



# CITY OF AMARILLO

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## Department of Building Safety Policy

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To: All Building Safety Staff & Contractors  
From: Ismael "Izzy" Rivera Jr. Chief Building Official  
Policy: BS-19-001  
Subject: Expired Permit Policy  
Date: April 1<sup>st</sup>, 2019

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### Purpose

This policy is to have the ability to close out all open permits and prevent having new open permits from this point on. The objective of this procedure is to have no open permits and have all permits be completed as required per the City of Amarillo's Code of Ordinances No. 7658, No. 7363 and No. 7517. See attached copies of these Ordinances.

### Policy

Effective immediately, all permits that expire or are expired will require the approval from the Building Official before any permit is reissued or reactivated. The City of Amarillo Code of Ordinances, Chapter 4-1 – Fees, Permits, and Contractor Registrations – Section 4-1-3 – Application, Plan Review and Permit Time Limits, Cancellations and Refunds (See attached copy of ordinance); Chapter 4-1 -Fees, Permits, and Contractor Registrations–Section 4-1-111 -Authority to Withhold and Suspend Contractor Registrations, Permits, and Inspections (See attached copy of ordinance); Chapter 4-3 –General Building and Construction Standards, Section 4-3-1 – Adoption of Building Code, and Certain Appendix Chapters thereof; Amendments and the 2015 International Building Code Chapter 1 – Scope and Administration, Section 105 – Permits, Subsection 105.5 - Expiration states that "every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. **The extension shall be requested in writing and justifiable cause demonstrated.**" This section of the code is referenced in other ICC codes and is applicable in each case. Therefore, if the Building Official disapproves the reissuance or reactivation of any permit, the applicant will submit a new permit application as if it were a new permit/project and fees applied will be the same as if it were a newly issued permit.

Sec. 4-1-3. - Application, plan review and permit time limits, cancellations and refunds.

- (a) *Permit applications and plan review time limits.* An application for a permit including plans submitted with an application shall be considered abandoned one hundred eighty (180) days after the submittal date if a permit has not been issued for the project described in the application. When good faith efforts are being made to bring the project to fruition and to correct any errors in the plans and application, the Building Official may grant extensions of time for additional periods not exceeding ninety (90) days each. Requests for extensions shall be in writing and justifiable cause demonstrated to the Building Official. When an application or set of plans submitted for review expires by time limitation, a new application, new plans, and new application fee shall be submitted before the application is reconsidered.
- (b) *Permit time limits.* Every permit issued in accordance with this chapter shall become void unless the work authorized by the permit is commenced within the time limits stated in the table below, or if the work authorized by the permit is suspended or abandoned for the time period stated in the table below. The Building Official may grant extensions of time for additional periods not exceeding the time periods stated in the table below. Requests for extensions shall be in writing and justifiable cause demonstrated to the Building Official.

(1)	Building permit:	180 days
(2)	Electrical permit:	180 days
(3)	Heating and Air Conditioning permit:	180 days
(4)	Landscape Irrigation:	60 days
(5)	Manufactured home installation permit:	90 days
(6)	Moving permit:	60 days
(7)	Plumbing permit:	180 days
(8)	Re-Roofing permit:	180 days
(9)	Sign permit:	90 days
(10)	Swimming pool:	180 days
(11)	Water purification or filtration systems:	60 days
(12)	Wrecking permit:	60 days

EXCEPTIONS: Under special or unusual conditions, and for any permit required under this chapter, the Building Official may at any time:

- a. Require work authorized by a permit to commence within a shorter time period;
- b. Specify the progress to be made under the permit within a specified time period; and
- c. Require the work to be completed within a shorter time frame than shown in the table above.

For the purpose of this exception, special or unusual circumstances include but are not limited to buildings or structures: that either are, or that become damaged; that are of a temporary nature; or that are ordered by the City Council to be repaired or demolished within a certain time period.

- (c) *Fee for renewing expired permits.* A permit that has expired by time limitations may be renewed for an additional time period as stated above provided there have been no substantial changes in the plans or scope of work, and upon payment of a renewal fee as follows:

(1)	Not more than sixty (60) days after expiration date:	Fifty dollars (\$50.00)
(2)	Sixty-one (61) to not more than one hundred eighty (180) days after expiration date:	One-half ( ½ ) original fee, but not less than fifty dollars (\$50.00)
(3)	More than one hundred eighty (180) days after expiration date:	New application and at full price.

An expired permit that is renewed in accordance with the above, and later expires again due to time limitations shall not be eligible for any subsequent renewal, but shall be subject to a new application and fee.

