



ORDINANCE NO. F. 20-01

"Amend Fee Schedule Ordinance"

AN ORDINANCE OF THE CITY OF NOLANVILLE, TEXAS, TO AMEND THE FEE SCHEDULE ORDINANCE; PROVIDE FOR FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, AN EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Nolanville ("City"), Texas has established a Fee Schedule Ordinance; and

WHEREAS, the City Council of the City of Nolanville, Texas strives to apply consistent fees for service and publish fees required by the Local Government Code; and

WHEREAS, the City Council of the City of Nolanville, Texas desires to amend the process and finds that the procedures herein will enhance enforcement;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF

NOLANVILLE, TEXAS:

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION II. AMENDMENT

Code of Codification Ordinance, Appendix A, Fee Schedule Amendment: See Appendix A for redlined changes.

SECTION III. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Ordinance.

SECTION IV. SEVERABILITY

Should any sentence, paragraph subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. REPEALER

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance.

SECTION VI. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.


SECTION VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code

PASSED AND APPROVED this 2nd day of January , 2020, by a vote of 3 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of the City of Nolanville, Texas.

CITY OF NOLANVILLE:

ATTEST:


Andy Williams, Mayor




Crystal Briggs, City Secretary

APPENDIX A
FEE SCHEDULE

ARTICLE A1.000 GENERAL PROVISIONS

Sec. A1.001 Deposit for expenses of professional services

In situations where the city manager anticipates the city's out-of-pocket expenses for professional services related to review of an application will exceed the amount recouped by the imposition of standard fees, the city shall require the applicant to pay a deposit. The amount of the deposit may range from \$1,000.00 to \$10,000.00, as deemed necessary by the city manager. Examples of projects for which a deposit may be warranted include (but are not limited to) annexations, subdivision plats, rezoning requests, and planned development districts. The deposit shall solely be applied to payment for professional services by engineers, attorneys, surveyors, architects, landscape architects, etc., that are specifically engaged by the city to consult directly on the applicant's proposed project. Payment of this deposit shall be an express condition of the city's review of and determination upon the application. Payment of the deposit does not guarantee approval of the application nor does payment of the deposit create a client relationship between the applicant and the professional services provider. Deposit funds shall not be expended by the city on code enforcement activities. The deposit shall be replenished by the applicant upon depletion within 30 days of being notified by the city in writing. Unused account balances shall be reimbursed to the applicant or applied to future permit applications, at the applicant's discretion. (Ordinance F18-03, sec. 16, adopted 3/1/18)

Sec. A1.002 Associated costs

Applicants on all permits or applications will be responsible for associated costs incurred in the application process. Associated costs may include, but are not limited to, outside professional services provided by engineers, attorneys, planners, surveyors, inspectors, publication of notices, and others, as required. Examples of projects for which a deposit may be warranted include (but are not limited to) annexations, subdivision plats, rezoning requests, and planned development districts. Required consultant costs will be billed at cost plus 10% to cover the city's additional administrative costs. The applicant is required to pay all associated costs prior to submittal for planning and zoning commission review. (Ordinance F18-03, sec. 17, adopted 3/1/18)

ARTICLE A2.000 ADMINISTRATIVE FEES AND FEES FOR CITY FACILITIES AND SERVICES

Sec. A2.001 Copy and fax fees, public information requests, and notary services

(a) Fees based on TAC title I, part 3, chapter 70:

(1) Copies (8" x 11" or 11" x 17"): \$0.10. (Ordinance F19-02 adopted 2/21/19)

(2) Color copies: \$0.50.

(3) Fax: \$2.00 1st page. Each additional page faxed, \$1.00.

(Ordinance F18-03, sec. 3, adopted 3/1/18)

(4) Media requests on CD: \$1.00/DVD: \$5.00. (Ordinance F19-02 adopted 2/21/19)

(b) Public information request: Fees based on TAC, title I, part 3, chapter 70.

(c) Notary services: Fees based on current state fee schedule, TGC 406.024.

