

ORDINANCE NO. 2015-09-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, RELATING TO FEES, BY AMENDING APPENDIX A, IN PART, BY AMENDING SECTIONS 2-1, 30-86, 30-175, 30-205, 74-75, 74-76, 74-78, 74-79, 74-141, 74-190, 74-212, 110-139, 110-141, 110-144, 110-230 AND 146-193; 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 Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 2-1, is hereby amended to read as follows:

Appendix A, Sec. 2-1. Fees for public works department or engineering department services.

- (a) Public works department services performed for individuals as special services, either on private property or not offered as a general public service shall be charged according to the actual cost of personnel, materials, and equipment, plus an overhead and administrative expense of 40 percent of actual service costs.
- (b) The charge/fee for services of the engineering department for review of construction of municipal infrastructure items, such as roadway improvements, drainage systems, water distribution systems and wastewater collection systems shall be calculated on the basis of 3.5 percent of the valuation of the infrastructure improvement project. (The 3.5 percent total fee shall be calculated based on 3.0 percent construction inspection fee for construction services and 0.5 percent construction inspection fee for plan review services.) Subdivisions of ten or fewer residential lots under development by or for nonprofit builders of affordable housing as determined by the city housing division, or by or for the city housing finance corporation, shall be exempt from engineering inspection fees.
- (c) All persons requesting services from the engineering department that require one or more non-standard facilities agreement or a development agreement shall be charged \$500.00 per agreement. Standard facilities agreements shall be charged \$150.00 per agreement.
- (d) The services of the engineering department performed during the weekend or after 5:00 p.m. on a normal business day is \$47.00 per hour with a two-hour minimum.

- (e) 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.
- (f) 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.
- (g) 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 3. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 30-86, is hereby amended to read as follows:

Appendix A, Sec. 30-86. Miscellaneous fees.

- Administrative fee, per invoice50.00
- Aircraft jump start, per jump (one free every six months)10.00
- Wash rack use fee, per aircraft25.00
- Mobile aircraft maintenance permit fee, aircraft serviced/week200.00
- Flying club permit fee, per member per year10.00
- Car rental concession fee - onsiteNegotiable and approved by city council
- Car rental concession fee - offsite12% on-airport gross income
- Catering processing fee - onsiteNegotiable and approved by city council
- Catering processing fee - offsite25% pre-tax invoice total
- Crew car coverage, per hour (first 2 hours free)50.00
- Customs regular hours fee.....150.00
- Customs agent overtime, per service350.00
- Regulated garbage disposal, per service225.00
- Ground power unit, per hour50.00
- Air-conditioning cart, per hour50.00
- Lavatory cleaning fees, per service40.00
- Airfield escort, per man-hour70.00

Incident response fee, per hour500.00
 Per hour thereafter + recovery expenses100.00
 Incident/afterhours call out fees, per hour per person100.00
 Incident/Afterhours call out fees (after 1st hr)...50.00
 Parcel storage fee, per week, 1 week minimum25.00
 Pipeline field escort, per hour per person70.00
 Plus, per hour equipment use20.00
 Returned check feeSee § 2-5
 Spill clean-up fee, per barrel of absorbent + any fines incurred250.00
 Toll violations in crew car, as billed/violation, administrative fee of
50.00
 Aircraft towing, per tow35.00
 Pull-out/push-back, per service10.00
 T-hangar pull-out/push-back, per month30.00
 Unlimited pull-outs/push-backs, per month per aircraft150.00
 Facility fees (charged by aircraft maximum takeoff weight as stated in
 www.airlines.net). Fee is waived with purchase of minimum fuel load:

Aircraft Type	Min. Gallons	Facility Fee
Transport (150,000 lbs)	1,000	\$1,200.00
Large jet aircraft (30,000—149,999 lbs)	350	400.00
Medium jet aircraft (12,500—29,999 lbs)	200	250.00
Small jet aircraft (<12,500 lbs)	150	200.00
Heavy turboprop (Jet-A) (>12,500 lbs)	75	75.00
Light/med. turboprop (Jet-A) <12,500 lbs	50	55.00
Twin engine piston (AvGas)	25	40.00
Single engine piston (AvGas)	5	10.00

Parking fees per night (charged by aircraft maximum takeoff weight as stated in www.airlines.net). First night of parking is waived by either purchase of minimum fuel load or facility fee.

Aircraft Type	Parking Fee
Transport (150,000 lbs)	500.00
Large jet aircraft (30,000—149,999 lbs)	150.00
Medium jet aircraft (12,500—29,999 lbs)	100.00
Small jet aircraft (<12,500 lbs)	50.00
Twin engine piston aircraft	15.00
Single engine piston aircraft	10.00

Section 4. That Appendix A, entitled “Schedule of Fees”, of the Code of Ordinances, City of McKinney, Texas, Section 30-175, is hereby amended to read as follows:

Appendix A, Sec. 30-175. Leases.

