

## **ORDINANCE NO. 567**

**AN ORDINANCE AMENDING SECTION 2-3 OF THE KENNEDALE CITY CODE (1991), AS AMENDED, BY AMENDING, REPEALING, OR PROVIDING FOR FEES FOR CERTAIN CITY SERVICES; PROVIDING FOR THE ADOPTION OF ADDITIONAL FEES BY ORDINANCE; PROVIDING FOR THE REPEAL OF FEES INCONSISTENT WITH THE FEES ESTABLISHED HEREIN; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kennedale 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**, in order to offset costs associated with the administration, investigation and implementation of ordinances and regulations applicable to development and other activities, the City Council has previously established a schedule of fees; and

**WHEREAS**, the City Council now desires to update its schedule of fees by amending or repealing certain fees and adopting new fees; and

**WHEREAS**, the City Council desires to repeal all previously adopted fees, which are inconsistent with fees established by this ordinance.

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

### **SECTION 1.**

Section 2-3 of the Kennedale City Code (1992), as amended, is hereby amended to read as follows:

“Sec. 2-3. Fees for Licenses, Inspections, Permits, etc.

- (a) All persons, firms or corporations applying for licenses, inspections, permits 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 as established in Exhibit “A.”

- (b) The City Council shall periodically review the need for and the amount of fees for city services, uses and activities and shall adopt or revise it from time to time.
- (c) In addition to the fees established in paragraph (a) above, the City Council may adopt other ordinances from time to time establishing various fees for city services, activities and uses.
- (d) It shall be a violation of this Section to conduct any activity or commence any use for which the payment of a fee is required unless such fee has been paid.”

## **SECTION 2.**

The fees set forth in Exhibit A attached to this ordinance are hereby adopted.

## **SECTION 3.**

This ordinance shall be cumulative of all provisions of ordinances of the City of Kennedale, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

## **SECTION 4.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such 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 unconstitutional phrase, clause, sentence, paragraph or section.

## **SECTION 5.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

## **SECTION 6.**

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of Section 2-3 of the Kennedale City Code (1991), as amended, or any other ordinance or code provision affecting fees which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

#### SECTION 7.

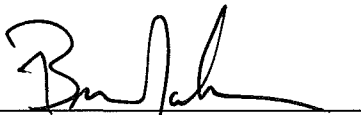
The City Secretary of the City of Kennedale is hereby directed to publish the caption, penalty clause, publication clause and effective date of this ordinance in every issue of the official newspaper of the City of Kennedale for two days, or one issue of the newspaper if the official newspaper is a weekly newspaper, as authorized by Section 52.011 of the Local Government Code.

#### SECTION 8.

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

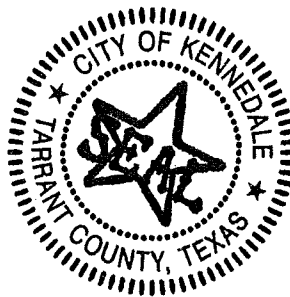
**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Kennedale, Texas, this the 16th day of March, 2015.

APPROVED:

  
\_\_\_\_\_  
Mayor, Brian Johnson

ATTEST:

  
\_\_\_\_\_  
Leslie Galloway, City Secretary



APPROVED AS TO FORM AND LEGALITY

  
\_\_\_\_\_

CITY ATTORNEY

EXHIBIT A: SCHEDULE OF FEES  
(03-16-14 Draft)

**ADMINISTRATIVE FEES (CURRENT)**

Ballfields			
KYA-Annual Lease Agreement			
Day	\$20.00		
Night	\$40.00		
Business License	\$25.00		
Itinerant Vendor License	\$100.00		
Certificate of Occupancy	\$55.00		
Credit Card Fees			
Municipal Court	3%	When payment of any fee, fine court cost or other charge related to Kennedale Municipal Court is made by credit card via phone, online or in-person, a fee equaling three (3) percent per fine, fine, court cost or other charge paid by credit card will be added to the fee, fine, court cost or other charge paid.	
Utility Billing	\$0.00	When payment of any fee or other charge related to Kennedale Utility Billing is made by credit card online or in-person, no fee will be required.	
Permitting	3%	When payment of any fee or other charge related to Kennedale Permitting is made by credit card via phone, online or in-person, a fee equaling three (3) percent per fee or other charge paid by credit card will be added to the fee or other charge paid.	
Miscellaneous/Other Activity	\$0.00	When payment of any fee or other charge related to any other miscellaneous activity is made by credit card online or in-person, no fee will be required. Phone payments are not accepted.  If, for any reason, a payment by credit card is not honored by the credit card company on which the funds are drawn, the city shall collect the same amount as the fee charged for the collection of a check drawn on an account with insufficient funds from the person who owes the fee, fine, court cost or other charge in addition to the original fee, fine, court cost or other charge.	
Returned Check	\$30.00		
Request For			
Annexation	\$200.00		
Zoning Change or Amendment	\$500.00	0-10 Acres	
	\$1,500.00	10 Plus More Acres	
Variance	\$250.00		
Special Use Permit	\$250.00		
Zoning Verification Letter	\$30.00		
Fingerprinting of Citizens for Record Checks	\$10.00	Per Card	
Gathering Station Inspection	\$1,000.00		
Printouts/Copies From Plotter	\$1.00	Per Square Foot	

**EXHIBIT A: SCHEDULE OF FEES**  
(03-16-14 Draft)

Request for Vehicle Accident Reports	\$6.00	Per Report
Community Center Rentals		
Residents (Living W/In Boundaries of Kennedale ISD)	\$30.00	Per Hour During Library's Normal Hours, Minimum \$100 Required
	\$40.00	Per Hour During Library's Closed Hours, Minimum \$100 Required
Non-Residents	\$40.00	Per Hour During Library's Normal Hours, Minimum \$100 Required
	\$50.00	Per Hour During Library's Closed Hours, Minimum \$100 Required
Deposit (Applies To All Users)	\$150.00	May Be Refunded Upon Successful Inspection
Senior Citizen Center Rentals		
Members (Current Application/Renewal On File)	\$75.00	Flat Fee Per Day
Non-Members	\$125.00	Flat Fee Per Day
Member Deposit (Current Application/Renewal On File)	\$75.00	May Be Refunded Upon Successful Inspection
Non-Member Deposit	\$150.00	May Be Refunded Upon Successful Inspection
Pavilion Rentals		
Residents (Living W/In Boundaries of Kennedale ISD)	\$60.00	For 2 Hours, \$90 For 4 Hours, \$115 For 6 Hours, \$140 For 8 Hours
Non-Residents	\$120.00	For 2 Hours, \$180 For 4 Hours, \$230 For 6 Hours, \$280 For 8 Hours
Deposit (Applies To All Users)	\$50.00	May Be Refunded Upon Successful Inspection
Library		
Overdue Book	\$0.25	Per Day
Photocopies From Copier	\$0.10	Per Page
Printouts From Computer	\$0.25	Per Page
Materials Lost or Damaged Beyond Repair	\$5.00	Processing Fee + Listed Retail Price
Repair of Inventory Material	Actual Cost	
Replace Lost or Damaged Audiobook Binder	\$5.00	
Replace Lost or Damaged CD Case	\$1.50	
Replace Lost or Damaged DVD Case	\$2.00	
Interlibrary Loan	No Charge	
Library Card Replacement	\$2.00	
Repair of CD/DVD	\$1.00	
Transmittal Fax Only (Local)	\$1.00	First Page, \$.25 Each Page Thereafter
Transmittal Fax Only (Long Distance)	\$2.00	First Page, \$.50 Each Page Thereafter
Mowing and/or Cleaning Property (Contractor)	Actual Cost	Plus \$100.00 Administrative Fee
Deposit-Residential Water	\$60.00	Renter's Deposit \$90. If Any Account Is Finaled Out With A Minimum Balance Of \$45 And Is 30 Days Past Due, A Double Deposit Is Required Per Account To Re-Establish Service.
Deposit-Residential Sewer	\$30.00	Renter's Deposit \$60. If Any Account Is Finaled Out With A Minimum Balance Of \$45 And Is 30 Days Past Due, A Double Deposit Is Required Per Account To Re-Establish Service.
Deposit-Commercial Water	\$100.00	If Any Account Is Finaled Out With A Minimum Balance Of \$45 And Is 30 Days Past Due, A Double Deposit Is Required Per Account To Re-Establish Service.

