

**ORDINANCE NO. 2018-09-\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, THROUGH THE AMENDMENT OF CHAPTER 14, "ALCOHOLIC BEVERAGES," ARTICLE III, "LAWFUL SALE OF ALCOHOLIC BEVERAGES," BY AMENDING PORTIONS OF SECTION 14-51, BY DELETING CURRENT SECTION 14-52 IN ITS ENTIRETY AND RENUMBERING SECTION 14-53 THROUGH 14-56 AS PROVIDED HEREIN BELOW; ESTABLISHING VIOLATIONS AND PENALTIES; AND RELATING TO FEES, BY AMENDING APPENDIX A, IN PART, BY DELETING CURRENT SECTION 14-52 IN ITS ENTIRETY, BY RENUMBERING SECTION 14-53, AND BY AMENDING SECTIONS 30-70, 30-71, 30-85, 30-86, 30-175, 30-205, 110-44, 110-45, 110-139, 110-141, 110-228, AND 110-230; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE; 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 Section 14-51, entitled "Permit required; procedures," of Article III, "Lawful Sale of Alcoholic Beverages," of Chapter 14, "Alcoholic Beverages," of the Code of Ordinances of the City of McKinney, Texas, is hereby amended to read as follows:

**Sec. 14-51. - Permit required; procedures.**

(a) It shall be unlawful for any person to manufacture, distill, brew, import, transport, store for purposes of sale, distribute or sell any beer, wine or mixed beverages within the city unless such person has obtained a city permit from the office of the city secretary.

(b) Any person wishing to manufacture, distill, brew, import, transport, store for purposes of sale, distribute or sell any beer, wine, or mixed beverage must complete a city permit application.

(c) The city secretary shall submit each application to the appropriate city departments, as determined by the city manager, to ensure that the application complies with all city ordinances and regulations, including this article.

(d) After approval by all necessary city departments, the application shall be deemed approved and the city secretary shall issue a city permit.

(e) Applications and permits shall be kept on file in the city secretary's office.

- Section 3. That Section 14-52, entitled “Application fee; initial permit fee,” of Article III, “Lawful Sale of Alcoholic Beverages,” of Chapter 14, “Alcoholic Beverages,” of the Code of Ordinances of the City of McKinney, Texas, is hereby deleted in its entirety,
- Section 4. That Section 14-53, entitled “Permit; permit fee,” Section 14-54, entitled “Hours of Operation,” Section 14-55, entitled “Development standards,” and Section 14-56, entitled “Lawful Sale of Alcohol Beverages,” of Article III, “Lawful Sale of Alcohol Beverages,” of Chapter 14, “Alcoholic Beverages,” of the Code of Ordinances, City of McKinney, Texas are hereby renumbered, respectively, as Section 14-52, Section 14-53, Section 14-54 and Section 14-55.
- Section 5. That any person, firm, or corporation who violates any section of Chapter 14 of the Code of Ordinances of the City of McKinney, Texas, as so amended, shall be subject to the penalty provisions set forth in Section 1-18 of the McKinney Code; and each and every day such violation or failure to comply shall continue shall be deemed to constitute a separate offense.
- Section 6. That Appendix A, entitled “Schedule of Fees”, of the Code of Ordinances, City of McKinney, Texas, Section 14-52, is hereby deleted in its entirety.
- Section 7. That Appendix A, entitled “Schedule of Fees”, of the Code of Ordinances, City of McKinney, Texas, Section 14-53, entitled “Permit; permit fee,” is hereby renumbered as Section 14-52.
- Section 8. That Appendix A, entitled “Schedule of Fees”, of the Code of Ordinances, City of McKinney, Texas, Section 30-70, is hereby amended to read as follows:

**Appendix A, Section 30-70. Foreign garbage disposal fee.**

Foreign garbage collection fee, per international flight arriving at McKinney National Airport ..... 225.00

- Section 9. That Appendix A, entitled “Schedule of Fees”, of the Code of Ordinances, City of McKinney, Texas, Section 30-71, is hereby amended to read as follows:

**Appendix A, Section 30-71. U.S. customs fees.**

Customs regular hours fee ..... 150.00

International flights arriving before and after regular business hours, which are defined as 8:00 a.m. to 5:00 p.m. Monday through Friday, exclusive of holidays, per international flight arriving at McKinney National Airport ..... 200.00

Customs agent overtime, per Customs Agent ..... 350.00

- Section 10. That Appendix A, entitled “Schedule of Fees”, of the Code of Ordinances, City of McKinney, Texas, Section 30-85, is hereby amended to read as follows:

**Appendix A, Section 30-85. Fee for airport access card and key replacement.**

(a) A fee for the administrative and logistics cost of issuing airport security access cards and replacement of lost keys to airport facilities.

