

ORDINANCE 2022 – 06

AN ORDINANCE OF THE CITY OF COMMERCE, TEXAS AMENDING APPENDIX “C”, “FEES, RATES AND CHARGES” OF THE CODE OF ORDINANCES OF THE CITY OF COMMERCE, TEXAS; ESTABLISHING A MASTER FEE SCHEDULE FOR COSTS, FEES, AND RATES ASSOCIATED WITH PERMITTING, UTILITY SERVICES AND OTHER SERVICES PROVIDED BY THE CITY OF COMMERCE; PROVIDING PURPOSE AND INTENT; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING FOR A SAVINGS/REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Commerce is a home rule municipality with the power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code, and the City of Commerce Charter; and

WHEREAS, the City of Commerce must charge fees in order to serve as a fiscally responsible governmental entity and to recover costs incurred by the City of Commerce in connection with the aforementioned permits, fees and services provided by the City; and

WHEREAS, the adoption of the amended Code of Ordinances requires that a separate ordinance be passed incorporating fees to be applied to City operations; and,

WHEREAS, City Staff has studied the cost of providing services and enforcing the regulatory schemes which are currently not covered adequately by the existing fees; and,

WHEREAS, after receiving and reviewing fees, the City Council finds that the fees established herein do not exceed the amount reasonably necessary to provide the services and administer and enforce the processes and programs to which they are related; and,

WHEREAS, the City Council finds that it is justified and proper that the fines, fees, and rates described herein are necessary to provide for the services and regulated programs within the City of Commerce.

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

SECTION 1. FINDINGS INCORPORATED.

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. AMENDMENT.

Appendix "C" entitled "Fees, Rates, and Charges" of the Code of Ordinances of the City of Commerce is hereby replaced and a new Appendix "C" entitled "Fees, Rates, and Charges" of the Code of Ordinances is hereby adopted to be and read in its entirety and all the remaining section and subsection of Appendix "C", "Fees, Rates, and Charges" not expressly amended hereby shall remain in full force and effect.

Sec 1 – Schedule of fees, rates, etc., for city services.

Rates, fees, charges, deposits, etc., to be charged for city services shall be as established in the following schedule:

Credit Card Fees:

If paid over the phone, through online services, or in person3% of total purchase

UTILITY FEES:

Water Deposits

Residential (Owner Occupied)	\$100.00/each
Residential (Rental/Tenant Occupied)	\$150.00/each
Fire Hydrant Meter Deposit	\$500.00/each
Commercial, Industrial, Institutional, Multi-Family Commercial (Quadplex, Apartments, etc.) utility users will have the deposit calculated by using the charges of a similar user for a two (2) month period.	

Water Tap Fees

¾"	Dirt (Ditch, Yard)	\$850.00/each
¾"	Concrete/Asphalt Street	\$1050.00/each
1"	Dirt (Ditch, Yard)	\$950.00/each
1"	Concrete/Asphalt Street	\$1150.00/each
1 ½"	Dirt (Ditch, Yard)	\$1125.00/each
1 ½"	Concrete/Asphalt Street	\$1300.00/each
2"	Dirt (Ditch, Yard)	\$1200.00/each
2"	Concrete/Asphalt Street	\$1350.00/each
Larger than 2"	\$1350.00 minimum fee, plus cost of materials/labor	
Manifold	\$2,000.00/each	
Fourplex	Required to install one 2" water tap, one manifold and a separate meter for each individual unit.	

Multi-family complexes (larger than fourplex)	Required to install one 2" water tap, one manifold per every six units, and a separate meter for each individual unit.
NOTE: Meter spacing must be detailed on construction site plans for sufficient spacing and reasonable accessibility.	

Water Tap Fees, Sprinkler System

¾"	Yard Line	\$250.00/each
1"	Yard Line	\$350.00/each
NOTE: Yard line taps for sprinkler systems are tapped in the meter box and require a backflow device installation and must be certified and tested before the meter will be turned on for active use. The report for the backflow device shall be delivered to SC Tracking Solutions by a licensed irrigation specialist installing the sprinkler system to be attached to the property file.		

