



EMERGENCY ORDER OF THE MAYOR

RE: COVID-19
E.O. # 2020- 6
April 28, 2020

1. **Purpose:** This order is intended to provide a limited opportunity to rectify certain building permit violations for remodels and other construction-related work performed during the initial phase of the 2020 COVID-19 virus pandemic State of Disaster without having applied for and received the applicable building permit. This order is issued as an incentive for owners of commercial property to remedy any failure to apply for and receive the applicable building permit under the City of Bastrop's Code of Ordinances when City Hall was closed to the public but still operating under emergency circumstances.

2. **Grace Period for Certain After-the-Fact Building Permits:**
 - a. **Temporary Suspension:** A grace period is hereby ordered, as provided herein, temporarily suspending strict code enforcement for work performed on a pre-existing commercial establishment in the City Limits (e.g., building, structure, electrical, gas, mechanical, or plumbing system) without having first obtained the appropriate permit from the City of Bastrop.


 - b. **Penalty Suspended:** Under the City of Bastrop Code of Ordinances, 3.01.003 [Work Commencing Prior to Permit Issuance], work performed without the necessary permits from the City is subject to a penalty in addition to the required permit fee, as provided for in the City's Fee Schedule, sections A3.01.003 and A3.04.002 of appendix A. The penalty is the greater of:
 - (1) \$150; or
 - (2) an amount equal to the permit application fee and inspection fee.

 - c. **Foregoing Citations:** The City will not issue criminal citations to owners, contractors, and subcontractors who performed work on eligible projects (as defined below) and who timely submit *administratively complete* applications for the applicable after-the-fact building permits as provided in this order.

3. **Eligible Projects:** Projects eligible for the grace period created by this order are limited to construction-related work performed between March 25, 2020, and April 28, 2020, on pre-existing commercial properties in the City Limits.
4. **Deadline:** May 15, 2020, 5:00 p.m., is the deadline to submit *administratively complete* permit applications to the City for after-the-fact building permits for eligible projects.
5. **Permit & Inspection Fees:** All applicable permit fees and inspection fees remain in full force and effect. Anyone applying for after-the-fact building permits under the terms and conditions of this order must remit payment to the City of all applicable permit and inspection fees at the time of submission.
6. **Duration:** This order is temporary and shall automatically expire and be of no further effect upon the City's final disposition (i.e., approval or denial) of all permit applications filed hereunder before the deadline established above.
7. **Reservation of Rights:** The City of Bastrop expressly reserves the right to fully and vigorously enforce its Code of Ordinances and all standard, international codes adopted therein, except as narrowly provided herein. Nothing in this order is to be construed to waive any rights of the City of Bastrop to pursue all remedies available at law (civil and criminal) to achieve code compliance, subject to the terms established in this order.
8. **Repealer:** Any prior or conflicting Emergency Order is hereby *repealed* to the extent necessary to effectuate this Emergency Order.
9. **Authority:** This Emergency Order is hereby enacted in accordance to the authority vested in my office pursuant to:
 - Texas Government Code Chapter 418,
 - City of Bastrop Home Rule Charter Section 3.08,
 - City of Bastrop Code of Ordinances Article 1.08,
 - City of Bastrop Emergency Management Plan,
 - Bastrop County Preparedness & Response Plan (Pandemic Influenza), and
 - Declaration of Local Disaster executed on March 16, 2020 (as confirmed and extended by the City Council via Resolution R-2020-32 on March 16, 2020).
10. **Official Determination:** In my official capacity as Mayor, Emergency Management Director, and member of the Policy Coordination Group for Bastrop County, I consider this action to be reasonable, prudent, and necessary for the preservation of life, and disaster mitigation, response, and recovery. This Order is critical to protecting the public health, safety and welfare.

THUS ORDERED:

by:


Connie B. Schroeder
Mayor, City of Bastrop