

ORDINANCE NO. 2020-009(O)

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS AMENDING THE BUILDING AND BUILDING CODE SECTION OF ORDINANCE 2019-702(O), THE ADOPTED FY 19/20 SCHEDULE OF FEES, BY AMENDING THE FEE AMOUNTS PROVIDED UNDER RESIDENTIAL AND COMMERCIAL PERMITS AND REPEALING ALL PRIOR FEES THAT ARE IN CONFLICT.

WHEREAS, the City of Windcrest has adopted numerous ordinances that provide for various fees and charges subject to change from time to time; and

WHEREAS, the Windcrest City Council has determined that the fees and charges specified herein are reasonable, necessary, fair, and designed to fund various services, activities, events, materials, and supplies to which they pertain; and

WHEREAS, the City Council has determined that the fees set forth herein will promote the health, safety, and welfare of the citizens of Windcrest; and

WHEREAS, this ordinance was adopted at a meeting of the Windcrest City Council held in strict compliance with the Texas Open Meeting Act at which a quorum of the City Council was present and voting.

I.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that the Building and Building Code Section of Ordinance 2019-702(O), also known as the "Master Fee Schedule," is hereby amended as follows:

SECTION 1. New Rates Imposed.

The City Council hereby adopts the Master Fee Schedule attached as Exhibit "A" hereto and imposes the fees set forth therein upon the services, activities, events, materials, and supplies that are described therein. All prior fees for the services, activities, events, materials, and supplies from prior fee schedules that conflict with those listed in Exhibit "A" are hereby repealed. The newly adopted rates shall be collected by the City in accordance with the various City ordinances that more particularly describe each of the fees.

SECTION 2. Ordinances Amended.

Each City ordinance that originally provided a fee, charge, or fine that is listed on Exhibit "A" is hereby amended as shown on Exhibit "A."

**II.
CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of the Windcrest Code of Ordinances except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

**III.
SEVERABILITY**

That it is hereby declared to be the intent of the City Council of Windcrest that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, sentences, paragraphs, or sections.

**IV.
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meetings at which this Ordinance was approved and adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government.

**V.
EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication as required by state and local law.

**VI.
READINGS**

FIRST READING approved by the City Council of the City of Windcrest this the 16th day of March, 2020.

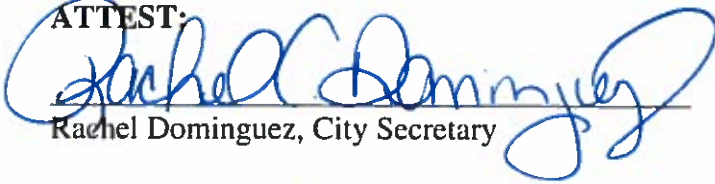
SECOND READING DULY PASSED AND APPROVED, on the 6th day of April, 2020 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS



Dan Reese, Mayor

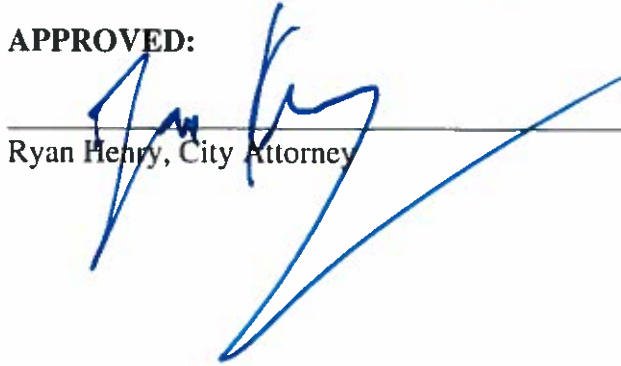
ATTEST:



Rachel Dominguez, City Secretary



APPROVED:



Ryan Henry, City Attorney

EXHIBIT "A"
City of Windcrest
Master Fee Schedule
Ordinance 2020-009(O)

ANIMAL CONTROL

<u>Deposits</u>	
Rabies Vaccination	\$50.00
Sterilization:	
Male Cat	\$75.00
Female Cat	\$90.00
Male Dog	\$75.00
Female Dog	\$90.00
<u>Pet Tags</u>	
Sterilized and Microchipped	Free
Sterilized	\$5.00
Not Sterilized	\$25.00
Duplicate Pet Tag	\$2.00
<u>Reclamation</u>	
1st time dog is reclaimed instance per resident, one dog	\$0.00
2nd time dog is reclaimed instance per resident, per dog	\$0.00
3rd time dog is reclaimed instance per resident, per dog	\$75.00
4th time & subsequent times dog is reclaimed instance per resident, per dog	\$200.00
<u>Citations and Fines</u>	
Animal Cruelty	Citation
Dog Off Leash	Citation
Improper Animal Transport	Citation
Inadequate Care and Shelter	Citation
Each instance per residence per cat outside not sterilized	\$50.00
Rabies immunization for reclaimed animals without current proof of vaccination	\$10.00

