

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE CITY CODE, AS AMENDED, BY MAKING CERTAIN ADDITIONS AND DELETIONS IN CHAPTERS 1, 3, 4, 5, 6, 7, 7.5, 8, 9, 10, 11, 12, 13, 14, 15 AND 16 TO REMOVE ALL CITY FEES FROM THOSE CHAPTERS AND TO REFER TO THEIR LOCATION IN A NEW APPENDIX D, "THE COMPREHENSIVE FEE SCHEDULE," WHICH IS CREATED BY A SEPARATE, COMPANION ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the fees for various City services are currently scattered throughout the Mesquite City Code, as amended (the "Code"); and

WHEREAS, the City Council desires to make fees more easily accessible to citizens by creating one location for all fees by moving existing fees to a new Appendix D, "The Comprehensive Fee Schedule," to the Code; and

WHEREAS, this ordinance removes fees from chapters of the Code and makes reference to their new location in Appendix D; and

WHEREAS, Appendix D is created by a separate, companion ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. Chapters 1, 3, 4, 5, 6, 7, 7.5, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of the Mesquite City Code, as amended, are hereby amended by making certain additions and deletions under Chapters 1, 3, 4, 5, 6, 7, 7.5, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of the Code. Such amendments are attached hereto as Exhibit "A," and made a part thereof, in all other respects said Code to remain in full force and effect.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 4. That, unless specifically provided otherwise by this ordinance or by state law, any person (as defined in Chapter 1, Section 1-2 of the Mesquite City Code, as amended) violating any of the provisions or terms of this ordinance governing fire safety, zoning, or public health and sanitation, shall be deemed to be guilty of a Class C Misdemeanor and, upon conviction, shall be subject to a fine not to exceed \$2,000.00, and that any person (as defined in Chapter 1,

Section 1-2 of the Mesquite City Code, as amended) violating any other provision of this ordinance shall be deemed to be guilty of a Class C Misdemeanor, and, upon conviction, shall be subject to a fine not to exceed \$500.00. If the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas.

SECTION 5. That this ordinance shall take effect and be in force from and after five days after publication.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 19th day of August 2019.

Stan Pickett
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

Sonja Land
City Secretary



David L. Paschall
City Attorney

- I. *Chapter 1.* That Chapter 1 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 1-13, 1-14, 1-15(b), 1-15(c), 1-16(1), 1-16(2), 1-18 and 1-19(b) in their entirety and adding new Sections 1-13, 1-14, 1-15(b), 1-15(c), 1-16(1), 1-16(2), 1-18 and 1-19(b) to read as follows, in all other respects said Chapter and Code to remain in full force and effect:

- A. *Sec. 1-13.* Amend Chapter 1 by deleting Section 1-13 in its entirety and adding a new Section 1-13 to read as follows:

Sec. 1-13. Service charge for returned checks.

Whenever, any person pays a fine, bill, tax, license or any required fee by check or similar instrument and such instrument is returned from the bank or otherwise dishonored, a service charge shall be assessed. See Appendix D for applicable fees.

- B. *Sec. 1-14.* Amend Chapter 1 by deleting Section 1-14 in its entirety and adding a new Section 1-14 to read as follows:

Sec. 1-14. Fee for fingerprinting for identification.

A fee shall be charged for fingerprinting for identification. See Appendix D for applicable fees.

- C. *Secs. 1-15(b) and 1-15(c).* Amend Chapter 1 by deleting Sections 1-15(b) and 1-15(c) in their entirety and adding new Sections 1-15(b) and 1-15(c) to read as follows:

- (b) Records containing health care information, as defined and authorized by Chapter 241, Subchapter G of the Texas Health and Safety Code, shall be produced subject to charges. See Appendix D for applicable fees for the following records:

(1) *Basic retrieval fee for paper copies:*

- a. Including cost for first 10 pages.

- b. Plus additional charges:

1. For each page 11 to 60.

2. For each page 61 to 400.

3. For each remaining page.

(2) *Basic retrieval fee for records electronically stores:*

- a. Including the cost for the first 10 pages.
- b. Plus charge for each additional page.
- (3) *Fee for written responses to a written set of questions.*
- (c) Additional records shall be subject to the following charges:
 - (1) Tax certificate.
 - (2) Traffic accident report.
 - (3) Certification of traffic accident report.
 - (4) Certification of other city documents.

D. *Secs. 1-16(1) and 1-16(2).* Amend Chapter 1 by deleting Sections 1-16(1) and 1-16(2) in their entirety and adding new Sections 1-16(1) and 1-16(2) to read as follows:

Sec. 1-16. Ambulance user fee schedule.

