

TOWN OF FLOWER MOUND, TEXAS

ORDINANCE NO. 08-21

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING APPENDIX A, "FEE SCHEDULE," REFERENCED IN CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS," SECTION 14-1, ENTITLED "BUILDING, PLUMBING, MECHANICAL AND ELECTRICAL PERMIT FEES," OF THE CODE OF ORDINANCES, TOWN OF FLOWER MOUND, TEXAS, TO REVISE THE FEES RELATED TO THE ISSUANCE OF CERTAIN BUILDING PERMITS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule municipality 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 Town Council of the Town of Flower Mound has previously adopted regulations for the issuance of building permits within the Town and has provided for the collection of fees in connection therewith; and

WHEREAS, the Town Council now desires to update and amend the Appendix A, "Fee Schedule," to comply with changes in state law related to the issuance of certain building permits; and

WHEREAS, the Town Council finds and determines that the fees corresponding to Chapter 14, "Buildings, and Building Regulations" of Appendix A, "Fee Schedule," should be amended as set out herein and that the amendments proposed are in the best interest of and are necessary to protect the health, safety, and general welfare of the citizens of the Town and the general public;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

Appendix A, "Fee Schedule," of the Code of Ordinances, Town of Flower Mound, Texas is hereby amended by revising fees corresponding to Chapter 14, "Buildings and Building Regulations," Section 14-1, "Building, plumbing, mechanical and electrical permit fees," to read as follows:

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Chapter 14. Buildings and Building Regulations.	
<i>Code Section Number</i>	<i>Description</i>
14-1	Building, plumbing, mechanical and electrical permit fees:

- 1) When a building, plumbing, mechanical or electrical permit is required by the building, plumbing, mechanical or electrical code adopted by the Town of Flower Mound, the following fees shall be assessed. Inspection fees are included with the permit fee unless otherwise indicated in sub-section "f" below.

a) *New single-family fees (including duplexes):*

	Square footage:	Permit fee:
1.	2,000 or less	\$1,275.00
2.	2,001 to 2,500	\$1,508.00
3.	2,501 to 3,000	\$1,843.00
4.	3,001 to 4,000	\$2,345.00
5.	4,001 to 5,000	\$3,015.00
6.	5,001 to 7,500	\$4,188.00
7.	7,501 to 10,000	\$5,863.00
8.	10,001 sq. ft. or more	\$6,701.00
Note: A nonrefundable plan review fee of \$250.00 is due at time of plan submittal.		

b) *New multifamily fees (3 attached units or more):*

- 1) \$500.00 per unit
- 2) A nonrefundable plan review fee equal to 65 percent (65%) of the building permit fee is due at time of plan submittal.

c) *New commercial fees:*

- 1) Building permit fees for new construction:
 - a. 1,000 sq. ft. or less: \$450.00
 - b. 1,001 sq. ft. or more: \$330.00+\$0.12/sq. ft.
 - c. Fees for tenant finish out and shell buildings will be 75 percent (75%) of the above fees.
 - d. A nonrefundable plan review fee equal to 65 percent (65%) of the building permit fee is due at time of plan submittal.
- 2) Plumbing, mechanical and electrical fees for new construction (each):
 - a. 1,000 sq. ft. or less: \$200.00
 - b. 1,001 sq. ft. or more: \$140.00 + \$0.06/sq. ft.
 - c. Fees for tenant finish out and shell buildings will be 75 percent (75%) of the above fees.

- d) Fees for additions, alterations, repairs, demolition, screening walls, retaining walls and accessory buildings. The following fees shall be charged for small construction jobs involving additions, alterations and repairs. Projects that involve substantial work shall be charged as new construction at the discretion of the building official.