(d) Certified copy: \$2.00

(Ordinance F18-03, sec. 3, adopted 3/1/18)

Sec. A2.002 Insufficient funds

Insufficient funds/returned check fee: \$35.00. (Ordinance F18-03, sec. 3, adopted 3/1/18)

Sec. A2.003 Debit or credit card payments

(a) Credit card convenience fees for city payments. Payments made by debit/credit:

| | |
|-------------------|--------|
| 0-\$100.00 | \$3.00 |
| \$101.00-\$200.00 | \$6.00 |

- (3) Tractor: \$50.00 per hour.
 - (4) Debris cleanup: \$100.00 per hour.
 - (5) Bulk pickup: ~~\$45.00 per 3 (Three) Cubic Yards \$25.00 minimum.~~
 - (6) Grass cutting private property (nuisance abatement): Actual cost plus \$100.00. Minimum of \$200.00.
 - (7) Junked vehicle abatement: Associated fees. *
 - (8) Nuisance abatement: \$100.00 per/hr.
 - (9) Substandard building demolition: Associated fees plus 10%[†].
- (Ordinance F18-03, sec. 3, adopted 3/1/18)

Sec. A2.008 Police fees

Accident and crash report fees are based on Texas Department of Transportation amounts. (Ordinance F18-03, sec. 3, adopted 3/1/18; Ordinance adopting Code)

ARTICLE A3.000 ANIMAL CONTROL FEES

- (a) Impound fee (chipped or tagged): \$25.00 per day.
 - (b) Impound fee (without chip or tag): \$35.00 per day. (\$10.00 of the fee is refundable if the proof of chipping the animal is presented within 30 days of the incident.)
 - (c) Adoption fee: \$20.00. Adoption fees may be waived at the discretion of the animal control officer.
 - (d) Surrender fee: \$70.00.
 - (e) Domestic dead animal pickup: \$30.00.
- (Ordinance F18-03, sec. 3, adopted 3/1/18; Ordinance adopting Code)

ARTICLE A4.000 BUILDING, DEVELOPMENT AND ZONING RELATED FEES^{}**

Sec. A4.001 Site development fees^{††}

- (a) Site development application fees:
 - (1) One (1) acre or less: \$250.00.
 - (2) More than one (1) acre: \$250.00. ~~Plus e~~Each additional acre: \$50.00.
 - (b) Construction plan review: Reimbursement for third-party costs the city incurs.
 - (c) Construction inspection fee: Reimbursement for third-party costs the city incurs.
 - (d) Administrative approval fee: \$250.00.
- (Ordinance F18-03, sec. 4, adopted 3/1/18)

Sec. A4.002 Subdivision fees^{*}

- (a) Pre-development meeting request application: \$200.00.
 - (b) Concept plan application fee, up to ten (10) lots: \$200.00. ~~Plus e~~Each lot over ten (10): \$5.00.
- (Ordinance F18-03, sec. 5, adopted 3/1/18)
- (c) Reserved.
 - (d) Preliminary plat application fee: \$350.00.
 - (e) Final plat (must have approved construction plans): \$350.00. ~~Pluse e~~Each lot: \$25.00.
- (Ordinance F19-02 adopted 2/21/19)
- (f) Construction plan review: Reimbursement for third-party costs the city incurs.
 - (g) Construction inspection fee: Reimbursement for third-party costs the city incurs.
 - (h) Plat amendment fee: \$100.00. ~~Plus e~~Each lot: \$25.00.

(E) Skirting (60 days to complete after move-in): \$40.00.

(F) Certificate of occupancy: \$40.00.

(G) Site inspections (privately owned lot): \$40.00.

(6) Signs:

(A) Construction cost:

| | |
|-----------------------------|----------|
| \$0 to \$300.00 | \$50.00 |
| \$301.00–\$1000.00 | \$90.00 |
| \$1001.00–\$25,000.00 | \$120.00 |
| \$25,001.00– \$75,000.00 | \$180.00 |
| Over \$75,000.00 | \$300.00 |

(B) City sign - noncommercial, community event, 7-day limit, first-come first-served basis: Exempt.

