

ORDINANCE NO. 2013-09-___

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 IN PART CHAPTER 42, SECTION 42-26 AND BY AMENDING APPENDIX A, IN PART, BY AMENDING SECTIONS 2-1, 2-4, 42-26, 110-139, 110-141, 110-228, 110-230, 142-133 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 Chapter 42, Section 42-26 of the Code of Ordinances, City of McKinney, Texas, is hereby amended, in part, to read as follows:

Sec. 42 -26. Fire Code Amendments.

105.1.4 Fees. The fire chief shall administer the following charges:

(a) 105.1.4.1 Fire plan and inspection fees:

(1) Fire Permit, per square foot building0.05.

113.2 Schedule of fees. A fee for each permit shall be paid as required, in accordance with this section.

113.2.1 Inspection fees:

1. Re-inspection fees...\$50.00 (first re-inspection) and \$100 per each subsequent re-inspection.
2. Inspection fees for which no fire fee was assessed, per hour...\$100.00.
3. For use of outside consultants for plan review, inspections, or both...actual costs.

113.2.2 Plan review fees:

1. Plan review required by changes, additions or revisions to plans... \$100.00.

No fees shall be charged for any subsequent plan review of changes, additions, or revisions to plans which plan review was initiated solely by the Fire Chief, or his designee, for items that the Fire Chief failed to identify on a previous plan review.

Deleted: ¶
(2) - Re-inspection fees, per hour (one-half hour minimum)47.00 ¶
(3) - Inspection fees for which no fire fee was assessed, per hour (one-half hour minimum)47.00 ¶
(4) - Plan review required by changes, additions or revisions to plans, per hour (one-half hour minimum)47.00 ¶
No fees shall be charged for any subsequent plan review of changes, additions, or revisions to plans which plan review was initiated solely by the fire chief, or his designee, for items that the fire chief failed to identify on a previous plan review. ¶
(5) - For use of outside consultants for plan checking and inspections, or bothActual costs ¶
(b) - 105.1.4.2 Burn permit fees.¶
(1) - Contractors or property owners per occurrence (less than one acre)20.00 ¶
(2) - Agricultural/contractor/property owner (over one acre), per occurrence per day50.00

Deleted: \$47.00 per hour (one-half hour minimum).

Deleted: \$47.00 per hour (one-half hour minimum)

Deleted: \$47.00 per hour (one-half hour minimum)

2. For use of outside consultants for plan review, inspections, or both...actual costs.

3. Expedited plan review fee for fire alarm and fire sprinkler modifications not exceeding 20 total devices...\$100.00

113.2.3 Burn permit fees:

1. Contractors or property owners per occurrence (less than one acre)...\$20.00.
2. Agricultural/contractor/property owner (over one acre), per occurrence per day...\$50.00.

113.2.4 Permit fees:

1. Any construction permit issued by the fire code official...\$100

Exceptions: No permit fees shall be assessed for the following permits:

1. Tent Membrane Structures
2. Model Rocket Use
3. Low Explosives Use

2. Any annual operational permit issued by the fire code official...\$100

113.2.5 Before/After hours inspection fees:

Before/After hours inspections shall be permitted at the discretion of the fire code official.

1. Before/After hours inspections (minimum charge of 2 hours)...\$50.00 per hour.

Section 3. 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.

(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 4. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 2-4, is hereby amended to read as follows:

Appendix A, Sec. 2-4. Fees for copies of official documents and preparation of miscellaneous documents.

Fee for making a copy of an accident report, per report6.00

Fee for providing a certified accident report, per report8.00

The fee for providing a tax certificate (as provided by Texas State Statute)10.00

The fee for the preparation of a certification letter from the office of the city secretary, per letter5.00

The fee for a letter of clearance from the police records division, prepared in conjunction with a background investigation requested by a private individual, per letter10.00

The fee for preparation of a lien release from the office of the city secretary, per lien release125.00

Section 5. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 42-26, is hereby amended, in part, to read as follows:

Appendix A, Sec. 42-26. Fire Code Amendments.

