

Montgomery City Council
AGENDA REPORT

Meeting Date: February 28, 2023	Budgeted Amount: N/A
Department: Admin	Prepared By: Dave McCorquodale

Subject

Consideration and possible action on AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING SECTION 26 “CRIMINAL PENALTIES” OF CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE CITY CODE OF ORDINANCES TO IMPOSE A CIVIL PENALTY ON PERSONS WHO VIOLATE ARTICLE II; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SEVERANCE CLAUSE AND TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Recommendation

Motion to adopt the Ordinance as presented.

Discussion

This addition requires the cost of a building permit to be double the normal cost when construction work is done without first obtaining a permit. When this occurs, it involves more staff and consultant time working with the owner or contractor to pull a permit and costs the city more than if the permit was obtained before beginning the project.

While the ordinance already has a penalty of up to \$500/day for violations like not obtaining a permit, that involves the code enforcement officer or patrol officer issuing a citation that is either paid or goes to the municipal court process. Adding the proposed penalty of doubling the permit fee provides the city with a simpler option to address the violation. The city can still issue a citation in circumstances that warrant it.

Approved By

Assistant City Administrator	Dave McCorquodale	Date: 02/22/2023
City Administrator	Gary Palmer	Date: 02/22/2023