

ORDINANCE NO. _____

AN ORDINANCE WAIVING AND REIMBURSING FEES FOR PERMITTING AND DEVELOPMENT RELATING TO REPAIRING AND RECONSTRUCTING RESIDENTIAL AND MULTI-FAMILY PROPERTY AND STRUCTURES DAMAGED AS A RESULT OF CERTAIN WINTER WEATHER EVENTS; AUTHORIZING THE BUILDING OFFICIAL TO EXEMPT CERTAIN PLUMBING ACTIVITIES FROM THE PLUMBING PERMIT REQUIREMENT; EXTENDING THE DEADLINE FOR CERTAIN PERMIT APPLICATIONS; WAIVING THE PLUMBING CODE'S REGISTRATION REQUIREMENT; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. FINDINGS.

- (1) On February 12, 2021, Governor Greg Abbott issued a Declaration of State of Disaster due to severe winter weather posing an imminent threat of widespread and severe property damage, injury, and loss of life due to prolonged freezing temperatures, heavy snow and freezing rain statewide and declaring a state of disaster in all 254 Texas counties.
- (2) On February 14, 2021, Mayor Steve Adler issued a Declaration of Local Disaster due to severe winter weather posing an imminent threat of widespread and severe property damage, injury, and loss of life due to prolonged freezing temperatures, heavy snow and freezing rain.
- (3) From February 11, 2021, through February 19, 2021, the City of Austin, Texas experienced prolonged freezing temperatures, significant snow accumulation, and freezing rain ("February 2021 Winter Weather Event").
- (4) During the February 2021 Winter Weather Event, many homes and multi-family structures experienced burst pipes, which resulted in the flooding of many of those structures.
- (5) During the February 2021 Winter Weather Event, many pipes were damaged. It is expected that much of the pipe damage will require small-scale repairs.
- (6) The City's Plumbing Code requires an individual to obtain a permit for most plumbing activities. In this instance, the building officials expect that the

number of small-scale plumbing activities will be significant. As a result, the permit requirement may, in some circumstances, result in delays that are counter to the City's health and safety interests, which include preventing further damage to structures.

(7) Because the number of structures that will require emergency repairs and replacements is significant, it will take additional time for individuals and entities to submit permit applications

(8) The City has a health and safety interest in protecting its residents from the dangers posed by flooding and structural damage. There is an immediate need to prevent these homes from becoming further damaged.

PART 2. FEE WAIVERS FOR RESIDENTIAL AND MULTI-FAMILY PROPERTY AND STRUCTURES.

(A) The city council waives all residential permitting and development fees that, in the judgment of the Building Official, are required to repair or reconstruct residential and multi-family property or structures damaged or destroyed as a result of the February 2021 Winter Weather Event that occurred in the City of Austin's planning jurisdiction. The fees covered by this waiver include, but are not limited to, permitting, plan review, inspection, demolition, and variance fees. The fees covered by this waiver are for repair of existing structures only. The fees covered by this waiver do not include fees for re-inspections.

(B) To the extent necessary, city council ratifies and authorizes the waiver of any fee described in Subsection (A) that was not assessed beginning on April 1, 2021, through the date of this ordinance.

(C) To the extent necessary, city council authorizes the reimbursement of any fee described Subsection (A) that was assessed beginning on April 1, 2021.

PART 3. BUILDING OFFICIAL'S AUTHORITY.

(A) The city council authorizes the Building Official to exempt certain plumbing activities from the permit requirement established in Article 6 (*Plumbing Code*) of Chapter 25-12 (*Technical Code*).

(B) The exemptions authorized in Subsection (A) apply to plumbing activities started on or after February 12, 2021.

PART 4. PERMIT APPLICATIONS.

An activity that is not exempt under Part 3 of this ordinance or Chapter 25-12 (*Technical Codes*) shall submit a permit application within five business days from the date the activity starts if the activity is:

- (1) an emergency repair or replacement; and
- (2) started in response to the February 2021 Winter Weather Event.

PART 5. REGISTRATION.

A person who is authorized under Texas law or by Governor Abbott to repair, replace, or install plumbing fixtures or systems is not required to register with the City before performing any work regulated by the Plumbing Code.

PART 6. This ordinance expires on June 1, 2021.

PART 7. Based on the findings in Part 1 of this ordinance, the city council finds that the need to repair and reconstruct damaged property and structures constitutes an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the preservation of the public peace, health, and safety.

PASSED AND APPROVED

_____, 2021 § _____
Steve Adler
Mayor

APPROVED: _____
Anne L. Morgan
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk