

**ORDINANCE NO. 2021-11-18**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS REPEALING ORDINANCE NO. 2021-03-03 ADOPTING THE CITY OF DECATUR SCHEDULE OF FEES AND ADOPTING A NEW CITY OF DECATUR SCHEDULE OF FEES AS SET FORTH IN EXHIBIT "A" HERETO, TO PROVIDE FOR PARKLAND DEDICATION FEES; RATIFYING AND REAFFIRMING ALL OTHER FEES SET FORTH IN EXHIBIT "A" WITHOUT AMENDMENT; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER AND SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Decatur, Texas is a home-rule municipality located in Wise County, Texas; and

**WHEREAS**, the City Council finds that the provision of adequate neighborhood and community parks are a necessary part of a healthy community and will promote the health, safety, and welfare of the citizens of the City of Decatur and the general public; and

**WHEREAS**, Section 303, "Parkland Dedication and Development", of Chapter 3, "General Subdivision Development", of Appendix A, "Subdivisions", of the City's Code of Ordinances requires parkland dedication fees to be dedicated to the City for the adequate provision of parks to serve growing development; and

**WHEREAS**, based upon the foregoing, the City Council determined that the required parkland dedication fees should be included in the City's Schedule of Fees; and

**WHEREAS**, upon review and consideration of the foregoing factors, the City Council has determined that the Schedule of Fees should be repealed and readopted as set forth below.

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

**SECTION 1. Incorporation of Premises.** The forgoing recitals are the findings of the City Council and are incorporated into this Ordinance as if set forth fully herein.

**SECTION 2: Repeal/Adopt.** That the City of Decatur hereby repeals Ordinance No. 2021-03-03 in its entirety and adopts a new City of Decatur Schedule of Fees as set forth in its entirety as **Exhibit "A"**, a copy of which is attached hereto and incorporated as if set forth fully herein. **Exhibit "A"** sets forth new fees for parkland dedication, and all other fees provided for various services as set forth in **Exhibit "A"** are hereby ratified and reaffirmed without amendment.

**SECTION 3: Cumulative Repealer.** That this Ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Decatur, and this Ordinance shall not operate to repeal or affect the Code of Ordinances of the City of Decatur or any ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such Code of Ordinance are hereby repealed.

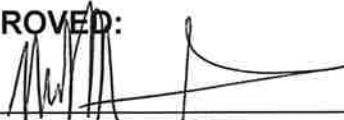
**SECTION 4. Severability.** That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5. Effective Date.** This Ordinance shall take effect upon its final passage as required by law, and it is so ordained, after a second reading in accordance with the City Charter.

**PRESENTED ON FIRST READING** this 27<sup>th</sup> day of September 2021.

**PRESENTED ON SECOND READING AND APPROVED** this 11th day of November 2021, by a vote of 6 ayes, 0 nays, and 0 abstentions, at a meeting of the City Council of the City of Decatur, Texas.

**APPROVED:**

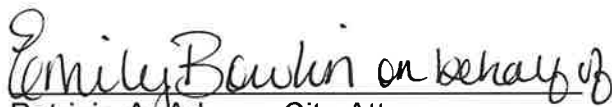
  
\_\_\_\_\_  
Mike McQuiston, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Diane Cockrell, TRMC, CMC  
City Secretary



