

ORDINANCE NO. 764

**AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS AMENDING THE CODE OF ORDINANCES BY REVISING THE FEE SCHEDULE OF THE CITY FOR LICENSES, PERMITS OR OTHER SERVICES OF THE CITY WHERE REQUIRED BY ORDINANCE, RESOLUTION OR ORDER; PROVIDING THAT FUTURE REVISIONS OF THE FEE SCHEDULE SHALL BE PERMITTED BY RESOLUTION OF THE CITY COUNCIL; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Everman, Texas is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City Council has previously adopted Ordinance No. 630 of the Code of Ordinances of the City of Everman, Texas, setting forth the various fees for licenses, permits or other services of the City where required by ordinance, resolution or order; and

**WHEREAS**, the City Council has previously adopted the 1997 Uniform Administrative Code for the purpose of administration and enforcement of the various technical codes adopted by the City of Everman; and

**WHEREAS**, the fees for licenses, permits or other services necessarily fluctuate based on the changing administrative costs associated with them; and

**WHEREAS**, the City Council desires to adopt a new fee schedule that accurately represents present day administrative expenses incurred by the City in administering licenses, permits or other services.

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

**SECTION 1.  
FINDINGS OF FACT**

The statements made in the foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**SECTION 2.  
ENACTMENT**

The Schedule of Fees, Charges and Expenses attached hereto as Exhibit "A" is hereby adopted as Appendix 1 to the Code of Ordinances of the City of Everman for the purpose of defraying administrative costs connected with the processing, advertising, and reviewing of applications, appeals, and permits issued by the City of Everman. Exhibit "A" shall supplement the fees listed in the 1997 Uniform Administrative Code except, however, where there is a conflict between a fee listed in the 1997 Uniform Administrative Code and a fee listed in Exhibit "A". In such instance, the fee listed in Exhibit "A" shall be the fee charged.

**SECTION 3.  
REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed and replaced, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

**SECTION 4.  
PENALTY**

Any person, firm or corporation violating any of the provisions or terms of this Ordinance, upon conviction shall be fined not more than the sum of Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation continues shall constitute a separate offense.

**SECTION 5.  
SAVINGS CLAUSE**

All rights and remedies of the City of Everman, Texas are expressly saved as to any and all violations of the provisions of the ordinances of the City of Everman which have accrued at the time of the effective date of this Ordinance, and such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.  
SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.


**SECTION 7.  
PUBLICATION**

The City Secretary is hereby directed to publish in the official newspaper of the City of Everman, the caption and penalty clause of this Ordinance as required by Section 3.10 of the Charter of the City of Everman.

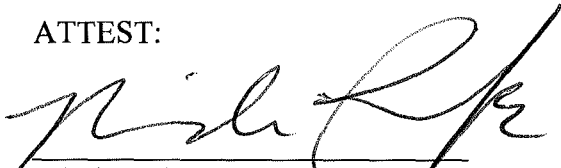
**SECTION 8.  
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

**PASSED AND APPROVED** this the 12 day of January, 2021, by a vote of 6 (ayes) to 0 (nays) to 1 (abstentions) of the City Council of the City of Everman, Texas.

By:   
Mayor Ray Richardson

ATTEST:

  
Mindi Parks, City Secretary

## **Exhibit "A"**

### **FEES FOR LICENSES, INSPECTIONS, PERMITS, PLATTING, ZONING, ETC.**

All persons, firms or corporations applying for licenses, permits, platting, zoning or other city services, activities or uses that by their nature require the applicant to pay a fee incident to such application, shall be required to pay the following fees:

#### **ADMINISTRATIVE FEES**

Certificate of Occupancy Residential	\$15.00
Certificate of Occupancy – Commercial	\$45.00
Returned Check	\$34.00
Fence New (first time)	\$45.00
Fence Repair/replace (No change to height, material & placement)	No Charge
Replace Fence (different height and/or material)	\$45.00
Copies (per page)	State Fee Chart
Mowing and/or Cleaning Property (City Crew):	
Administrative Fees (plus legal and/or filing fees)	\$100.00
Tractor/Mower with Operator	\$65.00/hr-Each
Loader with Operator	\$90.00/hr-Each
Dump Truck with Operator	\$65.00/hr-Each
Hand Mower/Weed Eater with Operator	\$45.00/hr-Each
Extra Personnel/Laborer	\$20.00/hr-Each
Contractor Cleaning/Mowing	Actual Cost plus \$100.00 Administrative Fee
Water Deposit (Residential Owner)	\$75.00
Water Deposit (Residential Renter)	\$150.00
Water Deposit (Commercial) additional \$15.00 for electrical inspection for C/O	\$90.00
Water Late Charges	\$50.00
Use of Hydrant Meter (deposit)	\$1500.00
	+ \$50.00 (service fee) & usage
Water Reconnection (After Shut-Off)	Move of City Utility

or Add Vault

\$50.00

Actual Cost

Water Transfer Fee	\$15.00
Rental Equipment	Actual Cost + \$50.00/hr per Operator
<u>PRELIMINARY PLAT</u>	\$310.00 + \$2.50 per Acre
<u>FINAL PLAT</u>	\$465.00 + \$2.50 per Lot+ Filing Fee
<u>REPLAT</u>	\$225.00 + \$5.50 per Lot+ Filing Fee
<u>SHORT PLAT, VACATED PLAT, AMENDED PLAT</u>	\$225.00 + Filing Fee

