

ORDINANCE 2024 – 05 – 01

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, the City continuously reviews provisions of the City Code of Ordinances to ensure it is meeting the needs of the city and our citizens and reflects current practices within the city; 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:

PARKS AND RECREATION FEES:

Description	Residents	Non-Residents
Existing Recreation Programs		
Basketball Registration	\$65.00	\$65.00
Baseball/Softball Registration	\$65.00	\$65.00
Soccer Registration	\$65.00	\$65.00
New Programs		
Fees for new programs may be set by the Parks and Recreation Department or the Boys & Girls Club with approval by the City Manager on a case-by-case basis.		
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 Parks and Recreation Department, 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.		

ANIMAL SERVICES

Impound fees \$30.00 per animal per day

2nd offense \$60.00 per animal/per day

3rd offense and each subsequent \$90/per animal/per day

Animal License / Microchipping \$10.00 per animal

Impound of Livestock \$100/per day

Impound of Exotic/Non-traditional animals \$100/per day

Impound offenses will reset 6 months after the date of animal's most recent impoundment.

Quarantine Fees \$10.00 per day/ 10 days

***Additional fees will be charged if impounded animals require medical treatment while in the care of Commerce Animal Services. The owner will be required to pay balance of fees incurred from medical treatment prior to discharge or animal(s).**

Animal Surrender Fees:

Accepting animals inside city limits	\$20.00
Accepting animals outside city limits, but within Hunt County	\$40.00
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

***Animal Surrender fees will be assessed based on the driver license or state issued identification of the individual in possession of the animal being surrendered, regardless of where the animal was found.**

****The Animal Control Officer has the authority to lower fees based on circumstances and discretion.**

Euthanasia Request... \$75.00 per animal

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

Adoption Specials

2 cat(s)/kitten(s) for \$100 - cat/kitten adoption fee

2 dog(s)/puppies 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

*Adoption Specials shall not interfere with normal operating hours of the shelter.

END OF APRIL/MAY 2024 FEE ORDINANCE AMENDMENT

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.

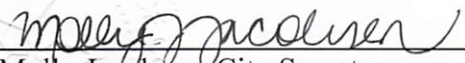
SECTION 4. SEVERABILITY CLAUSE. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. 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 16th day of April 2024.

PASSED AND APPROVED on the second reading at a regular meeting of the City Council of the City of Commerce, Texas on this the 21st day of May 2024.

ATTEST:

CITY OF COMMERCE:

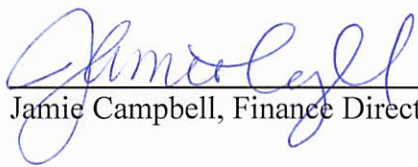

Molly Jacobsen, City Secretary

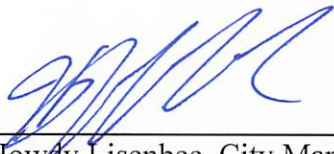

Teddy Reel, Mayor

(seal)

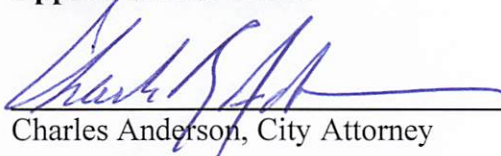
APPROVED BY FINANCE:

CITY OF COMMERCE:


Jamie Campbell, Finance Director

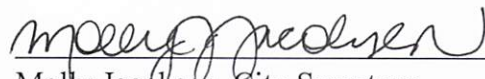

Howdy Lisenbee, City Manager

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

