelessness, ignorance, or negligence, to create or cause to be created a backflow condition by which contamination can be introduced into the public water supply. Examples of potential contamination hazards are:

- (1) Bypass arrangements;
- (2) Jumper connections;
- (3) Removable sections or spools; and
- (4) Swivel or changeover assemblies.

Public health service drinking water standards. The standards set forth in 30 TAC 290 subchapter F, as may be amended from time to time.

Reduced pressure principle backflow prevention assembly (RPBA), reduced pressure principle assembly, RPZ or RP assembly. A backflow prevention device consisting of two independently acting check valves, internally force-loaded to a normally closed position and separated by an intermediate chamber (or zone) in which there is an automatic relief means of venting to the atmosphere, internally loaded to a normally open position between two tightly closing shutoff valves and with a means for testing for tightness of the checks and opening of the relief means.

Repair of an irrigation system. The reconstruction or renewal of any part of an existing irrigation system, including without limitation, installation of a backflow prevention device, adding additional irrigation zones, reparation of a main irrigation line and valve replacement. For the purpose hereof, the replacement of a control box or sprinkler head(s) shall not be deemed to be a repair.

Service connection. The point of delivery where the water purveyor loses control over the water.

Used water. Any water supplied by a water purveyor from a public water system to a consumer's water system after it has passed through the point of delivery or service connection and is no longer under the sanitary control of the water purveyor.

Water purveyor. The director in charge of the water department of the city, who is vested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this part.

### **Sec. 3.03.122 Intent; conflicts**

This part is intended to supplement the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, section 312.9, "Inspection and Testing of Backflow Prevention Assemblies," and section 608, "Protection of Potable Water Supply" of the 2006 International Plumbing Code, as well as sections P2503.7 and P2905 of the 2006 International Residential Code, both codes having been previously adopted as a part of this code of the city. In the event of any conflict between the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, sections 312.9 or 608 of the 2006 International Plumbing Code or sections P2503.7 or P2905 of the 2006 International Residential Code and the Code of Ordinances of the city, the provisions of this part shall control. This part of the Code of Ordinances of the city shall be liberally construed to protect the public health and safety of the citizens of the city.

### **Sec. 3.03.123 Responsibilities of the water purveyor, user, customer/property owner, and backflow prevention assembly tester**

#### **(a) Responsibilities of water purveyor.**

- (1) (A) No water service connection to any premises shall be installed or maintained by the water purveyor unless the water supply is protected as required by state law, including without limitation, 30 TAC 290.44(h), 30 TAC 290.46(j), 30 TAC 290.47(i), 30 TAC 344.73 and 30 TAC 344.75, as same may be amended from time to time. Service of water, subject to the provisions of the this part, or sections 312.9 or 608 of the 2006 International Plumbing Code, or sections P2503.7 or P2902 of the 2006 International Residential Code, as applicable, to any premises shall be discontinued by the water purveyor if a backflow prevention assembly required by this part is not installed properly, tested, and maintained, or if it is found that a backflow prevention assembly has been removed, bypassed, or if an unprotected cross connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

- (B) For new facilities, permanent water service shall not be provided until all testable backflow prevention assemblies have been tested and are operational. Except in cases where the testing of backflow prevention assemblies must be delayed until the installation of internal production or auxiliary equipment, the city shall not approve any certificate of occupancy until all backflow prevention assemblies have been tested and are operational.
- (2) Customer service inspection.
- (A) A customer service inspection for cross-connection control shall be completed by the city water purveyor prior to providing continuous water service in each of the following circumstances.
- (i) Water service to a newly constructed facility, in which case the customer service inspection shall be performed in conjunction with or near the same time as the plumbing final inspection conducted by the building official.
  - (ii) Any correction, addition, or improvement to the water service or water distribution plumbing of any facility or premises, except for minor repair and maintenance work exempted from permitting by section 106.2 of the 2006 International Plumbing Code, or in cases where an approved RPBA backflow prevention device has been installed at the point of water service connection such that premises isolation is achieved, and said device has been verified as having been properly tested and maintained as provided herein. Where nonexempt plumbing work has been performed upon the water service or water distribution plumbing of any facility or premises, and approved premises isolation has been provided as described herein, the building official shall be solely responsible for ensuring compliance of any such work on the customer side of the backflow device.
- (B) A permanent water service shall not be established with regard to a newly constructed facility until after the customer service inspection is completed.
- (C) Temporary water service, for construction or other purposes, that is found to pose a potential cross-connection threat to the potable water due to the unknown use of the water therefor, or other reasons or causes, shall be protected by an approved backflow prevention assembly.
- (3) If, in the judgment of the water purveyor or building official an approved backflow prevention assembly is required at the customer's/property owner's water service connection; or, within the customer's/property owner's private water system for the safety of the public water system, the water purveyor or the designated agent shall:
- (A) Give notice in writing to the customer/property owner to install an approved backflow prevention assembly(s) at specific location(s) at his/her expense, and depending on the severity of the threat to the public water supply, within the time frame required by the city and in all instances within thirty (30) days.

