

ORDINANCE NO. 19-06-06-19

BUILDING PERMITTING FEE LEGISLATIVE UPDATE

AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES BY REPEALING SECTION 150.31: “FEES” OF CHAPTER 150: BUILDING REGULATIONS OF TITLE XV: “LAND USAGE”, AND ADOPTING A NEW TITLE XVI: “FEE SCHEDULE” OF THE CODE OF ORDINANCES OF THE CITY OF CORINTH; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas is a home rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City is authorized to adopt regulations governing the development of land within the City and its extraterritorial jurisdiction in the interest of the public health, safety and welfare of its citizens; and

WHEREAS, Governor Abbot signed HB 852 on May 21, 2019 which prohibits municipalities from using valuation as a basis to determine permitting fees; and

WHEREAS, the City’s Building Official has reviewed the City’s permitting fees and has determined that changes are necessary to comply with HB 852; and

WHEREAS, upon review and consideration of the foregoing factors, the City Council has determined that the building permitting fees should be amended as set forth below;

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

**SECTION 1.
INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

SECTION 2.

AMENDMENTS

2.01. That the City of Corinth, Texas Code of Ordinances, Section 150.31 “Fees”, of Chapter 150: “Building Regulations” of Title XV: “Land Usage” is hereby repealed in its entirety and a new Title XVI, “Fee Schedule” is hereby adopted and shall be and read in its entirety as follows, with all other sections of Chapter 150 not expressly amended hereby remaining in full force and effect.

“Title XVI – Fee Schedule.

(A) Permit fees. Permit fees shall be collected prior to the issuance of any permit for building construction work, plumbing work, mechanical work, or electrical work in accordance with this section and fees shall be paid in accordance with the Permit Fee Schedule set forth herein.

(B) Health inspections shall include but not be limited to those inspections recommended by the Texas Department of Health for the protection of the health, safety and general welfare of the public and those inspections required by state law or City ordinance for the protection of the health, safety and general welfare of the public.

Process	Fees
Zoning:	
1. Zoning Changes (other than PD)	0—5 acres \$400.00
	5.1—15 acres \$600.00
	15.1 acres \$700.00
2. Planned Development Zoning	\$500.00 plus \$50.00/acre (Maximum: \$2,000.00) plus 100% of legal and engineering costs
3. Specific Use Permits:	
Private Clubs	\$500.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of legal and engineering costs
All Other	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of legal and engineering costs
4. Development Packet	\$35.00
5. Zoning Ordinance	\$25.00
6. Design Criteria	\$10.00
7. Construction Details	\$10.00
8. Conceptual or Detailed Site Plans (each)	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of legal and engineering costs
9. Variances	
a. Subdivision variances (P and Z and Council)	\$150.00
b. Fence variances (P and Z and Council)	\$150.00
Platting:	

1. Subdivision Preliminary Plat	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of engineering costs
2. Subdivision Final Plat	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of engineering costs and county filing fees
3. Subdivision Replat	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of engineering costs and county filing fee
4. Minor Plat	\$100.00 plus 100% of engineering costs and county filing fees
Commercial Construction:	
1. Building Permit	\$0.75 Per Square Feet
2. Plans Review Fee	65% of Building Permit Fee
3. Certificate of Occupancy (new occupant or change of use)	\$100.00
4. Reinspection (red tag)	\$75.00
5. Reinspection tag (outside normal business hours)	Minimum four hours @ \$47.00/hour
6. Commercial Remodel or Tenant Finish	\$0.50 per square foot
Electric, Plumbing and Mechanical:	
1. Electrical work:	
a. Residential buildings	\$20.00/building
b. Commercial buildings	\$40.00/building
c. Apartment buildings	\$20.00/building; (minimum \$40.00)
2. Plumbing work:	
a. Residential buildings	\$20.00/building
b. Commercial buildings	\$40.00/building
c. Apartment buildings	\$20.00/building; (minimum \$40.00)
3. Heating, ventilating and air conditioning:	
a. Residential buildings	\$20.00/building
b. Commercial buildings	\$40.00 Unit/building
c. Apartment buildings	\$20.00/Unit; (minimum \$40.00)
4. Reinspection (red tag)	\$75.00
Residential Construction:	
1. Building Permit	\$0.76 Per Square Foot
2. Plans Review	65% of Building Permit Fee
3. Residential garage not constructed at the same time as the main building	\$0.40 per square foot
4. Residential accessory building or patio cover, barns, stables, sheds:	

