

ORDINANCE NO. O-2019-80

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 6, "BUILDINGS AND STRUCTURES", CHAPTER 8, "PARKS", CHAPTER 9, "LIBRARY", CHAPTER 12, "AIRPORT AND TRANSIT", CHAPTER 16 "SOLID WASTE DISPOSAL REGULATIONS", CHAPTER 17, "STREETS AND TRAFFIC", RELATING TO PARKING METER FEES; AND CHAPTER 19 "UTILITIES", OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, AMENDING AND UPDATING VARIOUS FEES AND HOURS OF OPERATION FOR PARKS AND EXCEPTIONS THERETO; 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 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).*

<b>Building Area (in square feet)</b>	<b>Cost Per Square Foot</b>
<i>≤1,000</i>	<i>\$0.24</i>
<i>1,001-1,140</i>	<i>\$0.23</i>
<i>1,141-1,300</i>	<i>\$0.22</i>
<i>1,301-1,510</i>	<i>\$0.21</i>
<i>1,511-1,790</i>	<i>\$0.20</i>
<i>1,791-2,210</i>	<i>\$0.19</i>
<i>2,211-2,880</i>	<i>\$0.18</i>
<i>2,881-4,000</i>	<i>\$0.17</i>
<i>≥4,001</i>	<i>\$0.16</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)*

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).

\$1,001 to \$50,000	\$50.00 plus \$4.95 per \$1,000 or part thereof
\$50,001 to \$100,000	\$292.55 for the first \$50,000 plus \$3.71 for each additional \$1,000 or part thereof to and including \$100,000
\$100,001 to \$500,000	\$78.17 for the first \$100,000 plus \$2.78 for each additional \$1,000 or part thereof to and including \$500,000
\$500,001 and up	\$1,233.87 for the first \$500,000 plus \$2.09 for each additional \$1,000 or part thereof

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

3. Residential, alteration, additions and repairs square foot of area being remodeled, altered, added, or repaired in accordance with the following schedule. The minimum fee for any type of permit shall be fifty dollars (\$50.00).

Area (in square feet)	Cost Per Square Feet
$\leq 1,000$	\$0.26
1,001-1,230	\$0.25
1,231-1,600	\$0.24
1,601-2,300	\$0.23
2,301-4,000	\$0.22
$\geq 4,001$	\$0.21

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

4. No changes.
5. The fee for reinspection shall be fifty dollars (\$50.00).
- 6.-7. No Changes.

b. Cooling and heating systems:

1. Minimum permit fee -Fifty dollars (\$50.00).

2. Fee for inspecting heating, ventilating, ductwork, air-conditioning and refrigeration systems shall be minimum fifty dollars (\$50.00).

3. Fee for inspecting repairs, alterations and additions to an existing system shall be *Fifty dollars (\$50.00)*.

4. If it is necessary to make a reinspection of a heating, ventilating, air conditioning or refrigeration system, or boiler installation, the installer of such equipment shall pay a reinspection fee of *fifty dollars (\$50.00)*.

5. When preliminary inspection is requested for purposes permitting temporary operation of heating, ventilating, refrigeration, or air conditioning system, or portion thereof, a fee of *fifty dollars (\$50.00)* shall be paid by the contractor requesting such preliminary inspection. If the system is not approved for temporary operation on the first preliminary inspection, the usual reinspection fee of *fifty dollars (\$50.00)* shall be charged for each subsequent preliminary inspection for such purpose.

(Ord. No. 0-2011-46, 6/8/11) (Ord. No. 0-2019-80; 9/25/19)

c. Demolition of buildings or structures:

1. Residential permits		50.00
2. Residential accessory building		50.00
3 Commercial or industrial:	0 to 2,000 sq. ft	60.00
	plus per 100 sq. ft	2.50

In addition to this permit fee, actual cost reimbursement shall be charged for all City personnel and vehicles involved in said demolition permits.

d. Moving of buildings or structures:

1. The following fees are established and shall be paid to the City before any permit is issued to move any building in, through or out of the City.

(a) For buildings having 500 sq. ft. of floor space or less	\$75.00
(b) For buildings having 501 sq. ft. to 750 sq. ft. of floor space	85.00
(c) For buildings having 751 sq. ft. to 1,000 sq. ft. of floor space	100.00
(d) For buildings having 1,001 sq. ft. or more	150.00

2. In addition to this permit fee, actual cost reimbursement shall be charged for all City personnel and vehicles involved in said structural moving.

3. Housemover's registration \$50.00

4. Housemover's bond *See State Requirements*

e. Miscellaneous

1. Grading – Residential & Commercial	\$50.00
2. Certificate of Occupancy (Commercial only)	80.00
3. Temporary Certificate of Occupancy (Commercial only)	40.00
4. Driveway Approach	50.00
5. Floodplain Permit	50.00
6. Construction Noise Permit	No Fee
7. Retaining Wall	50.00
8. Generator Installation	50.00
9. Solar Panel - Residential	100.00 +Elec. Permit
10. Roof Replacement - Residential	100.00
11. Swimming pools - Residential	150.00

a. 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, waived, reduced or transferable, except where approved by City Council. (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. 0-96-2000, 4/4/96) (Ord. No. 0-2001-59, 12/5/2001) (Ord. No. 0-2002-38, 9/11/02) (0-2006-79; 9-13-2006) (Ord. No. 0-2008-140; 11/12/08) (Ord. No. 0-2011-46, 6/8/11) (Ord. No. 0-2012-69, 9/12/12) (Ord. No. 0-2015-107; 12/9/15) (Ord. No. 0-2017-99; 10/25/17) (Ord. No. 0-2019-80; 9/25/19)

**PART 2:** That Tyler City Code Chapter 8, "Parks", Article I., "In General", is hereby amended by amending Section 8-5, to read as follows:

**Sec. 8-5. Parks closed during certain hours.**

b. All public parks owned and operated by the City are open from sunrise until sunset. It is unlawful to enter or remain within a park or recreation area when said park or recreation area is closed. (Ord. No. 0-2006-39, 4/12/06) (0-2010-120, 11/10/10) (Ord. No. 0-2012-46, 6/13/2012) (Ord. No. 0-2013-91; 10/02/13) (Ord. No. 0-2019-80; 9/25/19)

c. This section does not apply during times when there are permitted events, activities sponsored or sanctioned by the City Parks Department, or explicitly indicated by City signage. (Ord. No. O-96-53, 6-26-96) (Ord. No. 0-2019-80; 9/25/19)

**PART 3:** That Tyler City Code Chapter 8, "Parks", Article IV., "Cemeteries", is hereby

amended by amending Sections 8-61 and 8-62 to read as follows:

**Sec. 8-61. Burial rights.**

The City Manager or designee is authorized to execute, on behalf of the City, documents transferring burial rights in all City cemeteries, conveying to purchasers the right of sepulcher with the restrictions and covenants established by the City Council. Burial rights are issued for the use of the family of the purchaser and not for resale or speculation. The City Manager may sell the rights only to individuals and not businesses or business entities. The intent of this restriction is to prevent the reselling of burial rights as a business. No more than eight (8) burial rights may be sold to any individual. Transfer of a burial right from the family of the purchaser is restricted to sales to individuals and not corporations or business entities.

The transfer of burial rights must be initiated through the City of Tyler Parks Cemetery office who will verify ownership. The transfer of burial rights requires authorization by the City Manager or designee. A transfer fee of \$250.00 per burial space shall be collected by the City of Tyler at the time of transfer.

(Ord. No. O-96-53, 6-26-96). (Ord. No. 0-2000-15, 3/15/00) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2019-80; 9/25/19)

**Sec. 8-62. Interment & Establishment of Monuments.**

- a.-d. No changes.
- e. Monuments.

1. Monument Permit Required: No person may place a monument in any City cemetery without first obtaining a monument permit from the Director or designee. To obtain a monument permit, the applicant shall file a completed application establishing compliance with these rules with the Director or designee along with a \$150.00 fee. No monument may be set on weekends or holidays. (Ord. No. 0-2010-99, 9/22/10) (Ord. No. 0-2016-78; 9/14/16) (Ord. No. 0-2019-80; 9/25/19)

2. through 17. No changes.

- f. through g. No changes.

**PART 4:** That Tyler City Code Chapter 8, "Parks", Article V., "Fees", is hereby amended by amending Sections 8-71, 8-80, and 8-81, to read as follows:

**Sec. 8-71. Cemetery lot fees.**

- a. Rose Hill Cemetery lots:

Four thousand dollars (\$4,000.00) for single grave spaces; Eight thousand dollars (\$8,000.00) for double grave spaces; and One thousand dollars (\$1,000.00) for cremain lots.

(Ord. No. 0-2015-91; 9/22/15)(Ord. No. 0-2016-78; 9/14/16) (Ord. No. 0-2019-80; 9/25/19)

- b. Oakwood Cemetery lots: One thousand two hundred fifty dollars (\$1,250.00) for all lots.

- c. Callout/Interment Fee for cemetery services. A fee of *three hundred seventy five*

*dollars (\$375.00) shall be charged to the using funeral home for researching, selling, locating, marking off or setting up for burial services.*

(Ord. No. 0-2019-80; 9/25/19)

d. Open/Close Administrative Fee for burial sites. An administrative fee of three hundred seventy-five dollars (\$375.00) shall be charged to the using funeral home for opening and closing of the gravesite.  
A beautification/upkeep surcharge of \$250.00 shall be charged to the using funeral home for resodding/reseeding. (Ord. No. 0-2019-80; 9/25/19)

e.

**Sec. 8-80. Glass Recreation Center facilities charges.**

The rates and charges for the use of the Glass Recreation Center facilities are as provided in this section. All such rates and charges shall be paid in advance. The rates shall be determined in accordance with the following:

<b>Proposed Park Facility Rental Rates for:</b>		
<b>Glass Recreation Center</b>		
<b>Room</b>		<b>Current Rate</b>
<b><i>Multi-Purpose Room</i></b>		
<i>Half Room – Up to 100 people</i>		<i>\$40/hr. 2 hr. min; \$25 ea. add hour</i>
<i>Full Room – Up to 200 people</i>		<i>\$65/hr; 2hr min; \$35 ea.add. hour</i>
<b><i>Gym-Full Court</i></b>		<i>\$60/hr; 2hr min</i>
<i>Half Court</i>		<i>\$35/hr: 2hr min</i>
<b><i>Arts &amp; Crafts</i></b>		<i>\$30/hr; 2 hr min</i>
<b><i>Equipment:</i></b>		<i>\$50 Damage Deposit</i>
<i>After Hours Rate</i>		<i>Any rentals after 10 p.m. or on Sunday will be charged an extra \$10/hr</i>
<i>TV/DVD</i>		<i>\$35/Event</i>
<i>PA System/Podium</i>		<i>\$35/Event</i>
<i>Ice Machine</i>		<i>\$25/Event</i>
<b><i>Damage Deposit</i></b>		<i>\$150 to \$500</i>
<b><i>Catering Fee</i></b>		<i>\$50/Event</i>
<b><i>Pavilion</i></b>		<i>\$50/day</i>
		<i>\$35 Special use permit (Ord. No. 0-2013-90; 9/25/13)</i>
		<i>\$100 Damage Deposit</i>
<b><i>Amphitheater</i></b>		<i>\$50/day</i>
		<i>\$35 Special use permit (Ord. No. 0-2013-90; 9/25/13)</i>
		<i>\$100 Damage Deposit</i>

<i>Outside Basketball Court</i>		\$60/hr: 2hr min – Full Court
		\$35/hr: 2hr min – Half Court
		\$35 Special use permit (Ord. No. 0-2013-90; 9/25/13)
		\$100 Damage Deposit
<i>Membership Fees</i>		
Adult		\$30.00/person per year
Adult (Non-Resident)		\$40.00/person per year
Youth		\$10.00/person
Day pass		\$5.00/person
Recreation Classes		In order to take recreation classes at the Glass Center, a citizen must be a member of the Glass Recreation Center or purchase a day pass.
After School Program		\$20 per child per month
Summer Day Camp at the Glass		\$200 per child per summer

(Ord. 0-2005-78, 9/28/05) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2019-80; 9/25/19)

#### **Sec. 8-81. Senior Citizen's Center Facilities Charges**

The rates and charges for the use of the Senior Citizen's Center facilities are as provided in this section. All such rates and charges shall be paid in advance. The rates shall be determined in accordance with the following:

Senior Citizen's Center (Rentals on Saturdays only. Facility hours are from 8:00 a.m. to 10:00 p.m.)

<b>Senior Citizen's Center</b>		
	<b>Regular Rate</b>	<b>Add. Hour</b>
Building	\$240 for first 4 hours with minimum of 4 hours	\$60 per hour or \$240 per 4 hour block
Damage Deposit	\$150	

(Ord. 0-2005-78, 9/28/05) (Ord. 0-2009-103, 9/23/09) (Ord. No. 0-2019-80; 9/25/19)

**PART 5:** That Tyler City Code Chapter 9, "Library", is hereby amended by amending Sections 9-1 to read as follows:

#### **Sec. 9-1. Fees.**

- a. Non-resident fees

1. In the interest of equity, nonresidents of the City wishing to borrow materials from the library shall pay fees to borrow items and use the Library's computer workstations.
2. Nonresidents shall pay a membership fee that permits borrowing and computer use under the same conditions as residents.
3. The rate of charge for a membership fee shall be \$10 per person for a one month time period, \$50 per person for a six month time period or \$90 per person for a one year time period. The rate of charge for a membership fee for seniors (65 and older) and veterans shall be \$5 per person for a one month time period, \$25 per person for a six month time period or \$45 per person for a one year time period. (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2015-91; 9/22/15) (Ord. No. 0-2019-80; 9/25/19)

b. through c. No Changes.

**PART 6:** That Tyler City Code Chapter 12, "Airport and Transit", Article III., "Airport Commercial Activities", is hereby amended by amending Section 12-31, to read as follows:

**Sec. 12-31. Fees and rentals.**

a. Westside Terminal building rates for exclusive office and counter areas for commercial airlines shall be twenty-nine dollars and fifty-two cents (\$29.52) per square foot per year. Terminal building common area fees for signatory commercial airlines shall be thirty-five cents (\$.35) per enplaned passenger and common area fees for non-signatory commercial airlines or charter flights shall be seventy-five cents (\$.75) per enplaned passenger. The rental rates for that portion of the terminal building used for restaurant purposes shall be based upon a percentage of gross receipts as set by the City Council. Rental rates for FAA use of terminal building space shall be as set out in those leases and as approved by the City Council. The rental rates for the conference room in the Westside Terminal Building shall be fifty dollars (\$50.00) per day, twenty-five dollars (\$25.00) for four (4) hours or less, and twenty dollars (\$20.00) for each additional furniture set up. Such rental rates for the conference room in the Westside Terminal Building shall not be charged to non-profit organizations, nor to City of Tyler employees or representatives that are conducting City-related business. Additionally, a damage deposit of fifty dollars (\$50.00) per rental shall be required from each user of the conference room in the Westside Terminal Building, except that such deposit shall not be required for City of Tyler employees or representatives that are conducting City-related business. The concession fee for the right to use the Airport and Airport Terminal by on-site rental car companies shall be no less than thirty thousand dollars \$30,000.00 per year, or ten percent (10%) of gross monthly revenue based on net time and mileage, whichever is the greater amount. The rental rate for office and counter space used by on-site rental car companies shall be five hundred dollars (\$500.00) per month. On-site car rental companies shall pay a fee of thirty dollars (\$30.00) per space per month for use of ready car and other parking spaces at the Westside Terminal Building from February 1, 2017 through January 31, 2018. On-site car rental companies shall pay a fee of forty-five dollars (\$45.00) per space per month for use of ready car and other parking spaces at the Westside Terminal Building from February 1, 2018 through January 31, 2019. On-site car rental companies shall pay a fee of sixty dollars (\$60.00) per space per month for use of ready car and other parking spaces at the Westside Terminal Building from February 1, 2019 through January 31, 2020. The rental car company leasing counter space will not be allowed to display

dual brands from a single leased counter space. On-site car rental companies shall pay a minimum fee of three dollars (\$3.00) per wash of a single vehicle, and receive twelve minutes of wash bay operation with a fee of twenty-five cents (\$.25) per minute for each additional minute thereafter for use of the rental car wash bay. Users of the car wash rental bay shall not stack or stage vehicles for consecutive washes with a single swipe of the car wash payment card. Fees include use of vacuums at no additional charge. (Ord. No. 0-99-35, 4/28/99) (Ord. No. 0-2001-33, 8/15/01) (Ord. No. 0-2002-22, 6-19-2002) (Ord. 0-2003-22, 5/28/03) (Ord. No. 0-2005-96; 12/14/05) (Ord. 0-2010-99, 9/22/10) (Ord. No. 0-2012-69, 9/12/12) (Ord. No. 0-2013-11; 2/13/13) (Ord. No. 0-2016-50; 6/08/16) (Ord. No. 0-2017-9; 1/11/17) (Ord. No. 0-2019-80; 9/25/19)

b. No changes.

c. Land rental rates:

Land as shown on a map, a copy of which shall be kept on file in the offices of the City Clerk and Airport Manager 2.4 cents (\$.024) through June 1, 2017. Beginning June 1, 2020 land rental rates shall be 3.5 cents (\$.035) (per square foot) per year for land within the restricted area inside the building restriction line of the North Terminal Site, with a \$0.005 increase per year thereafter beginning June 1, 2020 through June 1, 2027 if such increases are approved by City Council by separate ordinance. 4.8 cents (\$.048) through June 1, 2017. Beginning June 1, 2017 land rental rates shall be 5.5 cents (\$.055) (per square foot) per year for land in the non-restricted areas outside of the building restriction line and prime areas surrounding the North Terminal Site as shown on the map, with a \$0.005 increase per year thereafter beginning June 1, 2020 through June 1, 2027 if such increases are approved by City Council by separate ordinance. 10 cents (\$.10) (per square foot) per year for rental car wash bay facility. (Ord. No. 0-2016-14; 2/24/16) (Ord. No. 0-2019-80; 9/25/19)

West Side General Aviation area \$0.10 per square foot for the first three (3) years of the land lease for the new West Side General Aviation Area , with a \$0.005 increase per year thereafter, up to year ten (10) of the current lease, if such increases are approved by City Council by separate ordinance.

fuel farm .....4.8 cents (\$.048) through June 1, 2017. Beginning June 1, 2017 land rental rates shall be 5.5 cents (\$.055) (per square foot) per year with a \$0.005 increase per year thereafter beginning June 1, 2020 through June 1, 2027 if such increases are approved by City Council by separate ordinance. (Ord. No. 0-2016-14; 2/24/16)

agricultural use .....minimum of seven dollars and fifty cents (\$7.50) per acre per year or equivalent in improvements to be made (Ord. No. 0-2005-96; 12/14/05) } (Ord. No. 0-2013-11; 2/13/13)(Ord. No. 0-2016-10; 1/13/16) (Ord. No. 0-2019-80; 9/25/19)

d. No changes.

e. Landing fees. A landing fee of *seventy-five cents* (\$.75) per one thousand (1,000) pounds of certificated landing weight, with a minimum of  *fifty dollars* (\$50.00) per month shall be levied upon signatory airlines, and *ninety cents* (\$.90) for non-signatory airlines, freight and mail service carriers. U.S. government and private aircraft shall not be charged a landing fee. (Ord. No. 0-2002-22, 6-19-2002) (Ord. No. 0-2005-96; 12/14/05) (Ord. No. 0-2019-80; 9/25/19)

f. Parking fees. A parking fee of *one dollar* (\$1.00) per hour with a maximum daily rate of *ten dollars* (\$10.00) per day shall be collected from all vehicles using the City-provided parking lot for short-term parking. A parking fee of *seventy-five cents* (\$.75) per hour with a

maximum daily rate of *seven dollars* (\$7.00) per day shall be collected from all vehicles using the City-provided parking lot for long-term parking. Patrons using the restaurant located at Tyler Pounds Regional Airport may park free for the first ninety (90) minutes in either the short-term or long-term parking lot. Air transportation service crews may pay *ten dollars* (\$10.00) per month for a parking pass to park in the long-term parking lot. Terminal and Federal Aviation Administration employees shall park free in the designated employee parking lots. Vehicles displaying a Purple Heart Recipient, Disabled Veteran, Medal of Honor Recipient, or Prisoner of War license plate shall park free in the City-provided short-term or long-term parking lot. A lost ticket fee of \$75.00 shall be collected from customers that are unable to present their parking ticket at the exit points of the paid parking lots at Tyler Pounds Regional Airport. Parking customers may contact the Airport Administration Office or as directed by the Airport to request a partial refund of the lost ticket fee if such a refund is in order by providing an airline itinerary, rental car receipt or other evidence acceptable to Airport administration as evidence of the time the vehicle was left in the Airport parking lot. (Ord. No. 0-2002-22, 6-19-2002) (0-2008-128; 9/24/08, (Ord. No. O-2010-75, 7/28/10) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2017-108; 11/8/2017) (Ord. No. 0-2019-80; 9/25/19)

g. through l. No changes.

**PART 7:** 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	\$16.70+ tax
2.	More than three (3) residential units at one location may be considered commercial.			
3.	Additional carts are \$9.68 per month – (Optional)			
4.	Subscription Curbside Recycling - \$5.35 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**

Packout Service (up to 150 feet ) - \$14.77 per month

Packout Driveout Service (over 150 feet ) - \$20.89 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)

**7. For Solid Waste customers who do not receive Automated Service for Residential (i.e., do not have carts) -\$5.10 per month. This surcharge shall not apply to Packout or Driveout customers. (Ord. No. 0-2008-92; 6/23/08)**

**8. Duplex = 2 units, requires 2 carts (2 x #1 above) \$33.40**

(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)

b. through e. No changes.

**PART 8:** That Tyler City Code Chapter 17, "Streets and Traffic", Article V., "Stopping, Standing or Parking", is hereby amended by amending Section 17-84, to read as follows:

a.-c. No Changes.

d. 1. No Changes

2. Parking meter fees. Except as otherwise established in the Tyler City Code, a parking meter fee of \$1.00 per hour with an initial two-hour limit and a maximum four-hour limit shall be collected from all vehicles using City-provided on-street parking spaces with parking meters. A two-hour maximum limit shall be placed on all vehicles using City-provided on-street parking with parking meters located at: Erwin Street from the intersection with College Avenue to the intersection with Spring Avenue; College Avenue from the intersection with Ferguson Street to the intersection with Erwin Street; and Ferguson Street from the intersection with College Avenue to the intersection with Spring Avenue. (Ord. No. 0-2014-53; 6/25/14) (Ord. No. 0-2019-80; 9/25/19)

e.through o. No changes.

**PART 9:** 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, 19-65, 19-66, 19-68, and 19-69, 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:

**MIMIMUM MONTHLY RATES – INSIDE CITY**

<i>Meter size (in.)</i>	<i>October 1, 2019</i>
5/8	13.82
1	13.82
1 1/2	13.82
2	16.52
3	19.38
4	30.47
6	46.00
8	62.65
10	89.28
12	115.90

***MINIMUM MONTHLY RATES – OUTSIDE CITY***

<i>Meter size (in.)</i>	<i>October 1, 2019</i>
5/8	20.73
1	20.73
1 1/2	20.73
2	24.78
3	29.07
4	45.71
6	69.01
8	93.99
10	133.93
12	173.85

(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)

*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):**

<i>Volume</i>
<i>Volume Charge – Inside City (per 1k gal)</i>

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

<i>Volume</i>
<i>Volume Charge – Outside City (per 1k gal)</i>

<i>Volume</i>	<i>October 1, 2019</i>
<i>First 2k</i>	<i>Min</i>
<i>Next 23k</i>	<u>5.10</u>
<i>Next 975k</i>	<u>3.44</u>
<i>Next 4mil</i>	<u>2.85</u>
<i>Over 5mil</i>	<u>2.75</u>

(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. 0-2014-86; 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)

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

<b>FIRE LINE FEE</b>	
<i>Size (in)</i>	<i>October 1, 2019</i>

4 A	<u>9.83</u>
6 B	<u>21.49</u>
8 C	<u>40.86</u>
10 D	<u>97.56</u>
12 E	<u>104.85</u>

(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)

Water used through a fire protection service for purposes other than testing of system shall be at a rate equal to three (3) times the applicable regular rate for service in City. (Ord 0-2003-42, 9-10-2003)

d. Rates for service outside City are based upon contract price between City and the individual customer which shall be one hundred fifty (150) percent of the rates for service within City.

*e. A charge shall be made by the Division for each new tapping of the water mains for a connection, said charge to be determined by the size of the connection and the size of the meter. The fee for making taps and furnishing and installing meters and boxes shall be determined from the following schedule and shall be payable in advance. If a branch were requested with the tap installation on a one-inch tap or larger, a branch charge would be made including the tap charge plus the activation meter charge for each branch tap.*

#### **SCHEDULE OF WATER TAP AND METER ACTIVATION FEES**

Size	Tap and Meter Activation	Branch
1" tap x 5/8" meter	1807.00	340.00
1" tap x 1" meter	2168.00	375.00
1½" tap x 1½" meter	3968.00	688.00
2" tap x 2" meter	4565.00	785.00

The tap fee shall include the cost of a tap and service connection from the main line to the meter location when the total length is fifty (50) feet or less and when installation is not by boring or tunneling under a street or other structure. In such cases, the cost of tap and meter shall be the actual cost of furnishing and installing the tap and meter plus a factor of 1.25 to cover overhead and administrative cost. This cost includes all labor, materials and equipment necessary to make the tap, run the service line and set the meter. Where the water tap has been installed according to Division standards by an approved water and sewer contractor, the following schedule shall

determine the fee for furnishing the box and meter and installing the meter, said fee being payable in advance.

Size of Existing Tap	Meter Size	Meter Activation Fee
3/4"	5/8"	467.00
1"	5/8"	467.00
1"	1"	528.00
1½"	1½"	968.00
2"	2"	1165.00

Ord 0-2003-42, 9-10-2003) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19)

For sizes other than those shown above, the actual cost of furnishing and installing the tap and meter shall be charged time plus a factor of 1.25 to cover overhead and administrative cost. This cost includes all labor, materials, and equipment necessary to make the tap, run the service line, and set the meter. By permission of the Director, water services three (3) inches and larger may be constructed by an approved contractor. Meter pits for three-inch and larger meters will be constructed by the customer own sole expense per Division specifications. Where the tap and meter is existing and a customer desires a larger tap and meter, a credit based on the following schedule will be allowed for the existing meter and box.

Size of Meter (inches)	Credit Allowed
5/8	\$ 30.00
1	55.00
1½	140.00
2	170.00

#### 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.

<b>RESIDENTIAL AND COMMERCIAL SEWER RATES</b>	
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<b>MINIMUM MONTHLY RATES – INSIDE CITY</b>	
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<i>Meter size (in.)</i>	<i>October 1, 2019</i>
5/8	17.09
1	17.09
1 1/2	17.09
2	20.91
3	24.56
4	39.91
6	62.62
8	85.47
10	123.51
12	159.01

<b>MINIMUM MONTHLY RATES – OUTSIDE CITY</b>
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<i>Meter size (in.)</i>	<i>October 1, 2019</i>
5/8	25.64
1	25.64
1 1/2	25.64
2	31.36
3	36.84
4	59.87
6	93.93
8	128.21
10	185.27

12	238.52
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*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)*

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
<i>First 2k</i>	<i>Min.</i>
<i>Next 23k</i>	<i>2.80</i>
<i>Next 975k</i>	<i>2.69</i>
<i>Next 4mil</i>	<i>1.98</i>
<i>Over 5mil</i>	<i>1.51</i>

**VOLUME**

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

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

*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. 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)

c. through d. No changes.

**Sec. 19-65. Sewer tap and activation fees.**

a. *Sewer tap fee. Installation of sewer connections (taps) and service connections from the main to the property line or point of user connection shall be performed only by Division employees or a contractor approved by the Director. The following charge shall be made for sewer connections, payable in advance:*

**Sewer Tap Fee**

<i>Size of Service</i>	<i>Charge</i>
4-inch	\$2050.00

(0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. No. 2009-7, 2/11/09) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19)

b. *Activation fee. The tap fee shall include the cost of a tap and service connection from the main to the property line when the total length is fifty (50) feet or less and when installation is not by boring or tunneling under a street or other structure. In such cases the cost of tap and service shall be the actual cost of furnishing and installing the tap and service line plus a factor of 1.25 to cover overhead and administrative cost. Sewer services six (6) inches and larger will require an approved manhole at the junction with the main. The charge for six (6) inch and larger service connection will be the actual cost of construction including labor, equipment, materials and street restoration, times a factor of 1.25 to cover overhead and administrative costs. By permission of the Director, sewer services six (6) inches and larger may be constructed by an approved contractor. It is the responsibility of the property owner to maintain the sewer service from the sewer main to and on owners' property, including the connection to the sewer main. In addition to the sewer tap fee, there shall be payable in advance a sewer activation fee. The following fees shall be charged:*

<i>Size of Service</i>	<i>Charge</i>
4-inch	\$26.50
6-inch and larger	\$26.50

*The Director may allow the construction of a single service connection to service two properties using a "y" at the joint property line. The Division shall be responsible for maintenance of that portion of service line extending from the main to the "y" located at the joint property line. (Ord. No. 0-96-54, 6-26-96) (Ord. No. 0-99- 70, 10-1-99) (Ord 0-2003-42, 9-10-2003) (0-2008-128; 9/24/08) (Ord. No. 2009-7, 2/11/09)*

**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)**

<b>MINIMUM MONTHLY RATES – INSIDE CITY</b>	
<b>Meter size (in.)</b>	<b>October 1, 2019</b>
5/8	<u>81.76</u>
1	<u>81.76</u>
1 1/2	<u>81.76</u>
2	<u>81.76</u>
3	<u>81.76</u>
4	<u>81.76</u>
6	<u>81.76</u>
8	<u>86.55</u>
10	<u>125.64</u>
12	<u>158.70</u>

**MINIMUM MONTHLY RATES – OUTSIDE CITY**

<b>Meter size (in.)</b>	<b>October 1, 2019</b>
5/8	<u>122.65</u>
1	<u>122.65</u>
1 1/2	<u>122.65</u>
2	<u>122.65</u>
3	<u>122.65</u>
4	<u>122.65</u>
6	<u>122.65</u>
8	<u>129.83</u>

10	188.46
12	238.05

(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)

**TABLE (A2)**

**VOLUME CHARGE FOR WATER USED<sup>1</sup> (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

**SURCHARGE FOR EXTRA STRENGTH DISCHARGE**

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

**October 1, 2019**

BOD5	0.002660663
COD	0.001286306

TSS	0.001491758
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(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)

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**

<b>VOLUME CHARGE FOR SEWAGE DISCHARGED<sup>2</sup> (PER 1,000 GALLONS)</b>		
<b>October 1, 2019</b>		

<i>Gallons</i>	<i>Inside City</i>	<i>Outside City</i>
<i>First 2,000</i>	<i>Minimum</i>	<i>Minimum</i>
<i>Next 998,000</i>		2.48
<i>Next 4,000,000</i>		3.17
<i>Over 5,000,000</i>		2.86

**SURCHARGE FOR EXTRA STRENGTH DISCHARGE**

Based on sewage discharged \$ per mg/1 per 1,000 gallons

<b>October 1, 2019</b>		
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<i>BOD5</i>	0.003927484
<i>COD</i>	0.001838857
<i>TSS</i>	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)

c. through f. No changes.

**Sec. 19-68. Reclaimed irrigation water.**

*Where infrastructure is available and upon authorization by the Director, customers may contract with the utility for the purchase of reclaimed water for irrigation purposes only.*

*a. Monthly minimum*

<b>Meter Size</b>	<b>Inside City</b>	<b>Outside City</b>
1-inch	12.89	19.34

*b. Rate per 1000 gallons.*

<b>Gallons</b>	<b>Inside City</b>	<b>Outside City</b>
First 2k	Min.	Min.
Over 2k	1.56	2.35

(0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. No. 2009-7, 2/11/09) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (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)

## **Sec. 19-69**

Upon each active water and sewer account there is imposed a monthly Regulatory Compliance Fee surcharge. Revenues from this surcharge shall be used to assist in paying debt service resulting from the issuance of new debt to fulfill regulatory compliance from unfunded mandates. This surcharge shall be based on the pro-rated cost of said debt applicable to each account. The initial fee and any adjustments to the fee shall be approved by City Council.

<b>Effective Date</b>	<b>Inside City</b>	<b>Outside City</b>
October 1, 2019	6.13	\$6.13

(Ord. No. O-2017-77; 9/13/17) (Ord. No. O-2018-69; 9/12/18) (Ord. No. O-2019-80; 9/25/19)

**PART 10:** 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 11:** 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, 2019.

PASSED AND APPROVED this 25th day of September, A. D., 2019.

ATTEST:

Cassandra Brager  
CASSANDRA BRAGER, CITY CLERK



MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

APPROVED:

Deborah G. Pulum  
DEBORAH G. PULUM,  
CITY ATTORNEY