

ORDINANCE NO. 2398

AN ORDINANCE OF THE CITY OF EULESS, TEXAS, REAUTHORIZING SECTION 30-13, "BUILDING FEES," OF CHAPTER 30, "FEES," OF THE CODE OF ORDINANCES, CITY OF EULESS, TEXAS, PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Euless, Texas (the "City"), 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 Texas Legislature passed House Bill 1922 in 2023, which provides that any building permit fee charged by a municipality is automatically abolished on the 10th anniversary after the date of its adoption, or the 10th anniversary after it was most recently reauthorized under Section 214.908 of the Texas Local Government Code, unless the governing body of the municipality holds a public hearing on the reauthorization of the fees and takes a vote to reauthorize such fees; and

WHEREAS, on September 10, 2024, the City Council held the required public hearing with respect to the reauthorization of the building permit fees established in Section 30-13 of Chapter 30 of the Code of Ordinances, City of Euless, Texas, as required by law; and

WHEREAS, the City Council finds that this Ordinance is in the best interest of the City and furthers the public health and welfare of the City.

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

SECTION 1.

All of the above premises are true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified, and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2.

The City Council hereby reauthorizes the building fees found in Section 30-13, "Building fees," of Chapter 30, "Fees," of the Code of Ordinances, City of Euless, Texas, as set forth in **Exhibit A**, attached hereto.

SECTION 3.

CUMULATIVE CLAUSE. This Ordinance shall be cumulative of all provisions of the Code of Ordinances, City of Euless, Texas, and other ordinances of the City, except

where the provisions of this Ordinance are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

SECTION 4.

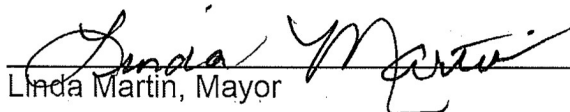
SEVERABILITY CLAUSE. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if a phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect 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 the unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5.

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

PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Eules City Council on September 10, 2024, by a vote of 7 ayes, 0 nays, and 0 abstentions.

APPROVED:


Linda Martin, Mayor

ATTEST:


Kim Sutter, TRMC, CMC
City Secretary/Chief Governance Officer

APPROVED AS TO FORM:

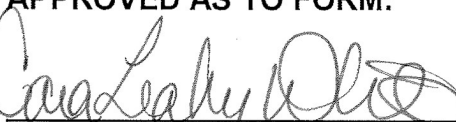

Wayne K. Olson, City Attorney
Cara Leahy White

Exhibit A

Chapter 30. Fees

§ 30-13. Building fees.

(a) Residential permit fees for single-family, two-family, and townhome family construction or demolition are calculated at the following rates:

- (1) New construction: \$1.00 per square foot.
- (2) Residential alterations, renovations, and/or additions: \$1.00 per square foot.

(b) Commercial and multifamily residential construction or demolition permit fees, including signage are based on the value of the work.

(1) Commercial and multifamily residential (new construction (combination), remodel, and miscellaneous) permit fee:

Total valuation	Fee
\$1.00 to \$500.00	\$70.00
\$501.00 to \$2,000.00	\$70.00 for the first \$500.00 plus \$6.30 for each additional \$100.00 or fraction thereof.
\$2,001.00 to \$25,000.00	\$179.20 for the first \$2,000.00 plus \$25.20 for each additional \$1,000.00 or fraction thereof.
\$25,001.00 to \$50,000.00	\$747.60 for the first \$25,000.00 plus \$19.60 for each additional \$1,000.00 or fraction thereof.
\$50,001.00 to \$100,000.00	\$1,274.00 for the first \$50,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof.
\$100,001.00 to \$500,000.00	\$2,100.00 for the first \$100,000.00 plus \$11.90 for each additional \$1,000.00 or fraction thereof.
\$500,001.00 to \$1,000,000.00	\$6,860.00 for the first \$500,000.00 plus \$9.80 for each additional \$1,000.00 or fraction thereof.
\$1,000,001.00 and up	\$11,760.00 for the first \$1,000,000.00 plus \$8.40 for each additional \$1,000.00 or fraction thereof.

Note: Fees for reroofing and the installation of water heaters are by separate flat fee as reflected in subsections (k) and (n).

(c) Plan review fees:

- (1) Plan review fees for all commercial projects shall be 65 percent of the computed building permit fee. A nonrefundable plan review fee shall be assessed to all commercial and multifamily building permit applications at the time of plan submittal. A building permit application is not considered received until the plan review fee has been paid. Note: A separate review fee will be assessed for engineering review of civil plans associated with any project or development.
- (2) Engineering plan review fee for civil engineering plans will be as follows: \$500.00 per submittal (to include one resubmittal) for any project or development up to one (1) acre. An additional \$50.00 will be added to the initial

review fee for each additional acre or portion of acre above one (1) acre. Subsequent reviews will be assessed at \$500.00 flat.

- (3) Plan review fees for all residential new dwelling construction shall be \$350.00. Plan review fees for all other residential dwelling construction shall be \$150.00. A nonrefundable plan review fee shall be assessed to all residential building permit applications at the time of plan submittal. A building permit application is not considered received until the plan review fee has been paid.
- (d) Accessory buildings:
 - (1) All skid based accessory buildings greater than 120 square feet: \$70.00.
 - (2) All slab based accessory building greater than 120 square feet: \$100.00.
- (e) Certificate of occupancy(including temporary): \$75.00.
- (f) Electric permit: \$120.00.
- (g) Fence permit fee:
 - (1) Single-family/two-family/townhome family residential installation of fencing permit fee: \$100.00.
 - (2) Commercial and multifamily residential development fence permits will be based on commercial and multifamily residential permit fees within subsection (b). Fence installation valuations for commercial and multifamily development will be provided by cost estimates from the contracting installer.
- (h) Landscape irrigation permit and plan review fee:
 - (1) Single-family/two-family/townhome family residential installation of landscape irrigation systems permit fees:
 - i. New irrigation system: \$150.00.
 - ii. Existing irrigation system additions/alterations (if altering system less than 50%): \$60.00.
 - (2) Commercial and multifamily residential development landscape irrigation permits will be based on commercial and multifamily residential permit fees within subsection (b). Landscape irrigation installation valuations for commercial and multifamily developments will be provided by cost estimates from the contracting installer. An irrigation plan review fee of \$100.00 will apply to all irrigation plans (multifamily and commercial) submitted in support of a landscape irrigation permit application.
 - (3) Backflow protective devices, each replacement: \$60.00.
- (i) Mechanical permit: \$120.00.
- (j) Plumbing permit: \$120.00.
- (k) Reroof fee (commercial and multifamily): Fee based on valuation of work as per subsection (b).
- (l) Swimming pool permit: \$550.00.
- (m) Temporary utility service: \$75.00.
- (n) Water heater replacement:
 - (1) Single-family/two-family/townhome family residential: \$75.00 per water heater unit when not included as a portion of an additional plumbing permit.
 - (2) Commercial and multifamily: Based on valuation of work as per subsection (b).
- (o) Other methods for determining the fee calculations or project valuations for unique or unusual projects may be approved by the building official.
- (p) Fee refunds: Fees collected in accordance with this chapter may be refunded under the following conditions when requested in writing by the person who paid the fee within 180 days of the collection of the fee.

- (1) Fee collected in error. Any fee in this chapter that was collected in error shall be refunded in full.
- (2) Permit fees. When a permit is withdrawn or canceled by the applicant before any work has begun as authorized by that permit then 80 percent of the permit fee shall be refunded. If any work has begun in accordance with the permit, then no refund shall be granted.

(Ordinance 1506, § 2, 11-13-01; Ordinance 1645, § IV, 8-31-04; Ordinance 1837, §§ 3, 4, 12-9-08; Ordinance 1877, § 3, 5-25-10; Ordinance 2087, § 2, 9-8-15; Ordinance 2221, § 1, 5-28-19; Ordinance 2359, 8/21/2023)