

# CAMERON COUNTY

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## FLOOD DAMAGE PREVENTION AND BUILDING REGULATIONS

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CAMERON COUNTY JUDGE

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ADOPTED BY COMMISSIONER'S COURT

**July 5, 2022**  
**Order No. 2022-006030**

## NOTICE OF AMENDMENTS

<b>Amendment Number</b>	<b>Amendment Date</b>	<b>Article:</b>	<b>Section</b>	<b>Type</b>
1	10/25/2024	Article 2: Article 4: Article 5:	Section B (2) Section B (57.b) Section B (3) Section B (72) Section C (2j) Section I (12) Section J (3.a) Section R	Revision Revision Addition Addition Revision Addition Revision Addition
2	06/20/2023	Article 2: Article 4: Article 5:	Section C (5) Section C (6) Section G.4(15) Section K (1) Section K (2) Section M	Revision Revision Removal Addition Revision Revision Revision
3	11/19/2024	Article 4: Article 5: Appendix B Appendix C	Section A(I.3) Section D Section A	Revision Addition Revision Revision Addition

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# ARTICLE 1

## *STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS*

### SECTION A – *STATUTORY AUTHORIZATION*

The Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Commissioners Court of Cameron County, Texas does ordain as follows:

### SECTION B – *FINDINGS OF FACT*

1. The flood hazard areas of Cameron County are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

### SECTION C – *STATEMENT OF PURPOSE*

The purpose of these regulations is to provide land use controls necessary to qualify unincorporated areas of Cameron County for flood insurance under requirements of the National Flood Insurance Act of 1968, as amended to protect human life and health, to avoid increasing flood levels or flood hazards or creating new flood hazard areas, and etc. as stated below:

1. Cameron County, acting by and through the Cameron County Commissioners Court, is concerned with the safety, life, and general welfare of the citizens and residents of the County.
2. Cameron County, by adopting this order, can participate in the National Flood Insurance Program established by the United States of America.
3. The lack of proper regulation and ultimately the lack of such insurance creates an inconvenience to the citizens and residents of Cameron County, and inhibits the safe and orderly development of Cameron County.

4. Pursuant to Local Government Code (LGC), Section 240.901, Cameron County can regulate, restrict, and or control the use of land structures, and other development in a flood prone area, or rising water prone areas to reduce the danger of damage caused by flood losses.
5. It is the purpose of this order to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
  - a. protect human life and health;
  - b. minimize expenditure of public money for costly flood control projects;
  - c. minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
  - d. minimize prolonged business interruptions;
  - e. minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
  - f. help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas; and
  - g. ensure that potential buyers are notified that property is in a flood area.

#### SECTION D – METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this order uses the following methods:

1. Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
4. Control filling, grading, dredging and other development which may increase flood damage;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

# ARTICLE 2

## DEFINITIONS

### SECTION A – USE OF TERMS

In this order, the following rules of interpretations shall apply in the interpretation and enforcement of this order:

1. Words used in present tense include the future tense.
2. Words in the singular number include the plural number, and words in the plural number include the singular number.
3. The word "building" includes the word "structure," and the word "lot" includes the word "plot".
4. The word "shall" is mandatory and not discretionary, while the word "may" is merely directory or discretionary.
5. Unless specifically defined below, words, or phrases used in this order shall be interpreted to give them the meaning they have in common English usage and to give this order its most reasonable application; however, construction of building and engineering terms, even though definitions for same are not expressly prescribed herein, are to be constructed in accordance with the customary usage associated with municipal planning and engineering practices.
6. Any reference to any Cameron County (County) office and/or title in this order refers to the person employed or appointed by the County to serve in and for that office, or his or her duly authorized representative.

### SECTION B – DEFINITIONS

1. ACCESSORY BUILDING - means a structure that is accessory to and incidental to that of the dwelling and that is located on the same lot.
2. ACCESSORY DWELLING UNIT (ADU) - means a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home. Does not include manufactured home, mobile home, hotels, boarding houses, trailers, motor coaches, or other recreational vehicles.
3. AFTER HOURS INSPECTIONS – After Hours inspections are inspections scheduled outside our normal business hours (i.e. Mon-Fri 8:00 a.m.- 4:30 p.m.), weekends, or holidays.

4. ALLUVIAL FAN FLOODING - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows, active processes of erosion, sediment transport and deposition, and unpredictable flow paths.
5. APEX - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
6. APPEAL - means a request for a review of the Floodplain Administrator, County Engineer, and/or Building Official's interpretation of any provision of this order or a request for a variance to the Board of Adjustments and Appeals.
7. AREA OF SHALLOW FLOODING - means a designated "AO", "AH", or "VO" Zone on a communities Flood Insurance Rate Map (or FIRM) with a one percent or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where "velocity flooding" may be evident, wherein such flooding is characterized by "ponding" or "sheet flow".
8. AREA OF SPECIAL FLOOD HAZARD - means the land in the flood plain within a community subject to a one percent or greater change of flooding in any given year, the area may be designated as Zone A on the Flood Insurance Rate Map, and, after detailed rate making, has been completed in preparation for publication of the Flood.
9. AUTOMOTIVE WRECKING AND SALVAGE YARD - means a business, other than a business classified as a salvage pool operator under Chapter 2302, Occupations Code, that stores three or more wrecked vehicles outdoors for the purpose of:
  - a. selling the vehicles whole; or
  - b. dismantling or otherwise wrecking the vehicles to remove parts for sale or for use in an automotive repair or rebuilding business
10. BASE FLOOD - means a flood having a one percent chance of being equaled or exceeded in any given year.
11. BASEMENT - means any area of the building having its flood subgrade (below ground level) on all sides.
12. BREAK AWAY WALLS - means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.



13. BUILDING - means an enclosed structure anchored to permanent foundation and having exterior or party walls and a roof, designed for the shelter of persons, animals, or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building, except that two buildings connected by a breezeway shall be deemed as one building.
14. BUILDING OFFICIAL - means the officer or other authority designated with the administration and enforcement of this order.
15. COASTAL HIGH HAZARD AREA - means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.
16. COMMISSION - means the Zoning, Subdivision and Flood Control Commission of the County, which, if not appointed, would be the Commissioners Court of Cameron County, Texas.
17. COMMISSIONERS COURT - means the Cameron County Commissioners Court.
18. COMMUNICATION FACILITY STRUCTURE - means:
  - a. antenna support structures for mobile and wireless telecommunication facilities, whip antennas, panel antennas, microwave dishes, or receive-only satellite dishes
  - b. cell enhancers and related equipment for wireless transmission from a sender to one or more receivers for mobile telephones, mobile radio systems facilities, commercial radio service, or other services or receivers; or
  - c. a monopole tower, a steel lattice tower, or any other communication tower supporting mobile and wireless telecommunication facilities.
19. COMMUNITY - means any State or area or political subdivision thereof, or authorized tribal organization, which has authority to adopt and enforce flood plain management regulations for the areas within its jurisdiction.
20. CRITICAL FEATURE - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
21. DEMOLITION BUSINESS - means a business that demolishes structures, including houses and other buildings, in order to salvage building materials and that stores those materials before disposing of them.
22. DEVELOPMENT - means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

23. DWELLING UNIT - means a single unit providing complete independent living facilities for one or more persons, including permanent living, sleeping, eating, cooking, and sanitation. Does not include hotels, boarding houses, trailers, motor coaches, or other recreational vehicles.
24. ELEVATED BUILDING - means a "non-basement building":
- built, in the case of a building in Zones "A1-A30", "AE", "A", "A99", "AO", "B", "C", "X", and "D", to have the top of the elevated floor, or in the case of a building in Zones "V1 -V30", "VE" , or "V", to have the bottom of the lowest horizontal structural "member" of the elevated floor, elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the "floor" of the water, and
  - adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of a "Base Flood"; in the case of Zones "A 1-A30" "AE", "A", "A99", "AO", "B", "C", "X", and "D", "Elevated Building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters; in the case of Zones "V 1-V30", "VE" , or "V", "Elevated Building" also includes a building otherwise meeting the definition of "Elevated Building" even though the lower area is enclosed by means of Breakaway walls meeting the standards of Section 60.3 (e) (5) of the National Flood Insurance Program regulations.
25. ENGINEER - means a person duly authorized under the provisions of the Texas Engineering Practice Act, as heretofore or after amended, to practice the profession of engineering.
26. EXCEPTION - means a waiver from this provision of Part 60 of this subchapter directed to a community which relieves it from the requirements of a rule, regulation, order or other determination made or issued pursuant to the Act.
27. EXISTING CONSTRUCTION - means for the purposes of determining the rates, structures for which the "state of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMS effective before that date. "Existing construction" may also be referred to as "existing structures."
28. EXISTING MOBILE HOME PARK OR MOBILE HOME SUBDIVISION - means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this order.
29. EXPANSION TO AN EXISTING MOBILE HOME PARK OR MOBILE HOME SUBDIVISION - means the preparations of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

30. FLEA MARKET - means an outdoor market for selling secondhand articles or antiques.
31. FLOOD OR FLOODING - means the general and temporary condition of partial and complete inundation of normally dry land areas from:
  - a. the overflow of inland or tidal waters; or
  - b. the unusual and rapid accumulation or run-off of surface waters from any source.
32. FLOOD INSURANCE RATE MAP (also known as "FIRM") - means an official map of a community on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
33. FLOOD INSURANCE STUDY - means the official report provided by the Federal Insurance Administration which contains flood profiles, the water surface elevation of the "Base Flood", and the Flood Hazard Boundary Floodway Map.
34. FLOODPLAIN MANAGEMENT - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
35. FLOODPLAIN MANAGEMENT REGULATIONS - means zoning ordinances or orders, subdivision regulations, building codes, health regulations, special purpose ordinances or orders (such as a flood plain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
36. FLOOD PLAIN OR FLOOD PRONE AREA - means any land area susceptible to being inundated by water from any source (as suggested in the definition above for " Flood or Flooding").
37. FLOOD PRONE AREA - means any area which can reasonably be expected to be subject to periodic flooding; for the purpose of these regulations, the term is generally synonymous with "Flood Plain Area".
38. FLOOD PROOFING - means any combination of structural and non-structural additions, changes, or adjustments to properties and structures primarily for the reduction or elimination of flood damage to land, water, sanitary facilities, structures, and the contents of buildings.
39. FLOOD PROTECTION SYSTEM - means those physical structural works for which funds have been authorized, appropriated, and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and to reduce the extent of the depths of associated flooding. Such system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes and these specialized flood- modifying works are those constructed in conformity with sound engineering standards.

40. FLOODWAY ENCROACHMENT LINES - means the lines marking the limits of floodway on official federal, state and local "Flood Plain" maps.
41. FLOODWAY (REGULATORY FLOODWAY) - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
42. FUNCTIONALLY DEPENDANT USE - means a "use" which cannot perform its intended purpose unless it is located or carried out in close proximity to water, and includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, ship building, and ship repair related manufacturing facilities.
43. HABITABLE FLOOR - means a space in a building for living, sleeping, eating, or cooking. Bathroom, toilet room, closet, storage or utility spaces and similar areas are not considered habitable spaces.
44. HIGHEST ADJACENT GRADE - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
45. HISTORIC STRUCTURE - means any structure that is:
- listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
  - certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminary determined by the Secretary to qualify as a registered historic district.
  - individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
  - individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
    - by an approved state program as determined by the Secretary of the Interior, or
    - directly by the Secretary of the Interior in states without approved programs.
46. JUNKYARD - means a business that stores, buys, or sells materials that have been discarded or sold at a nominal price by a previous owner and that keeps all or part of the materials outdoors until disposing of them.
47. LGC or TLGC - means Texas Local Government Code.
48. LEVEE - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

49. LEVEE SYSTEM - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
50. LOWEST FLOOR - means lowest floor of the lowest enclosed area (including a basement) of a building or a structure; however, an unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a "Lowest Floor", provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.
51. MANUFACTURED HOME OR MOBILE HOME - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without permanent foundation when connected to the required utilities. For flood plain management purposes, the term "Manufactured Home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "Manufactured Home" does not include park trailers, travel trailers, and other similar vehicles.
52. MEAN SEA LEVEL - means, for the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (also known as "NGVD") of 1929 or other datum to which base flood elevations shown on a community's Flood Insurance rate Map are referenced.
53. NEW CONSTRUCTION - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For flood plain management purposes, "new construction" means structures for which the "start construction" commenced on or after the effective date of a flood plain management regulation adopted by a community and includes any subsequent improvements to such structures.
54. NEW MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or pouring of concrete pads) is completed on or after the effective date of flood plain management regulations adopted by a community.
55. OUTDOOR RESALE BUSINESS - means a business that sells used merchandise, other than automobiles, logging equipment, or other agricultural equipment, and stores or displays the merchandise outdoors.

56. PRIMARY FRONTAL DUNE - means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and over topping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.
57. RECREATIONAL VEHICLE (RV) - means a vehicle which is:
- built on a single chassis;
  - 400 square feet or less, when measured at the largest horizontal projection;
  - designed to be self-propelled or permanently towable by a light duty truck; and
  - designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
58. RECREATIONAL VEHICLE (RV) PARK – means any lot, tract or parcel of land upon which accommodation is provided for two (2) or more recreational vehicles used as living or sleeping quarters by the day, week or month whether a charge is or is not made. A recreational vehicle park is a unified development of recreational vehicle spaces provided for recreational vehicle use with community facilities and permitted permanent buildings.
59. RECYCLING BUSINESS - means a business that is primarily engaged in:
- converting ferrous or nonferrous metals or other materials into raw material products having prepared grades and having an existing or potential economic value;
  - using raw material products of that kind in the production of new products; or
  - obtaining or storing ferrous or nonferrous metals or other materials for a purpose described by Paragraph (a) or (b)
60. REROOFING - means the process of recovering or replacing an existing roof covering.
61. RESIDENTIAL SUBDIVISION - means a subdivision:
- for which a plat is recorded in the County real property records;
  - in which the majority of the lots are subject to deed restrictions limiting the lots to residential use; and
  - that includes at least five lots that have existing residential structures.
62. SAND DUNES - mean naturally occurring accumulations of sand in ridges of mounds landward of a beach.