**EXHIBIT A: SCHEDULE OF FEES**  
(03-16-14 Draft)

Deposit-Commercial Sewer	\$50.00	If Any Account Is Finaled Out With A Minimum Balance Of \$45 And Is 30 Days Past Due, A Double Deposit Is Required Per Account To Re-Establish Service.
Deposit-Commercial/Industrial w/High Consumption	-	1/6 of Annual Consumption
Deposit-Water for Cleanup (15 Day Temp Service)	\$30.00	Per Day
Use of Bulk Unmetered Water	-	Rate Times Estimated Gallons
Deposit-Use of Bulk Water Meter (Fire Hydrant)	\$600.00	Plus \$50 Service Fee
Deposit-Use of Bulk Water Meter (Gas Drilling)	\$1,000.00	Plus \$50 Service Fee
Water Administrative Fee (Appear On Cut List)	\$20.00	
Establishment Fee	\$15.00	Applied To All New Accounts
Disconnect Service At The Main	Actual Cost	
Utility Equipment	Actual Cost	Meter, Meter Base, MTU, Register, Bullhead And Any Other Associated Equipment Installed For Water/Sewer Metering Purposes
Move City Utilities	Actual Cost	
Private Water Well Permit & Inspection	\$75.00	
Liquid Waste Permit	\$50.00	
Liquid Waste Trip Ticket Book	\$20.00	
Wrecker License and/or Permit	\$20.00	
Garage Sale Permit	\$10.00	
Preliminary Plat	\$300.00	Plus \$10.00 Per Lot
Final Plat	\$300.00	Plus \$10.00 Per Lot
Replat	\$500.00	0-10 Acres
	\$1,500.00	10 Plus More Acres
Minor Plat, Vacated Plat, Amended Plat	\$300.00	Plus \$10.00 Per Lot

***PERMIT FEES***

**MECHANICAL CODE PERMITS & INSPECTIONS**

Single Family, Duplex, Townhouse, Etc.	\$110.00	Per Air Handling Unit
Apartments, Condominiums, Triplex & Larger	\$110.00	Each Dwelling
Commercial Cooling/Heating System		
Less Than 100 tons	\$110.00	Per Air Handling Unit
101+ More Tons	\$110.00	Per Air Handling Unit

**MISCELLANEOUS**

Replacement of Furnaces, Condensing Unit or Cooling/Heating System	\$55.00	
Vent-A-Hood For Commercial Cooking	\$55.00	
Minimum Fee For Single Permit	\$55.00	
Plan Review (Single Family)	\$55.00	New/Remodel/Addition
Plan Review (Commerical, Industrial)	20%	Of Building Permit Cost, New/Remodel/Addition
Plan Review (All Other)	\$25.00	
Plan Re-Review	\$25.00	

**EXHIBIT A: SCHEDULE OF FEES**  
(03-16-14 Draft)

Re-Inspection Fee	\$55.00	
Mechanical Code Appeal	\$100.00	
All Unlisted Permits Per Inspection	\$55.00	
<u><b>FIRE CODE PERMITS, INSPECTIONS &amp; FEES</b></u>		
Fire Report	\$15.00	
EMS Report	\$15.00	
Fire Inspection (Annual, Bi-Annual of CO)	No Charge	
Re-Inspection	No Charge	
2 <sup>nd</sup> Re-Inspection	\$55.00	
3 <sup>rd</sup> or more Re-Inspection	-	Fee Doubles For Each Subsequent Inspection
Fire Site Plan Review	\$55.00	
Building/Fire Plan Review	\$55.00	
Fire Code Appeal	\$100.00	
Fire Suppression Systems	\$55.00	
Engine Standby Fee	\$150.00	Hourly
Brush Truck Standby Fee	\$75.00	Hourly
HazMat Squad Standby Fee	\$300.00	Hourly
Fire Marshall Standby Fee	\$40.00	Hourly
Paramedic Standby Fee	\$30.00	Hourly
False Alarm (3 <sup>rd</sup> or M'ore)	\$55.00	Fee Doubles For Each Subsequent Alarm
Ambulance Fees	Actual Cost	The actual cost of ambulance service shall be established according to the reasonable and customary reimbursement allowances used by applicable insurance carriers, as reviewed and approved by the City Manager on a quarterly basis.
<u><b>OIL &amp; GAS WELL PERMITS &amp; FEES</b></u>		
Fee Assessed Per Application Per Pad Site		
1st Well Requested On An Application for Pad Site	\$5,000.00	Each Additional Well On Same Application for Same Pad Site Is Same Cost as 1st Well. Also, Additional Wells Requested After Submission of Original Application For Particular Pad Site Shall Be Counted As New Application.
Annual Inspection Per Well	\$2,000.00	\$300 Per Additional Well On Same Pad Site
Annual Air Sampling & Reporting Fee Per Pad Site For Low-To-Moderate Impact Sites	\$12,000.00	
Annual Air Sampling & Reporting Fee Per Pad Site For High Impact Sites (To Be Determined By City)	\$45,000.00	May Be Paid In Quarterly Installments



