

**ORDINANCE 2017- 23**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING THE CODE OF ORDINANCES, APPENDIX A, RELATED TO CHAPTER 3 TITLED "BUILDING REGULATIONS," CHAPTER 10 TITLED "SUBDIVISIONS," CHAPTER 14 TITLED "ZONING," AND THE ARTICLES WITHIN CHAPTER 10, SECTION 8 TITLED "RESERVATIONS," REFERENCES WITHIN CHAPTER 3 TITLED "BUILDING REGULATIONS," CHAPTER 10 TITLED "SUBDIVISIONS," AND CHAPTER 14 TITLED "ZONING," RELATED TO FEES; AND DELETING SECTION 10.03.003 TITLED "SUBDIVISION AND DEVELOPMENT ESCROW FEES" IN ITS ENTIRETY, PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bastrop has adopted Chapter 3 titled "Building Regulations," Chapter 10 titled "Subdivisions," and Chapter 14 titled "Zoning" in the Code of Ordinances to allow the City to review and permit development to ensure the future sustainability of the city and safety of the citizens; and

**WHEREAS**, the City of Bastrop has not amended the Appendix A, Fee Schedule related to building and development applications submitted to the City since 1995; and

**WHEREAS**, the existing and proposed fees were evaluated to ensure fees cover the cost of service and were comparable to other cities' existing fees related to building, subdivision and zoning; and

**WHEREAS**, the Construction Standards Board unanimously recommended approval of a new building and permit fee schedule at their May 19, 2016 meeting; and

**WHEREAS**, the Planning & Zoning Commission, after a public hearing, unanimously recommended approval of a new fee schedule for subdivision and zoning applications at their regular July 28, 2016 meeting; and

**WHEREAS**, notice of the public hearing to consider amendments to the Code of Ordinances was published on August 26, 2017, as required by Ordinance, and the City Council held a public hearing and conducted the first reading on September 12, 2017; and

**WHEREAS**, after consideration of the information presented and public input received at the hearing, City Council has determined that the fee schedule should be amended to reflect the true cost of service and maintain fiscal accountability.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP THAT:**

**Section 1:** The Code of Ordinances of the City of Bastrop, Texas, is hereby amended by amending Chapter 3 titled "Business Regulations", to read as follows:

**"Chapter 3. BUILDING REGULATIONS**

**ARTICLE 3.01 GENERAL PROVISIONS**

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**Sec. 3.01.002 Bond and insurance requirements for contractors and subcontractors**

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(d) Consulting services fees and related charges incurred by the city shall be paid in accordance with the fees set forth in Section A3.01.002 of Appendix A.

**Sec. 3.01.003 Work commencing prior to permit issuance.**

Any contractor or subcontractor who commences any work on a building, structure, or electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty in addition to the required permit fee, as provided for in Sections A3.01.003 and A3.04.002 of Appendix A.

**Sec. 3.01.004 Inspections; certificate of occupancy or completion.**

As required by the adopted Building Codes, as amended, the building official shall inspect or cause to be inspected at various intervals all construction or work for which a permit is required, and a final inspection shall be made of every building, structure, and electrical, gas, mechanical or plumbing system upon completion, prior to the issuance of the certificate of occupancy or completion. As provided in sections 3.05.038 and 3.06.037 of this chapter, no public utilities will be connected unless all permit and inspection requirements are met and a certificate of occupancy or completion has been issued.

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**ARTICLE 3.04 BUILDING CODE**

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**Sec. 3.04.002 Amendment to schedule of permit fees.**

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- (a) B102. Moving fees will be divided into two (2) categories, as provided for in section A3.04.002 of the fee schedule attached as Appendix A to this code.
- (b) B015. Plan-checking fees shall be deleted.

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**ARTICLE 3.05 ELECTRICITY**

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**DIVISION 2 ELECTRICAL CODE**

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**Sec. 3.05.038 Permit and inspection requirements; homeowner permit.**

- (a) No utilities will be connected by the city unless all permit and inspection requirements are met during construction, even if all work is completed by the homeowner. A homeowner may obtain a permit for work that is to be completed by him in an owner-occupied single-family residence.
- (b) Permit and inspection fees for electrical service and repairs are set forth in Section A3.05.038 of the fee schedule attached as Appendix A to this code.

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**ARTICLE 3.06 PLUMBING**

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**DIVISION 2 PLUMBING CODE**

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**Sec. 3.06.037 Permit and inspection requirements; homeowner permits.**

- (a) No utilities will be connected by the city unless all permit and inspection requirements are met during plumbing installation, even if all work is completed by the homeowner. A homeowner may obtain a permit for work that will be completed by him in an owner-occupied single-family residence.
- (b) Permit and inspection fees for plumbing service and repairs are set forth in Section A3.06.037 of the fee schedule attached as Appendix A to this code.

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**ARTICLE 3.07      MECHANICAL CODE**

**Sec. 3.07.001      Adopted**

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- (c) Inspection fees for mechanical repairs and trades are set forth in Section A3.07.001 of the fee schedule attached as Appendix A to this code.

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**ARTICLE 3.15      SWIMMING POOLS**

**Sec. 3.02.015      Swimming pool code adopted.**

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- (c) Required permit fees are set forth in Section A3.15.001 in the fee schedule attached as Appendix A to this code.

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**ARTICLE 3.16      MOVING OF STRUCTURES, DEMOLITION AND SITE WORK**

**Sec. 3.16.001      Permit; general standards.**

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- (e) *Permits and inspection fees.* Fees for demolition, moving, site work and inspections are set forth in Section A3.16.001 of the fee schedule attached as Appendix A to this code.

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**ARTICLE 3.20      SIGNS**

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**DIVISION 2      PERMITS**

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**Sec. 3.20.054      Action on a permit application.**

After the submission of a complete application for a sign permit, the planning and development director, or the assigned designee, shall:

- (a) Issue the sign permit, if a complete application with all the required information has been submitted and if the sign(s) conforms in every respect to the requirements of this article; or
- (b) Reject the sign permit application if the application is incomplete, if any required plans have been omitted from the submittal, or if the sign(s) that is the subject of the application fails in any way to conform with the requirements of this article. In case of a rejection, the planning and development director, or the assigned designee, shall specify, in writing, the reason(s) for the rejection.
- (c) If an application is rejected, the applicant may resubmit the application with the information requested by the planning and development director, or the assigned designee, within sixty (60) days of rejection or the application is denied.
- (d) Required fees for sign repairs and inspections are set forth in Section A3.20.054 in the fee schedule attached as Appendix A to this code.

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**ARTICLE 3.21      STREETS, RIGHTS-OF-WAY AND PUBLIC PROPERTY**

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**Division 3.      CONSTRUCTION IN PUBLIC RIGHTS-OF-WAY**

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**Sec. 3.21.064      Authorization required.**

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- (d) Required permit fee for construction work within a public right-of-way is set forth in Section A3.21.064 of the fee schedule attached as Appendix A to this code.

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**ARTICLE 3.22 CULVERT INSTALLATIONS OR DRAINAGE CHANNEL MODIFICATIONS**

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**Sec. 3.22.002 Permit required.**

- (a) It is prohibited to place, or cause to be placed, any object across, in, above or below any area which serves as a channel or area which accommodates the flow of natural or directed stormwater runoff, or to in any way block or redirect same, without obtaining the necessary permit and complying with the requirements of the street superintendent or city engineer.
- (b) Required drainage permit fee is set forth in Section A3.22.022 of the fee schedule attached as Appendix A to this code.

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**Chapter 10 SUBDIVISIONS**

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**SECTION 8 RESERVATIONS**

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**8.20 Park Land Dedication**

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**C. Money in Lieu of Dedication of Land**

1. If permitted by the city council, an owner responsible for park land dedication may satisfy the requirements of section 8.20B. in whole or in part by cash payment instead of dedication of land in the amount set forth in section 8.20C.2 hereunder. Payments, instead of land, shall be made prior to the time the subdivision improvements are accepted by the City.
2. The dedication requirement shall be met by a cash payment at a per unit price sufficient to acquire land for a neighborhood park to serve the area in

which such development is located, or to expand an existing park to serve the development. Unless specified otherwise by the Council due to recent land sales in the area of the proposed plat (to include the proposed platted area), such per unit price shall be computed on the basis of five hundred dollars (\$500) per dwelling unit, or four hundred dollars (\$400) per unit for projects with four or more units per structure. This amount will be reviewed periodically and will be adjusted to accurately reflect what land is selling for per acre in the City's growth areas. Cash payment may be used only for acquisition or improvements of parks, which will serve the development. The City will determine where and how the money will be spent within two (2) years if funds will be spent on park improvements or three (3) years if funds are to be used to acquire parkland, from the date of final acceptance of the completed subdivision. The finance department will keep a detailed record of such funds, which will be reviewed annually with the city budget.

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**Section 2:** The Code of Ordinances of the City of Bastrop, Texas, is hereby amended by amending Appendix A titled "Fee Schedule", to read as follows:

## **"Appendix A FEE SCHEDULE**

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### **Chapter 3 BUILDING REGULATIONS**

#### **ARTICLE A3.01 GENERAL PROVISIONS**

##### **Sec. A3.01.002 – Charges for consulting services.**

Professional fees and related charges incurred by the city for the services of consultant(s): Actual fee, plus a 15% administrative fee.

##### **Sec. A3.01.003 – Work commencing prior to permit issuance.**

The greater of:

- a) 100% of the calculated permit and inspection fee
- b) Residential: \$100 per trade
- c) Commercial: \$200 per trade

##### **Sec. A3.01.004 – Inspection and certificates fees.**

- (1) Failed inspections, re-inspections, or inspections over inspection allowance: \$75
- (2) Certificate of Occupancy (change in use/ ownership): \$75
- (3) Copies/ Re-issue Certificates of Occupancies, Inspections copies: \$10

- (4) Certificate of Occupancy (change in use/ ownership) \$75
- (5) Copies/ Re-issue Certificates of Occupancies, Inspections copies \$10

**ARTICLE A3.04 BUILDING CODE**

**Sec. A3.04.002 Schedule of permit fees.**

- a) All permit and inspection fees shall be based on the following schedule, unless otherwise stated or authorized by state law:
  - a. Permit Fees:
 

Total Valuation	Fee
\$1,000,000 and less	\$7.50 per \$1,000 of valuation
\$1,000,001 and up	\$7,500 for the first \$1,000,000, plus \$4.00 per additional thousand
  - b. Inspection Fee: 25% of the Permit Fee
  - c. For buildings with a calculated value of greater than \$2,000,000, the Building Official, at their discretion, may use an alternative valuation (e.g. the declared project value).
  - d. Technology Fee: \$6 per permit
- b) Residential permit and inspection fees will be assessed using the Primary Use Chart, based off the current International Code Council (ICC) Building Valuation Data
  - a. 11 inspection visits assumed for residential projects
  - b. Non-Licensed Trade Permit Fee: \$75 per building
  - c. Failed inspections, re-inspections, or inspections over inspection allowance: \$75 each
  - d. Residential remodel permit: 35% of new building cost (using the Primary Use Chart). Using square footage affected only.
  - e. Minimum Permit Fee: \$50, plus \$75 per inspection
- c) Commercial permit and inspection fees will be assessed using the Primary Use Chart, based off the current International Code Council (ICC) Building Valuation Data:
  - a. 18 inspection visits assumed for commercial projects
  - b. Non-Licensed Trade Permit Fee: \$75 per building, plus \$75 per additional floor of multi-story buildings
  - c. Failed inspections, re-inspections, or inspections over inspection allowance: \$75 each
  - d. Shell Building Permit: 65% of new building fee (using the Primary Use Chart)
  - e. Tenant Finish-Out Permit: 35% of new building cost (using the Primary Use Chart), per finish-out area.



- f. Commercial Remodel permit: 35% of new building cost (using the Primary Use Chart). Using square footage affected only.
  - g. Minimum Permit Fee: \$100, plus \$75 per inspection
- d) Other Fees not listed above:
- a. Roofing permit:
    - i. Residential \$150
    - ii. Commercial \$500
  - b. Construction trailer: \$150 (includes hookup fee for electrical and plumbing, excludes fees charged by other utility entities)
  - c. Accessory Buildings:
    - a. Above 250 square feet, the fee will be calculated using the Primary Use Chart. Garages will use the Storage Low hazard (S-2) use.
    - b. Accessory building under 250 sq. ft.: \$75
    - c. Fences (commercial only) \$175
- e) Fire Related Fees
- a. Residential Fire Sprinkler Permit: \$175
  - b. Fire Sprinkler permit: \$500
  - c. Fire Alarm System: \$200
  - d. Fire Suppression System: \$150
  - e. Inspection Fee: \$75

**Article A3.05 ELECTRICITY**  
**Division 2. Electrical Code**

**Sec. A3.05.035 – Electrician licensing fees.**

- a) Annual city fee - all trades will pay a fee of \$75 per person. Proof of insurance and state licenses shall be required when paying the annual fee.
- b) Commercial trades will pay a \$75 attachment fee to a general construction contract. (Each subcontractor company will pay this fee for all projects on which work is performed)
- c) Residential trades will pay a \$75 attachment fee to a general construction contract. (Each subcontractor company will pay this fee for all projects on which work is performed)
- d) Failed inspections, re-inspections, or inspections over inspection allowance - \$75 each

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**Sec. A3.05.038 – Permit and inspection fees.**

- (a) Electrical repairs will be charged \$75 for one inspection \$50 for each additional inspection
- (b) New electric service or rebuilt service \$75
- (c) Electric service inspection permit in which service was disconnected \$25
- (d) Temporary Electric Meter (T-Pole) \$75

**ARTICLE A3.06 PLUMBING**  
**Division 2. Plumbing Code**

**Sec. A3.06.037 –Plumbing inspection fees.**

- a) Plumbing repairs will be charged \$75 for one inspection \$50 for each additional inspection
- b) Underground water line inspection Permit: \$75
- c) Underground waste water line inspection permit \$75
- d) Hot water heater (new) inspection permit \$75
- e) Gas pressure test inspection permit \$75
- f) Gas pressure test in which service was disconnected inspection permit \$25
- g) Irrigation permit outside of a primary residential permit \$75
- h) Irrigation permit outside of a primary commercial permit \$200
- i) Annual City fee, all trades will pay a fee of \$75 per person.
- j) Will need proof of Insurance and State Licenses at the time of paying the annual fee.
- k) Commercial Trades will pay a \$75 attachment fee to a General Construction contract. (Each subcontractor company will pay this fee for any project they will work on)
- l) Residential Trades will pay a \$75 attachment fee to a General Construction contract.
- m) Failed inspections, re-inspections, or inspections over inspection allowance \$75 each

**ARTICLE A3.07 MECHANICAL CODE**

**Sec. A3.07.001 –Inspection and mechanical trade fees.**

- a) Mechanical repairs will be charged \$75 for one inspection \$50 for each additional inspection
- b) Annual City fee, all trades will pay a fee of \$75 per person.
  - a. Will need proof of Insurance and State Licenses at the time of paying the annual fee.
- c) Commercial Trades will pay a \$75 attachment fee to a General Construction contract. (Each subcontractor company will pay this fee for any project they will work on)

- d) Residential Trades will pay a \$75 attachment fee to a General Construction contract. (Each subcontractor company will pay this fee for any project they will work on)
- e) Failed inspections, re-inspections, or inspections over inspection allowance \$75 each

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### **ARTICLE A3.15 SWIMMING POOLS**

#### **Sec. A3.15.001 – Permit and inspection fees.**

- a) Swimming Pool permit \$225
- b) Inspection Fee: \$75 per inspection

### **ARTICLE A3.16 MOVING OF STRUCTURES, DEMOLITION AND SITE WORK**

#### **Sec. A3.16.001 – Permit and inspection fees.**

- a) Demolition permit:
  - a. Above 5,000 sq. ft. \$250
  - b. 5,000 sq. ft. or less \$75
- b) Moving permit \$150
- c) Site Work Permit: \$150 plus \$50 for each additional acre over 1 acre
- d) Inspection Fee: \$75 per inspection

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### **ARTICLE A3.20 SIGNS**

#### **Division 2. Permits**

#### **Sec. A3.20.054 – Inspection and city fees.**

- a) Sign repairs will be charged \$75 for one inspection \$50 for each additional inspection
- b) Sign permit \$150 for first sign in one submittal and \$50 each additional sign.
- c) Multiple tenant sign \$200
- d) Master Sign Plan \$500
- e) Inspection Fee: \$75 per inspection
- f) Annual City fee, all trades will pay a fee of \$75 per person.
  - a. Will need proof of Insurance and State Licenses at the time of paying the annual fee.

### **ARTICLE A3.21 STREETS, RIGHTS-OF-WAY AND PUBLIC PROPERTY**

#### **Division 3. Construction of Public Rights-of-Way**

**Sec. A3.21.064 – Public right-of-way fee.**

Work within the Right-Of-Way Permit (driveway, sidewalks, etc.): \$125

**ARTICLE A3.22 CULVERT INSTALLATIONS OR DRAINAGE CHANNEL MODIFICATIONS**

**Sec. A3.22.022 – Drainage permit fee.**

Drainage permit : \$125

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**CHAPTER 10. SUBDIVISIONS**

**ARTICLE A10.03 SUBDIVISION ORDINANCE**

**Sec. A10.03.002 – Filing fees and charges**

Preliminary Plat	\$1,025, plus \$25 per lot, and \$25 per acre of right-of-way, \$1,200 minimum
Final Plat	\$825, plus \$20 per lot and \$20 per acre of right-of-way
Construction Plans	0.5% of total cost of improvements, \$1,000 minimum*
Amended/Administrative Plat	\$525.00 per plat
Replats	\$700.00 per plat
Site Development Plan:	
less than or equal to 1/2 acre	\$500.00
greater than 1/2 acre	\$1,000, plus \$200 per acre over 1 acre
Site Development Plan Revision	\$225, plus \$0.05 per square foot of impervious cover

Site Development Inspection Fee	\$200, plus \$0.02 per square foot of impervious cover (excluding buildings)
Variances	\$500 per request
Plat Recordation with the County	\$50, plus fees charged by the County
Legal Lot, Zoning Determination Letter	\$25.00
Development Agreement	\$2,000, plus professional fees***
Public Hearing Re-notification	\$200, if required by applicant
Land Disturbance Permit	\$200.00
License Agreement, Easement	\$200, plus professional fees***
Traffic Impact Analysis Review	\$500, plus professional fees***
Right-of-way Vacation	\$500.00
Easement Vacation	\$300.00
GIS Mapping Fees:	
Map Printing Fee:	\$6.67 per square foot
Custom Map Fee:	\$100 per hour
Improvement Plan Digitizing**	\$150.00
Technology Fee (per application)	\$25
* Based on certified cost estimate provided by engineer of record and approved by the City	
** Charged on projects requiring public infrastructure improvements. Fee may be waived if information provided per City specifications.	

\*\*\* Per Chapter 1, Article 1.14, Code of Ordinances

The above fees shall be charged on all plats regardless of the action taken by the city council.

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**CHAPTER 14 ZONING**

**ARTICLE A14.01 GENERAL PROVISIONS**

**Sec. A14.01.001 – Fees for review of zoning change and conditional use permit applications.**

Zoning Change:	
less than or equal to 30 acres	\$750.00
greater than 30 acres	\$900.00
Planned Development	\$2,000, plus \$200 per acre, \$5,000 maximum
Conditional Use Permit (CUP)	\$350.00
Technology Fee (per application)	\$25

**Sec. A14.01.002 – Fees for review of variance request or appeal of site plan.**

All uses \$350.00 per request

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**Section 3:** This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

**Section 4:** All ordinances of the City of Bastrop in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

**Section 5:** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Bastrop Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Bastrop Code of Ordinances, as amended hereby, which shall remain in full force and effect.

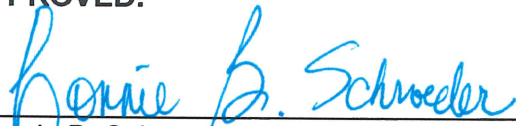
**Section 6:** An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Bastrop Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

**Section 7.** This Ordinance shall take effect on the 1<sup>st</sup> day of October 2017, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ and ACKNOWLEDGED on the First Reading on the 12<sup>th</sup> day of September, 2017.

READ and ADOPTED on the Second Reading on the 26<sup>th</sup> day of September, 2017.

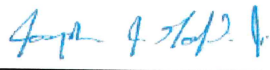
**APPROVED:**

  
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Connie B. Schroeder, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED:**

  
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Joseph J. Gorfida, Jr., Interim City Attorney  
(09-07-2017/89836)