**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Patricia A. Adams, City Attorney

**Exhibit "A"**  
**City of Decatur Schedule of Fees (October 2021)**









|                                     |   |          |  |          |          |          |   |  |  |  |  |  |  |
|-------------------------------------|---|----------|--|----------|----------|----------|---|--|--|--|--|--|--|
| <b>EXHIBIT "A" TO ORDINANCE</b>     |   |          | Effective Date:  |          |          |          |   |  |  |  |  |  |  |
| <b>2021/11/18 Passed 11/08/2021</b> |   |          | <b>08/11/2021</b>  |          |          |          |   |  |  |  |  |  |  |
| <b>Activity</b>                     |   |          | <b>Fee</b>   |          |          |          |   |  |  |  |  |  |  |
|                                     | 3/4 - inch Meter  | \$300    | \$100.00-  |          |          |          |   |  |  |  |  |  |  |
|                                     | 3/4 - inch Meter  | \$100    |  |          |          |          |   |  |  |  |  |  |  |
|                                     | 1-Inch Meter and Larger   | \$350    | \$150.00-  |          |          |          |   |  |  |  |  |  |  |
|                                     | 1-Inch Meter and Larger   | \$150    |  |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>*Refer to Section 14-98 in Chapter 14 of the Code of Ordinances relating to refund of deposits.</b>  |          |  |          |          |          |   |  |  |  |  |  |  |
| <b>I</b>                            | <b>ADDITIONAL WATER FEES:</b>   |          |  |          |          |          |   |  |  |  |  |  |  |
|                                     | Tamper Fee  |          | \$50.00  |          |          |          |   |  |  |  |  |  |  |
|                                     | Meter Test - if accurate after 2nd test - 1st test no fee   |          | \$50.00  |          |          |          |   |  |  |  |  |  |  |
|                                     | Disconnected due to non-payment   |          | \$75.00  |          |          |          |   |  |  |  |  |  |  |
|                                     | Late Fee<br>(This fee will be applied after every due date on the total utility amount due. This program will not compound penalty fees or charge a penalty for contributions.) |          | 10% penalty  |          |          |          |   |  |  |  |  |  |  |
|                                     | Cut-off List Fee (if customer is added to the disconnect list for delinquent payment)   |          | \$10.00  |          |          |          |   |  |  |  |  |  |  |
|                                     | Reconnection Fee  |          | \$100.00   |          |          |          |   |  |  |  |  |  |  |
| <b>J</b>                            | <b>WASTEWATER/SEWER RATES:</b>  |          |  |          |          |          |   |  |  |  |  |  |  |
|                                     | Flow calculated based on an average water usage for December, January and February  |          |  |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>Residential</b>  |          |  |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>Base and 0 - 2,000 gallons</b>   |          | \$26.32 + \$2.06 Per 1,000 gallons   |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>2,001 - 20,000 gallons</b>   |          | \$3.96 Per 1,000 gallons + base  |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>20,001 - 50,000+ gallons</b>   |          | \$5.03 Per 1,000 gallons + base  |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>Commercial</b>   |          |  |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>Base and 0 - 2,000 gallons</b>   |          | \$36.47 Base + \$3.72 Per 1,000 gallons                                      |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>2,001 - 20,000 gallons</b>   |          | \$5.08 Per 1,000 gallons + base  |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>20,001 - 50,000+ gallons</b>   |          | \$6.18 Per 1,000 gallons + base  |          |          |          |   |  |  |  |  |  |  |
| <b>K</b>                            | <b>GARBAGE RATES:</b>   |          |  |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>Residential</b>  |          |  |          |          |          |   |  |  |  |  |  |  |
|                                     | Effective April 1, 2021   |          | Rate Adjustment in Accordance with Contract for refuse services (CONSIDERED) |          |          |          | \$13.72 + 4.19 + 1.47 tax = \$19.38<br>additional recycle cart \$5.65 + .46 tax = \$6.11<br>To be Effective April 1, 2021 |  |  |  |  |  |  |
|                                     | <b>Commercial</b>   |          |  |          |          |          |   |  |  |  |  |  |  |
|                                     | Polycart - 95 gallon cart   |          | 23.93  |          |          |          |   |  |  |  |  |  |  |
|                                     | Polycart - extra lifts  |          | 23.93  |          |          |          |   |  |  |  |  |  |  |
|                                     | Commercial Recycling - 65 gallon cart   |          | 5.56   |          |          |          |   |  |  |  |  |  |  |
|                                     | Commercial Additional Cart - per additional cart  |          | 5.56   |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>Rate Schedule</b>  |          |  |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>Lifts Per Week</b>   | <b>1</b> | <b>2</b>   | <b>3</b> | <b>4</b> | <b>5</b> | <b>Extra Lifts</b>  |  |  |  |  |  |  |
|                                     | <b>2 Cu yds</b>   | 72.60    | 127.70   | 198.46   | 271.04   | 343.63   | 26.40   |  |  |  |  |  |  |
|                                     | <b>3 Cu yds</b>   | 78.11    | 132.30   | 209.48   | 287.59   | 365.68   | 40.49   |  |  |  |  |  |  |
|                                     | <b>4 Cu yds</b>   | 91.43    | 155.29   | 246.24   | 337.66   | 429.09   | 56.32   |  |  |  |  |  |  |
|                                     | <b>6 Cu yds</b>   | 103.38   | 175.93   | 276.43   | 379.80   | 483.19   | 63.38   |  |  |  |  |  |  |
|                                     | <b>8 Cu yds</b>   | 117.32   | 199.38   | 316.04   | 433.21   | 550.37   | 63.38   |  |  |  |  |  |  |
|                                     | <b>Containers w/ Casters \$14.87 Containers w/Locks \$9.89</b>  |          |  |          |          |          |   |  |  |  |  |  |  |
|                                     | <b>Temporary Front Load Rates</b>   |          |  |          |          |          |   |  |  |  |  |  |  |



