

**ORDINANCE NO. O-2011-46**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 6, "BUILDINGS AND STRUCTURES", ARTICLE I., "BUILDING CODE", OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, TO ADJUST THE EXISTING BUILDING PERMIT FEES FOR NEW CONSTRUCTION AND ALTERATION, ADDITIONS AND REPAIRS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, it is the intent of the City Council to protect the public health, safety and welfare; and

**WHEREAS**, in City Code Chapter 6, Article I., the City Council has adopted building permit fees for new construction and alteration, additions and repairs; and

**WHEREAS**, municipalities may, under their police powers, enact reasonable regulations to promote the health, safety and general welfare of citizens; and

**WHEREAS**, the City of Tyler is a home-rule municipality acting under its Charter adopted by the electorate pursuant to Article 11, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS**, Texas Local Government Code Section 51.072(a) states that a home-rule municipality has full power of self-government; and

**WHEREAS**, it is important to amend Tyler City Code Chapter 6, Article I. to create permit fees that are more proportional;

**WHEREAS**, on May 26, 2011, the Construction Board of Adjustment and Appeals voted to recommend that this ordinance be adopted by the City Council;

**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. No changes...
- b. No changes...
- c. Permit fees for signs:

1. Wall Sign / Façade Sign	Less than 50 square feet	\$35.00
	More than 50 square feet	\$60.00
2. Awning Sign	Less than 50 square feet	\$60.00
	More than 50 square feet	\$80.00
3. Projecting Sign	Under 50 square feet	\$60.00
4. Freestanding / Monument Sign	Less than 50 square feet	\$60.00
	More than 50 square feet	\$80.00
5. Electronic Message Center		\$150.00
6. Directional Sign		\$35.00
7. Neon, Argon, or Other Gas Tubing on Any Building		\$70.00
8. Billboard	Single face	\$150.00
	Double face	\$300.00
9. Sign Contractor's Registration		\$50.00
10. Sign Bond (bond to be furnished to City each year or a continuation certificate from a bonding company; bond to expire December 31 each year, same as the license)		\$5,000.00

d. No changes...

e. No changes...

f. No changes...

In the event any building or structure is started without a permit, the above fees will be increased one hundred (100) percent. No fees shall be refunded or transferable. (Ord. No. O-93-46, Pt. 2, 7-12-93; Ord. No. O-93-68, Pt. 2, 9-8-93; Ord. No. O-93-83, Pt. 1, 10-1-93) (Ord. No. O-96-2000, 4/4/96) (Ord. No. O-2001-59, 12/5/2001) (Ord. No. O-2002-38, 9/11/02) (O-2006-79; 9-13-2006) (Ord. No. O-2008-140; 11/12/08) (Ord. No. O-2011-46; 6/8/11)

**PART 2:** 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 3.** 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 after its publication in the

newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be June 10, 2011.

PASSED AND APPROVED this 8th day of June, A. D., 2011.

*Barbara R Bass*  
BARBARA BASS, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

*Cassandra Brager*  
CASSANDRA BRAGER, CITY CLERK



APPROVED:

*Gary C. Landers*  
GARY C. LANDERS, CITY ATTORNEY