- (B) In the case of any premises where, in the opinion of the water purveyor and/or building official, an imminent health threat is posed due to cross connection or a potential contamination hazard water service to the facility may immediately be discontinued without prior written notice to customer/property owner. Although the city will attempt to provide notice as is reasonably practical, no notice shall be required prior to discontinuance.
  - (4) Failure, refusal, or inability on the part of the customer/property owner to install, have tested, and maintain the backflow prevention assembly(s) shall be grounds for discontinuing water service to the premises until such requirements have been met as required by this part.
  - (5) Any reduction in water pressure caused by the installation of backflow prevention assembly devices shall not be the responsibility of the city.
- (b) Responsibilities of the customer/property owner. The customer's/property owner's system shall include those parts of the potable water conveyance facilities beyond the termination of the utility distribution system that are conveying potable water to the points of use of customer/property owner.
- (1) Backflow prevention assemblies shall be installed within the customer's/property owner's system at the customer's/property owner's expense at any time required by this part and/or sections 312.9 or 608 of the 2006 International Plumbing Code, or sections P2503.7 or P2902 of the 2006 International Residential Code, or the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, as applicable. All backflow prevention devices must be installed and tested as required by:
    - (A) This part;
    - (B) Section 312.9 and section 608 of the 2006 International Plumbing Code; and
    - (C) 30 TAC 290.44(h), 30 TAC 290.46(j) and 30 TAC 290.47(i).
  - (2) It shall be the responsibility of the customer/property owner to verify that all applicable city plumbing and/or irrigation permits are obtained and that the customer/property owner, or licensed plumber or irrigator, as applicable, is in compliance with all of the provisions of those permits. In addition to the remedies provided herein, in the event the backflow prevention assembly is installed by a licensed professional, failure by such licensed professional to follow the provisions of such permit will result in written notice to the applicable state licensing agency, in addition to being a violation of this part.
  - (3) It shall be the responsibility of the customer/property owner and backflow prevention assembly tester performing the subject test(s) to send to the city the backflow prevention assembly test and maintenance records. These materials shall be delivered to the water purveyor office of the city within ten (10) days of installation of the backflow prevention assembly.

- (4) The customer's/property owner's system shall be open for inspection at all reasonable times to authorized representatives of the city to determine whether cross connections or potential contamination hazards, including violations of this part and/or sections 312.9 or 608 of the 2006 International Plumbing Code, or sections P2503.7 or P2902 of the 2006 International Residential Code, as applicable, exist.
- (5) If the customer or premises wherein potable water from the city is supplied or provided has an auxiliary water supply that is treated to a lesser degree than the public water supply or if the water quality is unknown, and which is either cross connected or poses a potential contamination hazard to the public water system, the public water system shall be protected against backflow or backsiphonage by an approved backflow prevention device. The described threat shall be deemed a health hazard when determining the type of approved backflow required. If the auxiliary water supply is used for irrigation purposes, the backflow assembly shall be subject to the requirements of 30 TAC 344.75(c), as same may be amended from time to time.
- (6) In the event industrial fluids, any material dangerous to health or any other objectionable substances are handled in such a fashion as to create potential contamination hazard to the public water system, such condition shall be deemed a health hazard. The public water system shall be protected against backflow from the premises by installing an air gap, a reduced pressure principle backflow assembly, or such other backflow assembly device as may be required by 30 TAC 290.47(i), as same may be amended from time to time.
- (7) All new installations of, or substantial alterations to, fire suppression systems that utilize the city's public water supply shall have installed a U.L. approved backflow prevention device according to the degree of hazard that exists. For purposes of this section, a "substantial alteration" is deemed to be any alteration or expansion of the system that would trigger a requirement for review and approval by the authority having jurisdiction, normally being the city fire marshal. All fireline backflow prevention assemblies must be installed inside the building. Upon the approved installation of the backflow prevention assembly, a cross-connection test report completed by a licensed fireline tester must be provided to the city as required above.
- (8) A reduced pressure assembly shall be the minimum protection for fire hydrant water meters which are being used for a temporary water supply during construction or other uses which may pose a potential contamination hazard to the public water supply. Only city fire hydrant water meters with approved backflow prevention assemblies are allowed to be used within the city limits. Failure to comply with this section will result in the fire hydrant meter being removed from the premises by the water purveyor.
- (9) It shall be the duty of the customer/property owner at any premises where backflow prevention assemblies are installed to have certified inspections and operational tests made upon installation and at least once every three years in nonhealth hazard conditions. In those instances where the water purveyor and/or building official of the city deems the potential backflow to be a health hazard or a potential health hazard, certified inspections shall be required annually or at more frequent intervals as deemed necessary by the water purveyor. All inspections and tests of backflow prevention assemblies shall be at the expense of the customer/property owner and

shall be performed by a backflow tester who is licensed with the Texas Commission on Environmental Quality and registered with the water purveyor and meeting all conditions and criteria of this part.

- (10) It shall be the responsibility of the customer/property owner that all irrigation systems installed after the effective date hereof and for an existing system in the event of a repair, shall have installed an approved backflow prevention assembly other than an atmospheric vacuum breaker (AVB), in the event an existing irrigation system is repaired.
  - (11) It shall be the responsibility of the customer/property owner to have the backflow prevention assembly device tested as described in this part. The backflow prevention assembly shall be repaired, overhauled, or replaced at the expense of the customer/property owner whenever said assemblies are found to be defective. Water service shall not be restored until repairs are complete.
- (c) Responsibilities of the backflow prevention assembly tester. In addition to requirements of the backflow prevention assembly tester set forth in other parts of this part, backflow prevention assembly tester shall also comply with the following:
- (1) The backflow prevention assembly tester shall perform competent tests, issuing complete, accurate, and legible reports of backflow prevention assemblies tested, and filing backflow prevention assembly test and maintenance reports as prescribed by this part. Test reports shall be submitted to the water purveyor office of the city, within (10) ten days of the testing by the backflow prevention assembly tester of the installation, replacement, or repair of the backflow assembly.
  - (2) Prior to performing any testing of backflow prevention assemblies within the city, a licensed backflow prevention assembly tester must be registered annually with the city in accordance with this section.
    - (A) Eligibility for registration shall be conditioned upon applicant providing proof to the city that they are currently licensed as a backflow prevention assembly tester by the Texas Commission on Environmental Quality.
    - (B) Each applicant for registration shall furnish evidence to the city to show that he/she has available the necessary tools and equipment to properly test and certify such assemblies. Serial numbers of all test gauges shall be registered with the city annually and shall be listed on tests and maintenance reports prior to being submitted to the city. Each recorded test kit shall be tested annually for accuracy and calibrated to maintain a two (2) percent accuracy factor.
  - (3) In the event the city has reason to believe that testing or reporting deficiencies exist in a backflow prevention assembly tester's methods or report, the city shall notify the tester and customer/property owner, and shall take one or more of the following actions:
    - (A) Require the subject customer/property owner to have retested any backflow prevention assembly previously reported as operational;