63. START OF CONSTRUCTION - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act [Pub. L. 97-3481J), includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement permanent construction of a structure on a site, such as the pouring of slab or footing, the installation of piles, the construction of columns, or any work beyond the state of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footing, piers or foundation or the erection of temporary forms nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.  
For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building whether or not that alteration affects the external dimension of the building.
64. STRUCTURAL ALTERATIONS - means any change in the supporting features of a building such as bearing walls, columns, beams, or girders.
65. STRUCTURE - means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as manufactured home.
66. SUBDIVISION - means a division of any tract of land in Cameron County, situated outside the corporate limits of a city, in two or more parts for the purpose of laying out any subdivision of any tract of land or any addition, or laying out suburban lots, building lots, mobile trailer lots, or any other lots, or any streets and alleys or parts or other portions thereof intended for public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto.
67. SUBSTANTIAL DAMAGE - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.
68. SUBSTANTIAL IMPROVEMENT - means any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either:
- before the improvement or repair is started; or
  - if the structure has been damaged and is being restored, before the damage occurred. "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure; "Substantial Improvement" does not include either
  - any project for improvement of a structure to comply with existing state of local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or

- d. any alteration of a structure listed Inventory of Historic Places, but only when such alteration is undertaken to preserve the historic value of such structure.
69. SURVEYOR - means a licensed State Land Surveyor or a Registered Public Surveyor, as authorized by the State of Texas to practice the profession of surveying.
70. TEMPORARY STRUCTURE - means any structure that is not designed for long-term, permanent use, but merely to serve some non-residential, temporary function.
71. TEXAS OPEN BEACHES ACT - means the statute enacted by the Texas Legislature in 1959 which prohibits encroachment by private owners on the area seaward of the line of vegetation in areas fronting on the Gulf of Mexico.
72. THIRD PARTY INSPECTIONS – means an inspection done by a person not directly employed by the County, qualified by reason of experience, demonstrated reliability, and independence of judgment to inspect housing, buildings, sites, plans, and portions thereof for compliance with the applicable ICC code and State and County regulations.
73. VARIANCE - means a grant of relief to a person from the requirement of this order when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this order. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)
74. VIOLATION - means the failure of a structure or other development to fully comply with the community's flood plain management regulations or building code regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by Section 60.3 (b) (5), (c) (4), (c) (10), (d) (3), (e) (2), (e) (4), or (e) (5) of the National Flood Insurance Program Regulations is presumed to be in violation of said Regulations until such time as the required documentation is provided.
75. WATER SURFACE ELEVATION - means the height, in relation to the National Geodetic Vertical Datum "(NGVD)" of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.
76. ZONE A - means areas of the 100-year flood where base flood elevations and/or flood hazard factors have not been determined.
77. ZONE AO - means areas of 100-year shallow flooding where depths are between 1.0 and 3.0 feet; average depths of inundation are shown, but no flood hazard factors are determined.
78. ZONE AH - means areas of 100-year shallow flooding where depths are between 1.0 and 3.0 feet; and base flood elevations are shown, but no flood hazard factors are determined.



79. ZONE A1-A30 - means areas of 100-year flood, base flood elevations and flood hazard factors are shown.
80. ZONE A99 - means areas inundated by the 100-year flood to be protected by a flood protection system under construction, base flood elevations and flood hazard factors are determined.
81. ZONE B/X (SHADED) - means areas between limits of the 100 year and 500-year flood, or areas subject to 100-year flooding with average depths of less than one (1) foot, or areas where the contributing drainage area is less than one (1) square mile, or areas protected by levees from the base flood.
82. ZONE C/X - means areas of minimal flood hazard.
83. ZONE D - means areas of undetermined but possible flood hazard. The Federal Emergency Management Agency does not require regulations in D Zones.
84. ZONE V - means areas of 100-year coastal flooding with velocity (wave action); base flood elevations and flood hazard factors not determined.
85. ZONE VE & V1-V30 - means areas of 100-year coastal flooding with velocity (wave action); base flood elevations and flood hazard factors determined.

# ARTICLE 3

## *GENERAL PROVISIONS*

### *SECTION A – LANDS TO WHICH THIS ORDER APPLIES*

These regulations apply to all unincorporated areas of Cameron County.

### *SECTION B – BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD*

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering revised report entitled "Flood Insurance Study for Cameron County, Texas, and Incorporated Areas", dated February 16, 2018, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps, (FIRM and FBFM) and any revisions thereto are hereby adopted by reference and declared to be a part of this order.

### *SECTION C – REQUIREMENT OF BUILDING PERMIT*

A Building Permit shall be required to insure conformity with the provisions of this order in connection with any development in the area governed by this order.

### *SECTION D – COMPLIANCE*

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this order and other applicable regulations.

### *SECTION E – ABROGATION AND GREATER RESTRICTIONS*

This order is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this order and another order, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

### *SECTION F – INTERPRETATION*

In the interpretation and application of this order, all provisions shall be:

1. considered as minimum requirements;
2. liberally construed in favor of the governing body; and
3. deemed neither to limit nor repeal any other powers granted under state statutes.

**SECTION G – *WARNING AND DISCLAIMER OR LIABILITY***

The degree of flood protection required by this order is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. Accordingly, these regulations do not imply that land outside the areas of "special flood hazards" or uses permitted within such areas will be free from flooding or flood damage. Therefore, these regulations shall not create liability on the part of the community or any official or employee thereof for any flood damage that results from reliance on these regulations or any administrative decision lawfully made thereunder.

# ARTICLE 4

## ADMINISTRATION

### SECTION A – DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The Cameron County Engineer is hereby appointed the Floodplain Administrator to administer and implement the provisions of this order and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

### SECTION B – DUTIES & RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to the following:

1. Maintain and hold open for public inspection all records pertaining to the provisions of this order.
2. Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.
3. Review, approve or deny all applications for development permits required by adoption of this order.
4. Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
5. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
6. Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB) and also the Texas Commission on Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

7. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
8. When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.
9. When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
10. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by Section 65.12.

In addition, the Floodplain Administrator/County Engineer is responsible for the following:

1. The administration of the Regulations under this order;
2. Issuance of permits required by these regulations;
3. Enforcement of these regulations;
4. Maintaining proper records; and
5. Forwarding any discrepancy, he/she finds in the FIRM to the Federal Insurance Administrator.

#### SECTION C – PERMIT PROCEDURE<sup>1</sup>

Application for any development in the unincorporated areas of Cameron County will require a permit. The permit process includes, but is not limited to, the following:

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<sup>1</sup>LGC §233, Subchapter F

1. An application for a permit shall be presented to the Floodplain Administrator, or to the Building Official, on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of the proposed and existing structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard.  
An application may be picked up at the Planning and Inspections Division of Cameron County. The applicant will fill out the form and return it to the Planning and Inspections Division. The following information is required:
  - a. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
  - b. Elevation in relation to mean sea level to which any nonresidential structure shall be flood proofed;
  - c. A certificate from a registered professional engineer or architect that the nonresidential flood proofed structure shall meet the flood proofing criteria of Article 5 of this order.
  - d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
  
2. Approval or denial of a permit by the Floodplain Administrator or Building Official shall be based on the provisions of this order and the following relevant factors:
  - a. The danger to life and property due to flooding or erosion damage.
  - b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
  - c. The danger that materials may be swept onto other lands to the injury of others.
  - d. The compatibility of the proposed use with existing and anticipated development.
  - e. The safety of access to the property in times of flood for ordinary and emergency vehicles.
  - f. The costs of providing governmental services during and after flood conditions including maintenance and repair of street and bridges and public utilities and facilities such as sewer, gas, electrical, and water systems.
  - g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, and the effects of wave action, if applicable, expected at the site.
  - h. The necessity to the facility of a waterfront location, where applicable.
  - i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
  - j. The relationship of the proposed use to the comprehensive plan for that area. (See Cameron County Subdivision Rules and Regulations for further requirements)

3. The Building Official will review development applications when submitted and determine if clearance on property is admissible for development or if the building or structure is allowed within Cameron County boundaries.
  - a. The Building Official will visit the property to verify and obtain pictures that no construction has been erected, constructed, altered and/or moved into the property.
  - b. Any work before issuance of permit may result in fines and may be asked to be removed.
4. If property does not meet Cameron County Subdivision regulations, applicant is advised to hire the services of a professional Engineer or registered surveyor to plat and record the tract of land.
5. Utility Verification, including, but limited to:
  - a. Sewer Facilities – Documentation of the availability of either septic tanks or an organized sewage disposal system that is a publicly or privately owned system for the collection, treatment, and disposal of sewage operated in accordance with the terms and conditions of a valid waste discharge permit issued by the commission or private sewage facilities in accordance with Chapter 366, Health and Safety Code, and the Construction Standards for On-Site Sewerage Facilities and other law and rules applicable to sewage facilities.
  - b. Drinking Water – Documentation of the availability of adequate drinking water in accordance with Chapter 341, Health and Safety Code, and the Rules and Regulations for Public Water Systems and the Drinking Water Standards Governing Water Quality and Reporting Requirements for Public Water Supply Systems and other law or rules applicable to drinking water.
  - c. Electric Service or Feed – Availability of electric services or feed meeting the reliability and quality standards of the State, ICC code, and NFPA 70, or other law or rules applicable to electrical services.
6. For temporary structures, a temporary permit shall be required. The term length of the permit shall depend on the type of temporary structure. The types and term lengths of temporary permits include, but are not limited to:
  - a. Type I permit – a permit for temporary structure not requiring plumbing, electrical, or mechanical facilities with a use of four (4) weeks or less. The permit term length shall be four (4) weeks from the date of issue, and can be renewed after expiration for up to six (6) months, upon payment of renewal fees and reinspection.
  - b. Type II – a permit for a temporary structure. The permit term length shall be for six (6) months from the date of issue, and can be renewed after expiration, upon payment of renewal fees and reinspection.

## SECTION D – LICENSING AND REGISTRATION REQUIREMENTS FOR PROFESSIONAL TRADE CONTRACTORS

### 1. Licensing Requirements for Professional Trade Contracts

All contactors and professionals engaged in specialized trades, including but not limited to plumbing, electrical, and mechanical work, must hold a valid license issued by the appropriate Texas state licensing authority. Acceptable licensing authorities include, but are not limited to:

- Texas State Board of Plumbing Examiners (for plumbing contractors)
- Texas Department of Licensing and Regulation (TDLR) (for electrical, HVAC, and other regulated trades)

Proof of valid licensure must be provided upon request and maintained throughout the duration of the project.

### 2. County Registration of Licensed Trade professional

All licensed trade professionals whose work will be performed under a building permit must be registered with the Cameron County Department of Transportation, Planning and Inspections Division prior to the issuance of said permit. This requirement applies to all professional trade contractors involved in work regulated by county or state building codes.

### 3. Permit Application Requirements

A building permit application must include a complete list of all professional trade contractors and professionals assigned to the project. Each listed individual or company must:

- Be licensed by the relevant Texas state board or department
- Be registered with the County as described in this section.

Failure to meet these requirements will result in denial of the building permit application

### 4. Compliance and Enforcement

Any professional trade work found to be conducted without proper licensure or county registration will be subject to immediate suspension of permit, fine, or additional penalties as determined by the Building Official in accordance with county ordinances and state law.

## SECTION E – VARIANCE PROCEDURE

1. The Appeals Board, being the Commissioners Court, shall hear and render judgment on requests for variances from the requirements of this order.
2. The Appeals Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination enforced or made by the Floodplain Administrator in the enforcement or administration of this order.
3. Any persons aggrieved by the decision of the Appeals Board may appeal such decision to the courts of competent jurisdiction.



4. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
5. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this order.
6. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by the lots with existing structures constructed below the Base Flood Level, provided that the relevant factors in Section C.2 of this article have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases. A variance shall be granted showing the requirement would itself create a flood hazard to adjoining property, or if the adjoining area is substantially developed at a lower elevation, so as to make elevation impracticable.
7. Upon consideration of the factors noted above and the intent of this order, the Appeals Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this order (Article 1, Section C).
8. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
9. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
10. The prerequisites for granting variances are as follows:
  - a. Variances shall only be issued upon a determination that the variance is the minimum necessary considering the flood hazard to afford relief;
  - b. Variances shall only be issued upon:
    - i. a showing a good and sufficient cause;
    - ii. a determination that failure to grant the variance would result in exceptional hardship to the applicant, and
    - iii. a determination that the granting of a variance will not result in increased flood heights, additional threats to the public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws, orders, or ordinances.

- c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
11. Variances may be issued by the Commissioners Court for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use, provided that:
  - a. The criteria outlined in Article 4, Section E.1 through E.10 are met, and
  - b. The structure or other development is protected by recognized methods that minimize flood damage during the base flood and creates no additional threat to public safety.
12. The Floodplain Administrator shall notify the applicant in writing that the issuance of a variance to construct below the base flood level will result in increased premium rates for the individual and in some instances the entire community, increases risks to life and property, and that the applicant will not qualify for Federal Emergency grants through the Federal Emergency Management Agency.

## SECTION F – *REVOCATION OF CONSTRUCTION PERMITS*

### SUBSECTION F.1 *PROCEDURE TO REVOKE CONSTRUCTION PERMITS*

1. This section shall govern the procedure for the revocation of the following construction permits required by this order: building, electrical, mechanical, plumbing, swimming pool, curb cut, sign and removal and demolition.
2. The express purpose for requiring and issuing permits is to enforce compliance with the applicable construction code requirements for which the permit was issued and to require that qualified personnel are utilized in meeting these requirements. The issuance of any of the permits listed in this section does not raise any legal right or remedy in any person that does not exist without the requirement of such permits.
3. The owner of any property for which a construction permit has been issued may request that the building inspection department revoke such permit by following the procedures as set out in Item 5 of this section.
4. The general contractor on any construction project may request that the building inspection department revoke any or all permits held by any or all subcontractors responsible to the general contractor on such construction project by following the procedures as set out in Item 5 of this section.

5. The party requesting that a permit be revoked shall give written notice thereof to the holder of such permit and a copy of such notice shall be forwarded to the building inspection department. Upon receipt thereof, the Building Official or his authorized representative shall send a notice of revocation to the permit holder by certified mail, return of receipt requested. Such notice shall be sent to the applicable address as on record in the building inspection department and shall state that such permit shall be revoked seven days from the date posted on the written notice.
6. Upon the completion of the procedures as set out in Item 5 of this section, the Building Official shall revoke such permit and cause a notation of such revocation to be entered upon the records of the building inspection department office.
7. This section only applies to the procedure for and authorization for revocation of construction permits under the criteria set out in this section and does not act to repeal any rules and regulations setting out procedures for the issuance of construction permits or revocation thereof as set out in applicable rules and regulations.

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#### *SUBSECTION F.2 AUTHORITY TO REVOKE OR SUSPEND PERMITS AND CERTIFICATES*

If the Building Official determines that a building or structure or any portion thereof is in violation of any provision of the International Building Codes, Order, regulation, or local, state or federal law, the Building Official is authorized to suspend or revoke any County-issued permits or certificates, including, but not limited to, certificates of occupancy.

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#### *SUBSECTION F.3 OTHER APPLICABLE SURETIES*

If an inspection is made and the resultant discovery is that work for which a permit is required by this order has been started or done but the required permit has not been issued, then the discovery fee shall be \$250.00 and this will not alleviate the requirement to obtain a permit or prevent legal action for work done without a permit.

