

**CITY OF CORINTH, TEXAS
ORDINANCE NO. 23-10-19-42**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AMENDING CHAPTER 170, “PLANNING, ENGINEERING, AND BUILDING FEES”, BY AMENDING FEES FOR “ZONING AND SITE PLANS,” “PLATTING”, “COMMERCIAL CONSTRUCTION”, “RESIDENTIAL CONSTRUCTION”, “ELECTRIC 2 PLUMBING AND MECHANICAL”, “MISCELLANEOUS PROCESSES,” “HEALTH INSPECTIONS”, “OTHER INSPECTIONS AND FEES”, “APPEALS/VARIANCE PROCESSES” OF TITLE XVI, “FEE SCHEDULE” OF THE CODE OF ORDINANCES OF THE CITY OF CORINTH, TEXAS AND REPEALING SECTION 150.37, “INSPECTION FEES CHARGED TO CONTRACTORS/DEVELOPERS”, SUBSECTION 150.106(B) “FEES”, AND SUBSECTION 150.202(C), “CERTIFICATE OF OCCUPANCY” OF CHAPTER 150, “BUILDING REGULATIONS” OF “TITLE XV, “LAND USAGE”; PROVIDING FOR THE INCORPORATION OF PREMISES AND FINDINGS; PROVIDING FOR AMENDMENTS VARIOUS SECTIONS OF THE FEE SCHEDULE, EACH BEING A PART OF THE “PLANNING, ENGINEERING, AND BUILDING FEES” SECTION OF THE FEE SCHEDULE; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CUMULATIVE REPEALER/SAVINGS CLAUSE; PROVIDING FOR ENFORCEMENT; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas is a home rule municipality, (the “City”), and as such, the City may adopt fees as necessary to pay for costs of development; and

WHEREAS, the City provides various services to its residents and business owners related to the zoning, development and platting of land, related to residential and commercial construction, electrical plumbing and mechanical inspections, health inspections, residential rental structures, appeals, variances, and other governmental functions (the “Governmental Services” or “Services”); and

WHEREAS, in order to allocate the costs of these Governmental Services to the entity or person seeking and benefitting from those Services, the City has adopted a Fee Schedule identifying various fees to be paid by persons and entities receiving those Services rather than having all taxpayers incur those costs; and

WHEREAS, Planning, Engineering, and Building Fees have been adopted by the City and are codified as part of Title XVI, “Fee Schedule”, Chapter 170, of the Code of Ordinances of the City (the “Fee Schedule”); and

WHEREAS, upon review of the City’s current fees contained within the Fee Schedule and the increase in costs incurred by the City for providing Governmental Services, the City Council has determined it necessary and appropriate to amend certain fees contained in Chapter 170 of the Fee Schedule as more specifically provided herein; and

WHEREAS, the Texas Legislature adopted HB 3492 in the 2023 regular legislative session relative to engineering, staff, and inspection fees for subdivision improvements; and

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WHEREAS, the City has also determined it necessary to amend its Fee Schedule for compliance with HB 3492 (the “Bill”); and

WHEREAS, pursuant to HB 3492, fees for acceptance, review, or processing of engineering or construction plans for a lot, a subdivision, or related improvement associated with a lot or subdivision may be charged based upon a cost estimate provided by the City; and

WHEREAS, pursuant to the Bill, the City may assess fees based upon third-party fees and when determining actual costs to the City for services related to the review and processing of an engineering or construction plan or inspection of a public infrastructure improvement, the City may consider the fee that would be charged by a qualified, independent third-party entity for those services; or the actual costs assessed to the municipality by a third-party entity that provides those services to the municipality; and

WHEREAS, having reviewed the cost of Development Services relative to the proposed fees, and having given consideration to the requirements of the Bill, the City Council has determined that the fees for Engineering/Infrastructure Inspection as set forth herein represent reasonable and necessary fees for the services provided, are not excessive but are appropriate given the costs incurred by City for providing services, and are consistent with the requirements of the Bill; and

WHEREAS, additionally, the City Council finds that the fees proposed in the Fee Schedule as amended hereby are not excessive; rather, the fees are hereby determined to be reasonable and necessary to fairly reimburse the City for costs incurred; and

WHEREAS, the City Council therefore finds that the fees set forth herein are reasonable and equitable, and that the amendment of this Ordinance furthers the health, safety, and welfare of the public and therefore should be adopted.

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

SECTION 1. INCORPORATION OF PREMISES AND FINDINGS. The foregoing recitals are true and correct, accurately represent the findings of the City Council of the City of Corinth, Texas and are incorporated herein as if written in full.

SECTION 2. AMENDMENTS.