- (B) In the event the backflow prevention assembly tester has committed three (3) or more inadvertent testing or reporting inaccuracies within a twelve (12) month period commencing with the first inaccuracy, the backflow prevention assembly tester's registration with the city may be suspended for a period of six (6) months;
- (C) In the event the backflow prevention assembly tester shall file with the city an intentional or knowing falsified test report, the backflow prevention assembly tester's registration with the city shall be revoked by the city.

**Sec. 3.03.124 Approved backflow prevention device assembly and installation**

(a) Any backflow prevention assembly required by this part, or section 312.9 or 608 of the 2006 International Plumbing Code, or sections P2503.7 or P2902 of the 2006 International Residential Code, or the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, as applicable, shall be of a model and size approved by the water purveyor/building official or as approved by 30 TAC 290.47(i), as same may be amended from time to time. Backflow prevention devices must be approved by the city prior to installation. The city shall determine the type and location of the backflow prevention assembly to be installed within the area served by the public water system.

(b) The term approved backflow prevention assembly shall mean a backflow prevention assembly that has been manufactured and installed in full conformance with the standards specified within the 2006 International Plumbing Code and those established by the American Water Works Association (AWWA) and the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, titled:

AWWA C510 Standard for Double Check Valve Backflow-Prevention Assembly, and AWWA C511 Standard for Reduced-Pressure Backflow-Prevention Assembly, and have met completely the laboratory field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research (FCCHR) and the University of Southern California (USC), "Specification of Backflow-Prevention Assemblies" - section 10 of the most current issue of the Manual of Cross-Connection Control.

(c) Backflow prevention assemblies shall be installed in a manner designed to facilitate ease of testing and inspection by the city or any certified general tester. All backflow prevention assemblies shall be tested upon installation, relocation, or repair of same.

(d) Backflow prevention assemblies, in addition to other requirements set forth in the part, or sections 312.9 or 608 of the 2006 International Plumbing Code, sections P2503.7 or P2902 of the 2006 International Residential Code, or the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, shall be installed in accordance with subsections (1) through (9) below. The clearance standards set forth in subsection (1) through (9) below, shall apply to all assemblies installed in enclosures and meter boxes.

- (1) Backflow prevention assemblies that are larger than four inches and installed more than five feet above floor level must have a suitable platform for use by testing or maintenance personnel.

- (2) All backflow prevention assemblies installed eight feet or higher above floor level must have installed a suitable permanent ladder for use by testing or maintenance personnel.
- (3) All backflow prevention assembly enclosures shall be designed for ready access and sized to allow for the minimum clearance as established in this article. Removable protective enclosures may be installed on smaller assemblies.
- (4) Reduced pressure zone assemblies two inches and smaller shall have at least a six-inch clearance on both ends and on top of the assembly. Additionally, there shall be twelve inches of clearance below the relief valve and twelve inches of clearance on the test cocks side of the assembly. All assemblies larger than two inches shall have a minimum of twelve inches of clearance on the back side, twenty-four inches of clearance on the test cock side, and the relief valve opening shall be at least twelve inches plus nominal size of assembly above the floor or highest possible water level.
- (5) Double check valve assemblies larger than two inches may be installed above finished grade in a freeze-proof enclosure or below grade in a vault. If assembly is installed below grade, the test cocks must be plugged with corrosion resistant watertight plugs, and shall be no less than twelve inches below grade with a minimum of twelve inches clearance below the backflow assembly device. There shall be at least a six-inch clearance on both ends of the assembly with a minimum clearance of twelve inches on the backside and twenty-four inches on the test cock side. The top of the vault shall be two inches above ground level. Double check valve assemblies shall be installed so that the checks are horizontal.
- (6) Double check valve assemblies two inches and smaller may be installed above finished grade in a freeze-proof enclosure or below grade in a box. If assembly is installed below grade, the test cocks must be plugged with corrosion resistant watertight plugs, and shall be no less than twelve inches below grade with a minimum of twelve inches clearance below the backflow assembly device. There shall be at least a six-inch clearance on both ends of the assembly with a minimum clearance of twelve inches on the backside and twelve inches on the test cock side. The top of the box shall be two inches above ground level. Double check valve assemblies shall be installed so that the checks are horizontal.
- (7) Bypass arrangements are prohibited. Pipefittings which could reasonably be calculated to constitute a means by which a backflow assembly could be bypassed and defeated shall not be installed.
- (8) All facilities that require continuous, uninterrupted water service and are required to have a backflow assembly must make provision for the parallel installation of assemblies of the same type so that testing, repair, and maintenance can be performed.
- (9) All health hazard facilities shall have containment from the city's potable water system. For the purposes of this section, "containment" shall mean protection of the public water supply at the service connection.

**Sec. 3.03.125 Appeals**

The mechanism for appeal from the provisions of this part, or from a decision of an administrative official enforcing same, shall be through the city council of the city.

