

ORDINANCE 18 - 08

AN ORDINANCE OF THE CITY OF COMMERCE, TEXAS AMENDING APPENDIX “C”, “FEES, RATES AND CHARGES” OF THE CODE OF ORDINANCES OF THE CITY OF COMMERCE, TEXAS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING FOR A SAVINGS/REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the adoption of the amended Code of Ordinances requires that a separate ordinance be passed incorporating fees to be applied to City operations; and,

WHEREAS, City Staff has studied the cost of providing the services and enforcing the regulatory schemes which are currently not being covered by the existing fees; and,

WHEREAS, after receiving and reviewing the aforementioned costs, the City Council finds that the fees established herein do not exceed the amount reasonably necessary to provide the services and administer and enforce the regulatory programs to which they are related; and,

WHEREAS, the City Council finds that the fines, fees, and rates described herein are necessary to provide for the services and regulated programs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS, THAT:

SECTION 1. FINDINGS INCORPORATED.

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. AMENDMENT.

Appendix “C” entitled “Fees, Rates, and Charges” of the Code of Ordinances of the City of Commerce is hereby replaced and a new Appendix “C” entitled “Fees, Rates, and Charges” of the Code of Ordinances is hereby adopted to be and read in its entirety and all the remaining section and subsection of Appendix “C”, “Fees, Rates, and Charges” not expressly amended hereby shall remain in full force and effect.

Sec 1 – Schedule of fees, rates, etc., for city services.

Rates, fees, charges, deposits, etc., to be charged for city services shall be as established in the following schedule:

UTILITY FEES:

Water Connection Deposits

Residential, Owner Occupied	\$100.00/each
Residential, Rental/Tenant Occupied	\$150.00/each
Residential Outside City Limits	\$100.00/each
Commercial (Low to Normal Usage)	\$100.00/each
Fire Hydrant Meter Deposit	\$500.00/each
Large commercial utility users such as apartments, restaurants, laundries, and industries will have the deposit calculated by using the charges of a similar user for a two (2) month period.	

Water Tap Fees

¾"	Dirt Street	\$850.00/each
¾"	Concrete/Asphalt	\$1050.00/each
1"	Dirt Street	\$950.00/each
1"	Concrete/Asphalt	\$1150.00/each
Horseshoe	Up to 1"	\$300.00/each
1 ½"	Dirt Street	\$1125.00/each
1 ½"	Concrete/Asphalt	\$1300.00/each
2"	Dirt Street	\$1200.00/each
2"	Concrete/Asphalt	\$1350.00/each
Larger than 2"	\$1350.00 minimum fee plus cost of material and labor/each	

Water Tap Fees, Multi-Family

Fourplex	Required to install one 2" water tap with one manifold and a separate meter for each unit.	
Multi-family complexes larger than fourplex	Required to install one 2" water tap and one manifold per every six units with a separate meter for each unit.	
Meter spacing must be detailed on construction site plans for sufficient spacing and accessibility.		
2" Dirt Street	\$1200.00/each	
2" Concrete/Asphalt	\$1350.00/each	
Manifold	\$1500.00/each	
¾" Meter	\$100.00/each	

Water Tap Fees, Sprinkler System

¾"	Yard Line	\$250.00/each
1"	Yard Line	\$350.00/each

Yard line taps for sprinkler systems are tapped in the meter box and require a backflow device installed, and must be certified and tested before the meter will be turned on for active use. The report for the backflow device shall be delivered to Community Development to be attached to the property file.

Sewer Tap Fees

4"	Dirt Street	\$650.00/each
4"	Concrete/Asphalt	\$850.00/each
6"	Dirt Street	\$800.00/each
6"	Concrete/Asphalt	\$1000.00/each
6" sewer taps that have secondary sewer lines attached may require a manhole installed at the intersection of the 6" sewer line and mainline. Costs appropriate with material and labor and may have third party installers due to depth of lines and connection requirements of TCEQ.		

Other Fees

Application and Transfer Fee	\$30.00/each
Late Charge/20 th Day After Billing Date	10% of Bill
Meter Reread (One free reread annually)	\$30.00/each
Processing Fee/30 th Day After Billing Date	\$30.00/each
Returned Check Fee	\$30.00/each
Temporary Water Service (7 Days)	\$30.00/each
Bulk Water Purchase (Up to 2,500 gallons per trip to 700 Washington Service Center)	\$10.00/each

PARKS AND RECREATION FEES:

Description	Residents	Non-Residents
Existing Recreation Programs		
Basketball Registration	\$50.00	\$60.00
Baseball/Softball Registration	\$60.00	\$70.00
Soccer Registration	\$50.00	\$60.00
Volleyball Registration	\$50.00	\$60.00
Swim Team Registration	\$75.00	\$85.00
Track & Field Registration	\$50.00	\$60.00
New Programs		
Fees for new programs may be set by the Director of Parks and Recreation with approval by the City Manager on a case by case basis. Nonresidents shall pay a \$10.00 surcharge per program or special event.		
Facility Rentals		
Pavilion Rental	\$50 for up to 6 hours \$10/hour for each additional hour thereafter	\$60 for up to 6 hours \$11/hour for each additional hour thereafter
Gym Rental	\$100 Deposit \$50 for up to 6 hours	\$100 Deposit \$60 for up to 6 hours

	\$10/hour for each additional hour thereafter	\$11/hour for each additional hour thereafter
Field Rental	\$50 Deposit \$25 for up to 6 hours \$10/hour for each additional hour thereafter	\$50 Deposit \$30 for up to 6 hours \$10/hour for each additional hour thereafter
Late Fees		
All programs are subject to a \$5.00 late fee for participants registering after posted deadlines.		
Discount Registration		
The Director of Parks and Recreation with approval of the City Manager may offer a discount on the cost of registration for up to \$10 for participants who register within a posted "early registration" period.		

BUILDING & DEVELOPMENT SERVICE FEES:

Planning and Development Fees

Plats	
Residential Plat/Replat	\$200.00/plus recording fees
Commercial Plat/Replat	\$200.00/plus recording fees
Vacating Plat, Amending Plat and Minor Plat	\$200.00/plus recording fees
Plat Variance Request/Appeal	\$200.00
Zoning	
Board of Adjustment Variance Request/Appeal	\$200.00
Conditional and Special Use Request	\$200.00
Planned Development District	\$200.00
Street, Alley, Easement Abandonment	\$200.00
Zoning Variance Request/Rezone/Appeal	\$200.00
Development Plans	
Single-Family and Two-Family Residential Building Plan Review Fee	Actual Cost
Multi-Family (3 or More Units) Residential Building Plan Review Fee	Actual Cost
Commercial Building and Site Plan Review Fee	Actual Cost
Engineering Review Fees	Actual Cost

Building Permit Fees

Building Permit - New Construction Residential	
*Permit includes electrical, plumbing, and mechanical.	
0 sq. ft. to 5,000 sq. ft.	\$250.00 base fee plus \$0.15/sq. ft.
5,001 to 10,000 sq. ft.	\$250.00 base fee plus \$0.13/sq. ft.
10,000 and Up	\$250.00 base fee plus \$0.12/sq. ft.

Building Permit - New Construction Commercial	
*Permit includes electrical, plumbing, and mechanical.	
*Total Valuation = \$50.00 per square foot or fair market value of all parts and labor, whichever is greater.	
\$1.00 to \$1,000.00	\$35.00

\$1,001.00 to \$50,000.00	\$35.00 for the first \$1,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof, up to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$350.00 for the first \$50,000.00 plus \$4.00 for each additional \$1,000.00, or fraction thereof, up to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$600.00 for the first \$100,000.00 plus \$4.00 for each additional \$1,000.00, or fraction thereof, up to and including \$500,000.00
\$500,001.00 and Up	\$2,000.00 for the first \$500,000.00 plus \$2.50 for each additional \$1000.00, or fraction thereof

Building Permit - Single-Family, Two-Family, Multi-Family and Commercial Alterations, Remodel, Fire Damage, Repairs, Roofing, and Swimming Pools	
*Permit does not include electrical, plumbing, or mechanical.	
*Permit is based on total valuation.	
\$1.00 to \$1,000.00	\$35.00
\$1,001.00 to \$50,000.00	\$35.00 for the first \$1,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof, up to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$350.00 for the first \$50,000.00 plus \$4.00 for each additional \$1,000.00, or fraction thereof, up to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$600.00 for the first \$100,000.00 plus \$4.00 for each additional \$1,000.00, or fraction thereof, up to and including \$500,000.00
\$500,001.00 and Up	\$2,000.00 for the first \$500,000.00 plus \$2.50 for each additional \$1000.00, or fraction thereof

Building Permits		
1	Building Permit - Electrical	\$50.00
2	Building Permit - Plumbing	\$50.00

Building Permit - Mechanical		
1	Base Permit Fee	\$35.00
Additional Fees Listed Below		
2	New Mechanical, Repair or Alteration – Heating, Air Conditioning, Refrigeration, Ventilating, Duct Work, Vent-a-hood, and Fire Protection	\$35.00 for the first \$1000.00 plus \$5.00 for each additional \$1000.00, or fraction thereof
3	Broiler/Compressor Installation, Relocation or Repair	33,000 BTU to 165,000 BTU....\$10.00 165,001 BTU to 330,000 BTU....\$15.00 330,001 BTU to 1,165,000 BTU....\$20.00 1,165,001 BTU to 3,300,000 BTU....\$25.00

