

ORDINANCE 2023-08-03

AN ORDINANCE OF THE CITY OF WESTON, COLLIN COUNTY, TEXAS, AMENDING THE CITY'S FEE SCHEDULE; PROVIDING FOR CUMULATIVE REPEALER, SEVERABILITY, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, various ordinances adopted by the City Council authorize the City to charge fees to offset the cost of services; and

WHEREAS, the City Council has carefully reviewed all the fees charged by the City; and

WHEREAS, the City finds that the fees adopted herein are reasonable and necessary for the efficient delivery of the services provided.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTON, TEXAS

**SECTION 1
ADOPTION**

The fee schedule attached as Exhibit "A" is adopted as the fees to be charged by the City for the applications listed therein. No exception shall be allowed; neither City Officials nor employees of the City of Weston or the like shall extend credit.

**SECTION 2
CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all provisions of all existing Ordinances of the City of Weston, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such existing ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 5
PROVISIONS SEVERABLE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining, phrase, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 6
PREVIOUSLY ACCRUING RIGHTS AND REMEDIES SAVED**

All rights and remedies of the of the City of Weston, Texas, are expressly saved as to any and all violations of the provisions of the Building Code, Residential Code, Electrical Code, Energy Code, Fuel Gas Code, Mechanical Code, Plumbing Code, Existing Building Code, Property Maintenance Code, Fire Code or any other ordinances affecting such codes which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7
EFFECTIVE DATE**

This Ordinance shall become effective from and after its adoption and publication as required by law.

PASSED AND APPROVED by Council this, the 8th day of August, 2023.



APPROVE

Jerry Randall, Mayor

ATTEST

Susan Coffer, City Secretary

CONSTRUCTION

New Construction-Residential	
Refundable Deposit	\$500
Plan review, Permit, 1st inspections, CO	\$1,675
Wall ties, propane/gas line, walkway, irrigation, and alarm inspections as applicable	\$75 ea
New Construction – Commercial	
Refundable Commercial Deposit	
<\$100K valuation	\$500
>\$100K valuation	\$750
Plan review, Permit, 1st inspections, CO	
<\$100K valuation	\$2,075
>\$100K valuation	\$2,175
Wall ties, propane/gas line, walkway, irrigation, and alarm inspections as applicable	\$100 ea
Addition / Expansion / Remodel / Detached Bldg (if >120 sqft)	
Refundable Deposit	\$300
Plan review, Permit	\$125
Individual inspections as applicable	\$75 ea
Manufactured Housing	
Plan review, Permit, 1st inspections	\$500
Swimming Pool	
Plan review, Permit, 1st inspections	\$525
Individual foundation/electrical/plumbing/HVAC inspections will apply as required	\$75 ea
Hot Tub (if separate from pool and/or requires new electric and/or gas/propane line)	
Plan review, Permit, 1st inspections	\$425
Individual inspections as applicable	\$75 ea

PLANNING & DEVELOPMENT

Preliminary Plat Review – Residential	\$400
Per lot *	\$5
Per acre *	\$10
Final Plat Review – Residential	\$400
Per lot *	\$5
Preliminary Plat Review – Commercial	\$400
Per lot *	\$10
Final Plat Review – Commercial	\$400
Per lot *	\$10
Replat	\$325
Per lot *	\$10
Record Final Plat	\$325
Per lot *	\$10
Minor Plat / Replat / Amending Plat	\$325
Per lot *	\$10
Plat Vacation	\$350
Per lot *	\$5
Per acre *	\$10
Site Plan Construction Review	\$500
Per acre *	\$10
Deficient Plan Correction	\$300
Per lot *	\$5
Per acre *	\$10
Zoning / Re-Zoning Application	
Up to 50 lots	\$750
>50 lots	\$1,200
Planned Development (“PD”)	\$1,500
Zoning Variance	\$150
Zoning Verification	\$50
Annexation/De-Annexation **	\$325
Legal Notice *	Actual

Developer Pro rata Agreement **	\$1,500
Drainage Improvement Construction Review	\$400
Engineering Inspection Fee-New Residential Subdivision Construction Deposit	4% of the cost of all Public Improvements
Engineering Inspection Fee-New Non-Residential Subdivision Construction Deposit	4% of the cost of all Public Improvements
General Development or Planned Development ("PD") Review Expenses Deposit * **	\$5,000
Specific / Conditional Use Permit	\$300

STAND ALONE PERMITS & OTHER FEES

Burn Permit	\$25
Building Official Consultation (per hour)	\$75
Certificate of Occupancy-Commercial only	\$75
Community Center Rental per day	\$150 Weston taxpayers / \$250 others
Community Center Rental Deposit	\$80
Contractor Registration	\$75
(Per TX Occupations Code Section 1301, no fee will be collected from plumbing or electrical contractors)	
Demolition Permit	\$90
Driveway Permit	\$90
Electrical Permit ***	\$90
Fence Permit ***	\$90
Foundation (to include repair) Permit***	\$90
If pier & beam, foundation is inspected by 3 rd party qualified engineer-Report is required	
Flatwork Permit ***	\$90
Garage Sale Sign Permit	FREE
Gas Line Permit ***	\$90
Parking Lot Permit	\$90
Plumbing Permit ***	\$90
Reinspection Fee	\$75
Repeat Reinspection Fee for same fail	\$100
Returned Check Fee	\$65
Roof Repair Permit ***	\$90
Sign Permit	\$50
Sprinkler System/Irrigation Permit ***	\$90

DOCUMENTATION

Copies (8 ½" x 11") per page	\$0.10
Oversized Copies per page	\$0.50
City Map 8 ½" x 11"	\$5
City Map 11" x 17"	\$6
FLUP Map	\$5
Postage	Actual
Notary	
1 st Signature	\$6
Additional Signatures each	\$1

* In addition to initial item fee

** Additional professional review charges may apply

*** Includes final inspection-other inspection charges may apply

Other charges are in accordance with those adopted by the Texas General Services Commission

AN ACT

relating to county and municipal authority to impose certain value-based fees and require disclosure of certain information related to subdivision construction.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 212, Local Government Code, is amended by adding Section 212.906 to read as follows:

Sec. 212.906. CERTAIN VALUE-BASED FEES AND DISCLOSURE OF CERTAIN INFORMATION PROHIBITED. (a) This section applies only to an application, review, engineering, inspection, acceptance, administrative, or other fee imposed by a municipality related to the acceptance, review, or processing of engineering or construction plans or for the inspection of improvements for construction of a subdivision or lot or a related improvement associated with or required in conjunction with that construction.

(b) A municipality may not consider the cost of constructing or improving the public infrastructure for a subdivision, lot, or related property development in determining the amount of a fee subject to this section. The municipality shall determine the fee by considering the municipality's actual cost to, as applicable, review and process the engineering or construction plan or to inspect the public infrastructure improvement.

(c) In determining the municipality's actual cost for reviewing and processing an engineering or construction plan or inspecting a public infrastructure improvement under Subsection (b), a municipality may consider:

(1) the fee that would be charged by a qualified, independent third-party entity for those services;

(2) the hourly rate for the estimated actual direct time of the municipality's employees performing those services; or

(3) the actual costs assessed to the municipality by a third-party entity that provides those services to the municipality.

(d) A municipality may not require the disclosure of information related to the value of or cost of constructing or improving a residential dwelling or the public infrastructure improvements for a subdivision, lot, or related property development as a condition of obtaining approval for subdivision construction or for the acceptance of those public infrastructure improvements except as required by the Federal Emergency Management Agency for participation in the National Flood Insurance Program.

(e) A municipality that imposes a fee for reviewing or processing an engineering or construction plan or inspecting a public infrastructure improvement shall annually publish the fee and the hourly rate and estimated direct time incurred by municipal employees for a fee calculated under Subsection (c)(2). The municipality must publish the information:

(1) on the municipality's Internet website; or

(2) if the municipality does not maintain an Internet website, in a newspaper of general circulation in the county in which the municipality is primarily located.

SECTION 2. Chapter 232, Local Government Code, is amended by adding Subchapter Z to read as follows:

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 232.901. CERTAIN VALUE-BASED FEES AND DISCLOSURE OF CERTAIN INFORMATION PROHIBITED. (a) This section applies only to an application, review, engineering, inspection, acceptance, administrative, or other fee imposed by a county related to the

acceptance, review, or processing of engineering or construction plans or for the inspection of improvements for construction in a subdivision or a related improvement associated with or required in conjunction with that construction.

.(b) A county may not consider the cost of constructing or improving the public infrastructure for a subdivision, lot, or related property development in determining the amount of a fee subject to this section. The county shall determine the fee by considering the county's actual cost to, as applicable, review and process the engineering or construction plan or to inspect the public infrastructure improvement.

.(c) In determining the county's actual cost for reviewing and processing an engineering or construction plan or inspecting a public infrastructure improvement under Subsection (b), a county may consider:

.(1) the fee that would be charged by a qualified, independent third-party entity for those services;

.(2) the hourly rate for the estimated actual direct time of the county's employees performing those services; or

.(3) the actual costs assessed to the county by a third-party entity that provides those services to the county.

.(d) A county may not require the disclosure of information related to the value of or cost of constructing or improving a residential dwelling or the public infrastructure improvements for a subdivision, lot, or related property development as a condition of obtaining approval for subdivision construction or for the acceptance of those public infrastructure improvements except as required by the Federal Emergency Management Agency for participation in the National Flood Insurance Program.

.(e) A county that imposes a fee for reviewing or processing an engineering or construction plan or inspecting a public infrastructure improvement shall annually publish the fee and the hourly rate and estimated direct time incurred by county employees for a fee calculated under Subsection (c)(2). The county must publish the information:

.(1) on the county's Internet website; or

.(2) if the county does not maintain an Internet website, in a newspaper of general circulation in the county.

SECTION 3. The changes in law made by this Act apply only to a fee subject to Section 212.906 or 232.901, Local Government Code, as added by this Act, assessed by a county or municipality on or after the effective date of this Act.

SECTION 4. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 3492 was passed by the House on May 2, 2023, by the following vote: Yeas 142, Nays 3, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3492 was passed by the Senate on May 19, 2023, by the following vote: Yeas 23, Nays 8.

Secretary of the Senate

APPROVED: _____
Date

Governor