**Sec. 3.03.126 Violations**

Violation of any provision of this part shall be deemed a misdemeanor punishable as provided by this Code of Ordinances. Additionally, a violation of any provision of this part shall be deemed to be a nuisance under chapter 8 of this Code of Ordinances. Notwithstanding the above, in the event a violation results in an imminent risk to human health, safety or welfare, the city may immediately discontinue water service to the subject facility without notice. Notwithstanding the right to immediately discontinue water service without notice, as described herein, the city will attempt to provide notice as is reasonably practical under the circumstances presented. The city will provide customer with necessary information to properly reinstate service.

(Ordinance 12-00612 adopted 6/12/12)

**Secs. 3.03.127–3.03.150 Reserved**

**Division 4. Mechanical Code\***

**Sec. 3.03.151 Adoption**

(a) The 2012 edition of the International Mechanical Code is hereby adopted. (Ordinance 13-001016 adopted 10/15/13)

(b) A copy of this code shall be kept and maintained and be made available for inspection within the office of the building inspector for the city, and all building and construction shall be in conformance with said code.

(c) It shall be unlawful for any person, firm or corporation to build or construct any building or structure which is not in compliance with the code herein adopted.

(d) The code set out above in subsection (a) is hereby incorporated by reference as though set out herein in full.

(e) Any person, firm or corporation violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than the maximum as mandated by the state. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense.

(Ordinance 05-00305, secs. 1–5, adopted 12/6/05; Ordinance adopting Code)

**Secs. 3.03.152–3.03.200 Reserved**

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\* **State law reference**–Air Conditioning and Refrigeration Contractor License Law, V.T.C.A., Occupations Code, ch. 1302.

**Division 5. Fuel Gas Code**

**Sec. 3.03.201 Adoption**

- (a) The 2012 edition of the International Fuel Gas Code is hereby adopted. (Ordinance 13-001016 adopted 10/15/13)
- (b) A copy of this code shall be kept and maintained and be made available for inspection within the office of the building inspector for the city, and all building and construction shall be in conformance with said code.
- (c) It shall be unlawful for any person, firm or corporation to build or construct any building or structure which is not in compliance with the code herein adopted.
- (d) The code set out above in subsection (a) is hereby incorporated by reference as though set out herein in full.
- (e) Any person, firm or corporation violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than the maximum as mandated by the state. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense.

(Ordinance 05-00305, secs. 1-5, adopted 12/6/05; Ordinance adopting Code)

**Secs. 3.03.202-3.03.250 Reserved**

**Division 6. Electrical Code\***

**Sec. 3.03.251 Adoption**

- (a) The 2014 edition of the National Electrical Code is hereby adopted. (Ordinance 13-001016 adopted 10/15/13)
- (b) A copy of this code shall be kept and maintained and be made available for inspection within the office of the building inspector for the city, and all building and construction shall be in conformance with said code.
- (c) It shall be unlawful for any person, firm or corporation to build or construct any building or structure which is not in compliance with the code herein adopted.
- (d) The code set out above in subsection (a) is hereby incorporated by reference as though set out herein in full.

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\* **State law references**—National Electrical Code adopted as municipal residential and commercial electrical code. V.T.C.A., Local Government Code, sec. 214.214; Texas Electrical Safety and Licensing Act. V.T.C.A., Occupations Code, ch. 1305.

(e) Any person, firm or corporation violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than the maximum as mandated by the state. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense.

(Ordinance 05-00310, secs. 1–5, adopted 12/6/05; Ordinance adopting Code)

### **Sec. 3.03.252 Amendments**

The National Electrical Code, adopted as the electrical code for the city, is hereby amended to add the following provisions:

#### Exemptions and exceptions to license requirements

- (1) The provisions of this code shall not apply to electrical work consisting of transmission, distribution, communication, streetlight or traffic-control wiring used in the generation, distribution and rendition of service to the public which is installed by or for, and owned or maintained by, a public utility, telephone, telegraph or district messenger company permitted or franchised to operate in the city any broadcast transmission facilities. The licenses, permits, fees and bonds provided for in this code shall not apply to such companies; however, the wiring and installations for light, heat and power for buildings containing equipment of such companies shall be done according to the requirements of this code, and all other electrical work by such companies shall be done in accordance with the National Electrical Code.
- (2) Nothing contained in this code shall be construed to require a property owner to obtain a license and give a bond before doing electrical work in a building owned and occupied, or to be occupied, by him as his home, if the following conditions exist:
  - (A) The building is a single-family residence.
  - (B) The owner is able to read, understand and follow such written electrical instructions as may be furnished him by the electrical inspector.

(Ordinance 47, sec. 1, adopted 5/13/80)

**Secs. 3.03.253–3.03.300 Reserved**

#### **Division 7. Residential Code\***

### **Sec. 3.03.301 Adoption**

(a) The 2012 edition of the International Residential Code for One- and Two-Family Dwellings is hereby adopted. (Ordinance 13-001016 adopted 10/15/13)

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\* **State law references**—International Residential Code adopted as a municipal residential building code, V.T.C.A., Local Government Code, sec. 214.212; building and residential codes, V.T.C.A., Local Government Code, sec. 214.211 et seq.; Texas Residential Construction Commission Act, V.T.C.A., Property Code, ch. 401 et seq.

(b) A copy of this code shall be kept and maintained and be made available for inspection within the office of the building inspector for the city, and all building and construction shall be in conformance with said code.

(c) It shall be unlawful for any person, firm or corporation to build or construct any building or structure which is not in compliance with the code herein adopted.

(d) The code set out above in subsection (a) is hereby incorporated by reference as though set out herein in full.

(e) Any person, firm or corporation violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of an amount not to exceed the maximum as mandated by the state. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense.

(Ordinance 05-00300, secs. 1-5, adopted 12/6/05; Ordinance adopting Code)

### ARTICLE 3.04 SUPPLEMENTAL REGULATIONS

#### Sec. 3.04.001 Title

This article shall be known as the city building code supplement. (Ordinance 56, sec. 1, adopted 8/11/81)

#### Sec. 3.04.002 Penalty

Any person, firm or corporation violating any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not to exceed the state mandated maximum. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense. (Ordinance 56, sec. 6, adopted 8/11/81; Ordinance 180, sec. 1, adopted 3/13/02)

#### Sec. 3.04.003 Scope

All building and/or construction activities occurring after the effective date of this article shall conform to the following regulations. (Ordinance 56, sec. 2, adopted 8/11/81)

#### Sec. 3.04.004 Contractor's bond

(a) Bond for general contractors.

- (1) Any person, firm or corporation desiring to engage in the business of general contracting in the city shall file with the city administrator, the same [to] be immediately effective and the principal deemed to have complied with the bond provisions of this code, a surety bond in the sum of five thousand dollars (\$5,000.00)

conditioned on a faithful performance of all the provisions of the city ordinances, as well as the repair of any damage to property, such surety to be a company authorized to transact business in the state. Such bonds shall be in effect for one year from date of approval and must be renewed annually.

- (2) All sureties on any bond required by the city shall be liable for breach thereof to the owner of any property, the city, and any other person actually damaged by such breach not to exceed the face amount of said bond, provided written notice of such damage and the probable amount thereof is given to the surety within thirty (30) days after the discovery of the damage, and in no event later than ninety (90) days after final inspection or abandonment of the work by such contractor, and provided that no permit shall be granted and no work started on the contract until such bond has been filed and approved, such approval has been written on the face of the bond, the same shall be immediately effective and the principal deemed to have complied with the bond provisions of the code, and provided further that liability on said bond for the full amount thereof shall continue until the surety has given the city written notice of cancellation or of amount to claims it has been notified of, in which event the contractor shall not pursue work further until bond for the full amount is filed and approved and must provide the building official with a certificate of insurance as may be otherwise required. Said bond to be substantially as follows:

GENERAL CONTRACTOR'S PERFORMANCE BOND

State of Texas  
County of Lubbock

\_\_\_\_\_, General Contractor  
Address \_\_\_\_\_ Phone No. \_\_\_\_\_

TO

TOWN OF RANSOM CANYON

KNOW ALL MEN BY THESE PRESENTS, that \_\_\_\_\_, hereinafter called the Principal(s), as Principal(s), and \_\_\_\_\_, hereinafter called the Surety(s), as Surety(s), are held and firmly bound unto the Town of Ransom Canyon and to any person with whom Principal has contracted to perform building construction, alteration, repair or other work, and to any person who may be damaged or injured by faulty workmanship or defective materials furnished by the Principal, hereinafter called the Obligees, in the amount of five thousand and no/100 dollars (\$5,000.00) for the payment whereof the said Principal and Surety bind themselves and their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

NOW THEREFORE, The Condition of This Obligation is such, that if the said Principal shall faithfully perform all work contracted for in accordance with the plans, specifications and contract documents; and also in accordance with the requirements of all ordinances and regulations established and to be established by the Town of Ransom Canyon; and further, shall remedy all damages to public or private property occasioned by principal as well as defects due to faulty workmanship or defective materials without cost to such person, firm or corporation for whom the work was contracted to be performed, then this obligation shall be void; otherwise to remain in full force and effect.

Written notice of any breach and the probable amount to correct it shall be given to the Surety within thirty (30) days after the discovery of the breach and in no event later than ninety (90) days after final inspection or abandonment of the work by said Contractor.

Liability for future acts, omissions, or breach of contract may be terminated by the Surety herein by giving thirty (30) days' notice in writing to the Building Official for the Town of Ransom Canyon, and the liability of Surety shall cease at the expiration of said thirty (30) days, provided however said Surety shall be liable for all acts, omissions or breach of contract by said Principal covered by this bond up to and including the day of expiration of said thirty (30) days' notice.

This bond expires at midnight of \_\_\_\_\_, 19\_\_.

In Witness Whereof, the said Principal(s) and Surety(s) have signed and sealed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Surety

\_\_\_\_\_  
Principal

By: \_\_\_\_\_  
Title

By: \_\_\_\_\_  
Title

\_\_\_\_\_  
Surety

By: \_\_\_\_\_  
Title

By: \_\_\_\_\_  
Title

By: \_\_\_\_\_  
Title

The undersigned surety company represents that it is duly qualified to do business in Texas, and hereby designates \_\_\_\_\_ as agent resident in Lubbock County to whom any requisite notices may be delivered and on whom service of process may be had in matters arising out of such suretyship.

_____	_____
Surety	Surety
By: _____	By: _____
Title	Title

If the above bond is signed by an officer of the surety company, there must be furnished for our file a certified extract from the bylaws of said company showing that this person has authority to sign such obligation. If signed by an Attorney-in-Fact, there must be a certified copy of the Power of Attorney for our files.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

_____	Agency _____
Approved	Address _____
_____	Phone No. _____
Building Inspector	

(b) Bond for other contractors.

