



Denton County
Department of Public Works
Engineering Division

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www.dentoncounty.com



NOTICE

Home Builders and Home Buyers

On January 26, 2010, Denton County Commissioners Court approved a resolution that applies to certain residential construction in the unincorporated areas of Denton County.

This resolution applies to you if:

- You are building a home in the unincorporated areas of Denton County after February 1, 2010; or
- You are remodeling an existing home in the unincorporated areas of Denton County after February 1, 2010 and the addition increases the square footage or value of the existing home by more than 50%.
- This resolution applies if you are constructing a single-family house or duplex.

The new home construction and remodel must conform to either:

- International Residential Code published as of May 1, 2008; or
- The version of the International Residential Code that is applicable in the City of Denton. The State law requires the builder to use either the International Residential Code published as of May 1, 2008 or the International Residential Code adopted by the County Seat, which in Denton County is the City of Denton.

Building in the Extra Territorial Jurisdiction (ETJ):

If you are building in the ETJ of a municipality that has adopted a building code for the municipality's ETJ, then the builder follows the municipality's codes. However, the builder is still required to submit the necessary paperwork to Denton County Public Works.

What are the builder's responsibilities?

- Three required inspections during the construction project.
 - The foundation stage before the placement of concrete;

- The framing and mechanical systems stage before covering with drywall or other interior wall covering; and
- Completion of construction of the residence.
- For remodeling projects that meet the definition of this resolution, the number of inspections are based on the scope of work of the project

Who performs these inspections?

- Licensed Engineer;
- Registered Architect;
- Professional Inspector licensed by the Texas Real Estate Commission;
- Plumbing Inspector employed by a municipality and licensed by the Texas State Board of Plumbers;
- Building Inspector employed by a political subdivision; or
- Individual certified as a residential combination inspector by the International Code Council.
- The builder may use the same inspector for all the required inspections or a different inspector for each required inspection.

Who receives the documentation?

- The builder shall provide the inspection information to the home buyer and Denton County Public Works.
- The required forms are attached to this Notice.
 - The builder uses the first form to notify the County specifically:
 - Location of the new residential construction
 - Approximate date by which the construction will be commenced
 - The version of the International Residential Code used to construct the home
 - The builder uses the second form to document the inspections.

RESOLUTION

APPLYING SUBCHAPTER F, CHAPTER 233, TEXAS LOCAL GOVERNMENT CODE, TO CERTAIN RESIDENTIAL CONSTRUCTION IN UNINCORPORATED AREAS OF DENTON COUNTY - BEGUN AFTER FEBRUARY 1, 2010

WHEREAS, the Texas Legislature passed HB 2833 during the 81st Regular Session, codified in Sections 233.151 through 233.157 of the Texas Local Government Code, 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 Denton County desire the construction of quality housing and wholesome living environments for its citizens living in unincorporated areas.

NOW, THEREFORE, BE IT RESOLVED, that we, the Commissioners Court of Denton County, in accordance with Section 233.153, Texas Local Government Code, order that construction of a new single-family house or duplex on a vacant lot begun after February 1, 2010, in the unincorporated areas of Denton County must conform to either the version of the International Residential Code published as of May 1, 2008 or the version of the International Residential Code that is applicable in the City of Denton, Texas; and

FURTHERMORE, BE IT RESOLVED, that 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 February 1, 2010, in the unincorporated areas of Denton County must conform to either the version of the International Residential Code published as of May 1, 2008 or the version of the International Residential Code that is applicable in the City of Denton, Texas; and

FURTHERMORE, BE IT RESOLVED, that notwithstanding the above language and in accordance with Section 233.153(c), if the above described construction occurs in the extraterritorial jurisdiction of a municipality that has adopted a building code for the municipality's extraterritorial jurisdiction, the building code adopted by the municipality controls and building code standards under Subchapter F of Section 233.153 of the Texas Local Government Code have no effect in that municipality's extraterritorial jurisdiction.

FURTHERMORE, BE IT RESOLVED, that in accordance with Section 233.154(a), Texas Local Government Code, a minimum of three inspections must be performed to ensure substantial building code compliance in the 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 February 1, 2010, in the unincorporated areas of Denton County. The three required inspections during the construction project, as applicable must be performed at (1) the foundation stage, before the 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 50 percent, the inspection requirements must be performed as

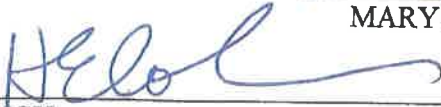
necessary based on the scope of work of the construction project. The builder is responsible for contracting to perform the required inspections with (1) licensed engineer; (2) a registered architect; (3) a professional inspector licensed by the Texas Real Estate Commission; (4) a plumbing inspector employed by a municipality and licensed by the Texas State Board of Plumbing Inspectors; (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; and

FURTHERMORE, BE IT RESOLVED, that 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 February 1, 2010, in the unincorporated areas of Denton County must, prior to beginning the construction project, provide notice to the Director of Public Works/Engineering. The Denton County Commissioners Court prescribes the Notice of Residential Construction in Unincorporated Areas attached to this Resolution as the required Notice. 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 version of the International Residential Code that will be used by the builder to construct the new residential construction, and


FURTHERMORE, BE IT RESOLVED, that in accordance with Section 233.154(c), Texas Local Government Code, not later than the 10th day after the date of a final inspection, 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 February 1, 2010, in the unincorporated areas of Denton County must submit notice to (1) the Director of Public Works/Engineering and (2) the person for whom the new residential construction is being built, if different from the builder, stating whether or not the inspection showed compliance with the building code standards applicable to that phase of construction. The Denton County Commissioners Court prescribes the Notice of Residential Construction Inspection Compliance in Unincorporated Areas attached to this Resolution as the required Notice.

IN WITNESS THEREOF, we have hereunto set our hands and caused the great seal of Denton County to be affixed this 26 day of January, 2010.

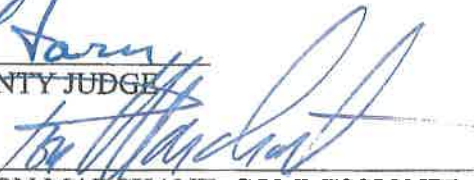
ADOPTED IN OPEN COURT the 26 day of January, 2010 upon Motion made by Bobbie Mitchell and seconded by Andy Emms, and 5 members of the court being present and voting.



HUGH COLEMAN, COMMISSIONER
PRECINCT 1



MARY HORN, COUNTY JUDGE



RON MARCHANT, COMMISSIONER
PRECINCT 2


BOBBIE J. MITCHELL, COMMISSIONER
PRECINCT 3


ANDY EADS, COMMISSIONER
PRECINCT 4

ATTEST:

CYNTHIA MITCHELL, County Clerk and Ex-Officio
Clerk of the Commissioners Court of Denton County

BY: 

