

ORDINANCE NO. 6857

AN ORDINANCE AMENDING CERTAIN 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.

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

Section 1

That the initial introductory section of Sec. 30.301 immediately following the heading "Schedule of fees", of Chapter 30 "Building Inspection" of the Code of Ordinances of the City of Garland, Texas is hereby amended by adding a paragraph so that it shall 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.

Construction valuation shall be stated on the permit application and shall include the entire value of the construction being proposed. Construction valuation shall include all costs of constructing the actual structure including all mechanical, electrical, plumbing, fire sprinkler and interior and exterior finishes. If the stated construction valuation is less than what is reflected in the most current Square Footage Construction Cost Table from Building Valuation Data published by the International Code Council, the City may recalculate the construction valuation using that table and assess the fee based on the new calculated construction value."

Section 2

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

"(C) Residential construction:

(1) SFR - New:

- \$3.75 Per \$1,000.00 of construction valuation. Minimum \$650.00 (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.

(2) 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):

- \$5.00 Per \$1,000.00 of construction valuation. Minimum \$100.00 (includes mechanical, electrical and plumbing fees)

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

- \$5.00 Per \$1,000.00 of construction valuation, minimum \$50.00.
- \$70.00 Mechanical (if applicable)
- \$70.00 Electrical (if applicable)
- \$70.00 Plumbing (if applicable)

(4) 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
 \$60.00 Roofing permit

(5) Multifamily construction:

(a) Multifamily new:

\$450.00 Per unit (including common noncommercial areas, such as laundry rooms; includes mechanical, electrical and plumbing fees)

\$75.00 Per unit for 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.

(b) Multifamily additions:

\$450.00 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.

(c) Multifamily repairs, alterations and/or remodeling (including re-roofs):

\$5.00 Per \$1,000.00 of construction value. Minimum fee \$100.00 (Includes mechanical, electrical and plumbing fees)

(d) Multifamily 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"

Section 3

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

"(D) Commercial:

(1) Commercial and Non-residential - New building and new shell buildings:

\$2.50 Per \$1,000.00 of construction valuation. Minimum \$1,000.00 (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.

(2) Commercial and Non-residential canopies:

\$3.00 Per \$1,000.00 of construction valuation. Minimum \$100.00 (includes any electrical fee)

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

(3) Commercial and Non-residential - Interior completions, major repairs, remodeling or alterations:

\$3.00 Per \$1,000.00 of construction valuation. Minimum permit fee \$100.00 (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.

(4) 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"

Section 4

That Sec. 50.34 (1) of Chapter 50, "Utility Rates and Fees," of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(1) Residential, commercial and industrial rates.

(a) Residential.

Volume Charge

First 3,000 gallons or less (per thousand)	\$4.35
Next 12,000 gallons (per thousand)	\$5.49
All over 15,000 gallons (per thousand)	\$8.78

(b) Commercial and industrial.

Volume charge per 1,000 gallons	\$5.76
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(c) Customer charge per month for residential, commercial and industrial customers will be based on meter size:

<u>Meter</u>	<u>Rate</u>
5/8 inch	\$16.45
¾ inch	\$21.40
1 inch	\$22.65
1-1/2 inch	\$25.05
2 inch	\$33.20
3 inch	\$86.55
4 inch	\$106.85
6 inch	\$153.15
8 inch	\$206.65"

Section 5

That Sec. 50.35 of Chapter 50, "Utility Rates and Fees," of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(A) Residential users.

(1) Single-family residential users.

Customer charge	\$6.55 per month
Volume charge	\$4.50 per 1,000 gallons

Minimum monthly charge equals the customer charge per month. Maximum volume charge will not exceed a ceiling of 17,000 gallons per month. Volume charge is based on 98% of metered water consumption. Maximum charge will not exceed the customer charge plus volume charge for 17,000 gallons per month.

Bills will be based on 98% of the actual water volume not to exceed the customer's individual ceiling. The individual ceiling is 98% of the average metered water volume billed during the previous December-March period for that specific customer. In the event at least three of the four months are not complete months for that specific customer, the customer shall be billed based on 70% of the actual water volume.

(2) Duplex dwelling residential users.

Customer charge	\$6.55 per month
Volume charge	\$4.50 per 1,000 gallons

Minimum monthly charge equals the customer charge per month. Maximum volume charge will not exceed a ceiling of 34,000 gallons per month. Volume charge is based on 98% of metered water consumption. Maximum charge will not exceed the customer charge plus volume charge for 34,000 gallons per month.

Bills will be based on 98% of the actual water volume not to exceed the customer's individual ceiling. The individual ceiling is 98% of the average metered water volume billed during the previous December-March period for that specific customer.

(3) Apartment dwelling residential users.

Customer charge	\$6.55 per month
Volume charge	\$4.50 per 1,000 gallons

Minimum monthly charge equals the customer charge per month. Volume charge is unrestricted. Volume charge is based on 80% of metered water consumption.

(B) General commercial/industrial users.

Customer charge	\$6.55 per month
Volume charge	\$4.66 per 1,000 gallons

Minimum monthly charge equals the customer charge per month. Volume charge is unrestricted. Volume charge is based on 80% of metered water consumption.

(C) Major commercial/industrial users. A separate subclass and rate may be established for major commercial and industrial users.

(D) Delayed payment charges. Delayed payment charges shall be made in accordance with section 50.34(5).

(E) Outside City limits. Charges for service outside the City limits shall be as established by service contract.

(F) Tax adjustment clause. Bills may be increased by the proportionate part of any new tax, or increased rate of tax, or governmental imposition or charge (except state, county, City and special district ad valorem taxes, payments in lieu of taxes, and any taxes on net income) levied or assessed against the municipal wastewater utility or upon its business as a result of any new or amended laws after enactment of this section.

(G) Customer cities and major commercial/industrial users, specific wastewater treatment; surcharge; review procedures. The wastewater treatment charges for customer cities shall be as follows:

<u>Customer</u>	<u>Rate Per 1,000 Gallons</u>
Dallas	\$2.87
Richardson	\$2.50
Rowlett	\$2.67
Sachse	\$2.81
Sunnyvale	\$2.81

These charges will be based on 100% of the metered volume of actual wastewater discharged into the City. These rates do not abrogate any provisions under existing contracts between the City and the individual customer cities, but are supplemental to said contracts.

And further, the wastewater treatment rates for the individual industrial subclasses are to be:

<u>Customer</u>	<u>Rate Per 1,000 Gallons</u>
Kraft Foods	\$11.57
Sherwin-Williams	\$5.85
General Dynamics	\$4.85
Raytheon	\$4.85
Baylor Medical Center	\$4.85
Carroll Company	\$11.05
Economics Lab	\$11.33
Valspar Chemical Corp.	\$5.37
Texas Precision	\$4.85
L3 Communications	\$4.85
Daisy Brand	\$12.50
IFS/Ona Polymers	\$23.22

This sewerage effluent will be based on 80% of the water volume unless the customer has installed a City-approved flow-measuring device, in which case the total flow will be used.

A commercial/industrial surcharge will be applied if a user exceeds the quality loading data (weighted average biochemical oxygen demand (BOD) and weighted average total suspended solids (TSS)) used in the development of its user charge by 50%. When this excess is encountered, a surcharge will be computed which will be the actual cost of additional treatment. This surcharge will be computed by the following formula:

BOD and TSS Surcharge Calculation (mg/l)

$$S_1 = V \times (BOD - C) * A$$

$$S_2 = V \times (TSS - D) * B$$

Where:

S₁ = BOD Surcharge

S₂ = TSS Surcharge

V = Total water consumption in thousands of gallons during the billing period

A = Unit charge in dollars per liter for BOD

B = Unit charge in dollars per liter for TSS

C = Normal BOD strength allowance defined as 200 mg/l

D = Normal TSS strength allowance defined as 200 mg/l

BOD = Average 3-month biochemical oxygen demand concentration in mg/l

TSS = Average 3-month total suspended solids concentration in mg/l

In the event a customer places pretreatment equipment in the business process or for any other reason improves the quality of effluent, a review process may be requested by the industrial customer. To obtain this review, all of the following steps must be taken:

- (1) The customer must make a formal written request to the City Council through the City Secretary for this rate to be examined.
- (2) Formal assurances must be supplied that a change in the effluent due to sewerage pretreatment, product manufacturing change, or any other reason must be expected to remain in effect for at least 12 months or until the next scheduled rate review and change.
- (3) The customer must agree that the cost of sampling by City staff (or an independent party at the City's election) to determine the new loading factors, plus the cost of 2 more samples to be taken at the City's own discretion, will be prepaid by the customer. In the event the City elects not to take additional samples or if the next samples are part of the regularly scheduled sampling plan, the cost of the prepaid samples will be refunded by the City to the customer. The cost of samplings will be \$75.00 each, for a total of \$225.00.

The City shall have 45 days from the date the written request is received by the City Secretary to take action. This will be in the form of a resolution acted upon by the City Council. The effective date of the credit shall be the regular bill to the customer subsequent to the approved resolution by the Council. A rate credit may be in order to be approved by the City Council. The credit shall remain in effect until the next regular rate

schedule has been put into effect by the City Council unless the user's effluent increases significantly, in which case the provisions set forth above concerning surcharges shall apply. Should the customer be deemed entitled to a rate reduction, the maximum amount of the reduction to be allowed would be the variable costs associated with the new effluent loadings. This credit will be computed in the same manner as the surcharge as defined above. The City Council may take any action it deems equitable with respect to the customer's rate, but until such action is taken, the customer's obligation to pay rates previously established shall not be relieved unless this subsection is amended by proper Council action.

Prior to the implementation of the proposed rates for each budget year, each customer will have the right to an administrative review of the cost allocations. Computer calculations, work papers and sampling data shall be available for public review during normal business hours.

Nothing in this subsection shall be construed to supersede or abolish the industrial waste ordinance controlling allowable discharges (codified herein as section 22.140 et seq.) and associated penalties."

Section 6

That Sec. 50.38 of Chapter 50, "Utility Rates and Fees" of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

Sec. 50.38 Cross-connection control and prevention fees

- (A) Backflow prevention assembly registration fees. An annual nonrefundable registration fee of thirty-six dollars (\$36.00) shall be charged for each nonresidential backflow prevention assembly device.
- (B) Licensed backflow prevention assembly tester registration fee. The annual registration fee for approved testers shall be a nonrefundable fee of one hundred dollars (\$100.00).

Section 7

That Sec. 51. 74(D) (2) of Chapter 51, "General Utility Provisions" of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(2) Provide evidence to the Managing Director that the applicant has successfully completed a TCEQ accredited 8 hour hands on "Permit Confined-Space Entry Training" as specified by the Occupational Safety and Health Administration (29 CFR 1910.146) within the past 5 years. Non-TCEQ accredited "Confined Space Entry Training" will need to be verified and approved by the Managing Director;"

Section 8

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 9

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

Section 10

That this Ordinance shall become effective on October 1, 2016.

PASSED AND APPROVED on this the 6th day of September, 2016.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary