

ORDINANCE NO. 2348 - C

AN ORDINANCE OF THE CITY OF SAN BENITO, TEXAS AMENDING ORDINANCES NO. 2348, 2348-A & B AND PROVIDING A COMPREHENSIVE SCHEDULE OF FEES AND RELATED POLICIES AND PROCEDURES FOR BUILDING PERMITS, DEVELOPMENT; HEALTH INSPECTIONS VENDORS, ANIMAL CONTROL, FIRE, POLICE REPORTS, VITAL STATISTICS, PERMITS AND DOCUMENTS, LIBRARY FEES, FAXES, PHOTO COPIES, MUNICIPAL COURT FINES, FACILITIES & GROUNDS FEES AND OTHER FEES AND POLICIES AS STIPULATED.

BE IT ORDAINED BY THE CITY OF SAN BENITO

WHEREAS, the City of San Benito is a municipality and owns and operates parks and certain facilities which are for the use by and for the benefit of the public; and

WHEREAS, the City of San Benito has the duty to maintain these parks and certain facilities in good repair and to provide for the physical improvement of such parks and facilities; and

WHEREAS, the City of San Benito has the duty to ensure that all residents have access to such parks and facilities through an affordable and responsible manner;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF SAN BENITO TO HEREBY ADOPT THE FOLLOWING POLICIES AND PROCEDURES.

SECTION 1: Ordinances No. 2348, 2348-A and 2348-B which have heretofore been adopted are hereby amended to enact provisions for a schedule of fees.

SECTION 2: Any person or family desiring disinterment of a body from the City of San Benito Cemetery must pay a fee to the City of San Benito.

SECTION 3: The City Commission of the City of San Benito hereby finds that the fees attached to this ordinance as Exhibit "A" are reasonable fees for the services provided and that the revised fee schedule attached to this ordinance as Exhibit "A" is hereby adopted.

SECTION 4: While not limited to, this ordinance affects the following public parks: Heavin Resaca Trail, W.H. Heavin Amphitheater and Memorial Park, San Benito Municipal Park, Falligant Park, Landrum Park, Valencia Park, Dick Welch Park and Plaza de San Benito Park and the following public facilities: San Benito Community Building & Auditorium, and San Benito Airport/Fairgrounds, Kennedy Pavilion, V. Glenn White Pavilion, Falligant Pavilion, and San Benito Municipal Pavilion, San Benito Municipal Sports (Baseball/Football) Fields, and San Benito Municipal Swimming Pool.

SECTION 5: All public parks are open and available for public use every day between the hours of 5:00 a.m. and 11:00 p.m.

SECTION 6: Alcoholic beverages are not allowed on the premises of any of the public parks unless specified as allowable by this ordinance.

SECTION 7: When and where alcoholic beverages are allowed, the parties involved must have at least two (2) City of San Benito Police Officers present to provide for the safety of the public.

SECTION 8: Rules and user fees for the use of the public parks and certain public facilities are hereby provided in this Ordinance.

SECTION 9: Should the situation presents itself, where there is breakage and or damages to any of the City Parks and or City Facilities in which repairs exceed the amount of deposit the User will be billed for and become responsible for said expenses.

a. Posted Rules:

- No alcoholic beverages unless Police Officers have been acquired
- No firearms
- No motorized vehicles
- No skateboarding
- No horses
- Bicycles for exercise use only
- Clean up after yourself and your pets
- All pets must be on a leash
- Children must have adult supervision
- Obey all City Park rules & ordinances

SECTION 10: REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 11: This ordinance shall become effective on October 5, 2010 and after publication.

SECTION 12: PUBLICATION

The City Secretary of the City of San Benito, Texas is hereby authorized and directed to cause a true and correct copy of the caption of this Ordinance to be published in a newspaper having general circulation in the City of San Benito, Cameron County, Texas.

First Reading September 27, 2010

Second Reading October 5, 2010

CITY OF SAN BENITO

ATTEST:

JACK GARCIA, MAYOR

LUPITA PASSEMENT, CITY SECRETARY

EXHIBIT "A"

Technical Permit Fees	
Mechanical (a/c) (Annual Registration)	\$150.00
Mechanical Permit	\$35.00
Addition Per Ton	\$5.00
House Mover (Annual Registration)	\$150.00
House Moving Permit	\$150.00
Pre-inspection Mobile or Home	\$150.00
Housing Moving Deposit Per Structure	\$200.00
Demolition Permit (Residential)	\$75.00
Demolition Permit (Commercial)	\$200.00
Demolition Deposit (Per Structure)	\$250.00
Electricians (Annual Registration)	\$150.00
Electrical Permits (Min. Per Permit)	\$30.00
Temporary Poles	\$25.00
Meter Service	\$35.00
Reconnect Residential	\$35.00
Reconnect Commercial	\$60.00
Working Clearance	\$40.00
Circuits Each	\$5.00
Contractors Plumbers (Annual Registration)	\$0 as per state law
Plumbing Permits (Min. Fee) Per Permit	\$35.00
Rough-In Inspection	\$50.00
Slab Plumbing	\$100.00
Final Inspection	\$25.00
Per Fixture	\$3.00
Sewer Yard Line	\$25.00
Backflow Tester, Irrigation and Sprinkler Installers Contractors (Annual Registration)	\$150.00
Backflow Device (Verification Fee)	\$25.00
Irrigation, Backflow, Fire tap permits (Per Project)	\$50.00
Backflow test/maintenance Form Filing Fees (Per Test)	\$5.00
Regular Contractors (Annual Registration)	\$150.00
Self Contracting Homeowner (Per Project)	\$35.00
Gas Permits (Min.Fee) Gas Line & Repair	\$35.00
One To Four Outlets	\$25.00
Each Additional Outlet	\$10.00
Curb break (Per Curb Break)	\$50.00
Certificate of Occupancy	\$75.00
Preliminary Inspection/Plan Review	\$50.00
All Re-Inspection Fees 2nd Inspection or More	\$100.00
Follow-Up/Compliance Inspection (Building/Planning & Zoning)	\$75.00

Planning & Zoning	
City of San Benito Zoning Ordinance	\$35.00
City of San Benito Subdivision Ordinance	\$35.00
Rezoning Application	\$200.00
Re-Notification for Rezoning	\$50.00
Subdivision	
Variance	\$50.00
Preliminary Plat	\$200.00
Final Plat	\$50.00
Conditional Use Permit Application	\$200.00
Re-Notification for Conditional Use Permit	\$50.00
Zoning Variance Application	\$200.00
Re-Notification for Zoning Variance Application	\$50.00
Application for Appeal (Planning & and Zoning Commission)	\$200.00
Right-of-Way Abandonment Application (includes appraisal)	\$200.00
Park Settlement Fee (Multi-Family/Subdivision)	5% of land value
Annexation Application	\$200.00
Recordation Fee (per document)	\$50.00
Research Fee	\$25.00
Verification Letters (Zoning & Flood Plain)	\$25.00
Site Plan Review	\$50.00
Zoning Map	\$25.00
City Map	\$25.00
11"x17" Map	\$15.00
Flood Plain	\$20.00
Late Hours Permit	\$750.00
Annual Alcohol License Inspection	\$450.00
Field Check (Planning & Zoning)	\$25.00
Wet Certificate	\$10.00

BUILDING PERMIT FEES	
Construction Value \$1000 or Less (No Fee Unless Inspection is Required Per Inspection)	\$40.00
\$1001 to \$50,000 (+\$5.25 Each Add. Thousand or Fraction Thereof)	\$40 first \$1K
\$50,001 to \$100,000 (+\$4.25 Each Add. Thousand or Fraction Thereof)	\$297.25 first \$50K
\$100,001 to \$500,000 (+ \$3.25 Each Add. Thousand or Fraction Thereof)	\$505.50 first 100K
\$500,001and/or more (+ \$2.25 Each Add. Thousand or Fraction Thereof)	\$1805.50 first \$500K
Fence Permit (new/replace/fix) whichever is greater	\$50 or 5% of cost
Roof Permit (re-roofing/fix) whichever is greater	\$50 or .5% of cost

BUILDING PERMIT FEES Con't.

Building Permit Extension (After first 6 months)	\$25.00
New Business Permit	\$150.00
Annual Renewal	\$50.00
Annual Fire Occupancy inspection	\$15.00
Fire Plan Review	\$25.00
Sprinkler/Alarm Renovation-Modification Review	\$25.00
Fire Alarm System Test	\$50.00
Under Ground Hydrostatic Test	\$50.00
Above Ground Hydrostatic Test (pressure check)	\$25.00
Drilling Permits	\$25.00
Street Sign, 24" or Less (New Subdivision Only)	Actual Cost
Street Sign, 24" or less w/pole "	"
Street Sign, 30" (New Subdivision Only)	"
Street Sign, 30" w/pole "	"
Street Sign, 36" (New Subdivision Only)	"
Street Sign, 36" w/pole "	"
Street Sign installation (New Subdivision Only)	"
Relocation of Business Permit	\$150.00
Change or Replace of Business Name Permit	\$150.00
No Permit Prior to Construction/Penalty Fees	Double Fees
Carnival Operating Permit	\$500.00
Clean-Up Deposit Fee	\$500.00
Set-up Inspection Fee	\$100.00

