

**TOWN OF BARTONVILLE, TEXAS
ORDINANCE 452-08**

AN ORDINANCE OF THE TOWN OF BARTONVILLE REPEALING ORDINANCE 441-07, AS AMENDED; PROVIDING A SCHEDULE OF FEES TO BE COLLECTED; PROVIDING FOR ADMINISTRATIVE FEES, USER FEES AND REGULATORY FEES; PROVIDING FOR FEES RELATED TO ZONING CHANGES, LAND DEVELOPMENT, PLATTING AND REQUESTS FOR VARIANCE; PROVIDING FOR BUILDING PERMIT FEES; PROVIDING FOR HEALTH INSPECTION FEES; PROVIDING FOR MUNICIPAL COURT FEES; PROVIDING A FEE FOR WORK COMMENCING BEFORE ISSUANCE OF A PERMIT; PROVIDING FOR THE REFUNDING OR WAIVER OF FEES; PROVIDING FOR THE APPLICATION OF THE ORDINANCE; PROVIDING FOR AMENDMENTS TO THE FEE SCHEDULE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE TOWN OF BARTONVILLE AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS:

ARTICLE I

That the Town Administrator shall collect the following fees related to Town regulatory activities as authorized by State Law at the time of a request for service, goods are provided or an application for a permit is submitted.

SECTION I. ADMINISTRATIVE, USER OR REGULATORY FEES

A. SERVICES:	
1. Notary Services	\$ 3.00
2. Copies, per page (not related to open records request)	\$ 0.20
3. Public Fax, to Send or Receive: Min Fee (1-3 pages) Per page thereafter	\$ 3.00 \$ 1.00
4. Non-Sufficient Funds Check Fee	\$ 30.00
5. Shipping & Handling Mail Requests (+ Postage)	\$ 1.50
6. Credit Card Convenience Fee	3.0% of transaction

B. REFERENCE MATERIAL:	
1. Town Maps:	
a. 11" x 17" (Black and White)	\$ 1.00
b. Large Base, Floodplain or Abstract Map*	\$ 10.00
c. 11" x 17" Colored Zoning, Land Use Map or Thoroughfare Plan*	\$ 4.00
2. Ordinances, bound:	
a. Zoning	\$ 25.00
b. Subdivision	\$ 20.00
c. Comprehensive Land Use Plan	\$ 20.00
d. Building Code Amendments	\$ 15.00
e. Oil and Gas Drilling Regulations	\$ 25.00

C. PUBLIC INFORMATION:	
1. Standard-size paper copy, per page	\$ 0.10
2. Nonstandard-size copy:	
a. Paper copy	\$ 0.50
b. Diskette	\$ 1.00
c. VHS video cassette*	\$ 2.50
d. Audio cassette*	\$ 1.00
e. Rewritable/Non-rewritable CD	\$ 1.00
f. DVD	\$ 3.00
g. Other	Actual Cost
3. Personnel charges:	
a. Programming, per hour	\$ 28.50
b. Other, per hour	\$ 15.00
c. Overhead (percent of personnel charge)	20%
4. Microfiche or microfilm charge:	
a. Paper copy*	\$ 0.10
b. Fiche or film copy*	Actual Cost
5. Remote document retrieval charge*	Actual Cost
6. Computer resource charge:	
a. Mainframe, per minute*	\$ 10.00
b. Midsize, per minute*	\$ 1.50
c. Client/Server, per clock hour*	\$ 2.20
d. PC or LAN, per clock hour*	\$ 1.00
7. Miscellaneous supplies	Actual Cost
8. Postage and shipping charge	Actual Cost
9. Photographs	Actual Cost
10. Fax charge:	
a. Local, per page	\$ 0.10
b. Long distance, per page (817 or 940 area code)	0.30
c. Long distance, per page (other area code)	0.45
11. Motor Vehicle Accident Report (pursuant to Section 550.065 of the Transportation Code)	
a. Report, not certified	\$ 6.00
b. Report, certified	\$ 8.00

*Services may not be offered at the time of the adoption of this Ordinance. The charge for public information (open record) is in accordance with The Texas General Services Commission Charge Schedule.