|  |   |  |            |
|--|---|--|------------|
| <b>EXHIBIT "A" TO ORDINANCE</b>                                |   | Effective Date:  |            |
| <b>2021/11/18 Passed 11/08/2021</b>                            |   | <b>08/11/2021</b>  |            |
| <b>Activity</b>  | <b>Fee</b>  |  |            |
| <b>20-YARD Roll Off Sludge Container</b>                       |   |  |            |
|  | Haul  | Delivery Fee   | Daily Rent |
| 20 Cu yds Sludge   | 740.34  | 127.31   | 3.39       |
|  |   |  | Dry-Runs   |
|  |   |  | 103.64     |
| <b>Roll Off Rate Schedule</b>                                  |   | <b>Roll Off Open Tops</b>  |            |
| 20 Cu yds  | 520.61  | 127.31   | 3.39       |
|  |   |  | 103.64     |
| 30 Cu yds  | 599.25  | 127.31   | 3.39       |
|  |   |  | 103.64     |
| 40 Cu yds  | 678.24  | 127.31   | 3.39       |
|  |   |  | 103.64     |
| *Roll Off Fees are per each container                          |   |  |            |
| <b>Proposed Commercial Price Per Yard</b>                      |   |  |            |
| <b>Size/Picup 1 x Week 2 x Week 3 x Week 4 x Week 5 x Week</b> |   |  |            |
| 2  | 8.38  | 7.37   | 7.64       |
|  |   |  | 7.82       |
|  |   |  | 7.94       |
| 3  | 6.01  | 5.09   | 5.38       |
|  |   |  | 5.53       |
|  |   |  | 5.63       |
| 6  | 3.52  | 2.99   | 3.16       |
|  |   |  | 3.25       |
|  |   |  | 3.30       |
| 8  | 2.98  | 2.54   | 2.66       |
|  |   |  | 2.74       |
|  |   |  | 2.79       |
| Avg P/Y  | 5.23  | 4.50   | 4.71       |
|  |   |  | 4.84       |
|  |   |  | 4.91       |
| <b>M</b>   | Residential Curbside Brush Removal  | 2.50 per month   |            |
| <b>N</b>   | GARBAGE BAGS:   | \$10.00 per box of 50<br>Based on current cost of product: city retails for - \$8.00 per box including tax/ actual city cost \$8.33 per box including tax) |            |
| <b>O</b>   | LICENSES/PERMITS:   |  |            |
|  | Oil and Gas Drilling Permit Review and Inspection   | 3500   |            |
|  | Solicitors Permit   | 40   |            |
|  | Garage Sale Permit  | 2  |            |
|  | Alcoholic Beverage Permit   | Fee is equal to 1/2 of the permit fee assessed by TABC at time of permit application   |            |
| <b>P</b>   | RETURNED CHECK FEE:   | 25   |            |
| <b>Q</b>   | PUBLIC INFORMATION REQUEST:   | See Table 2: TX Admin Code   |            |
| <b>R</b>   | PARKS & RECREATION FEES:  |  |            |
|  | <b>Tournament Fees</b>  | \$75.00 per field plus \$30.00 per team (organized events)   |            |
|  | <b>Ball Field Reservation per park (1 hour)</b>   | \$10   |            |
|  | <b>Ball Field Reservation per park (up to 6 hours)</b>  | \$35   |            |
|  | <b>Ball Field Reservation per park (all day)</b>  | \$75   |            |
|  | <b>Ball Field Reservation per park (per hour with lights)</b>   | \$20 per hour  |            |
|  | <b>Pavilion Reservation/Rental (1/2 day)</b>  | \$40.00  |            |
|  | <b>Usage Fee (Organized League per season, i.e. Little League, Pee Wee, Youth Leagues generally) Schedules must be provided to the City prior to the start of each season</b> | \$10.00 per participant  |            |
| <b>S</b>   | MUNICIPAL AIRPORT FEES:   |  |            |
|  | Open Tee Hangar   | \$85.00 per hangar   |            |
|  | Enclosed Tee Hangar   | \$210.00 per hangar  |            |
|  | Hangar 10<br>(community hangar for gliders)   | \$350.00 per hangar  |            |
|  | Office Space/Hangar   | \$100.00 per office  |            |
|  | Large Maintenance Hangar  | Per Contract   |            |
|  | Terminal Building   | Per Contract   |            |
|  | Fuel Flowage Fee  | 0.05 per gallon of JetA/100LL Avgas  |            |
|  | Flight Line Monthly Tie Down Fee  | \$40   |            |
|  | Support Trailers  | Per contract   |            |

