

ORDINANCE NO. 18-04-05-01

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING APPENDIX A "FEE SCHEDULE," ARTICLE 3.000 "BUILDING RELATED FEES," TO AMEND SECTION 3.100 "BUILDING PERMIT FEES," ARTICLE 5.000 "SUBDIVISION FEES," ARTICLE 6.000 "UTILITY RELATED FEES," TO AMEND SECTION 6.100 "IMPACT AND TAP FEES," AND SECTION 6.200 "UTILITY RATES AND FEES." PROVIDING AN EFFECTIVE DATE, REPEALER, SEVERABILITY, PROPER NOTICE AND OPEN MEETINGS CLAUSE.

WHEREAS, The City of Lago Vista, Texas is a Home Rule City; and

WHEREAS, The City Council of the City of Lago Vista, Texas ("City Council"), finds that the efficient operation and maintenance of the City's water and wastewater systems are essential to the general health, safety and welfare of the citizens as well as the orderly growth of the City; and

WHEREAS, the City Council seeks to attract development by lowering engineering plan review fees; and

WHEREAS, The City Council finds extensions of water and wastewater lines at City's cost can be cost prohibitive to the City; and

WHEREAS, The City Council seeks to establish a protocol for the sale of reuse; and

WHEREAS, the City Council finds that from time to time it is necessary to review and/or amend its fee schedule for permits and rates; and

WHEREAS, The City Council seeks to amend the Fee Schedule.

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

SECTION 1. FINDINGS. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. MODIFICATION. The City Council of the City of Lago Vista, Texas, does hereby amend Appendix A, "Fee Schedule," Code of Ordinances as shown in Exhibits "A," "B," and "C."

SECTION 3. SEVERABILITY. If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any

reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this Ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Lago Vista in adopting, and of the Mayor in approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

SECTION 4. CONFLICTING ORDINANCES. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

SECTION 6. OPEN MEETING. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapter 551, Tex. Gov't Code*.

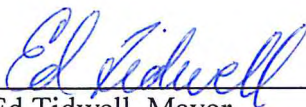
AND, IT IS SO ORDERED.

ADOPTED AND APPROVED on this 5th day of April, 2018 by a vote of the City Council of the City of Lago Vista, Texas.

ATTEST:


Sandra Barton, City Secretary




Ed Tidwell, Mayor

On a motion by Councilman Weatherly, seconded by Councilman Smith, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

APPENDIX A
FEE SCHEDULE

ARTICLE 3.000 BUILDING RELATED FEES

The Code of Ordinances, Appendix A, "Fee Schedule," Article 3.000 "Building Related Fees," Sub-Section 3.100 is hereby amended to read as follows:

Sec. 3.100 Building Permit Fees

- (a) Residential:
 - (1) Single-family: \$175.00 plan review fee plus \$0.25/sq. ft. permit fee.
 - (2) Single-family in the floodplain: \$200.00 plan review fee plus \$0.25/sq. ft. permit fee.
 - (3) Industrialized: \$175.00 plan review fee plus \$0.25/sq. ft. permit fee.
 - (4) Duplex: \$175.00 plan review fee plus \$0.25/sq. ft. permit fee.
 - (5) Multifamily: \$150.00 plan review fee plus \$0.30/sq. ft. permit fee.
 - (6) Mobile home: \$400.00.
- (b) Commercial: \$400.00 plan review fee plus:
 - (1) 0 to 5,000 sq. ft. (per sq. ft.): \$0.35.
 - (2) 5,001 sq. ft. and more (per sq. ft.): \$0.30.
- (c) Building permits:
 - (1) 1st renewal: \$200.00.
 - (2) 2nd and subsequent renewal: \$450.00.
- (d) Subcontractor permits:
 - (1) 1st renewal: \$50.00.
 - (2) 2nd and subsequent renewals: \$100.00.
- (e) Engineering review and inspection fees: \$200.00 + \$1 for every 100 square feet.

- (f) Residential accessory storage buildings:
 - (1) 120 sq. ft. or less: \$50.00.
 - (2) Over 120 sq. ft.: \$125.00 plus \$0.25/sq. ft.
- (g) Remodeling and room additions: \$50.00 plan review fee plus \$0.20/sq. ft.
- (h) Boat docks/decks/patios:
 - (1) 100 sq. ft. or less: \$100.00.
 - (2) Over 100 sq. ft.: \$150.00.
- (i) Sprinkler systems: \$35.00.
- (j) Fences, driveways and cosmetic remodeling/pads 400 sq. ft. or less: \$75.00.
- (k) Pools including pool, electrical, plumbing, and fence: \$200.00.
- (l) Plumbing permit:
 - (1) Single-family residence, multifamily multiply by number of units: \$100.00.
 - (2) Commercial:
 - (A) Up to 3,000 sq. ft. minimum: \$125.00.
 - (B) 3,001 sq. ft. and larger: Permit fee plus \$0.05/sq. ft.
- (m) Water well permit: \$200.00.
- (n) Mechanical permit:
 - (1) Single-family residence, multifamily multiply by number of units: \$100.00.
 - (2) Commercial:
 - (A) Up to 3,000 sq. ft. minimum: \$125.00.
 - (B) 3,001 sq. ft. and larger of heated and AC space: Permit fee plus \$0.05/sq. ft.
- (o) Electrical permit:
 - (1) Single-family residence, multifamily multiply by number of units: \$100.00.
 - (2) Commercial:
 - (A) Up to 3,000 sq. ft. minimum: \$125.00.
 - (B) 3,001 sq. ft. and larger: Permit fee plus \$0.05/sq. ft.

- (p) Minor plumbing, electric and mechanical repairs: \$25.00.
- (q) Variance or appeal request: \$250.00.
- (r) Reinspection: \$50.00.
- (s) Reinspection for items not corrected (2nd or subsequent trips): \$100.00.
- (t) Model home permit (per dwelling, per year): \$50.00.
- (u) Fire suppression permit: \$125.00.
- (v) Demolition permit: No charge
- (w) Tenant finish-out permit: \$150.00 plan check fee plus \$0.30/sq. ft. permit fee.
- (x) Third-party plan review (if required by building official): Actual cost.
- (y) Right-of-way license agreement: \$350.00.
- (z) Home occupation:
 - (1) Permit: \$50.00.
 - (2) Permit renewal (every 2 years): \$50.00.
 - (3) Conditional use permit or appeal of denial of permit: \$250.00.

EXHIBIT "B"

APPENDIX A
FEE SCHEDULE

The Code of Ordinances, Appendix A, "Fee Schedule," Article 5.000 "Subdivision Fees," is hereby amended to read as follows:

ARTICLE 5.000 SUBDIVISION FEES

- (a) Appeal request: \$200.00 + professional cost + 15%.
- (b) Easement release/dedication/filing: \$125.00.
- (c) Amending plat application fee (includes lot consolidation): \$250.00.
- (d) Replat/short form plats/minor plats: \$200.00 + \$50 per lot.
- (e) Development agreement:
 - (1) Application: \$5,000.00 (not refundable) plus \$5,000.00 professional service deposit. Total fees shall be \$5,000.00 plus actual cost of professional services plus 15%.
 - (2) Amendment: Application: \$2,500.00 (not refundable) plus \$2,500.00 professional service deposit. Total fees shall be \$2,500.00 plus actual costs of professional services plus 15%.
- (f) Administrative processing:
 - (1) Concept plan, master plan, preliminary plat and site development, preliminary conferences:
 - (A) With city attorney: Professional costs + 15%.
 - (B) Staff only: \$200.
 - (2) Concept plan/master plan submission: \$250.00 + \$50 per Acre up to \$10,000 maximum.
 - (3) Preliminary plat or Construction Plat submission: \$350.00 + \$50 per lot.
 - (4) Final plat submission: \$350.00 + \$50 per lot.
 - (5) Site development plan/permit submission (pads over 400 sq. ft.): \$350.00 + \$1 for every 100 square feet.
 - (6) Plat vacation: \$300.00.

- (7) Nonpoint pollution permit fee: \$35.00.
- (8) Nonpoint pollution Plan Review fee: \$250.00.
- (g) Subdivision plat development:
 - (1) Engineering subdivision construction inspection: 1% of the approved construction estimate.
 - (2) In-house development inspections (minimum 1 hour): \$35.00 per hour.
 - (3) Subdivision plat recording (Travis County Clerk), if city records: Actual cost plus 15%.
 - (4) Special district:
 - (A) Application: \$5,000.00 fee (not refundable), plus \$5,000.00 deposit for the actual cost of professional services. Total fees shall be \$5,000.00 plus the actual cost of professional services plus 15%.
 - (B) Amendment of approval: Application: \$2,500.00 fee (not refundable), plus \$2,500.00 deposit for professional services. Total fees shall be \$2,500.00 plus the actual cost of professional services plus 15%.

As noted in the ordinance, the Professional Services deposits are required on plat and site development permits submissions if the City deems requiring legal, engineering and/or other professional service reviews or consultations. Deposits will be calculated based on \$1,000.00 per acre not to exceed \$10,000.00 for the initial deposit. Professional service fees will be deducted from the deposit as costs to the city are incurred at a rate of the actual cost of professional service plus 15%. Deposits must be maintained through the life of the project.

APPENDIX A
FEE SCHEDULE

The Code of Ordinances, Appendix A, "Fee Schedule," Article 6.000 "Utility Rates and Fees," Sub-Section 6.100, "Impact and Tap Fees," and Sub-Section 6.200, "Utility Rates and Fees," are hereby amended to read as follows:

Sec. 6.100 Impact and Tap Fees

- (a) Standard "residential" water, wastewater, or reclaimed water connection (3/4" by 5/8" water or reclaimed water tap) where service lines must be installed and for a water meter set by the City.

	Tap	Impact
Sewer	\$2,100.00	\$2,115.00
Water	\$2,100.00	\$3,000.00
Reclaimed Water	\$2,100.00	N/A

- (b) Nonstandard "residential" connection (other than 3/4" by 5/8" water or reclaimed water tap) and all other connections, including business:

	Tap	Impact
Sewer	\$2,100.00*	\$2,115.00
Water	\$2,100.00*	\$3,000.00
Reclaimed Water	\$2,100.00	N/A
* Minimum cost but actual charges will be calculated by Public Works upon application.		
Plus, cost of materials.		

- (c) Where service lines have been installed and the City is only required to inspect the connection and install a water meter: \$750.00.
- (d) For water/sewer/reclaimed water taps that require the street to be cut and repaired: Two lanes of street to be repaired: \$1,500.00
For more than two lanes of street to be repaired: \$750.00/lane.

Sec. 6.200 Utility Rates and Fees

(a) Residential and commercial water service:

(1) Utility Line Extension Rate:

Unit Cost per Linear Foot			
HDPE Line Size	HDPE Pipe Installed Outside of Pavement Area	HDPE Pipe Installed Under Flexible Base Pavement	HDPE Pipe Installed Under Concrete Pavement
2"	\$14 /L.F.	\$24 /L.F.	\$30 /L.F.
3"	\$18 /L.F.	\$31 /L.F.	\$36 /L.F.
4"	\$20 /L.F.	\$43 /L.F.	\$51 /L.F.
6"	\$42 /L.F.	\$55 /L.F.	\$65 /L.F.
8"	\$55 /L.F.	\$72 /L.F.	\$85 /L.F.
10"	\$70 /L.F.	\$85 /L.F.	\$100 /L.F.
12"	\$85 /L.F.	\$100 /L.F.	\$110 /L.F.
14"	\$100 /L.F.	\$110 /L.F.	\$125 /L.F.
16"	\$120 /L.F.	\$140 /L.F.	\$160 /L.F.
18"	\$148 /L.F.	\$165 /L.F.	\$190 /L.F.

(2) Construction Administrative Fees:

- (A) 5% of the estimate for Option 1 (Resident Applicant)
- (B) 10% of the estimate for Option 1a (Home Builder Applicant)
- (C) 15% of the estimate for Option 1b (All Other Applicants and over 400' Extension)
- (D) 5% of the estimate for Option 2 (Developers and Non-City Managed Construction)

(3) Monthly fee per LUE during stage 1 of water conservation: \$5.00

(4) Residential (base rate plus volumetric rate (actual usage) by customer class). Effective: New rate effective with water sold beginning October 1, 2017, billed November 30, 2017 and bills due December 15, 2017:

- (A) Base rate: \$36.52.
- (B) Volumetric rate:

- (i) 0–2,000 gallons: \$0.00.
- (ii) 2,001–5,000 gallons: \$5.04 per 1,000 gallons.
- (iii) 5,001–10,000 gallons: \$6.29 per 1,000 gallons.
- (iv) 10,001–15,000 gallons: \$8.29 per 1,000 gallons.
- (v) 15,001–25,000 gallons: \$10.79 per 1,000 gallons.
- (vi) 25,001–50,000 gallons: \$13.79 per 1,000 gallons.
- (vii) 50,001–above: \$17.29 per 1,000 gallons.

(5) Commercial (base rate plus volumetric rate (actual usage) by customer class). Effective: New rate effective with water sold beginning October 1, 2017, billed November 30, 2017 and bills due December 15, 2017:

(A) Base rate: \$36.52.

(B) Volumetric rate:

- (i) 0–2,000 gallons: \$3.95 per 1,000 gallons.
- (ii) 2,001–5,000 gallons: \$4.95 per 1,000 gallons.
- (iii) 5,001–10,000 gallons: \$6.20 per 1,000 gallons.
- (iv) 10,001–15,000 gallons: \$8.20 per 1,000 gallons.
- (v) 15,001–25,000 gallons: \$10.70 per 1,000 gallons.
- (vi) 25,001–50,000 gallons: \$13.70 per 1,000 gallons.
- (vii) 50,001–above: \$17.20 per 1,000 gallons.

(6) Water irrigation rates (base fee plus volumetric rate (actual usage) by customer class). Effective: New rate effective with water sold beginning October 1, 2017, billed November 30, 2017 and bills due December 15, 2017:

(A) Base rate: \$36.52.

(B) Volumetric rate:

- (i) 0–2,000 gallons: \$4.65 per 1,000 gallons.
- (ii) 2,001–5,000 gallons: \$5.65 per 1,000 gallons.
- (iii) 5,001–10,000 gallons: \$6.90 per 1,000 gallons.
- (iv) 10,001–15,000 gallons: \$8.90 per 1,000 gallons.

(v) 15,001–25,000 gallons: \$11.90 per 1,000 gallons.

(vi) 25,001–50,000 gallons: \$14.90 per 1,000 gallons.

(vii) 50,001–above: \$17.90 per 1,000 gallons.

(7) Industrial water rates (base fee plus volumetric rate (actual usage) by customer class).
Effective: New rate effective with water sold beginning October 1, 2017, billed November 30, 2017
and bills due December 15, 2017:

(A) Base rate: \$36.52.

(B) Flat volumetric rate: \$4.17 per 1,000 gallons.

(b) Temporary water turn-on for inspections and cleaning (up to 3,000 gallons): \$55.00.

(c) Wastewater (sewer) service (base rate plus volumetric rate). Effective: New rate effective with bills
due May 15, 2018:

(1) Residential (volumetric rate will be determined by “winter averaging” a residential
customer’s water usage for the months of November 2017; January and February 2018):

(A) Base rate: \$17.22.

(B) Volumetric rate: \$10.75 per 1,000 gallons.

(2) Commercial/industrial (volumetric rate will be determined based on water usage):

(A) Base rate: \$17.22.

(B) Volumetric rate: \$10.75 per 1,000 gallons.

(3) Sewer only or limited history, citywide average takes into account all water usage for the
months of November, January and February. New rate effective with bills due May 15, 2018. Rates
are the citywide average.

(4) Time of use sewer rate for nonprofit organizations:

(A) 1 to 2 days facility use per week: \$32.33.

(B) 3,000+ gallons: \$3.80 per 1,000 gallons.

(C) 3 to 4 days facility use per week: \$39.30.

(D) 3,000+ gallons: \$3.80 per 1,000 gallons.

(E) 5 to 7 days facility use per week: \$46.25.

(F) 3,000+ gallons: \$3.80 per 1,000 gallons.

- (5) Rainwater system ONLY customers: For those wastewater customers who are not attached to the city water, a private well, or another public water system and who rely solely on stored rainwater to supply their non-potable needs, their wastewater will be billed at one-half (1/2) of the citywide average for wastewater services for the months of November, January and February. To qualify for the reduced rate, the customer must make application to the city utility department and provide proof that their service qualifies for this reduced rate. Current application rates will be based upon existing winter averaging rate and then will be updated on May 15, 2018.
- (d) Reclaimed Water Rates
- (1) The Type II Reclaimed Water standard rate shall be one half the volumetric rate per 1,000 gallons established for residential sale of potable water between 2,001 and 5,000 gallons.
- (2) Any Type II Reclaimed Water nonstandard, or wholesale, rates will be determined via a separate agreement approved by the City Council.
- (e) Sanitation service:
- (1) Base trash and recycling (includes one trash cart and one recycling cart): \$21.98. Rates take effect October 1, 2017, with bills being sent out October 30th and due November 15, 2017.
- (2) Additional trash and/or recycling carts: \$9.24 each plus tax.
- (f) Deposits:
- (1) Security deposit: \$130.00.
- (2) Residential water and sewer deposit (without trash): \$100.00.
- (3) Commercial water deposit: \$300.00.
- (4) Sanitation deposit: \$30.00.
- (g) Late payment penalty: \$15.00.
- (h) Disconnection and reconnection fee: \$55.00.
- (i) Disconnection/reconnection for nonpayment: \$55.00.
- (j) RPZ inspection fee: \$50.00.
- (k) Damage or injury to waterworks system: \$50.00.