D. SPECIAL PERMITS:	
1. Demolition Permit, each	\$ 125.00
2. House moving permit, each	\$ 125.00

3. Solicitor Permits a. Permit application b. Identification Cards, each	\$ 35.00 \$ 2.00
4. Oil and Gas Permits a. Oil/Gas Well Drilling/Operating Permit Application Fee b. Oil and Gas Pipeline Construction Permit Application Fee c. Fracing Permit *All costs associated with engineering, planning and attorney reviews in addition to the cost of any public notices that are incurred by the Town will be charged to the applicant. One hundred percent (100%) of these costs (not covered by the application fee) plus a one hundred dollar (\$100.00) administrative fee will be charged to the applicant and must be paid immediately upon receipt of invoice from the Town. (Please note: \$250 is non-refundable in the event an incomplete application is submitted.)	\$8,500.00* \$7,500.00* \$ 750.00
5. Road Damage Remediation Fees: a. Hauled Water Supply, roadway cost per mile b. Hauled Water Supply, assessment cost per mile c. On-Site Water Supply, roadway cost per mile d. On-Site Water Supply, assessment cost per mile	\$188,782.00 \$114,413.00 \$188,782.00 \$ 64,135.00
6. Right of Way Permit Application - 3.5% of construction cost as determined by the Town Engineer with a minimum Fee \$750.	3.5% of Const Cost
7. Abandoning Public Streets/Alleys (+ filing fee and cost of document preparation)	\$ 300.00
8. Utility Facility Structure, non-buildings (+ cost related to inspections)	\$ 300.00
9. Dangerous Dog Registration, annually	\$ 50.00
10. Floodplain Development Permit	\$ 300.00
11. Sign Permits	\$ 75.00
12. Business Certificate of Occupancy	\$ 250.00
13. Change of Occupancy Residential	\$ 100.00
14. Commercial Vehicle Permit	\$ 200.00
15. Excavation permit	no charge
16. Farmers' Market Permit Fee (seasonal)	\$ 200.00
17. Alarm Permits, Residential & Commercial (per suite or unit) a. Annual Fee b. Appeal Fee	no charge No charge
18. Residential False Alarm Service Fee a. Up to and including 6 false alarms b. 7 up to and including 10 false alarms c. More than 10 false alarms	no charge \$ 25.00ea \$ 50.00ea

19. Commercial False Alarm Service Fee	
a. Up to and including 10 false alarms	no charge
b. 11 up to and including 14 false alarms	\$ 25.00ea
c. More than 14 false alarms	\$ 50.00ea

E. REGULATION PENALTY FEES:	
1. Mowing weeds to remove health and safety risks	Actual Cost
2. Dangerous Building, each occurrence	\$ 100.00

SECTION II. FEES RELATED TO ZONING CHANGES, LAND DEVELOPMENT, PLATTING AND REQUESTS FOR VARIANCE

Development Review Committee Fees shall be collected for all proposals that include construction of public infrastructure or are of such a nature that the City Staff believes that a formal review by the Development Review Committee is necessary.

All costs associated with engineering, planning and attorney reviews in addition to the cost of any public notices that are incurred by the Town will be charged to the applicant. One hundred percent (100%) of these costs (not covered by the application fee) plus a one hundred dollar (\$100.00) administrative fee will be charged to the applicant and must be paid before any final plats will be filed, or in the case of zoning changes, prior to the publication of the zoning change ordinance.

A. Zoning Change Application Fee (including Specific Use Permit)		\$ 400.00
B. Zoning Change Re-application Fee		\$ 300.00
C. Site Plan Review	<u>Initial Fee</u>	<u>Subs. Fee</u>
Complete Site Plan (includes architectural, landscape & civil) : Engineering Fees as Applicable	\$2,000.00	\$ 1,000.00
D. Development Review Committee Appointment Conference only (non-review)		\$ 200.00
E. Concept Plan		\$ 450.00
F. Sketch Plat:		\$ 200.00
G. Development Plat	<u>Initial Fee</u> \$850.00	<u>Subs. Fee</u> \$ 450.00
H. Minor Subdivision Platting Fees: (Four lots or less, no infrastructure or drainage issues)*		
1. Development Review Committee Review (includes sketch plat)		\$ 200.00
Each subsequent DRC appointment		\$ 100.00
2. Land Study		\$ 350.00
3. Final Plat Review Fee		\$ 450.00
4. Denton County filing fees		Actual Cost

