

ORDINANCE NO. 2023-09-\_\_\_\_

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 THE CODE OF ORDINANCES SECTION 2-1, AND BY AMENDING APPENDIX A SCHEDULE OF FEES, IN PART, BY AMENDING SECTIONS 2-1, 50-4, 110-44, 110-45, 110-140, 110-141, 110-142, 110-230, AND 150-203A; 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, THAT:**

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

Section 2. The Code of Ordinances, City of McKinney, Texas, Section 2-1, is hereby amended to read as follows:

**Sec. 2-1. Fees for special services provided by public works, development services, and parks and recreation departments.**

- (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 as specified in appendix A of the Code of Ordinances which may be amended from time to time by ordinance.
- (b) There shall be a charge for the 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. This fee shall be used to ensure that such construction is in compliance with the approved plans. Such fee shall be calculated on the basis of ~~the valuation~~ the disturbed area of the infrastructure improvement project, ~~and shall be due in full prior to final issuance of a construction permit as~~ The Plan Review Base Fee shall be paid as an application fee prior to plan review. The Plan Review Acreage Fee shall be paid prior to the second review. The Inspection Base Fee and Acreage Fee shall be paid prior to permit issuance. The fees are specified in appendix A of the Code of Ordinances which may be amended from time to time by ordinance. 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 that require one or more standard or non-standard facilities agreements and/or development agreements (referred to collectively herein as "agreement" or "agreements") shall be charged as specified in Appendix A of the Code of Ordinances, which charge(s) may

be amended from time to time by ordinance, for the processing of such standard and/or non-standard agreements. Standard agreements are defined as those agreements that have been previously approved by city council to serve as a basis for future agreements. A non-standard agreement is defined as an agreement in which the wording of a standard agreement is modified.

- (d) There shall be a charge for the services of the engineering department performed during the weekend or after 5:00 p.m. on a normal business day as specified in appendix A of the Code of Ordinances which may be amended from time to time by ordinance.
- (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. 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. 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, Section 2-1. Fees for special services provided by public works, development services, and parks and recreation departments.**

- (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 as follows: ~~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.)~~

<u>City Plan Review</u>	<u>\$1,500 Base Fee plus</u>	<u>\$911 per disturbed acre</u>
<u>City Inspection</u>	<u>\$1,500 Base Fee plus</u>	<u>\$2,279 per disturbed acre</u>
<u>City Total</u>	<u>\$3,000 Base Fee plus</u>	<u>\$3,191 per disturbed acre</u>
<u>ETJ Plan Review</u>	<u>\$2,000 Base Fee plus</u>	<u>\$1,215 per disturbed acre</u>
<u>ETJ Inspection</u>	<u>\$2,000 Base Fee plus</u>	<u>\$3,039 per disturbed acre</u>
<u>ETJ Total</u>	<u>\$4,000 Base Fee plus</u>	<u>\$4,254 per disturbed acre</u>

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 that require one or more standard facilities agreement and/or development agreements shall be charged \$500.00 per agreement. Non-standard facilities agreements and/or development

agreements shall be charged \$1,000.00 per agreement. City-initiated agreements shall have no fee.

- (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	\$20.00
Affidavit of no protected trees	\$20.00
Limited purpose tree permit	\$20.00 + \$5.00 per quality tree removed
Construction tree permit	\$50.00 + fee based on number of trees
*Fee for sites with up to 10 quality trees	\$10.00
*Fee for sites with 10—50 quality trees	\$50.00
*Fee for sites with 50+ quality trees	\$100.00

(h) The fee for external attendees (non-City staff) to register and attend the City's Innovation Academy shall be \$300.

Section 4. Appendix A, entitled "Schedule of Fees", of the Code of Ordinances, City of McKinney, Texas, Section 50-4, is hereby amended to read as follows

**Appendix A, Section 50-4. Library Fees.**

Lost materials—Current replacement cost

Plus, processing fee\$5.00

~~Rental of meeting room, per hour20.00~~

~~Rental of conference room, per hour10.00~~

Library card initial issuance:

Residents of McKinney and Collin County\_No charge

For all residents outside of county:

Per card10.00

or

Per family18.00

Section 5. 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, Sec. 110-44. Fire hydrant/construction meter service deposits.**

- Fire hydrant relocation (trip fee) 50.00
- Equipment deposit (meter & backflow) ~~1,500.00~~ 2,000.00
- Water service deposit 500.00
- Connection charge 50.00
- Service charge for each month (31 days) or fraction of a month in which a fire hydrant meter is used:
  - Use charge + base fee 50.00 service fee, plus 3 inch irrigation meter base monthly rate
  - Unreported monthly reading 100.00
  - Damaged fire hydrant meter 1,000.00
  - Damaged reduced pressure assembly (RPZ) ~~800.00~~ 1,000.00

