

ORDINANCE NO. 2087

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EULESS, CHAPTER 30, "FEES," SECTION 30-5, "CONTRACTOR FEES," SECTION 30-13, "BUILDING FEES," SECTION 30-22, "OCCASIONAL AND GARAGE SALES," SECTION 30-28, "LIBRARY," SECTION 30-34, "WATER DEPOSITS," AND SECTION 30-40, "SUBDIVISIONS;" PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1.

Chapter 30, "Fees," Section 30-5, "Contractor fees," be amended to hereafter be and read in its entirety as follows:

Section 30-5 Contractor fees

- a) A contractor registration fee shall be paid in addition to other provisions provided in chapter 14. The fee for all contractors establishing registration data shall be \$100.00 annually, per 12 month period. Plumbing contractors shall not pay a registration fee.

- b) Re-inspection or after hours or other related fees.

Building re-inspection per hour (one-hour minimum):	\$47.00
Building after hours (two-hour minimum):	\$94.00
Plumbing re-inspection per hour (one-hour minimum):	\$47.00
Plumbing after hours (two-hour minimum):	\$94.00
Mechanical re-inspection per hour (one-hour minimum):	\$47.00
Mechanical after hours (two-hour minimum):	\$94.00
Electrical re-inspection per hour (one-hour minimum):	\$47.00
Electrical after hours (two-hour minimum):	\$94.00
Inspections in which no fee is specifically indicated (one-hour minimum):	\$47.00
For use of outside consultants for plan checking and inspections or both:	Actual cost
Stop work fee:	\$97.00

Investigation fee: An amount equal to the permit fee that may be assessed for work conducted without the proper permit having first been obtained.

SECTION 2.

Chapter 30, "Fees," Section 30-13, "Building fees," be amended to hereafter be and read in its entirety as follows:

Section 30-13 Building fees

- a) Residential single-family, two-family, townhome family construction valuation is based on \$97.00 per square foot.

Residential (new construction [combination], remodel, and miscellaneous) permit fee:

Total valuation	Fee
\$1.00 to \$500.00	\$45.00
\$501.00 to \$2,000.00	\$45.00 for the first \$500.00 plus \$3.00 for each additional \$100.00 or fraction thereof.
\$2,001.00 to \$25,000.00	\$90.00 for the first \$2,000.00 plus \$15.00 for each additional \$1,000.00 or fraction thereof.
\$25,001.00 to \$50,000.00	\$435.00 for the first \$25,000.00 plus \$10.00 for each additional \$1,000.00 or fraction thereof.
\$50,001.00 to \$100,000.00	\$685.00 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof.
\$100,001.00 to \$500,000.00	\$1,035.00 for the first \$100,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof.
\$500,001.00 to \$1,000,000.00	\$2,235.00 for the first \$500,000.00 plus \$2.00 for each additional \$1,000.00 or fraction thereof.
\$1,000,001.00 and up	\$3,235.00 for the first \$1,000,000.00 plus \$1.50 for each additional \$1,000.00 or fraction thereof.

- b) Commercial and multifamily residential construction valuations are based on the value of the work.

Commercial and multifamily residential (new construction [combination], remodel, and miscellaneous) permit fee:

Total valuation	Fee
\$1.00 to \$500.00	\$50.00
\$501.00 to \$2,000.00	\$50.00 for the first \$500.00 plus \$4.50 for each additional \$100.00 or fraction thereof.
\$2,001.00 to \$25,000.00	\$110.00 for the first \$2,000.00 plus \$18.00 for each additional \$1,000.00 or fraction thereof.
\$25,001.00 to \$50,000.00	\$520.00 for the first \$25,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof.
\$50,001.00 to \$100,000.00	\$900.00 for the first \$50,000.00 plus \$10.00 for each additional \$1,000.00 or fraction thereof.
\$100,001.00 to \$500,000.00	\$1,500.00 for the first \$100,000.00 plus \$8.50 for

\$500,001.00 to \$1,000,000.00	each additional \$1,000.00 or fraction thereof. \$4,900.00 for the first \$500,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof.
\$1,000,001.00 and up	\$8,400.00 for the first \$1,000,000.00 plus \$6.00 for each additional \$1,000.00 or fraction thereof.

Note: fees for re-roofing and the installation of water heaters are by separate flat fee as reflected in subsections (e) and (h).

c) Plan review fees for all commercial projects shall be 65 percent of the computed building permit fee. A nonrefundable plan review fee shall be assessed to all commercial and multifamily building permit applications at the time of plan submittal. A building permit application is not considered received until the plan review fee has been paid.

d) Temporary utility service: \$35.00.

e) Commercial re-roof permit: Fee based on valuation of work as per subsection (b).

f) Landscape irrigation permit and plan review fee:

Landscape irrigation permit fees for the single-family/two-family/townhome family residential installation of landscape irrigation systems will be based on the residential permit fees within subsection (a). All valuation of work for single-family/two-family/townhome family residential landscape irrigation will be calculated at \$1.00 per square foot of landscape to be irrigated.

Commercial and multifamily residential development landscape irrigation permits will be based on commercial and multifamily residential permit fees within subsection (b). Landscape irrigation installation valuations for commercial and multifamily developments will be provided by cost estimates from the contracting installer.

An irrigation plan review fee of \$100.00 will apply to all irrigation plans (residential, multifamily residential, and commercial) submitted in support of a landscape irrigation permit application.

g) Certificate of occupancy: \$50.00.

h) Water heater replacement:

Single-family/multifamily residential: \$60.00 per water heater unit **when not included as a portion of an additional plumbing permit.**

Commercial: Based on valuation of work as per subsection (b).

i) Fence permit fee:

Fence permit fees for the single-family/two-family/townhome family residential installation of fencing will be based on the residential permit fees within subsection (a). All valuation of work for single-family/two-family/townhome family residential fencing will be calculated at the following rates:

Valuation rates for residential fencing installation:

Type of fencing	Valuation rate
Wood/vinyl/chainlink	\$7.50 per linear foot
Ornamental metal (wrought iron, aluminum - may include masonry columns)	\$24.00 per linear foot
Full masonry	\$80.00 per linear foot

Commercial and multifamily residential development fence permits will be based on commercial and multifamily residential permit fees within subsection (b). Fence installation valuations for commercial and multifamily developments will be provided by cost estimates from the contracting installer.

j) Other methods for determining the project valuations for unique or unusual projects may be approved by the building official.

k) 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 180 days of the collection of the fee.

1) Fee collected in error. Any fee in this chapter that was collected in error shall be refunded in full.

2) Permit fees. When a permit is withdrawn or canceled by the applicant before any work has begun as authorized by that permit then 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.

SECTION 3.

Chapter 30, "Fees," Section 30-22, "Occasional and garage sales," be amended to hereafter be and read in its entirety as follows:

Section 30-22 Occasional and garage sales

Garage sale permit: **No cost.**

SECTION 4.

Chapter 30, "Fees," Section 30-28, "Library," be amended to hereafter be and read in its entirety as follows:

Section 30-28 Library

- 1) Library materials and facilities. The following fees are established for use or misuse of library materials and facilities:

Type of Material	Fine per Day per Item
Books, CDs, kits, DVD's and other items	\$0.25
Interlibrary loan	\$0.50
Maximum overdue fine to accrue: \$10.00 or the price of the item (whichever is lower).	
Duplicate library card:	\$2.00.
Items lost or damaged:	Replacement cost plus \$5.00 per item reprocessing fee.
Items not listed in replacement data bases:	
Children's book, CD, or DVD	\$15.00
Adult hard cover book	\$25.00
Trade paperback book	\$10.00
Mass market paperback	\$5.00
Missing bar code	\$1.00
Cost of sending overdue notice by certified mail	Actual cost of postage
Fax:	
Receive, per page	\$0.25
Send, per page	\$1.00
Copies (from copier, microfiche reader/printer, and personal computers), per copy	\$0.10
Collection agency charge for overdue and non-returned materials	\$8.95
Color copies	\$1.00 each
Interlibrary loan	\$2.00 each item, non-Eules residents

- 2) Library meeting room:

a) Base room charge –

Eules residents	\$60.00 per hour
Non-Eules residents	\$120.00 per hour

b) Attendant Fee - per hour (if required): **\$20.00.**

c) Payment policy - A signed contract and payment in full of the room charge is required to secure the room reservation. Refunds on room charges are made when the cancellation is received in writing two weeks prior to the event. If the reservation is cancelled less than two weeks prior to the event refunds will be considered on an individual basis.

d) Damage deposits -

No food or drinks served	\$50.00
Food or drinks served	\$200.00

This deposit will serve as security for any additional cleanup of the facility and will be applied toward any damage to the facility. The deposit is to be paid by separate check with signed contract. The damage deposit will be refunded to the patron within ten business days after the date of the reservation and after a thorough inspection of the meeting facility. The damage deposit will be refunded if the reservation is cancelled two weeks prior to the event. If the reservation is cancelled less than two weeks prior to the event the damage deposit refund will be considered on an individual basis.

e) Security officer - **Actual cost. All events will be reviewed to determine if the City will require security officer(s) be present. This fee is in addition to attendant fee.**

f) Catering - An approved caterers' list will be available to those wishing to have an event catered. Approval of a caterer involves providing a certificate of insurance with the city named as an additional insured on said certificate, a copy of certificate of health, and a signed catering agreement with the city is due two weeks prior of planned event.

SECTION 5.

Chapter 30, "Fees," Section 30-34, "Water deposits," be amended to hereafter be and read in its entirety as follows:

Section 30-34 Water Deposits

If the deposit is paid or the request for transfer of service is received before noon, service can be connected that same day. If the deposit is paid or transfer of service received after noon, service can be connected the following working day. No specific times can be designated other than four-hour increments (8:00 a.m. to 12:00 noon, 1:00 p.m.–5:00 p.m.). If the customer requires service be turned on immediately, a same day service fee will be charged. In addition to the water deposit, a service initiation fee will be charged to establish a new account.

Residential units	\$60.00
Commercial sprinkler	\$450.00
Shell buildings	\$200.00
Motels, per unit:	\$60.00
Apartments, per unit	\$60.00
Office buildings, per suite	\$60.00
Fire hydrant meter deposit	\$2,000.00

Deposits for commercial customers shall not be less than \$75.00 and shall be calculated to equal the multiple of \$5.00 nearest the estimated average monthly billing for the particular type of customer involved. Calculation shall be based on water, sewer and garbage monthly billing.

If the amount of the surety deposit exceeds \$5,000.00, the requirement for the security deposit may be met by providing a surety bond, which shall be in the amount of the deposit otherwise required. Such surety bonds shall be subject to the approval of the city attorney and shall be supported by powers of attorney as he may direct. In addition to any requirements of the city attorney, such surety company shall be licensed to do business in the State of Texas and shall be “T-listed.”

Miscellaneous charges:

Water source transfer fee	\$275.00 (each occurrence)
Meter relocation	\$200.00
Meter box and lid (five-eighths-inch)	\$20.00
Meter box and lid (two inches)	\$35.00
After hours service call	\$25.00
Same day service fee	\$15.00
48-hour water service	\$25.00
Repair of curb stop	\$50.00
Meter box lid	\$12.50
Fire hydrant meter (cost)	\$795.00
Inspection (water turned on for 24 hours for the purpose of a home inspection)	\$10.00
Tampering with meters	\$150.00 (additionally, criminal charges may be filed in accordance with Texas Penal Code statutes)

Service initiation fee	\$15.00
Transfer fee	\$15.00
Recheck of meter read	\$10.00 All customers are allowed one recheck every six months at no charge; a charge will be assessed for all others unless the meter has been misread.
Emergency cut-off by city personnel (broken pipes or freeze damaged pipes)	No charge
Cut-off for plumbing repairs	No charge. The curbstop at the meter belongs to the city; all customers should have a working cutoff close to their house.
Negligent damage to meter or any associated electronic device	Replacement cost

Meter calibrations (inches):

5/8	\$50.00
1	\$87.50
1-1/2	\$137.50
2	\$150.00
3	\$175.00
4	\$225.00

Delinquent accounts:

If any month's charges are delinquent after 15 days, the water service of the user or customer will be subject to termination.

Delinquent commercial and multifamily utility accounts subject to delinquent turn off will be billed an additional security deposit not to exceed 30 percent of the average monthly billing or as deemed appropriate by the utility billing manager upon review of the utility account.

Failure to return fire hydrant meter for reading	\$500.00
Home collection	\$20.00
Service charge to deliver delinquent tag	\$20.00
Allow serviceman to collect check or money order at door on delinquent account	No additional deposit, no reconnect fee.

Reconnection of service after delinquent turnoff:

Additional deposit	\$20.00
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Service charge	\$20.00
Administrative fee associated with placing liens against non-homestead property for unpaid utility bills	\$50.00

SECTION 6.

Chapter 30, "Fees," Section 30-40, "Subdivisions," be amended to hereafter be and read in its entirety as follows:

Section 30-40 Subdivisions

Application for preliminary plat	\$275.00
Application for final plat, where public improvements are proposed	\$275.00 Plus \$5.00 per acre or \$3.00 per lot or unit
Application for final plat, where no public improvements are proposed	\$275.00
Conveyance plat	\$150.00
Corrected plat, where no public improvements are proposed	\$225.00
Land plan application	\$275.00
Plat extension	Same as original plat fee
Public works inspection	3% of actual construction cost
Public works inspection (after hours and weekends)	Additional \$50.00 per hour/two-hour minimum
Public works water main bacteriological testing	First test \$50.00 per sample. Subsequent retests: \$250.00 per sample.
Replat, where public improvements are proposed	\$275.00 Plus \$100.00 if a public hearing is required Plus \$5.00 per acre or \$3.00 per lot or unit
Replat, where no public improvements are proposed	\$275.00

Filing fee. Where any final plat, replat, conveyance plat, minor plat, corrected plat or zoning variance decision is filed with Tarrant County for recording, a fee equal to the amount charged by the Tarrant County Clerk will be required.

Special studies (hydraulic analysis, traffic analysis, etc.)	Actual cost plus 10%
Street and drainage escrow, per linear foot per foot of width	\$5.00
Sanitary sewer pro-rata (lineal foot frontage)	\$20.00
Variances or special exceptions to the planning regulations (Ch. 84, Articles IX, X, XI and XII of the Code of Ordinances (UDC), per hearing	\$235.00
Water pro-rata (lineal foot frontage)	\$20.00

SAVING CLAUSE. That applicable chapters of the Code of Ordinances, City of Euless, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SEVERABILITY CLAUSE. That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage with billing cycles beginning on or after October 1, 2015, and as provided by the Euless City Charter and the laws of the State of Texas.

PRESENTED AND APPROVED ON FIRST AND FINAL READING at a regular meeting of the Euless City Council on September 8, 2015, by a vote of ____ ayes, ____ nays, and ____ abstentions.

APPROVED:

APPROVED AS TO FORM:

Linda Martin, Mayor

Wayne K. Olson, City Attorney

ATTEST:

Kim Sutter, TRMC, City Secretary