Executive hangars leased with one or more aircraft are eligible for negotiated fuel rates.

200 Series 40' door T-Hangars (60 @ 1,014 sf), per sf per month + one month's rental deposit0.3925

301-316 Series 59" door T-Hangars (16 @ 2,463 sf), per sf per month + one month's rental deposit0.2639

319-335 Series 50" door T-Hangars (16 @ 1,850 sf), per sf per month + one month's rental deposit0.3162

400 Series 60" Box Hangars (6 @ 2,832 sf), per sf per month + one month's rental deposit0.3531

All T-Hangar end caps, per month + one month's rental deposit150.00

B-Hangar (maintenance), per month + one month's rental deposit5,000/month

McKinney Air Center Building Suites, per square foot per year with utilities22.00

C-Hangar (Avionics), per month + one month's rental deposit6,000

Tie down – Single Engine, per month80.00

Tie down – Twin Engine/Turbo Prop, per month150.00

Tie down – Jet Engine, per monthNegotiable

Airport community hangars, per sf per month0.70

Long-term hangar leases (five-year min.)Negotiable and approved by city council

Long-term land lease (40-year max.)Negotiable and approved by city council

Other space rental:

- Hangar—Special eventsNegotiated price
- Airport office space not otherwise stated, per sf per month1.833

Transient hangar storage:

- Heavy (see facility fees), per night + facility fee (if applicable)400.00
- Medium Jet Aircraft, per night + facility fee (if applicable)300.00
- Light turbo, per night + facility fee (if applicable)150.00
- Twin Piston, per night + facility fee (if applicable)75.00
- Single Piston, per night + facility fee (if applicable)60.00

T-hangar damage (assessed at time of move-out):

- Hangar door keys25.00
- Access door hardware damage50.00
- Access door dent damageQuote provided based on cost of repair
- Hangar door damageQuote provided based on cost of repair
- Metal wall damageQuote provided based on cost of repair
- Damage to hanger interior metal wallQuote provided based on cost of repair
- Damage to hangar fire partitionQuote provided based on cost of repair
- Ceiling/light damageQuote provided based on cost of repair
- Floor—Major oil stains100.00
- Floor—Missing chocks50.00

Door switch damage200.00
Fire extinguisher250.00
Clean up trash50.00
Clean up oil stains50.00

Section 5. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 30-205, is hereby amended to read as follows:

Appendix A, Sec. 30-205. Both FBO and self-fueling operators.

Self-service Jet-A fuel, per gallon\$.50 below the published list price
Self-service AvGas fuel, per gallon\$.50 below the published list price
Fuel for petroleum products pricing (markup determined annually to meet the annual operating requirements of the airport).

FY 2015 - 2016 Markup (Jet-A)\$2.35 per gallon

FY 2015 - 2016 Markup (AvGas)1.75 per gallon

TransientCost + tax + 100% of markup

BasedCost + tax + 90% of markup

Self-serve-AvGasCost + tax + 100% of markup

High volume (25,000 + gallons/year)Cost + tax + 75% of markup

Flight schools (Part 141 only)Cost + tax + 50% of markup less \$0.05

GovernmentCost + 100% of markup

Jet-A fuel:

1—299Cost + tax + 100% of markup

300—499Cost + tax + 100% of markup less \$0.05

500—999Cost + tax + 100% of markup less \$0.10

1,000+Cost + tax + 100% of markup less \$0.15

Volume discount program purchases (based on previous year's purchases):

0—9,999Cost + tax + 100% of markup

10,000—29,999Cost + tax + 85% of markup

30,000—49,999Cost + tax + 75% of markup

50,000—74,999Cost + tax + 70% of markup

75,000—99,999Cost + tax + 65% of markup

100,000+Cost + tax + 55% of markup

Based Jet-A customers: Based priceCost + tax + 90% of markup

Government Jet-A purchasersCost + 100% of markup

Fuel additive\$0.05 per pre-mixed gallon

AvGas:

1—29Cost + tax + 100% of markup

30—49Cost + tax + 100% of markup less \$0.05

50—99Cost + tax + 100% of markup less \$0.10

100+Cost + tax + 100% of markup less \$0.15

Oil:

Aero Shell 15W50Cost + 50% + sales tax

Aero Shell 100wCost + 50% + sales tax

Aero Shell 100w PlusCost + 50% + sales tax

Phillips XC 20w50Cost + 50% + sales tax

BP2380Cost + 50% + sales tax

Mobile Jet Oil 2Cost + 10% + sales tax

Mobile Jet 254Cost + 10% + sales tax

Section 6. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Sections 74-75, 74-76, 74-78, 74-79, 74-141, 74-190, are hereby deleted from Appendix A and any park fees, not otherwise contained within Appendix A, shall be governed by Section 74-101 of the Code of Ordinances.

Section 7. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 74-212, is hereby amended to read as follows:

Appendix A, Sec. 74-212. Rental rates.

MPAC Facility Rates and Charges				
Peak Rates: Friday-Sunday	3-hour Nonprofit	3-hour Standard	6-hour Nonprofit	6-hour Standard
Ground Floor				
Gallery	90.00	150.00	153.00	255.00
Studio	54.00	90.00	92.00	153.00
First Floor				
Noble Hall	180.00	300.00	306.00	510.00
Encore wire	72.00	120.00	122.00	204.00
Ruschhaupt-north or south	180.00	300.00	306.00	510.00
Ruschhaupt-combined	360.00	600.00	612.00	1,020.00
Second Floor				
NW or SW multipurpose room	54.00	90.00	92.00	153.00
Courtroom theater (front of curtain performance)	195.00	324.00	332.00	551.00
Courtroom theater (fully produced performance)	324.00	540.00	551.00	918.00
Special rentals				
Rehearsal and educational rate	45.00	75.00	90.00	150.00
Market Street catering prep	50.00	100.00	50.00	100.00

kitchen				
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MPAC Facility Rates and Charges				
Off-Peak Rates: Monday-Thursday	3-hour Nonprofit	3-hour Standard	6-hour Nonprofit	6-hour Standard
Ground Floor				
Gallery	77.00	128.00	130.00	217.00
Studio	46.00	77.00	78.00	130.00
First Floor				
Noble Hall	153.00	255.00	260.00	434.00
Encore wire	61.00	102.00	104.00	173.00
Ruschhaupt-north or south	153.00	255.00	260.00	434.00
Ruschhaupt-combined	306.00	510.00	520.00	867.00
Second Floor				
NW or SW multipurpose room	46.00	77.00	78.00	130.00
Courtroom theater (front of curtain performance)	166.00	275.00	282.00	468.00
Courtroom theater (fully produced performance)	275.00	459.00	468.00	780.00
Special Rentals				
Rehearsal and educational rate	45.00	75.00	90.00	150.00
Market Street catering prep kitchen	50.00	100.00	50.00	100.00

Discounted packages***	Nonprofit	Other	Rate
Package A includes:			
Ruschhaupt, Encore, and Market Street prep kitchen			
Monday—Thursday, 9:00 a.m.—5:00 p.m. hours	600.00	1,184.00	Per 6-hr.

			event
After 5:00 p.m./Weekends	637.50	1,258.00	Per 6-hr. event
Package B includes:			
Ruschhaupt, Encore, Market Street prep kitchen, Noble Hall, and Gallery			
Monday—Thursday, 9:00 a.m.—5:00 p.m. hours	1,208.00	1,856.00	Per 6-hr. event
After 5:00 p.m./Weekends	1,283.50	1,920.00	Per 6-hr. event
Package C includes:			
Ruschhaupt, Encore, Market Street prep kitchen, Noble Hall, Gallery, Artist Studio and Courtroom			
Monday—Thursday, 9:00 a.m.—5:00 p.m. hours	1,760.00	1,870.00	Per 6-hr. event
After 5:00 p.m./Weekends	1,870.00	3,400.00	Per 6-hr. event

***Packages are for six-hour increments, including set-up/tear down time. Any additional time shall be assessed at the hourly rate.

Other fees	
Facility fee	1.00/ticket and a \$1.00 facility fee shall be assessed on all tickets with a dollar value sold through the Emerson/Fisher ticket office and on all tickets for MPAC events sold through other sources.
Processing fee	3.00/order and a \$3.00 processing fee shall be assessed on each order of tickets mailed from the Emerson/Fisher ticket office.
Commissions	20 percent - pretax gross sales and a 20 percent commission on concessions and/or merchandise shall be paid to the MPAC for any and all items sold at an event. The commission shall be based on pretax gross sales. The MPAC administrator may, at his discretion, authorize a five percent rate discount if the client presents documentation showing that a lower rate is available at a similar facility within a 20-mile radius for the same times and dates.

Section 8. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 110-139, is hereby amended to read as follows:

Appendix A, Sec. 110-139. Water tap and meter set fees—Smaller service.

