

VILLAGE OF WEBBERVILLE

ORDINANCE No. 2011-03

FEE SCHEDULE ORDINANCE

AN ORDINANCE ADOPTING THE VILLAGE OF WEBBERVILLE FEE SCHEDULE; ESTABLISHING FEES ASSESSED BY THE VILLAGE, AND PROVIDING FOR THE FOLLOWING: REPEALER, SEVERABILITY, EFFECTIVE DATE & PROPER NOTICE AND MEETING

WHEREAS, the Village Commission of the Village of Webberville (“Village Commission”) seeks to promote organization and efficiency of its requirements under Village Ordinances; and

WHEREAS, the Village Commission seeks to provide the citizens of the Village a comprehensive list of all fees and amounts implemented by the Village in order to promote efficiency and transparency; and

WHEREAS, the Village Commission finds that the fee amounts assessed in this Ordinance are reasonably related to the costs undertaken by the Village; and

WHEREAS, Pursuant to Texas Local Government Code Section 51.001, the Village has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the Village and is necessary or proper for carrying out a power granted by law to the Village; and

NOW, THEREFORE, BE IT ORDAINED by the Village Commission of the Village of Webberville:

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. ADOPTION

This Ordinance is hereby established so to read in accordance with *Attachment A*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

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All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. PUBLICATION

The Village Clerk is hereby directed to record and publish the attached rules, regulations and policies in the Village's Code of Ordinances as authorized by Sections 51.051(b) & 52.012 of the Texas Local Government Code.

6. EFFECTIVE DATE


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

7. 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, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the 13 day of July, 2011, by a vote of 3 (ayes) to ___ (nays) to ___ (abstentions) of the Village Commission of Webberville, Texas.

VILLAGE OF WEBBERVILLE

by: 
Mayor Hector Gonzales

ATTEST:


Carissa Cannaday, Village Clerk

APPROVED AS TO FORM:
Alan J. Bojorquez, Village Attorney

Attachment A

Village of Webberville
FEE SCHEDULE

Enabling Ordinance	Section Reference	Fee Type	Approved Fee
Municipal Court (2003-06)	N(1) Fees & Fines (p.5)	Fines & Fees-established by state law	
Flood Damage Prevention (2003-09)	3 (C) Development Permit (p.9)	Development Permit Fee	\$250.00
Historic Preservation Ordinance (2004-04)	C (1) Procedure for Application (p.24)	Application Fee	\$100.00
Mining, Extraction, Quarrying (2005-02)	3 (A) Permit Required (p.5)	Extraction Permit Fee	\$500.00
Mining, Extraction, Quarrying (2005-02)	3 (B) Plat Approval (p.5)	Plat Approval Fee	See Subdivision Ordinance
Mining, Extraction, Quarrying (2005-02)	5 (B)(3) Hours of Operation (p.7)	Emergency Permit Fee	\$500.00
Mining, Extraction, Quarrying (2005-02)	5(H) Blasting Permit (p.9)	Blasting Permit Fee	\$150.00
Mining, Extraction, Quarrying (2005-02)	6 (A) Planning (p.9)	Reclamation Plan Application Fee	\$150.00
Flood Damage Prevention (2006-05)	4 (C) Permit Procedures (p.11)	Development Permit Application Processing Fee	\$250.00
Subdivision Ordinance (2005-11)	Section 3.1.3 Procedures	Pre-application Conference Fee	\$50.00/ hour \$50.00 minimum
	Section 5 Final Plat Approval Procedures	Application fee	\$750.00
	Section 10.1 Minor Plats	Application fee	\$500.00
	Section 7.1 Replat Required	Same fee for final plat application	\$750.00

Village of Webberville

FEE SCHEDULE

	Section 8.1 Amended Plat Requirements	Submission fee to amend plat.	\$150.00
Zoning Ordinance (2005-10)	Section 2.25 Zoning Board of Adjustments Procedures	Application Fee for Variance	\$250.00
	Section 2.29.1 Amendments to Zoning Ordinances - Authority	Application fee for Zoning or for an amendment or change to the existing provisions	\$750.00
Site Development Ordinance	4.1 Submissions	Concept Plan and Site Plan Filling Fee	\$750.00
	6.2 Pre-Application Conference	Pre-Application Conference Fee	\$50.00/ hour minimum
Planned Development District	6.10 Administrative Fees	Fee for negotiations, preparation and implementation of Planned Development District	\$5,000.00

In situations where the Village Administrator anticipates the city's out-of-pocket expenses for professional services related to review of an application will exceed the amount recouped by the imposition of standard fees, the Village shall require the applicant to pay a deposit. The amount of the deposit may range from \$1,000 - \$10,000, as deemed necessary by the Village Administrator. Examples of projects for which a deposit may be warranted include (but are not limited to) subdivision plats, rezoning requests, and planned development districts. The deposit shall solely be applied to payment of professional services by engineers, attorneys, surveyors, architects, landscape architects, etc, that are specifically engaged by the city to consult directly on the applicant's proposed project. Payment of this deposit shall be an express condition of the Village's review of and determination upon the application. Payment of the deposit does not guarantee approval of the application. Nor does payment of the deposit create a client relationship between the applicant and the professional services provider. Deposit funds shall not be expended by the Village on code enforcement activities.