### **BUILDING CODES, PERMITS & INSPECTIONS**

All building code permits and inspection fees will be in accordance with the 1997 Administrative Code with the following exception:

Re-inspection fees may be assessed for inspections requested when work is not ready, when the work is not accessible for inspection, when previously identified code violation is not correct, when repeated violation is made by the same contractor on repeated jobs and/or as may be deemed appropriate by the building official. The re-inspection fee shall be assessed at \$45.00. The second re-inspection fee, for items not corrected from the first re-inspection, shall be assessed at \$75.00. The third and each subsequent re-inspection fee, for items not corrected from previous re-inspections shall be assessed at \$120.00.

Base Permit	\$45.00
Alterations & Repairs to Existing Structures	\$40.00
New Construction and Additions permits refer to Table 3-A of the 1997 Administrative Code	
Building Contractor Registration Fee	\$110.00
For use of outside consultant for Plan Reviews	Actual Engineering Cost \$350.00 to \$450.00 (minimum) or \$160.00/hr

### **MISCELLANEOUS**

Base Permit Fee	\$45.00
Detached Garages and/or Accessory Building	\$120.00 (not including permits, etc.)
Carports	\$90.00
Porch/Patio Covers	\$45.00
Swimming Pool, hot tubs, spas (above ground)	\$85.00
Swimming Pool, hot tubs, spas (in ground)	\$21.00

Fireplace	\$85.00
Demolition	\$100.00
Re-roof	\$45.00
Parking Lots	\$45.00

Underground Storage Tanks Including Lines	\$100.00
Tent (Commercial)	\$40.00
Carnival/Temporary Amusement	\$40.00
Drive Approach	\$45.00
Moving Building Into/Out of the City of Everman	\$300.00
Building Code Appeal	\$210.00
Signs - Base Mount Only (non-electrical)	\$100.00
Wall Sign	\$42.00

### **MECHANICAL CODE PERMITS AND INSPECTIONS**

Base Permit	\$45.00
Contractor Registration Fee	\$110.00
Single Family, Duplex, Townhouse & etc.	
Air Handling Unit	\$100.00
Apartments, Condominiums, Triplex & Larger	
Each Dwelling	\$100.00
Commercial Cooling System or Cooling/Heating System	\$100.00
Less Than 100 Tons	+ \$6.10/ton
101 Tons or Greater	\$310.00 + \$1.10/ton
	\$45.00
Ducts (New)	

### **MISCELLANEOUS**

Base Permit Fee	\$45.00
Replacement of Furnaces, Condensing Unit or Cooling/Heating System	\$45.00
Vent-A-Hood for Commercial Cooking	\$45.00
Dry Chemical Fire Extinguishing System	\$45.00



Re-Inspection	1 <sup>st</sup> - \$45.00
	2 <sup>nd</sup> (same items ) - \$75.00
	3 <sup>rd</sup> (same items) - \$120.00
Mechanical Code Appeal	\$250.00
Grease Interceptor	\$100.00

## **PLUMBING CODES, PERMITS & INSPECTIONS**

Base Permit	\$45.00
Single Family, Duplex, townhouse, etc. (new construction)	\$.09/sq. ft.
Apartments, Condominiums, Triplex, etc. (new construction)	\$.10/sq. ft.
Commercial (use unit fee schedule 1997 Administrative Code)	\$45.00
Unit Fee Schedule for:	
Each Plumbing Fixture, Trap, Set Fixture, Water Heater, etc.	\$45.00
Each Building Water Line	\$45.00
Each Building Sewer Line	\$45.00
Installation/Repair of Water Piping &/or Water Treatment Equipment	\$45.00
Repair or Alterations to Drainage/Sewer Equipment	\$45.00
Lawn Sprinkler System Including Backflow Device	Residential \$110.00 Commercial \$130.00
Gas Line Pressure Check	\$42.00
Gas Fired Appliances w/Special Vent	\$42.00
Each Gas Pipe System Inspection	\$42.00

## **MISCELLANEOUS**

Re-Inspection	1 <sup>st</sup> \$45.00 2 <sup>nd</sup> (same items) \$75.00 3 <sup>rd</sup> (same items) \$120.00
Plumbing Code Appeal	\$200.00

## **ELECTRICAL CODES, PERMITS & INSPECTIONS**

Base Permit Fee	\$45.00
Single Family, Duplex, townhouse, etc.	\$.09/sq. ft.
Apartments, Condominiums, Triplex, etc.	\$.07/sq. ft.

Commercial (use unit fee schedule 1997 Administrative Code+ base fee)

Residential additions or conversions (use unit fee schedule 1997 Administrative Code + base Fee)

Electrical Generators \$45.00

### **MISCELLANEOUS**

Signs \$45.00

Temporary Power to Any Structure \$45.00

Re-Inspection 1<sup>st</sup> \$45.00

2<sup>nd</sup> (same items) \$75.00

3<sup>rd</sup> (same items) \$120.00

Electrical Code Appeal \$250.00

### **APPLICATION & APPEALS REGARDING THE CITY'S PLANNING & ZONING & SUBDIVISION ORDINANCE**

<b><u>TYPE OF APPLICATION, APPEAL OR PERMIT</u></b>	<b><u>REVIEWING BODY</u></b>	<b><u>AMOUNT</u></b>
1. Amendment to Zoning District Maps (Conventional Zoning Change Plats, etc.)	P & Z Commission	\$350.00
2. Amendment to Zoning District Maps and Text (PUD-Planned Unit Development)	P & Z Commission	\$500.00
3. Application for Special Exception (Special Use Permit)	B.O.A.	\$350.00
4. Appeal of Zoning Administrative Decision	B.O.A.	\$350.00
5. Application for Variance	B.O.A.	\$350.00
6. Appeal of Subdivision Regulations And/or Design Criteria Commission	P & Z Commission	\$350.00
7. Annexation	P & Z Commission	\$250.00

### **BUILDING VALUATION DATA**

## **FIRE CODES, PERMITS & INSPECTIONS**

### Inspections:

5,000 sq. ft or less	\$40.00
5,001 – 10,000 sq ft	\$45.00
10,001 – 25,000 sq ft	\$55.00
25,001 – 50,000 sq ft	\$70.00
50,001 – 75,000 sq ft	\$100.00
75,001 – 100,000 sq ft	\$140.00

### Operational Permit Fees:

Aerosol Products	\$50.00
Amusement Buildings	\$100.00
Aviation Facilities	\$50.00
Battery Systems	\$50.00
Combustible Dust-Producing Operations	\$50.00
Combustible Fibers	\$50.00
Compressed Gases	\$50.00
Covered Mall Buildings	\$50.00
Cryogenic Fluids	\$50.00
Cutting and Welding	\$50.00
Flammable and Combustible Liquids	\$50.00
Hazardous Materials	\$350.00
HPM Facilities	\$270.00
High Piled Storage	\$50.00
Industrial Ovens	\$50.00
Lumber yards and woodworking Plants	\$50.00
Liquid or Gas-Fueled Vehicles/Equipment in assembly buildings	\$50.00
LP-Gas	\$50.00
Magnesium	\$50.00
Open Flames	\$50.00
Organic Coatings	\$50.00
Place of Assembly (Occupant Load of 1-299)	\$40.00
Place of Assembly (Occupant Load of 300-999)	\$150.00
Place of Assembly (Occupant Load of 1,000 – 9,999)	\$200.00
Place of Assembly (Occupant Load of 10,000 – 19,999)	\$300.00
Place of Assembly (Occupant Load of 20,000 – 29,999)	\$400.00
Place of Assembly (Occupant Load of 30,000 – 39,999)	\$500.00

Place of Assembly (Occupant Load of 40,000 – 49,999)	\$600.00
Place of Assembly (Occupant Load of 50,000 +)	\$1,000.00
Repair Garages and Motor Fuel-Dispensing Facilities	\$50.00
Spraying or Dipping	\$50.00
Storage of Scrap Tires and Tire byproducts	\$250.00
Temporary Membrane Structures, Tents, and Canopies	\$50.00
Tire Rebuilding Plants	\$50.00
Waste Handling	\$100.00

### **POLICE DEPARTMENT FEES**

#### Permits:

Residential Alarm Permit	\$30.00
Commercial Alarm Permit	\$50.00

### **MISCELLANEOUS**

Police Security (per Officer)	\$45.00/hour
Impounded Vehicle Release Fee	\$15.00
Fingerprint Services	\$10.00/card
Fingerprint Cards	\$1.00/card
False Alarm	\$50.00
Offense/Incident Reports	\$0.10 per page
Accident Reports	\$6.00 per report
Video	\$5.00 per drive
Labor charges for certain items in compliance with TX Admin Code	\$15.00/hour

### **PUBLIC LIBRARY**

Zone 1 Membership (Residents inside City Limits)	Free
Zone 2 Membership (within Everman ISD, excluding the Forest Hill City Limits)	
Senior Citizen (65+)	\$5.00/Annual
Single User	\$10.00/Annual
Families (Multiple User)	\$20.00/Annual
Zone 3 Non-Resident Membership	
Senior Citizen (65+)	\$10.00/Annual
Single User	\$20.00/Annual
Families (Multiple User)	\$40.00/Annual