Section 6. 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, Sec. 110-45. Miscellaneous charges.**

- Payment plan processing fee 5.00
- Removal or lockup of meter for non-payment 50.00
- Tampering with meter 100.00
- Damaged lock 30.00
- Meter test fee:
  - Residential meter ~~75.00~~ 100.00
  - 2-inch or smaller Commercial Meter ~~150.00~~ 200.00
  - 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 50.00
  - After normal city working hours 75.00
- Water use profile report (trip fee) 50.00
- Missed appointment fee (charge for making appointments and customer is a "no show"):
  - Return trip—Next day 25.00

Return trip—Same day 50.00

Failed meter inspection (1<sup>st</sup> & 2<sup>nd</sup> violations) 50.00

Failed meter inspection (3<sup>rd</sup> & subsequent violations) 150.00

Section 7. Appendix A, entitled “Schedule of Fees”, of the Code of Ordinances, City of McKinney, Texas, Section 110-140, is hereby amended to read as follows:

**Appendix A, Sec. 110-140. Same – Large service.**

Meter register fee:

(1) 3-inch meter or larger ~~150.00~~ 300.00

Section 8. 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, Sec. 110-141. Monthly water rates.**

Residential & irrigation accounts per 1,000 gallons:

Consumption	Inside City
1 Gal—7,000	<del>4.35</del> <u>4.70</u>
7,001—20,000	<del>6.00</del> <u>6.50</u>
20,001—40,000	<del>7.60</del> <u>8.20</u>
Over 40,000 Gallons	<del>9.10</del> <u>9.85</u>

(2) Commercial accounts per 1,000 gallons ~~5.05~~ 5.45

(3) Water district and municipal accounts per 1,000 gallons ~~3.80~~ 4.05

(4) Base rate per meter, per month:

Meter Size	Inside City
All residential	<del>17.65</del> <u>18.70</u>
¾-inch	<del>17.65</del> <u>18.70</u>
1-inch	<del>31.00</del> <u>32.85</u>
1½-inch	<del>53.05</del> <u>56.25</u>
2-inch	<del>74.40</del> <u>78.85</u>
3-inch	<del>131.00</del> <u>138.85</u>
4-inch	<del>194.80</del> <u>206.50</u>
6-inch	<del>363.15</del> <u>384.95</u>
8-inch	<del>717.40</del> <u>760.45</u>
10-inch	<del>1,357.45</del> <u>1,438.90</u>
12-inch	<del>2,537.75</del> <u>2,690.00</u>

Section 9. Appendix A, entitled “Schedule of Fees”, of the Code of Ordinances, City of McKinney, Texas, Section 110-142, is hereby amended to read as follows:

**Appendix A, Sec. 110-142. Water delivered outside city.**

Water rates for all water delivered outside the city limits:

(1) Residential & irrigation accounts per 1,000 gallons:

Consumption	Outside City
1 Gal—7,000	<del>5.20</del> <u>5.75</u>
7,001—20,000	<del>7.20</del> <u>7.95</u>
20,001—40,000	<del>9.10</del> <u>10.05</u>
Over 40,000 Gallons	<del>10.90</del> <u>12.05</u>

(2) Commercial accounts per 1,000 gallons~~6.05~~ 6.70

~~(3) Water district and municipal accounts per 1,000 gallons3.55~~

~~(4)~~(3) Base rate per meter, per month:

Meter Size	Outside City
All residential	<del>21.20</del> <u>22.90</u>
¾-inch	<del>21.20</del> <u>22.90</u>
1-inch	<del>37.20</del> <u>40.25</u>
1½-inch	<del>63.65</del> <u>68.90</u>
2-inch	<del>89.30</del> <u>96.60</u>
3-inch	<del>157.20</del> <u>170.10</u>
4-inch	<del>233.75</del> <u>252.95</u>
6-inch	<del>435.80</del> <u>471.55</u>
8-inch	<del>860.90</del> <u>931.55</u>
10-inch	<del>1,628.95</del> <u>1,762.65</u>
12-inch	<del>3,045.30</del> <u>3,295.25</u>

Section 10. 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:

- 1. Inside City~~22.75~~ 24.55
- 2. Outside City~~27.30~~ 30.05

b. The rate per 1,000 gallons up to 8,000 gallons, but not to exceed the winter average if applicable, shall be:

- 1. Inside City~~6.35~~ 6.85
- 2. Outside City~~7.60~~ 8.40

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.

d.