HEALTH INSPECTIONS/CODE ENFORCEMENT FEES

Restaurants/Convenience/Grocery	\$250.00
Public Cafeterias	\$250.00
Bars/Lounges	\$250.00
Meat & Seafood	\$250.00
Tortillerias	\$250.00
Day Care & Group Homes	\$250.00
Foster Home Inspection	\$125.00
Foster Home/Child & Adult Care Fire Inspection	\$10.00
Nursing Home/Health Care/ Hospital Fire Inspection	\$25.00
THE ABOVE NOTE ANNUAL FEES	
Follow-up/Compliance Health Inspection	\$75.00
Mobile Home Parks Operation Permit(2 inspections per year)	\$250.00
Liquor/Beer & Wine	½ Cost of State
Mowing Fees (per lot up to ½ acre)	\$500.00
Every Half Acre Thereafter	\$50.00
Hood System Extinguisher Test (Trip/Suppression Test)	\$25.00
Burn Permit	\$25.00

HEALTH INSPECTIONS/CODE ENFORCEMENT FEES CON'T.

VENDOR FEES	
Seasonal Vendors Fee (1-4 days)	\$25 per day
Seasonal Vendors Fee (5-14 days)	\$200.00
Non-profit/School function (Single Event)	\$35.00
Seasonal Sales (3 months consecutively) (<=5 booths)	\$150.00
Event Permit (<=5 booths)	\$100.00
Additional Fee per Booth	\$15.00
Produce Vendors (3 Months Consecutively)	\$100.00
General/Food Mobile Vendors (3 Months Consecutively)	\$100.00
Street Peddler/Door-to-Door Sales (1-4 days)	\$100 + \$10 per person

ANIMAL CONTROL	
Pickup Stray Dog or Cat	\$45.00
Shelter Fee (Per day)	\$15.00
Quarantine (10 days)	12.50 per day
Adoption	\$25.00
Dog License	\$5.00

FIRE DEPARTMENT FEES	
Fire Reports	\$6.00
Bee Service Call	\$50.00
Fire Unit Detail (per event)	\$75.00

Police	
Vehicle Letter	\$30.00
Police Letter	\$30.00
Hunting Letter	\$15.00
Accident Report (State Mandate)	\$6.00
Accident Report (State Mandate - certified)	\$8.00
Offense Report	\$30.00
Incident/Miscellaneous Report	\$30.00
Fingerprints (per card)	\$25.00
Police Security (If Required - 2 Officers Minimum - 4 hrs.)	\$280.00
Each Additional Hour	\$70.00
Police Escort	
Transport Assistance (per unit per hour)	\$70.00

Vital Statistics	
Birth Certificate	\$23.00
Plastic Cover	\$2.00
Birth Certificate (wallet size)	\$23.00
Plastic Cover	\$1.00
Birth Certificate (Surcharge)	\$2.00
Death Certificate	\$21.00
Additional copies	\$4.00
Burial Transit Permits	
During business hours	\$25.00
Outside of business hours	\$50.00
Disinterment Permit	\$50.00
Burial Permits	
San Benito City Cemetery	
Resident	\$250.00
Non-Resident	\$500.00
San Benito Memorial Park Cemetery	
Resident	***
Non-Resident	***

Library	
Overdue Charges Per Day:	
Book	\$0.50
DVD	\$1.00
Test Material	\$1.00
Audio Cassettes	\$0.50
Video	\$0.50
Interlibrary Loan Materials	\$1.00
Certified Letter for Overdue Material	\$10.00
Damaged/Lost/Unreturned Material	
Video, Cassette, Book (plus price of purchase)	\$5.00
Barcode Labels	\$1.00
Interlibrary Loan Materials (determined by lender)	
Case Damage	
Video, Audio	\$2.00
Replace Library Card	\$5.00
Video Placed in Book Drop	\$1.00
Video Not Rewound	\$1.00
Interlibrary Loan Postage	\$2.50
Equipment Usage	
Black & White Printouts	\$0.25
Colored Printouts	\$0.50
Fax, 1st Page	\$3.00
Fax, all other pages	\$2.00
Microfiche/Film Reader	\$0.25

LIBRARY FEES CON'T.

Library Conference Room Rental:	
1/2 Room Per 1/2 Day	\$50.00
1/2 Room Per 1 Day	\$100.00
Large Room Per 1/2 Day	\$75.00
Large Room Per 1 Day	\$150.00
Clean-Up Deposit	\$50.00

Administration	
Copies (Per Page)	\$0.25
Fax, 1st Page	\$3.00
Fax, all other pages	\$2.00
Code of Ordinance Copy	\$175.00
City Budget Copy	\$40.00
City Charter Copy	\$10.00
Audit	\$40.00

Municipal Court	
Certified Copies of Official Documents	\$10.00
Violation Fees	
Right of Way Violations (ran stop sign, red light, improper turns, fail to Yield right of way, unsafe lane change, fail to drive in single line	168.00
Illegal U Turn (Ordinance #868)	168.00
Driving on the wrong side/wrong way on one-way	168.00
Following too closely	168.00
No operator's license	167.00
Unrestraint child	207.00
Unrestraint driver	157.00
Unapproved window coating	167.00
MVI sticker invalid	142.00
Registration Invalid	109.00
All defective equipment	142.00
Fictitious MVI Sticker	142.00
Fictitious Registration Sticker	142.00
Driving without headlights	142.00
Curfew/Loitering (city ord.)	179.00
Leash Law (city ord.)	129.00
Handicapped parking violation	99.00
Parking violation: Imp. Parking, No Parking Zone, parking after hours	95.00
Loud music (city ord.)	179.00
Maximum Speed Requirement: Fail to control speed	168.00
Racing on highway Contesting for Speed Exhibition of Acceleration	213.00
Overtaking/Passing School Bus	358.00

MUNICIPAL COURT FEES CON'T.

Cell Phone Use in School Zone	200.00
No proof of liability Insurance	269.00
Accident involving damage to vehicle	313.00
Public Intoxication/Assault	279.00
Discharge of Firearms	279.90
DUI Class C	312.00
Disorderly Conduct/Theft	279.00
Possession of Drug Paraphernalia	312.00
Failure to Identify	279.00
Minor in possession alcoholic beverage	279.00
Scofflaw fees (License plates renewal)	10.00

Facility And/Or Ground Fees	
Police Security (If Required - 2 Officers Minimum - 4 Hrs.)	\$280.00
Each Additional Hour	\$70.00
Key Deposit	\$30.00
After Hours Service Call	\$100.00
Clean-Up Deposit	\$250.00
Lighting Usage Per Hour (Per Field/Facility)	\$15.00
NOTE: All damages shall be assessed and applied separately	
Stookey Park Pavilion:	
Daily Rental	\$250.00
w/ Caboose additionally	\$200.00
Stookey Park Pool:	
Hourly Rate	\$100.00
Life Guard Per Hour	\$25.00
NOTE: Minimum of 3 Life Guards + 1 For Every 20 individuals beyond 60	
Stookey Park Soccer/Football Fields:	
Large Field Daily Rate	\$250.00
Small Field Daily Rate Per Field	\$150.00
w/ Concession Facility (additional)	\$100.00
Stookey Park Baseball Fields:	
Small & Medium Fields Daily Rate Per Field	\$150.00
Large & Full Size Fields Daily Rate Per Field	\$250.00
w/ Small Concession Facility (additional)	\$100.00
w/ Large Concession Facility (additional)	\$200.00
w/ Meeting Room (additional)	\$100.00
Stookey Park Batting Cages	\$150.00
Fairground:	
Neuman Building (15,000 sq.ft. @ \$0.10/sq.ft.)	\$1,500.00
Judging Area (4,070 sq.ft. @ \$.10/sq.ft.)	\$407.00
Livestock Barn (15,000 sq.ft. @ \$.10/sq.ft.)	\$1,500.00
Vacant Land Per Acre	\$100.00

FACILITY AND/OR GROUND FEES CON'T.

Fairground:	
Major Event/Concerts	10% of Ticket Sales
Fenced Arena	\$250.00
NOTE: All Fees for Fields and/or Fairgrounds above are daily rates per event	
Community Building:	
First 4 Hours	\$350.00
Each Additional Hour	\$75.00
Kennedy Park Pavilion:	
Regular Day	\$100.00
Special Event/Holiday	\$150.00
Falligant Park Pavilion:	
Regular Day	\$100.00
Special Event/Holiday	\$150.00
Glenn White Park Pavilion	
Regular Day	\$100.00
Special Event/Holiday	\$150.00
Amphitheatre:	
Regular Day	\$300.00
Special Event/Holiday	\$500.00
All Other Facilities/Parks Not Mentioned @ \$.10/sq.ft. of Area Usage	
To include, but not limited to: Plaza de San Benito, Landrum Park	