- (1) All other contractors engaged in the contracting business, when a permit is required to accomplish any construction work, shall furnish a similar bond in the sum of three thousand dollars (\$3,000.00), said bond to be subject to the same conditions and liabilities as provided for the general contractor's bond hereinabove with appropriate adjustments for job description. Plumbers, electricians, sign erectors, and house movers shall have said bond in effect at all times when engaging in their trade. Carpenters, plasterers, masons, concrete contractors and painters when subcontracting for a bonded general contractor need not be bonded to the city, but when acting independently, and when a permit is required for the construction being accomplished, must provide a bond as hereinabove.
- (2) Contractors engaged in paving of parking lots, separate from other construction work, shall be bonded to the city in the same amount as a general contractor and must provide a certificate of insurance as otherwise required.
- (3) Any person, firm or corporation using explosives shall give a bond to be approved by the city attorney or an authorized assistant as to form and condition and, when such approval has been written on the face of the bond, the same shall be immediately effective and the principal deemed to have complied with the bond provisions of this code, conditioned upon payment of all damages caused by said excavation or use of explosives in the amount of five thousand dollars (\$5,000.00). In cases where work is extremely hazardous, the amount of the bond shall be increased not to exceed fifty

thousand dollars (\$50,000.00) at the discretion of the building official. All such bonds shall be in effect for one year from date of approval and must be renewed annually.

(Ordinance 56, sec. 3, 4, adopted 8/11/81)

**Sec. 3.04.005 Permit required; exceptions**

A permit is required for any construction, except that which is exempted by the International Building Code. (Ordinance adopting Code)

**Sec. 3.04.006 Plans required**

Two complete sets of plans drawn at a minimum 1/8" scale (1/4" scale preferable) shall be submitted for review complete with:

- (1) A topographic plan prepared by a registered professional surveyor showing existing grades with two foot (2') elevation changes and finished floor grade. Lots with no more than one foot elevation change shall provide a topographic plan showing four (4) corner elevations only and finished floor grade.
- (2) A site plan, floor plan(s), four elevations minimum, typical wall sections, foundation details, roof framing details, electrical plan showing all devices, specifications, and a perimeter survey prepared by a registered professional surveyor showing property lines with lot and block number. All corners shall be staked and flagged.
- (3) A storm water pollution prevention plan and best management practices of implementation similar to those required by the Texas Commission on Environmental Quality's (TCEQ) Texas Pollutant Discharge Elimination System. Violations are subject to stop work order and/or fines.
- (4) Copy of energy code REScheck(tm) documentation.

(Ordinance adopting Code)

**Sec. 3.04.007 Filing of plans**

Plans shall be submitted to City Hall, 24 Lee Kitchens Drive. (Ordinance adopting Code)

**Sec. 3.04.008 Inspections generally**

Inspections shall be required as listed on the city issued building permit. Calls for inspections shall be to City Hall, 806-829-2470. (Ordinance adopting Code)

**Sec. 3.04.009 Subcontractors shall be licensed and identified on the building permit**

All electrical, plumbing and mechanical subcontractors shall be licensed by the state of Texas and identified on the building permit. (Ordinance adopting Code)

**Sec. 3.04.010 Repair of utilities damaged during construction**

Any utilities damaged during construction that lie outside property lines shall be repaired at the expense of the contractor and/or property owner, and/or utility company causing the damage. Repairs shall be made by the utility company whose lines were damaged. (Ordinance adopting Code)

**Sec. 3.04.011 Disposal of building materials; cleaning of site**

The general contractor shall be responsible for disposal of all building materials and cleaning of the entire area, including the removal of dirt and debris from streets, curb and gutter, leaving the street broom clean before final inspection. Any material allowed to blow over on other property shall be immediately cleaned up. All debris shall be disposed of outside the city at the contractor's expense. (Ordinance adopting Code)

**Sec. 3.04.012 Temporary utility services**

(a) All construction services shall be in the name of the general contractor and shall be designated as temporary services. Permanent services shall be authorized by the city building official only after an approved final inspection. Temporary services are not authorized for use in an occupied building. Utility companies shall secure clearance from a city building official before changing from temporary service to permanent service and from the contractor's name to the owner's name. The general contractor shall request permanent service, and shall be liable for all water and sewer services until request has been made after approved final inspection.

(b) No building or structure shall be used or occupied until the building official has issued a certificate of occupancy.

(Ordinance adopting Code)

**Sec. 3.04.013 Responsibility of contractor for damage to other property**

The contractor shall be responsible for repairing any damage to paving, curb and gutter, and adjacent property, vegetation, and other utilities. (Ordinance adopting Code)

**Sec. 3.04.014 Driveways**

Curb and gutter shall be saw cut and removed to the nearest control joint at all drives. Drive slab shall be continuous to pavement. A drive shall rise to an elevation equal to the top of the curb at or before the property line. (Ordinance adopting Code)

**Sec. 3.04.015 Garage and carport floors**

Garage and carport floors shall slope a minimum of 2" towards the doors or opening. (Ordinance adopting Code)

**Sec. 3.04.016 Spark arrestors on fireplaces**

All fireplaces shall be equipped with spark arrestors on top of the chimney. (Ordinance 56, sec. 2(14), adopted 8/11/81)

**Sec. 3.04.017 Yard light required; shielding**

All new homes shall have a front yard electric pole light. However, high intensity yard lights shall be shielded. (Ordinance adopting Code)

**Sec. 3.04.018 Garbage disposer required**

All new homes shall have a garbage disposer as an integral part. (Ordinance adopting Code)

**Sec. 3.04.019 Permit fee to be paid prior to earth moving or site clearing**

A building permit fee must be paid before any earth movement or site clearing can start. (Ordinance 56, sec. 2(18), adopted 8/11/81)

**Sec. 3.04.020 Digging, planting vegetation or placing structures in right-of-way**

Street rights-of-way are 50' and most streets are 28', back to back of curb. This normally leaves 11' of right-of-way between the back of the curb and the lot front or side property line. This 11' area is used as a utility easement and will normally have gas, electrical, telephone, sewer, and water mains at various depths. Therefore:

- (1) No digging of any type shall be performed within this area deeper than 18", and any planting of trees, shrubs, etc., within this utility easement must be carried out with full understanding that these may have to be removed for utility line servicing. Utility companies shall exert due care in attempting to preserve any planting in the easement in case of a line break or replacement; however, final responsibility for removal and replacement lies with the property owner.
- (2) Any driveways or ornamental fences or other permanent structures placed in this easement shall require approval of the city council and a building permit.
- (3) No planting shall be made in this easement that will obscure traffic or pedestrians entering or leaving the street.