The fees and charges for response and transportation of persons by the City of Mesquite Fire Department paramedic ambulances include the following:

- (1) The base rate fees for ambulance response, including field-terminated resuscitation responses and non-transport treatment, by a City of Mesquite Fire Department paramedic ambulance are as follows:

LEVEL OF CARE

Basic Life Support (BLS)
 Advanced Life Support, Level 1 (ALS1)
 Advanced Life Support, Level 2 (ALS2)
 Field-Terminated Resuscitation
 Treatment – Non-Transport

The BLS, ALS1 and ALS2 levels of care referred to above shall have the meanings as defined in 42 C.F.R. § 414.605, as now and hereafter amended or replaced. See Appendix D for applicable fees.

- (2) In addition to the base rate fees referred to above, the following fees will be charged:
 - a. A mileage fee to medical facilities; and
 - b. Fees for the use of equipment, supplies and drugs:

DISPOSABLE CHARGES

Basic Life Support (BLS)
Advanced Life Support, Level 1 (ALS1)
Advanced Life Support, Level 2 (ALS2)
Oxygen Charge

See Appendix D for applicable fees.

- E. *Sec. 1-18.* Amend Chapter 1 by deleting Sections 1-18 in its entirety and adding new Section 1-18 to read as follows:

Sec. 1-18. Abandonment of public easement or right of way.

In order to defray the administrative costs of processing requests for abandonment of a public easement or right-of-way requiring city council action, requests shall be accompanied with a fee in the amount shown in the current fee schedule as adopted by the city council. See Appendix D for applicable fees.

- F. *Sec. 1-19(b).* Amend Chapter 1 by deleting Sections 1-19(b) in its entirety and adding new Section 1-19(b) to read as follows:

Sec. 1-19. Credit card use authorized.

- (b) The processing fee for payment by credit card shall be in an amount equal to the amount of any transaction fee charged by an approved vendor providing services in connection with payments made by credit card but not to exceed a specified percentage amount of the amount of the fee, fine, court cost or other charge being paid. See Appendix D for applicable fees.

- II. *Chapter 3.* That Chapter 3 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 3-52, 3-53, 3-54, 3-55, 3-56, 3-67(b)(1), 3-67(c)(1), 3-67(d) and 3-86(c)(3) in their entirety and adding new Sections 3-52, 3-53, 3-54, 3-55, 3-56, 3-67(b)(1), 3-67(c)(1), 3-67(d) and 3-86(c)(3) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

- A. *Secs. 3-52 through 3-56.* Amend Chapter 3 by deleting Sections 3-52 through 3-56 in their entirety and adding new Sections 3-52 through 3-56 to read as follows:

Sec. 3-52. Landing fees.

Any airport user for the right to land. See Appendix D for applicable fees.

Sec. 3-53. Miscellaneous fees.

See Appendix D for applicable fees for the following:

Aircraft jump start, per jump (one free every six months)

Catering processing fee – offsite

Crew Car Coverage, per hour (first two hours free)

Ground power unit, per hour

Spill clean-up fee, per barrel of absorbent plus any fines incurred

Toll violations in crew car, reimbursement of Toll Company
Charge as billed for violation, plus administrative fee

Pull-out/push-back, per service

Unlimited t-hangar pull-out/push-back, per month

Unlimited pull-outs/push-backs, per month per aircraft

Charge per night:

First night fee is waived with purchase of minimum fuel load:

Aircraft Type:

Transport (150,000 lbs.)

Large jet aircraft (30,000-149,999 lbs.)

Medium jet aircraft (12,500-29,999 lbs.)

Small jet aircraft (<12,500 lbs.)

Small jet aircraft (12,500 lbs.)

Multi-engine turbo prop (Jet A)

Turbo prop, single

Twin engine piston (AvGas)

Single engine piston (AvGas)

Sec. 3-54. Application to perform commercial aeronautical activities.

Standard application to perform commercial aeronautical activities application fee. See Appendix D for applicable fees.

Sec. 3-55. Leases.

See Appendix D for applicable fees for the following:

Tie down – Single engine, per month

Tie down – Twin engine/turboprop, per month

Tie down – Jet engine, per month

Other space rental:

Hangar – special events

Transient hangar storage:

Aircraft Type:

Transport (150,000 lbs.)

Large jet aircraft (30,000-149,999 lbs.)

Medium jet aircraft (12,500-29,999 lbs.)-

Small jet aircraft (<12,500 lbs.)

Multi-engine turboprop

Turboprop, single

Twin engine piston (AvGas)

Single engine piston (AvGas)

Hangar damage (assessed at time of move-out):

Hangar door keys

Access door hardware damage

Floor – Major oil stain

Floor – Missing chocks

Door switch damage

Fire extinguisher

Clean-up trash

Clean-up oil stains

Sec. 3-56. Both FBO and self-fueling operators.