Sewer Tap Fees

4"	Dirt (Ditch, Yard)	\$650.00/each
4"	Concrete/Asphalt Street	\$850.00/each
6"	Dirt (Ditch, Yard)	\$800.00/each
6"	Concrete/Asphalt Street	\$1000.00/each
6" sewer taps which have secondary sewer lines attached may require manhole installation at the intersection of the 6" sewer line and the mainline. Costs associated with material and labor and potential third-party installation due to depth of lines and connection requirements of TCEQ.		

Other Fees

Utility Service Application/Connection and Transfer Fee	\$30.00/each
Transfer fee occurs when water service is transferred from one location to another inside the City of Commerce service area. The deposit will also be transferred to the new utility account.	
Late Charge/20 th Day After Billing Date	10% of Bill
Meter Reread (One free reread annually)	\$30.00/each
Cut-off Fee/30 th Day After Billing Date	\$30.00/each
Returned Check or ACH Fee	\$30.00/each
Temporary Water Service (7 Days)	\$50.00/week
Bulk Construction Water Purchase (Up to 2,500 gallons per load to 700 Washington-Service Center)	\$15.00 each

Tampering with Water Meter Fees

First Occurrence Penalty	\$50.00/each
Second Occurrence or More Penalty	\$50.00/each + \$50.00 per occurrence
Lock Replacement	\$30.00/each
3/4" Meter Replacement	\$500.00/each
Replacement Meter Installation	\$30.00/each
Cost associated with damage done to a meter and/or utility service lines may require additional material and labor, which will be billed separately.	

PARKS AND RECREATION FEES:

Description	Residents	Non-Residents
Existing Recreation Programs		
Basketball Registration	\$50.00	\$60.00
Baseball/Softball Registration	\$60.00	\$70.00
Soccer Registration	\$50.00	\$60.00
Volleyball Registration	\$50.00	\$60.00
Track & Field Registration	\$50.00	\$60.00
New Programs		
Fees for new programs may be set by the Director of Parks and Recreation with approval by the City Manager on a case-by-case basis. Nonresidents shall pay a \$10.00 surcharge per program or special event.		
Facility Rentals		
Pavilion Rental	\$50 for up to 4 hours \$10/hour for each additional hour thereafter	\$60 for up to 4 hours \$10/hour for each additional hour thereafter
Field Rental	\$50 Deposit \$25 for up to 4 hours \$10/hour for each additional hour thereafter	\$50 Deposit \$30 for up to 4 hours \$10/hour for each additional hour thereafter
Staffing Fee	\$25 per hour	\$30 per hour
Facility Clean Up Fee	\$40 per hour	\$50 per hour
Late Fees		
All programs are subject to a \$10.00 late fee for participants registering after posted deadlines.		
Discount Registration		
The Director of Parks and Recreation with approval of the City Manager may offer a discount on the cost of registration for up to \$10 for participants who register within a posted "early registration" period.		

BUILDING & DEVELOPMENT SERVICE FEES:

Planning and Development Fees

*The City utilizes a third-party plan reviewer and inspector. These costs are added to permit fees unless otherwise noted.

Plats	
Residential Plat/Replat	\$200.00/plus recording fees
Commercial Plat/Replat	\$200.00/plus recording fees
Vacating Plat, Amending Plat and Minor Plat	\$200.00/plus recording fees
Plat Variance Request/Appeal	\$200.00

Zoning	
Board of Adjustment Variance Request/Appeal	\$250.00
Conditional and Special Use Request	\$250.00
Planned Development District	\$250.00
Street, Alley, Easement Abandonment	\$250.00
Zoning Variance Request/Rezone/Appeal	\$250.00
Development Plans	
Single-Family and Two-Family Residential Building Plan Review Fee	Actual Cost*
Multi-Family (3 or More Units) Residential Building Plan Review Fee	Actual Cost*
Commercial Building and Site Plan Review Fee	Actual Cost*
Engineering Review Fees	Actual Cost*