2.01. Section C, “Zoning” of Chapter 170, “Planning, Engineering, and Building Fees” of Title XVI, “Fee Schedule” of the Code of Ordinances of the City of Corinth is hereby repealed in its entirety and a new Section C, entitled “Zoning and Site Plans”, “of Chapter 170 of Title XVI, “Fee Schedule” is hereby adopted and shall be and read in its entirety as follows and all other sections Chapter 170 of Title XVI, “Fee Schedule” not expressly amended hereby shall remain in full force and effect:

Chapter 170: Planning, Engineering and Building Fees

Process	Fees
“(C) Zoning and Site Plans:	
1. Zoning Changes (other than PD)	49.9 acres or less \$750.00 50 acres or more \$1,200.00

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2. Planned Development Zoning	\$750.00 plus \$50.00/acre (Maximum: \$3,000.00) plus 100% of legal and engineering costs
3. Zoning Verification Letter	\$50.00
4. Specific Use Permits:	\$300.00 + \$5.00 per acre
5. Conceptual or Detailed Site Plans (each)	\$500.00 + \$25.00 per acre, plus 100% of legal and engineering costs

2.02. Section D, “Platting” of Chapter 170, “Planning, Engineering, and Building Fees” of Title XVI, “Fee Schedule” of the Code of Ordinances of the City of Corinth is hereby repealed in its entirety and a new Section D, “Platting”, “of Chapter 170 of Title XVI, “Fee Schedule” is hereby adopted and shall be and read in its entirety as follows and all other sections Chapter 170 of Title XVI, “Fee Schedule” not expressly amended hereby shall remain in full force and effect:

Chapter 170: Planning, Engineering and Building Fees

Process	Fees
(D) Platting:	
1. Subdivision Preliminary Plat	\$200.00 plus \$5.00/lot or \$30.00/acre, whichever is greater, plus 100% of engineering costs
2. Subdivision Final Plat, Conveyance Plat, & Plat Vacation	\$300.00 plus \$10.00/lot or \$50.00/acre, whichever is greater, plus 100% of engineering costs and county filing fees
3. Subdivision Replat	\$350.00 plus \$10.00/lot or \$25.00/acre, whichever is greater, plus 100% of engineering costs and county filing fees
4. Minor Plat & Amending Plat	\$400.00 plus 100% of engineering costs and county filing fees”

2.03. Subsection 1, “Building Permit” of Section E, “Commercial Construction” of Chapter 170, “Planning, Engineering, and Building Fees” of Title XVI, “Fee Schedule” of the Code of Ordinances of the City of Corinth is hereby amended and adopted as set forth below, and a new Subsection 7, “Commercial Re-Roof” is hereby adopted as set forth below, so that Subsection 1 and Subsection 7 of Section E, “Commercial Construction” of Chapter 170 of Title XVI, “Fee Schedule” shall each be and read in its entirety as follows and all other subsections of Section E and of Chapter 170 of Title XVI, “Fee Schedule” not expressly amended hereby shall remain in full force and effect:

Chapter 170: Planning, Engineering and Building Fees

Process	Fees
(E) Commercial Construction:	
”1. Building Permit	\$0.95/square foot”
...	
“7. Commercial Re-Roof	\$0.04/per square foot”

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2.04. Subsection 1, “Building Permit”, Subsection 4, ”Residential Accessory Building or Patio Cover, Barns, Stables, Sheds”, and Subsection 5, “Fireplaces, Woodburning Stoves, Ham Radio Antenna, Retaining Walls, Deck, and Similar Small Permits” of Section F, “Residential Construction” of Chapter 170, “Planning, Engineering, and Building Fees” of Title XVI, “Fee Schedule” of the Code of Ordinances of the City of Corinth are hereby amended and adopted as set forth below, and a new Subsection 8, “Residential Re-Roof” is hereby adopted as set forth below, so that Subsections 1, 4, 5 and 8 of Section F, “Residential Construction” of Chapter 170 of Title XVI, “Fee Schedule” shall each be and read in its entirety as follows and all other subsections of Section F and of Chapter 170 of Title XVI, “Fee Schedule” not expressly amended hereby shall remain in full force and effect:

Chapter 170: Planning, Engineering and Building Fees

Process	Fees
(F) Residential Construction:	
”1. Building Permit	\$0.85/square foot”
...	
”4. Residential accessory building or patio cover, barns, stables, sheds:	
a. 100 sq. ft. or less	No fee
b. Over 100 sq. ft. to 200 sq. ft. (over 200 sq. ft. use residential garage fee)	\$50.00”
”5. Fireplaces, woodburning stoves, ham radio antenna, retaining walls, deck, and similar small permits	\$75.00”
“ ...	
“8. Residential Re-roof -	\$0.04/square foot “