The Building Official shall have the right to declare a permit null and void if there has been a misrepresentation of facts or any violation of the provisions of this article, and after such declaration of facts or any violation of the provisions of this order, no work shall be performed until a new permit is issued and all fees have been paid

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**SECTION G – GAS CODE**

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**SUBSECTION G.1 PURPOSE OF AND COMPLIANCE**

The purpose of this order is to provide minimum standards, provisions and requirements for safe installation of consumer gas piping and gas appliances. All such gas piping and gas appliances installed, replaced, maintained or repaired within the corporate limits of the County shall conform to the requirements of this article.

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**SUBSECTION G.2 STANDARD GAS CODE ADOPTED**

There is hereby adopted for and by the County, the International Fuel Gas Code, 2015 edition, including appendices, prepared by the International Code Council, published in booklet form, which is referred to, incorporated in this article and made a part of this article for all purposes. A copy of such code shall be filed in the office of the Building Official.

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**SUBSECTION G.3 GAS PERMITS**

1. No person shall install a gas conversion burner, floor furnace, central heating plant, vented wall furnace, water heater, boiler, consumer's gas piping, or convert existing piping to utilize natural gas without first obtaining a permit to do such work from the Building Official. Permits will not be required, however, for setting or connecting other gas appliances, or for the repair of leaks in house piping.
2. When only temporary use of gas is desired, the Building Official may issue a permit for such use, for a period of not to exceed 60 days, provided the consumer's gas piping to be used is given a test equal to that required by this article for a final piping inspection.

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**SUBSECTION G.4 DISCONNECTION OF DEFECTIVE PIPING, FIXTURES, AND APPLIANCES**

The Building Official is authorized to disconnect any gas piping, fixture or appliance for which a certificate of approval is required but has not been issued with respect to such gas piping, fixture or appliance, or which, upon inspection, shall be found defective or in such condition as to endanger life or property. In all cases where such a disconnection is made, a notice shall be attached to the piping, fixture or appliance disconnected by the Building Official, which notice shall state that such gas piping, fixture or appliance has been disconnected by the Building Official, together with the reason or reasons therefor, and it shall be unlawful for any person to remove such notice or reconnect such gas piping, fixture or appliance without authorization by the Building Official, and such gas piping, fixture or appliance shall not be put in service or used until the Building Official has attached his certificate of approval in lieu of his prior disconnection notice.

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### SUBSECTION G.5 *ORDER DOES NOT IMPOSE LIABILITY ON COUNTY*

This article shall not be construed as imposing upon the County any liability or responsibility for damages to any person injured by any defect in any gas piping or appliance mentioned in this article, or by installation thereof, nor shall the County or any official or employee thereof be held as assuming any such liability or responsibility by reason of the inspection authorized under this article or the certificate of approval issued by the Building Official.

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## SECTION H – *HOUSING*

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### SUBSECTION H.1 *REMEDIAL CODE*

The provisions embraced within this order shall constitute and be known and may be cited as the housing code for the County. This order is hereby declared to be remedial, and shall be construed to secure the beneficial interests and purposes thereof, which are public safety, health and general welfare through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards incident to the construction, alteration, repair, removal, demolition, use and occupancy of residential buildings.

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### SUBSECTION H.2 *SCOPE*

1. The provisions of this order shall apply to all buildings or structures or portions thereof presently located within the County at the time of adoption of this order, used or designed or intended to be used for human habitation, regardless of when such building may have been constructed. This order establishes minimum standards for occupancy, and does not replace or modify standards otherwise established for construction, replacement or repair of buildings, except such as are contrary to the provisions of this article. All buildings or structures moved into or within the jurisdiction of the County shall comply with the requirements for new buildings in the building code.
2. All buildings or structures, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this order in a building when erected, altered or repaired shall be maintained in good working order. The owner, or his designated agent, shall be responsible for the maintenance of buildings, structures and premises and all other requirements of this article.
3. Nothing in this order shall be construed to cancel, modify or set aside any provision of the County.

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### SUBSECTION H.3 *DEFINITIONS*

1. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- a. *Alter* or *alteration* means any change or modification in construction or occupancy.
- b. *Building official* means the officer, or other person, charged with the administration and enforcement of this article, or his duly authorized representative.
- c. *Dwelling*, when used in this article without other qualifications, means a structure occupied exclusively for residential purposes, including multiple dwelling unit structures.
- d. *Dwelling unit* means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- e. *Floor area* means the total area of habitable space in a building or structure.
- f. *Habitable room* means a space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility spaces and similar areas are not considered habitable space.
- g. *Multiple dwelling* means any building, or portion thereof, which is occupied as the home or residence of more than two families living independently of each other and doing their own cooking in such building, and shall include flats and apartments.
- h. *Owner* means the holder of the title in fee simple, and any person in whose name tax bills on the property are submitted. It shall also mean any person who, alone or jointly or severally with others:
  - i. Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof;
  - ii. Shall have charge, care or control of any dwelling or dwelling unit, as owner, executor, executrix, administrator, trustee, guardian of the estate of the owner, mortgagee or vendee in possessions, or assignee of rents, lessee, or other person in control of a building; or their duly authorized agents. Any such person thus representing the actual owner shall be bound to comply with the provisions of this article, and of rules and regulations adopted pursuant thereto, to the same extent
  - iii. as if he were the owner. It is his responsibility to notify the actual owner of the reported infractions of this article pertaining to the property, which apply to the owner;
  - iv. Shall mean any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let.
- i. *Plumbing* means the practice, materials and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances in connection with any of the following: Sanitary drainage or storm drainage facilities; the venting system and the public or private water supply systems, within or adjacent to any building, structure or conveyance; also the practice and materials used in the installation, maintenance, extension or alteration of stormwater, liquid waste or sewerage, and water supply systems of any premises to their connection with any point of public disposal or other acceptable terminal.

- j. *Premises* means a lot, plot or parcel of land, including the buildings or structures thereon.
  - k. *Repair* means the replacement of existing work with the same kind of material used in the existing work, not including additional work that would change the structural safety of the building, or that would affect or change required exit facilities, a vital element of an elevator, plumbing, gas piping, wiring or heating installations, or that would be in violation of a provision of law or ordinance. The term "repair" or "repairs" shall not apply to any change of construction.
  - l. *Required* means required by some provision of this article.
  - m. *Residential buildings* means buildings in which families or households live, which include dwellings or dwelling units, or in which sleeping accommodations are provided, and all dormitories, shall be classified as "residential occupancy." Such buildings include, among others, the dwellings, multiple dwellings and rooming houses.
  - n. *Rooming unit* means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.
  - o. *Stairway* means one or more flights of stairs and the necessary landings and platforms connecting them, to form a continuous and uninterrupted passage from one story to another in a building or structure.
  - p. *Story* means that portion of a building included between the upper surface of a floor and upper surface of the floor or roof next above.
  - q. *Structure* means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. The term "structure" shall be construed as if followed by the words "or part thereof."
  - r. *Supplied* means paid for, furnished or provided by, or under control of, the owner or operator.
  - s. *Ventilation* means the process of supplying and removing air, by natural or mechanical means, to or from any space.
2. Whenever the words "dwelling," "dwelling units," "rooming house," "rooming units" or "premises" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

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#### SUBSECTION H.4 MINIMUM REQUIREMENTS

No person shall occupy as owner-occupant, or let or sublet to another for occupancy, any dwelling, dwelling unit or residential building after notification from the Building Official that such structure is deemed unsafe for human occupancy as provided for in this article, nor shall any dwelling, dwelling unit or residential building be permitted to exist which does not comply with the following requirements, or which is defined as substandard under this order:

1. Sanitary Facilities Required

Every dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, all in good working condition and properly connected to an approved water and sewer system. Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks and obstructions.

2. Location of Sanitary Facilities

- a. All required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of such dwelling unit. The tub or shower and lavatory shall be located in a room affording privacy to the user and such room shall have a minimum floor space of 30 square feet (2.8 square meters), with no dimension less than four feet (1.2 meters).
- b. Bathrooms shall be accessible from habitable rooms, hallways, corridors or other protected or enclosed areas, not including kitchens or other food preparation areas.

3. Hot and Cold-Water Supply

Every dwelling unit shall have connected to the kitchen sink, lavatory and tub or shower an adequate supply of both cold water and hot water. All water shall be supplied through an approved distribution system connected to a potable water supply.

4. Water Heating Facilities

Every dwelling unit shall have water heating facilities which are properly installed and maintained in a safe and good working condition and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower, at a temperature of not less than 120 degrees Fahrenheit (49 degrees Celsius). Minimum storage capacity of the water heater shall be 30 gallons (140 liters). Apartment houses may use a centralized water heating facility capable of heating an adequate amount of water, as required by the Standard Plumbing Code, to not less than 120 degrees Fahrenheit (49 degrees Celsius).

5. Electric Lights and Outlets Required

Every habitable room or space shall contain at least two separate and remote convenience outlets, and bedrooms shall have, in addition, at least one wall-switch-controlled ceiling or wall-type light fixture. In kitchens, three separate and remote convenience outlets shall be provided, and a wall or ceiling type light fixture controlled by a wall switch shall be required. Every hall, water closet compartment, bathroom, laundry room or furnace room shall contain at least one electric fixture. In bathrooms the electric light fixture shall be controlled by a wall switch. In addition to the electric light fixture in every bathroom and laundry room, there shall be provided at least one convenience outlet. Every such outlet and fixture shall be properly installed, shall be maintained in good and safe working condition, and shall be connected to the source of electric power in a safe manner. Improperly insulated electrical wires or excessive multiple connections per outlet are specifically prohibited.

6. Minimum Requirements for Electrical Systems

Every electrical outlet and fixture required by this article shall be installed, maintained and connected to a source of electric power in accordance with the provisions of the electrical code of the County.



7. Foundation

The building foundation system shall be maintained in a safe manner and capable of supporting the load which normal use may cause to be placed thereon. A foundation is substandard if:

- a. The unit has a dirt floor;
- b. The floor moves under normal stress, due to improper reinforcement; or
- c. Supporting piers are not of one solid-piece construction.

8. Exterior Walls

Every exterior wall of a dwelling unit shall be free of holes, breaks, or loose or rotting boards or timbers, to the extent that such conditions might admit rain or dampness to the interior portions of the walls or to the occupied spaces of the building. All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment.

9. Roofs

Roofs shall be structurally sound and maintained in a safe manner and have no defects which might admit rain or cause dampness in the walls or interior portion of the building.

10. Means of Egress

Every dwelling unit shall have safe, unobstructed means of egress, with minimum ceiling height of seven feet, leading to a safe and open space at ground level.

11. Stairs, Porches, and Appurtenances

Every inside and outside stairway, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon, and shall be kept in sound condition and good repair.

12. Windows and Doors

Every intended opening in a structure shall be covered with a window, exterior door, basement or cellar door, or hatchway, as applicable, which shall be substantially weathertight, watertight and rodent proof, and shall be kept in sound working condition and good repair.

13. Interior Floor, Walls and Ceilings

Every floor, interior wall and ceiling shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

14. Structural Supports

Every structural element of the dwelling shall be maintained structurally sound and show no evidence of deterioration which would render it incapable of carrying loads which normal use may cause to be placed thereon.

## 15. Basic Services

Every dwelling unit shall be supplied by sewer services (such as from a sewage utility or onsite septic facilities) drinking water services (such as from a water utility, a water well, or rain harvesting system) and electrical services (such as from an electrical utility or electrical feed. All services supplied to a dwelling unit must comply with any applicable Government Standard, State Code, ICC Code, or other law or rules

## SECTION I – SIGNS

### SUBSECTION I.1 DEFINITIONS

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- a. *Abandoned sign* means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, or for which no legal owner can be found.
- b. *Accessory sign* means a sign that is incidental to the effective operation of the enterprise to which it pertains, and is not intended to serve as the primary identification of the premises and does not attract the attention of passersby for the purpose of advertising a product or service available therein.
- c. *Area of sign face* means the entire area within a single continuous perimeter enclosing the total sign message or display area of a sign, excluding supports and excluding border and trim, whose total square footage does not exceed 50 percent of the sign face area; the area of stacked and side-by-side signs shall be computed as the total of sign panels making up such a sign; for multiple-faced signs (back-to-back, triangular, columnar, V-type, etc.) only one sign face shall be counted in computing the actual sign area.
- d. *Back-to-back sign* means a structure with two parallel and directly opposite signs with their faces oriented in opposite directions and spaced not more than ten feet apart.
- e. *Building frontage* means the linear length of a building facing a public way or which contains a public entrance.
- f. *Changeable electronic variable message sign* or *CEVMS* means an electric sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. A CEVMS sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the National Standard.
- g. *Clearance (of a sign)* means the smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.
- h. *Construction sign* means a sign identifying the property owner, architect, contractor, engineer, landscape architect, decorator, mortgagee or others engaged in the design, construction or improvement of the premises on which the sign is located.

- i. *Directional/information sign* means an on-premises sign giving directions, instructions or facility information and which may contain the name or logo of an establishment, not to exceed 20 percent of the sign face, but no advertising copy, e.g., parking or exit and entrance signs. A sign containing the word "parking" at any parking lot where any person is charged any fee or other monetary consideration for parking shall be considered an advertising sign, not a directional/informational sign.
- j. *Electric sign* means any sign, display, or device containing electrical wiring or using electric energy, but does not include signs illuminated by an exterior light source.
- k. *Exempt political sign* means a sign that contains primarily a political message, including a political issue or a political candidate sign, that is located on private real property with the consent of the real property owner, but not on real property subject to an easement or other encumbrance that allows the County use the property for a public purpose, and that (1) does not have an effective area greater than 36 square feet, (2) is not more than eight feet high, (3) is not illuminated, and (4) does not have any moving elements.
- l. *Freestanding sign* means a sign supported upon the ground by poles or braces and attached to any building. Also referred to as "ground sign," "detached sign" or "pole sign."
- m. *Height (of a sign)* means the vertical distance measured from the highest point of the sign to the grade of the adjacent street or the surface grade beneath the sign, whichever is less (compare "clearance").
- n. *Identification sign* means a sign for the purpose of identifying an apartment building, mobile home park, residential, commercial or industrial subdivision that contains only the name of the development and address.
- o. *Institutional sign* means a sign which identifies a school, church, hospital or similar publicly owned building.
- p. *Maintenance* means the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.
- q. *Off-premises sign* means a sign structure advertising an establishment, merchandise, service or entertainment which is not sold, produced, manufactured or furnished at the premises on which such sign is located, e.g., billboards, outdoor advertising, or offsite sign.
- r. *On-premises sign* means a sign which pertains to the legal use of the premises on which it is located.
- s. *Owner* means a person recorded as such on official tax records. For the purposes of this order, the owner of property on which a sign is located is presumed to be the owner of the sign, unless facts to the contrary are officially recorded or otherwise brought to the attention of the Building Official.
- t. *Political issue sign* means any sign, not including a permanent advertising sign structure, whose sole purpose is the transmittal of information concerning an upcoming referendum election.
- u. *Political candidate sign* means any sign, not including a sign that is affixed to a permanent advertising sign structure, whose sole purpose is the transmittal of information concerning an upcoming political campaign for an elected office.
- v. *Portable sign* means a movable sign that is not attached to a permanent support or building, or is designed to be temporary and mobile notwithstanding that the owner or user of such sign renders or modifies it to make it practically mobile. This definition includes signs

- w. attached to trailers, but does not include signs permanently placed on the sides of motor vehicles.
- x. *Premises* means any lot, tract or parcel of land, whether or not under common ownership, including all buildings thereon and appurtenances thereto.
- y. *Right-of-way* means any property interests dedicated for public use and owned or controlled by the County. Right-of-way includes the property behind the street which is part of the dedicated street right-of-way or may be a dedicated utility easement. Right-of-way includes fee ownership of the County.
- z. *Sign* means any device, structure, fixture or placard using graphics, symbols and/or written copy designed specifically for the purpose of informing, advertising or identifying any establishment, product, goods or services.
- aa. *Sign licensee* means a person who is engaged in the manufacturing, renting, leasing, sales, erection, installation or servicing of signs and has met the licensing requirements of the city.
- bb. *Street frontage* means the length of the property line along the street right-of-way. The total length of the property line along a particular street would be considered one street frontage. A lot abutting upon two or more public streets at their intersection will be considered to have two or more frontages, but the same linear frontage may not be used to determine the permitted area of more than one sign.
- cc. *V-type sign* means a structure composed of two signs in the shape of the letter "V" when viewed from above, and with their faces oriented in opposite directions.
- dd. *Wall/flat sign* means a sign attached parallel to and extending not more than 12 inches from the wall of a building. This definition includes painted, individual letter and cabinet signs, and signs on a mansard. Also referred to as "fascia sign."

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#### SUBSECTION I.2 AUTHORITY AND PURPOSE

This order shall be known as the County sign order. The County Building Official is hereby authorized and directed to administer and enforce all the provisions of this order and shall have the right to enter any premises for inspection purposes during reasonable hours and after reasonable notice has been given in order to ensure the enforcement of this section.

The purpose of this order shall be to coordinate the type, placement and physical dimensions of signs within the different land use zones; to recognize the commercial communication requirements of all sectors of the business community; to encourage the innovative use of design; to promote both renovation and proper maintenance; to allow for special circumstances; and to guarantee equal treatment under the law through accurate recordkeeping and consistent enforcement. This shall be accomplished by regulation of the display, erection, use and maintenance of signs. The use of signs is regulated according to the zone in which located. The placement and physical dimensions of signs are regulated primarily by type and length of street frontage. No sign shall be erected or maintained by any person except in accordance with the provisions of this order.

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### SUBSECTION I.3 *SCOPE*

1. This order is enacted to provide uniform standards for location, spacing, setbacks, lighting, and other regulations of signs in the County. The purpose of this order is to protect the health, safety, welfare, convenience and enjoyment of the general public and to protect the general public from injury that may be caused by unregulated construction of signs. It is the intent of these regulations as provided in this order to do the following:
  - a. To enhance the economic value of the landscape by avoiding visual clutter which is potentially harmful to property values and business opportunities;
  - b. To promote the safety of persons and property by providing that signs do not create a hazard, due to collapse, fire, collision, weather or decay;
  - c. To protect the safety and efficiency of the city's transportation network by reducing the confusion and distraction of motorists and enhancing motorist's ability to see pedestrians, obstacles, other vehicles and traffic signs;
  - d. To enhance the impression that the city should convey to tourists and visitors;
  - e. To protect adjacent and nearby properties from the impact of lighting, size, height, and location of signs; and
  - f. To preserve, protect, and enhance areas of historical, architectural, scenic and aesthetic value, regardless of whether they be cultural, natural, or manmade.
2. This order is not intended to regulate building design, nor does this order regulate official traffic or governmental signs, the copy and message of signs, unless otherwise provided, signs not intended to be viewed from a public right-of-way, such as window displays, product dispensers or point of purchase displays, scoreboards on athletic fields, gravestones located in a cemetery. The requirements of this order, however, are in addition to any state law requirement relating to the placement of signs.

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### SUBSECTION I.4 *COMPLIANCE WITH REGULATIONS*

It shall be unlawful for any person to erect, place or maintain a sign in the count except in accordance with the provisions of this order and all applicable codes. Any person occupying any premises on which a sign is located shall be subject to the same duties and responsibilities under this order as the owner of such premises.

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### SUBSECTION I.5 *FEE REQUIRED*

No person shall erect, construct, reconstruct, install, replace, rent, lease or service any sign for which a permit is required within the corporate limits of the County until such person has obtained a sign permit as required by this order. The original permit fee shall be \$75.00 per sign.

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### SUBSECTION I.6 SIGNS NOT REQUIRING PERMITS

The following types of signs, provided such signs are not electrified, are exempt from permit requirements, but must be in conformance with all other requirements of this order:

1. Agricultural signs not more than 32 square feet in area.
2. Construction signs of 32 square feet or less.
3. Directional/information signs of eight square feet or less.
4. Nameplates of two square feet or less and fastened directly to the building; one per occupancy.
5. Exempt political signs, except any such sign, including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political.
6. Real estate signs not more than 12 square feet in single-family or low-density residential districts and 32 square feet per face for multifamily residential, commercial, industrial and agricultural.
7. Incidental signs.
8. Window signs.
9. Flags:
  - a. Noncommercial flags bearing the official design of a nation, state, municipality, educational institution or noncommercial organization.
  - b. Commercial flags advertising a business, product or service and limited to one per premises, not to exceed 48 square feet.
10. Identification signs, wall or ground signs which are limited to not more than two per street frontage, not more than four square feet per sign in area, and not more than ten feet in height above grade.
11. Repair or maintenance of existing signs: Any sign being repainted where the painting constitutes the only alteration to the sign, when the sign is not being enlarged or structurally altered, and further provided that the painting is done with the sign structure in place. Service on any electric sign consisting only of the replacement of electrically identical components.
12. Any changing of copy to be done on poster panels.

## SECTION J – PERMIT FEES

For buildings, structures, alterations, or other matters requiring permits, as set forth in this order, the permit fees to be paid shall be based on the valuation and permit fees shown below.

### SUBSECTION J.1 BUILDING PERMIT FEE BASIS

Base building permit fees shall be determined per Table J.1 as described below:

1. Valuations \$10,000.00 and less shall be \$65.00
2. Where the valuation exceeds \$10,000.00 and up to and including \$100,000.00 the fee shall be \$65.00 for the first \$10,000.00 plus \$5.00 for each additional thousand or fraction thereof.
3. Where the valuation exceeds \$100,000.00 up to and including \$500,000.00 the fee shall be \$350.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof.
4. Where the valuation exceeds \$500,000.00 up to and including \$1,000,000.00 the fee shall be \$1,150.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.
5. Where the valuation exceeds \$1,000,000.00 the fee shall be \$1,700.00 for the first \$1,000,000.00 plus \$1.00 for each additional thousand or fraction thereof.

**Table J.1: Base Building Permit Fee**

Item No.	Valuation of Improvements	Base Building Permit Fee
1	\$10,000 and less	\$65.00
2	Greater than \$10,000.00 up to and including \$100,000.00	\$65.00 for the first \$10,000.00 plus \$5.00 for each additional thousand or fraction thereof
3	Greater than \$100,000.00 up to and including \$500,000.00	\$350.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof
4	Greater than \$500,000.00 up to and including \$1,000,000.00	\$1,150.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof
5	Greater than \$1,000,000.00	\$1,700.00 for the first \$1,000,000.00 plus \$1.00 for each additional thousand or fraction thereof

See Section J.2 for determining valuation and Section F.3 for other fees that may be applied.

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### SUBSECTION J.2 VALUATION BASIS

In determining the permit fee to be assessed against those applying for building permits within Cameron County, the valuation of construction shall be determined by the following schedule:

- |   |                      |
|---|----------------------|
| 1. Residential Construction   |                      |
| a. Application Processing Fee   | \$25.00              |
| b. Brick Veneer or Masonry Construction on concrete slab  | \$65.00 per sq. ft.  |
| c. Wood Frame and siding on concrete slab   | \$50.00 per sq. ft.  |
| d. Wood Frame and siding with pad and piers   | \$45.00 per sq. ft.  |
| e. Accessory Building or Dwelling Unit (detached)<br>(see Article 5, Section K for size requirements) | \$38.00 per sq. ft.  |
| f. Garages<br>(three or more sides covered) (attached or detached to structure)                       | \$30.00 per sq. ft.  |
| g. Roofed Carports/Patios/Porch/Repair Remodel Roof/<br>Pergola/Deck                                  | \$20.00 per sq. ft.  |
| 2. Commercial Construction  | \$75.00 per sq. ft.  |
| 3. Reroofing  |                      |
| a. Commercial   | \$100.00 per sq. ft. |
| b. Residential  | \$50.00 per sq. ft.  |
| 4. Solar Panel Roofs  | \$2.60 per watt      |
| 5. Swimming Pools   | Based by valuation   |
| 6. Temporary Structures are calculated at:  |                      |
| a. Type I<br>(Uses for four weeks or less not requiring plumbing/electrical/mechanical)               | \$25.00 per sq. ft.  |
| b. Type II  | 75.00 per sq. ft.    |

*See Section J.3 for other associated fees that may be applied.*

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### SUBSECTION J.3 OTHER FEES

Other fees shall be determined and assessed as applicable as stated below:

- |                                      |                           |
|--------------------------------------|---------------------------|
| 1. Plan Review Fee                   | \$75.00 per unit          |
| 2. Moving of buildings or structures |                           |
| a. Commercial                        | \$75.00 per unit plus mpg |
| b. Residential                       | \$50.00 per unit plus mpg |
- Mpg is for structures outside the County only. Structures shall be thoroughly inspected before structure may be issued a moving permit.*



- |  |                            |
|--|----------------------------|
| 3. Electrical (New Service, Upgrade, Repair, Relocate, or Reconnect)   |                            |
| a. Commercial  | \$75.00 per meter          |
| b. Residential   | \$50.00 per meter          |
| 4. Gas or Water Meter Inspection   |                            |
| a. Commercial  | \$75.00 per meter          |
| b. Residential   | \$50.00 per meter          |
| 5. Sewer Connection/Reconnection   |                            |
| a. Commercial  | \$75.00 per connection     |
| b. Residential   | \$50.00 per connection     |
| 6. HVAC or Water Heater (New, Replace)   |                            |
| a. Commercial  | \$100.00 per unit          |
| b. Residential   | \$75.00 per unit           |
| 7. Septic Clearance  |                            |
| a. Commercial  | \$50.00 per system         |
| b. Residential   | \$25.00 per system         |
| 8. Reinspection Fee  |                            |
| a. Commercial  | \$100.00 per inspection    |
| b. Residential   | \$75.00 per inspection     |
| 9. Demolition  |                            |
| a. Commercial  | \$75.00 per inspection     |
| b. Residential   | \$50.00 per inspection     |
| 10. Certificate of Occupancy (to be included in the Building Permit Fee)   |                            |
| a. Commercial  | \$100.00 per unit/building |
| b. Residential   | \$75.00 per unit/building  |
| 11. Signs  | \$75.00 per sign           |
| 12. Renewal fee for regular building permits will be calculated according to the percentage of completion of the construction determined by the Building Official or his/her designee, then multiplied by the original valuation with the Building Official's or designee's discretion to request a licensed master electrician, master responsible plumber, and responsible mechanical installer. Renewal fee for temporary permits will be a flat rate of \$100 for commercial and \$75 for residential. |                            |
| 13. Refund of a permit will be approved only if within a six (6) month period and no development has commenced since date of permit.   |                            |

#### SUBSECTION J.4 *SITE DEVELOPMENT FEES*

A site development fee shall be charged for developments exempt from the platting process and where the valuation of all the site improvements is or exceeds \$100,000.00. The valuation of the site improvements is based on estimated construction cost for the site. The site development fee for site improvement values exceeding \$100,000.00 shall be determined per Table J.3 as described below:

- a. Where the valuation is up to and including \$500,000.00 the fee shall be \$500.00 for the first \$100,000.00 plus \$4.00 for each additional thousand or fraction thereof.
- b. Where the valuation exceeds \$500,000.00 up to and including \$1,000,000.00 the fee shall be \$2,100.00 for the first \$500,000.00 plus \$3.00 for each additional thousand or fraction thereof.
- c. Where the valuation exceeds \$1,000,000.00 the fee shall be \$3,600.00 for the first \$1,000,000.00 plus \$2.00 for each additional thousand or fraction thereof, with a maximum fee of \$100,000.00.

**Table J.3: Site Development Fee for Site Improvement Values Exceeding \$100,000.00**

Item No.	Valuation of Site Improvements	Site Development Fee
2.a	Greater than \$100,000.00 up to and including \$500,000.00	\$500.00 for the first \$100,000.00 plus \$4.00 for each additional thousand or fraction thereof
2.b	Greater than \$500,000.00 up to and including \$1,000,000.00	\$2,100.00 for the first \$500,000.00 plus \$3.00 for each additional thousand or fraction thereof
2.c	Greater than \$1,000,000.00	\$3,600.00 for the first \$1,000,000.00 plus \$2.00 for each additional thousand or fraction thereof, with a maximum fee of \$100,000.00

#### SUBSECTION J.5 *PENALTIES*

Where work for which a permit is required by this order is stated or proceeds without acquiring a permit, the fines shall be up to **\$100.00** per day of violation, but not to exceed **\$2,500.00** total fine. The payment of such fine shall not relieve any persons from fully complying with the requirements of this order in execution of the work.

The Floodplain Administrator or Building Official may revoke a permit or approval, issued under the provisions of this order, when there has been any false statement or misrepresentation as to a material fact in the application or plans upon which permit or approval was based. At the Floodplain Administrator or Building Official's discretion a fine of **\$250.00** may be assessed if any type of construction or sub-contractor work has commenced without first obtaining a permit or submitting proper documentation to Cameron County. The Floodplain Administrator or Building Official shall be also authorized to double the permit fee when necessary.

**SECTION K – ENFORCEMENT / ACTION TO PREVENT AND ABATE**

In accordance with Section 81.024 of the Texas Local Government Code granting Commissioners Court the power of contempt, any person who violates the terms, provisions or requirements of this order shall be in contempt of the Cameron County Commissioners Court. Said Court, on its own motion, or at the request of any interested person will conduct a hearing on any alleged violation of this order and take appropriate action.

No person shall erect, construct, reconstruct, alter, repair or convert any building structure, mobile home coach, land, install any plumbing, electrical, HVAC system, install solar panel, or solar roof, until such person has obtained all necessary permits in compliance with Section C of this article. In the event that there is a violation of Section C of this article, the County Engineer in addition to other remedies may constitute any proper action or proceeding in the name of Cameron County to prevent any unlawful erection, construction, repairs, or conversion, to prevent the occupancy of such building, structure, mobile home, or land.

If development has commenced and the individual is in violation of this order, then Cameron County will notify the FEMA representative of this violation in writing with the proper documentation such as name of owner, property address or subdivision name, notification date of violation etc. In this predicament the individual will not be eligible for Federal Assistance from FEMA, for damage caused by rising flood waters.

**SECTION L – CHANGES IN MAPS**

All requests for letters of map amendment (LOMA) and letters of map revisions (LOMR) initiated by any person must be first reviewed by the Floodplain Administrator and/or the Building Official. The Floodplain Administrator and/or Building Official may require the submission of any data deemed relevant to determining if such approval shall be granted. The Floodplain Administrator and/or Building Official shall delay the submittal of the requests to the Federal Insurance Administrator until completely satisfied with receipt of the aforementioned data. The Commissioners Court may set a fee to cover the cost of reviewing and processing said requests. No individual shall change the designated floodplain of the FIRM until in complete compliance with this section.

# ARTICLE 5

## PROVISIONS FOR FLOOD HAZARD REDUCTION

### SECTION A – GENERAL STANDARDS

All structures, being new construction or substantial improvements, within a flood prone area or flood hazard area must comply with the following requirements:

1. The lowest finished floor elevation shall be 12" above the Base Flood Elevation (BFE), estimated BFE, or the depth number specified in feet on Cameron County's FIRM, or it shall be twenty-four inches (24") above the highest adjacent natural grade, whichever is higher;
2. Where no depth number is specified on the FIRM and tract lies in a flood hazard area, finished floor will be required to be at least twenty-four inches (24") above highest adjacent natural grade;
3. This elevation as noted above may be accomplished through the use of fill, raised foundation, piles or columns;
4. Where the tract lies in areas of minimal flood hazard, the finished floor shall be at a minimum of 18" above the center line of street or 18" eighteen inches above natural grade, whichever is greater;
5. For all construction, the compaction of fill shall be in accordance with TxDOT Item 132, Embankment.
6. The bottom of all footings shall extend a minimum of twelve inches (12") below the depth of the undisturbed soil;
7. Elevated foundations must be designed to withstand both hydrodynamics forces caused by velocity waters and hydrostatic forces caused by standing water, which may require such methods as reinforcement in the walls, riprap walls, and/or retaining walls;
8. All structural improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
9. All construction methods and practices used shall minimize flood damage;
10. All construction materials shall be resistant to flood damage;

11. Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed, constructed, and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
12. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
13. New replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and
14. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

## SECTION B – SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided as set forth in:

- i. Article 3, Section B,
- ii. Article 4, Section B (8), or
- iii. Article 5, Section C (3), the following provisions are required:

### 1. Residential Construction

New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection is in compliance with Article 4, Section C.1.

### 2. Nonresidential Construction

New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

### 3. Enclosures

New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- a. a minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
- b. the bottom of all openings shall be no higher than one foot (1') above grade; and
- c. openings may be equipped with screens, louvers, valves, or other coverings or devices, provided that they permit the automatic entry and exit of floodwater.

### 4. Manufactured Homes

- a. All manufactured homes placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces specified in the Texas Department of Housing and Community Affairs Chapter 10, the Texas Administrative Code Chapter 80, and the Texas Occupation Code, Section 1201.
- b. All manufactured homes placed or substantially improved within zones A1 -30, AH and AE on the Cameron County FIRM on sites:
  - i. outside of a manufactured home park or subdivision,
  - ii. in a new manufactured home park or subdivision,
  - iii. in an expansion to an existing manufactured home park or subdivision, or
  - iv. in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood,shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- c. All manufactured homes placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-3-, AH and AE on the Cameron County FIRM that are not subject to the provisions of this subsection shall be elevated so that either:
  - i. the lowest floor of the manufactured home is at or above the base flood elevation; or
  - ii. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

### 5. Recreational Vehicles

Recreational vehicles placed on sites within Zones A1-30, AH, and AE on the Cameron County FIRM shall either:

- a. be on the site for fewer than 180 consecutive days, or
- b. be fully licensed and ready for highway use, or
- c. meet the permit requirements of Article 4, Section C (1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

## SECTION C – STANDARDS FOR SUBDIVISION PROPOSALS

1. All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this order.
2. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet the permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this order.
3. Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B.8 of this order.
4. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
5. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

## SECTION D – STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH)

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on Cameron County's FIRM (at least two feet if no depth number is specified).
2. All new construction and substantial improvements of non-residential structures shall
  - a. have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on Cameron County's FIRM (at least two feet if no depth number is specified); or
  - b. together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
3. A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Article 4, Section C are satisfied.
4. Require within Zones AH or AO adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.

#### SECTION E – FLOODWAYS

Floodways, located within areas of special flood hazard established in Article 3, Section B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

1. Encroachments are prohibited, including fill, new construction, accessory buildings, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within Cameron County's during the occurrence of base flood discharge.
2. If Article 5, Section E.1 above is satisfied, all new construction and substantial improvements shall comply with all applicable food hazard reduction provisions of Article 5.
3. Under provisions of 44 CFR Chapter 1, Section 65.12 of the National Flood Insurance Program regulations, Cameron County may permit encroachments within the adopted regulatory floodway provided that Cameron County first applies for a conditional FIRM and floodway revision through FEMA.



**SECTION F – COASTAL HIGH HAZARD AREAS**

All structures, being new construction or substantial improvements, within the Cameron County FIRM Coastal High Hazard Area, designated as Zones V1-V30, VE, and/or V, have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash. Therefore, in addition to meeting all provisions outlined in this order, the following provisions must also apply:

1. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures, and whether or not such structures contain a basement. The Floodplain Administrator shall maintain a record of all such information.
2. All new construction shall be located landward of the reach of mean high tide.
3. All new construction and substantial improvements shall be elevated on pilings and columns so that:
  - a. the bottom of the lowest horizontal structural member, of the lowest floor (excluding the pilings or columns), is elevated to or above the designated Base Flood Elevation or twenty-four inches (24”) above existing grade whichever is greater.
  - b. the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading value shall be those required by applicable State or local building standards.

A registered professional engineer or architect shall develop or review the structural design specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of (3)(a) and (b) of this Section.
4. Provide that all new construction and substantial improvements have the space below the lowest floor either be free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under high wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system.

For purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe lading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the design proposed meets the following conditions:

  - a. breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and

- b. the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards. Such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.
5. Prohibit the use of fill for structural support of buildings within the provisions of this section.
6. Prohibit man-made alteration of sand dunes and mangrove stands which would increase potential flood damage.
7. Manufactured homes placed or substantially improved within Zone V1-30, V, and VE on sites:
  - a. outside of a manufactured home vehicle park or subdivision,
  - b. in a new manufactured home park or subdivision,
  - c. in an expansion to an existing manufactured home park or subdivision, or
  - d. in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood,must meet the standards of paragraphs 1 through 6 of this section and that manufactured homes placed or substantially improved on other sites in an existing manufactured home or subdivision within Zones V1-30, V, and VE on the community's FIRM meet the requirements of Article 5, Section B.4 of this order.
8. Recreational vehicles placed on sites within Zones V1-30, V, and VE must either:
  - a. be on the site for fewer than 180 consecutive days, or
  - b. be fully licensed and ready for highway use, or
  - c. meet the requirements in Article 3, Section C of this order and paragraphs 1 through 6 of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

## SECTION G – UTILITIES & MECHANICAL EQUIPMENT

The following are required to minimize the loss, damage, and disruption of utility services which can leave the structure uninhabitable following a storm or high flood waters:

1. Major utilities and mechanical equipment shall be protected from inundation by the base flood.

2. Utility connections and underground services must be capable of withstanding forces imparted by a velocity flood condition, without damage or contamination of other resources.
3. The structure should remain habitable following flooding, with necessary systems for habitation (water, sanitary sewer, and electric power) operating properly.
4. The incoming power service should be firmly secured to the structure, but fastened in such a manner that if the wires are pulled from the structure, the building's protective exterior is not damaged, allowing rain to enter building. The entry cable will be connected through the utility company's meter system, above the Base Flood Elevation (BFE); all distribution panels or other major electrical equipment and all mechanical equipment (furnaces, hot water heaters, air conditioning, water softeners) shall also be located above the BFE.

#### SECTION H – HEALTH REQUIREMENT

Development in flood prone or flood hazard areas shall utilize potable water and sanitary sewage system designed to preclude infiltration of floodwaters into the system, and discharges from the system into floodwaters.

Cameron County discourages the use of on-site sewage disposal systems (i.e., septic tanks) in flood prone or flood hazard areas unless the top of the sewage system is elevated twelve-inches (12") above the Base Flood Elevation (BFE) designated, including septic tanks, to avoid contamination during flooding.

When inundation has been noted in the past, the Health Official or Commissioner Court designee shall require the structure use an alternative treatment system to accommodate this order and any other applicable regulations.

#### SECTION I – INSPECTIONS<sup>1</sup>

A designee of the County Engineer shall perform such inspection pursuant to this order. Inspections shall conform to minimum requirements of Federal, State, and Local Codes. Inspections are conducted at various intervals, underground plumbing, foundation, nail pattern, frame (plumbing, electrical, mechanical), insulation, and final.

For more information, see Local Government Code Title 7. Regulations of Land Use, Structures, Businesses, and Related Activities, Subtitle B. County Regulatory Authority, Chapter 233. County Regulation of Housing and Other Structures, Subchapter F. Residential Building Code Standards Applicable to Unincorporated Areas of Certain Counties, Sec. 233.154. Inspection and Notice Requirements.

1. The Building Official or designee shall inspect all work covered by a permit required by this order during and after its completion. If the work appears to be constructed in accordance with all rules and requirements governing such work, the Building Official shall issue a certificate approving the work. Such certificate shall be issued only to the master electrician who ordered the permit. The approval by the Building Official relating to any such electrical

<sup>1</sup> LGC §233.154

- work shall not constitute a guarantee or warranty to anyone by the County or the Building Official that such work is in compliance with code requirements or is otherwise safe or without default, and the County and Building Official shall never be liable for any damage of whatsoever nature caused by any defect in any electrical work installed or repaired under any permit issued under this article.
2. No concealed wiring for which a permit is issued or required by this article shall be lathed over or in any manner concealed from sight until inspected and accepted by the Building Official.
  3. All wiring must be completed before the wiring shall be allowed to be concealed from view. All cabinets, cutouts, flush switches and all other fittings shall be permanently installed before final inspection and acceptance, except the lighting or other fixtures themselves, and a separate permit shall be required for any alteration or changes thereafter.
  4. When electrical work has been reported to the Building Official as ready for final inspection, and when upon such inspection the work is found to be defective, a permit re-inspection fee shall be paid at the time of the new application for final inspection and before such work is again inspected for final approval.
  5. Any person having charge of the construction, alteration or repair of buildings or any person who covers or conceals or causes to be concealed or covered any wiring for which a permit has been issued or required before the wiring has been inspected and approved, without having officially notified the Building Official at least two whole business days before (Monday through Friday), shall be guilty of a misdemeanor
  6. Plumbing Rough In inspection: underground plumbing shall be installed, with stub outs, shall have water and the exterior forms shall be erected to verify the finished floor elevation.
  7. Foundation inspection: all trenches are excavated and forms are braced and reinforcement is in place. Foundation form surveys are needed for properties ½ acre or less.
  8. Nail Pattern inspection: exterior sheathing installed, minimum 8D/10D or per engineer design.
  9. Frame inspection: the roof structure shall be framed with roof assembly, walls erected, rough in plumbing, electrical, mechanical, and gas or LP is complete.
  10. Insulation inspection: as per ICC Energy Conservation Code.

11. Final Inspection: the structure is at 100% completion and utility services are ready to be connected, including the sanitary sewer, septic system with final approval by the health department, and water wells.
  - a. If a working clearance is requested, septic tank approval from the Health Department Inspector is required and all electrical devices must be 90% completed.
  
12. Maximum Inspections requests per period: the maximum inspection requests per week shall not exceed 3 inspections per permit application. For large projects with multiple applications, requests shall not exceed five (5) inspections per project. For requests meeting the maximum per period for a consecutive 2 periods, the requests will be limited to 2 inspections for the following period for each application.
  - a. Requested inspections exceeding the maximum amount, shall be charged the After-Hours rate for inspections by County Inspectors or shall utilize third Party inspectors.

To assure the citizens of Cameron County the reduction of loss due to flooding, high winds, and hurricanes, this order requires the structures to be in compliance with minimum requirements of the ICC Family of Codes and the National Electrical Code.

## SECTION J – RECREATIONAL VEHICLE PARKS

### 1. Authority

These Regulations are and shall be deemed to be an exercise of power of the Commissioners Court, Cameron County, Texas, over “county business” as conferred upon it by Article 6626a, Vernon’s Annotated Codes and Statutes (V.A.C.S.), originally, and subsequently by Articles 60702-1, Article 6626aa, and Article 6626c-d, V.A.C.S., all as provided for in Article V, Section 18, Texas Constitution.

### 2. Inspections

The Building Official or designee shall make one (1) annual inspection per RV park and additional inspections as are necessary, without prior notice, to determine compliance with County Regulations Entry on premises. The Building Official and code enforcement officer shall have the power to enter, during normal operation hours, upon any private or public property with the purpose of inspection and investigating conditions relating to the enforcement of these regulations.

#### a. Violations Declared Nuisance

Any non-compliance with these regulations is hereby deemed a nuisance. The County may abate and remove the nuisance and hold the RV park owner responsible for causing or allowing the nuisance condition to exist. Any person(s) violating these regulations shall be subject to a fine not to exceed five hundred dollars (\$500.00) for each provision violated, and each day that there is a failure to comply with the terms of any provision of these regulations is declared to be a separate offense. For violations of the provisions of these regulations that govern fire safety, public health, and sanitation, including dumping of refuse, the fine may not exceed two thousand, five hundred dollars (\$2,500.00), per

violation. The Building Official shall be the authority of the jurisdiction responsible for the issuance of citations and any action deemed necessary for the enforcement of this regulations.