(Ordinance adopting Code)

**Sec. 3.04.021 Compliance with deed restrictions**

No plans or construction shall violate the deed restrictions in place on the land. (Ordinance adopting Code)

**Sec. 3.04.022 Use of old building materials**

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, or repair any building or structure of any kind or character whatsoever from anything other than new and previously unused building materials; provided, however, that used brick may be used in construction of a new residence and provided further that used materials may be used if approved by the city council pursuant to the procedures set forth in section 3.03.001. Violation of this section is hereby declared to be a public nuisance and shall be abated by any procedure provided by law. (Ordinance 46, sec. 3, adopted 11/13/79)

**Sec. 3.04.023 Activities altering appearance or location of waterfront**

After the effective date of this section, no person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure in the city, or cause the same to be done, where the result of such activity would in any way change or alter the appearance or location of the waterfront of the city, unless said person, firm or corporation obtains authorization from the city council. Violation of this section is hereby declared to be a public nuisance and shall be abated by any procedure provided by law. (Ordinance adopting Code)

**Sec. 3.04.024 Roofing installation and materials**

- (a) All roofs shall be installed pursuant to manufacturer's specifications.
- (b) No person or corporation shall be permitted to install a roof in the city for another person until he has deposited with and had approved by the city administrator a corporate surety bond in the sum of \$5,000.00 conditioned that he shall install the roof pursuant to manufacturer's specifications and the ordinances of the city.
- (c) Wood shingles or shakes are prohibited from installation except as a repair material for partial repair of existing wood roofs. Complete replacement of a roof shall be in accordance with subsection (d) below.
- (d) Persons may erect, construct, reconstruct or repair any roof using lawful methods of roofing installation according to manufacturer's specifications. The only roofing materials that are approved include:
  - (1) Rolled roofing material where an aggregate material is used as a finished coating on a flat roof with a slope of no more than 2 in 12. Rolled roofing used in conjunction with asphalt shingles shall match the color and texture of the asphalt shingle.
  - (2) Sealed membrane on a flat roof with a slope of no more than 2 in 12.
  - (3) Slate, clay tiles, or nonasphalt composite materials.
  - (4) Architectural grade metal roofing materials that demonstrate a concealed fastener appearance.
  - (5) Laminated, architectural, or three dimensional asphalt composition shingles that meet class A fire and wind ratings, and are warranted for at least 40 years. No strip or three-tab shingles shall be permitted. Roofing manufacturer's recommended underlayment shall be used.

(Ordinance 11-00412 adopted 4/12/11)

**Sec. 3.04.025 Requirements for garden homes**

As to all garden homes in Block 20 of the city, the following shall apply:

- (1) No construction of a garden home shall be permitted that has any overhang of roof eaves on zero lot lines;

- (2) No design shall be permitted or allowed to be constructed that discharges runoff water to adjoining property; or
- (3) The only protrusions allowed over the lot line shall be rain gutters.

(Ordinance 156, sec. 2, adopted 3/9/99; Ordinance adopting Code)

**Sec. 3.04.026 Roof gutters on garden homes**

Roof guttering is required for the zero lot line of garden homes. Construction of a downspout is required to also insure no runoff onto the adjoining property, public or private. No part of the structure including attachments shall extend across the lot line. (Ordinance 136, sec. 1, adopted 1/9/96; Ordinance adopting Code)

**Sec. 3.04.027 Earth station receiving antennas**

Earth station receiving antennas shall be approved by the city council. These antennas shall be engineered. (Ordinance adopting Code)

**Sec. 3.04.028 Radio antenna towers**

All building and/or construction activities occurring after the effective date of this section shall conform to the following regulations:

- (1) Only persons licensed by the FCC to operate a ham radio station shall obtain a permit to build a radio tower/antenna.
- (2) That only one tower per homeowner be allowed to be erected on property owned by the homeowner and must be located behind the residence.
- (3) That no tower and attachments be erected that exceed a height of three feet (3') above the roof line, which is the highest point of the roof, of the homeowner.
- (4) That the tower be erected only at a location that, if the tower fell, the tower and attachments could not fall across an adjoining landowner's property line or public right-of-way.
- (5) That the tower shall not be erected in such a manner as to infringe on the aesthetic and peaceful enjoyment by persons living in the canyon.

(Ordinance 08-00440, adopted 9/19/08; Ordinance adopting Code)

**ARTICLE 3.05 SUBSTANDARD BUILDINGS\*****Sec. 3.05.001 Definition**

All buildings or structures, whether or not completed, which have any or all of the following defects or lack of facilities shall be deemed substandard buildings:

- (1) All buildings or structures that have become deteriorated through natural causes or by damage through exposure to the elements, especially wind, hail, or rain or damage through fire, to the extent that the roof, windows and doors, or portions of the house, building or structure which protect from the weather, will no longer reasonably protect from the weather;
- (2) All buildings or structures hereafter constructed, altered or repaired and not wired in conformity with the National Electrical Code adopted as the electrical code for the city, as the same now exists or as hereafter amended;
- (3) All buildings or structures hereafter constructed, altered or repaired and not constructed in conformity with the National Life Safety Code adopted as the safety code for the city, as the same now exists or as hereafter amended;
- (4) All buildings or structures hereafter constructed, altered or repaired and not constructed in conformity with the building code adopted as the building code of the city and the building code amendments as the same now exist or as hereafter amended;
- (5) All buildings or structures so constructed or permitted to be so constructed as to constitute a menace to health or safety, including all conditions conducive to the harboring of rats or mice or other disease-carrying animals or insects reasonably calculated to spread disease, and including such conditions hazardous to safety as inadequate bracing or the use of deteriorated material;
- (6) Any building or structure or building site which has been abandoned for more than 120 consecutive days from the effective date of this article and is open, permitting the unauthorized entry of any person;
- (7) All buildings or structures which have been started but not completed as to all exterior construction, including but not limited to completion of all exterior walls, doors, windows, roofs and any other exterior portions of any structure within one year from the date of commencement of any construction pertaining to said structure or one year from the date this article becomes effective, whichever occurs later. For purposes of this article, commencement of construction shall be deemed to have occurred 30 days from the date of any building permit issued for said structure unless the applicant for the permit requests a later date for commencement of construction to be noted on the permit;

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\* **State law reference**—Authority of municipality to regulate dangerous and substandard structures, V.T.C.A., Local Government Code, sec. 214.001 et seq.

City. The Town of Ransom Canyon, an incorporated municipality located in Lubbock County, Texas.

City limits. The incorporated municipal boundary of the city.

ETJ. The extraterritorial jurisdiction of the city.

Off-premises sign. Any sign, commonly known as a billboard, that advertises a business, person, activity, goods, products, or services not located on the premises where the sign is installed and maintained, or that directs persons to a location other than the premises where the sign is installed or maintained.

On-premises sign. Any sign identifying or advertising the business, person, activity, goods, products or services sold, offered for sale, or provided on the premises where the sign is installed and maintained.

(b) Prohibitions.

- (1) Off-premises signs. From and after the effective date of this section, no sign permit or construction permit shall be issued for the installation, erection, replacement, conversion, or modification of an off-premises sign to a CEVMS format within the city limits or the ETJ of the city.
- (2) CEVMS. From and after the effective date of this section, no CEVMS shall be allowed within the city limits or the ETJ of the city.

(c) Enforcement; penalty.

- (1) The city shall have the power to administer and enforce the provisions of this section as may be required by governing law. Any person or entity violating any provision of this section is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this section is hereby declared to be a nuisance.
- (2) Any person violating any provision of this section shall, upon conviction, be fined a sum not exceeding five hundred dollars (\$500.00). Each day that a provision of this section is violated shall constitute a separate offense. An offense under this section is a class C misdemeanor.

(Ordinance 09-00103, secs. 5-7, 5/12/09)

## ARTICLE 3.08 FENCES

### Sec. 3.08.001 Requirements

It shall be unlawful for any person, firm, or corporation to construct or cause to have constructed any fence upon any property within the corporate limits of the city, except in accordance with the requirements and restrictions herein provided.

**Sec. 3.08.002 Definition**

A fence is defined as any permanent partition, structure, or gate erected as a dividing marker, barrier, or enclosure, encircling either wholly or any portion of any area.

**Sec. 3.08.003 Maintenance**

Fences must be maintained so as not to endanger life or property. Any fence which, through lack of repair, type of construction, or otherwise, imperils life or property, shall be deemed a nuisance.

**Sec. 3.08.004 Nonconforming fences**

Fences existing prior to this article and not conforming to these requirements may be repaired by the property owner. If such fence needs to be rebuilt or replaced, it must be in accordance with the standards and specifications set out in this article.

**Sec. 3.08.005 General requirements**

- (a) No fence that exceeds six feet in height shall be erected or placed on any lot. The height of the fence includes any berm, concrete mow strip, and fence cap. All these measured together shall not exceed six feet in height.
- (b) A side fence that extends beyond the front of the house shall not exceed two feet. The height of the fence includes any berm, concrete mow strip, and fence cap. All these measured together shall not exceed two feet in height.
- (c) A fence may be placed in the rear or side yard but no fence shall be placed between the front of the house and the street.
- (d) A fence may be placed up to or within your property line. This applies to all portions of the fence, including posts and concrete. The exact location of the property line shall be determined before constructing the fence.
- (e) No fence shall be erected or placed on an empty lot unless that fence ties into the fence of the adjoining lot on which a house is constructed. The two lots must be owned by the same persons.
- (f) No fence shall be erected or placed over or across any easement dedicated to the public use.
- (g) Any wire, except chainlink and electric, is prohibited. An electric fence that causes interference shall need to be turned off until it is repaired. All electric fences shall have a sign that designates them as such.
- (h) Products manufactured for other uses, including but not limited to, plywood, corrugated steel, fiberglass, or siding are prohibited.
- (i) The appropriate utility companies must be contacted prior to digging to check the location of any buried utilities.

(Ordinance 12-001113 adopted 11/13/12)

## TOWN OF RANSOM CANYON CONTACT INFORMATION

### CITY HALL

24 LEE KITCHENS DRIVE

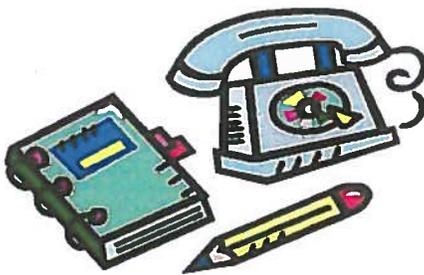
RANSOM CANYON, TX 79366

PHONE: 806-829-2470

FAX: 806-829-2680

WEB-SITE: [www.ci.ransom-canyon.tx.us](http://www.ci.ransom-canyon.tx.us)

EMAIL: [ransomcanyon@sptc.net](mailto:ransomcanyon@sptc.net)



#### **City Staff**

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Deputy City Secretary: Mary Brown  
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Executive Asst: Kim Copeland

Operations Manager: Harold Needham  
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Asst. Operations Mgr: Cory Needham