

AN ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; REPLACING CERTAIN VALUE-BASED BUILDING PERMIT FEES WITH FLAT RATE FEES AND SQUARE FOOTAGE BASED FEES; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Killeen, Texas 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;

WHEREAS, the establishing of minimum regulations governing the construction, maintenance and use of property, buildings and structures is essential to protect the health, safety and general welfare of the public and property; and

WHEREAS, H.B. 852 amended Texas Local Government Code Section 214.907 to prohibit the consideration of the value of a dwelling or the cost of constructing or improving a dwelling in determining the amount of building permit or inspection fee required in connection with the construction or improvement of a residential dwelling;

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

SECTION I. That Chapter 8, Article I of the City of Killeen Code of Ordinances is hereby amended to read as follows:

Chapter 8 - BUILDING AND CONSTRUCTION REGULATIONS

ARTICLE II. - ADMINISTRATION

DIVISION 1. - PERMIT FEES

Sec. 8-11. - Fees.

- (a) *New single-family residential construction.* All fees for new single-family residential construction shall be calculated at a rate of thirteen cents (\$0.13) per square foot based on the total square footage under roof. This fee includes permits for the structure, electrical, mechanical, plumbing, flatwork, certificate of occupancy, and plans review. This fee does

not include permits for fences, storage buildings, accessory structures, lawn irrigation, whole house water softener units or swimming pools.

- (b) **New duplex, townhouse, multifamily, commercial, etc., construction.** All fees are based on total square footage. The fee for new construction for duplexes, townhouses, multifamily, all commercial (~~including shell buildings, warehouses and parking garages~~), and all additions (including additions to existing single-family dwellings) to square footage under roof, (includes storage buildings, patio covers, modular/portable buildings and carports) shall be as follows:

Building Area Square Feet	Building	Electrical	Mechanical	Plumbing ⁽¹⁾	Plans ⁽²⁾
500 or less	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
501—1,000	70.00	40.00	40.00	40.00	60.00
1,001—1,500	100.00	40.00	40.00	40.00	85.00
1,501—2,000	130.00	50.00	40.00	50.00	110.00
2,001—2,500	160.00	60.00	40.00	60.00	140.00
2,501—3,000	190.00	70.00	40.00	70.00	160.00
3,001—3,500	220.00	80.00	45.00	80.00	185.00
3,501—4,000	250.00	90.00	50.00	90.00	210.00
4,001—4,500	280.00	100.00	55.00	100.00	235.00
4,501—5,000	310.00	110.00	60.00	110.00	260.00
5,001—5,500	340.00	120.00	65.00	120.00	285.00
5,501—6,000	370.00	130.00	70.00	130.00	310.00
6,001—6,500	400.00	140.00	70.00	140.00	335.00
6,501—7,000	430.00	150.00	80.00	150.00	360.00
7,001—7,500	460.00	160.00	85.00	160.00	385.00

7,501—8,000	490.00	170.00	90.00	170.00	410.00
8,001—8,500	520.00	180.00	95.00	180.00	435.00
8,501—9,000	550.00	190.00	100.00	190.00	460.00
9,001—9,500	580.00	200.00	105.00	200.00	485.00
9,501—10,000	610.00	210.00	110.00	210.00	510.00
10,001—15,000	915.00	315.00	165.00	315.00	765.00
15,001—20,000	1,215.00	415.00	215.00	415.00	1,015.00
20,001—25,000	1,515.00	515.00	265.00	515.00	1,265.00
25,001—30,000	1,815.00	615.00	315.00	615.00	1,515.00
30,001—35,000	2,115.00	715.00	365.00	715.00	1,765.00
35,001—40,000	2,415.00	815.00	415.00	815.00	2,015.00
40,001—45,000	2,715.00	915.00	465.00	915.00	2,265.00
45,001—50,000	3,015.00	1,015.00	515.00	1,015.00	2,515.00

The fee for structures over 50,000 square feet is determined by combining fees to equal the square footage.

~~For duplexes add:~~

~~\$30.00 for building~~

~~\$30.00 for electrical~~

~~\$30.00 for mechanical~~

~~\$30.00 for plumbing~~

For duplex, townhouses, apartments, hotels, ~~townhouses~~ and motels add:

- \$30.00 per unit for building
- \$30.00 per unit for electrical
- \$30.00 per unit for mechanical
- \$30.00 per unit for plumbing
- \$30.00 per unit for fire sprinkler

Note:

- (1) Plumbing—All connections to a water, sewerage or gas piping system. Fire sprinkler systems are to be permitted separately. The plumbing fee column shall be used for new fire sprinkler systems.
- (2) All plan review fees must be paid at time of application.

(c) Remodel, repair, finish-out, maintenance, or improvements

(1) Residential dwelling unit remodel, repair or improvements. Residential dwelling unit remodel, repair or improvement permits for single-family units, two-family (duplex) units, townhouses units and apartment units shall be permitted as follows:

- a) Residential dwelling unit projects shall be permitted per individual dwelling unit.**
- b) Each permit type shall be individually permitted by applicable trades (building, electrical, plumbing and mechanical work) at a rate of \$50 dollars for each trade. Work requiring plan review shall be charged an additional \$35 (thirty-five) dollar fee for each dwelling unit project.**
- c) Solar panels.** Base fee of \$50 plus \$35 plans review fee plus \$5 fee for each solar panel installed.
- d) Re-roof. (one permit for whole structure) Base fee of \$50 plus \$1 fee for each 100 square feet of roof covering installed or fraction thereof, or an alternate permit fee structure of \$35 for 1,500 sq. ft. or less of roof area being installed; \$50 for 1,501 sq. ft. to 2,500 sq. ft. of roof area being installed; and \$75 for 2,501 sq. ft. or greater of roof area being installed.**
- e) Windows and door replacement.** Base fee of \$50 plus \$3 for each window or door replaced.

(2) Commercial and non-dwelling unit remodel, Finishingfinish-out, repairs, maintenance, other. The fee for commercial and non-dwelling remodeling, alterations, repairs, finish-out of shell buildings, and other construction, including all swimming pools, fences, decks, flatwork (concrete/asphalt), signs, gas tanks/pumps, lawn irrigation, whole house water softeners, etc., shall be as follows:

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Dollar Valuation ⁽³⁾	Building	Electrical	Mechanical	Plumbing ⁽¹⁾	Plans ⁽²⁾

\$0—3,000.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
3,000.01—4,000.00	43.00	35.00	35.00	35.00	35.00
4,000.01—5,000.00	54.00	43.00	43.00	43.00	35.00
5,000.01—6,000.00	65.00	52.00	52.00	52.00	35.00
6,000.01—7,000.00	76.00	61.00	61.00	61.00	38.00
7,000.01—8,000.00	87.00	69.00	69.00	69.00	44.00
8,000.01—9,000.00	98.00	78.00	78.00	78.00	49.00
9,000.01—10,000.00	109.00	87.00	87.00	87.00	55.00
10,000.01—11,000.00	119.00	95.00	95.00	95.00	60.00
11,000.01—12,000.00	130.00	104.00	104.00	104.00	65.00
12,000.01—13,000.00	141.00	113.00	113.00	113.00	71.00
13,000.01—14,000.00	152.00	122.00	122.00	122.00	76.00
14,000.01—15,000.00	163.00	130.00	130.00	130.00	82.00
15,000.01—50,000.00	163.00	130.00	130.00	130.00	82.00
Plus per \$1,000.00 over \$15,000.00	6.00	5.00	5.00	5.00	4.00
50,000.01—100,000.00	373.00	305.00	305.00	305.00	187.00
Plus per \$1,000.00 <u>over \$50,000.00</u>	5.00	4.00	4.00	4.00	3.00
<u>Over \$50,000.00</u>					
100,000.01—500,000.00	623.00	505.00	505.00	505.00	312.00
Plus per \$1,000.00 <u>over \$100,000.00</u>	4.00	3.00	3.00	3.00	2.00

Over \$100,000.00					
500,000.01—up	2,223.00	1,705.00	1,705.00	1,705.00	1,112.00
Plus per \$1,000.00 <u>over \$500,000</u>	1.00	1.00	1.00	1.00	1.00
Over \$500,000.00					

Note:

- (1) Plumbing—All connections to a water, sewerage or gas piping system. Fire sprinkler systems are to be permitted separately. The plumbing fee column shall be used for new fire sprinkler systems.
- (2) All plan review fees must be paid at time of application.
- (3) Permit fees are calculated individually by permit type.

(d) Miscellaneous. The following miscellaneous fees shall be charged:

- (1) Demolition/move structure, per structure \$50.00
- (2) Failed inspection penalty (any kind), per inspection \$50.00
- (3) Food dealer's permit, per year \$50.00
- ~~(4) Mobile food service permit, per unit \$5.00~~
- ~~(5)~~ Temporary final utility service, per service (electric, water, or gas) \$35.00
- ~~(6)~~ Temporary electric service pole, per pole \$35.00
- ~~(7)~~ Mobile home park license, per year:
 - a. 1—20 units \$175.00
 - b. 21—50 units \$275.00
 - c. 51—120 units \$450.00
 - d. 121—200 units \$690.00
 - e. 201—300 units \$1,000.00
 - f. 301 units and above \$1,300.00
- ~~(8)~~ Construction registration, per year \$80.00

Electrical and Plumbing contractors are exempt from fee pursuant to state law.

- ~~(9)~~ Appeals:

- a. Construction board of appeals, per request \$275.00
- b. Zoning board of adjustments and appeals, per request \$275.00
- (~~409~~) Certificate of occupancy:
 - a. New certificate of occupancy \$90.00
 - b. Partial certificate of occupancy (each) \$90.00
 - c. Temporary certificate of occupancy:
 - 1. First 30 days \$90.00
 - 2. Second extension of 30 days \$180.00
 - 3. Third or more extensions of 30 days each \$270.00
 - d. Lost or replacement (reprint) certificate of occupancy \$5.00
- (~~410~~) Right-of-way permit \$50.00
- (~~4211~~) Floodplain permit:
 - a. One and two family residential lots \$35.00
 - b. Other lot \$70.00
- (~~4312~~) Landscape permit/R-3 and R-3F (with only one structure on one lot) \$35.00
- (~~4413~~) Landscape permit/commercial and R-3A \$50.00
- (~~4514~~) Temporary off-premises sign:
 - a. First sign (per calendar year) \$25.00
 - b. Each sign tag thereafter in the same calendar year \$1.00
- (~~4615~~) Commercial kitchen hood permit (each):
 - a. Type I Hood (grease and smoke) \$75.00
 - b. Type II Hood (smoke and/or steam) \$35.00
- (~~4716~~) Partial inspection (each) \$35.00
- (~~4817~~) After hours inspections \$200.00 for first two hours and \$100.00 for each additional hour or fraction thereof. The minimum \$200.00 fee must be paid in advance of the inspection.

SECTION II. That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION III. That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or

impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION IV. That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION V. That this ordinance shall be effective after its passage and publication according to law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this _____ day of _____, 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED

Jose L. Segarra, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lucy Aldrich, CITY SECRETARY

Kathryn H. Davis, CITY ATTORNEY