3. Site Development Plan

A comprehensive site development plan, including all proposed on-site utilities, right-of-way and drainage, RV site(s) layout, building improvements, landscaping, driveway locations and specifications, interior access road locations and materials, fencing, lighting and signage must be prepared and submitted to the County and must address and include all requirements contained herein.

a. Size and Density

Each RV park must have a minimum size of two (2) acres. The maximum site density for RV parks shall be twenty (20) sites per acre. Only one (1) recreational vehicle is permitted per recreational vehicle site.

b. Size of Individual Sites and Pad Requirements

Each recreational vehicle site within the RV park shall have a minimum area of one thousand seven hundred fifty (1,750) square feet and shall be at least twenty-five (25) feet in width. Each RV park site shall have a permanent site marker or sign clearly identifying the site number. Each RV park site shall include a RV parking pad consisting of concrete or asphalt of a minimum size of ten (10) feet wide and forty-two (42) feet in depth. Each recreational vehicle shall be parked on the provided parking pad of each RV site. Each recreational vehicle space shall afford parking and maneuvering space sufficient so that the parking, loading, and the like. Recreational Vehicles shall not necessitate the use of any public right-of-way or privately-owned property which may abut the Development, or the unreasonable use of any interior road.

4. Private Roadways

a. Street access

Each recreational vehicle site within the RV park shall have access to an internal private roadway which shall have access to a public street. The entrance of the internal roadway shall have a pavement width of at least thirty (30) feet with an adequate curve radius or flare. All RV parks must have a minimum of two (2) access points to the public street system.

b. Major Thoroughfare

- i. The major thoroughfare shall have a pavement width (concrete, asphalt or crushed limestone) of twenty-eight (28) feet in accordance with County standards. The roadway may be fifteen (15) feet if the RV park is designed for one-way roads.
- ii. Roads shall be designated and signed as either one-way or two-way.
- iii. The improved surface of one-way roads shall be at least ten feet (10') wide.
- iv. The improved surface of two-way roads shall be at least twenty feet (20') wide.
- v. Roads shall either be looped or end in a cul-de-sac of forty feet (40') diameter
- vi. Roads shall be not less than nine inches (9") of base material compacted to six inches (6").

- vii. Dead-end streets are not allowed
- viii. On street parking of RVs shall not be allowed. All RVs must be parked in their respective spaces. On street parking is not allowed.

5. Required Facilities

a. Service Buildings, Laundry and Sanitation Facilities

Each Development which has Lodging Development Units not equipped with integral toilet and bathing facilities or which allows Recreational Vehicles not equipped with integral toilet and bathing facilities shall provide one or more service buildings for the use of tenants.

- i. The service buildings shall provide for:
  - 1. One flush toilet for women;
  - 2. One flush toilet for men;
  - 3. One lavatory for women;
  - 4. One lavatory for men;
  - 5. One shower and dressing accommodation for women, provided in an individual compartment or stall;
  - 6. One shower and dressing accommodation for men, provided in an individual compartment or stall;
- ii. These amenities shall accommodate not more than ten (10) Lodging Development Units. For each additional ten (10) Lodging Development Units, or fraction thereof, one flush toilet, one lavatory, and one shower with individual dressing accommodations shall be provided for each gender as described above.
- iii. These amenities shall accommodate not more than fifty (50) Recreational Vehicle Spaces. For each additional thirty (30) Recreational Vehicle Spaces, or fraction thereof, one flush toilet, one lavatory, and one shower with individual dressing accommodations shall be provided for each gender as described above.
- iv. For the purposes of this section, only Lodging Development Units not equipped with self-contained toilet and bathing facilities shall be counted, and only Recreational Vehicle Spaces allowing Recreational Vehicles not equipped with self-contained toilet and bathing facilities shall be counted.
- v. All facilities shall comply with the Americans with Disabilities Act (ADA).
- vi. Service buildings housing sanitation or laundry facilities shall be permanent structures which comply with all applicable laws and ordinances regulating buildings, electrical installation, plumbing, and sanitation systems, and shall comply with State and Federal Regulatory Requirements.

b. Vehicle parking

- i. Each recreational vehicle site within the RV park shall have a minimum of one (1) ten (10) foot by twenty (20) foot off-street parking space provided.
- ii. Each RV park shall provide a minimum of one (1) common guest parking space for every four (4) recreational vehicle sites.

## 6. Utilities

### a. Water supply

- i. **Public Water:** Reasonably specific plans to provide an adequate public, including specifying the location of supply lines, in accordance with Subchapter C, Chapter 341, Texas Health and Safety Code. If water is to be provided by a utility, a certification by the utility that water is available for each of the Units/Spaces must be submitted. A master water meter shall be installed to the RV park. Sub-metering or re-metering for private purposes by the owner/operator of the RV park is permitted however sub-metering or re-metering of individual RV sites for public purposes, is not permitted.
- ii. **Private Water:** Provide certification that adequate groundwater is available for the Development. The Operator is required to provide a statement from the impacted groundwater district that certifies that adequate ground water is available for the subdivision if water is not to be provided by a public or private provider. (Lack of certification that suitable and adequate groundwater is available is grounds for denial of IDP approval, if groundwater is the proposed source of water). A note shall be placed on the IDP that groundwater is to be the source of water.
- iii. **General:** Fixtures and other equipment must be installed in accordance with applicable codes. A shut-off valve shall be provided on each branch water service line. All shut-off valves shall be enclosed in an appropriate valve box. All valves shall be labeled. The owner/operator shall have complete maintenance responsibility for the water system within the RV park.

### b. Sewage Facilities

- i. **Public Sewage:** Reasonably specific plans to provide access to sanitary sewer lines, including specifying the location of sanitary sewer lines. If sewage treatment is to be provided by a utility or municipality, a certification by the provider that service for each of the planned Units/Spaces is available must be submitted with the IDP; or
- ii. **On-Site Sewage:** Reasonably specific plans for providing on-site sewage facilities in accordance with Chapter 366, Texas Health and Safety Code.
  1. Estimated sewage flow does not exceed 5,000 gallons per day (gpd): The plans must meet minimum standards established under Title 30, Texas Administrative Code, Chapter 285.4 of the OSSF rules and the On-Site Sewage Facility Rules for Cameron County and shall be permitted by Cameron County; or
  2. Estimated sewage flow exceeds 5,000 gallons per day: Provide reasonably specific plans for providing sewage treatment and disposal under Chapter 26 of the Texas Water Code. Approval by Texas Commission on Environmental Quality.
- iii. The wastewater system and material must be installed in accordance with applicable codes adopted by the County.



c. Electrical Service

Each site within the RV park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with the most currently adopted national electrical code. A master electric meter shall be installed to serve the RV park. Sub-metering or re-metering for private purposes by the owner/operator of the RV park is permitted however sub-metering or re-metering of individual RV sites for public purposes. The location of all underground lines shall be clearly marked by surface signs at approved intervals.

## SECTION K – MANUFACTURED & MOBILE HOME PROVISIONS

1. Anchorage

All manufactured and mobile homes shall comply with the tie down requirements of the Texas Administrative Code Title 10 (Community Development), Part 1 (Texas Department of Housing and Community Affairs), Chapter 80 (Manufactured Housing), and the Texas Occupation Code, Section 1201.

2. Additional Square Footage Not Allowed

Square footage is not to be added to a manufactured or mobile home, and a manufactured or mobile home is not to be used as an addition to a dwelling unless designed by a structural engineer.

## SECTION L – SINGLE FAMILY AND ACCESSORY DWELLING UNIT SIZE

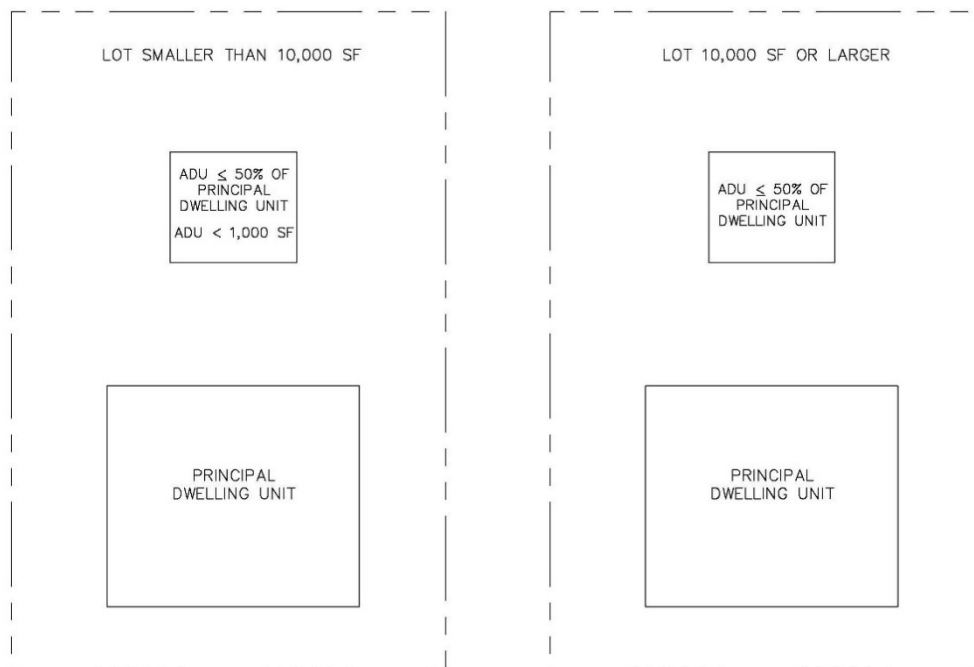
1. General

- a. The property owner, which shall include title holders and contract purchasers, must occupy either the principal unit or the accessory dwelling as their permanent residence, and shall at no time receive rent for the owner-occupied unit. "Owner occupancy" means a property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means. The property owner shall sign an affidavit before a notary public affirming that the owner occupies either the main building or the accessory dwelling.
- b. The Applicant shall provide a covenant suitable for recording with the County recorder, providing notice to future owners or long-term leases of the subject lot that the existence of the accessory dwelling unit is predicated upon the occupancy of either the accessory dwelling or the principal dwelling by the owner of the property.
- c. The covenant shall also require any owner of the property to notify a prospective buyer of the limitations of this section and to provide for the removal of improvements added to convert the premises to an accessory dwelling and the restoration of the site to a single-family dwelling in the event that any condition of approval is violated.
- d. No accessory dwelling unit shall be constructed, used or occupied unless and until an accessory dwelling permit is issued.

- e. The accessory dwelling shall be connected to the central electrical, water and sewer system of the principal structure. This provision does not apply to the electrical service if the distance between the primary structure and the accessory dwelling is greater than one hundred (100) linear feet.
- f. Only one accessory dwelling unit shall be allowed per lot.
- g. Accessory dwelling units shall only be permitted on lots where the principal use is a single-family detached dwelling.

## 2. Size

- a. For accessory dwelling units on Lots Smaller than 10,000 Square Feet:
  - i. Accessory dwelling units shall not exceed 50 percent of the square footage of the principal dwelling unit on the lot.
  - ii. Accessory dwelling units shall not exceed 1,000 square feet per lot.
- b. For accessory dwelling units on Lots 10,000 Square Feet or Larger:
  - i. Accessory dwelling units shall not exceed 50 percent of the square footage of the principal dwelling unit on the lot.

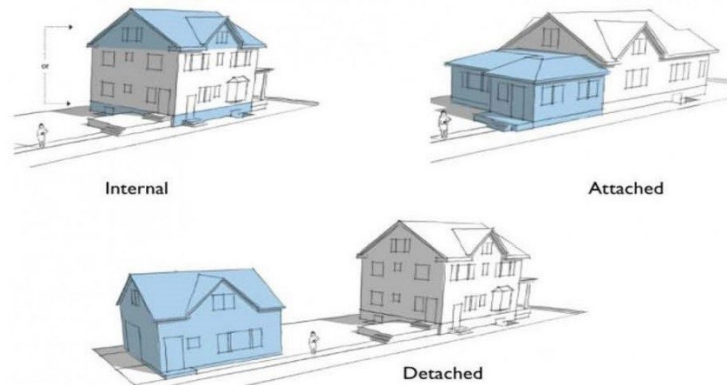


**Figure 1: Accessory Dwelling Unit Size**

## 3. Location and Design

- a. Accessory dwelling units may be attached or detached units.
  - i. Attached accessory dwelling units shall be fully attached to or within the principal structure on the lot. "Attached" shall mean at least one-quarter of the total wall area or the floor or ceiling of the accessory dwelling units shall be fully connected to a wall, floor, or ceiling of the principal residential structure.

- ii. Detached accessory dwelling unit shall be located to the side or rear of the principal dwelling unit.



**Figure 2: Accessory Dwelling Unit Location**

- b. Accessory dwelling units shall have a separate exterior entrance from the principal dwelling unit and shall contain cooking, sleeping, and sanitary facilities.

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- c. In order to maintain the architectural design, style, appearance and character of the main building as a single-family residence, the accessory dwelling unit shall have a roof pitch, siding and window proportions identical or similar to that of the principal residence. Flexibility may be granted due to obsolete design practices of the principal residence or the use of obsolete materials used on the principal residence.
- d. Accessory detached dwelling units shall require a minimum setback from the rear and side property lines of five (5) feet.

#### SECTION M – UTILITIES REQUESTED ON VACANT LOT

Only one utility, water or electricity, will be allowed on an vacant lot after a building permit application has been submitted and approved by Cameron County. A vacant lot is considered any parcel of real property not primarily intended for residential use that is not improved with an existing structure typically requiring permitting. A property is assumed to be primarily intended for residential use if it is less than 5 acres, unless restricted by plat and/or deed for non-residential use. The following conditions shall apply to water or electrical permits:

1. The temporary pole shall only be used to power water wells, security cameras, lights and/or gates.
2. The items mentioned in Item 1 shall be set up/installed by the time the inspector conducts the inspection.

3. The maximum amount of amperage allowed on the temporary pole shall be 60 Amp.
4. All electrical work shall be installed by a licensed electrician who has submitted all proper subcontractor documentation to Cameron County before the start of the project.
5. All plumbing work shall be done by a licensed plumber who has submitted all proper subcontractor documentation to Cameron County before the start of the project. The backflow tester shall submit all proper subcontractor documentation to Cameron County before permit is issued.
6. If livestock are or will be placed on the empty lot, a backflow device shall be installed by the licensed plumber. The backflow shall be tested by a licensed backflow assembly tester and the results shall be submitted to Cameron County before permit is released.

Note, a utility may not serve or connect any subdivided land with water or sewer services unless the utility receives a certificate issued by the Commissioners Court or receives a determination from the Commissioners Court that the plat has been reviewed and approved by the Commissioners Court.<sup>2</sup>

In addition, a utility may not serve or connect any subdivided land with electricity or gas unless the entity receives a determination from the Commissioners Court that adequate water and sewer services have been installed to service the lot or subdivision.<sup>3</sup>

*See Section N of this article regarding certification, determination letter, and process.*

#### SECTION N – CERTIFICATION REGARDING COMPLIANCE WITH PLAT REQUIREMENTS<sup>4</sup>

1. On the approval of a plat by the Commissioners Court, the Commissioners Court shall issue to the person applying for the approval a certificate stating that the plat has been reviewed and approved by the Commissioners Court.
2. On the Commissioners Court's own motion or on the written request of a subdivider, an owner or resident of a lot in a subdivision, or an entity that provides a utility service, the Commissioners Court shall make the following determinations regarding the land in which the entity or Commissioners Court is interested that is located within the jurisdiction of the County:
  - a. whether a plat has been prepared and whether it has been reviewed and approved by the Commissioners Court;
  - b. whether water service facilities have been constructed or installed to service the lot or subdivision and are fully operable;
  - c. whether sewer service facilities have been constructed or installed to service the lot or subdivision and are fully operable, or if septic systems are used, whether the lot is served by a permitted on-site sewage facility or lots in the subdivision can be adequately and legally served by septic systems; and

<sup>2</sup> LGC §232.029(a-1)

<sup>3</sup> LGC §232.029(b)

<sup>4</sup> LGC §232.028

- d. whether electrical and gas facilities, if available, have been constructed or installed to service the lot or subdivision.
3. The request made under Item 2 must identify the land that is the subject of the request.
4. Whenever a request is made under Item 2, the Commissioners Court shall issue the requesting party a written certification of its determinations under Item 2.
5. The Commissioners Court shall make its determinations within 20 days after the date it receives the request under Item 2 and shall issue the certificate, if appropriate, within 10 days after the date the determinations are made.

#### SECTION O – ELECTRICAL METERS

The main dwelling shall be allowed to have one (1) electrical meter provided by the power company. Any other structure on the same lot, or adjacent lot, that has been approved by Cameron County, shall be supplied power from the meter on the main dwelling, except for an accessory dwelling unit, or a property of 5 acres or more with a new meter at a distance of 94 feet or more from the original meter. All work shall be in accordance with the latest National Electrical Code, unless otherwise directed by the County.

#### SECTION P – BUILDING AND SETBACK LINES

Building setback lines shall be:

1. A minimum of 25' from the edge of the right-of-way on all public roads other than major highways and roads;
2. A minimum of 50' from the edge of the right-of-way on all major highways and roads;
3. A minimum of 5' from adjacent property lines;
4. Or what is shown on the recorded plat, whichever is stricter.

**SECTION Q – JUNK YARDS AND RELATED BUSINESSES**

1. A junkyard, automotive wrecking and salvage yard, recycling business, and/or a flea market may not be located:
  - a. within 50 feet of the right-of-way of a public street or state highway;
  - b. within a subdivision identified as urban density
  - c. within 50 feet of the nearest property line of a residence within a subdivision identified as urban density
2. A person may not accumulate or stack materials associated with a junkyard or an automotive wrecking and salvage yard higher than eight feet above ground level.
3. This section does not apply to a junkyard or an automotive wrecking and salvage yard used only for farm equipment.

**SECTION R – AFTER HOURS AND THIRD-PARTY INSPECTIONS****SUBSECTION R.1 AFTER HOURS INSPECTIONS**

1. General
  - a. Scheduled inspection requests starting during our normal business hours and running beyond our normal business hours or requests starting before our normal business hours and running into our normal business hours are considered after hours.
  - b. There are no guarantees on inspector availability.
  - c. Submittals for afterhours requests shall be directed to the building permits coordinator and will be processed during our normal business hours. The Building Official or a representative will advise the customer of After-Hours availability
  - d. The request must be submitted at least 72 hours prior to the inspection start time.
  - e. The Coordinator will solicit volunteer inspectors to fill the time requested. Program Coordinator will communicate inspection confirmation, inspector(s)'s name and phone number to customer
  - f. The Building Official or Coordinator shall determine any other special provision that would assist the After Hours and help set-up the jobsite, specific to that project. Special project criteria should be addressed and discussed at the initial meeting stages.
  - g. Field Inspectors will perform the After-Hours inspections based on customer needs, but code interpretation issues will NOT be discussed during After Hours inspections, but must be discussed with Building Official during normal working hours for resolution. Work must be code compliant; inspectors are not to be used to provide lengthy code compliant punch lists.

## 2. Rate & Fees

- a. The hourly charge rate of \$115 will incorporate full program costs (i.e., full burden including travel time, Program Coordinator cost, miscellaneous support, Department overhead, etc.).
- b. A minimum required for each After Hours request which includes 1-2 hour of inspector's drive time.
  - i. Residential and Multi-Trade After Hours Inspections have a minimum timeframe of 3 hours.
  - ii. Mega, Special Projects, and Commercial After-Hours Inspections have a minimum timeframe of 4 hours.
- c. All After Hours will be charged the contractor's account when the coordinator confirms availability and schedules the After Hours based on the contractor's After-Hours request.
- d. After Hours requests will be charged to applicants account.

## 3. Cancellations & Eligibility

- a. Cancellations submitted to Coordinator with less than a 72-hour prior notice, will be charged the minimal rate for 2 hours for all After Hours inspections.
- b. Unavailable work sites, due to safety, health, or accessibility, will be charged the minimum rate of 3 hours and will NOT be inspected for all After Hours inspections.
- c. Only applicants/contractors with active permits with Cameron County are eligible.
- d. Reinspection due to prior failed inspections are not eligible.

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### SUBSECTION R.2 *THIRD PARTY INSPECTIONS*

Third party inspections by a person qualified by reason of experience, demonstrated reliability, and independence of judgment to inspect industrialized housing, buildings, construction plans, and portions thereof for compliance with the approved plans, documentation, compliance control program, and applicable code, may be used to supplement or supplant County inspection staff for construction projects.

#### 1. General

- a. Projects with an active building permit and which cannot delay construction for the scheduling availability of a County inspector or Building Official, may utilize third-party inspections.
- b. Projects with an active building permit(s) that exceed the maximum of 3 inspection requests per week, or request the maximum of 3 inspections per week for than two weeks, must utilize third-party inspections for any requests for inspection exceeding maximum.
- c. Projects that have begun building without approval from the County shall be fined a fee for building with permit. The County shall utilize third-party inspections until construction in violation is brought into compliance. The builders shall reimburse the County any direct costs and an administration fee.

## 2. Inspector Requirements

- a. The third-party inspector must be approved person or agency, private or public, determined to be qualified by reason of facilities, personnel, experience, demonstrated reliability, and independence of judgment to inspect industrialized housing, buildings, and portions thereof for compliance with the approved plans, documentation, compliance control program, and applicable code. Inspectors must either be a licensed Third-Party Inspection Agency by Texas Department of Licensing and Regulation (TDLR) or, as per Texas Local Government Code §233.154 (3)(a), be a:
  - i. a licensed engineer;
  - ii. a registered architect;
  - iii. a professional inspector licensed by the Texas Real Estate Commission;
  - iv. a plumbing inspector employed by a municipality and licensed by the Texas State Board of Plumbing Examiners;
  - v. a building inspector employed by a political subdivision; or
  - vi. an individual certified as a residential combination inspector by the International Code Council

## 3. Rate & Fees

- a. Where Third Party Inspectors are not procured by the County, the applicant/contractor is responsible for contracting qualified personnel to perform the inspections.
- b. Where Third Party Inspections are unavailable to be procured by the applicant/contractor, and/or the applicant/contractor wishes to utilize Third Party Inspection procured by the County (if available). The applicant shall reimburse the County the direct costs, as determined by the negotiated contract rates, plus a 15% administration fee.



# ARTICLE 6

## *COUNTY STANDARDS*

### SECTION A – *APPLICABLE CODES*

1. All building construction shall comply with the codes set forth by the Cameron County Fire Marshal.
2. All infrastructure constructed in the public right-of-way (ROW) shall comply with the standards provided in the Cameron County Subdivision Rules & Regulations.
3. Any platting of land that is required shall comply with the Cameron County Subdivision Rules & Regulations.

# **APPENDIX A**

## **SAMPLE FORMS**



## **APPENDIX A – SAMPLE FORMS**

- A.1 SAMPLE FORM FOR WATER SERVICE AGREEMENT
- A.2 SAMPLE FORM FOR WASTEWATER SERVICE AGREEMENT



**A.I: SAMPLE FORM FOR WATER SERVICE AGREEMENT**

**AGREEMENT REGARDING WATER SERVICE FOR THE PROPOSED  
SUBDIVISION**

PARTIES: This Agreement is by and between the Utility and the Subdivider, to wit:  
The Utility is the governing board or owner of a retail public utility which supplies of drinking  
Water known as \_\_\_\_\_.

The Subdivider is \_\_\_\_\_  
who is the owner, or the authorized agent of the owner, of a tract of land in \_\_\_\_\_  
County, Texas, that has been proposed to be divided into a subdivision (the Subdivision) known  
as \_\_\_\_\_.

TERMS: This Agreement is entered into in partial satisfaction of requirements under the Texas  
Water Development Board's Economically Distressed Areas Program Model Subdivision Rules.  
The Subdivider has prepared a plat of the Subdivision for submission to \_\_\_\_\_ County for  
its approval. The Subdivider plans to construct for the Subdivision a drinking water distribution  
system to be connected to the Utility's public water system. The Utility has reviewed the plans for  
the Subdivision (the Plans) and has estimated the drinking water flow anticipated to be needed by  
the Subdivision under fully built-out conditions (the anticipated water flow) to be approximately  
\_\_\_\_\_ gallons daily.

The Utility covenants that it has or will have the ability to provide the anticipated water flow for  
at least thirty years, and that it will provide that water flow. These covenants will be in effect until  
thirty years after the plat of the Subdivision has been recorded and the Subdivision's water  
distribution system has been connected to the Utility's water supply system.

The Subdivider covenants that the water distribution system will be constructed as shown in the  
Plans and as provided for through the plat-approval process so that the residents of the lots of the  
Subdivision may receive drinking water service from the Utility. Upon completion of the water  
distribution system and upon its approval and acceptance by the Utility, the Subdivider will convey  
to the Utility all right and title to the water distribution system.

The Subdivider has paid the Utility the sum of \$ \_\_\_\_\_ which sum represents the  
total costs of water meters, water rights acquisition fees, and all membership or other fees  
associated with connecting the individual lots in the Subdivision to the Utility's water supply  
system.

The above provisions notwithstanding, this Agreement shall no longer be in effect if the plat of  
the Subdivision is not approved by \_\_\_\_\_ County or by a municipality whose approval  
is required.

By affixing his or her signature to this Agreement, the person signing for the Utility warrants that he or she is authorized to sign this Agreement on behalf of the Utility. By affixing his or her signature to this Agreement, the person signing for the Subdivider warrants that he or she is authorized to sign this Agreement on behalf of the Subdivider.

This Agreement is effective on \_\_\_\_\_, 20\_\_\_\_\_.

The Utility

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Office or Position: \_\_\_\_\_  
Date \_\_\_\_\_

The Subdivider

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Office or Position: \_\_\_\_\_  
Date: \_\_\_\_\_

## A.2: SAMPLE FORM FOR WASTEWATER SERVICE AGREEMENT

### AGREEMENT REGARDING WASTEWATER SERVICE FOR THE PROPOSED SUBDIVISION

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PARTIES: This Agreement is by and between the Utility and the Subdivider, to wit:  
The Utility is the governing board or owner of a retail public utility which provides wastewater treatment and is known as \_\_\_\_\_.

The Subdivider is \_\_\_\_\_,  
who is the owner, or the authorized agent of the owner, of a tract of land in \_\_\_\_\_  
County, Texas, that has been proposed to be divided into a subdivision (the Subdivision) known  
as \_\_\_\_\_.

TERMS: This Agreement is entered into in partial satisfaction of requirements under the Texas Water Development Board's Economically Distressed Areas Program Model Subdivision Rules. The Subdivider has prepared a plat of the Subdivision for submission to \_\_\_\_\_ County for its approval. The Subdivider plans to construct for the Subdivision a wastewater collection system to be connected to the Utility's wastewater treatment system. Such wastewater will consist of domestic sewage, i.e., waterborne human waste and waste from domestic activities such as bathing, washing, and food preparation. The Utility has reviewed the plans for the Subdivision (the Plans) and has estimated the wastewater flow projected from the Subdivision under fully built-out conditions (the projected wastewater flow) to be approximately \_\_\_\_\_ gallons daily.

The Utility covenants that it has or will have the capacity to treat the projected wastewater flow, and that it will treat that wastewater flow for at least thirty years. These covenants will be in effect until thirty years after the plat of the Subdivision has been recorded and the Subdivision's wastewater collection system has been connected to the Utility's wastewater treatment plant.

The Subdivider covenants that the wastewater collection system will be constructed as shown in the Plans and as provided for through the plat approval process so that the residents of the lots of the Subdivision may receive wastewater treatment service from the Utility. Upon completion of the wastewater collection system and upon its approval and acceptance by the Utility, the Subdivider will convey to the Utility all right and title to the wastewater collection system.

Insert the following paragraph if the Utility imposes any fees for connection of individual lots to the Utility's wastewater collection and treatment system:

The Subdivider has paid the Utility the sum of \$ \_\_\_\_\_ which sum represents the total costs of tap fees, capital recovery charges, and other fees associated with connecting the individual lots in the Subdivision to the Utility's wastewater collection and treatment system.

The above provisions notwithstanding, this Agreement shall no longer be in effect if the plat of the Subdivision is not approved by \_\_\_\_\_ County or by a municipality whose approval is required.

By affixing his or her signature to this Agreement, the person signing for the Utility warrants that he or she is authorized to sign this Agreement on behalf of the Utility. By affixing his or her signature to this Agreement, the person signing for the Subdivider warrants that he or she is authorized to sign this Agreement on behalf of the Subdivider.

This Agreement is effective on \_\_\_\_\_ 20 \_\_\_\_\_

The Utility

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

Printed Name: \_\_\_\_\_

Office or Position: \_\_\_\_\_

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

The Subdivider

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

Printed Name: \_\_\_\_\_

Office or Position: \_\_\_\_\_

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

# **APPENDIX B**

## **CAMERON COUNTY FEE SCHEDULE**





## CAMERON COUNTY FEE SCHEDULE – BUILDING FEES

<b>RESIDENTIAL BUILDING PERMIT FEE</b>			
Square Footage (sf)	New construction	Structural Additions & Renovations (Garage, Renovation, Roof Replacement)	Remodel, Repairs & Minor Additions (Remodels, Roof Repairs, Carport, Patio, Porches)
Less than 500 ft <sup>2</sup>	\$65.00	\$50.00	\$25.00
Between 500 ft <sup>2</sup> and 1,000 ft <sup>2</sup>	\$0.195 x sf	\$0.15 x sf	\$0.075 x sf
Between 1,000 ft <sup>2</sup> and 5,000 ft <sup>2</sup>	\$65.00 + (\$0.13 x sf)	\$50.00 + (\$0.10 x sf)	\$25.00 + (\$0.05 x sf)
Between 5,000 ft <sup>2</sup> and 10,000 ft <sup>2</sup>	\$390.00 + (\$0.065 x sf)	\$300.00 + (\$0.05 x sf)	\$150.00 + (\$0.025 x sf)
More than 10,000 ft <sup>2</sup>	\$715.00 + (\$0.0325 x sf)	\$550.00 + (\$0.025 x sf)	\$275.00 + (\$0.0125 x sf)

<b>NON-RESIDENTIAL BUILDING PERMIT FEE</b>			
Square Footage (sf)	Non-Residential & Multifamily	Temporary Structure Type I	Temporary Structure Type II
Less than 500 ft <sup>2</sup>	\$75.00	\$30.00	\$100.00
Between 500 ft <sup>2</sup> and 1,000 ft <sup>2</sup>	\$0.225 x sf	\$0.09 x sf	\$0.30 x sf
Between 1,000 ft <sup>2</sup> and 5,000 ft <sup>2</sup>	\$75.00 + (\$0.15 x sf)	\$30.00 + (\$0.06 x sf)	\$100.00 + (\$0.20 x sf)
Between 5,000 ft <sup>2</sup> and 10,000 ft <sup>2</sup>	\$450.00 + (\$0.075 x sf)	\$180.00 + (\$0.03 x sf)	\$600.00 + (\$0.10 x sf)
More than 10,000 ft <sup>2</sup>	\$825.00 + (\$0.0375 x sf)	\$330.00 + (\$0.015 x sf)	\$1,100.00 + (\$0.05 x sf)

<b>MISCELLANEOUS FEES</b>				
			<b>Residential</b>	<b>Non-Residential &amp; Multifamily</b>
Application Fee (Per Application)	\$25.00			
Plan Review Fee (Per Plan Set)	\$75.00	Utility Connections	\$50.00	\$75.00
Moving Structures (Per Unit (**mpg*))	\$50.00	Single Trade Permit & Inspection	\$50.00	\$75.00
Demolition (Per Inspection)	\$50.00	Reinspection Fee (Failed Inspection)	\$75.00	\$100.00
Sign Installation (Per Sign)	\$75.00	Certificate of Occupancy (Existing Structure)	\$75.00	\$100.00

*\*for Trips Outside Cameron County*

**APPENDIX C**

**SITE DEVELOPMENT PLAN  
CHECKLIST**



## APPENDIX C - SITE DEVELOPMENT PLAN CHECKLIST

### SITE PLAN DRAINAGE REVIEW CHECKLIST

#### I. Cost Estimate

Provide Cost estimate (bid tabulation sheet) associated with the flat work within the site. This should include but is not limited to the following items:

- a. Drainage infrastructure within and around the site, non-building paving, utility runs, grading erosion control mechanisms, etc.
- b. This document is to be prepared by either a professional engineer (sign/seal) or a contractor (company letterhead)

#### II. Drainage Report and Plan

- 1. Cover sheet with the following information:
  - a. Project name
  - b. Property ID
  - c. Property address
  - d. Project location map
  - e. Engineering Firm Information (Name/Address/Firm reg. #)
  - f. Engineer's Information (Name/PE#)
  - g. Engineering seal and date
- 2. Sheet index
- 3. Drainage (narrative)
  - a. Legal description.
  - b. Project location description (ETJ, Drainage District, etc)
  - c. Existing use and existing drainage conditions/drainage patterns
  - d. Statement regarding whether any portion of the project is located within the FEMA floodplain. Include community panel number and zone information.
  - e. Statement regarding the soil conditions/types in the area.
  - f. Proposed use and proposed drainage improvements, runoff routing and detention.
- 4. Floodplain Map  
FEMA floodplain map showing location of subdivision including NFHL FIRMette with community panel, zone description, and site location.
- 5. USDA Web Soil Survey  
Soil conditions, map symbol, soil name, group and unified class (Web Soil Survey – usda.gov)
- 6. Drainage Area Map including
  - a. Contour map showing the drainage basin the subdivision is part of and location of the subdivision. The contour map shall also show streets, street names, ditches, general drainage flow direction to ultimate outfall, city limits, ETJ, and any other major land features. All existing elevations shall be one foot contours extending 500 feet outside subdivision boundary. (The National Map – Advanced Viewer, map be used; to show flow arrow turn on National Hydrography Dataset layer; to show contours turn Elevation Contours turn Elevation Contours layer on)
  - b. Existing drainage areas (within the drainage basin the subdivision is part of)
  - c. Existing drainage outfall location

- \_\_\_7. Proposed Drainage Area Map including:
  - \_\_\_a. Proposed drainage areas
  - \_\_\_b. One inlet per drainage area
  
- \_\_\_8. Calculation for drainage within the Basin this subdivision is part of:
  - \_\_\_a. Drainage calculations for each drainage area including all supporting calculation (c values, time of concentration calculations, rainfall intensities, etc.)
  - \_\_\_b. Suggested methods to calculate time of concentration are available on Chapter 4, Section 11 of the TxDOT Hydraulic Design Manual (use NRCS method for areas less than 160 acres).
  - \_\_\_c. Suggested methods to calculate the rainfall intensity are available on Chapter 4, Section 12 of the TxDOT Hydraulic Design Manual
  - \_\_\_d. Suggested Runoff Coefficients are available in Table 4-10 of TxDOT Hydraulic Design Manual
  - \_\_\_e. Pre-development 10-year flow in cubic feet per second (cfs) for all existing drainage outfall locations including all supporting calculations (c values, time of concentration calculations, rainfall intensities, etc.)
  - \_\_\_f. Analyze and provide calculations showing that the drainage way receiving drainage from the final drainage outfall is adequate, including flows from other drainage contributors within the drainage basin.
  
- \_\_\_9. Calculations and design Requirements for Subdivision Drainage including:
  - \_\_\_a. Drainage calculations for each drainage area including all supporting calculations (c values, time of concentration calculations, rainfall intensities, etc.)
  - \_\_\_b. Suggested methods to calculate time of concentration are available on Chapter 4, Section 11 of the TxDOT Hydraulic Design Manual (use NRCS method for areas less than 160 acres).
  - \_\_\_c. Suggested methods to calculate the rainfall intensity are available on Chapter 4, section 12 of the TxDOT Hydraulic Design Manual.
  - \_\_\_d. Suggested Runoff Coefficients are available in Table 4-10 of TxDOT Hydraulic Design Manual.
  - \_\_\_e. One inlet per drainage area
  - \_\_\_f. Pipe and inlet capacity calculations
  - \_\_\_g. Hydraulic grade line calculations for the design storm. The hydraulic grade line shall be a minimum of 6" below the lowest gutter elevation for the design storm. The hydraulic grade line shall also be minimum of 6" below the lowest gutter elevation at the peak water surface elevation (WSE) for any drainage infrastructure that outfalls into a pond and/or at the base flood elevation (BFE) where applicable
  - \_\_\_h. The engineer shall strive to achieve a minimum cover of 3 feet over all storm sewer in paved or unpaved areas where possible. If a minimum cover of 3 feet is not possible, the engineer shall provide a storm sewer type that is structurally capable of supporting the proposed loads.
  - \_\_\_i. Flow capacity calculations per these rules of all existing and proposed drainage ways and drainage structures within the site to the final drainage outfall acceptable by the County Engineer. All drainage systems shall be designed based on proposed/post-developed conditions.
  - \_\_\_j. Analyze and provide calculations showing that conveyance to the final drainage outfall is adequate for the flow from the site.
  - \_\_\_k. The minimum slope for curb & gutter is 0.20%.
  - \_\_\_l. For grass-lined channels, including roadside channels/ditches, the maximum permissible velocity for the design storm is six (6) feet per second and includes

all transitions to or from channels and waterways with similar or different materials. In all cases, the velocity for the design storm must be non-erosive. The minimum permissible velocity is two (2) feet per second.

- \_\_\_m. The maximum velocity in the drain ditches shall be 3 fps for bare ground and 6 fps for vegetated ground.
- \_\_\_10. Calculations for Detention Pond.
- \_\_\_a. If detention ponds are proposed, provide required storage and proposed volume calculations.
  - \_\_\_b. Detention is required for all commercial developments. The detention basin shall be designed to collect the post-development 50-year rainfall event and release at the predevelopment 10-year rainfall event. If the project is required to release less than the predevelopment 10-year flow (e.g., along a TxDOT roadway), the actual discharge rate shall be used to calculate the required storage of the detention basin.
  - \_\_\_c. The Modified Rational Method (MRM) shall be used to determine stormwater storage requirements. The calculations are carried out iteratively in a tabular form until a duration yields the greatest storage volume required.
  - \_\_\_d. Pre-development 10-year flow in cubic feet per second (cfs) for all proposed drainage outfall locations including all supporting calculations (c values, time of concentration calculations, rainfall intensities, etc.).
  - \_\_\_e. All pipes used to drain stormwater management/detention basins shall be reinforced concrete pipe (RCP) with a minimum diameter of 18". If the size of pipe necessary to drain such basins is small enough such that it is not readily available as RCP, alternative pipe materials (i.e., PVC, HDPE) may be proposed for consideration by the County Engineer.
  - \_\_\_f. Storm runoff may be detained within parking lots. However, the engineer should be aware of the inconvenience to both pedestrians and traffic. The location of ponding areas in a parking lot shall be thoroughly planned to minimize this condition. Stormwater ponding depths in parking lots are limited to an average of eight (8) inches with a maximum of twelve (12 inches).
- \_\_\_11. Proposed drainage plans including:
- \_\_\_a. All drainage standard details and specifications shall be in accordance with current TxDOT standard details and specifications, unless otherwise provided in these rules.
  - \_\_\_b. Existing features (edge of pavement, sidewalks, roadside ditches, topography, spot elevations at 50' intervals, contour lines, storm sewer lines, inlets, etc.)
  - \_\_\_c. Property lines and project limits/limits of construction.
  - \_\_\_d. Flow directions arrows with slope labels.
  - \_\_\_e. All lot grading shall have a desired slope of 2.00%, and a minimum slope of 0.10%, for drainage over land.
  - \_\_\_f. Adequate drainage in the site to avoid the concentration of storm drainage to the adjacent properties. All plans of the drainage improvements or modifications necessary to provide positive drainage away from all buildings and towards the proposed detention pond.
  - \_\_\_g. High points
  - \_\_\_h. Storm sewer and/or open channel plan and profiles with existing and proposed ground.
  - \_\_\_i. Hydraulic grade line for the design storm, shown in storm sewer and/or open channel profile. The hydraulic grade line shall be a minimum of 6" below the lowest gutter elevation for the design storm. The hydraulic grade line shall also

be minimum of 6" below the lowest gutter elevation at the peak water surface elevation (WSE) for any drainage infrastructure that outfalls into a pond and/or at the base flood elevation (BFE) where applicable.

- \_\_\_j. Existing and proposed storm sewers and inlets.
- \_\_\_k. All storm sewer and culvert pipes. The minimum diameter of pipe shall be eighteen (18) inches and shall be constructed of reinforced concrete pipe (RCP).
- \_\_\_l. Pipe length, size, class, slope, flow line, flow rate (Q), flow velocity (V), flow depth (D).
- \_\_\_m. Utility crossings and resolution of any conflicts.
- \_\_\_n. Top of curb elevations.
- \_\_\_o. Ditch flow line elevations.
- \_\_\_p. Manhole rim and invert elevations
- \_\_\_q. Trench protection limits
- \_\_\_r. All applicable details
- \_\_\_s. Proposed drainage outfall locations and owner of outfall locations
- \_\_\_t. All necessary right-of-ways and easements required for drainage improvements shall be shown on the plans.
- \_\_\_u. Detailed plans and specifications for all on-site improvements, in addition to off-site improvements that may be required.
- \_\_\_v. For detention ponds, provide plans showing pond sizes (area and volume), locations, and discharge line sizes; and/or other proposed stormwater management measures used to comply with detention requirements, provide cross-sections (longitudinal and perpendicular) with proposed water surface elevation at the peak storage elevation clearly shown and labeled.
- \_\_\_w. Detention pond side slopes shall not exceed 3:1 (H:V)

### **III. Erosion Control Requirements ORDER NO 201105032**

Provide erosion control requirements. This should include, but is not limited to the following items:

- \_\_\_1. Site development Permit – Erosion Control Plan (minimal requirement for all sites)
  - \_\_\_a. A natural resources map at a scale no smaller than 1"=100' identifying soils, forest cover, and resources protected under the order. (from USDA Web Soil Survey, Web Soil Survey - Home (usda.gov)).
  - \_\_\_b. A construction timeline including; striping and clearing, rough grading, utility construction, infrastructure, buildings, final grading and landscaping. The timeline should identify the expected date on which clearing will commence, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.
  - \_\_\_c. All erosion and sediment control measures necessary to meet the objectives of this local regulation throughout all phases of construction and after completion of development of the site. Depending upon the complexity of the project, the drafting of intermediate plans may be required at the close of each season.
  - \_\_\_d. Seeding mixtures and rates, types of sod, method of seedbed preparation, expected mulching for both temporary and permanent vegetative control measures.
  - \_\_\_e. Provisions of maintenance of control facilities, including easements and estimate of the cost of maintenance.

- \_\_\_2. Storm Water Pollution Prevention Plan (1 acre or more, follow template below.)  
Find template here: Stormwater Pollution Prevention Plan Template for the CGP (texas.gov)
- \_\_\_a. Description of the nature of the construction activity
  - \_\_\_b. List of potential pollutants and measures to minimize pollutants
  - \_\_\_c. Total number of acres of the entire property and total number of acres to be disturbed
  - \_\_\_d. Copy of location map
  - \_\_\_e. Copy of detailed site map
    - Drainage patterns
    - Location of all major structural controls
    - Location where temporary or permanent stabilization practices are expected
    - Location of construction support activities, on-site and off-site
    - Surface waters (including wetlands) either at, adjacent of in close proximity to site
    - Location where storm water discharges from the site directly to a surface water body or a MS4
  - \_\_\_f. Location and description of support activities, including asphalt plants, concrete plants and other activities
  - \_\_\_g. Name of receiving waters at or near the site that may be disturbed or that may receive discharges from the disturbed areas
  - \_\_\_h. Description of the best management practices that will be used to minimize pollution runoff and timeline of implementation
  - \_\_\_i. Description of temporary and permanent erosion control and stabilization practices. (erosion Control and Stabilization Practices)
  - \_\_\_j. Activity Records
  - \_\_\_k. Sediment Basin for disturbance of 10 acres or more
  - \_\_\_l. BMP's – Description and measures used to minimize pollutant
    - Off-site vehicle tracking
    - Construction and waste material expected to be stored
    - Pollutant other than construction
    - Velocity dissipation devices
    - Pumping activities
  - \_\_\_m. Inspection Form/Report
  - \_\_\_n. Concrete Wash Out Requirements
  - \_\_\_o. Copies of permits (5 acres or more)
    - Primary and Secondary Large Construction Site Notices
    - Copy of NOI(s) for Primary and Secondary Operators
    - Signed "Delegation of Authority", if applicable.