See Appendix D for applicable fees for the following:

Full-service Jet-A fuel, per gallon

Full-service AvGas fuel, per gallon

Government fuel rate, per gallon

Self-service Jet-A fuel, per gallon

Self-service AvGas fuel, per gallon

Oil per quart

Oil per case (12 quarts)

- B.** *Sec. 3-67(b)(1), 3-67(c)(1) and 3-67(d).* Amend Chapter 3 by deleting Sections 3-67(b)(1), 3-67(c)(1) and 3-67(d) in their entirety and adding new Sections 3-67(b)(1), 3-67(c)(1) and 3-67(d) to read as follows:

1. *Sec. 3-67(b)(1).*

- (1) *Rental rates for the T-hangars.* See Appendix D for applicable fees.

2. *Sec. 3-67(c)(1).*

- (1) All unimproved airport property shall be leased. See Appendix D for applicable fees.

3. *Sec. 3-67(d).*

- (d) *Commercial operating fees.* All persons approved by the City Council to conduct a commercial activity on Mesquite Metro Airport shall pay a monthly percentage fee based on the gross income earned by that commercial activity, except from the sale of aviation fuel which is covered by the flowage fee herein set forth. See Appendix D for applicable fees.

- (1) Payment on aircraft sales shall be computed on gross commission or profit of such sales. The fee for the previous

month's activity shall be paid by the tenth day of the following month. Prior to starting the commercial activity, a deposit equal to an estimate of one month's fee shall be paid to the City. The deposit will be held by the City and applied to overdue fees at the discretion of the City. If the commercial activity is terminated, the deposit shall be returned to depositor provided fees due the City have been satisfied. See Appendix D for applicable fees.

- (2) The sale of aviation fuels shall be subject to a flowage fee. All persons approved by the city council to self-fuel with aviation fuel at the Mesquite Metro Airport shall pay a flowage fee per gallon of all fuels delivered to the Mesquite Metro Airport. The flowage fee for the previous month's activity shall be paid to the City by the tenth day of the following month. See Appendix D for applicable fees.

- C. *Sec. 3-86(c)(3)*. Amend Chapter 3 by deleting Sections 3-86(c)(3) in its entirety and adding a new Section 3-86(c)(3) to read as follows:

- (3) Aircraft parked overnight on the transient apron shall pay a fee for each night. Aircraft based on the airport and tied down shall pay a fee per month. These rates may be revised from time to time as approved by the City Council. See Appendix D for applicable fees.

- III. *Chapter 4*. That Chapter 4 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 4-53(a)(3), 4-54(b), 4-84, 4-103(b)(1), 4-103(b)(2) and 4-138 in their entirety and adding new Sections 4-53(a)(3), 4-54(b), 4-84, 4-103(b)(1), 4-103(b)(2) and 4-138 to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

- A. *Sec. 4-53(a)(3)*. Amend Chapter 4 by deleting Section 4-53(a)(3) in its entirety and adding a new Section 4-53(a)(3) to read as follows:

- (3) Prospective adopter pays an adoption fee per dog/puppy and per cat/kitten.
 - a. The Supervisor of Animal Services may reduce or waive adoption fees for purposes of participation in local adoption events.
 - b. The Supervisor of Animal Services may reduce adoption fees for animals who are determined to be altered prior to impound.

See Appendix D for applicable fees.

- B. *Sec. 4-54(b)*. Amend Chapter 4 by deleting Section 4-54(b) in its entirety and adding a new Section 4-54(b) to read as follows:

- (b) Application for initial issuance or renewal of each registration must be made by the owner, in writing or in person, and be accompanied by a fee, unless the cat or dog being registered has been neutered or spayed and proof of such surgical sterilization can be shown to an animal control officer or a veterinarian authorized to issue such registrations; then the fee will be less. If the original current registration certificate is lost or destroyed, the owner may obtain a duplicate registration from the Supervisor of Animal Services by paying a fee. Animals may be exempted from the sterilization provision upon written recommendation from a veterinarian that such alteration would be harmful or dangerous to the animal. Animals less than six months of age shall be charged a fee. See Appendix D for applicable fees.

- C. *Sec. 4-84.* Amend Chapter 4 by deleting Section 4-84 in its entirety and adding a new Section 4-84 to read as follows:

Sec. 4-84. Inspection and permit.