2.05. Section G, “Electric 2 Plumbing and Mechanical” of Chapter 170, “Planning, Engineering, and Building Fees” of Title XVI, “Fee Schedule” of the Code of Ordinances of the City of Corinth is hereby repealed in its entirety, and a new Section G, “Electric 2 Plumbing and Mechanical” of Chapter 170 of Title XVI, “Fee Schedule” is hereby adopted and shall be and read in its entirety as follows and all other subsections of Chapter 170 of Title XVI, “Fee Schedule” not expressly amended hereby shall remain in full force and effect:

Chapter 170: Planning, Engineering and Building Fees

Process	Fees
(G) Electric 2 Plumbing and Mechanical:	
1. Electrical work:	
a. Residential buildings	\$85.00/building
b. Commercial buildings	\$85.00/unit or building
c. Apartment buildings	\$85.00/unit
2. Plumbing work:	
a. Residential buildings	\$85.00/building
b. Commercial buildings	\$85.00/unit or building
c. Apartment buildings	\$85.00/unit

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3. Heating, ventilating and air conditioning:	
a. Residential buildings	\$85.00/building
b. Commercial buildings	\$85.00/unit or building
c. Apartment buildings	\$85.00/unit

2.06. Section H, “Miscellaneous Processes” and Section I, “Health Inspections” of Chapter 170, “Planning, Engineering, and Building Fees” of Title XVI, “Fee Schedule” of the Code of Ordinances of the City of Corinth are hereby repealed in their entirety, a new **Section H, “Miscellaneous Processes” and Section I, “Health Inspections”** of Chapter 170 of Title XVI, “Fee Schedule” are hereby adopted and shall each be and read in its entirety as follows and all other subsections of Chapter 170 of Title XVI, “Fee Schedule” not expressly amended hereby shall remain in full force and effect:

Chapter 170: Planning, Engineering and Building Fees

Process	Fees
“(H) Miscellaneous Processes:	
1. Swimming pools, hot tubs, spas:	
a. In-ground	\$600.00
b. Above-ground	\$200
2. Sign permit fees:	\$150 plus \$1.00/each square foot. over 50 square feet
a. Sign permit, temporary, banner, inflatable	\$150.00
b. Sign plan review	65% of permit fee
c. Variance request to City Council	\$300.00
3. House moving permit (when structure is to be located in city)	\$75
4. Demolition permit	\$100.00
5. Concrete pouring	\$100.00
6. Automatic lawn sprinkler:	
a. Residential	\$100.00
b. Commercial	\$200.00
7. Fence permits:	
a. Residential	\$50.00
b. Commercial	\$100.00
8. Conversion of a residential structure	\$0.40/square foot - Minimum \$30.00
9. Change Street name	\$200.00 plus cost of signage
10. Abandonment of public easements/R.O.W.	\$100.00 plus 100% of legal and engineering costs and county filing fees
11. Floodplain development permit	\$500.00 plus 100% of engineering costs “
Process	Fees
“(I) Health Inspections:	
1. Nonconventional private sewer systems	Contracted 3rd party cost + \$25.00 admin fee
2. Day care center inspection	Contracted 3rd party cost + \$25.00 admin fee

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3. Nursing home cafeteria inspection	Contracted 3rd party cost + \$25.00 admin fee
4. School cafeteria inspection	Contracted 3rd party cost + \$25.00 admin fee
5. Restaurant inspection	Contracted 3rd party cost + \$25.00 admin fee
6. Convenience store inspection	Contracted 3rd party cost + \$25.00 admin fee
7. Grocery store inspection	Contracted 3rd party cost + \$25.00 admin fee
8. Swimming pool inspections	Contracted 3rd party cost + \$25.00 admin fee
9. Temporary food vendor inspections	Contracted 3rd party cost + \$25.00 admin fee
10. Mobile food vendor inspections	Contracted 3rd party cost + \$25.00 admin fee
11. Health complaints/investigation	Contracted 3rd party cost + \$25.00 admin fee
12. Reinspection fee	Contracted 3rd party cost + \$25.00 admin fee
13. Court appearances/on-site meetings (per session)	Contracted 3rd party cost + \$25.00 admin fee"

2.07 Section J, “Other Inspection Fees” and Section K, “Appeals/Variance Processes” of Chapter 170, “Planning, Engineering, and Building Fees” of Title XVI, “Fee Schedule” of the Code of Ordinances of the City of Corinth are hereby repealed in their entirety, a new **Section J, “Other Inspection Fees” and Section K, “Appeals/Variance Processes”** of Chapter 170 are hereby adopted and shall each be and read in its entirety as follows and all other subsections of Chapter 170 not expressly amended hereby shall remain in full force and effect:

Chapter 170: Planning, Engineering and Building Fees

Process	Fees
“(J) Other inspections and fees:	
1. Inspections outside of normal business hours	\$47.00/hour (Minimum charge - four hours) except as otherwise specified in subsection 7**
2. Inspections for which no fee is specifically indicated	\$47.00/hour (Minimum charge - one-half hour) except as otherwise specified in subsection 7**
3. For use of outside consultants for plan checking and inspections, or both	Actual costs incurred by the City**
4. Alcohol permit	50% of TABC Fee (Per State Law)
5. Annual Multi-Family Inspection	\$800.00 per complex or \$12.00/unit, whichever is greater
6. Fee in Lieu of Replacement Trees	\$150 per caliper inch
7. Engineering/Infrastructure Review and Inspection Fee	**Fees of City’s third-party consulting engineer, third-party inspectors, and other third-party vendors (collectively “Third Party Vendors”) providing services related to the acceptance, review or processing of engineering or construction plans or for the inspection of improvements for the construction of a lot, subdivision, or related improvements associated with or required in conjunction with such improvement shall be paid by the owner/developer of a property for which those services are provided in accordance with

	<p>procedures and requirements for the specific permit application.</p> <p>City Staff time will be charged at the same rate that would be paid to a qualified independent Third-Party Vendor for the type of service provided by City Staff. Infrastructure Inspection after hours by City Staff shall be charged at 1.5 times the applicable hourly rate.</p> <p>Infrastructure Inspection Fees shall be based on size of the project, amount of materials, linear footage, and other parameters identified by the City's engineer, City Staff, including but not limited to the Development Services Director, Building Official, Inspectors, and Third Party Vendors. An estimate of charges will be provided to the applicant based upon the calculations of the City Engineer or Public Works Director, but actual charges shall be based upon actual charges incurred by the City and charges assessed for Staff time based on the rate that would be paid to a qualified independent Third-Party Vendor.</p> <p>All fees shall be paid prior to release of engineering plans and/or site plans, and/or the issuance of permits."</p>
8. Park land dedication	\$550.00/dwelling unit"
9. Single Family Rental Certificate of Occupancy	\$50.00 collected at time of request for inspection"
Process	Fees
“(K) Appeals/Variance processes:	
1. Board of Adjustment	\$200.00
2. Subdivision Ordinance Variance	\$200.00
3. Board of Construction appeals	\$200.00"

2.08. Section 150.37, “Inspection Fees Charged to Contractors/Developers” of “Permit Requirements; Administration” of Chapter 150, “Building Regulations” of Title XV, “Land Usage” of the Code of Ordinances of the City is hereby repealed in its entirety, with all other sections subsections of Section 150.37, “Fees” to remain in full force and effect without amendment.

2.09 Subsection B, “Annual Fee” of Section 150.106, “Fees” of “Multi-Family Structures” of Chapter 150, “Building Regulations” of Title XV, “Land Usage” is hereby repealed in its entirety, with all other sections subsections of Section 150.106, “Fees” to remain in full force and effect without amendment.

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2.10. Subsection C, of Section 150.202, “Certificate of Occupancy” of “Single-Family Rental Units” of Chapter 150, “Building Regulations” of Title XV, “Land Usage” is hereby repealed in its entirety, with all other sections subsections of Section 150.202, “Certificate of Occupancy” to remain in full force and effect without amendment.

SECTION 3. Severability. It is hereby declared to be the intention of the City Council of Corinth, Texas that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance shall be declared unconstitutional or invalid by the judgment or decree of any court of competent jurisdiction, such constitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance, since they would have been entered by the City Council without the incorporation of this Ordinance of unconstitutional or invalid sections, paragraphs, sentences, clauses or phrases

SECTION 4. Cumulative Repealer/Savings. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim, or lawsuit, which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose, the Ordinance shall remain in full force and effect.

SECTION 5. Enforcement. The City may enforce the requirements for this Ordinance against any person, firm, or corporation violating its provisions as allowed by law or equity, including without limitation, discontinuation of service, civil suit, or civil penalties as allowed by law. This provision is not meant as a limitation of remedies.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication as required by state law and Charter, and it so ordained.

PASSED AND APPROVED this 19th day of October 2023.

DocuSigned by:

Bill Heidemann

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Bill Heidemann, Mayor

ATTEST:

DocuSigned by:

Lana Wylie

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Lana Wylie, City Secretary



APPROVED AS TO FORM:

DocuSigned by:

Patricia Adams

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Patricia A. Adams, City Attorney