I. Major Subdivision Platting Fees:		
1. Development Review Committee Review (includes sketch plat) & Each subsequent DRC appointment		\$ 600.00 \$ 250.00
2. Land Study		\$ 500.00
	<u>Initial Fee</u>	<u>SubsFee</u>
3. Preliminary Plat Review Fee	\$ 850.00	\$ 450.00
4. Engineering Review Fees as Applicable:		
a. Lighting/Franchise Utility Plan(Commercial).....	\$400.00	\$ 200.00
b. Sewer & Water Plan	\$650.00	\$ 350.00
c. Topography & Drainage Plan	\$650.00	\$ 350.00
d. Street & Grading Plan	\$650.00	\$ 350.00
e. Landscape Plan	\$450.00	\$ 250.00
5. Final Plat Review Fee		\$ 750.00
6. Subdivider's Agreement & Review Fee		\$ 550.00
Revision review		\$ 350.00
7. Document Legal Review (per hour)		\$ 150.00
8. Performance/Surety Bonds		As required
9. Public Improvements Inspection and Approval (Based on estimated construction cost as determined by Town Engineer)		3.5% of Const Costs
10. Denton County filing fees		Actual Cost of filing
J. Temporary Batch Plant Permit		\$ 400.00
K. Oil and Gas Well Development Plat		\$ 950.00
L. Re-Plat Platting Fee: A Re-plat shall be designated by the Planning Staff as either a Major or a Minor Re-plat. Fees assessed will be that of a Major or Minor plat, as applicable.		See Above
M. Plat Vacating Review Fee		\$ 450.00
N. Plat Amendment Review Fee		\$ 450.00
O. De-annexation Fees + Additional Expenses Incurred		\$ 550.00
P. Board of Adjustment Variance Request		\$ 450.00
Q. Other Board of Adjustment Hearings		\$ 450.00

SECTION III. BUILDING PERMITS

The Town Administrator or assigns shall collect fees prior to the issuance of a Building Permit or a Contractor Registration and in accordance with the following schedule of fees, such fees being for the purpose of providing proper inspections and Certificates of Occupancy for the protection of the health, safety, and welfare of the public. A Certificate of Occupancy shall not be issued by the Building Inspector until all required fees have been paid and final inspection has been satisfied. The Building Inspector is authorized to waive or reduce building permit fees in the event that repairs to a structure are necessary due to damage caused by a natural disaster or catastrophic event.

A. COMMERCIAL PERMITS:

1. Commercial Building	\$ 1.10/ft ²
2. Finish out fee (includes all utilities)	\$ 0.50/ft ²

B. RESIDENTIAL	
1. New Residence (includes all utilities)	\$0.65/ft ² A/C Area \$0.45/ft ² non-A/C
2. New Addition/Remodel Residence	\$0.65/ft ² A/C Area \$0.45/ft ² non-A/C
3. Move-In residence	\$0.65/ft ² A/C Area \$0.45/ft ² non-A/C
4. Mobile Home (including move-out)	\$ 300.00

C. MISCELLANEOUS:	
1. Accessory Bldg (1 to 200/ft ² , foundation & utilities extra)	no charge
2. Accessory Bldg, new/ remodel(201ft ² to 1,000/ft ² , foundation & utilities extra)	\$ 170.00
3. Accessory Bldg, new/remodel (1,001/ft ² +, foundation & utilities extra)	\$0.17/ft ² non-A/C
4. Accessory Bldg, new/remodel w/ air conditioning	\$0.65/ft ² A/C Area \$0.17/ft ² non-A/C
5. Fire Alarm Installation (Commercial)	\$ 275.00
6. Contractor Registration (Annually)	\$ 125.00
7. Covered porch, Carport, Arbor (foundation and utilities extra)	\$ 75.00
8. Culvert/Headwalls/Driveway: a. one pour b. two pours c. each additional culvert	\$ 120.00 \$ 150.00 \$ 65.00
9. Deck, over thirty inches high	\$ 75.00
10. Driveway Approach (commercial)	\$ 75.00
11. Fence (over 6 feet)	\$ 75.00
12. Flat Work	\$ 75.00
13. Outdoor Fireplace (utilities extra)	\$ 75.00
14. Foundation	\$ 75.00
15. Pool or Spa (in-ground)	\$ 450.00

16. Pool, Spa or Hot Tub (above ground)	\$ 100.00
17. Propane Tank	\$ 75.00
18. Red Tag Fee	\$ 75.00
19. Radio/TV Tower	\$ 75.00
20. Sprinkler/Irrigation System	\$ 110.00
21. Tree Removal Permit	\$ 125.00
22. Utilities:	
a. Gas	\$ 100.00
b. Plumbing	\$ 130.00
c. Mechanical	\$ 130.00
d. Electrical	\$ 130.00
e. Water Heater change out	\$ 75.00
e. Meter Base change out only	\$ 75.00
23. Additional Inspections and other inspections not listed	\$ 65.00
24. Water Well	\$ 250.00
D. On Site Sewage Facility Permit/Wastewater Rates	
1. Low Pressure Dose System, Areobic System and all other non-conventional systems	\$ 550.00
2. Subsurface Effluent System (conventional or traditonal0	\$ 400.00
3. Non-Residential Systems (plus 100% of outside engineering review costs)	\$ 1,100.00
4. Non-Residential System Repair	\$ 500.00
5. Residential Repair	\$ 250.00
6. Non-Residential System modification (applies only if a like system of repair is installed)	\$ 500.00
7. Residential System modification (applied only if a like system of repair is installed)	\$ 250.00
8. Request for new innovative system	\$ 75.00
9. Septic Re-inspection	\$ 75.00
10. Commercial Wastewater Collection and Treatment - The Town shall collect 100% of costs of all testing, repairs, maintenance; all treatment costs, facility charges, demand charges, late penalties or any other wastewater related charges from U.T.R.W.D.; utility charges; and any other repair or maintenance cost in addition to a monthly administrative fee of \$100.00 per metering station and/or account per month.	\$ 125.00 +

SECTION IV. FOOD ESTABLISHMENT FEES

A Annual Food Establishment Permits (Full fee due if issued on or before May 31 st , Half fee due if issued after May 31st)	
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1. Restaurants, Convenience Stores, Bakeries	\$ 300.00
2. Day Care Centers, Nursing Homes, Foster/Adoption Homes, Schools	\$ 300.00
3. Grocery Stores, Food Manufacturer	\$ 600.00
4. Events per food service booth	\$ 35.00 (min \$200/event)
B Plan Review	\$ 100.00

SECTION V. MUNICIPAL COURT FEES

The Municipal Court Judge for the Town of Bartonville has the authority to set, increase, decrease, or waive Court Fees at his/her discretion and in accordance with the Laws of the State of Texas. The Municipal Court Clerk and/or his or her designated representative shall collect these specified fees at appropriate times and under the direction of the Municipal Court Judge. All applicable State Fees and/or Court Costs shall be added as set forth by the Laws of the State of Texas.

ARTICLE II

SECTION I. WORK COMMENCING BEFORE PERMIT ISSUANCE

Any person who commences any work requiring a permit before obtaining the necessary permits shall be subject to pay one hundred percent (100%) of the usual permit fee in addition to the required permit fees.

SECTION II. REFUNDING OR WAIVER OF FEES

A) REFUNDING OF FEES. The Building Official shall authorize the refunding of permit fees as follows:

1. The full amount of any fee erroneously paid or collected hereunder.
2. Not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with adopted building codes.
3. Not more than eighty percent (80%) 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.

B) WAIVING OF FEES. The Building Official may waive or reduce the required permit fees for the demolition, repair or reconstruction of a structure damaged due to a catastrophic event.

SECTION III. APPLICATION OF ORDINANCE

The provisions of this ordinance shall apply to all fees established herein and shall be levied by the Town of Bartonville, Texas, immediately upon the effective date of this Ordinance. Separately adopted ordinances also address applicable fees for other permit requirements within the Town of Bartonville. This ordinance should not be construed to be all inclusive of required permits or fees within the Town of Bartonville.

SECTION IV. AMENDMENT OF FEE ORDINANCE

The individual fees are subject to change to reflect the Town's actual costs and as such, the fees herein may be changed by the Town Council at a Public Meeting through a simple majority vote at any regular or special called meeting.

SECTION V. REPEAL OF CONFLICTING ORDINANCES OR RESOLUTIONS

All previously adopted Ordinances or resolutions or parts of Ordinances or resolutions of the Town of Bartonville, Texas, pertaining to Town Fees and, more specifically, Ordinance No. 402-06 which are not consistent with or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION VI. SEVERABILITY

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 the valid judgement 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 VII. SAVINGS CLAUSE

All rights and remedies of the Town of Bartonville are expressly saved as to any and all violations of the provisions of any other ordinances affecting Fee Schedules for the Town.

SECTION VIII. ENGROSSMENT AND ENROLLMENT

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this ordinance by copying the caption, publication clause and effective date clause in the minutes of the Town Council and by filing the ordinance in the ordinance records of the Town.

SECTION IX. PUBLICATION CLAUSE

The Town Secretary of the Town of Bartonville is hereby directed to publish in the official newspaper of the Town of Bartonville, the caption and effective date clause of this ordinance for two (2) days.

SECTION X. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and publication hereof.

AND IT IS SO ORDAINED.

Passed and approved this the 20th day of May, 2008.

(Seal)

APPROVED:

Ron Robertson, Mayor

ATTEST:

Debbie E. Millican, Town Administrator