

CITY OF HACKBERRY, TEXAS

ORDINANCE NO. 208-11

AN ORDINANCE OF THE CITY OF HACKBERRY, DENTON COUNTY, TEXAS, ADOPTING A FEE AND PERMIT COST SHCEDULE FOR PERMITS AND OTHER SERVICES; PROVIDING FOR UPDATING THE "FEE/PERMIT SCHEDULE" BY RESOLUTION; REPEALING SECTION 1 "ADOPTION OF A FEE SCHEDULE (EXHIBIT "A") OF ORDINANCE NUMBER 129-04; REPEALING ORDINANCE NUMBER 195-09; PROVIDING A SEVERABILITY AND SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is incumbent upon the City of Hackberry, Texas (the "City") to establish and/or update fee and permit costs; and

WHEREAS, an updated and extended fee schedule is necessary to enable the City staff to assist a person, firm and/or corporation in obtaining a permit, filing required documents, and/or applying for various services, and to protect, promote and preserve the public health, comfort, convenience, safety and welfare.

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

Section I. Adoption of a Fee Schedule (Exhibit "A")

The "FEE / PERMIT SCHEDULE", Exhibit "A" as attached hereto is hereby adopted.

Section II. Providing for Adoption of a Resolution

The "Fee / Permit Schedule" may be updated when necessary by the adoption of a Resolution.

Section III. Severability

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 hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clause and phrase be declared unconstitutional or invalid.

Section IV. Savings

This Ordinance shall be cumulative of all other ordinances of the city and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of, and only to the extent, those ordinances are in direct conflict with the provisions of this Ordinance.

Section V. Effective Date.

This ordinance shall become effective immediately from and after its adoption and publication of caption, as the law in such cases provide.

ADOPTED by the City Council of the City of Hackberry, Texas, on this the 13th day of September, 2011.

APPROVED:

Jeromy Cannon, Mayor

Attest:

Brenda Lewallen, City Secretary

"EXHIBIT A"

2011 FEE SCHEDULE

BUILDING & CONSTRUCTION FEES:

STARTING WITHOUT A PERMIT: FEES ARE DOUBLED AND WITH RED TAG FEE OF \$70.00, THE COST OF THE PERMIT INCREASES DRAMATICALLY.

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WHEN THE PROPERTY OWNER AND CODE ENFORCEMENT DO NOT AGREE ON THE VALUATION, THE VALUE SHALL BE SET AT FIFTY PERCENT (50%) OF DENTON COUNTY APPRASIAL DISTRICT'S (DCAD) APPRAISED VALUE OF PROPERTY OF EQUAL SIZE/STRUCTURE.
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Commercial New Construction

Total Valuation Fees

\$1.00 to \$500.00	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to an including \$25,000.
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000.
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000.
\$100,001.00 to 500,000.00	\$993.73 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000.
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000.
\$1,000,001.00 & up	\$5,608.75 for the first \$1,000,00 plus \$3.65 for each additional \$1,000, or fraction thereof.

Energy Code \$300.00

Plan Exam Fee of 65% of Building Permit Fee to be paid at the submittal of documents for plan review.

Re-inspection Fees - \$47.00 - An additional 10% after the 2nd red tag.

Residential New Construction

Cost of Construction House and Swimming Pools

\$50.00 per 100 sq. ft. up to 1,000 sq. ft.

\$30.00 per 100 sq. ft. above the first 1,000 sq. ft.

Energy Code \$300.00

Re-inspection Fees - \$47.00 - An additional 10% after the 2nd red tag.

Cost of Construction Barns, Private Garages, Etc.

\$30.00 per 100 sq. ft. up to 1,000 sq. ft.

\$10.00 per 100 sq. ft. above the first 1,000 sq. ft.

Remodel Commercial/Residential

Total Valuation

Fees

\$1.00 to \$500.00	\$30.00
\$501 to \$2,000	\$30.00 for the first \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.
\$2001 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000.
\$25,001 to \$50,000	\$391.75 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000.
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000.
\$100,001 to \$500,000	\$993.73 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000.
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000.
\$1,000,001 & UP	\$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000, or fraction thereof.

Energy Code \$300.00

Plan Exam Fee of 65% of Building Permit Fee to be paid at the submittal of documents for plan review.

Re-inspection Fees - \$47.00 - An additional 10% after the 2nd red tag.