105.1.4 Fees. The fire chief shall administer the following charges:

- (a) 105.1.4.1 Fire plan and inspection fees:
 - (1) Fire Permit, per square foot building0.05.

113.2 Schedule of fees. A fee for each permit shall be paid as required, in accordance with this section.

113.2.1 Inspection fees:

- 1. Re-inspection fee, ...\$50.00 (first re-inspection) and \$100 per each subsequent re-inspection.
- 2. Inspection fees for which no fire fee was assessed, per hour...\$100.00.
- 3. For use of outside consultants for plan review, inspections, or both...actual costs.

113.2.2 Plan review fees:

- 1. Plan review required by changes, additions or revisions to plans... \$100.00.
No fees shall be charged for any subsequent plan review of changes, additions, or revisions to plans which plan review was initiated solely by the Fire Chief, or his designee, for items that the Fire Chief failed to identify on a previous plan review.
- 2. For use of outside consultants for plan review, inspections, or both...actual costs.
- 3. Expedited plan review fee for fire alarm and fire sprinkler modifications not exceeding 20 total devices...\$100.00

113.2.3 Burn permit fees:

- 1. Contractors or property owners per occurrence (less than one acre)...\$20.00.
- 2. Agricultural/contractor/property owner (over one acre), per occurrence per day...\$50.00.

113.2.4 Permit fees:

- 1. Any construction permit issued by the fire code official...\$100
Exceptions: No permit fees shall be assessed for the following permits:
 - 1. Tent Membrane Structures
 - 2. Model Rocket Use
 - 3. Low Explosives Use
- 2. Any annual operational permit issued by the fire code official...\$100

113.2.5 Before/After hours inspection fees:

Deleted: ¶
(2) - Re-inspection fees, per hour (one-half hour minimum)47.00 ¶
(3) - Inspection fees for which no fire fee was assessed, per hour (one-half hour minimum)47.00 ¶
(4) - Plan review required by changes, additions or revisions to plans, per hour (one-half hour minimum)47.00 ¶
No fees shall be charged for any subsequent plan review of changes, additions, or revisions to plans which plan review was initiated solely by the fire chief, or his designee, for items that the fire chief failed to identify on a previous plan review. ¶
(5) - For use of outside consultants for plan checking and inspections, or bothActual costs ¶
(b) - 105.1.4.2 Burn permit fees:¶
(1) - Contractors or property owners per occurrence (less than one acre)20.00 ¶
(2) - Agricultural/contractor/property owner (over one acre), per occurrence per day50.00

Before/After hours inspections shall be permitted at the discretion of the fire code official.

1. Before/After hours inspections (minimum charge of 2 hours)...\$50.00 per hour.

Section 6. 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) ¾-inch service and 5/8-inch x ¾-inch meter set1,074.00
- (2) 5/8-inch x ¾-inch meter set with meter box255.00
- (3) 5/8-inch x ¾-inch meter set without meter box222.00
- (4) 1-inch service and 1-inch meter set1,158.00
- (5) 1-inch meter set with meter box371.00
- (6) 1-inch meter set without meter box338.00
- (7) 1½-inch service and 1½-inch meter set1,433.00
- (8) 1½-inch meter set with meter box681.00
- (9) 1½-inch meter set without meter box607.00
- (10) 2-inch service and 2-inch meter set1,472.00
- (11) 2-inch meter set with meter box887.00
- (12) 2-inch meter set without meter box762.00

Deleted: 977.00

Deleted: 232.00

Deleted: 202.00

Deleted: 1,054.00

Deleted: 338.00

Deleted: 308.00

Deleted: 1,304.00

Deleted: 620.00

Deleted: 552.00

Deleted: 1,339.00

Deleted: 807.00

Deleted: 693.00

Section 7. 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/minimum monthly rate shall be12.08
 - b. From 1 gallon to 20,000 gallons the rate per 1,000 gallons or any portion thereof shall be3.33
 - c. From 20,001 gallons to 40,000 gallons the rate per 1,000 gallons or any portion thereof shall be4.16
 - d. For usage to exceed over 40,000 gallons, the rate per 1,000 gallons or any portion thereof shall be4.99
- (2) Multifamily dwelling accounts, excluding separate irrigation meters:
 - a. The base/minimum monthly rate shall be:
 1. 5/8-inch x 3/4-inch meter12.08
 2. 1-inch meter21.16

Deleted: \$11.79

Deleted: 3.25

Deleted: 4.06

Deleted: 4.87

Deleted: \$11.79

Deleted: 20.64

3. 1½-inch meter~~36.26~~ Deleted: 35.38
4. 2-inch meter~~50.78~~ Deleted: 49.54
5. 3-inch meter~~89.47~~ Deleted: 87.29
6. 4-inch meter~~132.98~~ Deleted: 129.74
7. 6-inch meter~~247.87~~ Deleted: 241.82
8. 8-inch meter~~489.66~~ Deleted: 477.72
- b. The rate per 1,000 gallons or any portion thereof shall be~~3.33~~ Deleted: 3.25
- (3) Commercial/industrial/governmental accounts:
- a. The base/minimum monthly rate shall be:
1. 5/8-inch x 3/4-inch meter~~12.08~~ Deleted: \$11.79
2. 1-inch meter~~21.16~~ Deleted: 20.64
3. 1½-inch meter~~36.26~~ Deleted: 35.38
4. 2-inch meter~~50.78~~ Deleted: 49.54
5. 3-inch meter~~89.47~~ Deleted: 87.29
6. 4-inch meter~~132.98~~ Deleted: 129.74
7. 6-inch meter~~247.87~~ Deleted: 241.82
8. 8-inch meter~~489.66~~ Deleted: 477.72
- b. The rate per 1,000 gallons or any portion thereof shall be~~3.33~~ Deleted: 3.25
- (4) 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 be~~2.50~~ Deleted: 2.44
- (5) Irrigation accounts:
- a. The base/minimum monthly rate shall be:
1. 5/8-inch x 3/4-inch meter~~12.08~~ Deleted: \$11.79
2. 1-inch meter~~21.16~~ Deleted: 20.64
3. 1½-inch meter~~36.26~~ Deleted: 35.38
4. 2-inch meter~~50.78~~ Deleted: 49.54
5. 3-inch meter~~89.47~~ Deleted: 87.29
6. 4-inch meter~~132.98~~ Deleted: 129.74
7. 6-inch meter~~247.87~~ Deleted: 241.82
8. 8-inch meter~~489.66~~ Deleted: 477.72
- b. From 1 gallon to 20,000 gallons the rate per 1,000 gallons or any portion thereof shall be~~3.33~~ Deleted: 3.25
- c. From 20,001 gallons to 40,000 gallons the rate per 1,000 gallons or any portion thereof shall be~~4.16~~ Deleted: 4.06
- d. For usage to exceed over 40,000 gallons, the rate per 1,000 gallons or any portion thereof shall be~~4.99~~ Deleted: 4.87

Section 8. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 110-228, is hereby amended to read as follows:

Appendix A, Sec. 110-228. Sewer tap fees.

- (a) Sewer service installation or tap fee:
 - (1) Four-inch sewer service if pavement is replaced~~1,000.00~~,
 - (2) Four-inch sewer service if pavement is not disturbed~~500.00~~,
 - (3) Sewer services larger than four inch require connection to an existing or installed manhole and shall be contracted and paid for by the requester,
- (b) Inspection fee10.00

Deleted: 450.00

Deleted: 140.00

Deleted: ¶
(3) . Six-inch sewer service if pavement is replaced500.00 ¶
(4) . Six-inch sewer service if pavement if not disturbed150.00

Deleted: 5

Deleted: six inches in diameter shall be paid for at actual cost for labor, materials, equipment time and overhead

Section 9. 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/minimum monthly rate shall be~~12.08~~,
 - b. The rate per 1,000 gallons up to 12,000 gallons, but not to exceed the winter average if applicable, shall be~~3.40~~,
 - c. Utility customers shall be billed at actual metered water consumption not to exceed 12,000 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 dwelling accounts:
 - a. The base/minimum monthly rate shall be:
 - 1. 5/8-inch x 3/4-inch meter~~12.08~~,
 - 2. 1-inch meter~~19.81~~,
 - 3. 1½-inch meter~~32.69~~,
 - 4. 2-inch meter~~42.52~~,
 - 5. 3-inch meter~~66.73~~,
 - 6. 4-inch meter~~94.56~~,
 - 7. 6-inch meter~~161.60~~,
 - 8. 8-inch meter~~316.22~~,
 - b. The rate per 1,000 gallons or any portion thereof shall be~~3.40~~,
- (3) Commercial/industrial/governmental accounts:
 - a. The base/minimum monthly rate shall be:
 - 1. 5/8-inch x 3/4-inch meter~~12.08~~,
 - 2. 1-inch meter~~19.81~~,

Deleted: \$11.79

Deleted: 3.32

Deleted: \$11.79

Deleted: 19.33

Deleted: 31.89

Deleted: 41.48

Deleted: 65.10

Deleted: 92.25

Deleted: 157.66

Deleted: 308.51

Deleted: 3.32

Deleted: 11.79

Deleted: 19.33

3. 1½-inch meter~~32.69~~

Deleted: 31.89

4. 2-inch meter~~42.52~~

Deleted: 41.48

5. 3-inch meter~~66.73~~

Deleted: 65.10

6. 4-inch meter~~94.56~~

Deleted: 92.25

7. 6-inch meter~~161.60~~

Deleted: 157.66

8. 8-inch meter~~316.22~~

Deleted: 308.51

b. The rate per 1,000 gallons or any portion thereof shall be~~3.40~~

Deleted: 3.32

(4) Municipal accounts:

a. The rate per 1,000 gallons or any portion thereof~~2.55~~

Deleted: 2.49

(5) Irrigation accounts:

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

Section 10. That Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 142-133, is hereby amended to read as follows:

Appendix A, Sec. 142-133. Filing and inspection charges.

Plat fees:

For a preliminary-final plat, per plat325.00

Plus, per lot or portion thereof contained within the platted tract5.00

For a record plat/replat, per plat325.00

Plus per lot or portion thereof contained within the platted tract10.00

For a conveyance plat, per plat325.00

Plus per lot or portion thereof contained within the platted tract10.00

For a minor plat/replat, per plat325.00

Plus, per lot or portion thereof contained within the platted tract15.00

For an amending plat, per plat150.00

Plus, per lot or portion thereof contained within the platted tract10.00

For a refiling: When a plat has been disapproved by the commission and the subdivider refiles a new design for all or a lesser portion of the plat within 90 days of such disapproval—No new fee shall be charged for the refiling.

Other filings:

For a general development plan application, per application250.00

For a concept plan review, per plan200.00

Plus, per acre or portion thereof contained within the concept plan tract18.00

For a zoning confirmation, per request~~50.00~~

Deleted: 25.00

Plus applicable document copying charges

For an annexation proposals, per request325.00

For an alley abandonment, for each application100.00

Plat recording fees:

The fee required to file a plat map for recordation with the County Clerk's Office shall be equal to the County's recording fee as published by the County Clerk's Office.

Section 11. 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

Meritorious exception application, per application250.00

Site plan application, per application250.00

~~Specific use permit application, per application250.00~~

Deleted: Access management plan application, per application250.00 ¶

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 12. 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 13. 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 14. This Ordinance shall become effective October 1, 2013.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 17th DAY OF SEPTEMBER, 2013.

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