

**ORDINANCE #2019-12**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS, REPLACING ORDINANCE #2015-4; ESTABLISHING A SCHEDULE OF FEES; PROVIDING FOR SEVERABILITY; AND REPEALING ALL OTHER ORDINANCES OR PARTS OF THE ORDINANCE INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.**

**WHEREAS**, the City of Beasley is authorized to assess and collect reasonable fees for permits, application, and services sufficient to cover its actual costs in the processing of various types of paperwork; and

**WHEREAS**, Council last reviewed and updated fees in March, 2015 and has undertaken a review of such fees to ensure that residents are not, through the payment of taxes, obligated with subsidizing the various costs generated by projects requiring a permit, inspection or other City services; and

**WHEREAS**, the 86<sup>th</sup> Texas Legislature adopted House Bill 852 that provides in part that “[i]n determining the amount of a building permit or inspection fee required in connection with the construction or improvement of a residential dwelling, a municipality may not consider (1) the value of the dwelling; or (2) the cost of constructing the dwelling”; and

**WHEREAS**, Council has reviewed the costs and finds that such costs are reasonable and reasonably cover the actual costs of services, now therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS:**

**Section 1.**

- (a) The fees and charges for building, fire prevention, gas, plumbing, mechanical, swimming pool, electrical and other permits and inspections required by any construction code adopted by the City, shall be as follows and shall include all fees that are applicable to the project or plan submitted:

<b>Plan Review of Commercial and Multi-family Construction Additions, Alterations and Remodels</b>	
<b>Valuation of entire project</b>	<b>Fee</b>
\$1.00 to \$10,000.00	\$50.00
\$10,001.00 to \$25,000.00	\$70.69 for the first \$10,000.00 plus \$5.46 for each additional \$1,000.00
\$25,001.00 to \$50,000.00	\$152.59 for the first \$25,000.00 plus \$3.94 for each additional \$1,000.00
\$50,001.00 to \$100,000.00	\$251.09 for the first \$50,000.00 plus \$2.73

	for each additional \$1,000.00
\$100,001.00 to \$500,000.00	\$387.59 for the first \$100,000.00 plus \$2.19 for each additional \$1,000.00
\$500,001.00 to \$1,000,000.00	\$1,263.59 for the first \$500,000.00 plus \$1.85 for each additional \$1,000.00
\$1,000,001.00 and up	\$2,188.59 for the first \$1,000,000.00 plus \$1.23 for each additional \$1,000.00
<b>Inspection of Commercial and Multi-family Construction, Additions, Alterations and Remodels</b>	
<b>Valuation of entire project</b>	<b>Fee</b>
\$1.00 to \$10,000.00	\$76.92
\$10,001.00 to \$25,000.00	\$108.75 for the first \$10,000.00 plus \$8.40 for each additional \$1,000.00
\$25,001.00 to \$50,000.00	\$234.75 for the first \$25,000.00 plus \$6.06 for each additional \$1,000.00
\$50,001.00 to \$100,000.00	\$386.25 for the first \$50,000.00 plus \$4.20 for each additional \$1,000.00
\$100,001.00 to \$500,000.00	\$596.25 for the first \$100,000.00 plus \$3.36 for each additional \$1,000.00
\$500,001.00 to \$1,000,000.00	\$1940.25 for the first \$500,000.00 plus \$2.85 for each additional \$1,000.00
\$1,000,001.00 and up	\$3,365.25 for the first \$1,000,000.00 plus \$1.89 for each additional \$1,000.00
<b>Plan Review of Fire Alarm and Fire Sprinkler Systems</b>	
<b>Valuation of entire project</b>	<b>Fee</b>
Up to \$250,000	\$ 500
\$251,000 to \$500,000	\$ 850
\$501,000 to \$1,000,000	\$1,100
\$1,001,000 to \$3,000,000	\$1,600
\$3,001,000 to \$6,000,000	\$2,400
\$6,001,000 and up	\$2,400 plus \$0.25 for each additional \$1,000
<b>Inspection of Fire Alarm and Fire Sprinkler Systems</b>	
<b>Valuation of entire project</b>	<b>Fee</b>
Up to \$250,000	\$ 750
\$251,000 to \$500,000	\$1,050
\$501,000 to \$1,000,000	\$1,350
\$1,001,000 to \$3,000,000	\$1,900
\$3,001,000 to \$6,000,000	\$2,850
\$6,001,000 and up	\$2,850 plus \$0.25 for each additional \$1,000
<b>Plan Review and Inspection for One and Two-Family Dwelling New Construction</b>	
<b>Square Footage (S.F.)</b>	<b>Fee</b>
0 to 1,500 S.F.	\$785.00
1,501 to 10,000 S.F.	\$785.00 for the first 1,500 S.F., plus \$0.35 for each additional S.F. to and including 10,000 S.F.

Over 10,000 S.F.	\$3,760.00 for the first 10,000 S.F., plus \$0.15 for each additional S.F. over 10,000 S.F.
<b>Plan Review and Inspection for One and Two-Family Dwelling Alteration/Addition</b>	
<b>Trade Permits</b>	<b>Fee</b>
Building, Mechanical, Electrical, Plumbing, Fuel Gas and similar	\$100.00 per trade
Other project types not listed above	\$160.00 per trade
<b>Additional Costs on all permits or applications as applicable</b>	
Actual costs of engineering, inspection, and legal services when multiple meetings are necessary to bring forward all information required for permit or inspection	
Actual costs of engineering, inspection, legal services, any other professional service deemed necessary by the City to process the permit application	
Actual costs of engineering, inspection, and legal services required for attendance at additional meeting(s) of Planning & Zoning Commission or City Council, when a "normal" number of meetings have been executed (generally two)	
<b>All other activities required to obtain a permit by the adopted construction codes of the City shall be charged at the following rate: \$75.00</b>	

- (b) Any provision of the International Residential Code, as adopted and amended by the City, requiring valuation information may be satisfied by information on the square footage of roof covered floor space for a particular job.
- (c) An applicant may be required by the City to deposit or place in escrow, an amount for such notice, hearing processes and professional services where an initial review of the application indicates that the complexity of the project will require significant time by the engineer, inspector, or legal counsel, or other professional. Such determination may be made by the City Administrator of the City, after consultation with staff or consulting professionals with experience in the type of application or permit. Such funds will be accounted for separately and the applicant periodically advised of the costs deducted from such deposit. The actual costs will be billed to the applicant and payment of any balance will be due and owing the City in thirty (30) days.
- (c) Permits for projects that have not had an inspection within the last 180 days shall be considered abandoned. A new permit must be taken out before any work may be continued or started. Where a completion bond has been required for work, a new completion bond will be required for work to be re-permitted.
- (d) Persons working without obtaining a permit or continuing work started without a permit for which a permit is required will be charged the twice the normal fee + all legal and administration fees.

**Section 2.**

(a) Fees for the following submittals to the City for review and action shall be as follows:

Administration Fee	20% above third party fees
Preliminary and/or Final Plats	\$200.00 per plat, plus \$20.00 per lot, plus \$10.00 per acre, plus any additional fees required for plat review (i.e. engineering, legal)
Any other plat (i.e. administrative plats)	\$150.00 per plat
Special Conditional Use Permit Request Fee	\$150.00
Special Exception Request Fee	\$150.00
Variance Request	\$150.00
Registry of Non-Conforming Use	\$50.00

(b) An applicant may be required by the City to deposit or place in escrow, an amount for such notice, hearing processes and professional services where an initial review of the application indicates that the complexity of the project will require significant time by the engineer, inspector, or legal counsel, or other professional. Such determination may be made by the City Administrator of the City, after consultation with staff or consulting professionals with experience in the type of application or permit. Such funds will be accounted for separately and the applicant periodically advised of the costs deducted from such deposit. The actual costs will be billed to the applicant and payment of any balance will be due and owing the City in thirty (30) days.


**Section 3.** **Severability.** In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Beasley, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**Section 4.** **Repeal.** All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

**Section 5.** **Penalty.** It is an offense for any person to violate or cause, allow or permit a violation of any provision of this ordinance, or commit an act designated as unlawful by this ordinance, and the person who violates or causes, allows or permits a violation of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

**Section 6. Publication and effective date.** This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with Section 52.011 of the Local Government Code.

PASSED, APPROVED AND ADOPTED this the 19 day of November, 2019.

  
Kenneth Reid, Mayor

ATTEST:

  
G.B. Michulka, City Secretary