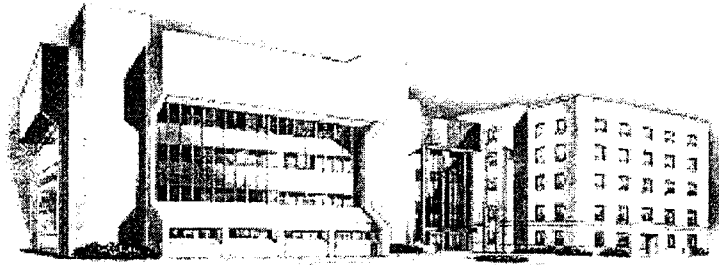


Joe K. Ripple  
Floodplain/911 Administrator

Phone: (979)864-1295  
Fax: (979)864-1003



451 North Velasco, Suite #210  
**BRAZORIA COUNTY**  
Angleton, Texas, 77515

Date: September 1, 2010

Subject: Building Permits

To whom it may concern:

Building permits are required in Brazoria County as of March, 1975.

Zone X – Any structure 200 sq. ft. or larger and fully enclosed.

Any Flood Zone – Any size fully enclosed structure.

As of July 1, 2010 – Brazoria County has adopted the 2006 International Residential Code. It is required that a builder(s)/contractor(s)/remodeler(s) register with Brazoria County before applying for a County Building Permit. Once registered you will receive an IRC number from the County. There is no fee for applying for an IRC number and it is a one time registration.

Packet Includes:

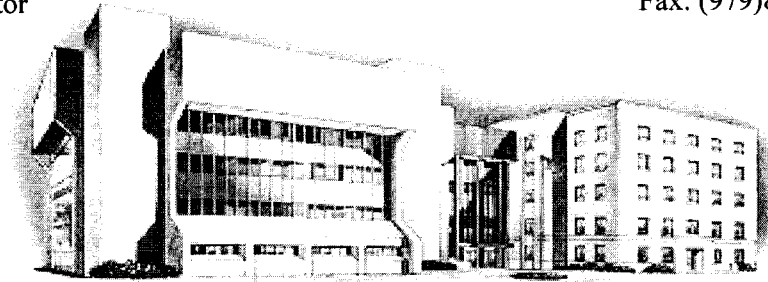
- “Notice of Residential Construction” form (*please make copies*). This sheet is required and must be sent in with each building permit application.
- “Inspection Information” (*please make copies*). This sheet is required per building permit. This form must be completed and turned in at the end of Final Construction.

Any questions please contact the Brazoria County Building Permit Department at (979) 864-1295.

Thank you for your cooperation.

Joe K. Ripple  
Floodplain/911 Administrator

Phone: (979)864-1295  
Fax: (979)864-1003



111 E. Locust, Building A-29, Suite #210  
**BRAZORIA COUNTY**  
Angleton, Texas, 77515

Zone X   
(Structure 200 sq. ft. and over)  
COST: \$75.00

**PROVISIONS**

- 1) Approval from Environmental Health on septic (Bring copy of septic permit)
- 2) Apply for Building Permit
- Recommended to build up 24" above natural ground

Any Flood Zone   
A, AO, AE, V, VE  
(Any Size Structure)

- 1) Approval from Environmental Health on septic (Bring copy of septic permit) If less than 10 acres. If 10 acres (one tract) or more and the only structure connected to a septic system this permit is not needed. Correct address has to be on permit.
- 2) Elevation Certificate of Natural Ground required. (Elevation Certificate will not be accepted without correct address)
- 2a) Sign a Class B form stating we will receive a 2<sup>nd</sup> Original elevation certificate of finished construction-top of bottom floor reading once structure is built.  
Mobile Homes the bottom of trailer floor – once mobile Home is in place.
- 3) Floor plan (size 11 x 17 or smaller) of home, mobile home and/or structure being built.
- 4) Apply for Building Permit.  
Cost: \$75.00 plus .04 cents - per sq. ft. of enclosed area.  
Home and garage only.  
Do not include patio or porches.

Cost: Mobile Homes and Barns \$105.00 (\$75.00 + \$30 Inspection Fee).

Garage, storage, relocated home, well house, etc...\$80.00 (\$50.00 permit fee + \$30.00 inspection fee).