Each dog kennel will pay the City an annual fee for licensing and inspection. The Health Official or his designee will inspect each facility every three months or as needed to ensure compliance with this division. No kennel shall be operated until it has been inspected and approved by the License and Compliance Division. See Appendix D for applicable fees.

- D. *Secs. 4-103(b)(1) and 4-103(b)(2).* Amend Chapter 4 by deleting Sections 4-103(b)(1) and 4-103(b)(2) in their entirety and adding new Sections 4-103(b)(1) and 4-103(b)(2) to read as follows:

- (1) Payment to the City of the following impoundment fee:

- a. *For first time offenders.* A fee plus a fee per day or fractional part thereof for boarding fees for each day; and
- b. *For repeat offenders.* A fee plus a fee per day or fractional part thereof for boarding fees for each day if such offender has reclaimed any animal impounded by the City on a prior occasion.

See Appendix D for applicable fees.

- (2) A showing by the owner of a valid rabies vaccination certificate. Owners unable to confirm a rabies vaccination will be charged an additional maintenance fee. Upon payment of this fee, a rabies voucher will be provided by Animal Services. The voucher may be redeemed as provided herein. An animal must be vaccinated within 24 hours of being reclaimed if it has not been previously vaccinated as required. See Appendix D for applicable fees.

- E. *Sec. 4-138.* Amend Chapter 4 by deleting Section 4-138 in its entirety and adding a new Section 4-138 to read as follows:

Sec. 4-138. Quarantine fee.

The owner of any animal held in quarantine or observation purposes shall be charged for every day or fraction of a day an animal is at the Animal Shelter. This fee is in addition to any impoundment fee. Such fees shall be paid in advance by the owner of any animal to be held in quarantine. See Appendix D for applicable fees.

- IV.** *Chapter 5.* That Chapter 5 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 5-20(c), 5-20(d), 5-28(11), 5-28(16), 5-33(a), 5-33(b), 5-34(b), 5-58(a), 5-93, 5-95, 5-247(a), 5-290(b), 5-318(c), 5-369, 5-407, 5-454(a), 5-454(c) and the first paragraph in 5-455(c) in their entirety and adding new Sections 5-20(c), 5-20(d), 5-28(11), 5-28(16), 5-33(a), 5-33(b), 5-34(b), 5-247(a), 5-290(b), 5-318(c), 5-454(a), 5-454(c) and a new first paragraph in 5-455(c) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

- A.** *Secs. 5-20(c) and 5-20(d).* Amend Chapter 5 by deleting Sections 5-20(c) and 5-20(d) in their entirety and adding new Sections 5-20(c) and 5-20(d) to read as follows:

- (c) No permit as required by this chapter shall be issued until the fee prescribed in the following permit fee schedule has been paid, nor shall any amendment to a permit be approved until the additional fee, if any, caused by such amendment shall have been paid:

Permit Fee Schedule

See Appendix D for applicable fees for building permits for the following:

Occupancy Classification	Building Area in Square Feet
Single-family, duplexes, townhouses, condominiums, per unit	N/A
Multifamily (apartment) per unit	N/A
Commercial	N/A

Building shell. Permit fee for a building shell shall be one-half (½) of the total permit fee for a complete building of same size; fee for completion of the interior of a building shell shall be identical to the fee for the building shell.

Residential Building Permit Fee

See Appendix D for applicable fees for additions, alterations and remodeling (combination permit):

Additions, alterations and remodeling	Per square foot (with a minimum)
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Residential - Miscellaneous Permits

See Appendix D for applicable fees for:

Carport (not constructed at the time of the main building)
Patio cover (not constructed at the time of the main building)
Fence
Improved parking surfaces (concrete, gravel, asphalt, pave stone)
Driveway
Drive approach (concrete)
Sidewalk (concrete)
Walk, driveway and approach (combination)
Accessory storage building equal to or less than 120 square feet
Accessory storage building greater than 120 square feet (electrical and plumbing not included)
In-ground swimming pool
Above-ground swimming pool greater than 18 inches in depth
Hot tub/spa
Electrical (includes electrical service replacement)
Plumbing
Irrigation system
Mechanical (includes condenser and furnace replacement)
Foundation repair
Demolition
Retaining walls
All other miscellaneous permits

Commercial

*See Appendix D for applicable fees for
additions, alterations, repairs and remodels:*

Additions, alterations, repairs and remodels (includes electrical, plumbing, mechanical permits)	Building area (sq. ft.): Up to 2,000 (minimum permit) 2,001 to 10,000 10,001 to 15,000 Over 15,000
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Commercial - Miscellaneous Permits

See Appendix D for applicable fees for:

Certificate of occupancy
Fence
Electrified fence Annual inspection fee: \$200.00
Moving permit
Commercial amusement
Special event
Tent
Christmas tree lot
Irrigation system
Public/semi-public swimming pool
Hot tub/spa
Re-roof
Parking lot
Demolition
Storage container (temporary)
Electrical
Plumbing
Mechanical
All other miscellaneous permits

Signs

See Appendix D for applicable fees for:

Permanent signs, per sign (except low-clearance and freeway-oriented monument signs) + non-refundable application review fee, per application Temporary signs (as provided in Chapter 13)

Low-clearance and freeway-oriented monument signs
+ non-refundable application review fee, per application

- (d) When a reinspection is required, a reinspection fee will be assessed for each reinspection until corrections are made and in compliance. The reinspection fee shall be paid before another inspection of the same type is conducted. See Appendix D for applicable fees.
- B.** *Secs. 5-28(11) and 5-28(16).* Amend Chapter 5 by deleting Sections 5-28(11) and 5-28(16) in their entirety and adding new Sections 5-28(11) and 5-28(16) to read as follows:
- (11) The permit fee for open-air assemblies shall be for each 30-day period. All religious and nonprofit organizations will be exempt from such permit fee. See Appendix D for applicable fees.
 - (16) A renewal permit may be obtained upon request and payment of a fee for an additional 30-day period, but no further application shall be necessary. See Appendix D for applicable fees.
- C.** *Secs. 5-33(a) and 5-33(b).* Amend Chapter 5 by deleting Sections 5-33(a) and 5-33(b) in their entirety and adding new Sections 5-33(a) and 5-33(b) to read as follows:
- Sec. 5-33. Fees for occupancy and plan review.**
- (a) *The fee for a Certificate of Occupancy.* See Appendix D for applicable fees.
 - (b) *Plan review-processing fees.* A nonrefundable plan review-processing fee for new residential building permits will be assessed and paid upon submittal of each new residential permit application. A nonrefundable plan review-processing fee for new commercial, remodels, additions and alterations will be assessed equal to a percent of the nonresidential building permit fee and paid upon submittal of each permit application. See Appendix D for applicable fees.
- D.** *Sec. 5-34(b).* Amend Chapter 5 by deleting Section 5-34(b) in its entirety and adding a new Section 5-34(b) to read as follows:
- (b) *Method of registration.* To register with the City as a contractor, application shall be made in writing on forms furnished for that purpose along with a registration fee to cover administrative costs and filed with the Building Official. The application shall show the contractor's name, address, telephone number and such other information which is reasonably necessary. See Appendix D for applicable fees.
- E.** *Sec. 5-58(a).* Amend Chapter 5 by deleting Section 5-58(a) in its entirety.

- F.** *Sec. 5-93.* Amend Chapter 5 by deleting Section 5-93 in its entirety.
- G.** *Sec. 5-95.* Amend Chapter 5 by deleting Section 5-95 in its entirety.
- H.** *Sec. 5-247(a).* Amend Chapter 5 by deleting Section 5-247(a) in its entirety and adding a new Section 5-247(a) to read as follows:
- (a) To register with the City as a plumbing or irrigation contractor, application shall be made in writing on forms furnished for that purpose along with a registration fee to cover administrative costs and filed with the Building Official. The application shall show the contractor's name, local address and telephone number, state license number and such other information as may be reasonably required to properly identify the contractor. See Appendix D for applicable fees.
- I.** *Sec. 5-290(b).* Amend Chapter 5 by deleting Section 5-290(b) in its entirety and adding a new Section 5-290(b) to read as follows:
- (b) Each applicant for certification shall apply in writing on forms finished for such purpose, along with a certification fee, and filed with the Building Official. A fee will be charged annually for inspection of each backflow prevention assembly device. See Appendix D for applicable fees.
- J.** *Sec. 5-318(c).* Amend Chapter 5 by deleting Section 5-318(c) in its entirety and adding a new Section 5-318(c) to read as follows;
- (c) *Application; compliance with state licensing requirements.* To register with the City as a mechanical contractor, application shall be made in writing on forms furnished for that purpose along with a registration fee to cover administrative costs and filed with the Building Official. The application shall show the contractor's name, address, telephone number, state license number and such other information which is reasonably necessary. Prior to registration all contractors shall comply with licensing requirements as set forth by state law on the practice and licensing of air conditioning and refrigeration contractors. See Appendix D for applicable fees.
- K.** *Sec. 5-369.* Amend Chapter 5 by deleting Section 5-369 in its entirety.
- L.** *Sec. 5-407.* Amend Chapter 5 by deleting Section 5-407 in its entirety.
- M.** *Secs. 5-454(a) and 5-454(c).* Amend Chapter 5 by deleting Sections 5-454(a) and 5-454(c) in their entirety and adding new Sections 5-454(a) and 5-454(c) to read as follows:
- (a) A fee shall be assessed for a permit to operate a public or semi-public swimming pool or spa. Where a person operates more than one pool or spa on the same premises, a fee shall be assessed for a permit to operate the

first, and a fee shall be assessed for a permit to operate each additional pool or spa on the premises. See Appendix D for applicable fees.

- (c) A late fee shall be assessed for each permit which is not renewed within seven calendar days of the expiration date on the permit. See Appendix D for applicable fees.

N. *Sec. 5-455(c)*. Amend Chapter 5 by deleting the first paragraph in Section 5-455(c) in its entirety and adding a new first paragraph in Section 5-455(c) to read as follows:

- (c) The Health Official shall issue a certified pool operator registration to any person who submits the required application, pays the required fee and provides evidence of completion of an approved certified pool operator course. See Appendix D for applicable fees. An approved certified pool operator course shall meet the following minimum criteria:

V. *Chapter 6*. That Chapter 6 of the Mesquite City Code, as amended, is hereby amended by deleting Section 6-6(f) in its entirety and adding a new Section 6-6(f) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

- (f) *Section 105.1.8*. Section 105 shall be amended by adding a new Section 105.1.8 to read as follows:

105.1.8 Permit, inspection, investigation and outside review fee schedule. All fees required in this section must be paid before the permit application is considered complete and before any inspection, re-inspection, investigation or outside review begins. All permitted systems and items shall be pre-tested by or at the direction of the permit holder before an inspection is scheduled. See Appendix D for applicable fees.

- 1. *General permit fee schedule*. The following permit fee schedule applies to a permit for the installation, addition to or alteration of the following:

- a. *Fire sprinkler systems:*

- 1 - 19 heads
- 20 - 100 heads
- 100 - 200 heads
- Over 200 heads

See Appendix D for applicable fees-

- b. *Fire alarm systems:*

- 1 – 10 devices
- 11 – 25 devices
- 26 – 100 devices

Over 100 devices

See Appendix D for applicable fees.

- c. *Fire suppression systems: fee per system.* See Appendix D for applicable fees.
- d. *Underground or aboveground storage tanks (does not include temporary tanks or residential propane):*
 - i. Fee per tank for installation of or removal of underground tanks. See Appendix D for applicable fees.
 - ii. Fee for the permit and inspection of underground piping. See Appendix D for applicable fees.
- e. *Access control gates (across a fire lane).* The installation of or alteration of an access control gate across a fire lane or access road shall be a fee per gate. See Appendix D for applicable fees.
- f. *Open burning/trench burning.*
 - i. Fee per day. See Appendix D for applicable fees.
 - ii. A permit fee is not required for a campfire, flag retirement ceremony or similar event.
- g. *Use of explosive materials; fireworks; pyrotechnics.* See Appendix D for applicable fees.
- h. *Electronic access control systems.*
 - i. If connected to a fire alarm control unit, permit is required. See Appendix D for applicable fees.
 - ii. If not connected to a fire alarm control unit, a permit is required. See Appendix D for applicable fees.
- i. *Fire hydrant flow test.*
 - i. Fee for the initial test. See Appendix D for applicable fees.
 - ii. Fee for each subsequent test. See Appendix D for applicable fees.
- j. *Speed reducing device installation inspection.* Fee for each intersection of a speed-reducing device with a fire apparatus access road. See Appendix D for applicable fees.

2. *Permit fees for temporary aboveground tanks.* A fee is required for the following permits:
 - a. Temporary aboveground tanks to include:
 - i. Propone exchange stations.
 - ii. Residential propane.
 - iii. Temporary tank at a construction site.

See Appendix D for applicable fees.
3. *Re-inspection fee.*
 - a. Fee per re-inspection for the first three re-inspections. See Appendix D for applicable fees.
 - b. Fee for each re-inspection after the first three. See Appendix D for applicable fees.
4. *Investigation fee.* An investigation shall be made whenever any work for which a permit is required by this code has commenced without first obtaining a permit. An investigation fee, in addition to the permit fee, is required whether or not a permit is subsequently issued. The payment of the investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law. The investigation fee shall be equal to the amount of the permit fee required by this code. See Appendix D for applicable fees.
5. *Third party review fee.* A third party review process shall be used for permit submittals with fire system technology not normally permitted. An impartial third party shall be selected by the fire code official and have extensive experience and knowledge in the field to be reviewed. A third party review fee is required in addition to the permit fee. The third party review fee shall be the cost of the review plus associated shipping or courier cost. See Appendix D for applicable fees.
6. *Inspection after normal business hours fee.* Inspections may be conducted after hours or on Saturdays at the request of a contractor if inspection personnel are available. The fee for such inspections shall be per hour per inspector with a two-hour minimum per inspector. See Appendix D for applicable fees.
7. *Certificate of occupancy inspections.* Any occupancy requiring an inspection shall be charged a re-inspection fee for each re-inspection after the first inspection. See Appendix D for applicable fees.

8. *Inspections not part of the permitting process.* An occupancy inspection not part of the permitting process shall be charged a re-inspection fee after the first re-inspection and for each subsequent re-inspection. See Appendix D for applicable fees.

VI. *Chapter 7.* That Chapter 7 of the Mesquite City Code, as amended, is hereby amended by deleting Section 7-83 in its entirety and adding a new Section 7-83 to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

Sec. 7-83. Apartment license fee.

The annual fee for an apartment complex license is per unit. The fee is payable to the City of Mesquite and is due on May 31st of each year. See Appendix D for applicable fees.

VII. *Chapter 7.5.* That Chapter 7.5 of the Mesquite City Code, as amended, is hereby amended by deleting Schedule 1 – Assessment Rates, Schedule 2 – Collection Rates, Table 1 – Service Unit Equivalencies for Various Types and Sizes of Water Meters (Water and Wastewater Facilities) and Table 2 – Land Use/Vehicle Mile Equivalencies (Roadway Facilities) in their entirety and adding the statement to the new Schedule 1 – Assessment Rates, Schedule 2 – Collection Rates, Table 1 – Service Unit Equivalencies for Various Types and Sizes of Water Meters (Water and Wastewater Facilities) and Table 2 – Land Use/Vehicle Mile Equivalencies (Roadway Facilities) to see Appendix D for applicable fees, in all other respects said Code and Chapter to remain in full force and effect

VIII. *Chapter 8.* That Chapter 8 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 8-42, 8-59(6), 8-64(b), 8-130(i), 8-140(a)(6), 8-142, 8-151(e), 8-151(g), 8-160(a)(6), 8-162, 8-170(e)(5), 8-170(e)(7), 8-212(b)(5)(h), 8-303(a), 8-303(e), 8-463(a), 8-464(b), 8-464(e), 8-471(d), 8-493(a), 8-494(a), 8-517(e), 8-546(6)(a)(10), 8-546(27)(f)(3), 8-780(c), 8-782(c)(1)(a), 8-782(c)(1)(b), 8-782(c)(2)(a), 8-782(c)(2)(b), 8-782(c)(3)(a), 8-782(c)(3)(b) and 8-782(c)(4)(a), and adding new Sections 8-42, 8-59(6), 8-64(b), 8-130(i), 8-140(a)(6), 8-142, 8-151(e), 8-151(g), 8-160(a)(6), 8-162, 8-170(e)(5), 8-170(e)(7), 8-212(b)(5)(h), 8-303(a), 8-303(e), 8-463(a), 8-464(b), 8-464(e), 8-471(d), 8-493(a), 8-494(a), 8-517(e), 8-546(6)(a)(10), 8-546(27)(f)(3), 8-780(c), 8-782(c)(1)(a), 8-782(c)(1)(b), 8-782(c)(2)(a), 8-782(c)(2)(b), 8-782(c)(3)(a), 8-782(c)(3)(b) and 8-782(c)(4)(a), to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

- A.** *Sec. 8-42.* Amend Chapter 8 by deleting Section 8-42 in its entirety and adding a new Section 8-42 to read as follows:

Sec. 8-42. Duplicate license.

If a special service vehicle driver's license is lost or destroyed, the Chief of Police shall issue the licensee a duplicate license upon payment to the City of a duplicate license fee. See Appendix D for applicable fees.

- B.** *Sec. 8-59(6).* Amend Chapter 8 by deleting Section 8-59(6) in its entirety and adding a new Section 8-59(6) to read as follows:
- (6) A nonrefundable application fee shall be attached to the application for all new applicants and permit renewals requiring City Council action. Permit renewals issued by the Chief of Police shall not be required to pay the nonrefundable application fee. See Appendix D for applicable fees.
- C.** *Sec. 8-64(b).* Amend Chapter 8 by deleting Section 8-64(b) in its entirety and adding a new Section 8-64(b) to read as follows:
- (b) A holder of an annual permit shall pay the City a permit fee per year. A permit fee is payable in the manner and at the time prescribed by Section 8-61. See Appendix D for applicable fees.
- D.** *Sec. 8-130(i).* Amend Chapter 8 by deleting Section 8-130(i) in its entirety and adding a new Section 8-130(i) to read as follows:
- (i) The City of Mesquite shall charge an annual fee per cab if inspection is made by the City of Mesquite. See Appendix D for applicable fees.
- E.** *Sec. 8-140(a)(6).* Amend Chapter 8 by deleting Section 8-140(a)(6) in its entirety and adding a new Section 8-140(a)(6) to read as follows:
- (6) A nonrefundable application fee shall be attached to the application. See Appendix D for applicable fees.
- F.** *Sec. 8-142.* Amend Chapter 8 by deleting Section 8-142 in its entirety and adding a new Section 8-142 to read as follows:

Sec. 8-142. Permit Fee.

