

ORDINANCE NO. 6641

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS, RELATING TO FEES FOR VARIOUS SERVICES PROVIDED BY THE CITY; PROVIDING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, on September 3, 2013, the City Council approved and adopted a budget for the City of Garland for the year beginning October 1, 2013, and ending September 30, 2014; and

WHEREAS, such budget contains anticipated receipts and proposed expenditures, including certain fees and fee adjustments for various services provided by the City;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That Sec. 22.37 (A)(3)(b) of Chapter 22, "Health," of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(b) Temporary food service establishments: \$50.00/event."

Section 2

That Sec. 25.06 of Chapter 25, "Parks and Recreation," of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"Sec. 25.06. Swimming fees.

The parks and recreation swimming fees shall be established as follows:

- (1) Community pool swim fees (including Holford Pool, Wynne Pool and Bradfield Pool):

- (a) General admission:

25 meter pools (Holford/Wynne):	
Ages 5 through adult	\$2.00
Ages 4 and under	Free
50 meter pool (Bradfield):	
48 inches or taller	\$3.00
Under 48 inches	\$2.00
Under age 2	Free

(b) Private reservations:

25 meter pool (Holford/Wynne):	
Two hour rental	\$200.00
50 meter pool (Bradfield)	
Two hour rental	\$400.00

(2) Surf and Swim Wave Pool:

(a) General admission:

48 inches or taller	\$8.00
Under 48 inches	\$6.00
Under age 2	Free

(b) General admission discount rates:

(i) Twilight special (after 4:00 p.m.):

48 inches or taller	\$6.00
Under 48 inches	\$4.00

(c) Private reservations:

(i) Weekday fees, 2 hour rental:	\$600.00
(ii) Weekend fees, 2 hour rental:	\$700.00
(iii) Additional fees per rental:	
Additional hourly rental	\$200.00"

Section 3

That Sec. 30.301 of Chapter 30, "Building Inspection", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"Sec. 30.301 Schedule of fees

The following fees shall be charged when issuing either combined permits or individual permits for the work shown. In the event that a permit is to be issued for work not shown below, a fee shall be charged based upon a category of work shown which most resembles the work intended. All fees will be rounded to the closest dollar amount, with 1-49 cents rounded down and 50-99 cents rounded up to the next dollar. The permit fees listed may be doubled if work is started prior to the permit being issued.

Permit Processing Fee:

A permit processing fee shall be assessed on each permit application and contractor registration, and shall be payable at the time a permit application or contractor registration is filed with the Building Inspection Department. The permit processing fee shall be in an amount equal to twenty-five percent (25%) of the permit fee for the particular permit being sought, or twenty-five percent (25%) of the contractor registration fee, as applicable, but in no instance shall the fee be less than fifteen dollars (\$15.00). This processing fee is nonrefundable.

Plan Revision/Plan Restamping Fee: \$30.00 per hour (\$30.00 minimum)

Residential Construction:

SFR - New:

- \$0.29 Per square foot of habitable space plus \$0.12 per square foot for garage, but in no case less than \$625.00 (includes mechanical, electrical and plumbing fees)
- \$30.00 Sidewalk adjacent to public or private street (if applicable)
- \$30.00 Per approach
- \$35.00 Fence (if applicable)
- \$50.00 Stormwater plan review

Plus applicable water meter fee, water/roadway impact fees, fire sprinkler fees, etc.

SFR - Addition (including attached accessory building, detached accessory building 400 square feet or larger, and/or garage not constructed at time of the main building):

\$0.29 per square foot, but in no case less than \$120.00 (includes mechanical, electrical and plumbing fees)

SFR - Repair, alteration or remodeling (including, but not limited to, garage conversions and fire repairs):

- \$5.00 For every \$1,000 of valuation, minimum \$50.00, maximum \$400.00
- \$70.00 Mechanical (if applicable)
- \$70.00 Electrical (if applicable)

\$70.00	Plumbing (if applicable)
	SFR - Miscellaneous
\$50.00	Carport not constructed at the time of the main building
\$50.00	Fireplace
\$40.00	Wood burning stove
\$55.00	Ham antenna
\$50.00	Rebrick, stucco, etc. of house
\$30.00	Improved parking surface (new or replace driveway)
\$30.00	Detached storage building and patio cover up to 144 square feet
\$55.00	Detached storage building and patio cover more than 144 square feet but less than 400 square feet
\$30.00	Sidewalk adjacent to public or private street
\$30.00	Per approach
\$35.00	Fence
\$50.00	Retaining wall requiring a permit
\$30.00	Foundation repair
\$30.00	Demolition
\$35.00	Screening Wall plus \$0.25 per linear foot
\$70.00	Mechanical (heating and air conditioning)
\$70.00	Electrical
\$70.00	Plumbing (includes water heater replacement and sprinkler systems)
\$35.00	Temporary utility inspection
\$80.00	Irrigation Installation

Multi-Family Construction:

Multi-Family New:

- \$400.00 Per unit (including common noncommercial areas, such as laundry rooms; includes mechanical, electrical and plumbing fees)
- \$90.00 Plumbing fees; \$90 base fee plus \$0.90 per plumbing fixture being installed
plus
\$0.90
per
fixture
- \$90.00 Electrical Fees; \$90 base permit fee plus \$0.45 per electrical fixture installed
plus
\$0.45
per
fixture
- \$90.00 HVAC/Mechanical Fees; \$90 base permit fee plus \$4.00 per fixture installed
plus \$4
per
fixture
- \$75.00 Per unit for garages/carports
- \$70.00 Per structure for electrical on garages/carports
- \$50.00 Sidewalk adjacent to public or private street (if applicable)
- \$50.00 Per approach
- \$60.00 Fence
- \$35.00 Temporary utility inspection, per inspection (electric or gas), per building

Additional fees (meter fees, impact fees, pro-rata fees, fire sprinkler fees, etc.) may apply, depending on scope of project.

Multi-Family Additions:

- \$400.00 per unit (including common areas; includes mechanical, electrical and plumbing fees)

Additional fees (meter fees, impact fees, pro-rata fees, fire sprinkler fees, etc.) may apply, depending on scope of project.

Multi-Family repairs, alterations and/or remodeling (including re-roofs):

- \$200.00 Per unit, exclusive of mechanical, electrical and plumbing fees
- \$90.00 Plumbing fees; \$90.00 base permit fee plus \$90.00 per fixture being installed plus \$0.90 per fixture
- \$90.00 Electrical Fees; \$90.00 base permit fee plus \$0.45 per electrical fixture plus installed \$0.45 per fixture
- \$90.00 HVAC/Mechanical Fees; \$90 base permit fee plus \$4.00 per fixture installed plus \$4 (duct work, condensing unit, air handler, etc) per fixture

Multi-Family Miscellaneous Permit Fees:

- \$100.00 Miscellaneous building permit fees
- \$70.00 Mechanical (per unit, minimum \$140.00)
- \$70.00 Electrical (per unit, minimum \$140.00)
- \$70.00 Plumbing (per unit, minimum \$140.00) includes water heater replacements and sprinkler systems
- \$60.00 Retaining wall requiring a permit
- \$35.00 Screening Wall plus \$0.25 per linear foot
- \$50.00 Sidewalk adjacent to public or private street
- \$50.00 Per approach
- \$60.00 Fence
- \$75.00 Paving repair/replacement
- \$150.00 New parking lot, parking lot expansion

Commercial:

Commercial - New building (Structure only, additional fees may apply)

\$0.29 per square foot for the first 30,000 square feet, plus \$0.15 per square foot for each square foot over 30,000, no less than \$800.00 (includes mechanical, electrical and plumbing fees)

Additional fees (meter fees, impact fees, pro-rata fees, fire sprinkler fees, etc.) may apply, depending on scope of project.

Commercial - Shells or canopies:

\$0.15 per square foot for the first 30,000 square feet, plus \$0.09 per square foot for each square foot over 30,000, no less than \$220.00 (includes mechanical, electrical and plumbing fees).

Additional fees (meter fees, impact fees, pro-rata fees, fire sprinkler fees, etc.) may apply, depending on scope of project.

Commercial - Interior completions, major repairs, remodeling or alterations:

\$0.16 per square foot for the first 30,000 square feet, plus \$0.10 per square foot for each square foot over 30,000, no less than \$400.00 (plus mechanical, electrical and plumbing fees)

\$90.00 Mechanical (if applicable)

\$90.00 Electrical (if applicable)

\$90.00 Plumbing (if applicable)

Additional fees (meter fees, impact fees, pro-rata fees, fire sprinkler fees, etc.) may apply, depending on scope of project.

Commercial - Miscellaneous:

\$75.00 Reroof

\$60.00 Fence

\$50.00 Sidewalk adjacent to public or private streets

\$50.00 Per approach

- \$50.00 Demolition
- \$100.00 Cell antenna monopole
- \$35.00 Satellite
- \$100.00 Fire sprinkler system with building permit
- \$90.00 Mechanical
- \$90.00 Electrical
- \$90.00 Plumbing
- \$50.00 Screening Wall plus \$0.25 per linear foot
- \$75.00 Paving repair/replacement
- \$150.00 New parking lot, parking lot expansion
- \$100.00 Grading
- \$500.00 Foundation only
- \$75.00 Temporary batch plant (fee due upon each 90-day renewal)
- \$75.00 Temporary shipping container (per unit)
- \$35.00 Temporary utility inspection
- \$60.00 Retaining wall requiring a permit
- \$100.00 Irrigation Installation

Signs:

Signs - New, repair or reface attached or detached:

- \$125.00 Up to 50 square feet
- \$165.00 50 to 100 square feet
- \$215.00 101 to 200 square feet
- \$325.00 201 to 300 square feet
- \$75.00 For each additional 100 square feet above 300

Signs - Banners (includes ground mounted heavier-than-air inflatables, streamers, etc.)