**EXHIBIT A: SCHEDULE OF FEES**  
(03-16-14 Draft)

Annual Air Sampling & Reporting Fee As Needed	\$12,000.00	Per Instance Of Additional Monitoring
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***BUILDING CODE PERMITS, INSPECTIONS AND PLAN REVIEWS***

Construction Table Based On Total Valuation:

\$1.00 to \$500.00	\$23.50	
\$501.00 to \$2,000.00	\$23.50	For the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25	For the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to 50,000.00	\$391.25	For the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75	For the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75	For the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75	For the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 & Up	\$5,608.75	For the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

**MISCELLANEOUS**

Alterations and Repairs To Existing Structures	-	Per Construction Table Above
Detached Garages	-	Per Construction Table Above
Carports	-	Per Construction Table Above
Patio Covers	-	Per Construction Table Above
Portable Building (Max. 150 sq. ft.)	-	Per Construction Table Above
Accessory Building (Max. 150 sq. ft.)	-	Per Construction Table Above
Swimming Pool (Above ground)	-	Per Construction Table Above
Swimming Pool (In-ground)	-	Per Construction Table Above
Fireplace	-	Per Construction Table Above
Demolition	\$55.00	
Underground Storage Tanks (Includes Gas Lines To Tank)	-	Per Construction Table Above
Tent (Commercial) >200 sq.ft.	\$55.00	
Carnival or Temporary Amusement	\$55.00	
Canopy > 400 sq.ft.	\$55.00	
Signs	-	Per Construction Table Above
Fence	-	Per Construction Table Above
Drive Approach	\$55.00	
Reinspection Fee	\$55.00	
Moving Buildings into the City	\$100.00	
Building Code Appeal	\$100.00	
Tree Mitigation Fee	\$200.00	Per Caliper Inch

EXHIBIT A: SCHEDULE OF FEES  
(03-16-14 Draft)

PLUMBING CODE PERMITS & INSPECTIONS

Single Family, Duplex, Townhouse, Etc.	\$0.06	Per Square Foot
Apartments, Condominiums, Triplex, Etc.	\$0.05	Per Square Foot
Commercial/Industrial New Construction	\$0.06	Per Square Foot
Unit Fee Schedule		
Each Plumbing Fixture, Trap or Set Fixture, Etc.	\$55.00	
Each Building Water Line	\$55.00	
Each Building Sewer Line	\$55.00	
Installation/Repair of Water Piping and/or Water Treatment Equipment	\$55.00	
Repair or Alteration of Drainage or Vent Piping	\$55.00	
Each Lawn Sprinkler System On Any One Meter, Including Backflow Protection	\$55.00	
Private Sewage Disposal System	\$55.00	
Industrial Waste Pre-Treatment Interceptor	\$55.00	
Gas Fired Applicable W/Special Vent Pipe	\$55.00	
Each Gas Piping System (1-4 Outlets)	\$55.00	
Each Gas Piping System (5 Plus More Outlets)	\$55.00	
Repair of Existing Piping	\$55.00	
Fireplace Piping & Valve	\$55.00	
Gas Line Pressure Check	\$55.00	
Yard Line Pressure Check	\$55.00	