Fine for animals in violation of Windcrest Code of Ordinances, Sec. 6-59(b), requiring identification tags or microchip	\$25.00
Violation of Windcrest Code of Ordinances, Sec. 6-62, requiring leashing or containment of dogs when under owner's control but outside of owner's fenced premises (The owner will also pay all boarding fees)	\$100.00
Dogs captured who have not been registered with the City, an additional (No proof of vaccination cost will be paid by owner)	\$100.00

BUILDING AND BUILDING CODE

A. RESIDENTIAL PERMIT FEES

Building and Building Code	
New Construction	
Single-Family Residential	\$950.00 plus \$0.52 per square foot of living space
Curb Cuts/Driveways	\$50.00
Certificate of Occupancy (non-refundable)	\$100.00
Variance Request	\$150.00
Moving Permit	\$100.00
Demolition Permit	\$200.00
Dumpster Permit	\$100.00
Plan Review Fee	475.00
Revised Plan Review Fee	\$100.00
Non-Compliance Fee (work started or performed without a permit)	\$100.00 plus 2x the permit cost. Payment of the double fee shall not relieve any person from fully complying with the requirements of the Code in the execution of the work, nor from any other penalties prescribed herein.
Re-Inspection Fee (for failed inspections)	\$75.00 per failed inspection
Failure to Correct Fee (Code violations)	\$100.00
Residential Remodels/Maintenance	
Foundation	\$5.00
Driveways	\$5.00
Sidewalks	\$5.00
Re-roofs	\$5.00

Fences	\$5.00
Windows Installation/Replacement (Frame)	\$50.00
Accessory Buildings	\$5.00
Variance Request	\$35.00
Demolition Permit	\$100.00
Dumpster Permit	\$50.00
Plan Review Fee	\$55.00
Revised Plan Review Fee	\$55.00
Non-Compliance Fee (work started or performed without a permit)	\$100.00 plus 2x the permit cost. Payment of the double fee shall not relieve any person from fully complying with the requirements of the Code in the execution of the work, nor from any other penalties prescribed herein.
Re-Inspection Fee (for failed inspections)	\$75.00 per failed inspection
Failure to Correct Fee (Code violations)	\$100.00
Plumbing Permits	
New Construction	\$250.00
Remodel	\$200.00
Issue Permit (Base Fee)	\$50 +
Water Softener	\$5.00
House Sewer	\$5.00
Water Heater	\$5.00
Water Piping	\$5.00
Water Line	\$5.00
Gas Test	\$5.00
Lawn Irrigation/Sprinklers	\$100.00
HVAC/Mechanical Permits	
New Construction	\$200.00
Replace Unit	\$100.00
A/C Air Duct Replacement	\$150.00
Issue Permit (Base Fee)	\$50.00
Electrical Permits	
New Construction	\$200.00
Remodels	\$150.00
Temporary Meter Loop	\$50.00
Issue Permit (Base Fee)	\$50.00
Fire Related Permits	

Fire Sprinkler System	
Installation	\$240.00
Repair	\$180.00
Plan Review	\$100.00
Fire Alarm	
Installation	\$240.00
Repair	\$180.00
Plan Review	\$100.00
False Alarm Fees	
3 or less False Alarms within preceding 12 months	\$0.00
4 or 5 False Alarms within preceding 12 months	\$50.00
6 or 7 False Alarms within preceding 12 months	\$75.00
8 or more False Alarms within preceding 12 months	\$100.00
Miscellaneous Permits	
Swimming Pool/Hot Tub/Spa	\$160.00, includes 3 feet wide deck. Electrical permit also required.
Decks, Gazebos, Pergolas, Pool Decks	\$100.00

B. COMMERCIAL PERMIT FEE SCHEDULE

<u>Permit Fees Related to Construction, Remodel, Installation, and Replacement</u>	
\$500 or less of total value	\$75.00
\$501 to \$2,000 of total value	\$75.00 + \$3.05 for each hundred or fraction thereof over \$500.00
\$2,001 to \$25,000 of total value	\$75.00 + \$14.00 for each thousand or fraction thereof over \$2,000.00
\$25,001 to \$50,000 of total value	\$391.75 + \$10.10 for each thousand or fraction thereof over \$25,000.00
\$50,001 to \$100,000 of total value	\$643.75 + \$7.00 for each thousand or fraction thereof over \$50,000.00
\$100,001 to \$500,000 of total value	\$993.75 + \$5.60 for each thousand or fraction thereof over \$100,000.00

\$500,001 to \$1,000,000 of total value	\$3,233.75 + \$4.75 for each thousand or fraction thereof over \$500,000.00
\$1,000,000 and higher of total value	\$5,608.75 + \$3.65 for each thousand or fraction thereof over \$1,000,000.00
Dumpster Permit	\$100.00
Plan Review Fee	\$475.00
Revised Plan Review Fee	\$100.00
Variance Request	\$150.00
Non-Compliance Fee (work started or performed without a permit)	\$100.00 plus 2x the permit cost. Payment of the double fee shall not relieve any person from fully complying with the requirements of the Code in the execution of the work, nor from any other penalties prescribed herein.
Re-Inspection Fee (for failed inspections)	\$75.00 per failed inspection
Failure to Correct Fee (Code violations)	\$100.00
Plumbing Permit	
Repair/Replacement/Remodel	\$500.00
HVAC/Mechanical Permit	
Repair/Replacement/Remodel	\$400.00
Electrical Permit	
Repair/Replacement/Remodel	\$500.00
Temporary Meter Loop	\$50.00

CHARGES FOR PUBLIC INFORMATION REQUESTS

<u>Materials onto Which Information is Copied</u>	
Standard paper copy	\$0.10
Nonstandard copy	
Diskette	\$1.00
Magnetic tape	Actual cost
Data cartridge	Actual cost
Tape cartridge	Actual cost
Rewritable CD	\$1.00
Non-rewritable CD	\$1.00
Digital Video Disc (DVD)	\$1.00

JAZ drive	Actual cost
Other electronic media	Actual cost
VHS video cassette	\$2.50
Audio cassette	\$1.00
Oversize paper copy (e.g., 11x17, greenbar, etc . . .)	\$0.50

CIVIC CENTER FEES

Resident	
Deposit	\$100.00 Refundable after event
Rental	\$50.00 per hour minimum 4 hours rental
Cleaning	\$100.00
Sound system	\$100.00
*Security	\$35.00 per hour
Optional set up fee by Civic Center Tech	\$25.00 per hour (this can be deducted from deposit)
Non-Resident	
Deposit	\$300.00 Refundable after event
Facility use, kitchen use, audio system use, and clean-up – 4 hours minimum	\$1,500.00
Additional hours	\$250.00 per hour
*Security	\$35.00 per hour
Schools and Churches	
Resident rate	
Civic Clubs	
Usage fee (per meeting)	\$25.00 per meeting
Usage fee (per banquet/fundraising event)	\$50.00 for banquet/fundraiser event
No cleaning fee	
*Security	\$35.00

*Security fee is paid only when an event will be serving alcohol.

GARAGE AND ESTATE SALES

Garage Sale Permit	\$10.00
Estate Sale Permit	\$25.00

NOTARY FEES

Acknowledgements	
Taking the acknowledgement or proof of any deed or other instrument in writing, for registration, including certificate and seal:	\$0.00
(1) for the first signature	\$0.00
(2) for each additional signature	\$0.00
Administering an oath or affirmation with certificate and seal	\$0.00
All certificates under seal not otherwise provided for	\$0.00
Copies of all records and papers in the Notary Public's Office, per page	\$0.00
Taking the depositions of witnesses, per each 100 words	\$0.00
Swearing a witness to a deposition, certificate, seal, and other business connected with taking the deposition	\$0.00
Protests	
Protesting a bill or for non-acceptance or non-payment, register & seal	\$0.00
Each notice of protest	\$0.00
Certificate and seal to a protest	\$0.00
Protesting in all other cases	\$0.00
Miscellaneous	
All other notarial acts not provided for	\$0.00

SWIMMING POOL FEES

Daily Fee	\$3.00
Pool Passes	
Resident	
Single	\$60.00
Couple	\$90.00
Family	\$120.00

Swim lessons, 2x/week, 1-hour daily sessions	\$40.00
Non-Resident	
Single	\$125.00
Couple	\$145.00
Family	\$170.00
Swim lessons, 2x/week, 1-hour daily sessions	\$50.00
Swim Team	
1 participant in family	\$86.00
Each additional member of the family	\$76.00
Pool Parties	
Party time length: minimum of 3 hours	
10-25 guests	\$100.00
Additional hours (per hour)	\$30.00
26-50 guests	\$125.00
Additional hours (per hour)	\$30.00
51-75 guests	\$197.50
Additional hours (per hour)	\$37.50
76-100 guests	\$245.00
Additional hours (per hour)	\$45.00
Camps, Daycares, Other Organizations	
Per person	

VEHICLE STORAGE FEES

Deposit	\$50.00
Small (size 8'x15')	\$240.00
Medium (size 10'x20')	\$360.00
Large (size 12'x33')	\$480.00
Large (size 12'x33') with electricity	\$600.00
X-Large (size 12'x40')	\$624.00
X-Large (size 12'x40') with electricity	\$744.00