| <b>EXHIBIT "A" TO ORDINANCE</b>  |   | Effective Date:                             |                            |
|--|---|---|----------------------------|
| <b>2021/11/18 Passed 11/08/2021</b>  |   | <b>08/11/2021</b>                           |                            |
| <b>Activity</b>  | <b>Fee</b>  |   |                            |
| Transient Daily Tie Down Fee   | \$5.00 single and \$10.00 twin or jet (note: one day fee waived if fuel is purchased) |   |                            |
| Commercial Hangar Land Lease Rates   | Annual payment per square foot per contract   |   |                            |
| <b>T WATER TAPS &amp; REGULATORS:</b>  | <b>Regulator, if required</b>   |   |                            |
| ¾ Inch Tap   | \$600.00  | \$75.00                                     |                            |
| 1 – Inch Tap   | \$750.00  | \$100.00                                    |                            |
| 1 ½ Inch Tap   | \$1,100.00  | \$475.00                                    |                            |
| 2 – Inch Tap   | \$1,250.00  | \$575.00                                    |                            |
| Fees do not include cost of meter, meter box, riser or other misc parts  |   |   |                            |
| An additional charge of \$150.00 will be assessed if the street has to be cut or a bore has to be made to make the tap.  |   |   |                            |
| <b>U SEWER TAP:</b>  | \$750.00  |   |                            |
| An additional charge of \$150.00 will be assessed if the street has to be cut or a bore has to be made to make the tap   |   |   |                            |
| <b>WATER &amp; SEWER METER/IMPACT FEES:</b>  |   |   |                            |
| <b>V Water Meter Size</b>  | <b>Meter Fee</b>  | <b>Water Impact Fee</b>                     | <b>Sewer Impact Fee</b>    |
| ¾" PD  | \$275   | \$856                                       | \$1,378                    |
| 1" PD  | \$375   | \$1,426                                     | \$2,297                    |
| 1 1/2" PD  | \$650   | \$2,852                                     | \$4,593                    |
| 2" PD  | \$850   | \$4,563                                     | \$7,349                    |
| 2" Compound  | *   | \$4,563                                     | \$7,349                    |
| 2" Turbine   | *   | \$5,704                                     | \$9,187                    |
| 3" Compound  | *   | \$9,126                                     | \$14,699                   |
| 3" Turbine   | *   | \$13,689                                    | \$22,048                   |
| 4" Compound  | *   | \$14,259                                    | \$22,967                   |
| 4" Turbine   | *   | \$23,955                                    | \$38,584                   |
| 6" Compound  | *   | \$28,518                                    | \$45,933                   |
| 6" Turbine   | *   | \$52,473                                    | \$84,517                   |
| 8" Compound  | Not Applicable  | \$45,628                                    | \$73,493                   |
| 8" Turbine   | *   | \$91,257                                    | \$146,986                  |
| 10" Turbine  | *   | \$142,589                                   | \$229,666                  |
| PD = Positive Displacement Meter (Typical residential meter)   |   |   |                            |
| *Meter fee for meters larger than 2" will be charged the actual cost of furnishing/installing. Required deposit will be based on City Engineer's cost estimate and determined prior to construction.         |   |   |                            |
|  |   | <b>Single-Family</b>                        | <b>Multi-Family</b>        |
| <b>W</b> Parkland Dedication Fees*   | Fee-in-Lieu of Parkland Dedication  | \$423.90 per dwelling unit                  | \$315.65 per dwelling unit |
| *See formulas in Appendices I, II, and III of Section 303, "Parkland Dedication and Development", of Chapter 3, "General Subdivision Development", of Appendix A, "Subdivisions", of the Code of Ordinances. | Park Development Fee  | \$629.64 per dwelling unit                  | \$468.84 per dwelling unit |
|  | <b>Total Park Fees</b>  | \$1053.54 per dwelling unit                 | \$784.49 per dwelling unit |
| <b>Miscellaneous Permits &amp; Fees</b>  |   |   |                            |
| Clearing and Grading Permit  |   | \$50.00                                     |                            |
| TxDOT permit and access location review, if City applies for permit  |   | \$50.00 per driveway                        |                            |
| Construction Inspection Fees (Ord. 6-98)   |   | 4% of cost for construction of improvements |                            |
| <b>X PLANNING &amp; ZONING APPLICATION &amp; PERMIT FEES:</b>  |   |   |                            |
| Pre-Application Conference   |   |   |                            |







**TABLE 1: BUILDING PERMIT FEES**

| <b>TOTAL VALUATION</b>  | <b>FEE</b>   |
|---|--|
| \$1.00 to \$500.00  | \$25.00  |
| \$501.00 to \$2,000.00  | \$25.00 for the first \$500.00 plus \$3.25 for each additional \$100.00, or fraction thereof, to and including \$2,000.00                |
| \$2,001.00 to \$25,000.00   | \$75.00 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof to and including \$25,000.00           |
| \$25,001.00 to \$50,000.00  | \$405.00 for the first \$25,000.00 plus \$10.60 for each additional \$1,000.00, or fraction thereof to and including \$50,000.00         |
| \$50,001.00 to \$100,000.00   | \$675.00 for the first \$50,000.00 plus \$7.35 for each additional \$1,000.00, or fraction thereof to and including \$100,000.00         |
| \$100,001.00 to \$500,000.00  | \$1,045.00 for the first \$100,000.00 plus \$5.90 for each additional \$1,000.00, or fraction thereof to and including \$500,000.00      |
| \$500,001.00 to 1,000,000.00  | \$3,395.45.00 for the first \$500,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof to and including \$1,000,000.00 |
| \$1,000,001.00 and up   | \$5,888.40 for the first \$1,000,000.00 plus \$3.35 for each additional \$1,000.00, or fraction thereof                                  |
| <b>Other Inspections and Fees:</b>  |  |
| 1. Inspections outside of normal business hours (minimum charge--two hours)               | \$50.00 per hour   |
| 2. Re-inspection fees   | 1st \$50.00 - 2nd and Subsequent \$100.00  |
| 3. Inspections for which no fee is specifically indicated (minimum charge--one half hour) | \$50.00 per hour   |
| 4. Additional plan review required by changes, additions or revisions to plans            | \$250.00 non-residential/\$100.00 single-family  |
| 5. For use of outside consultants for plan checking and inspections, or both              | Actual costs   |

