

ORDINANCE NO. 2023-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING ORDINANCE 2022-22 FEE SCHEDULE OF THE CITY OF BASTROP TO AMEND APPENDIX A-FEE SCHEDULE, A14.01.001, OF THE CODE OF ORDINANCES, TO AMEND THE COST OF VARIANCE FOR SUBDIVISION VARIANCE REVIEW, ZONING REVIEW, AND ZONING BOARD OF ADJUSTMENT REVIEW FEE FROM \$3,681 TO \$500; SIGN VARIANCE FEE FROM \$1,056 TO \$500; AND FLOODPLAIN VARIANCE FROM \$150 TO \$1,000. AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, ADOPTION, REPEALER, AND SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas ("City") is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally-sustainable and environmentally responsible manner that honors the City's rich heritage and unique ecological makeup; and

WHEREAS, the Subdivision variance fee, Zoning variance fee, and Zoning Board of Adjustment review fee, Sign Variance fee, and Floodplain variance were last updated at the September 20, 2022 City Council.

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

Section 1: Findings of fact. The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

Section 2: Adoption and Amendment. The City Council hereby adopts the amendments to the Appendix A-Fee Schedule, as attached in Exhibit A.

Section 3: Repealer. In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

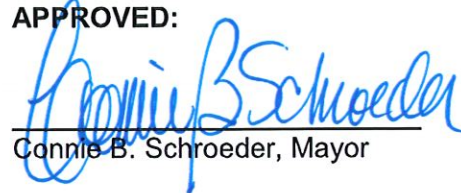
Section 4: Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

Section 5: Effective Date. This ordinance shall take effect upon the date of final passage noted below, 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 & ACKNOWLEDGED on First Reading on the 28th day of March 2023.

READ & APPROVED on the Second Reading on the 11th day of April 2023.

APPROVED:



Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney

Appendix A - FEE SCHEDULE

Note—The chapter, article and section numbers and subsection designations in this appendix correspond to the chapter, article, section and subsection numbers in the Code of Ordinances. However, to avoid confusion, the article and section numbers appearing in this appendix are preceded by the letter "A."

GENERAL PROVISIONS

Footnotes:

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Editor's note— Ord. No. 2018-21, § 1(Exh. A), adopted September 25, 2018, repealed app. A and enacted a new app. A as set out herein. Former app. A pertained to similar subject matter and derived from the Code of 1995; Ord. No. 2003-38, adopted November 11, 2003; Ord. No. 2004-2, adopted January 13, 2004; Ord. No. 2005-7, adopted February 8, 2005; Ord. No. 2005-15, adopted March 22, 2005; Ord. No. 2005-21, adopted May 10, 2005; Ord. No. 2005-40, adopted November 22, 2005; Ord. No. 2005-44, adopted November 22, 2005; Ord. No. 2005-46, adopted December 13, 2005; Ord. No. 2007-34, adopted November 27, 2007; Ord. No. 2008-10, adopted February 26, 2008; Ord. No. 2009-12, adopted June 9, 2009; Ord. No. 2010-3, adopted January 26, 2010; Ord. No. 2010-28, adopted October 26, 2010; Ord. No. 2014-15, adopted August 28, 2012; Ord. No. 2012-25, adopted December 11, 2012; Ord. No. 2013-15, adopted July 23, 2013; Ord. No. 2014-5, adopted April 22, 2014; Ord. No. 2014-7, adopted March 13, 2014; Ord. No. 2014-21, adopted September 23, 2014; Ord. No. 2015-05, adopted March 24, 2015; Ord. No. 2015-13, adopted September 8, 2015; Ord. No. 2015-16, adopted September 22, 2015; Ord. No. 2015-17, adopted September 22, 2015; Ord. No. 2016-06, adopted March 22, 2016; Ord. No. 2016-23, adopted September 27, 2016; Ord. No. 2016-32, adopted November 8, 2016; Ord. No. 2017-18, adopted July 11, 2017; Ord. No. 2017-23, adopted September 27, 2017; Ord. No. 2018-03, adopted April 24, 2018

Sec. A1.07 - Records Management Program.

SEC Reference	Last updated	Description	Amount of fee
A1.07.017	<u>Ord. No. 2022-22</u> 9/20/2022	Charges for printing copies for public information	
		Standard size paper copy (per page)	\$0.10
		Non-standard-size copy—JAZ drive	Actual Cost
		Non-standard-size copy—other electronic media	Actual Cost
		Non-standard-size copy—Paper (each printed page)	\$0.50
		Non-standard-size copy—Other	Actual Cost
		Personnel Charge per hour	\$17.50
		Overhead charge—20% of personnel charge	Actual
		Remote document retrieval charge	Actual Cost
		Computer resource charge: Client/server-per minute	\$1.00
		Computer resource charge-PC or LAN-per minute	\$0.50

		Programming time charge-per hour	\$28.50
		Miscellaneous supplies	Actual Cost
		Postage and shipping charge	Actual Cost
		Fax charge—Local per page	\$0.10
		Fax charge—long distance-same area code-per page	\$0.50
		Fax charge-long distance-different area code-per page	\$1.00
		Other costs	Actual Cost

(Ord. No. 2018-21 , § 1(Exh. A), 9-25-18; Ord. No. 2021-12 , § 1(Exh. A), 9-21-21; Ord. No. 2022-22 , § 1(Exh. A), 9-20-22)

The Office of Attorney General adopts rules for use by governmental body in determining charges under Texas Government Code, Chapter 552, Subchapter F.

Sec. A1.10 - Parks.

SEC Reference	Last updated	Description	Amount of fee/ Deposit
<u>1.10.002</u>	<u>Ord. No. 2022-22</u> 9/20/2022	Noncommercial fees and deposits:	
		Pavilions (including BBQ pits when available) and concession stand. Schedule for noncommercial fees and deposits for the pavilions located in Fisherman's Park, Bob Bryant Park, Kerr Park, and Hunter's Crossing Park.	
		Less than 100 Patrons	\$50.00/\$50.00
		101-200 Patrons	\$100.00/\$150.00
		201-300 Patrons	\$150.00/\$250.00
		Concession Stands (The concession stand at the splash pad may only be reserved by youth (17 and under). Parent or guardian adult supervision is required. Other fees, including vendor and/or permit fee may apply (see <u>chapter 4</u> of this code).	\$0.00/\$50.00
		Multipurpose fields:	

		Schedule for noncommercial fees and deposits for multipurpose fields in Fisherman's Park, Bob Bryant Park and Hunter's Crossing Park.	
		0—100 Patrons	\$50.00/\$100.00
		101—300 Patrons	\$75.00/\$150.00
		301—500 Patrons	\$100.00/\$200.00
		Additional park amenities fees non-commercial use.	
		Softball fields—daily/practice use	\$20.00 per hour/\$50.00 flat fee
		Softball fields—additional lighting (6:00 p.m.—10:00 p.m.)	\$10.00 per hour
		Softball fields—tournament use	\$150.00 per day/\$100.00 flat fee
		Softball fields—tournament use-additional lighting (6:00 p.m.—10:00 p.m.)	\$10.00 per hour
		Sand volleyball court (no lighting available)	\$40.00 per 4-hour block
		Pier/scenic outlook	\$40.00 per 4-hour block
		Pier/scenic outlook-seating at additional cost	\$2.00 per chair
		Tennis & Basketball courts	\$4.00 per 4-hour block
		Tennis & Basketball courts-limited lighting available	\$10.00 per hour (6:00 p.m.—10:00 p.m.)
		Disc Golf Tournaments	\$200.00 (100 players); \$2.00 per player after 100
		Additional equipment required	Standard FEMA rates apply

		Barricades - Type I	\$3.00 each
		Barricades - Type II	\$10.00 each
		Barricades - Type III	\$20.00 each
		Cones 24—36 inches	\$1.00 each
		Cones 48 inches	\$2.00 each
		Commercial fees and deposits:	
		Pavilions (including BBQ pits when available). Schedule for commercial use fees and deposits for the pavilions located in Fisherman's Park, Bob Bryant Park, Kerr Park, and Hunter's Crossing Park.	
		Less than 100 patrons	\$100.00/\$200.00
		101—200 patrons	\$200.00/\$300.00
		201—300 patrons	\$300.00/\$400.00
		Greater than 300	Special event permit required
		Multipurpose fields	
		Schedule for commercial use fees and deposits for the multipurpose fields in Fisherman's Park, Bob Bryant Park, Kerr Park, and Hunter's Crossing Park.	
		0—100 patrons	\$100.00/\$200.00
		101—200 patrons	\$250.00/\$400.00
		201—500 patrons	\$400.00/\$600.00
		Additional park amenities fees commercial use.	
		Softball fields—daily practice use	\$30.00 per hour/\$100.00 deposit
		Softball fields—additional lighting (6:00 p.m.—10:00 p.m.)	\$10.00 per hour
		Softball fields—tournament use	\$250.00 per day/\$200.00 deposit

		Sand volleyball court—4-hour block (no lighting)	\$80.00
		Pier/Scenic outlook—additional seating	\$3.00 per chair
		Tennis & Basketball courts—4-hour block	\$80.00
		Tennis & Basketball courts—limited lighting available (6:00 p.m.—10:00 p.m.)	\$10.00 per hour
		City staff - required with 100+	\$25.00 per hour
		Disc Golf Tournaments	\$200.00 (100 players); \$2.00 per player after 100
		Additional equipment required	Standard FEMA rates apply
		Barricades Type I	\$5.00 each
		Barricades Type II	\$20.00 each
		Barricades Type III	\$25.00 each
		Cones 24-36"	\$2.00 each
		Cones 48"	\$4.00 each
		The fees and deposits provided for in this section are for one (10) week period of the commercial use. Each ten (10) week period shall require a new fee and deposit.	
		Rodeo Arena Rental Fees	
		Rodeo Arena Rental includes lighting	\$200.00 per day
		Security Deposit for entire event	\$400.00
		Rodeo Arena Rental-4-hour block before dark	\$50.00
		4-hour block before dark security deposit	\$100.00 per 4-hr block
		Rodeo Arena Rental-4-hour block after dark	100.00

		4-hour block after dark security deposit	\$200.00 per 4-hr block
		Services required during event	See Fee Schedule
		Arena dirt work—City crew-tractor, drag	\$50.00 per hour
		City Staff (litter, assistance, etc.)	\$20.00 per hour, per person
		Electricity for arena lights	\$10.00 per hour
		Water for arena dirt work	\$5.00 per 1,000 gallons
		RV and/or campsites with hook-ups (includes water/electric)	\$35.00 per day
		Concession stand/kitchen	See concession stand agreement
		Dog training	
		Dog training classes in Bark Park only per class	\$25.00
		Deposit	\$50.00
		Recreation	Membership Fees Monthly
		Individual	Resident \$30.00; Non-Resid. \$35.00
		Family	Resident \$50.00; Non-Resid. \$55.00
		Senior/Military/Disabled Person(s)	Resident \$20.00; Non-Resid. \$25.00
		Military Family	Resident \$40.00; Non-Resid. \$45.00
		City Employee	Indiv. \$0.00; Family \$30.00
		Drop-in Fee	\$5.00—\$20.00

Sec. A1.12 - Libraries.

SEC Reference	Last updated	Description	Amount of fee/ Deposit
A1.12	<u>Ord. No. 2022-22</u> 9/20/2022	Membership Fees	
		Annual Membership	Resident: \$0.00 Non-Resident: \$25.00
		Six-month Membership	Resident \$0.00; Non-Resident: \$15.00
		Circulating Material Fines & Fees	
		Materials not returned 30 days after Due Date	Up to Manufacturer's Suggested Retail Price (MSRP)
		Electronic devices returned after Due Date	\$1.00 per item per day, no grace period, \$30.00 cap per item
		Replacement of Bastrop Public Library materials or electronic devices lost or damaged beyond repair	Manufacturer's suggested retail price (MSRP)
		Replacement of Interlibrary Loan materials lost or damaged beyond repair	Set by lending library
		Interlibrary Loan return shipping costs	\$3.00 per item
		Meeting Rooms	
		Maynard Conference Room	General: \$25.00 per hour Deposit \$100.00

		Pressley Meeting Room	General: \$50.00 per hour Deposit \$100.00
		Supply and Equipment Fees	
		Printing—Black & White, Letter-sized paper	\$0.10 per page
		Printing—Color, Letter-sized paper	\$1.00 per page
		Printing—Black & White, Ledger-sized paper (11×17")	\$0.20 per page
		Printing—Color, Ledger-sized paper (11×17")	\$1.20 per page
		3D Printing, except as part of an official Library program	\$0.10 per gram
		Miscellaneous Fees	
		Replacement library card	\$1.00
		Electronic devices returned via exterior book drop	\$5.00

(Ord. No. 2019-42 , § 2(Exh. A), 9-24-19; Ord. No. 2021-12 , § 1(Exh. A), 9-21-21; Ord. No. 2022-22 , § 1(Exh. A), 9-20-22)

Sec. A1.18 - Film and Broadcasting.

SEC Reference	Last updated	Description	Amount of fee/ Deposit
A1.18.002	Ord. No. 2016-32 11/8/2016	Film and Broadcasting	
		BTXN field production rates	
		Preproduction (Crew coordination, call sheet, and one meeting)	\$35.00
		Raw show transfer (* No charge if BTXN is editing requires approximately ½ hour each for set-up and breakdown)	\$20.00 *
		Administration charge	12% of total bill
		BTXN crew member studio production rates per hour (2-hour minimum)	
		Producer	\$50.00

		Director/technical director	\$35.00
		Audio technician	\$35.00
		Floor manager	\$30.00
		Camera operator	\$30.00
		Graphics and CG technician/teleprompter operator	\$30.00
		Audio assistant	\$25.00
		Production assistant	\$20.00
		BTXN studio editing rates per hour (2-hour minimum)	
		Editor	\$40.00 per hour
		Graphics/audio mix/color correct	\$50.00 per hour
		BTXN studio miscellaneous rates	
		Additional DVDs (first one no charge with editing time)	\$15.00
		Additional video files (one full quality high resolution file included with editing time)	\$15.00
		Additional ½ hour editor review session (first one included with editing time)	\$20.00

(Ord. No. 2018-21 , § 1(Exh. A), 9-25-18; Ord. No. 2021-12 , § 1(Exh. A), 9-21-21)

ANIMAL CONTROL

Sec. A2.02. - Vaccination and licensing of dogs and cats.

SEC Reference	Last updated	Description	Amount of fee
A2.02.005	Ord. No. 2005-15 03/22/2005	Guard dog permit	\$35.00
A2.02.008	Ord. No. 2008-10 02/26/2008	License fee—Altered dog	\$5.00
		Unaltered dog per animal	\$25.00 per animal, per year

(Ord. No. 2018-21 , § 1(Exh. A), 9-25-18; Ord. No. 2021-12 , § 1(Exh. A), 9-21-21)

Sec. A2.03. - Kennels and multiple pet ownership.

SEC Reference	Last updated	Description	Amount of fee
A2.03.002	<u>Ord. No. 2022-22</u> 9/20/2022	Kennel permit	\$70.00
		Multiple pet owner's permit	\$35.00
		Private breeder's permit	\$35.00
A2.003.006		Commercial animal sales permit	\$70.00

(Ord. No. 2018-21 , § 1(Exh. A), 9-25-18; Ord. No. 2021-12 , § 1(Exh. A), 9-21-21; Ord. No. 2022-22 , § 1(Exh. A), 9-20-22)

Sec. A2.04. - Impoundment.

SEC Reference	Last updated	Description	Amount of fee
A2.04.001	Ord. No. 2005-15 03/22/2005	Authorized fees	
		Initial impoundment fee	\$40.00 per animal
		Dog or cat per additional day	\$3.50 per animal
A2.04.002		Owner surrender fees	
		Animals surrendered by owner/harbinger: owner surrender one pet	\$20.00
		Owner surrender pets in litter, 8 weeks-3 months	\$25.00 per litter
		Owner surrender under 8 weeks of age	\$10.00 per animal
A2.04.007		Adoption of impounded animals	
		Adoption fee with mandatory spay/neuter agreement	\$15.00

A2.04.035		Livestock and estray impoundment fees	
		Cattle, per head	\$40.00 each
		Equine, per head	\$40.00 each
		Swine, per head	\$40.00 each
		Exotic fowl, per bird	\$40.00 each

(Ord. No. 2018-21 , § 1(Exh. A), 9-25-18; Ord. No. 2021-12 , § 1(Exh. A), 9-21-21)

Sec. A2.08. - Dangerous dogs.

SEC Reference	Last updated	Description	Amount of fee
A2.08.010	Ord. No. 2005-15 03/22/2005	Permit and tag	
		Dangerous dog, unsprayed/unneutered	\$100.00 each
		Dangerous dog, spayed/neutered	\$50.00 each
		Dangerous dog, renewal, unsprayed/unneutered	\$50.00 each
		Dangerous dog, renewal, spayed/neutered	\$25.00 each

(Ord. No. 2018-21 , § 1(Exh. A), 9-25-18; Ord. No. 2021-12 , § 1(Exh. A), 9-21-21)

BUILDING REGULATIONS

Sec. A3.01. - General provisions

SEC Reference	Last updated	Description	Amount of fee
A3.01.002	Ord. No. 2017-23 09/27/2017	Charges for consulting services	
		Professional/Consultant fees and related charges incurred by the City	Actual fee plus 15% administrative fee

A3.01.003	Ord. No. 2017-23 09/27/2017	Work commencing prior to permit issuance-The greater of:	100% of the calculated permit and inspection fees or \$150.00, in addition to the required permit and inspection fees
A3.01.004	<u>Ord. No. 2022-22</u> 9/20/2022	Certificate of Occupancy fees:	
		Certificate of Occupancy (occupancy classification change and short-term rentals)	\$270.00
		Certificate of Occupancy (tenant or leasee change)	\$85.00
		Copies/Re-issue Certificates of Occupancies, inspection reports	\$25.00
		Courtesy Inspections	\$25.00
		Administration fee (per construction permit application which are based on sliding fee scale only)	5%
		Emergency Repair (<u>must be verified by Building Official</u>)	50% reduction
		Permit Technology Fee (per construction permit which are based on sliding fee scale only)	\$6.00

(Ord. No. 2018-21 , § 1(Exh. A), 9-25-18; Ord. No. 2019-25 , § 2(Exh. A), 8-27-19; Ord. No. 2019-42 , § 2(Exh. A), 9-24-19; Ord. No. 2021-12 , § 1(Exh. A), 9-21-21; Ord. No. 2022-22 , § 1(Exh. A), 9-20-22)

Sec. A3.04. - Building code.

SEC Reference	Last updated	Description	Amount of fee
A3.04.002	<u>Ord. No. 2022-22</u> 9/20/2022	Schedule of permit fees	
		All permit and inspection fees shall be based on the following schedule, unless otherwise stated or authorized by state law:	

		Commercial Construction	* SF Value based on ICC Building Valuation Data
		New Commercial - Less than \$500,000	\$5.00 per \$1,000.00 valuation; minimum \$1,000.00 fee
		New Commercial - \$500,001 to \$1,000,000	\$3,500.00 base fee plus \$4.50 per additional \$1,000.00
		New Commercial - \$1,000,00 to \$5,000,000	\$8,000.00 base fee for the first \$1,000,000.00 plus \$4.00 per additional \$1,000.00
		New Commercial - \$5,000,000 and up	\$24,000.00 base fee for the first \$1,000,000.00 plus \$3.00 per additional \$1,000.00
		New Commercial Inspection Fee (with Permit)	45% of New Construction Permit Fee
		Commercial Shell Building	65% of the New Construction Permit Fee
		Commercial Tenant Finish out (per space/area)	65% of the New Construction Permit Fee
		Commercial Remodel	\$1,000.00 plus \$.50 per sf
		*Note: Commercial Additions at New Commercial Fees	
		Commercial Roofing permit	\$500.00 + \$0.10 sf
		Commercial Accessory Structure	\$215.00

		Commercial Accessory Building - 120 sf or less	\$105.00
		Commercial Accessory Building - 121 sf - 160 sf	\$215.00
		Commercial Accessory Building - 161 sf or more	\$320.00
		Commercial Fences and flatwork	\$190.00
		Commercial Miscellaneous Inspections	\$95.00 per inspection; after hours -2 hour minimum
		Commercial reinspection (per inspection)	\$95.00
		Commercial Minimum Permit, if no fees listed are applicable-	\$530.00
		Residential Construction	
		New Residential - Less than 900 sf	\$690.00
		New Residential - 901 sf to 1,500 sf	\$1,200.00 plus \$0.25 per sf
		New Residential - 1,501 sf to 5,000 sf	\$1,500.00 plus \$0.25 per sf
		New Residential - 5,001 sf and up	\$2,000.00 plus \$0.25 per sf
		New Residential Inspection Fee (with Permit)	45% of New Construction Permit Fee
		Residential Addition	\$750.00
		Residential Remodel (total residence)	\$530.00
		Residential Kitchen Remodel	\$160.00
		Residential Bathroom Remodel	\$160.00
		Residential Remodel - other	\$160.00
		Roofing permit - Residential	\$160.00

		Residential Accessory Structure	\$160.00
		Residential Accessory Buildings - 120 sf or less	\$85.00
		Residential Accessory Building - 121 sf to 160 sf	\$160.00
		Residential Accessory Building - 160 sf and up	\$320.00
		Accessory Dwelling Unit Finish-Out	\$500.00
		Residential Fence and flatwork	\$85.00
		Residential Miscellaneous Inspections	\$85.00