

City of Cottonwood Shores

**ORDINANCE 3003**

**AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS, ESTABLISHING THE REQUIREMENT AND NEED TO OBTAIN A PERMIT FOR ANY WORK IN THE CITY; AND SETTING FEES AND CHARGES FOR BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, IRRIGATOR AND OTHER PERMITS; ESTABLISHING BUILDING PERMITS FOR NEW CONSTRUCTION OR MAJOR RENOVATIONS WITHIN THE CITY; ESTABLISHING FEES AND CHARGES FOR THE PLATTING OF SUBDIVISIONS; ESTABLISHING OTHER ADMINISTRATIVE FEES AND CHARGES; AMENDING CONFLICTING ORDINANCES; PROVIDING PENALTIES AND PROVIDING SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES.**

**WHEREAS**, the City of Cottonwood Shores is beginning to experience more growth and development; and

**WHEREAS**, the City Council finds that fees should cover the costs of providing permit and inspection services.

**WHEREAS**, the City Council finds that applicant's municipal taxes should be up to date before a permit can be issued.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THAT:**

History:

1. July 07, 2011: Ordinance 3003 adopted, replacing Ordinance 101807.
2. May 17, 2012: Adopted changes to permit fees.
3. July 5, 2012: Adopted changes to permit fees.
4. November 1, 2012: Adopted tax requirement.
5. January 2, 2014: Amended Fee Schedule and corresponding text.
6. April 2, 2015: Amended Building Permit requirements
7. July 7, 2016: Added Section 2.08 - Reimbursement of Applicable Permit Fees
8. September 1, 2016: Updated fee schedule
9. February 2, 2017: Updated fee schedule
10. July 6, 2017: Update fee schedule
11. December 6, 2018 Amended Fee Schedule and corresponding text

**ARTICLE II. Basic Building Permit Fees and Charges:** The following fees and charges are established and shall be in addition to any fees otherwise required pursuant to this section:

**Section 2.01 Fee Components and Exemptions:**

- (a) General: The permit fee for single family residential, multi-family and commercial structures shall consist of a base permit fee, as set forth in Section 2.02; the applicable plan review fee set forth in Section 2.03 and the inspection fees as set forth in Section 2.04.
- (b) Exemption: Where the nature of the repair is cosmetic only, or to accommodate access for the handicapped or the elderly, no fee shall be charged. (Example: Handicapped ramp, non-structural roof replacement/repair, etc.)

**Section 2.02 Base Permit Fees:**

- (a) Single Family Residential: The base building permit fee for a single family residential structure, inclusive of general building, electrical, plumbing and mechanical work; shall be based on the base fee plus the fee calculated on the square footage of the structure, according to the attached fee schedule.
- (b) Manufactured/Mobile Homes shall be charged at .5 the Single Family Residential permit fees
- (c) Commercial and Multi-Family: The building fee for commercial and multi-family structures; inclusive of general building, electrical, plumbing and mechanical work; shall be based on the square footage of the structure according to the attached fee schedule.

**Section 2.03 Plan Review Fee Increment:** A non-refundable plan review fee shall be charged, in addition to the base permit fee, for and with respect to each single-family, manufactured/mobile home (site plan only), multi-family or commercial structure for which a base permit fee is payable pursuant to Section 2.02, Paragraph B of this Ordinance. Such plan review fees shall be charged and payable as per the attached fee schedule.

**Section 2.04 Inspection Fee Increments:** The work and improvements for which a base building permit fee is required to be paid, pursuant to Section 2.02, Paragraph B of this Ordinance, shall be subject to the inspections provided for in the National Electrical Code, the Standard Mechanical Code, the Standard Plumbing Code, the International Building Code and all related Codes and Ordinances of the City of Cottonwood Shores ("the codes"). A non-refundable inspection fee shall be charged, in addition to the base permit fee and plan review fee (where applicable), for and with respect to each multi-family manufactured home, mobile home, multi-family or commercial structure for which a base permit fee is payable pursuant to Section 2.02, Paragraph B of this Ordinance. Such inspection fees shall be charged and payable as per the attached fee schedule.

**Section 2.05 Additional Inspection Fees:** In addition to the base inspection fee payable pursuant to Section 2.02 of this Ordinance, additional inspection fees shall be payable, as applicable, as per the attached fee schedule.

- (a) **Additional Inspections:** An additional fee shall be charged for each additional inspection, if any, that is required above the minimum required by the Codes.
- (b) **Re-inspections:** If the inspector needs to make a return trip to assure compliance with required corrections, the fee shall be as per the attached fee schedule.
- (c) Any unpaid balances or fees due for inspections or re-inspections must be paid before a certificate of occupancy is obtained. Unpaid balances or fees due may be deducted from the construction deposit (see Section 2.09).

**Section 2.06 Other Building Permit Fees** shall be as per the attached fee schedule.

**Section 2.07 Double Permit Fees:** If work for which a permit is required, pursuant to this Ordinance, is initiated, started or proceeded without the permit first being obtained, the fees and charges specified shall be doubled.

**Section 2.08 Reimbursement of Applicable Permit Fees:** If work for which a permit is required, pursuant to this Ordinance, has not been initiated within eighteen (18) months after the date the permit was issued, any refund requests for building, utility tap or development fees collected by the City of Cottonwood Shores shall be reimbursed to the permit holder at 60% of the original amount paid.

**Section 2.09 Construction Deposits:** All contractors must submit a construction deposit - \$100.00 for minor construction or remodeling, \$250.00 for new residential construction and \$500.00 for new commercial or multi-family construction. This deposit may be used to cover shortages in fees, inspections, re-inspections, cleanup of construction site, etc. This deposit will be held pending the issuance of a certificate of occupancy (if applicable) or final inspection (if applicable). Any unpaid balances will be deducted from this deposit. Remaining construction deposit will be reimbursed to the owner, contractor, or designee.

**ARTICLE III. Subdivision Plats:** The following fees and charges are established and shall be collected for the subdivision of land within the City or within its extra-territorial jurisdiction.

**Section 3.01 Concept or Master Plan:** A fee in the amount of \$500.00, plus \$5.00 per lot or part thereof shall be charged for the filing and review of any Concept or Master Plan. Such fee shall be in addition to the Engineer Review Fee provided hereinafter in Paragraph E and shall be paid, together with the estimated amount of the Engineer Review Fee, when the concept Plan Is filed. A deposit of \$500.00 shall be paid to apply against the Engineer Review Fee.

**Section 3.02 Short Form Subdivision Plat:** A fee in the amount of \$300.00, plus \$5.00 per lot shall be paid for each short form subdivision plat filed for review by the City. Such fee shall be in addition to the Engineer Review Fee provided hereinafter in Paragraph E and shall be paid, together with the estimated amount of the Engineer Review Fee, when the plat-plan is filed. A deposit of \$300.00 shall be paid to apply against the Engineer Review Fee.

**Section 3.03 Preliminary Subdivision Plat - Plan:** A fee in the amount of \$300.00 plus \$5.00 per lot shall be paid for each preliminary subdivision plat filed for review by the City. Such fee shall be in addition to the Engineer Review Fee provided hereinafter in Paragraph E and shall be paid, together with the estimated amount of the Engineer Review Fee, when the plat - plan is filed. A deposit in the amount of \$750.00 plus \$20.00 per lot shall be paid to apply against the Engineer Review Fee.

**Section 3.04 Final Subdivision Plat — Plan:** A fee in the amount of \$500.00 plus \$5.00 per lot shall be paid for each final subdivision plat filed for review by the City. Such fee shall be in addition to the Engineer Review Fee provided hereinafter in Paragraph E and shall be paid, together with the estimated amount of the Engineer Review Fee, prior to the plat - plan being finally approved by the City and filed of record. A deposit in the amount of \$1,000.00 plus \$20.00 per lot shall be paid to apply against the Engineer Review Fee.

**Section 3.05 Engineer Review Fee:** In addition to the fees set forth and required pursuant to this Section, every person or entity filing a concept plan, master plan, preliminary subdivision plat- plan, and every person filing a final subdivision plat-plan, or any other application specified herein, shall pay to the City an amount equal to all engineering fees billed to the City for and with respect to such plat - plan, plus an amount equal to ten percent (10%) of the total of such engineering fees billed to the City. The deposit made and applicable to such plan shall be credited against the final amount of such fee.

