

ORDINANCE NO. O-2020-85

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 6, "BUILDINGS AND STRUCTURES", CHAPTER 16 "SOLID WASTE DISPOSAL REGULATIONS"; AND CHAPTER 19 "UTILITIES", OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, AMENDING AND UPDATING VARIOUS FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, various fees for services are established in the City Code; and

WHEREAS, it is important for the City Council to update and revise various fees in the City Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS;

PART 1: That Tyler City Code Chapter 6, "Buildings and Structures", Article I, "Building Code", is hereby amended by amending Section 6-3 to read as follows:

Sec. 6-3. SCHEDULE OF PERMIT FEES

a. Building permit fees.

1. New residential construction fees shall be \$0.25 per each square foot of building space. Residential construction shall include all single family detached residences and single family attached residences including duplexes, townhomes and condominiums. Minimum fee fifty dollars (\$50.00).

(Ord. No. 0-2010-99, 9/22/10)(Ord. No. 0-2015-107; 12/9/15)(Ord. No. 0-2019-80; 9/25/19)(Ord. No. 0-2020-85; 9/9/20)

2. Nonresidential, commercial and industrial new construction and alteration, additions and repairs. Building permit and fire inspection fees, not including plumbing and electrical permits and inspections fees, on all nonresidential, commercial and industrial new construction and alteration, additions and repairs, shall be per each one thousand dollars (\$1,000.00) of estimated construction valuation in accordance with the following schedule. Minimum fee fifty dollars (\$50.00).

<i>\$1,001 to \$50,000</i>	<i>\$50.00 plus \$5.75 per \$1,000 or part thereof</i>
<i>\$50,001 to \$100,000</i>	<i>\$331.74 for the first \$50,000 plus \$4.60 for each additional \$1,000 or part thereof to and including \$100,000</i>
<i>\$100,001 to \$500,000</i>	<i>\$561.74 for the first \$100,000 plus \$3.68 for each additional \$1,000 or part thereof to and including \$500,000</i>
<i>\$500,001 and up</i>	<i>\$2,033.74 for the first \$500,000 plus \$2.94 for each additional \$1,000 or part thereof</i>

(Ord. No. 0-2010-99, 9/22/10)(Ord. No. 0-2015-107; 12/9/15)(Ord. No. 0-2019-80; 9/25/19)(Ord. No. 0-2020-85; 9/9/20)

3. *Residential, alteration, additions and repairs fees shall be \$0.35 per each square foot of area being remodeled, altered, added, or repaired. The minimum fee for any type of permit shall be fifty dollars (\$50.00).*

(*Ord. No. 0-2010-99, 9/22/10)(Ord. No. 0-2015-107; 12/9/15)(Ord. No. 0-2019-80; 9/25/19)*
(Ord. No. 0-2020-85; 9/9/20)

4. through 7. No changes

b. through e. No changes

PART 2: That Tyler City Code Chapter 16, "Solid Waste Disposal Regulations", Article I, "Solid Waste Disposal Regulations", is hereby amended by amending Section 16-4 to read as follows:

Sec. 16-4. Residential collection.

a. through c. No changes.

d. **Brush.** All brush to be collected by the City shall be placed in the parkway behind the curbline at a location so that access to it is not obstructed by overhanging tree limbs, wires, or other obstacles which would interfere with mechanical collection. Brush collected on regular trash and brush collections shall be bundled into four (4) feet long bundles not exceeding twenty-four (24) inches in diameter secured by twine or string. Unbundled brush is collected by special request and shall be assessed a charge in accordance with the fee schedule in this Article. Unbundled trees and brush shall be cut into lengths of twelve (12) feet or shorter. Brush or yard waste shall not be placed in City-supplied containers. Packout service is for trash only. Packout customers must follow the requirements in this subsection d. for brush collection. (Ord. No. 0-2020-85; 9/9/20)

e. No changes.

f. **Leaves.** All leaves to be collected by the City shall be placed in the parkway behind the curb line at a location so that access to it is not obstructed by overhanging tree limbs, wires, or other obstacles which would interfere with mechanical collection. Leaves should be placed in biodegradable bags in order to help with composting. Leaves shall not be placed in City-supplied containers. Twenty-five (25) or more bags shall be called in for special pickup and shall be assessed a charge in accordance with the fee schedule in this Article. Packout service is for trash only. Packout customers must follow the requirements in this subsection f. for leaf bag collection. (Ord. No. 0-2020-85; 9/9/20)

g. through h. No changes

PART 3: That Tyler City Code Chapter 16, "Solid Waste Disposal Regulations", Article I, "Solid Waste Disposal Regulations", is hereby amended by amending Section 16-13 to read as follows:

Sec. 16-13. Fees

All fees listed in this section are subject to street use fees and sales tax. The following are the fees for collection of solid waste:

a.

Automated Service for Residential	Container Size	Number of Containers	Trips Per Week	Monthly Charge
1. Units	96 gallon wheeled cart included (For household waste only—not for brush or yard waste)	1	2	\$17.03+ tax (Ord. No. 0-2020-85; 9/9/20)
2. More than three (3) residential units at one location shall be considered commercial.				
3. Additional carts are \$9.87 per month – (Optional) (Ord. No. 0-2020-85; 9/9/20)				
4. Subscription Curbside Recycling - \$5.96 per month for collection every two weeks – (Optional)				
5. Additional Curbside Recycling Carts - \$2.04 per month for collection every two weeks. (Optional)				
6. Packout Service (not applicable to brush collection or leaf bag collection)				
Packout Service (up to 150 feet) - \$15.07 per month (Ord. No. 0-2020-85; 9/9/20)				
Packout Driveout Service (over 150 feet) - \$21.31 per month (0-2006-14, 1/25/06; Ord. No. 0-2006-51, 5/24/06) (Ord. 0-2007-111, 9/26/07) (Ord. 0-2009-103, 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. No. 0-2020-85; 9/9/20)				
7. For Solid Waste customers who do not receive Automated Service for Residential (i.e., do not have carts) -\$5.20 per month. This surcharge shall not apply to Packout or Driveout customers. (Ord. No. 0-2008-92; 6/23/08) (Ord. No. 0-2020-85; 9/9/20)				
8. Duplex = 2 units, requires 2 carts (2 x #1 above) \$34.06 (Ord. No. 0-2020-85; 9/9/20)				
(Ord. 0-2011-74, 9/14/11)(Ord. No. 0-2017-77; 9/13/17)(Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)				

b. through e. No change

PART 4: That Tyler City Code Chapter 19, "Utilities", Article III., "Water & Sewer Service", Division C., "Rates", is hereby amended by amending Sections 19-60, 19-64, and 19-66, to read as follows:

Sec. 19-60. Water service rates.

a. There is hereby established a minimum monthly water use charge based upon the size of the water meter installed as follows:

MINIMUM MONTHLY RATES—Effective 10-1-2020			
Monthly Minimum			
Meter	Inside	Outside	
Size(in.)	City	City	
5/8	15.80	23.70	
1	15.80	23.70	
1 1/2	15.80	23.70	
2	18.50	27.75	

3	21.40	32.10
4	32.50	48.75
6	48.00	72.00
8	64.60	96.90
10	91.30	136.95
12	117.90	176.85

(Ord. 0-2003-42, 9-10-2003)(0-2005-77, 9-28-05)(0-2006-79; 9-13-2006)(0-2008-128; 9/24/08)(0-2008-155, 12/10/08)(Ord. 0-2009-103; 9/23/09)(Ord. No. 0-2010-99, 9/22/10)(Ord. 0-2012-69, 9/12/12)(Ord. No. 0-2014-86; 9/24/14)(Ord. No. 0-2015-91; 9/22/15)(Ord. No. 0-2016-78; 9/14/2016)(Ord. No. 0-2017-77; 9/13/17)(Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

b. Subject to the minimum monthly charges as provided in subsection a. above, the following rates per month shall be charged for water furnished:

CHARGE (per 1,000 gallons):

Volume
Volume Charge – Inside City (per 1k gal)

Volume	October 1, 2019
First 2k	<i>Min</i>
Next 23k	3.40
Next 975k	2.29
Next 4mil	1.90
Over 5mil	1.83

Volume
Volume Charge – Outside City (per 1k gal)

Volume	October 1, 2019
First 2k	<i>Min</i>
Next 23k	5.10
Next 975k	3.4
Next 4mil	2.85
Over 5mil	2.75

Single Family Residential—Effective 9-1-2021		
Rate per 1,000 gallons		
	Inside	Outside
Gallons	City	City
First 2k	<i>MIN</i>	<i>MIN</i>
2-10 k	3.40	5.10
10-25 k	3.95	5.93
25-50 k	4.50	6.75
Over 50 k	5.20	7.80

Multi-Family Residential—Effective 9-1-2021

Rate per 1,000 gallons		
	Inside	Outside
Gallons	City	City
<i>First 2k</i>	<i>MIN</i>	<i>MIN</i>
<i>Over 2k</i>	<i>3.40</i>	<i>5.10</i>

Commercial—Effective 9-1-2021

Rate per 1,000 gallons		
	Inside	Outside
Gallons	City	City
<i>First 2k</i>	<i>MIN</i>	<i>MIN</i>
<i>Over 2k</i>	<i>2.85</i>	<i>4.28</i>

Governmental and Institutional—Effective 9-1-2021

Rate per 1,000 gallons		
	Inside	Outside
Gallons	City	City
<i>First 2k</i>	<i>MIN</i>	<i>MIN</i>
<i>Over 2k</i>	<i>2.60</i>	<i>3.90</i>

Industrial—Effective 9-1-2021

Rate per 1,000 gallons		
	Inside	Outside
Gallons	City	City
<i>First 2k</i>	<i>MIN</i>	<i>MIN</i>
<i>Over 2k</i>	<i>2.25</i>	<i>3.38</i>

Irrigation for Residential and Commercial—Effective 9-1-2021

Rate per 1,000 gallons		
	Inside	Outside
Gallons	City	City
<i>First 2k</i>	<i>MIN</i>	<i>MIN</i>
<i>2-25 k</i>	<i>3.40</i>	<i>5.10</i>
<i>25k -1 mil</i>	<i>3.95</i>	<i>5.93</i>
<i>1-5 mil</i>	<i>4.50</i>	<i>6.75</i>
<i>Over 5 mil</i>	<i>5.20</i>	<i>7.80</i>

Irrigation for Governmental, Institutional and Industrial—Effective 9-1-2021

Rate per 1,000 gallons		
	Inside	Outside
Gallons	City	City
<i>First 2k</i>	<i>MIN</i>	<i>MIN</i>
<i>2k - 1 mil</i>	<i>3.40</i>	<i>5.10</i>

<i>1-5 mil</i>	<i>3.95</i>	<i>5.93</i>
<i>over 5 mil</i>	<i>4.50</i>	<i>6.75</i>

(Ord. 0-2003-42, 9-10-2003)(0-2005-77, 9-28-05)(0-2006-79; 9-13-2006)(0-2008-128; 9/24/08)(0-2008-155, 12/10/08)(Ord. 0-2009-103; 9/23/09)(Ord. No. 0-2010-99, 9/22/10)(Ord. 0-2012-69, 9/12/12)(Ord. No. 0-2014-86; 9/24/14)(Ord. No. 0-2015-91; 9/22/15)(Ord. No. 0-2016-78; 9/14/2016)(Ord. No. 0-2017-77; 9/13/17)(Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

c. The monthly charge for private fire protection service shall be as follows:

Fire Line Fee—Effective 10-1-2020		
Fire Line Fee		
Size		
Inches		Fee
<i>4</i>	<i>A</i>	<i>12.00</i>
<i>6</i>	<i>B</i>	<i>23.50</i>
<i>8</i>	<i>C</i>	<i>43.00</i>
<i>10</i>	<i>D</i>	<i>99.50</i>
<i>12</i>	<i>E</i>	<i>107.00</i>

(0-2005-77, 9-28-2005)(0-2006-79; 9-13-2006)(Ord. 0-2009-103; 9/23/09)(Ord. No. 0-2010-99, 9/22/10)(Ord. 0-2012-69, 9/12/12)(Ord. No. 0-2014-86; 9/24/14)(Ord. No. 0-2016-78; 9/14/2016)(Ord. No. 0-2017-77; 9/13/17)(Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

d. through h. No change

Sec. 19-64. Sewer service rates.

a. The following rates per month shall be charged for sanitary sewer service furnished to the users or customers receiving City sanitary sewer services. In calculating the monthly service charge, the rates shall be applied to the volume of water used as measured by the consumer's water meter, except that water usage subject to charges for sanitary sewer service to single-family residences, duplexes, apartment houses, townhouses, condominiums, and mobile home parks shall not exceed ten thousand (10,000) gallons per single-family residential unit monthly. Rates to commercial, governmental and institutional customers will be based on monthly water use subject to customer proof of lower sewage discharged. If the customer is not supplied water by City, the volume of water used shall be determined by metering or measuring devices acceptable to the Division.

Minimum Sewer Rates for All Non-Industrial Classes—Effective 10-1-2020		
Monthly Minimum		
Meter	Inside	Outside
Size(in.)	City	City
<i>5/8</i>	<i>19.10</i>	<i>28.65</i>
<i>1</i>	<i>19.10</i>	<i>28.65</i>
<i>1 1/2</i>	<i>19.10</i>	<i>28.65</i>
<i>2</i>	<i>22.90</i>	<i>34.35</i>
<i>3</i>	<i>26.60</i>	<i>39.90</i>

4	41.90	62.85
6	64.60	96.90
8	87.50	131.25
10	125.50	188.25
12	161.00	241.50

Ord 0-2003-42, 9-10-2003) (0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2015-91; 9/22/15) (Ord. No. 0-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

b. Subject to the minimum monthly charges as provided in subsection a. above, the following rates per month shall be charged for sewer service based on water consumption below:

VOLUME

Volume Charge – Inside City (per 1k gal)

Volume	October 1, 2019
First 2k	Min.
Next 23k	2.80
Next 975k	2.69
Next 4mil	1.98
Over 5mil	1.51

VOLUME

Volume Charge – Outside City (per 1k gal)

Volume	October 1, 2019
First 2k	Min.
Next 23k	4.21
Next 975k	4.03
Next 4mil	2.97
Over 5mil	2.27

Volumetric Sewer Rates for All Non-Industrial Classes—Effective 9-1-2021

	Rate per 1,000 gallons	
	Inside	Outside
Gallons	City	City
First 2k	MIN	MIN
Over 2k	2.80	4.20

In calculating the monthly rates and charges hereunder for apartment houses, townhouses, condominiums, mobile home parks under single ownership and other buildings designed for or occupied by three (3) or more families, every separate living unit therein shall be considered a separate user or customer receiving services rendered by the City's sanitary sewer system. (Ord 0-2003-42, 9-10-2003) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13)

(Ord. No. 0-2014-86; 9/24/14) (Ord. No. O-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

c. through d. No changes.

Sec. 19-66. Sewer utility industrial rates.

a. Calculation based on water used. The City sewer utility industrial rate is calculated by adding the minimum bill, which is based on the size of water meter, plus the volume of water used over the minimum, plus a surcharge calculated for any extra strength waste discharged into the system.

TABLE (A1)

MINIMUM MONTHLY INDUSTRIAL RATES—Effective 10-1-2020		
Monthly Minimum		
Meter Size(in.)	Inside City	Outside City
5/8	84.00	126.00
1	84.00	126.00
1 1/2	84.00	126.00
2	84.00	126.00
3	84.00	126.00
4	84.00	126.00
6	84.00	126.00
8	89.00	133.50
10	128.00	192.00
12	161.00	241.50

(Ord. 0-2003-42, 9-10-2003) (0-2005-77,9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2015-91; 9/22/15) (Ord. No. O-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

TABLE (A2)
VOLUME CHARGE FOR WATER USED¹ (per 1,000 gallons):

Volume Charge – Inside City (per 1k gal)

Volume	October 1, 2019
First 2k	Min
Next 998k	2.04
Next 4mil	1.69
Over 5mil	1.51

Volume Charge – Outside City (per 1k gal)

Volume	October 1, 2019
First 2k	Min.
Next 998k	3.06
Next 4mil	2.55
Over 5mil	2.27

VOLUME CHARGE FOR WATER USED—Effective 9-1-2021

Rate per 1,000 gallons		
	Inside	Outside
Gallons	City	City
First 2k	MIN	MIN
Over 2k	1.65	2.48

SURCHARGE FOR EXTRA STRENGTH DISCHARGE

Based on water used at \$ per mg/l per 1,000 gallons

	October 1, 2019
BOD5	0.002660663
COD	0.001286306
TSS	0.001491758

(Ord 0-2003-42, 9-10-2003) (Ord. 0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

b. Calculation based on sewage disposal. The City sewer utility industrial rate is calculated by adding the minimum bill which is based on the size of the water meter [see TABLE (A1) above, plus the volume of sewage discharged over the minimum, plus a surcharge calculated for any extra strength waste discharged into the system.

TABLE A3

VOLUME CHARGE FOR SEWAGE DISCHARGED² (PER 1,000 GALLONS)

October 1, 2019

Gallons	Inside City	Outside City
First 2,000	Minimum	Minimum
Next 998,000	2.48	3.73
Next 4,000,000	2.12	3.17
Over 5,000,000	1.91	2.86

VOLUME CHARGE FOR SEWAGE DISCHARGED—Effective 9-1-2021

Rate per 1,000 gallons		
	Inside	Outside
Gallons	City	City

First 2k	MIN	MIN
Over 2k	1.65	2.48

SURCHARGE FOR EXTRA STRENGTH DISCHARGE
Based on sewage discharged \$ per mg//1 per 1,000 gallons

	October 1, 2019
BOD5	0.003927484
COD	0.001838857
TSS	0.002132359

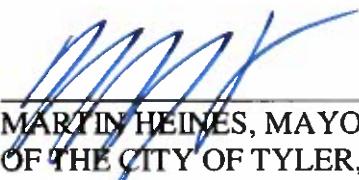
(Ord 0-2003-42, 9-10-2003) (Ord. 0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

c. through f. No changes

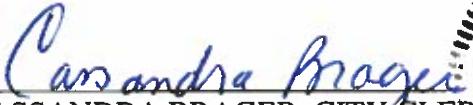
PART 5: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 6: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, or later. The effective date of this Ordinance shall be October 1, 2020.

PASSED AND APPROVED this 9th day of September, A. D., 2020.


 MARTIN HEINES, MAYOR
 OF THE CITY OF TYLER, TEXAS

ATTEST:


 CASSANDRA BRAGER, CITY CLERK



APPROVED:


 DEBORAH G. PULLUM,
 CITY ATTORNEY