## TABLE 2: Texas Administrative Code Public Information Fees

### TITLE 1 ADMINISTRATION - PART 3 - OFFICE OF THE ATTORNEY GENERAL

#### CHAPTER 70 COST OF COPIES OF PUBLIC INFORMATION RULE §70.3

(a) The charges in this section to recover costs associated with providing copies of public information are based on estimated average costs to governmental bodies across the state. When actual costs are 25% higher than those used in these rules, governmental bodies other than agencies of the state, may request an exemption in accordance with §70.4 of this title (relating to Requesting an Exemption).

(b) Copy charge.

(1) Standard paper copy. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is \$.10 per page or part of a page. Each side that has recorded information is considered a page.

(2) Nonstandard copy. The charges in this subsection are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:

(A) Diskette--\$1.00;

(B) Magnetic tape--actual cost

(C) Data cartridge--actual cost;

(D) Tape cartridge--actual cost;

(E) Rewritable CD (CD-RW)--\$1.00;

(F) Non-rewritable CD (CD-R)--\$1.00;

(G) Digital video disc (DVD)--\$3.00;

(H) JAZ drive--actual cost;

(I) Other electronic media--actual cost;

(J) VHS video cassette--\$2.50;

(K) Audio cassette--\$1.00;

(L) Oversize paper copy (e.g.: 11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper--See also §70.9 of this title)--\$.50;

(M) Specialty paper (e.g.: Mylar, blueprint, blue-line, map, photographic--actual cost.

(c) Labor charge for programming. If a particular request requires the services of a programmer in order to execute an existing program or to create a new program so that requested information may be accessed and copied, the governmental body may charge for the programmer's time.

(1) The hourly charge for a programmer is \$28.50 an hour. Only programming services shall be charged at this hourly rate.

(2) Governmental bodies that do not have in-house programming capabilities shall comply with requests in accordance with §552.231 of the Texas Government Code.

(3) If the charge for providing a copy of public information includes costs of labor, a governmental body shall comply with the requirements of §552.261(b) of the Texas Government Code.

(d) Labor charge for locating, compiling, manipulating data, and reproducing public information.

(1) The charge for labor costs incurred in processing a request for public information is \$15 an hour. The labor charge includes the actual time to locate, compile, manipulate data, and reproduce the requested information.

(2) A labor charge shall not be billed in connection with complying with requests that are for 50 or fewer pages of paper records, unless the documents to be copied are located in:

(A) Two or more separate buildings that are not physically connected with each other; or

(B) A remote storage facility.

(3) A labor charge shall not be recovered for any time spent by an attorney, legal assistant, or any other person who reviews the requested information:

(A) To determine whether the governmental body will raise any exceptions to disclosure of the requested information under the Texas Government Code, Subchapter C, Chapter 552; or

(B) To research or prepare a request for a ruling by the attorney general's office pursuant to §552.301 of the Texas Government Code.

(4) When confidential information pursuant to a mandatory exception of the Act is mixed with public information in the same page, a labor charge may be recovered for time spent to redact, blackout, or otherwise obscure confidential information in order to release the public information. A labor charge shall not be made for redacting confidential information for requests of 50 or fewer pages, unless the request also qualifies for a labor charge pursuant to Texas Government Code, §552.261(a)(1) or (2).

(5) If the charge for providing a copy of public information includes costs of labor, a governmental body shall comply with the requirements of Texas Government Code, Chapter 552, §552.261(b).

(6) For purposes of paragraph (2)(A) of this subsection, two buildings connected by a covered or open sidewalk, an elevated or underground passageway, or a similar facility, are not considered to be separate buildings.

(e) Overhead charge.

(1) Whenever any labor charge is applicable to a request, a governmental body may include in the charges direct and indirect costs, in addition to the specific labor charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If a governmental body chooses to recover such costs, a charge shall be made in accordance with the methodology described in paragraph (3) of this subsection. Although an exact calculation of costs will vary, the use of a standard charge will avoid complication in calculating such costs and will provide uniformity for charges made statewide.

(2) An overhead charge shall not be made for requests for copies of 50 or fewer pages of standard paper records unless the request also qualifies for a labor charge pursuant to Texas Government Code, §552.261(a)(1) or (2).

(3) The overhead charge shall be computed at 20% of the charge made to cover any labor costs associated with a particular request. Example: if one hour of labor is used for a particular request, the formula would be as follows: Labor charge for locating, compiling, and reproducing, \$15.00 x .20 = \$3.00; or Programming labor charge, \$28.50 x .20 = \$5.70. If a request requires one hour of labor charge for locating, compiling, and reproducing information (\$15.00 per hour); and one hour of programming labor charge (\$28.50 per hour), the combined overhead would be: \$15.00 + \$28.50 = \$43.50 x .20 = \$8.70.

(f) Microfiche and microfilm charge.

(1) If a governmental body already has information that exists on microfiche or microfilm and has copies available for sale or distribution, the charge for a copy must not exceed the cost of its reproduction. If no copies of the requested microfiche or microfilm are available and the information on the microfiche or microfilm can be released in its entirety, the governmental body should make a copy of the microfiche or microfilm. The charge for a copy shall not exceed the cost of its reproduction. The Texas State Library and Archives Commission has the capacity to reproduce microfiche and microfilm for governmental bodies. Governmental bodies that do not have in-house capability to reproduce microfiche or microfilm are encouraged to contact the Texas State Library before having the reproduction made commercially.

(2) If only a master copy of information in microfilm is maintained, the charge is \$.10 per page for standard size paper copies, plus any applicable labor and overhead charge for more than 50 copies.

(g) Remote document retrieval charge.

(1) Due to limited on-site capacity of storage documents, it is frequently necessary to store information that is not in current use in remote storage locations. Every effort should be made by governmental bodies to store current records on-site. State agencies are encouraged to store inactive or non-current records with the Texas State Library and Archives Commission. To the extent that the retrieval of documents results in a charge to comply with a request, it is permissible to recover costs of such services for requests that qualify for labor charges under current law.

(2) If a governmental body has a contract with a commercial records storage company, whereby the private company charges a fee to locate, retrieve, deliver, and return to storage the needed record(s), no additional labor charge shall be factored in for time spent locating documents at the storage location by the private company's personnel. If after delivery to the governmental body, the boxes must still be searched for records that are responsive to the request, a labor charge is allowed according to subsection (d)(1) of this section.

(h) Computer resource charge.

(1) The computer resource charge is a utilization charge for computers based on the amortized cost of acquisition, lease, operation, and maintenance of computer resources, which might include, but is not limited to, some or all of the following: central processing units (CPUs), servers, disk drives, local area networks (LANs), printers, tape drives, other peripheral devices, communications devices, software, and system utilities.

(2) These computer resource charges are not intended to substitute for cost recovery methodologies or charges made for purposes other than responding to public information requests.

(3) The charges in this subsection are averages based on a survey of governmental bodies with a broad range of computer capabilities. Each governmental body using this cost recovery charge shall determine which category(ies) of computer system(s) used to fulfill the public information request most closely fits its existing system(s), and set its charge accordingly. Type of System--Rate: mainframe--\$10 per CPU minute; Midsize--\$1.50 per CPU minute; Client/Server--\$2.20 per clock hour; PC or LAN--\$1.00 per clock hour.

(4) The charge made to recover the computer utilization cost is the actual time the computer takes to execute a particular program times the applicable rate. The CPU charge is not meant to apply to programming or printing time; rather it is solely to recover costs associated with the actual time required by the computer to execute a program. This time, called CPU time, can be read directly from the CPU clock, and most frequently will be a matter of seconds. If programming is required to comply with a particular request, the appropriate charge that may be recovered for programming time is set forth in subsection (d) of this section. No charge should be made for computer print-out time. Example: If a mainframe computer is used, and the processing time is 20 seconds, the charges would be as follows:  $\$10 / 3 = \$3.33$ ; or  $\$10 / 60 \times 20 = \$3.33$ .

(5) A governmental body that does not have in-house computer capabilities shall comply with requests in accordance with the §552.231 of the Texas Government Code.

(i) Miscellaneous supplies. The actual cost of miscellaneous supplies, such as labels, boxes, and other supplies used to produce the requested information, may be added to the total charge for public information.

(j) Postal and shipping charges. Governmental bodies may add any related postal or shipping expenses which are necessary to transmit the reproduced information to the requesting party.

(k) Sales tax. Pursuant to Office of the Comptroller of Public Accounts' rules sales tax shall not be added on charges for public information (34 TAC, Part 1, Chapter 3, Subchapter O, §3.341 and §3.342).

