

ORDINANCE NO. 2647

AN ORDINANCE, AMENDING ORDINANCE 2534 AND APPENDIX 1 - SECTION 6 - FEE SCHEDULE, OF THE CODE OF ORDINANCES OF THE CITY OF TERRELL, TEXAS, UPDATING THE FEE SCHEDULE FOR NEW COMMERCIAL BUILDING PERMITS; PROVIDING FOR THE REPEAL OF ALL PREVIOUS OUTDATED AND CONFLICTING FEE SCHEDULES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the current fee schedule for new commercial construction is based on the 2009 International Code Council (ICC) Construction Cost Valuation Tables and the costs of construction has substantially increased over the past two code publication cycles; and

WHEREAS, in order to accurately reflect the true valuation of a project and to base the permit fee on the true valuation as published by the ICC, the City of Terrell has the desire to provide accurate, readily available and easily calculated permit fees to improve customer service and make the development process efficient and customer friendly; and

WHEREAS, the New Commercial Construction and Additions permit fee is based on the ICC Building Valuation Data published every three (3) years and it is necessary to evaluate the valuation trends on a regular basis in order to keep the permit fees current; and

WHEREAS, the City Council, after careful consideration of the matter, hereby finds and declares that permit and application fees imposed upon residential and nonresidential development should be equitable, and do not impose an unfair burden on such development; are in the best interest of the general welfare of the City and its residents by promoting safe building practices;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:

Appendix 1, Fee Schedule, as set forth in the City of Terrell Code of Ordinances, is hereby amended by the revisions to Section 6.A.3 - New Commercial Construction and Additions, to be updated as follows (all other Sections are to remain the same):

ARTICLE I.

The following Fee Schedule shall be official Development Fee Schedule for the City of Terrell:

FEE SCHEDULE:

A. Basic Building Permit Fees:

Type Permit	Fee
1. New Residential Construction	
Single-Family	\$600/dwelling unit
Townhouse	\$450/dwelling unit
Multi-family	\$300/dwelling unit
2. Residential Repairs, Alterations or Remodels to existing structures (including electrical, mechanical, plumbing, fence, irrigation, roofing, foundation, carport, accessory building, or separate subcontracts for new construction:	\$6.00/\$1,000 valuation \$35.00 minimum
3. New Commercial Construction and Additions:	
a. Industrial	\$0.35/square foot
b. Institutional	\$0.47/square foot
c. Retail	\$0.48/square foot
d. Commercial	\$0.53/square foot
e. Restaurant	\$1.10/square foot
f. Medical	\$1.60/square foot
4. Commercial Shell Building or Tenant Finish Out:	50% of new construction fee
5. Commercial Repairs, Alterations or Remodels to existing structures (including electrical, mechanical, plumbing, fence, irrigation, roofing, sign (permanent or electrical), foundation, etc. or separate subcontracts for new construction:	\$8.00/\$1,000 valuation \$45.00 minimum
6. Commercial Plan Review Fee:	25% of above permit fee (only applies to projects over \$50,000 or requires TDLR registration)

B. Other Permits and Fees

1. Grading Permit	\$100.00
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(deducted from permit fee if construction commences within 6 months - must submit grading plan or engineering)

2. **Moving Fee** (using public street/requires Police permit) \$75.00
(moving of any structure or building over 240 square feet)
3. **Demolition Permit** Residential \$35.00
Commercial \$100.00
(must have asbestos survey)
4. **Advertising Sign Permit** (temporary, banners, etc.) \$25.00
5. **Certificate of Occupancy** \$100.00
6. **Food Establishment Permit – due by January 15th** \$245.00/year
(If not paid by January 15th add \$50.00 late fee)
7. **Temporary Food Permit** \$45.00
(valid for 14 consecutive days)
8. **Re-inspection Fee** \$45.00 1st re-inspection
(at discretion of building inspector) \$90.00 2nd re-inspection
\$180.00 3rd re-inspection
9. **After Hours Inspections** \$45.00/hour
10. **Unpermitted Work** triple permit fees (work performed without permits or by unregistered or unlicensed trades)
11. **License Registration Fee** (all trades) \$35.00 per year from registration date

C. Work exempt from permits:

1. The repair or replacement of an existing fence in a residential district in which approved materials are used and all other requirements are met (permit required but at no charge for fence replacement).
2. Roof repairs in which less than 10% of the roof area is involved.
3. Cosmetic improvements such as painting, cabinets, counter-tops, tile, non-structural repairs, replacement of wall materials involving less than 10% of any wall, or floor covering installation such as carpet, etc.
4. Appliance installation which does not require the device to have additional electrical, gas, or plumbing services installed.
5. Prefabricated above ground swimming pools which are less than 24 inches deep and do not exceed 5,000 gallons.

6. Retaining walls less than 4 feet tall.
7. Playground equipment in residential districts.
8. Exemptions from permit requirements shall not be deemed to grant authority to perform any work that is in any manner in violation of City or State Codes.

D. Fire Prevention Fees

1. **Fire Sprinkler System Permit (Plan Review & Inspection)** \$0.008/square foot
\$150.00 minimum
2. **Fire Alarm Permit (Plan Review & Inspection)** \$0.008/square foot
\$150.00 minimum
3. **Special Fire Department Permits or Inspections** (fire pump test, smoke control systems, chemical fire extinguishing systems, flammable liquid or gas storage, refueling facilities, burn permits, fireworks or pyrotechnics displays, etc.)
\$150.00

ZONING APPLICATION FEES:

1. **Zoning Change Request** \$200.00
2. **Specific Use Permit** \$200.00
3. **Appeal to the Zoning Board of Adjustment** \$100.00

PLAT APPLICATION FEES:

1. **Preliminary Plat - Residential** \$100.00
2. **Construction Plat – Commercial** \$100.00 < 5 acres
\$350.00 5 acres to < 25 acres
\$750.00 25 acres to < 100 acres
\$750.00 + \$5.00/acre > 100 acres
3. **Final Plat – Residential** \$200.00
(plus County Filing Fees)
4. **Final Plat – Commercial** \$200.00
(plus County Filing Fees)
5. **Other Plats - Replats, Minor, Amended, etc.** \$100.00 + County Filing Fees

ARTICLE II.

No amendment or ordinance shall be required to update Section A.3 - New Commercial Construction and Additions if the update is based on the published ICC Building Valuation Data Table. The Municipal Development Director is authorized to evaluate the ICC Building Valuation Data and adjust the per square foot multiplier in Section A.3. in order to accurately determine the valuation of a project to calculate the proper permit fee for new commercial construction. However, any update or revision to the basic permit fees within the Fee Schedule shall require an ordinance amendment.

ARTICLE III.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionally shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the city council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

ARTICLE IV.

This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

Passed and Approved on this the 6th day of October, 2015.

Passed and Adopted on this the 20th day of October, 2015.

HAL RICHARDS, MAYOR

ATTEST:

JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

MARY GAYLE RAMSEY, CITY ATTORNEY