- (d) *Fee refunds.* Fees collected in accordance with this chapter may be refunded under the following conditions when requested in writing by the person who paid the fee within one hundred eighty (180) days of the collection of the fee.
  - (1) Fee collected in error. Any fee under this chapter that was collected in error shall be refunded.
  - (2) Building permit application fee. When an application for a building permit is withdrawn or canceled by the applicant before any plan review by the City has begun, then eighty (80) percent of the application fee shall be refunded. If the plan review has begun, then no refund shall be granted.
  - (3) Permit fees. When a permit is withdrawn or canceled by the applicant before any work has begun as authorized by that permit, then eighty (80) percent of the permit fee shall be refunded. If any work has begun in accordance with the permit, then no refund shall be granted.
- (e) *Suspension or revocation.* The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation of the City.
- (f) *Validity of permit.* The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any laws, ordinances, or regulations of any regulatory authority. Permits presuming to give authority to violate or cancel the provisions of such laws, ordinances, or regulations shall not be valid. The issuance of a permit based on construction documents and other

data shall not prevent the Building Official from requiring the correction of errors subsequently found in the construction documents, other data, or as built conditions.

- (g) *Authority regarding use of structures:* The Building Official is authorized to take appropriate legal action to prevent or curtail occupancy or use of a building or structure which is built or modified without the appropriate permits required by this Code, and is also authorized to require corrective measures to be made to such building or structure sufficient to comply with the intent of this Code.

(Ord. No. 6878, § 1, 12-13-2005; Ord. No. 7238, § 14, 9-14-2010; Ord. No. 7363, § 7, 9-18-2012; Ord. No. 7620, § 5, 9-13-2016; Ord. No. 7658, § 2, 3-14-17)

Sec. 4-1-111. - Authority to withhold and suspend contractor registrations, permits, and inspections.

- (a) Under the following conditions, the Building Official is authorized to deny registration of, to suspend the registration of, and to withhold renewal registration of a contractor who:
- (1) Fails to correct a defect, error or deficiency in work installed under the authority of a permit within thirty (30) calendar days after written notification from the Building Official or his authorized agents;
  - (2) Has an expired permit issued under this chapter;
  - (3) Fails to pay any indebtedness, when due, to the City for inspection fees, permit fees or registration fees;
  - (4) Allows unlicensed construction trades persons, who are required to be licensed by the State, to perform work in their respective trade on a building structure or construction site; or
  - (5) State License has expired or City registration requirements have not been maintained in accordance with this Chapter.
- (b) The Building Official is authorized to withhold and suspend permits and inspections to any contractor who(se):
- (1) Is either not registered with the City, or whose registration with the City has expired in accordance with this Chapter. This does not allow the Building Official to withhold inspections on expired permits to comply with Section 4-1-111 (a)(2)
  - (2) License and Permit Surety Bond or Certificate of Insurance required by this section has expired.
  - (3) License, license endorsement Or certification with the State in the respective trade has expired, has been suspended, or which has become invalid for any reason.

- (4) Fails to correct a defect, error or deficiency in work installed under the authority of a permit within thirty (30) calendar days after written notification from the Building Official or his authorized agents.
- (5) Fails to pay any indebtedness, when due, to the City for inspection fees, permit fees or registration fees;
- (6) Allows unlicensed construction trades persons, who are required to be licensed by the State in their respective trade, to perform work in that trade on a building, structure, or construction site.  
(Ord. No. 6878, § 1, 12-13-2005; Ord. No. 7363, § 13, 9-18-2012)

## CHAPTER 4-3. - GENERAL BUILDING AND CONSTRUCTION STANDARDS

### ARTICLE I. - IN GENERAL

Sec. 4-3-1. - Adoption of building code, and certain appendix chapters thereof; amendments.

Code adopted. For all buildings and structures under the jurisdiction of the City of Amarillo, and not regulated by the International Residential Code as adopted in Chapter 4-3, of the Municipal Code, there is hereby adopted the 2015 edition of the International Building Code (published by the International Code Council), including its Appendices C, J, K with the following amendments, copies of which shall be maintained by the Building Official.

(Ord. No. 5590, § 2, 4-29-86; Ord. No. 5631, § 1, 9-23-86; Ord. No. 5698, § 1, 8-11-87; Ord. No. 5717, §§ 1-3, 10-13-87; Ord. No. 5738, § 1, 3-15-88; Ord. No. 5756, § 1, 7-5-88; Ord. No. 5823, § 1, 8-22-89; Ord. No. 5876, § 1, 9-11-90; Ord. No. 5966, § 1, 7-21-92; Ord. No. 5984, § 2, 11-17-92; Ord. No. 6183, § 1, 9-5-95; Ord. No. 6383, § 1, 12-15-98; Ord. No. 6474, § IA, 4-4-2000; Ord. No. 6563, § 1, 10-23-2001; Ord. No. 6575, § 1, 12-18-2001; Ord. No. 6602, § 1, 7-16-2002; Ord. No. 6878, § 3, 12-13-2005; Ord. No. 6879, §§ 1, 3, 12-13-2005; Ord. No. 7100, §§ 1, 2, 5-20-2008; Ord. No. 7350, §§ 1, 2, 9-4-2012; Ord. No. 7517, §§ 1, 2, 3-3-2015)