Building Permit Inspection Fees		
1	Commercial and Multi-Family Inspection Fees	Actual Cost
2	Reinspection, Residential	\$76.92/each
3	Reinspection, Commercial	\$125.00/each

Miscellaneous Fees and Permits

1	Alcoholic Beverage Permit	50% of TABC Fees
2	Carport	\$50.00
3	Certificate of Occupancy, Commercial	\$100.00
4	Dance Hall Permit	\$200.00 per location/year
5	Demolition Permit, Accessory Building	\$50.00
6	Demolition Permit, Commercial	\$200.00
7	Demolition Permit, Residential	\$100.00
8	Driveway Permit	\$50.00
9	Fence Permit	\$50.00
10	Irrigation Permit, Residential	\$50.00
11	Irrigation Permit, Commercial	\$75.00
12	Mobile Home Park License	\$100.00/year
13	Residential Accessory Building Permit, 200 sq. ft. or less	\$50.00
14	Residential Accessory Building Permit, 200.01 sq. ft. or more	\$50.00 plus \$0.15 per sq. ft. over 200 sq. ft.
15	Right of Way Permit	\$75.00
16	Structure Moving Permit, Accessory Building	\$25.00
17	Structure Moving Permit, Single Family Residential	\$100.00
18	Temporary Sale Permit	\$10.00/per event
19	Working Without Permit	Twice Permit Fee

Contractor Registration Fees

1	Backflow Tester Contractor	\$50.00/year
2	Electrical Contractor	\$0.00/year
3	Electrical Sign	\$0.00/year
4	Fencing Contractor	\$0.00/year
5	Fire Protection Contractor	\$50.00/year
6	Fire/Security Alarm Contractor	\$50.00/year
7	General Contractor	\$0.00/year
8	Irrigation Contractor	\$50.00/year
9	Mechanical Contractor	\$50.00/year
10	Pool Contractor	\$0.00/year
11	Plumbing Contractor	\$0.00/year
12	Roof Contractor	\$0.00/year
13	Sign Contractor	\$50.00/year
14	Utility Contractor	\$50.00/year

Life, Health, and Safety Inspection Fees (Residential Occupancy Inspection)

1	Residential Structures and Residential Rental Units (Non-Apartment Complexes)	Initial Inspection....\$25.00/each First Reinspection Upon Failed Initial Inspection....\$0.00 Each Additional Reinspection....\$50.00/each
2	Apartment Complexes (3 or More Consecutive Rental Units)	Initial Inspection....\$10.00/unit First Reinspection Upon Failed Initial Inspection....\$30.00/unit Each Additional Reinspection....\$75.00/unit

Sign Permit Fees

1 st Sign	\$50.00
Each Additional Sign	\$17.50

Fire and Security Alarm Permit Fees

1	Security and Fire Alarm Permit, Residential	\$50.00/year
2	Security and Fire Alarm Permit, Commercial	\$50.00/year
3	False Security Alarm Fee	1-4 False Alarms....\$0.00 5-8 False Alarms....\$25.00/each 9-10 False Alarms....\$50.00/each 11 Plus False Alarms....Suspension of Permit
4	False Fire Alarm Fee	1-4 False Fire Alarms....\$0.00 5-8 False Fire Alarms....\$50.00/each 9-10 False Fire Alarms....\$100.00/each 11 Plus False Fire Alarms....Suspension of Permit

Health Permit Fees

1	Fixed Food Establishment Permit	\$120.00/annual
2	Temporary Food Permit	\$50.00/event
3	Public Pool Permit	\$100.00/annual

Brush and Limb Drop-off Fees

1	Residential Brush and Limb Drop Off Fee	\$5.00 per load for residents of the City of Commerce
2	Commercial Brush and Limb Drop Off Fee	\$20.00 per load

Aviation Fees

1	Ground Lease	\$30.00/month
2	City Owned T-Hangar Lease	\$100.00/month
3	Shade T-Hangar Lease	\$70.00/month
4	Enclosed T-Hangar	\$150.00/month
5	Incident Response Fee	\$500.00 (first hour) plus \$100.00 for each additional hour
6	Spill Clean-Up Fee, per Barrel of Absorbent + Any Fines Incurred	\$250.00

MISCELLANEOUS FEES:

Credit Card Fees:

If paid over phone or in person3% of total purchase

If paid through online services

(a) \$1.25 Utility Bill Payment

(b) \$1.50 Municipal Court Payment

Open Records:

If over 30 pages of regular sized copies \$0.10
per page

Nonstandard-size copy

- (a) Diskette \$1.00 each
- (b) Magnetic Tape \$10.00 each
- (c) VHS Video Cassette \$2.50 each
- (d) Audio Cassette \$1.00 each
- (e) Paper Copy \$0.50 each
- (f) Other Actual cost

Personnel Charge \$15.00
per hour

Overhead Charge 20% of personnel charge (can only charge overhead and labor if over 50
pages of standard sized copy)

Microfiche or Microfilm Charge:

- (a) Paper copy \$0.25
- (b) Fiche or film copy Actual cost

Remote document retrieval charge Actual cost

Computer resource charge:

Mainframe \$17.50 per minute

Midsized \$3.00 per minute

Client/Server \$1.00 per minute

PC or LAN \$0.50 per minute

Programming time charge..... \$26.00 per hour

Miscellaneous Supplies Actual cost

Postage and Shipping Charges Actual cost

Fax Charge \$2.00 per page

Other Costs Actual cost

Solicitors Permits:

Application Fee \$30.00

Each additional permit \$10.00

Itinerant Vendor License:

License \$50.00

Ordinance Books:

Bound \$250.00

Un-bound \$200.00

COURT FEES:

In accordance with state law

POLICE RECORDS:

Accident Reports \$4.00
per report

Other Records See open records

Fingerprints for handgun permits \$5.00

ANIMAL CONTROL

Impound fees \$10.00 per animal/per day

2nd offense \$25.00 per animal/ per day

3rd offense and each subsequent. \$45.00 per animal/ per day

Animal License No Charge

Impound of Livestock \$10.00 per day

Quarantine Fees \$10.00 per day/ 10 days

Accepting Animal Inside City Limits No Charge

Accepting Animal Outside City Limits in unincorporated areas of Hunt County No Charge

Accepting Animals Outside city limits but within the city limits of another municipality within Hunt County.....\$15.00 for the first animal, \$10.00 per each additional animal

Accepting Animal(s) Outside Hunt County \$100.00/per animal

Adoption Fee \$100.00 per dog/\$85.00 per cat

Euthanasia Request- \$50.00 per animal

SOLID WASTE FEES

Purchase Trash Bags per 25 bags (sold in bulk boxes only)..... \$5.25

Temporary Dumpster Initial Placement Fee (2-6 yard dumpsters only).... \$30.25

Temporary Dumpster Rental Fee..... \$1.98/day

Residential

Bulky Waste \$16.23

Per Cubic Yard..... \$15.95

Construction..... \$20.90

Commercial Hand Collect

Bags	Once Per Week	Twice Per Week
5 or fewer bags	\$21.45	\$25.85
6-10 bags	\$25.85	\$31.35
10-20 bags	\$30.80	\$34.10

Commercial Dumpster

Dumpster Size	Once Per Week	Twice Per Week	3 x Per Week	4 x Per Week	5 x Per Week
2 yards	\$48.40	\$75.90	\$105.60	\$128.70	\$150.70
3 yards	\$58.30	\$100.10	\$143.00	\$183.70	\$220.00
4 yards	\$74.80	\$126.50	\$184.80	\$232.10	\$278.30
6 yards	\$102.30	\$182.60	\$244.20	\$326.70	\$392.70

Open Top Containers

Dumpster Size	Daily Rental	Monthly
20 Cubic Yard	\$3.08	\$418.00
20 Cubic Yard (Shingles)	\$3.08	\$478.50
30 Cubic Yard	\$3.08	\$484.00
40 Cubic Yard	\$3.08	\$539.00
35 Cubic Yard Compactor	NA	\$583.00
40 Cubic Yard Compactor	NA	\$632.50

Any commercial non-standard waste disposal or waste disposal equipment not addressed in the above rates will be charges at 10% over the contractor's price.

SECTION 3. SAVINGS/REPEALING CLAUSE. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 4. SEVERABILITY CLAUSE. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council of the City of Commerce hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences clauses and phrases be declared unconstitutional or invalid.

PASSED AND APPROVED on the first reading at a regular meeting of the City Council of the City of Commerce, Texas on this the 18th day of September, 2018.

PASSED AND APPROVED on the second reading at a regular meeting of the City Council of the City of Commerce, Texas on this the 16th day of October, 2018.

ATTEST:

CITY OF COMMERCE:

Molly Jacobsen, City Secretary

Wyman Williams, Mayor

(seal)

Approved as to Form:

Patricia Adams, City Attorney

I, Molly Jacobsen, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a Resolution, and that the same has not been repealed and is in full force and effect.

(Seal)

Molly Jacobsen, City Secretary

Sworn to and subscribed before me, on this the _____ day of August, 2018 to certify which witness my hand and seal of office.

Notary Public, State of Texas

(Seal)