(C) Portable signs: \$30.00.

(D) Banners (per day displayed up to sixty (60) days; one hundred and twenty (120) days for noncommercial banners): \$1.00.

(7) Swimming pools:

(A) Above-ground: \$25.00.

(B) In-ground: \$75.00.

(C) Commercial or institutional pool: \$100.00.

(8) Miscellaneous fees: *

(A) Fence - more than 50% being replaced/repaired (public works final discretion on percentage): \$30.00.

(B) Roofing (re-roof, new roof, or any repairs totaling over 10% of existing roof): \$50.00.

(C) Porches/decks/covered patio: \$50.00.

(D) Shed: \$50.00.

(E) Flat work: driveway and sidewalks: \$30.00.

(F) Carport: \$50.00.

(G) Building or structure relocation/movement: Varies*.

(Ordinance F18-03, sec. 8, adopted 3/1/18; Ordinance adopting Code)

Sec. A4.006 Inspection fees and miscellaneous fees[†]

(a) Electrical:

(1) Rough-in: \$40.00.

(2) Temporary service pole: \$40.00.

(3) Temporary final service: \$40.00.

(4) Final inspection: \$40.00.

(5) Electrical inspection (existing home): \$40.00.

(6) Solar: \$40.00.

(b) Plumbing:

(1) Underground (soil) inspection: \$40.00.

Sec. A5.003 Contractor's license

Contractor's license: \$100.00 per year. (Ordinance F18-03, sec. 13, adopted 3/1/18)

Sec. A5.004 Solicitors

- (a) Solicitor single day permit: \$25.00.
- (b) Solicitor monthly permit: \$100.00.
- (c) One or more soliciting agents: License fee above plus fee for each agent or employee so engaged, \$10.00 per additional agent, not to exceed ten (10).

(Ordinance F18-03, sec. 14, adopted 3/1/18)

Sec. A5.005 Mobile food trucks

Mobile food truck permit: \$5.00 annually. (Ordinance F18-03, sec. 14, adopted 3/1/18)

Sec. A5.006 Yard sale permit

Yard sale permit: \$5.00. Limited to four garage sales per year, not included city-wide garage sales. (Ordinance F18-03, sec. 15, adopted 3/1/18)

Sec. A5.007 Sale or distribution of alcoholic beverages

Alcohol permit: 1/2 of TABC fee annually. (Ordinance F18-03, sec. 14, adopted 3/1/18)

Sec. A5.008 Sexually oriented businesses

- (a) Sexually oriented business fee: \$500.00 annually.
- (b) Employee/entertainer permit:
 - (1) \$20.00 annually. National background check must be completed at the applicant's expense prior to submitting an application; fees are nonrefundable.
 - (2) Replacement for lost license: \$20.00.

(Ordinance F19-02 adopted 2/21/19)

ARTICLE A6.000 MUNICIPAL COURT FEES AND COSTS

- (a) Technology fund fee: Assessed in accordance with state law.
- (b) Building security fund fee: Assessed in accordance with state law.
- (c) Additional court cost for speeding in designated school crossing zone: Assessed in accordance with state law.

(Ordinance 9021 adopted 2/7/08; Ordinance 9022 adopted 2/7/08; Ordinance 204-2015 adopted 6/8/15; Ordinance D16-10 adopted 10/20/16)

ARTICLE A7.000 MISCELLANEOUS FEES

Sec. A7.001 Special event permit^{*}

- (a) Special event: \$150.00. Plus administrative fee if employee utilized.
- (b) Special event - nonprofit: \$40.00. Plus administrative fee if employee utilized.

(Ordinance F18-03, sec. 11, adopted 3/1/18)

Sec. A7.002 Burn permit

City site inspection: \$30.00. (Ordinance F18-03, sec. 12, adopted 3/1/18)

Sec. A7.003 Permit for public fireworks display

A fee of twenty-five dollars (\$25.00) shall be required for the issuance of a fireworks display permit. (Ordinance 60401, sec. 303.1, adopted 11/6/97)