a. 120 sq. ft. or less	No fee
b. Over 120 sq. ft. to 200 sq. ft. Over 200 sq. ft Residential Garage Fee Applies	\$25
5. Fireplaces, woodburning stoves, ham radio antenna, retaining walls, deck, window replacement and similar small permits	\$75
6. Any repair, alteration, or remodeling of a residence requiring inspection, to include garage conversions	\$0.40 per square foot
7. Reinspection (red tag) (for all construction)	\$75.00
Miscellaneous Processes:	
1. Swimming pools, hot tubs, spas:	
a. In-ground	\$550
b. Above-ground	\$200
2. Sign permit fees:	
a. 1—50 sq. ft.	\$150.00
b. Over 50 sq. ft.	\$150.00 plus \$1.00/each sq. ft. over 50 sq. ft.
c. Sign permit, temporary, banner	\$150.00
d. Sign removal, recovery fee, 1—50 sq. ft.	\$25.00**
e. Sign removal, recovery fee, over 50 sq. ft.	\$50.00**
f. Annual renewal of temporary signs	Same as sign permit
g. Conditional sign permit	Same as sign permit
h. Investigative fee	Equal to amount of sign fee
i. Sign plan review	65% of permit fee
j. Appeals to City Manager of decision of Building Official	\$150.00
k. Variance request to City Council	\$150.00
** Outside services required, such as wrecker, at actual cost plus 10% processing fee.	
3. House moving permit (when structure is to be located in city)	\$50.00
4. Fuel tank installation	\$100.00
5. Demolition permit	\$50
6. Concrete pouring	\$25.00
7. Automatic lawn sprinkler:	
a. Residential	\$25
b. Commercial	\$75
8. Fence permits:	
a. Residential	\$25.00
b. Commercial	\$75

9. Conversion of a residential structure	\$0.40 per square foot – Minimum \$30
10. Change street name	\$100.00 plus cost of signage
11. Abandonment of public easements/R.O.W.	\$100.00 plus 100% of legal and engineering costs and county filing fees
12. Flood plain development permit	\$100.00 plus 100% of engineering costs
13. Helicopter permit	\$100.00 (must meet FAA requirements)
14. Annexation	\$100.00 plus 100% of legal and engineering costs and county filing fees
Appeals process:	
1. Board of Adjustment (No fee on fence appeal)	\$150.00
2. Planning and Zoning Commission	\$150.00
3. Board of Construction appeals	\$150.00
Health Inspections:	
1. Nonconventional private sewer systems	\$210.00
2. Day care center inspection	\$100.00
3. Nursing home cafeteria inspection	\$100.00
4. School cafeteria inspection	\$100.00
5. Restaurant inspection	\$100.00
6. Convenience store inspection	\$100.00
7. Grocery store inspection	\$250.00
8. Swimming pool inspections	\$50.00
9. Health complaints	\$50.00
10. Court appearances (per session)	\$50.00
Park land dedication	\$550.00/dwelling unit
Other inspections and fees:	
a. Inspections outside of normal business hours	\$47.00/hour (Minimum charge – four hours)*
b. Reinspection fees assessed under provisions of Section 305.8	\$75.00
c. Inspections for which no fee is specifically indicated	\$47.00/hour (Minimum charge – one-half hour)*
d. For use of outside consultants for plan checking and inspections, or both	Actual costs**
* Or the total hourly cost to the City, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
** Actual costs include administrative and overhead costs.**	

**SECTION 3.
CUMULATIVE REPEALER**

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 other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 4.
SAVINGS**

All rights and remedies of the City of Corinth, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting fees which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 5.
SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

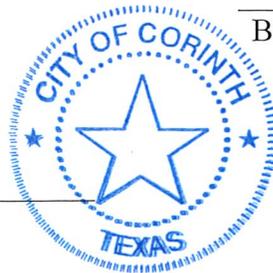
**SECTION 6.
EFFECTIVE DATE**

This Ordinance shall take effect upon its passage and publication as required by law. The City Secretary is directed to publish the caption of this Ordinance as required by the City Charter and state law.

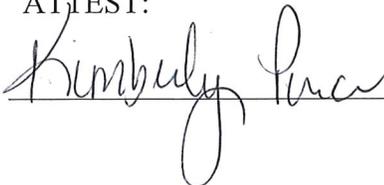
PASSED AND APPROVED THIS 10 **th DAY OF** June, **2019.**

APPROVED:


Bill Heidemann, Mayor



ATTEST:



Kimberly Pence, City Secretary

APPROVED AS TO FORM:

For 

Andy Messer, City Attorney