Paving Only

Total Valuation Fees

\$1.00 to \$2,000.00	\$75.00 for the first \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.
\$2,001.00 to \$25,000.00	\$95.00 for the first \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to an including \$25,000.
\$25,001.00 to \$50,000.00	\$400.00 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000.
\$50,001.00 to \$100,000.00	\$650.00 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000.
\$100,001.00 to 500,000.00	\$1,000.00 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000.
\$500,001.00 to \$1,000,000.00	\$3,250.00 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000.
\$1,000,001.00 & up	\$5,600.00 for the first \$1,000,001 plus \$3.65 for each additional \$1,000, or fraction thereof.

Re-inspection Fees - \$47.00 - An additional 10% after the 2nd red tag.

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New Roof Fees

1. Replacing a roof and the repair of more than 50% of a roof requires a permit. See the "Remodeling Fee Schedule."

Work Exempt From Permit Fee/Permit Required w/out Fee

1. Detached accessory buildings used as tool and storage sheds when pre-constructed.
2. Playhouse and similar uses provided the floor area does not exceed 120 square feet.
3. Fences not over 6 feet high.

Irrigation Installation Fees

1. See the "Remodeling Fee Schedule."

Culvert Fees

1. Existing Culvert With Curb Cut - \$100.00
2. New Culvert With Curb Cut - \$200.00
3. New Culvert or Culvert Extension Without Cut - \$100.00
3. Inspection Fee - \$35.00 and \$42.00 per re-inspection

Elevation and Drainage Fees

1. Elevation / Drainage Fee (Includes initial and final inspection) - \$275.00
(a) Each additional inspection - \$35.00

Demolition Fees

1. Demolition (includes initial and final inspection) - \$200.00
(a) Each additional inspection - \$50.00

Flat Work/Driveway Foundation Fees

1. Driveway not tying into city street - \$30.00
2. Driveway tying into city street - See Paving Fees
3. Flat Work (patio, basketball court, etc. - no electrical/plumbing. - \$30.00
4. Foundations (except mobile home) - No Fee (Included in building permit)
5. Mobile Home Foundation - Inspection Fee - \$75.00
Re-inspect Fee - \$40.00 plus 10% for each additional inspection

Miscellaneous Building Fees

1. Re-inspect fee 2nd red tag - \$47.00 (residential/commercial)
2. Re-inspect fee 3rd and more red tags - \$47.00 plus 10% = \$51.70
3. Fire plan review and inspection* - \$275.00 minimum/including all expenses for city staff's time will require Full reimbursement by applicant.
(* commercial only, requires Fire Marshall)

Contractor Registration Fees

1. Initial Contractor Registration and Identification Cards - \$50.00
 2. Annual Renewal of Registration - \$10.00
- *Note: Required Registration and ID Cards - General, Plumbing, Electrical, and HVAC.

Water Well Permit Fee

Applicants for water well permits shall pay a non-refundable permit fee when applying for such permit, and the city shall not act upon nor grant any water well permit until the permit fee has been paid in full. Permits will not be granted for water wells on property under one-half acre in size. New water wells drilled inside the city limits are restricted to landscaping use only, and shall not be permitted to enter the wastewater collection system.

Water Well Permit Fee - \$250.00

Move-In/Move-Out Permit Fee

Mobile/Mfg. Homes, Building (House/Storage/Etc.) - Fee - \$75.00 Per Section

*Note: Fee doubles if building is moved in or out without first receiving a permit.

Certificate of Occupancy (CofO) Inspection Fees

1. Certificate of Occupancy - \$50.00
2. Re-inspect for C of O - \$35.00
3. Commercial Units require annual inspections - \$25.00 annually after the initial inspection.

Temporary Vending Permit Fees

1. Non-stationary/Roaming Vendor Fee - \$20.00
Non-stationary/Roaming Vendor – A vendor that does not conduct business from one specific tract of land (one address) but travels throughout the city selling their goods (example: ice cream vendor).
2. Stationary Vendor Fee - \$30.00
Stationary Vendor – A vendor that conducts business from one specific tract of land (one address).
3. Garage/yard sales are exempt. \$ 0.00

Vending as it relates to food and/or drink – The sale of undisturbed, factory pre-packaged food and/or drink items.

*Note: Vendors serving food and/or drink that do not meet the above description, please see "Food Service Permit."

Food Service Permit Fees (Annual Registration and Inspection)

1. Food Service Establishments - \$150.00 per separate and distinct facility and operation whether situated in the same building or a separate location.
2. Grocery - \$250.00
3. Restaurant/Club (New Application & Annual Inspection) - \$250.00
4. Temporary/Seasonal Food Service Establishments - \$150.00
5. Food Sales at Temporary Event Fee - \$150.00
6. Convenience Store with a Deli (Annual Inspection) Fee - \$200.00
7. Convenience Store without a Deli (Annual Inspection) Fee - \$175.00
8. Re-inspection – One-half (1/2) the Health Inspector's fee

Business Related Fees

1. Alcoholic Beverages Selling and/or Serving:
 - (a) One-half (1/2) of the fee charged by the State of Texas as provided for and by the state law.
 - (b) Fee is due by the 15th day of January – annually.

