

ORDINANCE O-19-2085

AN ORDINANCE AMENDING THE COLLEYVILLE, TEXAS, CODE OF ORDINANCES BY AMENDING PART II, CHAPTER 2, SECTION 2-26; SPECIFICALLY AMENDING SECTION 18-22 – PERMIT ISSUANCES; TABLE 3-A – BUILDING PERMIT FEES, TO PROVIDE REGULATIONS CONSISTENT WITH STATE LAW RELATED TO THE PROHIBITION OF CERTAIN VALUE-BASED BUILDING PERMIT AND INSPECTION FEES, PROVIDING A REPEALING CLAUSE, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council for the City of Colleyville finds that Chapter 214 of the Local Government Code, which has already gone into effect, prohibits any residential building permit fee to be based on the valuation or cost of improvement; and

WHEREAS, the City Council for the City of Colleyville finds that it is necessary to amend its code of ordinances to adopt provisions that are consistent with Chapter 214 of the Local Government Code.

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

- Sec. 1. THAT the Code of Ordinances of the City of Colleyville, Texas is amended by amending Part II, Chapter 2, Section 2-26; Specifically Amending Section 18-22 – Permit Issuances; Table 3-A – Building Permit Fees, attached as Exhibit 'A'.
- Sec. 2. THAT all provisions of the ordinances of the City of Colleyville in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Colleyville not in conflict with the provisions of this ordinance shall remain in full force and effect.
- Sec. 3. THAT should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

Sec. 4. THAT this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 18th day of June 2019.

The second reading and public hearing being conducted on the 2nd day of July 2019.

PASSED AND APPROVED BY A VOTE OF 6 AYES, 1 NAYS, AND 0 ABSTENTIONS ON THIS THE 2ND DAY OF JULY 2019.

Mayor Richard Newton	<u>AYE</u>	Mayor Pro Tem Bobby Lindamood	<u>AYE</u>
Place 1, Tammy Nakamura	<u>AYE</u>	Place 5, Chuck Kelley	<u>AYE</u>
Place 3, Kathy Wheat	<u>AYE</u>	Place 6, Callie Rigney	<u>NAY</u>
Place 4, George Dodson	<u>AYE</u>		

ATTEST:



Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE



Richard Newton
Mayor

APPROVED AS TO FORM:



Whitt L. Wyatt
City Attorney

Exhibit 'A'

{Attach the updated fee schedule exhibit}

Exhibit 'A'

Tree mitigation appeal 250.00
Site plan application review 250.00
Landscape plan application review 250.00
Zoning verification letter 50.00

- (i) Development fees:
- Permanent sign permits 75.00
- Temporary sign permits 50.00
- exception: grand opening 0.00
- Sign recovery fee 25.00

Network Provider Fees

Small cell application fee (this penalty shall not exceed and is capped by statutory limits)	\$500.00 (1-5 network nodes); \$100.00 (each additional network node); \$1,000.00 per pole
Small cell user fees (this penalty shall not exceed and is capped by statutory limits)	\$270.00 annually for each network node
Transport facility monthly user fee (this fee shall not exceed and is capped by statutory limits)	\$28 multiplied by the number of the network provider's network nodes located in the public right-of-way for which the installed transport facilities provide backhaul, until the time the network provider's payment to the city exceeds its monthly aggregate per month compensation to the city

- (j) Development fees—Plan review, inspection, and permit fees:

Commercial Permit fees. The schedule of permit fees shall be in accordance with the ~~fee schedules contained in the 1997 Uniform Administrative Code as follows:~~ Commercial Fee Schedule shown below.

- ~~(1) Table 3-A Building Permit Fees~~
- ~~(2) Table 3-B Electrical Permit Fees~~
- ~~(3) Table 3-C Mechanical Permit Fees~~
- ~~(4) Table 3-D Plumbing Permit Fees~~

Calculating construction values. The construction values used for calculating permit fees shall not be less than the most recent building valuation data published by the International ~~Conference of Building Officials~~Code Council. Said permit fees shall be adjusted on an annual basis for permit applications received on or after the 1st day of June using the most recent edition of the building valuation data. The regional modifier of 0.93 shall be applied to the building valuation data used for calculating construction values.

~~*Plan review fee.* When a plan or other data are required to be submitted by the building code, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees specified in this subsection are separate fees and are in addition to the permit fees. No additional plan review fee shall be charged where plans are incomplete or for reviewing a construction plan that has been previously reviewed and resubmitted with corrections. Where construction plans are changed to a new proposal or where a third plan review is necessary, an additional plan review fee is required.~~

<u>COMMERCIAL PERMIT FEE SCHEDULE</u>	
<u>Total Valuation</u>	<u>Fee</u>
<u>\$1.00 to \$500.00</u>	<u>\$50.00</u>
<u>\$501.00 to \$2,000.00</u>	<u>\$50.00 for the first \$500.00 + \$4.00 per each added \$100.00</u>
<u>\$2,001.00 to \$25,000.00</u>	<u>\$75.00 for the first \$2,000.00 + \$16.00 per each added \$1,000.00</u>
<u>\$25,001.00 to \$50,000.00</u>	<u>\$500.00 for the first \$25,000.00 + \$13.50 per each added \$1,000.00</u>
<u>\$50,001.00 to \$100,000.00</u>	<u>\$750.00 for the first \$50,000.00 + \$8.25 per each added \$1,000.00</u>
<u>\$100,001.00 to \$500,000.00</u>	<u>\$1,250.00 for the first \$100,000.00 + \$6.25 per each added \$1,000.00</u>
<u>\$500,001.00 to \$1,000,000.00</u>	<u>\$4,000 for the first \$500,000.00 + \$5.50 per each added \$1,000.00</u>
<u>\$1,000,001.00 and up</u>	<u>\$7,500.00 for the first \$1,000,000.00 + \$5.00 per each added \$1,000.00</u>

Residential Building Permit Fees. (Fee for a Residential building permit includes Building Permit, Building-E Permit, Plumbing Permit, and Mechanical Permit)

1) New Residential: (One-and-Two Family Dwellings and Additions).....\$1.00/sf area under roof.

2) Alteration/Remodel and Accessory Structures: (Area within previously permitted space and detached structures).....\$0.80/sf project area

Inspection charges. Permit fees shall include the cost of all required inspections.

Reinspection fees. If the code official is required to make a reinspection, the following fees shall apply: (1) The first reinspection fee shall be \$75.00; (2) The second, and any subsequent, reinspection fee shall be \$125.00. Failure to pay such charges as provided in this code may result in the forfeiture of the right of such contractor to obtain other permits until such charges are paid.

Fees due. All building permit fees shall be due when the permit is issued.

Fee refunds. The code official shall be authorized the refunding of fees as follows:

- (1) The full amount of any fee paid hereunder that was erroneously paid or collected.
- (2) Not more than 90 percent of the permit fee when no work has been done under a permit issued in accordance with this code.
- (3) Not more than 90 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Sport court (concrete, nets, fencing, lighting) \$100.00
Lot grading and drainage compliance fee 125.00
New residence plan review 350.00
Residential addition and remodel plan review 150.00
Commercial plan review fee 65% of building permit fee
Swimming pool plan review fee 50.00
Water well drilling permit 50.00
Irrigation system permit 75.00
Fence permit 75.00
Masonry screening fence permit 125.00
Retaining wall 125.00
Swimming pool permit 300.00
Spas, Hot Tubs, or Fountains 200.00
Re-roofing permit (one square or more) 50.00
Grading and earthwork permit 75.00
Curb cut permit 55.00
Driveway approach permit 75.00
Temporary construction trailer 100.00
Temporary event permit 100.00
Temporary use permit 100.00
Temporary use permit—Portable storage structure 25.00
Used/obsolete street sign purchase fee (per sign) 25.00
Certificate of Occupancy or re-occupancy 100.00
Temporary certificate of occupancy 250.00 (per month)
Contractor registration fee 100.00 (per 12 month period)
Construction concealment fee (for work performed without inspections) 350.00
Special inspection fee 100.00/hour (min. 2 hours)
Additional plan review 50.00 per plan review
Water heater replacement 75.00
HVAC equipment replacement 75.00

Building-E Permit \$75.00

Mechanical Permit.....\$75.00

Plumbing Permit.....\$75.00

Performing Work w/o permits - MEP, Irrigation, Fence, Roof, Sign, Well.....\$250.00

Homestead Exemption 50% Discount – (Owner acting as GC, except NSF permits)

Application for Encroachment and Joint Use Agreement:

Document Length	Fee
1 to 10 pages	120
11 to 20 pages	160
21 to 30 pages	200
Over 30 pages	240

Weed mowing administrative fee 120.00

Weed mowing violation notification letter fee (second and all following notification letters within current calendar year) 50.00

Weed mowing fee, per acre 175.00

Demolition fee 50.00

Brush abatement fee:

Actual expenses incurred, not to exceed the estimated value of the affected property.

Sidewalk waiver request general waiver request to a Land Development Code or Code of Ordinances requirement 250.00