

CITY OF LAKEWAY, TEXAS

ORDINANCE NO. 2019-07-15-01

AN ORDINANCE OF THE CITY OF LAKEWAY, TEXAS, AMENDING THE CODE OF ORDINANCES, APPENDIX A: FEE SCHEDULE; ARTICLE A6.003: BUILDING AND INSPECTION FEES; AND PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Texas Local Government Code Title 7 Regulation of Land Use, Structures, Business, and Related Activities and Section 2.01 of the Charter of the City of Lakeway, Texas (“City”), the City has general authority to regulate fees; and

WHEREAS, the Texas Legislature passed HB 852 in the 86th Legislative Session which necessitates revisions to the City’s fee structure for building permits .

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Lakeway, Texas:

1. FINDINGS OF FACT

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

2. AMENDMENT

Appendix A (Fee Schedule); Article A6.003 (Building and inspection fees), of the City of Lakeway Code of Ordinances is hereby amended as follows:

“Sec. A6.003 Building and inspection fees

~~A minimum of \$150.00 Permit fee~~ shall be paid at the time of initial application submittal. Additional fees will then be calculated and are due before ~~review of application will commence issuance of C.O. /C.C.~~ Fees shall not be refunded once review of application has commenced. Fees shall be assessed as follows:

.....

(2) Residential.

(A) New: Base permit fee \$2,500 + .20/sf.

(i) Includes all required inspections and 3 plan reviews. Additional inspections and plan reviews will be charged according to Sec. A6.003 (3).

(B) Addition: ^a: Base permit fee \$1,500 + .20/sf.

(i) Includes all required inspections and initial plan review. Additional inspections and plan reviews will be charged according to Sec. A6.003 (3).

(C) Remodel: ^a: Base permit fee \$700 + .20/sf.

(i) Includes up to 6 required inspections and initial plan review. Additional inspections and plan reviews will be charged according to Sec. A6.003 (3).

(D) ~~Limited~~ Minor scope: \$100

(i) Includes 1 required inspection and all plan reviews. Additional inspections will be charged according to Sec. A6.003 (3).

(i) ~~Building:~~ ^a ~~x .20.~~

(ii) ~~Electrical:~~ ^a ~~x .20.~~

(iii) ~~Mechanical:~~ ^a ~~x .20.~~

(iv) ~~Plumbing:~~ ^a ~~x .20.~~

(v) ~~Other:~~ ^a ~~x .20.~~

(E) ~~Accessory:~~ ^b: Limited scope: \$300

(i) Includes 3 required inspections and all plan reviews. Additional inspections will be charged according to Sec. A6.003 (3).

(F) Construction/sales trailer: \$150.00.

(G) Demolition: \$150.00.

(H) Dock: ~~with a minimum fee of \$250.00 and a maximum fee of \$375.00.~~

(i) Private dock: \$250

(ii) Commercial dock/marina: \$750

(I) ~~Fence/retaining wall: \$150.00.~~

(J) Irrigation/water well: \$150.00.

(~~K~~ J) Landscaping, new and alteration: \$150.00.

(~~L~~ K) On-site sewage facility: (see section A6.006).

~~(M L)~~ Pool/spa: ~~\$250.00~~ \$750.

~~(N M)~~ Tree removal: \$150.00.

(N) Contractor registration fee: \$25.00 each. All contractors and subcontractors must register with the city annually.

(O) Business license fee: \$25.00 each. All businesses must register with the city annually.

~~(3) Minor alteration permits.~~

~~(A) Building: \$150.00.~~

~~(B) Electrical: \$150.00.~~

~~(C) Mechanical: \$150.00.~~

~~(D) Plumbing: \$150.00.~~

~~(E) Other: \$150.00.~~

~~(4 3) Other plan review and inspection related fees.~~

~~(A) Inspections/Re-inspections: \$100~~

~~(i) Inspections performed outside of normal business hours where previously approved by the code official, shall be billed at a rate of \$150.00 per hour with a minimum of a 2-hour charge.~~

~~(B) Plan review: \$100~~

~~(A) Inspections performed outside of normal business hours. Where previously approved by the code official, inspections performed outside of normal business hours shall be billed at a rate of \$50.00 per hour with a minimum of a 2-hour charge.~~

~~(B) Reinspections. A reinspection fee in the amount of \$50.00 may be assessed by the code official when:~~

~~(i) Inspections called for are not ready, or are not readily available for inspection;~~

~~(ii) The building address or permit is not clearly posted;~~

~~(iii) City approved plans are not on site; or~~

~~(iv) Correction items have not been corrected.~~

~~(C) Plan review and inspections for which no fee is specifically identified. Plan review fee and inspection fees, including re-review, shall be assessed at a rate of \$50.00 per hour.~~

~~(D) Revision to approved plan. \$100.00 per revised sheet.~~

(5 4) Work commencing before permit issuance. If work for which a permit is required by the building ordinance is commenced prior to obtaining a required permit, the fees specified in this appendix shall be doubled, with a minimum fee of \$100.00. The payment of such doubled fee shall not relieve any persons from fully complying with the requirements of this appendix in the execution of the work nor from any other penalties prescribed herein.

(6 5) Stop-work order. Builders who are issued a stop-work order by the city on a permitted project shall may be charged \$125.00 for the first offense and \$250.00 for each subsequent offense.

- a ~~The permit fee is determined using the building gross area, the square foot construction cost established by the International Code Council and the permit fee multiplier (PFM), and assessed during plan review. The PFM is variable based on the building and development services department annual budget, and shall be updated annually with an effective date of October 1st. Minimum assessment shall be \$150.00. Contact the building and development services department for permit fee estimates.~~

3. SEVERABILITY

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.

4. REPEALER

All Ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

5. EFFECTIVE DATE

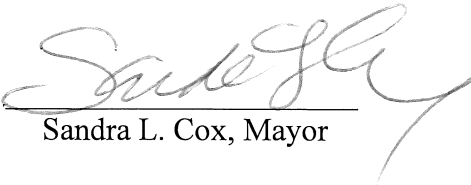
This Ordinance shall be effective immediately upon passage and publication as provided for by law.

6. PROPER NOTICE & MEETING


It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, and Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the 15th day of July, 2019, by the City Council of Lakeway, Texas.

CITY OF LAKEWAY:

By: 
Sandra L. Cox, Mayor

ATTEST:


Jo Ann Touchstone, City Secretary