Public Swimming Pools and Spas Permit Fees (Annual Inspection)

1. Public Swimming Pool or Spa - \$250.00 per separate and distinct facility and operation whether situated in the same building or at separate locations.
2. Re-inspection - One-half (1/2) the cost of one inspection by the Health Inspector.

*Note: Before a permit is issued, an applicant shall pay the fee(s) as required. The fees are due and payable on the 15th of January for each calendar year after the first year of issuance.

Water and Sewer Fees

1. Late Fees:
 - (a) A customer will be charged a 10% late fee for any balance due on a utility billing account after the 15th of each month.
2. Tap Fees:
 - (a) Water Tap Fee - \$2,000.00 + materials and labor
 - (b) Sewer Tap Fees - \$2,000.00 + materials and labor
3. Deposits:
 - (a) Water - \$110.00
 - (b) Sewer - \$70.00
 - (c) Sanitation - \$20.00
4. Connect Fees:
 - (a) Initial Connect Fee - \$25.00
 - (b) Reconnect Fee (Remove Lock) - \$50.00
 - (c) Reconnect/Reinstall Meter - \$100.00
5. Failed Piping (Reinstall Water/Sewer Tap) – Cost of Time and Materials
(Failed piping on private property requiring the plugging of a tap and re-tapping of the line.)
6. Orange Tag Fee - \$10.00
7. Water/Sewer/Sanitation Rates: See Ordinance Number 156.07.

Miscellaneous Fees

1. Return Check Fee - \$35.00
*Note: After the third returned check the city will receive money orders only for that person/agency/company.
2. Document Filing Fee (County Court House) – Billed minimum of \$35.00 or at 120% of invoice whichever is greater.
3. Appeal Fee for Reconsideration of a denial of an application - \$100.00
4. Open Records Request – Staff time at \$30.00 per hour plus ten cents (\$0.10) per copy.

Public Works/Engineering Fees

1. Administrative Processing Fee – 1% actual construction cost
2. Public Facilities Plan Review - \$500.00 + 1% est. construction cost
3. Public Facilities Inspection – 4% actual construction cost (cost of water/sewer/paving/storm drains)
4. ROW/Easement Crossing Permit - \$200.00
5. ROW/Easement Dedication Processing - \$250.00
6. Street Lights - \$50.00/light (minimum 4 lights)
*Note: Developer pays installation + 2 years operations.
7. Culvert/Approach Permit - \$150.00
8. FEMA Map Amendment Review - \$500.00 + Federal Review Fees (actual cost of administration, review and processing of the application)

Development Application Fees

1. Zoning Change / Special Use Permit Fees:
 - (a) Zoning - 0 to 5 acres - \$500.00
 - (b) Zoning - Excess of 5 acres - \$500.00 plus \$10.00 per acre over 5 acres
 - (c) Specific Use Permit - \$200.00 plus postage for notification.
2. Zone change Case Withdrawal:
 - (a) Before publication of a notice of Public Hearing – 50% Refund
 - (b) After Publication – No Refund
3. Planned Development - \$1,000.00 + \$10/acre
4. Variance/Appeal to Board of Adjustments - \$200.00
5. Site Plan (w/engineering plans) - \$1,500.00 + \$50/acre
6. Preliminary Plat (w/preliminary plans) - \$1,000 + \$5/acre + filing fees
7. Final Plat (w/construction plans) - \$1,000.00 + \$5/acre + filing fees
8. Short Form Plat - \$500.00 + filing fees
9. Re-plat - \$500.00 + \$50/affected lot + filing fee
10. Community Facilities Policy Waiver - \$200.00
11. Sign Permit – See Ordinance No. 164-08, 193-09, and 207-11
12. Zoning Administrator Interpretation Letter - \$100.00
13. Annexation Request - \$200.00
14. Subdivision name Change - \$200.00
15. Street Name Change - \$200.00
16. Zoning Verification letter - \$50.00
17. Traffic Impact Analysis (TIA) - \$1,500.00

*Note: All expenses, including legal fees, engineering fees, surveying fees, city staff time and postage costs for any required notifications will require full reimbursement by applicant.

Culvert Pricing

1. 12" Dia Galvanized CMP / \$8.33 per foot
2. 18" Dia Galvanized CMP / \$9.50 per foot
3. 30" Dia Galvanized CMP / \$11.00 per foot
4. Connector Bands are the same price as a foot of pipe.