(l) Miscellaneous charges: A governmental body that accepts payment by credit card for copies of public information and that is charged a "transaction fee" by the credit card company may recover that fee.

(m) These charges are subject to periodic reevaluation and update.

Source Note: The provisions of this §70.3 adopted to be effective September 18, 1996, 21 TexReg 8587; amended to be effective February 20, 1997, 22 TexReg 1625; amended to be effective December 3, 1997, 22 TexReg 11651; amended to be effective December 21, 1999, 24 TexReg 11255; amended to be effective January 16, 2003, 28 TexReg 439; amended to be effective February 11, 2004, 29 TexReg 1189; transferred effective September 1, 2005, as published in the Texas Register September 29, 2006, 31 TexReg 8251; amended to be effective February 22, 2007, 32 TexReg 614



**Table 3 - ANIMAL CONTROL FEES**

| <b>Fees related to impoundment &amp; surrender of dogs and cats:</b> |          |  |
|--|----------|--|
| Impoundment of Animals:  |          |  |
| First Impoundment  | \$35.00  |  |
| Second Impoundment   | \$50.00  |  |
| Third Impoundment  | \$75.00  |  |
|  |          |  |
| Boarding Fee (per day)   | \$10.00  |  |
| Quarantine Fee   | \$100.00 |  |
|  |          |  |
| Animal surrendered by resident:                                      |          |  |
| Small Animal   | \$20.00  |  |
| Large Animal   | \$50.00  |  |
|  |          |  |
| Dead animal pick-up  | \$15.00  |  |
| <b>Fees related to licensing:</b>                                    |          |  |
| New or renewed license   | \$5.00   |  |
| Duplicate replacement tags   | \$3.00   |  |
| Guard dogs   | \$15.00  |  |
| <b>Fees related to estrays:</b>                                      |          |  |
| Impoundment of stray livestock                                       | \$75.00  |  |
| Board per night  | \$20.00  |  |
| <b>Fee for inspection riding stables</b>                             | \$25.00  |  |
|  |          |  |
| <b>Fees related to registered dangerous dogs:</b>                    |          |  |
| Registered dangerous dog   | \$50.00  |  |
| Dog declared dangerous by another entity                             | \$25.00  |  |
|  |          |  |
| Fee for restricted animal permit                                     | \$50.00  |  |
| <b>Fees related to pet shops, kennels/catteries</b>                  |          |  |
| Kennel/Cattery   | \$100.00 |  |
| Pet Shop   | \$100.00 |  |
|  |          |  |

**TABLE 4. CONSTRUCTION AND MODIFICATION PERMITS: Fire and Public Safety Related Fees**

| New Sprinkler Installation or Modification Permit Fees:  |   |   |
|--|---|---|
| <del>Plan Review Fee</del>   |   | <del>\$100.00</del>                     |
|  | 1 to 10 sprinklers  | \$100.00                                |
|  | 11 to 20 sprinklers   | \$175.00                                |
|  | 21 to 100 sprinklers  | \$250.00                                |
|  | More than 100   | \$250.00                                |
|  | Plus \$50.00 for each 100 or fraction thereof                 |   |
| If System includes Fire Pump   |   | \$200.00                                |
| If System includes Foam  |   | \$50.00                                 |
| Each Additional Floor  |   | \$40.00                                 |
| Underground Fire Sprinkler Line Installation Permit Fees:  |   |   |
| Plan Review Fee  |   | \$25.00                                 |
| Permit   |   | \$100.00                                |
| New Fire Alarm Installation or Modification Permit Fees:   |   |   |
| Plan Review Fee  |   | \$100.00                                |
|  | 1 to 4 initiation devices                                     | \$100.00                                |
|  | 5 to 25 devices   | \$175.00                                |
|  | More than 25 devices  | \$250.00                                |
|  | Plus \$50.00 for each 100 or fraction thereof in excess of 25 |   |
| New Suppression System or Modification Permit Fees:<br>(CO2, Dry Chemical, FM 200, Intergen, Water Mist, etc.)   |   |   |
| Plan Review Fee  |   | \$25.00                                 |
|  | 1 to 5 nozzles  | \$100.00                                |
|  | Plus 5.00 per nozzle in excess of 5                           |   |
| <del>Pre-fabricated hood and duct systems</del>  |   | <del>Each hood \$50.00</del>            |
| New Standpipe System or Modification Permit Fees:  |   |   |
| Plan Review Fee  |   | \$25.00                                 |
| Permit   |   | \$100.00                                |
| Permits*:  |   |   |
| *A one-time permit shall be obtained from the Fire Marshal's Office prior to engaging in the following activities, operations, practices or functions. |   |   |
| Aerosol Products   |   | \$50.00                                 |
| Automobile Wrecking Yard   |   | \$250.00                                |
| Battery Systems (liquid)   |   | \$50.00                                 |
| Blasting Agents  |   | \$200.00                                |
| Compressed Gases   |   | \$50.00                                 |
| Dry Cleaning Plant   |   | \$50.00                                 |
| Dust-producing Operations  |   | \$50.00                                 |
| Flammable or Combustible Liquid Tanks/Systems  |   | Per Tank \$100.00                       |
| Hazardous Material Storage   |   | IFC Table 105.6.20 Per Material \$25.00 |
| High Piled Combustible Storage   |   | \$100.00                                |
| Liquified Petroleum Gas Distribution   |   | Per Tank/system \$50.00                 |
| Motor Vehicle Fuel Station   |   | \$50.00                                 |
| Open Burning   |   | Non Resident \$100.00                   |
| Pyrotechnic Displays   |   | \$100.00                                |
| Radioactive Materials  |   | \$100.00                                |
| Spraying or Dipping Process  |   | \$100.00                                |

|  |                          |                                  |
|--|--------------------------|----------------------------------|
| Temporary Structures, Tents and Canopies                                       | Each                     | \$25.00                          |
| Tire Storage   |                          | \$25.00                          |
| <b>Underground Storage Tank Removal</b>  | <b>Per tank</b>          | <del>————\$50</del> <b>\$100</b> |
| Gate Installation  |                          | \$100.00                         |
| Fire Watch/Special Event Stand-by  | Per hour/Per firefighter | \$35.00                          |
| Food Truck Inspection(Annual)  | Annual Fee               | \$25.00                          |
| Contractor Registration  | Annual Fee               | \$50.00                          |
| All Inspections  | Greater than two         | \$50.00                          |
| New Construction, Significant Remodel- Review, Inspection Fee .015 per Sq. Ft. |                          |                                  |

**TRAINING PERMIT IS ADDITIONAL 100% OF REQUIRED PERMIT FEE  
(DOES NOT INCLUDE FINES OR FEES SET BY COURT)**

| <b>FIRE RESPONSE MITIGATION RATES</b>                          |                   |          |             |
|--|-------------------|----------|-------------|
| <b>See Detailed Reference for Fees in Mitigation Ordinance</b> |                   |          |             |
| <b>Motor Vehicle Incidents:</b>                                |                   |          |             |
| Level 1  |                   |          | \$ 487.00   |
| Level 2  |                   |          | \$ 554.00   |
| Level 3  |                   |          | \$ 677.00   |
| Extrication  |                   |          | \$ 1,461.00 |
| Landing Zone   |                   |          | \$ 448.00   |
| Additional Time:   | Engine            | Per hour | \$ 448.00   |
|  | Truck             | Per hour | \$ 560.00   |
|  | Misc. Equipment   | Per hour | \$ 336.00   |
| <b>HAZMAT:</b>   |                   |          |             |
| Level 1  |                   |          | \$ 784.00   |
| Level 2  |                   |          | \$ 2,800.00 |
| Level 3  |                   |          | \$ 6,600.00 |
| Additional Time:   | Engine            | Per hour | \$ 448.00   |
|  | Truck             | Per hour | \$ 560.00   |
|  | Misc.             | Per hour | \$ 336.00   |
| <b>Fire Investigation:</b>                                     |                   |          |             |
| Fire Investigation Team  |                   | Per hour | \$ 308.00   |
| <b>Fire Response:</b>  |                   |          |             |
| Engine   |                   | Per hour | \$ 448.00   |
| Truck  |                   | Per hour | \$ 560.00   |
| <b>Illegal Fires:</b>  |                   |          |             |
| Engine   |                   | Per hour | \$ 448.00   |
| Truck  |                   | Per hour | \$ 560.00   |
| <b>Water Incidents:</b>  |                   |          |             |
| Level 1  |                   |          | \$ 448.00   |
|  | Per Rescue Person | Per hour | \$ 56.00    |
| Level 2  |                   |          | \$ 896.00   |

|                                 |                   |          |             |
|---------------------------------|-------------------|----------|-------------|
|                                 | Per Rescue Person | Per hour | \$ 56.00    |
| Level 3                         |                   |          | \$ 2,240.00 |
|                                 | Per Rescue Person | Per hour | \$ 56.00    |
|                                 | Per HAZMAT Person | Per hour | \$ 112.00   |
| Special Rescue:                 |                   |          |             |
| Response Vehicle                |                   | Per hour | \$ 448.00   |
|                                 | Per Rescue Person | Per hour | \$ 56.00    |
| Command/Chief Response:         |                   |          |             |
|                                 |                   | Per hour | \$ 280.00   |
| Misc./Additional Time on Scene: |                   |          |             |
| Engine                          |                   | Per hour | \$ 448.00   |
| Truck                           |                   | Per hour | \$ 560.00   |
| Misc. Equipment                 |                   | Per hour | \$ 336.00   |