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

a. The base monthly rate shall be:

Meter Size	Inside City	Outside City
¾-inch	<del>22.75</del> <u>24.55</u>	<del>27.30</del> <u>30.05</u>
1-inch	<del>37.25</del> <u>40.25</u>	<del>44.70</del> <u>49.30</u>
1½-inch	<del>61.55</del> <u>66.45</u>	<del>73.85</del> <u>81.40</u>
2-inch	<del>80.10</del> <u>86.50</u>	<del>96.10</del> <u>105.95</u>
3-inch	<del>125.60</del> <u>135.65</u>	<del>150.70</del> <u>166.15</u>
4-inch	<del>178.05</del> <u>192.30</u>	<del>213.65</del> <u>235.55</u>
6-inch	<del>304.20</del> <u>328.55</u>	<del>365.05</del> <u>402.45</u>
8-inch	<del>595.25</del> <u>642.85</u>	<del>714.30</del> <u>787.50</u>



10-inch	<del>1,225.30</del> <u>1,323.30</u>	<del>1,470.35</del> <u>1,621.05</u>
12-inch	<del>2,499.30</del> <u>2,699.25</u>	<del>2,999.15</del> <u>3,306.60</u>

- b. The rate per 1,000 gallons or any portion thereof shall be:
  - 1. Inside City ~~6.35~~ 6.85
  - 2. Outside City ~~7.60~~ 8.40
- (3) Municipal accounts:
  - a. The rate per 1,000 gallons or any portion thereof:
    - 1. Inside City ~~4.80~~ 5.20
- (4) Irrigation accounts:
  - a. Meters used for irrigation purposes only shall not be billed sewer charges.

Section 11. Appendix A, entitled “Schedule of Fees”, of the Code of Ordinances, City of McKinney, Texas, Section 150-203A, is hereby amended to read as follows

**Appendix A, Section 150-203A. Fees for zoning applications:**

For an annexation proposal, per request no fee

Straight zoning/rezoning request, per application

\$750.00 if less than 50 acres;

\$1,200.00 if 50 acres or more.

Planned Development District zoning/rezoning request, per application

New applications..... \$1,200.00 plus \$10.00 per acre, to a maximum fee of \$2,500.00.

Resubmittals..... starting with the 5<sup>th</sup> resubmittal, a fee equal to 50% of the initial application fee will be applied to each round of review.

~~plus \$10.00 per acre, to a maximum fee of \$2,500.00.~~

Specific use permit application, per application

New applications..... \$300.00 plus \$10.00 per acre, to a maximum fee of \$2,500.00.

Resubmittals..... starting with the 5<sup>th</sup> resubmittal, a fee equal to 50% of the initial application fee will be applied to each round of review.

~~plus \$10.00 per acre, to a maximum fee of \$2,500.00.~~

Site plan application, per application

New application..... \$250.00 if less than 5 acres; \$50.00 per acre or portion thereof if 5 acres or more, to a maximum fee of \$2,500.00.

Resubmittals..... starting with the 5<sup>th</sup> resubmittal, a fee equal to 50% of the initial application fee will be applied to each round of review.

Post approval revisions not included.

~~\$50.00 per acre or portion thereof if 5 acres or more, to a maximum fee of \$2,500.00.~~

For an Aerial Tree Exhibit\$600.00 per acre

Tree Permit Fees:

Residential, existing: no fee

Commercial and Multi-Family, existing\$50.00

Limited Purpose Tree: (grubbing under drip lines)\$150.00

Other Fees:

Manufactured Home Fees:

Original License Application Fee (per space)\$20.00

Annual License Renewal Fee (per space)\$10.00

Fee for Transfer of License (per space)\$5.00

Permit Fee: See Chapter 122, Construction Regulations, for applicable fees.

Donation Collection Container application fee\$150.00

Legal Notice publication fee\$500.00

Temporary use permit, per permit\$25.00

For a general development plan application, per application\$250.00

For a concept plan review, per plan\$250.00

Plus, per acre or portion thereof contained within the concept plan tract\$10.00

For a zoning verification letter, per request\$50.00

Plus applicable document copying charges



- Section 12. 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. 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. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney.
- Section 15. Sections 2 and 3 of this Ordinance shall become effective immediately upon passage, and the balance of this Ordinance shall become effective October 1, 2023.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 5<sup>TH</sup> DAY OF SEPTEMBER, 2023.**

CITY OF MCKINNEY, TEXAS

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GEORGE C. FULLER  
Mayor

CORRECTLY ENROLLED:

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EMPRESS DRANE, City Secretary  
TENITRUS BEHTEL, Deputy City Secretary

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

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney