

**ORDINANCE NO. 2012-009**

**AN ORDINANCE AMENDING ORDINANCE NO. 2007-003 IN ORDER TO REQUIRE THE PAYMENT OF PROFESSIONAL FEES INCREMENTALLY THROUGHOUT A DEVELOPMENT APPLICATION PROCESS; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has adopted a fee schedule which includes the payment of certain professional fees incurred by the City when processing development applications; and

**WHEREAS**, in order to ensure complete payment as well as avoid the burden on the applicant of a lump sum payment upon the issuance of the permit, the City desires to require payments throughout the application process; and

**WHEREAS**, the City Council finds the amendment as enumerated will be in the best interest of the public.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, HAYS COUNTY, TEXAS**

**Section 1. Findings.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**Section 2. Amendment.**

That section 3. (Payment Required) of Ordinance No. 2007-003 is hereby amended to read as follows:

“In accordance with Section 2 above, the City Administrator or his or her designee shall require an initial payment in the amount as set forth in the City’s established Fee Schedule (Exhibit A) for such services at the time the initial application is filed. Any additional costs will be charged prior to final approval or issuance of the permit, and, if required, the applicant shall pay in full all costs incurred during the application review process in amounts of \$500.00 increments. At no time shall the applicant owe more than \$500.00 in application review fees. The City shall notify the applicant when the costs incurred are equal to \$500.00, plus or minus, and the balance shall be paid prior to further review of the application. The applicant shall be provided with documentation detailing the actual incurred costs of the development process.”

**Section 3.** Except as expressly amended herein, Ordinance No. 2007-003 shall remain in full force and effect.

**Section 4.** All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

**Section 5.** Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinances as a whole.

**Section 6.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**Section 7.** Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act, Capt. 551, Loc. Gov't. Code.

**PASSED AND APPROVED ON FIRST READING** this 16th day of February, 2012, by a vote of 5 (Ayes) to 0 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

**PASSED AND APPROVED ON SECOND READING** this 1st day of March, 2012, by a vote of 5 (Ayes) to 0 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

**CITY OF WIMBERLEY, TEXAS**

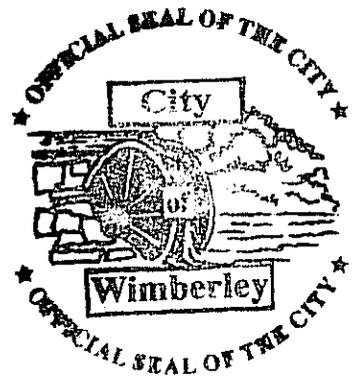
Bob Flocke  
Bob Flocke, Mayor

**ATTEST:**

Cara McPartland  
Cara McPartland, City Secretary

**APPROVED AS TO FORM:**

Catherine Fryer  
Catherine Fryer, City Attorney



## EXHIBIT A

### RESIDENTIAL BUILDING PERMIT FEES

#### Residential Fees

#### RESIDENTIAL BUILDING PERMIT APPLICATION FEE:

- a. \$25.00 processing fee (Non-Refundable)

#### RESIDENTIAL BUILDING PLAN REVIEW FEES:

- a. \$65.00 Building Plan Review Per Project (New Construction, additions, remodeling or alterations)

#### RESIDENTIAL BUILDING PERMIT FEES BASED ON TOTAL VALUATION:

\$0 - \$20,000

\$20.00 for the first \$1,000 + \$3.00 for each additional thousand or fraction thereof, to and including \$20,000.

\$20,001 - \$50,000

\$77.00 for the first \$20,000 + \$2.27 for each additional thousand or fraction thereof, to and including \$50,000.

\$50,001 - \$100,000

\$145.00 for the first \$50,000 + \$1.60 for each additional thousand or fraction thereof, to and including \$100,000.

\$100,001 - \$500,000

\$225.00 for the first \$100,000 + \$1.25 for each additional thousand or fraction thereof, to and including \$500,000.

\$500,001 - \$1,000,000

\$725.00 for the first \$500,000 + \$1.00 for each additional thousand or fraction thereof, to and including.

All valuations over \$1,000,000 shall be charged at the rate of 0.00150 times the total valuation.

RESIDENTIAL INSPECTION FEES

a. Each Inspection .....	\$ 45.00
b. Reinspection .....	90.00

MISCELLANEOUS FEES:

1. Lost Permit Fee .....	\$ 25.00
2. Plan Change Fee .....	\$150.00
3. Residential Demolition Permit .....	\$ 25.00
4. Move Building Permit .....	\$ 50.00
5. Manufactured Home Move-on Permit .....	\$ 35.00
6. Work Started w/o Permit .....	\$
7. Appeal Fee (BCBR) .....	\$ 50.00

Double permit fees as listed above

(All Fees incurred in connection with the subject property (including but not limited to, plan review, building permits, and inspections/re-inspections performed) must be paid in full prior to the issuance of a Certificate of Occupancy. Building permits are issued for a period of one (1) year.

# COMMERCIAL & MULTI-FAMILY BUILDING PERMIT FEES

## Commercial Fees

### COMMERCIAL & MULTI-FAMILY BUILDING PERMIT APPLICATION FEE:

- a. \$25.00 processing fee (Non-Refundable)

### COMMERCIAL & MULTI-FAMILY BUILDING PLAN REVIEW FEES:

- a. \$130 - Building Plan Review (New Construction, additions, remodeling or alterations)

### COMMERCIAL BUILDING PERMIT FEES BASED ON TOTAL VALUATION:

\$0 - \$15,000

\$50.00 for the first \$1,000 + \$4.00 for each additional thousand or fraction thereof, to and including \$15,000.

\$15,001 - \$50,000

\$106.00 for the first \$15,000 + \$3.50 for each additional thousand or fraction thereof, to and including \$50,000.

\$50,001 - \$100,000

\$228.50 for the first \$50,000 + \$3.00 for each additional thousand or fraction thereof, to and including \$100,000.

\$100,001 - \$500,000

\$378.50 for the first \$100,000 + \$2.25 for each additional thousand or fraction thereof, to and including \$500,000.

\$500,001 - \$1,000,000

\$1278.50 for the first \$500,000 + \$2.00 for each additional thousand or fraction thereof, to and including.

All valuations over \$1,000,000 shall be charged at the rate of 0.00240 times the total valuation.

### COMMERCIAL/MULTI-FAMILY INSPECTION FEES

- a. Commercial Inspection each..... \$ 65.00

- b. Multi-family inspection per bldg..... \$ 100.00
- c. Any reinspection..... 100.00

MISCELLANEOUS FEES:

- 1. Lost Permit Fee ..... \$ 25.00
- 2. Work Started w/o Permit ..... \$
- 3. Commercial Demolition Permit ..... \$ 75.00
- 4. Move Building Permit. .... \$ 50.00
- 5. Temporary Structure Permit ..... \$ 25.00
- 6. Appeal Fee (BCBR)..... \$ 50.00

Double permit fees as listed above

CONTRACTOR PERMIT

- Application..... \$15
- Permit..... 3¢/\$100 - \$15 min.
- Inspection..... \$45 res/65 comm

(All Fees incurred in connection with the subject property (including but not limited to, plan review, building permits, and inspections/re-inspections performed) must be paid in full prior to the issuance of a Certificate of Occupancy. Building permits are issued for a period of one (1) year.)

## ZONING FEES

### Zoning & Miscellaneous Fees

	<u>Notice to Property Owners</u>
Single Family Residence .....	\$ 25.00 per acre
Multi-Family Residential.....	\$100.00 min. + \$10.00/lot
Commercial.....	\$100.00 per acre
Industrial.....	\$150.00 per acre
(WPDD) .....	\$200.00 per acre
(WPDD) .....	3-10 acres \$750.00 + \$40.00/acre
WPDD Agreement Processing .....	10+ acres \$750.00 + \$25.00/acre
	\$400.00
	\$1,500.00 max.
	\$1,500.00 max.
	\$2,500.00 max.
	\$4.00 ea.

\*Note: All fees are based on acreage are for one acre or any fraction thereof.

### Other Fees

Conditional Use Permit.....	\$400.00
Site Development Permit.....	\$250.00
Application for Variance (BOA).....	\$150.00
Telecommunications Tower.....	\$1,500.00
Telecommunications Co-location Array .....	\$500.00
Comprehensive Plan Amendment .....	\$200.00
Alcoholic Beverage Permit.....	\$400.00 (On-Premises)
Alcoholic Beverage Permit.....	\$500.00 (Off-Premises)

(All Fees incurred in connection with the subject property must be paid in full prior to the granting of zoning

## SUBDIVISION FEES

### Subdivision Fees

<u>Residential</u>	
Residential Concept Plan .....	None
Residential Preliminary Plan .....	\$350.00
Public Review Final Plat .....	\$500.00
Record Final Plat .....	\$200.00
Amend Plat .....	\$150.00
Short Form Plat .....	\$250.00

+\$25.00 per lot  
+\$10.00 per lot  
+\$10.00 per lot  
Including Plat Vacation

<u>Non-Residential</u>	
Non-Residential Concept Plan .....	None
Non-Residential Preliminary Plan .....	\$400.00
Public Review Final Plat .....	\$500.00
Record Final Plat .....	\$200.00
Amend Plat .....	\$200.00
Short Form Plat .....	\$400.00

+\$40.00 per acre  
+\$20.00 per acre  
+\$10.00 per acre  
Including Plat Vacation

\*Note: Property Owner Notification included in base fee.

Mylar Recordation.....\$56 1<sup>st</sup> page, \$50/each additional page  
must be accompanied by paid tax receipt which is \$10 per lot.

## SIGN FEES

Fixed Fee Schedule:	
Up to 12 Square Feet .....	\$ 25.00
Up to 16 Square Feet .....	\$ 35.00
Up to 24 Square Feet .....	\$ 45.00
Up to 32 Square Feet .....	\$ 60.00
Up to 48 Square Feet .....	\$ 75.00
Up to 64 Square Feet .....	\$100.00
Annual Commercial Banner Permit Program.....	\$250.00
Variance Application .....	\$ 50.00