

ORDINANCE NO. 072103

AN ORDINANCE AMENDING ORDINANCE NO. 122000-A, AS AMENDED, CHANGING THE FILING FEES FOR PRELIMINARY PLATS AND FINAL PLATS; TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Niederwald desires to amend Ordinance No. 122000-A, as previously amended, in accordance with and as authorized by Chapter 212 of the Texas Local Government Code; Now Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NIEDERWALD, TEXAS:

I.

That Section 9.C. of Ordinance No. 122000-A is hereby amended to read as follows:

C. Filing Fee. The preliminary plat application shall be accompanied by a filing fee of \$395.00 + \$30.00 per lot. Such application shall be considered incomplete until the filing fee is paid. No action by the Commission shall be valid until the filing fee has been paid. This fee shall not be refunded should the subdivider fail to perfect his formal application for preliminary plat approval or should the plat be disapproved.

II.

That Section 10.B.4. of Ordinance No. 122000-A is hereby amended to read as follows:

4. Final Plat Fees. When the final plat application is filed with the City Secretary, it shall be accompanied by the following fees:

a. Filing Fee: \$30.00 per lot, with a minimum fee of \$750.00 per plat.

b. Construction Plan Review Fee: One percent (1%) of estimated total construction costs outside the incorporated limits of the City, and eight-tenths of one percent (0.8%) of estimated total construction costs within the corporate limits of the City, with a \$750.00 minimum. The City of Niederwald reserves the right to have the City Engineer review the estimated construction cost and require changes to the cost estimate, if in the City Engineer's opinion the cost estimate is not accurate.

c. **Construction Inspection Fee:** Five percent (5%) of estimated total construction costs outside the corporate limits of the City, and three percent (3%) of estimated total construction costs within the corporate limits of the City, with a \$500.00 minimum.

III.

That Section 13 of Ordinance No. 122000-A is hereby amended to read as follows:

Section 13. Summary of Fees

- A. Variances: \$50.00 per variance requested.
- B. Preliminary Conference: \$300.00 per conference.
- C. Preliminary Plat Filing Fee: Filing fee of \$395.00 plus \$30.00 per lot.
- D. Final Plat Filing Fee: \$30.00 per lot, with a minimum fee of \$750.00 per plat.
- E. Construction Plan Review Fee:
 - 1. Outside City Limits: 1.0% of estimated construction costs, with a \$750 minimum.
 - 2. Inside City Limits: 0.8% of estimated construction costs, with a \$750 minimum.
- F. Construction Inspection Fee.
 - 1. Outside City Limits: 5% of estimated construction costs, with a \$500 minimum.
 - 2. Inside City Limits: 3% of estimated construction costs, with a \$500 minimum.
- G. Park Land Dedication: 5% of total property to be subdivided or, at the City's option, \$250.00 per residential lot or a 5% raw land value for commercial lot.
- H. Plat Vacation: \$500.00 per plat.
- I. Replat Filing Fee: Same as for final plat.

J. Plat Correction Fee: \$ 500.00 per plat.

K. Fine for Violations: Up to \$500.00 per offense per day for as long as the violation continues.

L. Flood Damage Prevention Ordinance: \$750.00 per development permit application review submitted to the City pursuant to the Flood Damage Prevention Ordinance.

IV.

That should any of the various clauses, sentences, paragraphs, sections or parts of this Ordinance be held for any reason invalid, unconstitutional, or unenforceable as applied to a subdivision or a particular property, building, or structure therein, the same shall not be construed to affect any other valid portion of this Ordinance; but all valid portions hereof shall remain in full force and effect.

V.

That this Ordinance shall become effective on the 21ST day of July, 2003.

READ, PASSED AND APPROVED this the 21ST day of July, 2003.

Shirley Whisenant

HON. SHIRLEY WHISENANT, Mayor

City of Niederwald, Texas

ATTEST:

Angie Schulze

Angie Schulze, City Secretary