Water service installation and meter set fees:

- (1) 3/4-inch service and 5/8-inch x 3/4-inch meter set1,299.00
- (2) 5/8-inch x 3/4-inch meter set without meter box268.00
- (3) 1-inch service and 1-inch meter set1,401.00
- (4) 1-inch meter set without meter box409.00
- (5) 2-inch service and ultrasonic magnetic meter set2,600.00
- (6) 2-inch ultrasonic magnetic meter set without meter box1,200.00

Section 9. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 110-141, is hereby amended to read as follows:

Appendix A, Section 110-141. Monthly water rates.

Water rates and applicable criteria therefore for each monthly period:

- (1) Single-family dwelling accounts, excluding separate irrigation meters:
 - a. The base monthly rate per meter shall be13.74
 - b. From 1 gallon to 20,000 gallons the rate per 1,000 gallons or any portion thereof shall be3.79
 - c. From 20,001 gallons to 40,000 gallons the rate per 1,000 gallons or any portion thereof shall be4.73
 - d. For usage to exceed over 40,000 gallons, the rate per 1,000 gallons or any portion thereof shall be5.68
- (2) Multifamily/Commercial/industrial/governmental accounts:
 - a. The base monthly rate per meter shall be:
 1. 5/8-inch x 3/4-inch meter13.74
 2. 1-inch meter24.07
 3. 1½-inch meter41.25
 4. 2-inch meter57.77
 5. 3-inch meter101.79
 6. 4-inch meter151.30
 7. 6-inch meter282.01
 8. 8-inch meter557.11
 - b. The rate per 1,000 gallons or any portion thereof shall be3.79
- (3) Water district/municipal accounts. The monthly rates for water sold by the city to treated-water water district accounts and municipal

accounts, including separate irrigation meters, per 1,000 gallons or any portion thereof shall be2.84

(4) Irrigation accounts:

a. The base monthly rate per meter shall be:

1. 5/8-inch x 3/4-inch meter13.74
2. 1-inch meter24.07
3. 1½-inch meter41.25
4. 2-inch meter57.77
5. 3-inch meter101.79
6. 4-inch meter151.30
7. 6-inch meter282.01
8. 8-inch meter557.11

b. From 1 gallon to 20,000 gallons the rate per 1,000 gallons or any portion thereof shall be3.79

c. From 20,001 gallons to 40,000 gallons the rate per 1,000 gallons or any portion thereof shall be4.73

d. For usage to exceed over 40,000 gallons, the rate per 1,000 gallons or any portion thereof shall be5.68

Section 10. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 110-144, is hereby amended to read as follows:

Appendix A, Sec. 110-144. Late payment.

All monthly utility charges provided for in this chapter which remain unpaid five days after the due date stated on the utility bill shall incur a late payment fee, which shall be ten percent of the current charges due, minimum 5.00.

Section 11. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 110-230, is hereby amended to read as follows:

Appendix A, Sec. 110-230. Sewer service rates generally.

(1) Single-family dwelling accounts:

- a. The base monthly rate shall be13.99
- b. The rate per 1,000 gallons up to 8,000 gallons, but not to exceed the winter average if applicable, shall be3.94
- c. Utility customers shall be billed at actual metered water consumption not to exceed 8,000 gallons maximum until a winter average may be established. The winter average shall be established using the consumption for the months of December, January and February.

(2) Multifamily/Commercial/industrial/governmental accounts:

a. The base monthly rate shall be:

1. 5/8-inch x 3/4-inch meter13.99

- 2. 1-inch meter22.94
- 3. 1½-inch meter37.86
- 4. 2-inch meter49.25
- 5. 3-inch meter77.29
- 6. 4-inch meter109.52
- 7. 6-inch meter187.17
- 8. 8-inch meter366.26

b. The rate per 1,000 gallons or any portion thereof shall be3.94

(3) Municipal accounts:

a. The rate per 1,000 gallons or any portion thereof 2.95

(4) Irrigation accounts:

a. Meters used for irrigation purposes only shall not be billed sewer charges.

Section 12. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 146-193, is hereby amended to read as follows:

Appendix A, Sec. 146-193. Filing fees and charges.

Temporary use permit, per permit25.00

Site plan application, per application250.00

Specific use permit application, per application300.00

Planned Development District zoning/rezoning request, per application
.....1,000.00

Plus 10.00 per acre.

Straight zoning/rezoning request, per application500.00

Plus 15.00 per acre up to and including 250 acres and 8.00 per acre over 250 acres.

Section 13. 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 14. 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 15. This Ordinance shall become effective October 1, 2015.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 15TH DAY OF SEPTEMBER, 2015.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

CORRECTLY ENROLLED:

SANDY HART, TRMC, MMC
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney