

ORDINANCE NUMBER 1102

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS REVISING TITLE XV "LAND USAGE", CHAPTER 156 "LAND USAGE FEE SCHEDULE", §156.01 "FEE SCHEDULE" OF THE CITY OF BURKBURNETT, TEXAS CODE OF ORDINANCES BY AMENDING THE FEE SCHEDULE AND ADOPTING NEW FEES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burk Burnett, Texas (the "City") is a home rule municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, upon review of the City's current fees and increased costs incurred by the City, the Board of Commissioners determined it appropriate to adopt new fees and revise fees within its Fee Schedule to include the annual Consumer Price Index adjustments; to require users seeking specific services from the City pay the associated costs rather than having those costs spread over the ad valorem tax rate for the city; and

WHEREAS, the Board of Commissioners finds it necessary to enact changes to the manner in which it assesses fees related to infrastructure, including review of plans and costs of inspection, and the City has determined it appropriate to pass through costs of third-party consultants and to identify fees associated with services provided by City Staff; and

WHEREAS, the Board of Commissioners finds that it is necessary to amend the City's Fee Schedule and adopt new fees in order to recover costs incurred by the City in connection with services provided to citizens, property owners, and parties doing business within the City as set forth in the City of Burk Burnett Texas Land Usage Fee Schedule ; and

WHEREAS, the Board of Commissioners has reviewed costs and finds that the fees proposed herein are not excessive; rather, the fees are determined to be reasonable and necessary to fairly reimburse the City for costs incurred; and

WHEREAS, the Board of Commissioners finds that it is in the public interest to revise the City's Fee Schedule as set forth in the Land Usage Fee Schedule attached and incorporated herein as **Exhibit "A"**.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS:

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Amendment and Repeal. Title XV "Land Usage", Chapter 156 "Land Usage Fee Schedule" §156.01 "Fee Schedule" of the Code of Ordinances of the City of Burk Burnett Texas is hereby repealed and replaced with the new "Fee Schedule" attached and incorporated herein as **Exhibit "A"**.

SECTION 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided; however, that the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

SECTION 4. Severability. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City of Burkburnett hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 5. Codification. The City Secretary is hereby directed to authenticate this Ordinance by seal and signature and properly codifying this Ordinance and providing a printed copy for public review as required by Article IV, Section 20 of the Burkburnett Home Rule Charter.

SECTION 6. Penalty. Any person who violates or causes, allows or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine or penalty not to exceed \$500.00. If such rule, ordinance or police regulation governs fire safety, or public health and sanitation, other than the dumping of refuse, the fine or penalty shall not exceed \$2,000.00. If such rule, ordinance or police regulation governs the dumping of refuse, the fine or penalty shall not exceed \$4,000.00. Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance rule or police regulation occurs shall constitute a separate offense.

SECTION 7. Effective Date. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED ON THIS 20TH DAY OF OCTOBER 2025.

ATTEST:

Lori Kemp, Mayor

Nikki Tepfer, City Clerk

Exhibit A

City of Burk Burnett, Texas

§156.01 Fee Schedule

This Exhibit provides the revised fee schedule. All permits will be assessed a 2% Technology Fee. All proposed fees are subject to approval by ordinance adoption. Annual adjustments will be made based on the Consumer Price Index (CPI) unless otherwise directed by Council.

Fee Item	Proposed Fee
Issuance Fee (All Permits)	\$50.00 (Per Location)

Building Permits Structures

One & 2 Family Residential (New Construction)	\$0.18/sq ft
Multi-Family Apartments (New Construction)	\$0.35/sq ft
Commercial, Occupied (New Construction)	\$0.35/sq ft
Commercial, Unoccupied (New Construction)	\$0.20/sq ft
Misc. Building (deck/remodel)	\$0.10/sq ft
Storage	\$0.10/sq ft
Carports	\$0.10/sq ft
Shops	\$0.10/sq ft
Detached Garages	\$0.10/sq ft
Outside Storm Shelter	\$50.00
Garage Shelter/Storm Shelter	\$50.00
Fencing	\$40.00
Swimming Pool	\$100.00
Roofing	\$0.05/sq ft
House Moving	\$400.00
Mobile Home Installation	\$300.00

Demolition	\$250.00
Wheel Chair Ramp	\$20.00
Curb Cut/Approach/Driveway	\$75.00
Culvert Set	\$75.00
Certificate of Occupancy	\$75.00
All Concrete Flat Work	\$25.00

Plats

Minor Plat	\$100.00
Preliminary & Final Plats	\$100 Plus Review Cost
Replat	\$100 Plus Review Cost
Zoning Change	\$200.00 + \$20.00 per acre over 5
Zoning PUD	\$750.00 + \$25.00 per acre over 5
Specific Use Provision	\$100.00
Specific Use Provision Appeal	\$50.00
Site Plan	\$100.00
ZBA Variance	\$150.00
ZBA Administrative Appeal	\$75.00
Signage over 25 sq ft	\$50.00
Plat Vacation	\$100.00
Annexation	\$200.00
Renovation	\$50.00

Mechanical Permits

Residential HVAC (New Construction)	\$0.05/sq ft
Commercial HVAC (New Construction)	\$0.08/sq ft

Inspection HVAC (Package Units)	\$20.00
Replacement HVAC - Compressor	\$20.00
Replacement HVAC - Condenser	\$20.00
Replacement HVAC - Evaporator	\$20.00
Replacement HVAC - Furnace	\$20.00
Replacement HVAC - Change Out	\$50.00
Renovation	\$50.00
Work started without permit	\$125.00 + Triple Permit Fee

Plumbing Permits

Residential Plumbing (New Construction)	\$0.08/sq ft
Commercial Plumbing (New Construction)	\$0.15/sq ft
Water Heater	\$20.00
Gas Pressure Test & Inspection	\$15.00
Mobile Home Plumbing Hook-up	\$25.00
Lawn Sprinkler System	\$25.00
Sewer Line Replacement	\$50.00
Misc. Plumbing – Backflow	\$20.00
Renovation	\$50.00
Work started without permit	\$125.00 + Triple Permit Fee

Electrical Permits

Residential Electrical (New Construction)	\$0.05/sq ft
Commercial Electrical (New Construction)	\$0.08/sq ft
Distribution Panels	\$20.00
Misc. Inspection	\$20.00

Temporary Pole for Construction	\$20.00
Mobile Home Electrical Hook-up	\$20.00
Solar Panel Install	\$50.00
Generator Install	\$50.00
Individual Fixtures	\$10.00
Service Entrance 100-200 amp	\$20.00
Service Entrance 201-400 amp	\$25.00
Service Entrance 401-1000 amp	\$30.00
Service Entrance over 1000 amp	\$50.00
Renovation	\$50.00
Work started without permit	\$125.00 + Triple Permit Fee

Property Abatement (does not include fees imposed by the court)

Lot Mowing	Actual Cost
Lien Filing Fee	\$100.00

Fire Department Fees

Fire Sprinkler/Alarm System Inspection	\$250.00
Annual Fire Inspection	\$50.00
Annual Fire Reinspection	\$30.00

MISC.	\$50.00
Water Well Drilling Fee	\$30.00
All Reinspection	\$25.00
Tree Trimming Services (Vendor)	\$50.00
Tree Removal Service (Vendor)	\$50.00
CSI Inspection (Renovation or New Build)	\$50.00

Fees for Professional Services

- (A) The applicant or individual requesting a permit or action by the City included in the fee schedule is responsible for, in addition to the fees set forth in the fee schedule, all professional service expenses incurred by the City for any review and inspection associated with the requested permit or action by the City.
- (B) The City shall invoice the applicant or individual requesting a permit or other action for such professional service expenses.

The City shall not issue a permit or take final action on an application or request until all professional service fees have been paid to the City.

Annual price increase at the consumer price index percent.