**Section 3.06 Plat Vacation:** A fee in the amount of \$100.00 shall be charged for each plat - plan vacation. Such fee shall be in addition to any Engineer Review Fee, which may be applicable and charged pursuant to Section 3.05 of this Ordinance. A deposit of \$300.00 shall be paid to apply against the Engineer Review Fee.

**Section 3.07 Subdivision Re-plat — Amending Plat:** A fee in the amount of \$300.00 plus \$5.00 per lot shall be paid for each re-plat or re-subdivision of a plat, or part thereof, filed for review by the City. Such fee shall be paid in addition to the Engineer Review Fee provided heretofore in Paragraph E and shall be paid together with the estimated amount of the Engineer Review Fee, when such request is filed. A deposit of \$300.00 shall be paid to apply against the Engineer Review Fee.

**Section 3.08 Subdivision Variance Request:** In addition to all other applicable fees and charges, a fee in the amount of \$125.00 shall be paid in advance for each variance requested from the subdivision Ordinance or any applicable design and/or construction standards. There will be a non-refundable filing fee of \$125.00 to have a variance request placed on the Agenda of a City Council meeting. A deposit of \$300.00 shall be paid to apply against the Engineer Review Fee.

**Section 3.09 Construction Inspection:** A fee in the amount of one-half percent (.5%) of the estimated cost for construction of all streets, water, wastewater, drainage and other infrastructure required to be constructed for the approval and final acceptance of any subdivision or section thereof; shall be paid, together with all other applicable fees and charges, prior to any approved plat - plan being finally approved by the City and filed of record. The total estimated amount of such fee shall be paid as a deposit prior to the start of construction.

**Section 3.10 Professional Fees:** In addition to the fees, charges, and Engineer Review Fees, above set forth in this Ordinance; the proposer, developer, or sub-divider of land, a subdivision, plat, or municipal utility district, shall reimburse and pay to the City the actual cost and expense for professional services, including but not limited to consulting engineers, attorneys and land planners, incurred by the City with respect to such subdivision, plat, development, or municipal utility district.

**ARTICLE IV. Release of Easement (lot combination):** A fee as per the attached fee schedule shall be paid in advance for each release of easement filed for review by the City. No building permit shall be issued for work for which a permit is required, pursuant to Article II hereinabove without the release of easement first being approved by the City and filed of record.

**ARTICLE V. Setback and other Variances:** A fee in the amount of \$100.00 shall be paid in advance for each variance requested to the Setback Lines and / or Utility Easements under the Building Codes Ordinance. No building permit shall be issued for work for which a permit is required, pursuant to Article II hereinabove, without the variance first being approved by the City and filed of record.

**ARTICLE VI. Zoning Changes:** A fee in the amount of \$250.00 plus \$3.00 per acre or portion thereof, shall be charged for each zoning change or re-zoning request.

**ARTICLE VII. Penalties and Suspension:** Any person or entity that violates any of the provisions of this Ordinance, and has been duly notified, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not to exceed \$500.00. Additionally, any person or entity shall be suspended from obtaining any additional permits if said person or entity owes unpaid fees under this Ordinance.

**ARTICLE VIII. Repeal of Conflicting Ordinances:** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

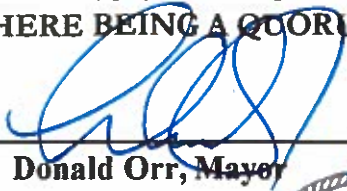
**ARTICLE IX. Severability:** If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof, which can be given effect without the invalid provision or application; to this end the provisions of this Ordinance are declared to be severable.

**ORIGINAL**

**ARTICLE X. Effective Date:** This ordinance shall take effect immediately from and after its passage and publication in the manner set forth with the provisions of the Local Government Code.

**ARTICLE XI. Open Meetings:** It is hereby found and determined that the meeting, at which this Ordinance was 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 Meetings Act, Chapter 551, of the Texas Local Government Code.

**AMENDED ORDINANCE PASSED THIS THE 20<sup>TH</sup> DAY OF DECEMBER, 2018, AT A MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THERE BEING A QUORUM PRESENT, BY 5 YEAS, 0 NAYS AND 0 ABSTAINS.**



**Donald Orr, Mayor**



**ATTEST:**



**Sheila C. Moore**

**City Administrator/City Secretary**



## FEE SCHEDULE

<b>Any additional billed costs will carry a 15% pass-thru fee. Failed inspections will be billed by the City.</b>	Minor Const. *	New Res. Const.	New Commercial/ Multi Family
Plan Review Fee (non-refundable) Additional reviews will be invoiced separately at City cost.	\$75.00	\$100.00	<b>\$300.00</b>
Residential New Construction Permit Fee: \$25.00 Base Fee + Sq Ft X .25			
Commercial New Construction/Multi Family Residential Permit \$100.00 Base Fee + Sq Ft X .50			
Commercial Inspection / Re-Inspection Fee ( <b>\$675.00 base for 9 Inspections</b> ) Additional Inspection or re-inspections will be billed separately.			
Residential Inspection / Re-Inspection Fee ( <b>\$495.00 base for 9 Inspections</b> ) Additional Inspection or re-inspections will be billed separately.			
New Construction Deposit (Refundable Provided Construction, Fees & Cleanup are completed by permit expiration date. (Reference Ordinance 3003, Sect. 2.09)	\$100.00	\$250.00	\$500.00
Certificate of Occupancy (CO will be issued <b>after</b> all permits and inspection fees are paid.)	\$0.00	\$75.00	\$100.00
Fence Plan Check Fee (Survey and Plan Check IF Required)	\$25.00	\$25.00	\$25.00
Driveway Permit Fee within Right of Way (Requires a Liability Policy for Contractor)	\$50.00	\$50.00	\$50.00
Swimming Pool (Permanent Fixture, In-Ground Pool or Spa) Permit Fee	\$50.00	\$50.00	\$50.00
Swimming Pool Inspection Fee (4 Inspections Required)	\$200.00	\$200.00	\$200.00
Moving a Structure (Over 10 Ft High OR Greater than 128 Sq Ft) Permit Fee	\$50.00	\$50.00	\$50.00
Demolition Permit Fee	\$0.00	\$0.00	\$0.00
Modular, Mobile, Manufactured Homes or Existing Structures Transfer In/Out Fee (Covers Police Escort) <i>Documentation of Licensed Mover must be provided. (Construction Permits must be obtained separately)</i>	N/A	\$150.00	N/A
Release of Easement Fee - \$100.00 plus \$50.00 per lot line	TBD	TBD	TBD
Sign Permit Fee ( up to 40 sq feet)	\$25.00	\$25.00	\$25.00
Sign Permit Fee (41 Sq Ft to 60 Sq Ft)	\$50.00	\$50.00	\$50.00
Sign Permit Fee (61 Sq FT and Larger) \$1.00 X Sq Ft.=			

### Schedule below does not include service deposit, C. S. I. or Cost of Connection

Residential & Commercial Inside City Water Tap Minimums	Residential & Commercial Inside the City Sewer Tap Minimums
3/4" Meter * \$1,800.00	Sewer Tap \$1,800.00
1" Meter \$2,300.00	Grinder Pump System (includes tap) (36" Basin) \$4,570.00
2" Meter \$3,300.00	Grinder Pump System (includes tap) (53" Basin) \$4,670.00
Larger Meter - Cost Plus \$1,800.00	MEDU Grinder Pump System (includes tap) \$7,570.00
New Water Meter 3/4" Only (Does Not Include Tap) \$182.00	
<b>Note: Taps Do Not Include Street Cutting and Repair</b>	<b>Note: Taps Do Not Include Street Cutting and Repair</b>
Residential & Commercial Outside City Water Tap Minimums	Residential & Commercial Outside the City Sewer Tap Minimums
3/4" Meter \$2,300.00	Sewer Tap \$2,800.00
1" Meter \$2,800.00	Grinder Pump System (includes tap) (36" Basin) \$5,570.00
2" Meter \$4,300.00	Grinder Pump System (includes tap) (53" Basin) \$5,670.00
Larger Meter - Cost Plus \$1,000.00	MEDU Grinder Pump System (includes tap) \$8,570.00
New Water Meter 3/4" Only (Does Not Include Tap) \$182.00	
<b>Note: Taps Do Not Include Street Cutting and Repair</b>	<b>Note: Taps Do Not Include Street Cutting and Repair</b>

**NOTE: All Taps, Street Cuttings or Repairs are Subject to additional infrastructure extension costs.**