

ORDINANCE NO. 2020-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TEXAS, PROVIDING FOR THE ADOPTION OF A COMPREHENSIVE FEE SCHEDULE FOR VARIOUS GOODS, SERVICES, ACTIVITIES, REVIEWS, INSPECTIONS, PERMITS, AND LICENSES; PROVIDING A PENALTY CLAUSE; PROVIDING SEVERABILITY, SAVINGS AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Clarksville, Texas is a Type A General Law Municipality located in Red River County, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas (the "City"); and

WHEREAS, the City Council of the City of Clarksville, Texas (the "City Council") has previously adopted by ordinance or resolution various fees for goods, services, activities, reviews, inspections, permits, and licenses provided by the City; and

WHEREAS, the City's fee schedules are located in different ordinances; and

WHEREAS, the City Council finds that the fees for such goods, services, activities, reviews, inspections, permits, and licenses are reasonable and consistent with the actual costs to the City for providing such services; and

WHEREAS, to the extent possible, the City seeks to recover a portion of the costs incurred for such goods, services, activities, reviews, inspections, permits, and licenses from the recipients of the same; and

WHEREAS, the City is desirous to consolidate the fee schedules of the City into a Comprehensive Fee Schedule and be able to modify the fees as necessary without modifying multiple individual ordinances; and

WHEREAS, the City's fee schedules need to be updated to establish fees for certain types of services and for the increase cost of providing such services; and

WHEREAS, the City Council desires to adopt the attached Comprehensive Fee Schedule and wishes to repeal all prior ordinances or portions thereof in conflict with this Ordinance.

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

Section 1. Findings Incorporated. The findings set forth above are incorporated as if fully set forth herein.

Section 2. Abbreviations and Symbols.

(a) As used herein, the abbreviations and symbols which are set forth and defined below shall have the meaning which is ascribed to such symbols and abbreviations in this section:

LF Linear Footage

SF Square Footage

Ac Acre

/ per

(b) All other technical abbreviations or usage shall have the meaning that is generally understood in the technical or specialized field to which such symbols or abbreviations are ascribed.

Section 3. Comprehensive Fee Schedule Adopted. The Comprehensive Schedule of Fees, attached hereto as Exhibit “A” and incorporated herein as though fully set forth herein, is hereby adopted as the schedule of fees associated and assigned to the various goods, services, activities, reviews, inspections, permits, and licenses enumerated therein. Such fees shall be applicable within the City until repealed or amended by ordinance of the City Council. Any charges heretofore established by ordinance or resolution by the City which are in conflict with Exhibit “A” are hereby revoked, and the charges set forth herein shall be enforced.

Section 4. Double Fee when work commenced without permit. In the event that the city’s fees as set forth in this fee schedule include town inspection, certification or approval of any location, structure, building, machine, development, electrical wiring or installation, mechanical device or installation, plumbing, sign, swimming pool or spa, water or sewer user, water or sewer line or device , procedure, construction, or any other inspection or certification approval required or provided for in this fee schedule, and work has commenced prior to obtaining a permit resulting, in the subsequent issuance of a permit, then the fees set forth herein for such a permit shall be doubled.

Section 5. Severability Clause. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Clarksville hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

Section 6. Cumulative/Repealer Clause. This Ordinance shall be cumulative of all provisions of ordinances of the City of Clarksville, Texas, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event conflicting provisions of such ordinances are hereby repealed. Any remaining portions of said ordinances shall remain in full force and effect.

Section 7. Savings Clause. All rights and remedies of the City of Clarksville, Texas, are expressly saved as to any and all violations of the provisions of this Ordinance. An offense committed before the effective date of this Ordinance is governed by prior law in effect when the offense was committed.

Section 8. Penalty. It is the intent of the City Council of the City of Clarksville, Texas in adopting this Ordinance that an offense under this Ordinance be a strict liability offense; in the prosecution of an offense under this Ordinance, no pleading or proof of intent shall be required to establish the guilt of an accused. Any person, firm or corporation violating any of the provisions or terms of this ordinance shall, upon conviction, be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.


Section 9. Effective Date. This Ordinance shall become effective for all such services immediately from and after its passage and the publication of the caption and penalty clause, as the law provides.

Section 10. Open Meetings. That it is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

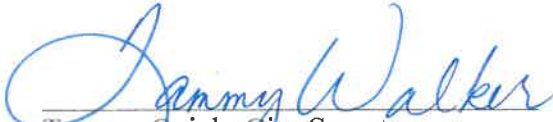
Section 11. Publication. The City Secretary is hereby directed to post or publish the caption, penalty clause and effective date clause of this ordinance in accordance with Section 52.011 of the Texas Local Government Code.

AND IT IS SO ORDERED.

Passed and approved this 29 day of Oct, 2019.


Ann Rushing, Mayor

ATTEST:


Tammy Quick, City Secretary

APPROVED AS TO FORM:

Will Trevino, City Attorney

**Exhibit A
Fee Schedule**

General Fees			
	Interest		
	Interest RBEG		
	RBEG Loan		
	Restricted Interest		
	Court Bond Interest		
	Ad Valorem	\$ 0.64	
	Delinquent Tax		
	Penalty and Interest		
	Franchise Payments		
	Sales Tax	\$ 0.08	
	Court Technology Fund	\$ 4.00	
	Court Security Fund	\$ 3.00	
	Compliance Dismissal Fee		
	Rent		
	Hotel Tax Revenue	\$ 0.07	
	City Fines		
	Hauling Fee	\$ 100.00	Per haul
	RV spots	\$ 20.00	Per night
	fingerprinting	\$ 5.00	Each
Water/Wastewater Fees			
	Water Rates Special 0-1,000	\$ 19.00	
	Water Rates Base 1,001 - 2,000	\$ 29.00	
	Water Rates 2,001-20,000	\$ 2.25	per 1,000 gallons used in excess of 2,000 plus base charge
	Water Rates Base 20,001 - 50,000	\$ 69.50	
	Water Rates 20,001-50,000	\$ 2.25	per 1,000 gallons used in excess of 20,000 plus base charge
	Water Rates Base >50,001	\$ 137.00	
	Water Rates >50,001	\$ 2.25	per 1,000 gallons used in excess of 50,000 plus base charge
	Commercial Water Rates Base<2,000	\$ 37.00	
	Comm. Water Rates 2,001-50,000	\$ 2.75	per 1,000 gallons used in excess of 2,000 plus base charge
	Comm. Water Rates 50,001- 100,000 Base	\$ 169.00	
	Comm. Water Rates 50,001- 100,000	\$ 3.00	per 1,000 gallons used in excess of 50,000 plus base charge
	Comm. Water Rates Base >100,001	\$ 319.00	
	Comm. Water Rates >100,001	\$ 3.00	per 1,000 gallons used in excess of 100,000 plus base charge
	Bulk Water Rates	\$ 2.00	per 100 gallons
	Wastewater Rates Special 0-1,000	\$ 12.00	
	Wastewater Rates Base 1,001 - 2,000	14.00/19.00	
	Wastewater Rates 2,001-10,000	\$ 2.00	per 1,000 gallons used in excess of 2,000 plus base charge of \$14.00
	Wastewater Rates Base 10,001 - 50,000	\$ 30.00	
	Wastewater Rates 10,001-50,000	\$ 1.50	per 1,000 gallons used in excess of 10,000 plus base charge
	Wastewater Rates Base 50,001 - 100,000	\$ 90.00	

	Wastewater Rates 50,001 - 100,000	\$ 1.25	per 1,000 gallons used in excess of 50,000 plus base charge
	Wastewater Rates >100,001	\$ 152.50	
	Wastewater Rates >100,001	\$ 1.00	per 1,000 gallons used in excess of 100,000 plus base charge
	Commercial Water Rates Base<2,000	\$ 37.00	
	Comm. Water Rates 2,001-50,000	\$ 2.75	per 1,000 gallons used in excess of 2,000 plus base charge
	Comm. Water Rates 50,001- 100,000 Base	\$ 169.00	
	Comm. Water Rates 50,001- 100,000	\$ 3.00	per 1,000 gallons used in excess of 50,000 plus base charge
	Comm. Water Rates Base >100,001	\$ 319.00	
	Comm. Water Rates >100,001	\$ 3.00	per 1,000 gallons used in excess of 100,000 plus base charge
	Comm. Wastewater Rates <2,000	\$ 20.00	
	Comm. Wastewater Rates 2,001-10,000	\$ 20.00	
	Comm. Wastewater Rates 2,001-10,000	\$ 2.25	per 1,000 gallons used in excess of 2,000 plus base charge
	Comm. Wastewater Rates 10,001-50,000	\$ 38.00	
	Comm. Wastewater Rates 10,001-50,000	\$ 2.25	per 1,000 gallons used in excess of 10,000 plus base charge
	Comm. Wastewater Rates 50,001-100,000	\$ 128.00	
	Comm. Wastewater Rates 50,001-100,000	\$ 2.00	per 1,000 gallons used in excess of 50,000 plus base charge
	Comm. Wastewater Rates >100,001	\$ 228.00	
	Comm. Wastewater Rates >100,001	\$ 1.75	per 1,000 gallons used in excess of 100,000 plus base charge
	Water Deposit Residential	\$ 150.00	Each
	Water Deposit >3 time cut off	\$ 250.00	Each
	Water Deposit Small Business	\$ 150.00	Each
	Water Deposit Large Business	\$ 250.00	Each
	Water Tap Fee	\$ 500.00	Each
	Sewer Tap Fee	\$ 400.00	Each
	Connection Fee	\$ 30.00	Each
	Late Charges	\$ 0.10	applied automatically on the 10th of the month
	Account Holds	\$ 30.00	applied automatically on the 20th of the month
	Hydrant Meter Backflow	\$ 50.00	plus \$15.00 per device
	Re-reads	\$ 20.00	Each
	Meter Tampering	\$ 100.00	First Offense, additional offense increase
	Reconnects	\$ 30.00	Each
	Account Transfer fee	\$ 30.00	Each
	Water Disconnect Fee	\$ 20.00	Each
	Unauthorized Use	\$ 75.00	Each
	Non-Compliance Connections Penalty	\$ 500.00	first attempt, each attempt increases
	Resd Trash	\$ 18.06	
	Trash Charges	\$ 20.00	
	Water Interest		
	Charge Off Recovery		
	Water Service Line		
	Backflow Prevention		

	Water Temporary Connection	\$ 45.00	
	Return Check Fees	\$ 35.00	
P & Z Fees			
	BOA Appeal	\$ 200.00	
	Temporary Structure application	\$ 100.00	
	Landscaping fee - resd sub		
	Landscaping Fee - Comm		
	Planned Development <2ac	\$ 1,500.00	
	Planned Development 2-5	\$ 2,000.00	
	Planned Development >5ac	\$ 2,500.00	plus \$250 per acre over 5
	Rezoning	\$ 175.00	
	Annex/De-annex		
	Special Use Permit	\$ 250.00	
	P & Z Variance Req	\$ 35.00	
	Development Plan Rev	2%	of developer's costs minimum \$500
	Site Plan Review Comm. Ind. MF <2ac	\$ 1,000.00	
	Site Plan Review Comm. Ind. MD 2-5ac	\$ 1,500.00	
	Site Plan Review Comm >5ac	\$ 2,000.00	plus \$100.00 per acre over 5
	Site Plan Revisions	\$ 500.00	
	Preliminary Plat <2ac	\$ 1,000.00	
	Preliminary Plat 2-5ac	\$ 1,500.00	
	Preliminary Plat >2ac	\$ 2,000.00	Plus \$100.00 per acre over 5
	Final Plat <2ac	\$ 750.00	
	Final Plat 2-5ac	\$ 1,125.00	
	Final Plat .5ac	\$ 1,500.00	plus \$75 per acre over 5
	Revisions/Replats <2ac	\$ 750.00	
	Revisions/Replats 2-5	\$ 1,125.00	
	Revisions/Replats >5ac	\$ 1,500.00	plus \$75 per acre over 5
	Combo Plats <2ac	\$ 1,300.00	
	Combo Plats 2-5	\$ 2,000.00	
	Combo Plats >5ac	\$ 2,600.00	plus \$125 per acre over 5
	PD Zoning Change		
	Park Dev Fee		
	Flood Plain Development		
	Impact Fees	10%	of actual cost
	Service Units by Land Use		
	Site Plan		
	Legal Notice		
	Mobil Home/Trailer Inspection		
	Drought Conting. Plan - Recon		
	Sexually Oriented Business	\$ 1,000.00	annually
Building Fees			
	Building Permit Resd Fees	\$ 0.45	per SF
	Bldg Plan Reviews Comm	45%	of the building permit fee
	Bldg Plan Reviews Resd	20%	of the building permit fee
	Contractor Registration	\$ 100.00	Annually
	Demolition - Comm	\$ 150.00	
	Building Renovations	\$ -	per SF
	Comm Bldg Permit 0-\$25,000	\$ 62.00	Plus \$12.50 for each add'l \$1,000 or fraction thereof, to and incldg \$25,000, plus \$62.00

Comm. Bldg Permit \$25,001 to \$50,000	\$ 349.50	
Comm. Bldg Permit \$50,001 - \$100,000	\$ 574.50	plus \$6.00 for each add'l \$1,000 or fraction thereof, to and incldg \$100,000, plus 574.50
Comm. Bldg Permit \$100,001 - \$500,000	\$ 874.50	plus \$5.00 for each add'l \$1,000 or fraction thereof, to and incldg \$100,000
Comm. Bldg Permit \$500,001 - \$1,000,000	\$ 2,874.50	
Comm Bldg Permit <\$1,000,001	\$ 4,874.50	Plus \$2.75 for each \$1,000 or fraction thereof
Swimming Pool inground	\$ 150.00	
Swimming Pool Above Ground	\$ 75.00	
Spa	\$ 25.00	
Electrical Permit	\$ 25.00	
Temp Svc or Pole	\$ 20.00	
Reinspection Fee	\$ 50.00	
New Resd Cost Inspect		
New Comm Const Inspect		
Fire Inspection	\$ 150.00	
Fire Sprinkler-Comm		
Fire Alarm System		
SM Nursing Home/Long Term Care	\$ 125.00	
SM Daycare/Mother's Day Out	\$ 125.00	
SM Foster/Adoptive Home	\$ 125.00	
SM Home Inspections (Insurance Purp)	\$ 125.00	
Irrigation/Sprinkler		
Driveway/Sidewalk approach	\$ 50.00	Each
Certificate of Occupancy	\$ 50.00	Each
Fence Permit	\$ 20.00	plus \$0.25 per LF
Special Events	\$ 100.00	Each
Special Event w/city staff	\$ 250.00	Each
Excavation Permit	\$ 20.00	Each
Peddlers/Solicitors daily permit	\$ 50.00	14 days
Peddlers/Solicitors saleperson	\$ 15.00	each person plus permit charge
Yard Sale/Junk Sale >3	\$ 25.00	First 3 free
Concession Vendor	\$ 50.00	valid 30 days
Amusement Center Permit	\$ 500.00	Annually
Am. Ctr. Per Machine	\$ 15.00	Per machine annually
Moving Building Permit <1,500 SF	\$ 200.00	Each
Moving Building Permit 1501 - 2500	\$ 250.00	Each
Moving Permit >2,501 SF	\$ 300.00	Each
RV Spot Rental	\$ 20.00	per night
RV Spot Rental 30 Days	\$ 450.00	Each spot
Accessory Buildings SF	\$ 0.38	per SF
Sign Permit	\$ 25.00	Each
Permit Sign plan rev/permit		
Sign Foundation Inspect		
Final Inspect		
Additional signs		
Tower/Antenna Permit		
Wrecker Fee	\$ 50.00	Annually
Junk Veh Abatement		

	Street Cut permit	\$ 500.00	Each cut
	Road Boring permit	\$ 500.00	30 days
	Temp Permit 15 days	\$ 250.00	Each
	Carnival/Parade Permit	\$ 25.00	Each
Public Information			
	PIR BW	\$ 0.10	per page, each side 1 page
	PIR Color	\$ 0.25	per page, each side 1 page
	Police/Fire Report	\$ 5.00	Each
	Diskette	\$ 1.00	Each
	Rewritable CD	\$ 1.00	Each
	Non-rewritable CD	\$ 1.00	Each
	DVD	\$ 3.00	Each
	Other Electronic Media	actual cost	
	Audiocassette	\$ 1.00	Each
	Oversize costs	\$ 0.50	each, incl-11x17, greenbar, bluebar, not maps and photographs
	Specialty Paper	actual cost	Mylar, blueprint, blueline, map, photographic
	Programmer needed	\$ 28.50	per hour
	Administrative Costs	\$ 15.00	per hour for requests over 50 pages or that involve a lot of time to compile
	All Other Additional Times		cost as outlined in Texas Administrative Code Title 1, Part 3, Chapter 70, Rule § 70.3
Code Enforcement			
	Mowing Lots Base Rate	\$ 65.00	Each lot
	Substandard Homes	actual costs	Plus delinquency
	Admin Fee	\$ 150.00	Each
	Lien Filing Fees	\$ 28.00	Each
	All Other Additional Times		
Public Works Fees			
	Dump Fee Standard Truck Bed	\$ 20.00	Not above the bed walls
	Dump Fee Standard Truck Bed 1foot	\$ 25.00	Per Dump
	Dump Fee Standard Truck Bed 2 foot	\$ 30.00	Per Dump
	Dump Fee Standard Truck Bed 3 foot	\$ 35.00	Per Dump
	Dump Fee 6' Trailer stacked 3ft high	\$ 20.00	5.00 per additional foot of height above 3 foot plus base charge
	Dump Fee 7' Trailer stacked 3ft high	\$ 30.00	5.00 per additional foot of height above 3 foot plus base charge
	Dump Fee 8' Trailer stacked 3ft high	\$ 40.00	5.00 per additional foot of height above 3 foot plus base charge
	Dump Fee 9' Trailer stacked 3ft high	\$ 50.00	10.00 per additional foot of height above 3 foot plus base charge
	Dump Fee 10' Trailer stacked 3ft high	\$ 60.00	10.00 per additional foot of height above 3 foot plus base charge
	Dump Fee 11' Trailer stacked 3ft high	\$ 70.00	10.00 per additional foot of height above 3 foot plus base charge
	Dump Fee 12' Trailer stacked 3ft high	\$ 80.00	10.00 per additional foot of height above 3 foot plus base charge
	Dump Fee 13' Trailer stacked 3ft high	\$ 90.00	15.00 per additional foot of height above 3 foot plus base charge

	Dump Fee 14' Trailer stacked 3ft high	\$ 100.00	15.00 per additional foot of height above 3 foot plus base charge
	Dump Fee 15' Trailer stacked 3ft high	\$ 110.00	15.00 per additional foot of height above 3 foot plus base charge
	Dump Fee 16' Trailer stacked 3ft high	\$ 120.00	15.00 per additional foot of height above 3 foot plus base charge
	Hauling Fee	\$ 100.00	
Animal Fees			
	Animal Breeders License (Dog/Cat)	\$ 25.00	
	Horse Fee	\$ 75.00	per horse
	Animal Surrender Fee	\$ 60.00	per animal
	Shelter Imound Fee	\$ 20.00	per animal per day
	Shelter Imound Fee - 2	\$ 30.00	per animal per day
	Shelter Impound Fee - 3	\$ 40.00	per animal per day
	Shelter Impound Fee - 4	\$ 50.00	per animal per day
	Shelter Board Fee	\$ 20.00	per animal per day
	Adoption Fee Dog	\$ 15.00	Each
	Adoption Fee Cat	\$ 10.00	Each
	City Registration & License	\$ 5.00	Each
	Duplicate License Tag	\$ 3.00	Each
	Proof of Vaccination	\$ 20.00	Each
	Rabies Shot	\$ 16.00	Each
	Dangerous Dog Reg		Each
	Livestock Hauling Fee	\$ 100.00	per offense
	Notary fee Animal	\$ 5.00	Each
	Cowboy Fee	\$ 150.00	per occurrence
	Quarantine	\$ 200.00	10 days