- Note: Environmental Health approval on septic system – if you have less than 10 acres or a subdivision that does not have a legal tie into septic or if you have an existing system you are tying into.
- Note: If property is in a city's ETJ (Extraterritorial Jurisdiction) contact that city for building codes.
- Note: For new residential (including living quarters in a barn), contracted builders are **required to register** with Brazoria County for an IRC number before construction and receive a Brazoria County Residential packet.
- Note: Acknowledgement Regarding Storage Permit (signed and notarized) for any zone must be submitted by person taking out building permit for barn, shop, warehouse, storage building(s), or any non-habitable building, herein after referred to as storage building stating no sewage facility may be installed, may not be leased out for rent or no business may be conducted out of the building.
- Note: If property has a depth criterion: Anything **below** the BFE minus the depth criteria reading must have an Engineer Study on property before building permit will be issued.
- Note: For any zone—1 story structure that is enclosed and 5000 sq. ft. and up must have a drainage plan.
- Note: Certified surveyor must do required elevation certificates(s). If you need an Engineer Study on land you must hire a Professional Engineer of Hydrology.
- Note: **Fee** for building permit **doubles** if a building permit **is not taken out** before building(s) is/are built.

Any questions please call (979) 864-1636

# BRAZORIA COUNTY

## RESIDENTIAL CONSTRUCTION INSPECTIONS

### Code Requirements

The County adopted the 2006 International Residential Code (IRC) and all amendments thereafter as the minimum residential construction codes in Texas.

It is important to reference the code version used when performing an inspection. This information, along with inspection documentation, is provided to the builder/remodeler and should be retained in your records. This information may prove helpful should a question or warranty issue arise.

If a property lies in an ETJ it is required to contact the city hall for appropriate building codes.

### Inspections Required

An inspector must perform a minimum of three inspections at specific stages of construction. Law requires these inspections on residential construction located in an area not subject to municipal inspections. The builder/remodeler is responsible for hiring the inspector.

The qualified inspector must either be a:

- (1) a licensed engineer;
- (2) a registered architect;
- (3) a professional inspector licensed by the Texas Real Estate Commission;
- (4) a plumbing inspector employed by a municipality and licensed by the Texas State Board of Plumbing Examiners;
- (5) a building inspector employed by a political subdivision; or
- (6) an individual certified as a residential combination inspector by the International Code Council.

The three inspections required, as applicable, include:

- A foundation inspection conducted before the placement of concrete;
- A framing and mechanical systems inspection conducted before the placement of exterior wall insulation or interior wall coverings; and
- A final inspection conducted once the home is completed and ready for occupancy.

The attached form is an example of the information required to certify the subject property passed its inspections. This documentation is important to provide to the builder/remodeler and to maintain for future reference. The inspection reports may be filed with the Brazoria County Floodplain Administrator.

The builder/remodeler must maintain the inspection results and the accompanying documentation for future reference. The County may take enforcement action against any builder/remodeler that fails to comply with requirements for these required inspections.

The certification is limited to visible and accessible areas at the time of the inspection.

Certain regulatory oversight bodies allow inspections to be conducted by employees working under the direct supervision of the inspector. Ultimately, however, the inspector must certify that the subject property passed the inspection.

### Foundation Inspection

If the foundation passes inspection, it means that the foundation was physically inspected and is in compliance with the engineered drawings. If an engineer does not seal the drawings, then the foundation must comply with the building code applicable to the property.

Inspectors shall ascertain the proper placement, support, sizing and spacing of graded rebar, as well as ensure proper beam depth, width and placement. Vapor/moisture barrier installation shall be inspected for thickness and lack of damage. If applicable, post tension cable ends are correctly anchored and the cable tendons properly placed and supported.

### **Framing, Mechanical and Delivery Systems Inspections**

If the framing, mechanical and delivery systems pass inspection, it means that compliance was physically verified with the applicable building code or, if applicable, an engineered design. Specifically, it is important to ensure proper door and window placement, that framing members are properly attached, spaced, graded and aligned, and joints are not stressed and are fastened with the proper materials. The load bearing infrastructure should not show signs of distress. Materials should not be decayed or otherwise have their structural integrity compromised. All spliced materials shall comply with the applicable building code. If plans are sealed by a licensed engineer, the engineer's plans shall be made available to the inspector at the jobsite. If the home does not have engineered plans, the inspector must inspect to the applicable building code as defined by the county seat. An inspector may rely on inspection documentation of other professionals when reporting the results of this inspection. For example, if an engineer inspected the engineered framing and provided a report to the inspector, the inspector may rely on that report.

Additionally, each of the major mechanical delivery systems needs to be reviewed:

- Electrical systems should be checked to ensure the system is properly grounded, all connections are made in junction boxes, proper gauge wiring is installed, outlets are properly spaced, working clearances are provided where required and wires are properly protected by nail plates in appropriate locations;
- HVAC and other mechanical systems should be checked to ensure adequate access to the machinery is provided. Duct work should not be encumbered by other building materials, punctured, crimped, crushed or otherwise compromised. Ducts are installed per the applicable building code or engineered design. Return air grills are in the locations required by the plans;
- Roofing systems are appropriately constructed, proper decking materials are verified and underlayment and flashing is installed;
- Plumbing systems should be reviewed to ensure all connections, bends and joints are appropriately fitted and sealed. All pipes must be properly protected by nail plates in appropriate locations. Materials installed should be used for their manufactured purposes and be of appropriate size and condition, as well as appropriately supported and anchored.

### **Final**

If the construction passes the final inspection, it means that compliance was physically verified with the applicable building code. It is important to ensure that:

- The grading of the yard surrounding the home allows water to flow away from the home;
- The electrical, plumbing and HVAC (Heating, Ventilation and Air Conditioning) System is in complete working order;
- The exterior unit of the HVAC System (the compressor) is located on a level surface above the ground;
- All air ducts are free of obstruction, and dampers and control systems are checked;
- The doors and windows operate properly;
- The finish materials are properly installed, sealed and protected from the environment;
- The flatwork around the home is free of any structural cracks, holes or other safety hazards;
- All roof cladding is installed in accordance with the manufacturer's recommendations;
- Flashing is installed, where visible, without removing materials;
- The stairways and hallways are of proper width and have adequate headroom, and handrails, landings and treads are the proper size and spacing;

- The home fixtures (including plumbing, electrical, and finish hardware) are all correctly installed and working properly;
- Any appliances or manufactured products installed in the home are in proper working order; and
- There are no apparent safety issues.

The above categories are not meant to be a complete list of the items needed for inspection. It is the inspector's responsibility to verify that the project substantially meets the applicable building code.

Once the inspection is completed and the subject property passes the inspection, provide copies of the documentation to the builder/remodeler. In addition, certification must be provided to the Brazoria County by either reporting on-line or by filing the inspection report with the Brazoria County Floodplain Administrator.

## **ON-LINE REGISTRATION**

### **Section 1: On-line Reporting - Registration Required**

In order to use the on-line reporting instructions, residential builders and certain remodelers are required to register with the County.

### **Section 2: Inspector Information**

Enter your name and appropriate accreditations; do not use your company's information. Companies employing multiple inspectors are provided a distinct login name and password for each qualified inspector. It is the individual inspector's responsibility to maintain the confidentiality of this access information. If your information is compromised, contact the Brazoria County Floodplain Administrator as soon as possible to obtain new login information. If you have not received or have forgotten your login name and password, email a request to \_\_\_\_\_@brazoria-county.com.

### **Section 3: Property Address/Project Information**

- Enter the builder's or remodeler's registration number;
- Enter the Building Permit Number. These numbers distinguish the inspection results from other properties. It is a record identifier and ties your inspection to the correct property; and
- Enter the street address or the legal description of the property as lot, block and section number as provided by the builder.

If you have any questions about this process, call the Brazoria County Floodplain Administrator's Office at (979) 864-1295 or (281) 756-1295 or send an email to \_\_\_\_\_@brazoria-county.com.

IRC Registration for Builders / Contractors – Effective as of 7-1-2010

Date: \_\_\_\_\_ IRC # \_\_\_\_\_

Name of Company: \_\_\_\_\_

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

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

Phone: work: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_



**BRAZORIA COUNTY**

**NOTICE OF RESIDENTIAL CONSTRUCTION  
INSPECTION COMPLIANCE  
IN UNINCORPORATED AREA**

**(TO BE SUBMITTED BY BUILDER)**

\_\_\_\_\_  
Received

\_\_\_\_\_  
Related OSSF  
Application #

\_\_\_\_\_  
Permit #

\_\_\_\_\_  
IRC #

**BUILDERS NAME:** \_\_\_\_\_

**PROJECT INFORMATION**

**TYPE OF CONSTRUCTION: (Check One)**

- 1) New Residential Construction on a vacant lot [ ]
- 2) Addition to an Existing Residential Unit [ ]

**NOTE:** *If a property lies in an ETJ it is required to contact the city hall for appropriate building codes.*

**LOCATION:**

Address \_\_\_\_\_

Lot and Block # \_\_\_\_\_ Subdivision \_\_\_\_\_

or

Survey \_\_\_\_\_ Tract/Acreage \_\_\_\_\_

or

Deed Reference \_\_\_\_\_ Property ID (MCAD)# \_\_\_\_\_

**RESIDENTIAL CODE USED IN CONSTRUCTION:**

- 1) INTERNATIONAL RESIDENTIAL CODE – published \_\_\_\_\_ [ ]  
date

**INSPECTION INFORMATION**  
**TO BE FILED BY BUILDER AND/OR INSPECTOR**  
**UNLESS REPORTS FILED ON-LINE**  
**(ATTACH ALL INSPECTION REPORTS)**

Permit #: \_\_\_\_\_  
Builders IRC #: \_\_\_\_\_  
Home Owners Name: \_\_\_\_\_  
Address of Inspected Home: \_\_\_\_\_

---

**NOTE: *If a property lies in an ETJ it is required to contact the city hall for appropriate building codes.***

- 1) **FOUNDATION STAGE** (before placement of concrete)
- a) **IN COMPLIANCE** with the residential code used in construction. [ ]  
b) **NOT IN COMPLIANCE** with the residential code used in construction. [ ]

**INSPECTOR INFORMATION:**

NAME: \_\_\_\_\_ REGISTRATION NUMBER: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

---

**SIGNATURE (REQUIRED)** \_\_\_\_\_ **DATE** \_\_\_\_\_

---

- 2) **FRAMING AND MECHANICAL SYSTEMS STAGE**  
(before covering with drywall or other interior all covering)
- a) **IN COMPLIANCE** with the residential code used in construction. [ ]  
b) **NOT IN COMPLIANCE** with the residential code used in construction. [ ]

**INSPECTOR INFORMATION** **SAME AS ABOVE** [ ]

NAME: \_\_\_\_\_ REGISTRATION NUMBER: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

---

**SIGNATURE (REQUIRED)** \_\_\_\_\_ **DATE** \_\_\_\_\_

---

- 3) **COMPLETION**
- a) **IN COMPLIANCE** with the residential code used in construction. [ ]  
b) **NOT IN COMPLIANCE** with the residential code used in construction. [ ]

**INSPECTOR INFORMATION** **SAME AS ABOVE** [ ]

NAME: \_\_\_\_\_ REGISTRATION NUMBER: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

---

**SIGNATURE (REQUIRED)** \_\_\_\_\_ **DATE** \_\_\_\_\_



**Brazoria County Residential  
Construction Inspections- Frequently Asked Questions**

**1.) What is the County Inspection Program?**

As of September 1, 2009, State Law requires that residential construction completed by builders and remodelers in unincorporated areas or in areas not subject to municipal inspections must have a minimum of three inspections conducted by an inspector. The builder/remodeler is responsible for hiring an inspector. The three required minimum inspections are a foundation inspection, a framing, mechanical and delivery systems inspection and a final inspection.

**2.) Who can be a inspector?**

An inspector can be an actively licensed professional engineer, a licensed architect, a professional inspector licensed by the Texas Real Estate Commission, a plumbing inspector employed by a municipality and licensed by the Texas State Board of Plumbing Examiners, a building inspector hired by a political subdivision, or an individual certified as a residential combination inspector by the International Code Council.

**3.) How much does it cost to register as an inspector or to submit an inspection report?**

There is no cost. The inspection may be filed with the Brazoria County Floodplain Administrator or use the online County Inspection Certification System to enter an inspection. There is also no cost to register as an inspector. **Builders will need to register with the Brazoria County Floodplain Department in order to receive a number to utilize the online Inspection Certification System.**

**4.) What is the process for an inspector to document the three required inspections? What form is needed?**

Inspectors may either file the inspection reports with the Brazoria County Floodplain Administrator or may access the County Inspection Certification System and fill out the required Contracted Inspections information in order to submit an inspection. The Contracted Inspections information is the only information that an inspector needs to submit for an inspection. To submit a report, an inspector first must secure a builder-assigned project number; an inspector can submit reports only for projects that pass inspection. Once the information has been submitted, an emailed receipt confirmation will be sent to the builder/remodeler informing them that an inspection has been completed.

**5.) What is a builder assigned project number?**

The Building Permit obtained from the Brazoria County Floodplain Administrator is assigned a permit number and will be the project number for reporting the three required inspections. This number links the inspection information to the home/project registration information. Identifying each project individually, this number is required in order to submit the online Contracted Inspections information within the online County Inspection Certification System.

**6.) Does the same inspector have to perform and submit all three inspections? Does an inspector have to submit a report for a project that fails an inspection?**

The builder may hire a different inspector for each of the three required inspections. The builder/remodeler is responsible for correcting items that cause a failed inspection and for having that phase of construction re-inspected. The builder/remodeler may also hire another inspector to conduct the re-inspection. Only passed inspections are accepted by the County.

**7.) What are the code requirements for these required inspections?**

Brazoria County's Regulations require that a new single-family house or duplex, or an addition that will increase the square footage or value of the structure by more than 50% shall comply with the 2006 International Residential Code, as amended as of May 1, 2008 and including any amendments in the future.

**8.) What are the penalties if a builder does not obtain these inspections?**

Brazoria County may refer an inspector to the appropriate regulatory authority for discipline; seek injunctive relief through the court system; or have a Class "C" citation issued for failure to comply with the inspection requirements. It is the builder and remodeler's responsibility to secure the three required inspections for qualified residential construction projects in unincorporated areas or areas not subject to municipal inspections.

**9.) Can multiple inspectors work together or use one another's report(s) to complete an inspection in phases or pieces?**

Yes, a registered inspector can rely on another registered inspector's report to complete a phase inspection. Either inspector may enter the completed inspection into the County Inspection Certification System; however, both must be properly registered and active.

For example, certain engineering companies may design the framing for the house as well as the foundation. In this case, a registered inspector engineer might inspect the framing, but not the mechanical or delivery systems. Another registered inspector would be hired to inspect the mechanical and delivery systems not inspected by the engineer. The engineer and the other inspector would coordinate by using one another's reports to determine that everything had passed and then either inspector may enter the passed inspection into the County Inspection Certification System.

Another question might arise where more than one initial foundation inspections occur, for example, one before the footings are poured, and one before the slab is poured. Again, either inspector may enter the passed foundation inspection to the online County Inspection Certification System or file each inspection report with the Floodplain Administrator and the registered inspectors would rely on each other's reports to determine that the home has passed that inspection phase.

## County Inspection- Frequently Asked Questions

### 1.) What is the County Inspection Program?

As of September 1, 2008, state law requires that residential construction completed by builders and remodelers in unincorporated areas or in areas not subject to municipal inspections must have a minimum of three inspections conducted by a fee inspector. The builder/remodeler is responsible for hiring a fee inspector. The three required minimum inspections are a foundation inspection, a framing, mechanical and delivery systems inspection and a final inspection.

### 2.) What if a builder starts work before September 1, 2008? Are some of the inspections required?

The new county inspection requirements apply to new construction or remodeling projects that begin on or after September 1, 2008. If construction starts on a home before September 1, 2008, the builder/remodeler is exempt from completing the inspections.

### 3.) Who can be a fee inspector?

A fee inspector can be an actively licensed professional engineer, a licensed architect, a professional inspector licensed by the Texas Real Estate Commission or a commission certified third-party inspector.

### 4.) How much does it cost to register as a fee inspector or to submit an inspection report?

There is no cost to use the online County Inspection Certification System or to enter an inspection, and there is also no cost to register as a fee inspector.

### 5.) What is the process for a fee inspector to document the three required inspections? What form is needed?

Fee inspectors must fill out the required Contracted Inspections information in order to submit an inspection on the commission's online County Inspection Certification System. The Contracted Inspections information is the only information that an inspector needs to submit for an inspection. To submit a report, an inspector first must secure a builder-assigned project number; an inspector can submit reports only for projects that pass inspection. Once the information has been submitted, an emailed receipt confirmation will be sent to the builder/remodeler informing them that an inspection has been completed. Fee inspectors should not submit documentation supporting the inspection findings to the commission. A waiver must be requested in writing if a fee inspector does not have access to a computer; the commission will provide an alternative method for reporting the inspection. Submit your waiver request to [dora.rivera@trcc.state.tx.us](mailto:dora.rivera@trcc.state.tx.us) or Dora Rivera, Building Programs, P.O. Box 13509, Austin, TX 78711-3509.

### 6.) What is a builder assigned project number?

The builder/remodeler provides a builder-assigned project number for each project subject to the three required inspections. This number links the inspection information to the home/project registration information. Identifying each project individually, this number is required in order to submit the online Contracted Inspections information within the online County Inspection Certification System.

### 7.) Does the same fee inspector have to perform and submit all three inspections? Does an inspector have to submit a report for a project that fails an inspection?

The builder may hire a different fee inspector for each of the three required inspections. The builder/remodeler is responsible for correcting items that cause a failed inspection and for having that phase of construction re-inspected. The builder/remodeler may also hire another inspector to conduct the re-inspection. Only passed inspections are accepted by the commission.

**8.) What are the code requirements for these required inspections?**

Every city in the State of Texas is given authority to adopt building codes, make amendments, and/or adopt ordinances to meet local concerns to the adopted building codes for their own city and its extraterritorial jurisdiction (ETJ). The law provides that in unincorporated areas of the state, the IRC and the NEC as adopted by the municipality that is the county seat of the county in which the construction is taking place, including any amendments or ordinances by that municipality, apply to the construction of the unincorporated areas of that county. The code that applies to an unincorporated area is the same code adopted by the county seat including amendments. If the county seat has not adopted a version of the code, then the 2000 International Residential Code (IRC) and the 1999 National Electrical Code (NEC) apply.

**9.) Will the Texas Residential Construction Commission audit inspectors?**

While the commission does not audit fee inspectors, builders and remodelers must keep inspection records. The commission randomly conducts audits on builders/remodelers once a year to verify inspection documentation ensuring that inspections were performed according to applicable codes and commission rules. However, if audit results show that a fee inspector repeatedly did not comply with the commission rules or apply the applicable code to construction projects inspected, the commission may withdraw the fee inspector's registration.

**10.) What are the penalties if a builder does not obtain these inspections?**

The commission can take disciplinary action against a builder or remodeler who fails to comply with the inspection requirements. It is the builder and remodeler's responsibility to secure the three required inspections for qualified residential construction projects in unincorporated areas or areas not subject to municipal inspections.

**11.) Can multiple inspectors work together or use one another's report(s) to complete an inspection in phases or pieces?**

Yes, a registered fee inspector can rely on another registered fee inspector's report to complete a phase inspection. Either inspector may enter the completed inspection into the County Inspection Certification System; however, both must be properly registered and active.

For example, certain engineering companies may design the framing for the house as well as the foundation. In this case, a registered fee inspector might inspect the framing, but not the mechanical or delivery systems. Another registered fee inspector would be hired to inspect the mechanical and delivery systems not inspected by the engineer. The engineer and the other inspector would coordinate by using one another's reports to determine that everything had passed and then either inspector may enter the passed inspection into the County Inspection Certification System.

Another question might arise where more than one initial foundation inspections occur, for example, one before the footings are poured, and one before the slab is poured. Again, either inspector may enter the passed foundation inspection to the online County Inspection Certification System and the registered fee inspectors would rely on each other's reports to determine that the home has passed that inspection phase.

Liability is divided based on actual work done by either inspector if an issue arises. The commission will obtain inspection records from the builder to take action if warranted. The builder is required to obtain inspection records for future audits by the commission.

**BRAZORIA COUNTY ORDER APPLYING SUBCHAPTER F,  
CHAPTER 233, TEXAS LOCAL GOVERNMENT CODE, TO CERTAIN  
RESIDENTIAL CONSTRUCTION BEGUN AFTER SEPTEMBER 1, 2009**

WHEREAS, the Texas Legislature passed HB 2833 during the 81<sup>st</sup> Regular Session to provide for the health, safety and general welfare of all Texans through home construction standards in the unincorporated areas of counties; and

WHEREAS, the citizens of Brazoria County desire the construction of quality housing and wholesome living environments for its citizens living in unincorporated areas;

WHEREAS, the Commissioners Court, as the governing body of Brazoria County, a county with a population of more than 100, desires to adopt an order requiring application of the provisions of the Chapter 233 of the Texas Local Government Code to certain residential construction begun after September 1, 2009; and

WHEREAS, home builders and home remodelers understand that the purpose of building codes is to provide minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment.

**ORDER**

NOW THEREFORE BE IT ORDERED BY THE COMMISSIONERS COURT OF BRAZORIA COUNTY, TEXAS, THAT:

**SECTION 1**

In accordance with Section 233.153, Texas Local Government Code, the construction of a new single-family house or duplex begun after September 1, 2009 in the unincorporated areas of Brazoria County shall substantially conform to the 2006 International Residential Code, as amended on May 1, 2008 and all future amendments thereto.

**SECTION 2**

In accordance with Section 233.153, Texas Local Government Code, any construction of an addition to an existing single-family house or duplex, if the addition will increase the square footage or value of the existing residential building by more than 50 percent, begun after September 1, 2009 in the unincorporated areas of Brazoria County shall substantially conform to the 2006 International Residential Code, as amended on May 1, 2008 and all future amendments thereto.

### SECTION 3

In accordance with Section 233.154(a), Texas Local Government Code, a minimum of three inspections shall be performed, as applicable, to ensure substantial building code compliance in the construction of a new single-family house or duplex begun after September 1, 2009 in the unincorporated areas of Brazoria County.

The three required inspections during the construction project, as applicable, must be performed at:

- (1) the foundation stage, before placement of concrete;
- (2) the framing and mechanical systems stage, before covering with drywall or other interior wall covering; and
- (3) completion of construction of the residence.

For remodeling construction to an existing residence in which the structure's square footage or value will increase by more than fifty percent, the inspection requirements shall be performed as necessary based on the scope of work of the construction project.

The builder is responsible for contracting to perform the required inspections with:

- (1) a licensed engineer;
- (2) a registered architect;
- (3) a professional inspector licensed by the Texas Real Estate Commission;
- (4) a plumbing inspector employed by a municipality and licensed by the Texas State Board of Plumbing Examiners;
- (5) a building inspector employed by a political subdivision; or
- (6) an individual certified as a residential combination inspector by the International Code Council.

A builder may use the same inspector for all the required inspections or a different inspector for each required inspection.

### SECTION 4

In accordance with Section 233.154(b), Texas Local Government Code, a builder performing construction of a new single-family house or duplex or the construction of an addition to an existing single-family house or duplex begun after September 1, 2009 in the unincorporated areas of Brazoria County shall provide notice to the Brazoria County Floodplain Administrator prior to beginning the construction project on a form prescribed by the County.

The notice must include (1) the location of the new residential construction; (2) the approximate date by which the new residential construction will be commenced; and (3) the acknowledgment of the 2006 International Residential Code, published as of May 1, 2008, will be used by the builder to construct the new residential construction.

## SECTION 5

In accordance with Section 233.154(c), Texas Local Government Code, not later than the 10<sup>th</sup> day after the date of a final inspection required by this Order, a builder performing construction of a new single-family house or duplex or the construction of an addition to an existing single-family house or duplex begun after September 1, 2009 in the unincorporated areas of Brazoria County shall submit notice to said County stating whether or not the inspection showed compliance with the building code standards applicable to that phase of construction on a form prescribed by the County to (1) the Brazoria County Floodplain Administrator; and (2) the person for whom the new residential construction is being built, if different from the builder.

## SECTION 6

Any development began in the unincorporated areas of Brazoria County, but located within an Extraterritorial Jurisdiction of a Municipality and that has entered into a Developers Agreement with the Municipality which provides compliance with either the International Residential Code published as of May 2, 2008 or the version of the International Residential Code adopted by the Municipality in which the developer's agreement exists, is hereby exempt from compliance with this Order.

## SECTION 7

In accordance with Section 233.157(c)(1) and (2), Texas Local Government Code, any construction built by the individual or the individual acts as the individual's own contractor and the individual intends to use the residence as the individual's primary residence, is exempt from the inspection requirements under this Order.

## SECTION 8

The County may choose to enforce this Order by:

- (1) referring the inspector to the appropriate regulatory authority for discipline;
- (2) seeking injunctive relief as allowed by law to prevent a violation or threatened violation of a standard or notice required under this Order from continuing or occurring; or
- (3) referring the builder for prosecution under Section 233.157 of the Texas Local Government Code – Class C Misdemeanor.

## SECTION 9

This Order shall be effective \_\_\_\_\_, 2010.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

APPROVED:

(SEAL)

---

E. J. King  
Brazoria County Judge

ATTEST:

---

Brazoria County Clerk