	Construction type:	Permit Fee:
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1.	Accessory building	\$100.00
2.	Demolition	\$150.00
3.	Electrical	\$60.00
4.	Foundation repair	\$100.00
5.	HVAC replacement	\$150.00
6.	Mechanical	\$150.00
7.	Miscellaneous	\$175.00
8.	Patio cover	\$200.00
9.	Plumbing	\$75.00
10.	Racking Permit	\$550.00
11.	Reroof Permit	\$175.00
12.	Residential remodel (no additional square footage)	\$200.00
13.	Residential remodel (addition of square footage)	1—500 sq. ft. - \$450.00 501—1000 sq. ft. - \$600.00 1001—1500 sq. ft. - \$850.00 1501—2000 sq. ft. - \$1,000.00 Square footage in excess of 2000, refer to (a), new single family fees.
14.	Retaining wall, screening wall, or global fence permit	\$150.00
15.	Umbrella permit	Each portion of the project will be assessed individually using the fees listed in appendix A.
16.	Water heater	\$60.00
17.	Window/door replacement	\$35.00 + \$2.00 per window/door to be replaced.

- e) *Miscellaneous fees.* Any activity listed below shall be charged the following fee associated with the activity:

	Building activity type:	Permit Fee:
1.	Certificate of occupancy (only charged when no permit issued for new construction)	\$100.00
2.	Temporary certificate of occupancy (charged for all temporary certificates of occupancy)	\$100.00
3.	Early start for model homes	\$250.00 each model
4.	Fence permit	\$60.00
5.	In-ground swimming pool	\$350.00
6.	Spa or above-ground pool	\$200.00
7.	Lawn sprinkler	\$60.00
8.	Mobile home	\$100.00
9.	Tent	\$50.00
10.	Sales trailer	\$100.00
11.	Construction trailer	\$100.00
12.	Drive approach, per approach	\$50.00
13.	Sidewalk, per lot	\$50.00

14.	Structure moving permit (Any structure moved through or into the town that exceeds 250 square feet)	\$100.00
15.	All pools/SPA or Umbrella Permit (UMB) plan review fee	\$100.00*
16.	Residential remodel or alteration plan review fee	\$100.00*
17.	Additional plan review	\$40.00 per hour—Minimum one hour
* will be credited toward permit fee if issued		

f) *Inspection fees:* Fees for the associated inspection activities are as follows:

- 1) Reinspection fee: \$100.00
- 2) Tree re-inspection fee: \$50.00
- 3) After hours inspection, per hour (minimum 2 hours): \$60.00
- 4) Special inspection: \$60.00
- 5) High-hazard inspection, annual: \$50.00

g) *Drainage Inspection Fees.* Fees for drainage inspection are in addition to their corresponding building permit fees and shall be assessed as follows:

	Type of work:	Drainage inspection fee:
1.	New single-family residence (incl. duplexes)	\$250.00
2.	New multi-family fees (three attached units or more)	\$250.00 + \$12.50 per unit
3.	New commercial buildings	\$250.00 + \$0.0625/sq. ft.
4.	Additions, alterations, foundations, and repairs requiring site grading	\$250.00
5.	Swimming pools	\$250.00

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SECTION 2

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, Town of Flower Mound, Texas, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 3

It is hereby declared to be the intention of the Town 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 a 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 Town Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4

Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances, Town of Flower Mound, Texas. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 5

All rights and remedies of the Town of Flower Mound, Texas, are expressly saved as to any and all violations of the provisions of the Code of Ordinances or any other ordinances affecting the matters regulated herein 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 6

The Town Secretary of the Town of Flower Mound, Texas, is hereby directed to publish the caption of this Ordinance in the official newspaper of the Town of Flower Mound, Texas, as required by Section 3.07 of the Charter of the Town of Flower Mound, Texas.

SECTION 7

This Ordinance shall take effect and be in full force from and after the date of its passage and publication.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS 1ST DAY OF FEBRUARY, 2021.

APPROVED:

Jim Engel, MAYOR PRO TEM

ATTEST:

Theresa Scott, TOWN SECRETARY