MISCELLANEOUS

Reinspection Fee	\$55.00	
Minimum Calculation		
Single Residence	\$55.00	
Non-Residence Unit	\$55.00	
Plumbing Code Appeal	\$100.00	
All Unlisted Permits Per Inspection	\$55.00	

ELECTRICAL CODE PERMITS & INSPECTIONS

Single Family, Duplex, Townhouse, Etc.	\$0.06	Per Square Foot
Apartments, Condominiums, Triplex, Etc.	\$0.05	Per Square Foot
Commercial/Industrial New Construction	\$0.06	Per Square Foot
In-Ground, Residential Swimming Pool	\$110.00	
Electric Generators Used By Carnival, Circuses, Travling Shows, Exhibits	\$55.00	

MISCELLANEOUS

Fixed Residential Appliances Or Receptacle Outlets, Etc. (As In City Code)	\$55.00	
Receptacles, Switch, Lighting or Other Outlet Holding Devices	\$55.00	

EXHIBIT A: SCHEDULE OF FEES  
(03-16-14 Draft)

Services of 600 Volts or Less:	
Not Over 200 Amps	\$55.00
Over 600 Volts or Over 1,000 Amps	\$55.00
(As in City Code) each Power Apparatus	\$2.00
Rating in Horsepower, Etc.	
Up To & Including 1, Each	\$55.00
Over 1, Up To 10, Each	\$55.00
Over 10, Up To 50, Each	\$55.00
Over 50, Up To 100, Each	\$55.00
Over 100, Each	\$55.00
Signs, Outline Lighting or Marquees From	
One Branch Circuit, Each	\$55.00
Additional Branch Outlets	\$55.00
Temporary Power To Any Structure (Max 90 Days)	\$55.00
Miscellaneous	
Minimum For Any Single Permit, Except Temporary	\$55.00
Construction Pole Reconnects	
Reinspection Fee	\$55.00
Electrical Code Appeal	\$100.00
All Unlisted Permits Per Inspection	\$55.00

REGISTRATION

Contractor Registration Fees In Accordance With Article XIII, Chapter 4 of This Code	
Initial Registration	\$100.00
Annual Renewal	\$50.00
Sub-Division Construction Inspection Fees	4%      Of Construction Cost

WATER & WASTEWATER FEES

Water Tap Fee (No Street Cut)		
3/4"	\$475.00	Plus \$300 Meter Set Fee Plus Cost Of Meter
1"	\$525.00	Plus \$350 Meter Set Fee Plus Cost Of Meter
1 1/2"	\$950.00	Plus \$550 Meter Set Fee Plus Cost Of Meter
2"	\$1,075.00	Plus \$700 Meter Set Fee Plus Cost Of Meter
3" or Larger	Actual Cost	Plus Actual Cost Meter Set Fee Plus Cost Of Meter
Water Tap Fee (With Street Cut or Bore)		
3/4"	\$925.00	Plus \$300 Meter Set Fee Plus Cost Of Meter
1"	\$975.00	Plus \$350 Meter Set Fee Plus Cost Of Meter
1 1/2"	\$1,400.00	Plus \$550 Meter Set Fee Plus Cost Of Meter
2"	\$1,525.00	Plus \$700 Meter Set Fee Plus Cost Of Meter
3" or Larger	Actual Cost	Plus Actual Cost Meter Set Fee Plus Cost Of Meter
Sewer Tap Fee (No Street Cut)		
4"	\$425.00	
6"	\$600.00	

EXHIBIT A: SCHEDULE OF FEES  
(03-16-14 Draft)

8" or Larger	Actual Cost	
Sewer Tap Fee (With Street Cut or Bore)		
4"	\$875.00	
6"	\$1,050.00	
8" or Larger	Actual Cost	
Meter Calibration Fee		
City Staff	\$45.00	Only If Meter Determined Accurate
Independent Testing Company	\$125.00	Only If Meter Determined Accurate
Meter Tampering Fee		
Tampering with Meter	\$200.00	Per Offense Plus Cost Of Repair/Replacement And Labor
Tampering with Lock or Cutting Lock	\$200.00	Per Offense Plus Cost Of Repair/Replacement And Labor
Meter Set Reinspection Fee	\$100.00	Per Additional Trip After Initial Meter Set Fee