\$100.00 Sixty day wind device, inflatables, streamers

Contractor Registration - registration is good for one year from the date of registration (plus applicable processing fee)

\$100.00 General contractor (includes contractors who obtain permits for pools, fences, paving, structure moving, roof repair, foundation repair or general repairs)

\$100.00 Mechanical contractor

None Plumbing contractor

\$100.00 Irrigator contractor

\$100.00 Sign contractor

\$100.00 Electrical contractor

Miscellaneous Permit Fees:

In-ground swimming pools:

Residential

\$250.00 (includes electrical and plumbing)

Commercial

\$290.00 (includes electrical and plumbing)

Aboveground swimming pools, spas and/or hot tubs:

Residential

\$190.00 (includes electrical and plumbing)

Commercial (Spas and/or hot tubs only)

\$210.00 (includes electrical and plumbing)

Certificate of Occupancy:

\$150.00 Change of location, ownership or new business

\$30.00 Change of name, addendum or duplicate copy

\$60.00 Clean & show

\$100.00 Conditional certificate of occupancy

Moving:

\$50.00 Less than 400 square feet

\$100.00 More than 400 square feet

Special Event or Temporary Commercial Amusement Facility (circus, carnival, etc.):

\$100.00 If not using a tent larger than 200 square feet or a canopy larger than 400 square feet.

\$170.00 If using a tent larger than 200 square feet or a canopy larger than 400 square feet.

Temporary Activity (public auction, stock show, commercial sporting activities, Christmas tree lot, temporary seasonal activities such as plant sales and landscaping material, etc.):

\$70.00 If not using a tent larger than 200 square feet or a canopy larger than 400 square feet.

\$140.00 If using a tent larger than 200 square feet or a canopy larger than 400 square feet.

Temporary Sales (5 consecutive days per month; permit must be issued to certificate of occupancy holder):

\$40.00 If not using a tent larger than 200 square feet or a canopy larger than 400 square feet.

\$100.00 If using a tent larger than 200 square feet or a canopy larger than 400 square feet.

Reinspection Fees:

\$50.00 Single re-fee

\$100.00 Double re-fee

\$50.00 Single stormwater re-fee

\$100.00 Double stormwater re-fee

After Hours Inspection:

\$60.00 - per hour, \$120.00 minimum

Board Fees:

\$100.00 Building & Fire Code Board, nonrefundable

\$100.00 Plumbing & Mechanical Board, nonrefundable

\$100.00 Electrical Board, nonrefundable

\$200.00 Board of Adjustment - Residential, nonrefundable

\$300.00 Board of Adjustment - Nonresidential, nonrefundable

Request for Public Information:

The charge for providing public information under this section shall comply with the cost provisions contained within subchapter F of the Public Information Act, Texas Government Code sections 552.261-552.275, and the cost regulations as promulgated by the Office of the Attorney General and contained with title 1, Texas Administrative Code, section 70.3.

Other Fees:

Water and roadway impact fees are assessed by the Planning Department, but paid for in the Building Inspection Department. Water impact fees do not include water meter fees.

Pro rata fees are paid for in the Engineering Department (972) 205-2170.

Sewer tap fees are assessed by the Water Department, but paid for in the Building Inspection Department.

Refunds:

In the event of abandonment or discontinuance of work for which a permit has been issued, a refund by the city of certain portions of the permit fee shall be made; provided, however, that a written request is made by the person or firm who paid the fee; and provided, that the written request is delivered, along with the original receipt to the office of the Building Official within sixty (60) days of the date of abandonment or discontinuance of the work. The portion of the fee to be refunded shall be in accordance with the schedule shown below, where the portion of the fee to be refunded

shall be based upon the point to which the work has progressed prior to abandonment or discontinuance, as determined from City inspection records.

For the purpose of determining the refundable portion of the fee for combined and individual building permits and for swimming pool permits, the term "first inspection" shall mean any building foundation inspection, pool steel inspection or plumbing rough-in inspection. Similarly, the term "second inspection" shall mean any building framing inspection, plumbing top-out inspection, electrical rough-in inspection or mechanical system duct inspection.

- (1) Residential, apartment and commercial building permits; both combined and individual swimming pool permits:

Time at Which Work is Abandoned or Discontinued	Percentage of Fee to be Refunded
Following issuance of permit, but prior to any first inspection	75%
Following any first inspection, but prior to any second inspection	50%
Following any second inspection, but prior to any final inspection	25%
Following any final inspection	No Refund

- (2) Subcontractor permits and miscellaneous permits other than swimming pools:

Time at Which Work is Abandoned or Discontinued	Percentage of Fee to be Refunded
Following issuance of permit, but prior to any inspection	50%
Following any inspection	No Refund

- (3) Certificates of Occupancy:

Time at Which Refund is Requested	Percentage of Fee to be Refunded
Prior to any inspection	75%
Following one (1) inspection, by any department	50%
Following two (2) inspections by any department	No Refund

Payment Required:

No permit required by Chapter 30, article I, of this Code and by the International Building Code shall be issued until the fee prescribed by Chapter 30, article I, of this Code has been paid, nor shall an amendment to a permit be approved until any additional fee required by such amendment has been paid.”

Section 4

That Sec. 31.15 of Chapter 31, “Engineering”, of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

“Sec. 31.15 Engineering review and inspection fee

All improvements and facilities placed or constructed in public rights-of-way, access, pedestrian, utility, drainage, and traffic-control easements requiring future maintenance by the City shall be assessed an engineering review and inspection fee to recover administration and inspection cost based on the total construction cost of the improvements including, but not limited to, street paving, alley paving, traffic signals, screening walls, landscaping, storm sewers, sanitary sewers, lift stations, water lines, meters, fire hydrants, drainage structures, channels and appurtenances. The Director of Engineering shall collect the fee in an amount equal to four percent of the value of the improvements as determined from the total contract amount (including change orders) or the probable estimate of construction cost of such improvements and facilities as certified by the developer’s engineer of record. All collections will be made payable to the City and shall be deposited by the Director of Engineering in the general fund. The minimum per subdivision shall be \$100. The fee shall be paid in full by the developer prior to the release of engineering plans for construction by the Director of Engineering. True and correct copies of actual construction costs shall be provided in order to verify costs. Fees are nonrefundable.”

Section 5

That Sec. 32.62 of Chapter 32, “Neighborhood Sanitation and Housing Services”, of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

“Sec. 32.62 Abatement liens; manner of collection

(A) After notice to the owner of the property involved, if the owner of the property does not comply with a requirement imposed by a provision of this Chapter arising under Chapter 342, TEX. HEALTH & SAFETY CODE within the time period specified, the City may do the work or make the improvements required to obtain compliance. If the City pays for the work done or improvements made, the expense so incurred shall be charged to the owner of the property together with an administrative fee as follows:

First abatement:

\$194.00

Second abatement (if within 90 days of first)	\$388.00
Third abatement (if with 90 of second)	\$582.00

On the fourth abatement, and for each subsequent abatement thereafter within 90 days of the previous abatement, the administrative fee will increase by \$50 for each offense.

(B) On filing with the County Clerk of Dallas County, Texas, a statement signed by the Mayor, the City Manager, the director of a City department charged with enforcing this division, or the Managing Director of Financial Services of expenses actually incurred plus administrative fees, the City shall have a lien against the premises to the extent of the expenses and administrative fees incurred. Such lien shall be a privileged lien, second only to tax liens and liens for street improvements. Interest at the rate of ten percent (10%) compounded annually shall accrue on the expenses and fees secured by the lien. Interest shall be calculated from the date the expenses secured by the lien were incurred by the City.

(C) For such expenditures and interest, the City may institute suit to foreclose the lien and a statement of expenses or certified copy thereof shall be prima facie proof of the amount expended in such work in abatement and the reasonableness thereof.”

Section 6

That Sec. 34.57 (4)(g) of Chapter 34, “Planning”, of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

“(g) Zoning verification letter: \$50.00.”

Section 7

That the Code of Ordinances of the City of Garland, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 8

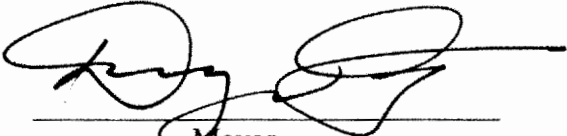
That the terms and provisions of this Ordinance are severable and are governed by Section 10.06 of the Code of Ordinances, City of Garland, Texas.

Section 9

That this Ordinance shall become effective on October 1, 2013.

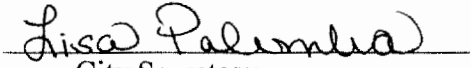
PASSED AND APPROVED this the 3rd day of September, 2013.

CITY OF GARLAND, TEXAS



Mayor

ATTEST:



City Secretary