Building Permit Fees

Building Permit - New Construction Residential (Single Family and Two-Family Dwellings) (Per dwelling unit)	
*Permit includes electrical, plumbing, and mechanical.	
0 sq. ft. to 5,000 sq. ft.	\$250.00 base fee plus \$0.15/sq. ft.
5,001 to 10,000 sq. ft.	\$250.00 base fee plus \$0.13/sq. ft.
10,000 and Up	\$250.00 base fee plus \$0.12/sq. ft.

Building Permit - New Construction Commercial, Commercial Alteration/Additions, & Roofing	
*Permit includes electrical, plumbing, and mechanical.	
*Total Valuation = Fair market value of work, including all materials and labor.	
\$1.00 to \$1,000.00	\$35.00
\$1,001.00 to \$50,000.00	\$35.00 for the first \$1,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof, up to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$350.00 for the first \$50,000.00 plus \$4.00 for each additional \$1,000.00, or fraction thereof, up to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$600.00 for the first \$100,000.00 plus \$4.00 for each additional \$1,000.00, or fraction thereof, up to and including \$500,000.00
\$500,001.00 and Up	\$2,000.00 for the first \$500,000.00 plus \$2.50 for each additional \$1000.00, or fraction thereof

Building Permit – Multi-Family	
*Permit includes electrical, plumbing, and mechanical.	
*Total Valuation = Fair market value of work, including all materials and labor.	
\$1.00 to \$1,000.00	\$50.00
\$1,001.00 to \$50,000.00	\$50.00 for the first \$1,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof, up to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$295.00 for the first \$50,000.00 plus \$4.00 for each additional \$1,000.00, or fraction thereof, up to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$495.00 for the first \$100,000.00 plus \$4.00 for each additional \$1,000.00, or fraction thereof, up to and including \$500,000.00
\$500,001.00 and Up	\$2,095.00 for the first \$500,000.00 plus \$2.50 for each additional \$1000.00, or fraction thereof

Building Permit - Single-Family, Two-Family, Remodel, Fire Damage, Repairs, Additions & Alterations	
a. 0 to 1,500 sq. ft.	\$150
b. 1,501 to 2,500 sq. ft.	\$200
c. 2,501 sq. ft. to 3,500 sq. ft.	\$300
d. 3,501 sq. ft. to 5,000 sq. ft.	\$400
e. 5,001 sq. ft. or more	\$500
Building Permits are required for alterations which cannot be quantified by square footage at \$100.00	

Residential Construction Plan Review and Inspection	
Square Footage	Fee
0 – 1,500 S.F.	\$785.00
1,501 – 10,000 S.F.	\$785.00 for the first 1,500 S.F. plus \$0.35 for each additional S.F. to including 10,000 S.F.
Over 10,000 S.F.	\$3,760.00 for the first 10,000 S.F. plus \$0.15 for each additional S.F. over 10,000 S.F.
Alteration/Addition	
Trade Permits	Fee
Building, Mechanical, Electrical, Plumbing, Fuel Gas and similar	\$100.00 per trade (includes plan review and inspections remodel)
Other project types not listed above	\$160.00 per trade

Building Permits (Includes Inspection Fee)		
1	Building Permit - Electrical	\$100.00
2	Building Permit - Plumbing	\$100.00
3	Building Permit – Mechanical	\$100.00

Commercial Building Permit – Mechanical (Inspection Fee to be added)		
1	Base Permit Fee	\$100.00
	Additional Fees Listed Below	
2	New Mechanical, Repair or Alteration – Heating, Air Conditioning, Refrigeration, Ventilating, Duct Work, Vent-a-hood, and Fire Protection	\$35.00 for the first \$1000.00 plus \$5.00 for each additional \$1000.00, or fraction thereof
3	Broiler/Compressor Installation, Relocation or Repair	33,000 BTU to 165,000 BTU....\$10.00 165,001 BTU to 330,000 BTU....\$15.00 330,001 BTU to 1,165,000 BTU....\$20.00 1,165,001 BTU to 3,300,000 BTU....\$25.00

Building Permit Inspection Fees		
1	Commercial and Multi-Family Inspection Fees	Actual Cost *
2	Reinspection, Residential	\$76.92/each
3	Reinspection, Commercial	\$125.00/each

Miscellaneous Fees and Permits

1	Alcoholic Beverage Permit	50% of TABC Fees
2	Carport	\$50.00
3	Certificate of Occupancy, Commercial	\$100.00
4	Dance Hall Permit	\$200.00 per location/year
5	Demolition Permit, Accessory Building	\$50.00
6	Demolition Permit, Commercial	\$200.00
7	Demolition Permit, Residential	\$100.00
8	Driveway Permit	\$50.00
9	Fence Permit	\$0.00
10	Irrigation Permit, Residential	\$50.00
11	Irrigation Permit, Commercial	\$75.00
12	Itinerant Vendor License	\$80.00 per 30 days from date of issuance
13	Mobile Home Park License	\$100.00/year
14	Residential Accessory Building Permit, 200.01 sq. ft. or more	\$50.00 plus \$0.15 per sq. ft. over 200 sq. ft.
15	Right of Way Permit	\$75.00
16	Solicitors Permit	\$50.00 for 30 days from date of issuance
17	Structure Moving Permit, Accessory Building	\$25.00
18	Structure Moving Permit, Single Family Residential	\$100.00
19	Working Without Permit	Twice Permit Fee
20	Swimming Pool Permit	\$100.00
21	Residential Roofing Permit	\$100.00

Contractor Registration Fees

1	Backflow Tester Contractor	\$50.00/year
2	Electrical Contractor	\$0.00/year
3	Electrical Sign	\$0.00/year
4	Fencing Contractor	\$0.00/year
5	Fire Protection Contractor	\$50.00/year
6	Fire/Security Alarm Contractor	\$50.00/year
7	General Contractor	\$0.00/year
8	Irrigation Contractor	\$50.00/year
9	Mechanical Contractor	\$0.00/year
10	Pool Contractor	\$0.00/year
11	Plumbing Contractor	\$0.00/year
12	Roof Contractor	\$0.00/year
13	Sign Contractor	\$50.00/year
14	Utility Contractor	\$50.00/year

Life, Health, and Safety Inspection Fees (Residential Occupancy Inspection)

1	Residential Structures and Residential Rental Units (Non-Apartment Complexes)	Initial Inspection....\$25.00/each First Reinspection Upon Failed Initial Inspection....\$0.00 Each Additional Reinspection....\$50.00/each
2	Apartment Complexes (3 or More Consecutive Rental Units)	Initial Inspection....\$10.00/unit First Reinspection Upon Failed Initial Inspection....\$30.00/unit Each Additional Reinspection....\$75.00/unit

Sign Permit Fees

1 st Sign	\$50.00
Each Additional Sign	\$17.50

Fire and Security Alarm Permit Fees

1	Security and Fire Alarm Permit, Commercial	\$50.00/year
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Brush and Limb Drop-off Fees

1	Residential Brush and Limb Drop Off Fee	\$5.00 per load for residents of the City of Commerce
2	Commercial Brush and Limb Drop Off Fee	\$20.00 per load

Aviation Fees

1	Ground Lease	\$30.00/month
2	City Owned T-Hangar Lease	\$100.00/month
3	Shade T-Hangar Lease	\$70.00/month
4	Enclosed T-Hangar	\$150.00/month
5	Incident Response Fee	\$500.00 (first hour) plus \$100.00 for each additional hour
6	Spill Clean-Up Fee, per Barrel of Absorbent + Any Fines Incurred	\$250.00

MISCELLANEOUS FEES:

Open Records:

If over 30 pages of regular sized copies \$0.10
per page

Nonstandard-size copy

- (a) Diskette \$1.00 each
- (b) Magnetic Tape \$10.00 each
- (c) VHS Video Cassette \$2.50 each
- (d) Audio Cassette \$1.00 each
- (e) Paper Copy \$0.50 each

(f) Other Actual cost

Personnel Charge \$15.00
per hour

Overhead Charge 20% of personnel charge (can only charge overhead and labor if over 50 pages of
standard sized copy)

Microfiche or Microfilm Charge:

(a) Paper copy \$0.25

(b) Fiche or film copy Actual cost

Remote document retrieval charge Actual cost

Computer resource charge:

Mainframe \$17.50 per minute

Midsized \$3.00 per minute

Client/Server \$1.00 per minute

PC or LAN \$0.50 per minute

Programming time charge..... \$26.00 per hour

Miscellaneous Supplies Actual cost

Postage and Shipping Charges Actual cost

Fax Charge \$2.00 per page

Other Costs Actual cost

COURT FEES:

In accordance with state law

PUBLIC SAFETY

Accident Reports \$6.00 per report

Other Records See open records

Fingerprints for handgun permits \$5.00

Dance Hall Permit..... \$200 per location/annually

Game Room Permits..... \$1,500.00 annually

1	Security and Fire Alarm Permit, Commercial	\$50.00/year
2	False Security Alarm Fee	1-4 False Alarms....\$0.00 5-8 False Alarms....\$25.00/each 9-10 False Alarms....\$50.00/each 11 Plus False Alarms....Suspension of Permit
3	False Fire Alarm Fee	1-4 False Fire Alarms....\$0.00 5-8 False Fire Alarms....\$50.00/each

	9-10 False Fire Alarms....\$100.00/each 11 Plus False Fire Alarms....Suspension of Permit
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Parking Boot/Vehicle Immobilization Fee.... \$100.00 plus charges associated with towing of vehicle if applicable

ANIMAL SERVICES

Impound fees \$10.00 per animal/per day

2nd offense \$25.00 per animal/ per day

3rd offense and each subsequent. \$45.00 per animal/ per day

Animal License No Charge

Impound of Livestock \$10.00 per day

Quarantine Fees \$10.00 per day/ 10 days

Animal Surrender Fees:

Accepting animals inside city limits	\$20.00
Accepting animals outside city limits, but within Hunt County	\$25.00
Accepting Animals outside Hunt County limits	\$100.00 per animal unit • For 2-5 animals = \$200.00 • 5+ animals = we will not be able to accept

*Puppies or Kittens still nursing would be considered a single animal unit.

Euthanasia Request... \$75.00 per animal

Adoption Fee \$100.00 per dog/\$85.00 per cat

Adoption Specials

2 for \$100 - cat/kitten adoption fee

2 for \$175 - dog/puppy adoption fee

"All Paws Matter" Veteran Special	10% off adoptions for First Responders & Veterans with proof of military ID
A Birthday Celebration	50% off a pet adoption on the adopter's birthday (must present valid state ID with date of birth or a birth certificate to qualify)
"Adopt a Heart" Valentine's Day Special	25% off adoptions through the week of Valentine's Day (beginning the Saturday before Valentine's Day through the Saturday immediately after Valentine's Day)
"Feeling Lucky" for St. Patrick's Day	Shelter will have a bowl containing concealed, folded cards for a chance to receive 10%, 20% or 30% off an adoption on St. Patrick's Day
"Better than A Bunny" Easter Special	10% off adoptions through the week of Easter (beginning the Saturday before Easter through the Saturday immediately prior to Easter Sunday)
"Spooky Pets"	13% of all adoptions for the last 13 days of October

"A Home for the Holidays" Christmas Special	50% off adoptions for the last 14 days of December
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***Adoption Specials shall not interfere with normal operating hours of the shelter.**

SOLID WASTE FEES

Temporary Dumpster Initial Placement Fee (2-6 yard dumpsters only).... \$34.50

Temporary Dumpster Rental Fee..... \$1.73/day

Residential

Bulky Waste \$18.66

Per Cubic Yard..... \$18.52

Construction..... \$23.40

Commercial Hand Collect

Bags	Once Per Week	Twice Per Week
5 or fewer bags	\$24.09	\$29.15
6-10 bags	\$29.15	\$35.48
10-20 bags	\$34.85	\$38.64

Commercial Dumpster

Dumpster Size	Once Per Week	Twice Per Week	3 x Per Week	4 x Per Week	5 x Per Week
2 yards	\$55.09	\$86.71	\$120.87	\$147.43	\$172.73
3 yards	\$66.47	\$114.54	\$163.88	\$210.68	\$252.43
4 yards	\$85.45	\$144.90	\$211.95	\$266.34	\$319.47
6 yards	\$117.07	\$209.42	\$280.26	\$375.13	\$451.03

Open Top Containers

Dumpster Size	Daily Rental	Monthly
20 Cubic Yard	\$3.48	\$474.38
20 Cubic Yard (Shingles)	\$3.48	\$531.30
30 Cubic Yard	\$3.48	\$543.95
40 Cubic Yard	\$3.48	\$613.53
35 Cubic Yard Compactor	NA	\$664.13
40 Cubic Yard Compactor	NA	\$695.75

Anything over 10 Tons is \$50 per ton. Containers that are overfilled or blocked charge a \$130 dry run fee.

Any commercial non-standard waste disposal or waste disposal equipment not addressed in the above rates will be charges at 10% over the contractor's price.

Special Pick-Up can be requested and accommodated on an "as needed" basis. The cost will be calculated based on weight and invoiced on the resident's next utility bill.

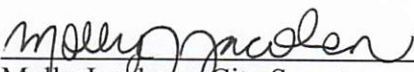
SECTION 3. SAVINGS/REPEALING CLAUSE. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 4. SEVERABILITY CLAUSE. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council of the City of Commerce hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences clauses and phrases be declared unconstitutional or invalid.

PASSED AND APPROVED on the first reading at a regular meeting of the City Council of the City of Commerce, Texas on this the 19th day of April 2022.

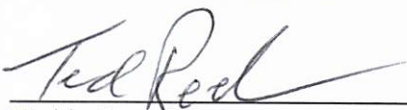
PASSED AND APPROVED on the second reading at a regular meeting of the City Council of the City of Commerce, Texas on this the 17th day of May 2022.

ATTEST:

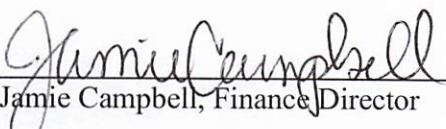

Molly Jacobsen, City Secretary

(seal)

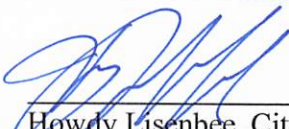
CITY OF COMMERCE:


Teddy Reel, Mayor

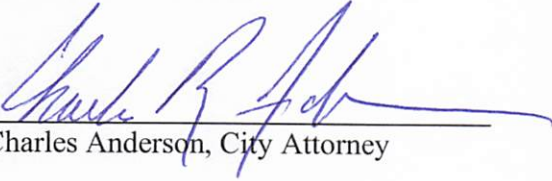
APPROVED BY FINANCE:


Jamie Campbell, Finance Director

CITY OF COMMERCE:


Howdy Lisenbee, City Manager

Approved as to Form:


Charles Anderson, City Attorney

I, Molly Jacobsen, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a Resolution, and that the same has not been repealed and is in full force and effect.

(Seal)




Molly Jacobsen, City Secretary