(1) Initial issue ..... \$30.00

- (2) Replacement of access card ..... 40.00
- (3) Replacement of keys ..... 25.00
- (4) Bi-annual renewal ..... 20.00
- (5) Temporary card deposit ..... 25.00
- (6) Failure to return security access card upon termination of access privileges ..... 100.00
- (b) Fee for processing returned checks ..... 25.00

Section 11. 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, Section 30-86. Miscellaneous fees.**

- Administrative fee, per invoice ..... 50.00
- Piston aircraft jump start, per jump (one free every six months) ..... 10.00
- Wash rack use fee, per aircraft ..... 25.00
- Temporary specialized aeronautical service operator permit fee, per day per aircraft serviced ..... 50.00
- Or per week per aircraft serviced ..... 200.00
- Flying club permit fee, per member per year ..... 10.00
- Car rental concession fee - onsite ..... Negotiable and approved by city council
- Car rental concession fee - offsite ..... 12% on-airport gross income
- Catering processing fee - onsite ..... Negotiable and approved by city council
- Catering processing fee - offsite ..... 25% pre-tax invoice total
- Crew car coverage, per hour (first 2 hours free) ..... 50.00/ hour, for each additional hour
- Regulated garbage disposal, per service ..... 225.00
- Ground power unit, per hour ..... 50.00
- Air-conditioning cart, per hour ..... 50.00
- Lavatory cleaning fees, per service ..... 40.00
- Airfield escort, per man-hour ..... 70.00
- Plus, per hour equipment use ..... 20.00
- Incident response fee ..... 500.00
- Per hour thereafter + recovery expenses ..... 100.00
- Incident/afterhours call out fees, per hour per person ..... 100.00
- Incident/afterhours call out fees (after 1st hr) ..... 50.00
- Parcel storage fee, per week, 1 week minimum ..... 25.00

Pipeline field escort, per hour per person ..... 70.00

Returned check fee ..... See § 2-5

Spill clean-up fee, per barrel of absorbent + any fines incurred ..... 250.00

Toll violations in crew car, as billed/violation, administrative fee of ..... 50.00

Aircraft towing, per tow ..... 35.00

Facility fees (charged by aircraft maximum takeoff weight as stated in [www.airlines.net](http://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)	100	150.00
Heavy turboprop (Jet-A) (>12,500 lbs)	75	100.00
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](http://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)	200.00
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 12. 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, Section 30-175. Leases.**

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

200 Series 39’ door T-Hangars (60 @ 1,014 sf), per sf per month + one month's rental deposit ..... 0.4043

301-316 Series 59" door T-Hangars (16 @ 2,463 sf), per sf per month + one month's rental deposit ..... 0.2740

319-335 Series 50" door T-Hangars (16 @ 1,850 sf), per sf per month + one month's rental deposit ..... 0.3243

400 Series 60" Box Hangars (6 @ 2,832 sf), per sf per month + one month's rental deposit ..... 0.3707

All T-Hangar end caps, per month + one month's rental deposit ..... 150.00 - 300.00

McKinney Air Center Building suites, per square foot per year with utilities  
..... 22.00

Tie down - Single engine, per month ..... 95.00

Tie down - Twin engine/turbo prop, per month ..... 180.00

Tie down - Jet engine, per month ..... Negotiable

Airport community hangars, per sf per month ..... 0.70 – 0.85

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, no less than 0.45 per square foot per year

Other space rental:

    Hangar—Special events ..... Negotiated price

    Airport office space not otherwise stated, per sf per month ..... 1.833

Transient hangar storage:

    Heavy jet (see facility fees), per night + facility fee (if applicable) ..... 400.00

    Heavy turbo, per night + facility fee (if applicable) ..... 250.00

    Medium jet aircraft, per night + facility fee (if applicable) ..... 300.00

    Light jet, per night + facility fee (if applicable) ..... 200.00

    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 keys ..... 25.00

    Access door hardware damage ..... 50.00

    Access door dent damage ..... Quote provided based on cost of repair

    Hangar door damage ..... Quote provided based on cost of repair

    Metal wall damage ..... Quote provided based on cost of repair

    Damage to hanger interior metal wall ..... Quote provided based on cost of repair

    Damage to hangar fire partition ..... Quote provided based on cost of repair

    Ceiling/light damage ..... Quote provided based on cost of repair

    Floor—Major oil stains ..... 100.00

Floor—Missing chocks ..... 50.00  
Door switch damage ..... 200.00  
Fire extinguisher ..... 250.00  
Clean up trash ..... 50.00  
Clean up oil stains ..... 50.00

Section 13. 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, Section 30-205. Both FBO and self-fueling operators.**

Self-service Jet-A fuel, per gallon ..... \$0.50 below the published list price  
Self-service AvGas fuel, per gallon ..... \$0.50 below the published list price  
Fuel for petroleum products pricing (markup determined to meet the operating requirements of the airport).  
Markup (Jet-A) ..... 2.35 per gallon  
Markup (AvGas) ..... 1.75 per gallon  
Transient ..... Cost + tax + 100% of markup  
Based ..... Cost + tax + 100% of markup, less \$0.20 per gallon  
Government ..... Cost + 100% of markup

Jet-A fuel (single purchase):

1—299 ..... Cost + tax + 100% of markup  
300—499 ..... Cost + tax + 100% of markup less \$0.05  
500—999 ..... Cost + 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 – 4,999 ..... Cost + tax + 100% of markup  
5,000 – 9,999 ..... Cost + tax + 95% of markup  
10,000 – 19,999 ..... Cost + tax + 85% of markup  
20,000 – 29,999 ..... Cost + tax+ 80% of markup  
30,000 – 39,999 ..... Cost + tax + 75% of markup  
40,000 – 49,999 ..... Cost + tax + 70% of markup  
50,000—59,999..... Cost + tax + 65% of markup  
60,000 – 74,999 ..... Cost + tax + 60% of markup  
75,000—99,999..... Cost + tax + 55% of markup  
100,000+..... Negotiable

Fuel additive ..... \$0.05 per pre-mixed gallon

AvGas:

- 1—29 ..... Cost + tax + 100% of markup
- 30—49 ..... Cost + tax + 100% of markup less \$0.05
- 50—99 ..... Cost + tax + 100% of markup less \$0.10
- 100+ ..... Cost + tax + 100% of markup less \$0.15

Oil:

- Aero Shell 15w50 ..... Cost + 50% + sales tax
- Aero Shell 100w ..... Cost + 50% + sales tax
- Aero Shell 100w Plus ..... Cost + 50% + sales tax
- Phillips XC 20w50 ..... Cost + 50% + sales tax
- BP2380 ..... Cost + 50% + sales tax
- Mobile Jet Oil 2 ..... Cost + 10% + sales tax
- Mobile Jet 254 ..... Cost + 10% + sales tax

Section 14. That Appendix A, entitled “Schedule of Fees”, of the Code of Ordinances, City of McKinney, Texas, Section 110-44, is hereby amended to read as follows:

**Appendix A, Section 110-44. Fire hydrant/construction meter service deposits.**

- Fire hydrant relocation (trip fee) ..... 40.00
- Equipment deposit (meter & backflow) ..... 1,265.00
- Water service deposit ..... 500.00
- Service charge for each month (31 days) or fraction of a month in which a fire hydrant meter is used:
  - Use charge + base fee ..... 30.00 service fee, plus 3 inch irrigation meter base monthly rate
  - Unreported monthly reading ..... 100.00

Section 15. That Appendix A, entitled “Schedule of Fees”, of the Code of Ordinances, City of McKinney, Texas, Section 110-45, is hereby amended to read as follows:

**Appendix A, Section 110-45. Miscellaneous charges.**

- Payment plan processing fee ..... 5.00
- Removal or lockup of meter for non-payment ..... 50.00
- Tampering with meter ..... 50.00
- Damaged lock ..... 30.00
- Meter test fee:
  - Residential meter ..... 75.00

2-inch or smaller Commercial Meter ..... 150.00

3-inch meter or larger, the minimum fee shall be ..... 250.00

Meter box replacement ..... 150.00

Trip fee (i.e. emergency shut off, delivery of disconnection notice in lieu of reconnection fee)

During normal city working hours ..... 40.00

After normal city working hours ..... 60.00

Water use profile report (trip fee) ..... 40.00

Missed appointment fee (charge for making appointments and customer is a "no show"):

Return trip—Next day ..... 15.00

Return trip—Same day ..... 20.00

Section 16. 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, Section 110-139. Water tap and meter set fees – Smaller service.**

Water service installation:

(1) 1-inch water tap only ..... 1,450.00

(2) 1-inch water tap and pavement repair ..... 1,950.00

(3) 1-inch water tap, bore and pavement repair ..... 2,775.00

(4) 2-inch water tap only ..... 1,850.00

(5) 2-inch water tap and pavement repair ..... 2,350.00

(6) 2-inch water tap, bore and pavement repair ..... 3,175.00

Meter set fees:

(1) ¾-inch meter set ..... 268.00

(2) 1-inch meter set ..... 409.00

(3) 2-inch meter set ..... 1,200.00

Section 17. 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 be ..... 16.20
  - b. From 1 gallon to 20,000 gallons the rate per 1,000 gallons or any portion thereof shall be ..... 4.55
  - c. From 20,001 gallons to 40,000 gallons the rate per 1,000 gallons or any portion thereof shall be ..... 5.75
  - d. For usage to exceed over 40,000 gallons, the rate per 1,000 gallons or any portion thereof shall be ..... 6.90
- (2) Multifamily/Commercial/industrial/governmental accounts:
  - a. The base monthly rate per meter shall be:
    1. 5/8-inch x 3/4-inch meter ..... 16.20
    2. 1-inch meter ..... 28.40
    3. 1½-inch meter ..... 48.65
    4. 2-inch meter ..... 68.20
    5. 3-inch meter ..... 120.05
    6. 4-inch meter ..... 178.50
    7. 6-inch meter ..... 332.75
    8. 8-inch meter ..... 657.30
    9. 10-inch meter ..... 1,243.75
    10. 12-inch meter ..... 2,325.25
  - b. The rate per 1,000 gallons or any portion thereof shall be ..... 4.55
- (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 be ..... 3.45
- (4) Irrigation accounts:
  - a. The base monthly rate per meter shall be:
    1. 5/8-inch x 3/4-inch meter ..... 16.20
    2. 1-inch meter ..... 28.40
    3. 1½-inch meter ..... 48.65
    4. 2-inch meter ..... 68.20
    5. 3-inch meter ..... 120.05
    6. 4-inch meter ..... 178.50
    7. 6-inch meter ..... 332.75
    8. 8-inch meter ..... 657.30
  - b. From 1 gallon to 20,000 gallons the rate per 1,000 gallons or any portion thereof shall be ..... 4.55
  - c. From 20,001 gallons to 40,000 gallons the rate per 1,000 gallons or any portion thereof shall be ..... 5.75

- d. For usage to exceed over 40,000 gallons, the rate per 1,000 gallons or any portion thereof shall be ..... 6.90

Section 18. 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) 4-inch sewer tap only ..... 1,630.00
- (2) 4-inch sewer tap and pavement repair ..... 1,980.00
- (3) 4-inch sewer tap, bore, and pavement repair ..... 3,600.00
- (4) Sewer service larger than four inch require connection to an existing or installed manhole and shall be contracted and paid for by the requester.

Section 19. 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 be ..... 17.75
- b. The rate per 1,000 gallons up to 8,000 gallons, but not to exceed the winter average if applicable, shall be ..... 4.95
- 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 meter ..... 17.75
  - 2. 1-inch meter ..... 29.10
  - 3. 1½-inch meter ..... 48.05
  - 4. 2-inch meter ..... 62.55
  - 5. 3-inch meter ..... 98.10
  - 6. 4-inch meter ..... 139.05
  - 7. 6-inch meter ..... 237.60
  - 8. 8-inch meter ..... 464.95
  - 9. 10-inch meter ..... 957.10
  - 10. 12-inch meter ..... 1,952.20
- b. The rate per 1,000 gallons or any portion thereof shall be ..... 4.95

(3) Municipal accounts:

a. The rate per 1,000 gallons or any portion thereof ..... 3.75

(4) Irrigation accounts:

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

Section 20. 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 21. 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 22. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney.

Section 23. This Ordinance shall become effective October 1, 2018.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 17<sup>TH</sup> DAY OF SEPTEMBER, 2018.**

CITY OF MCKINNEY, TEXAS

\_\_\_\_\_  
GEORGE C. FULLER  
Mayor

CORRECTLY ENROLLED:

\_\_\_\_\_  
EMPRESS DRANE  
City Secretary

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

APPROVED AS TO FORM:

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