

**ORDINANCE NO. 2011-09-\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION," AND APPENDIX A, ENTITLED "SCHEDULE OF FEES," OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, RELATING TO FEES, BY AMENDING SECTION 2.1 RELATIVE TO FEES FOR FLOODPLAIN RECLAMATION REVIEW, TREE PERMIT FEES, AND LICENSE AGREEMENT AUTHORIZATIONS; BY AMENDING SECTION 50-4 RELATIVE TO LIBRARY ROOM RENTAL AND TEST PROCTORING; BY AMENDING SECTION 74-75, SUBSECTION (5) RELATIVE TO SENIOR CENTER USE FEE AND SENIOR CENTER INFORMATION BOOTH FEES; BY AMENDING SECTION 74-212 RELATIVE TO TROLLEY BUS FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**WHEREAS**, the City Council of the City of McKinney, Texas, finds, determines, and declares that certain fees are necessary to provide for efficient government services; and

**WHEREAS**, the City Council of the City of McKinney, Texas, finds and determines that the current fees are insufficient to cover the costs of the respective services; and

**WHEREAS**, the City Council of the City of McKinney, Texas desires to adopt fees necessary for the City to provide good and efficient government for the benefit of the citizens of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS:**

Section 1. That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. That from and after the effective date of this Ordinance, Section 2-1 entitled "Fees for public works department or engineering department services" of the Code of Ordinances of the City of McKinney, Texas, be and the same is hereby amended by adding new paragraphs (e), (f) and (g) to the end of said existing section to read as follows:

(e) There shall be a charge for the services of the Engineering Department for review of submittals for Revocable License Agreements regarding the limited use of City easements by the owner of the property burdened thereby for the installation or location of private improvements, such as signs, that do not interfere with the City's use of the easement. There shall be a different charge for standard agreement requests and non-standard agreement requests. Standard agreements are defined as those agreements that have been previously approved by City Council or the City Manager to serve as a basis for future agreements. Non-standard agreements are defined as those agreements where the wording of the standard agreement is modified. Such charges shall be as specified in Appendix A of the Code of Ordinances which fee amount may be amended from time to time by ordinance.

(f) There shall be a charge for the services of the Engineering Department for review of submittals for floodplain reclamation activities. Such charges shall be as specified in Appendix A of the Code of Ordinances which fee amount may be amended from time to time by ordinance.

(g) There shall be a charge for the services of the Engineering Department for review of submittals for tree permit processing and issuance. Such charges shall be as specified in Appendix A of the Code of Ordinances which fee amount may be amended from time to time by ordinance.

Section 3. That from and after the effective date of this Ordinance, Appendix A of the Code of Ordinances is hereby amended by adding the following language to the end of existing Section 2-1, "Fees for public works department or engineering department services," of Chapter 2, "Administration," of Appendix A, "Schedule of Fees," to read as follows:

The charge/fee for the services of the Engineering Department for review of submittals for Revocable License Agreements regarding the limited use of City easements by the owner of the property burdened thereby for the installation or location of private improvements, such as signs, that do not interfere with the City's use of the easement shall be \$1,000.00 for standard agreements. The cost for non-standard agreements shall be \$1,000.00 plus any and all additional actual costs incurred by the City for the preparation of the non-standard agreement.

The charge/fee for services of the Engineering Department for review of floodplain reclamation activities shall be \$3,000.00 for the initial application and document review plus one subsequent submittal and document review of amended or corrected documents responding to and addressing the Engineering Department's comments. The charge/fee for each subsequent submittal and review of corrected documents responding to and addressing the Engineering Department's comments shall be \$1,000.00 each.

The charge/fee for the services of the Engineering Department for review of submittals for tree permit processing and issuance shall be as follows:

Item	Charge/Fee
Tree Permit Fee	\$20
Affidavit of No Protected Trees	\$20
Limited Purpose Tree Permit	\$20+\$5 per quality tree removed
Construction Tree Permit	\$50+fee based on number of trees
*Fee for sites with up to 10 quality trees	\$10
*Fee for sites with 10-50 quality trees	\$50
*Fee for sites with 50+ quality trees	\$100

Section 4. That from and after the effective date of this Ordinance, Appendix A of the Code of Ordinances, Section 50-4, "Fees," of Chapter 50, "Libraries," is hereby amended to read as follows:

**Section 50-4. Fees.**

- Overdue materials:
  - Per day 0.25
  - Maximum per item 10.00
- Replacement library card, per replacement 1.00
- Lost materials—Current replacement cost
  - Plus, processing fee 5.00
- Rental of meeting room, per hour 20.00
- Rental of conference room, per hour 10.00
- Library card initial issuance:
  - Residents of McKinney and Collin County No charge
  - For all residents outside of county:

Per card 10.00  
or  
Per family 18.00

Section 5. That from and after the effective date of this Ordinance, Appendix A of the Code of Ordinances, Section 74-75, "Fee schedule for recreational facilities," of Chapter 74, "Parks and Recreation," Subsection (5), is hereby amended to read as follows:

**(5) Senior center fees.**

a. **Membership.** In order to ensure the supplies and products needed to run all the "free" based senior center programs, a Senior Center annual membership fee will be imposed to all Senior Recreation Center users, per year.

<b>City resident</b>	<b>Nonresident</b>
<b>5.00</b>	<b>10.00</b>

b. **Daily Pass Fee.** A daily pass fee will be charged for seniors who are non-members of the Senior Recreation Center. Non-members will be charged a \$5 per user fee, per day. All activity fees still apply and daily users will have membership privileges.

c. **Information Booth Fee.** Based on availability, a registered business or organization may reserve a booth (one six foot table, not to exceed two) to promote its educational and informational purpose as it benefits the senior population. Solicitation is prohibited on site. Fees are assessed per hour. First-come, first served.

	<b>McKinney Based Business</b>	<b>Non-McKinney Based Business</b>
Non-Profit Based	15.00	25.00
Profit Based	50.00	100.00

Section 6. That from and after the effective date of this Ordinance, Appendix A of the Code of Ordinances, Section 74-212, "Rental rates," of Chapter 74, "Parks and Recreation," is hereby amended in part by amending the language at the end of Section 74-212, entitled "Trolley Bus Fees" to read as follows:

**Trolley bus fees.**

- Damage deposit, \$500.00.
- Driver fee, \$45.00/hour, three-hour minimum, 150 miles included.
- Costs for additional miles above 150:
  - Mileage (non-profit entity), \$0.75/mile.
  - Mileage (standard), \$1.25/mile.
- Toll Road use, \$10.00 per rental
- Cleaning and any other physical damage shall result in a minimum cleaning charge of \$200.00.

Section 7. That if any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section 8. That this Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this Ordinance and such ordinances shall remain intact and are hereby ratified, verified and affirmed.

Section 9. This Ordinance shall become effective October 1, 2011.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
McKINNEY, TEXAS, ON THIS 20<sup>th</sup> DAY OF SEPTEMBER, 2011.**

CITY OF McKINNEY, TEXAS

\_\_\_\_\_  
BRIAN LOUGHMILLER  
Mayor

CORRECTLY ENROLLED:

\_\_\_\_\_  
SANDY HART, TRMC, MMC  
City Secretary  
BLANCA I. GARCIA  
Assistant City Secretary

DATE: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
MARK S. HOUSER  
City Attorney