

# CITY OF DRIPPING SPRINGS

## ORDINANCE No. 2019-23

AN ORDINANCE AMENDING APPENDIX A: ARTICLE A1.000 (GENERAL PROVISIONS) OF THE DRIPPING SPRINGS CODE OF ORDINANCES; AMENDING THE DRIPPING SPRINGS FEE SCHEDULE SECTION 7: RESIDENTIAL BUILDING CODE; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER, SEVERABILITY; PUBLICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

**WHEREAS**, the City Council of the City of Dripping Springs (“City Council”) seeks to provide for reasonable fees, including for residential construction and improvement permit fees (“Residential Construction Fee”), to recoup the cost of operating municipal facilities on the public’s behalf; and

**WHEREAS**, the 2019 Texas State Legislature passed a bill known as HB 852 (“Bill”) that prohibits municipalities to base residential building permit fees on the cost of a proposed structure or improvement, or on the value of the dwelling; and

**WHEREAS**, the current calculation method used by the City in the City Fee Schedule utilizes now-prohibited methods to calculate Residential Construction Fees; and

**WHEREAS**, the new Bill allows for the calculation of Residential Construction Fees through square footage-based fees, flat fees, or other non-cost-based calculations, which the City seeks now to implement by amending the Fee Schedule to come into compliance with State law; and

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

**WHEREAS**, the fees approved and instituted by this ordinance are consistent with, and in accordance with, the annual budget for the City.

**NOW, THEREFORE, BE IT ORDAINED** by the Dripping Springs City Council:

### 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. ENACTMENT

Appendix A, Article A1.000 of the City of Dripping Springs Code of Ordinances, Section 7, is amended so to read in accordance with Attachment A, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated on Attachment A.

### 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. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

### 6. EFFECTIVE DATE

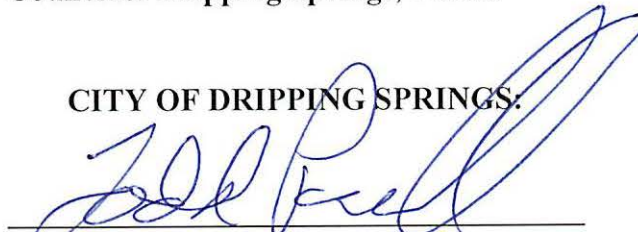
This Ordinance shall be effective immediately upon passage and publication.

### 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 9<sup>th</sup> day of July 2019, by a vote of 4 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.**

**CITY OF DRIPPING SPRINGS.**



\_\_\_\_\_  
Todd Purcell, Mayor

ATTEST:

*Andrea Cunningham*  
Andrea Cunningham, City Secretary



CITY OF DRIPPING SPRINGS

CODE OF ORDINANCES

APPENDIX A DRIPPING SPRINGS MASTER FEE SCHEDULE

ARTICLE A1.000 (GENERAL PROVISIONS)

SECTION 7. RESIDENTIAL BUILDING CODE

7.1.1 **Single Family Dwelling Construction or Improvement of a Residential Building Permit Fees:** Includes fees for Building Permit, Inspections & Plan Review for new construction. Includes move in of existing dwelling, enlargement, remodel, alteration, finish-out, major repair, enclosing garage, carport, deck, balcony, porch, swimming pool, hot tub, spa, etc., and electrical, mechanical, and plumbing work.

<b>Value of Construction</b>	<b>Fees</b>
<del>\$1.00 – \$10,000.00</del>	<del>\$100.00</del>
<del>\$10,001.00 – \$25,000.00</del>	<del>\$125.00 for first \$10,000.00 plus \$10.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00</del>
<del>\$25,001.00 – \$50,000.00</del>	<del>\$275.00 for first \$25,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00</del>
<del>\$50,001.00 – \$100,000.00</del>	<del>\$425.00 for first \$50,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00</del>
<del>\$100,001.00 – \$500,000.00</del>	<del>\$675.00 for first \$100,000.00 plus \$4.00 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00</del>
<del>\$500,001.00 – \$1,000,000.00</del>	<del>\$2,150.00 for first \$500,000.00 plus \$3.50 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00</del>
<del>\$1,000,001.00 and up</del>	<del>\$3,725.00 for first \$1,000,000.00 plus \$2.5 for each additional \$1,000.00, or fraction thereof</del>

<b><u>New Residential Construction</u></b>	
<b><u>Square Footage (S.F.)</u></b>	<b><u>Fee</u></b>
<u>0-1,500 S.F.</u>	<u>\$785.00</u>
<u>1,501-10,000 S.F.</u>	<u>\$785.00 for the first 1,500 S.F. plus \$0.35 for each additional S.F. to and including 10,000 S.F.</u>

<u>Over 10,000 S.F.</u>	<u>\$3,760.00 for the first 10,000 S.F. plus \$0.15 for each additional S.F. over 10,000 S.F.</u>
<b><u>Alteration/Addition for Residential Construction</u></b>	
<u>Trade Permits</u>	<u>Fee</u>
<u>Building, Mechanical, Electrical, Plumbing, Fuel Gas, and similar</u>	<u>\$100.00 per trade</u>
<u>Other project types not listed above</u>	<u>\$160.00 per trade</u>