The special service vehicle service shall pay to the City an annual fee. The permit fee is payable in the manner and at the time prescribed by Section 8-140. See Appendix D for applicable fees.

- G.** *Secs. 8-151(e) and 8-151(g).* Amend Chapter 8 by deleting Sections 8-151(e) and 8-151(g) in their entirety and adding new Sections 8-151(e) and 8-151(g) to read as follows:
- (e) When a special service vehicle is removed from service and placed back in service after 15 days by the same owner, the owner shall pay to the City a fee for reinspection. See Appendix D for applicable fees.
- (g) The City of Mesquite shall charge an annual fee per vehicle if inspection is made by the City of Mesquite. See Appendix D for applicable fees.

- H.** *Sec. 8-160(a)(6).* Amend Chapter 8 by deleting Section 8-160(a)(6) in its entirety and adding a new Section 8-160(a)(6) to read as follows:

(6) A nonrefundable application fee shall be attached to the application. See Appendix D for applicable fees.

- I.** *Sec. 8-162.* Amend Chapter 8 by deleting Section 8-162 in its entirety and adding a new Section 8-162 to read as follows:

Sec. 8-162. Permit fee.

The horse drawn carriage service shall pay an annual permit fee to the City. The permit fee is payable in the manner and at the time prescribed by Section 8-106. See Appendix D for applicable fees.

- J.** *Secs. 8-170(e)(5) and 8-170(e)(7).* Amend Chapter 8 by deleting Sections 8-170(e)(5) and 8-170(e)(7) in their entirety and adding new Sections 8-170(e)(5) and 8-170(e)(7) to read as follows:

(5) When a horse drawn carriage is removed from service and placed back in service after 15 days by the same owner, the owner shall pay the City a reinspection fee. See Appendix D for applicable fees.

(7) The City of Mesquite shall charge an annual fee per horse drawn carriage if inspection is made by the City of Mesquite. See Appendix D for applicable fees.

- K.** *Sec. 8-212(b)(5)(h).* Amend Chapter 8 by deleting Section 8-212(b)(5)(h) in its entirety and adding a new Section 8-212(b)(5)(h) to read as follows:

h. The application shall be accompanied by a nonrefundable application fee to cover the cost of processing an application. The City shall waive the application fee for charitable, religious, philanthropic or other non-for-profit organizations, their representatives and for persons desiring to sell home-grown produce. See Appendix D for applicable fees.

- L.** *Secs. 8-303(a) and 8-303(e).* Amend Chapter 8 by deleting Sections 8-303(a) and 8-303(e) in their entirety and adding new Sections 8-303(a) and 8-303(e) to read as follows:

(a) There is hereby levied a yearly tax for each coin-operated amusement machine in the City. See Appendix D for applicable fees.

(e) Evidence of payment for individual machines shall consist of a sticker for the year issued to be provided by the City and permanently affixed to the machine in such a manner that it can be seen for the usual position of the layer and facing such position and shall be displayed at all times such machine is displayed. See Appendix D for applicable fees.

- M.** *Sec. 8-463(a).* Amend Chapter 8 by deleting Section 8-463(a) in its entirety and adding a new Section 8-463(a) to read as follows:
- (a) A nonrefundable fee is required for the issuance of a permit. The permit is valid for a one-year period from date of issuance and must be renewed every year thereafter. Permit and renewal fees shall be used for the purposes set forth in § 214.204 of the Texas Local Government Code, as amended and/or replaced. See Appendix D for applicable fees.
- N.** *Secs. 8-464(b) and 8-464(e).* Amend Chapter 8 by deleting Sections 8-464(b) and 8-464(e) in their entirety and adding new Sections 8-464(b) and 8-464(e) to read as follows:
- (b) Except as provided by Sections 8-464(c) and 8-464(d), a permit holder who uses a police alarm system at an alarm site in the City to report a false burglar alarm by an alarm systems monitor shall pay a penalty to the City if at least three other false burglar alarms have occurred at that alarm site during the preceding 12-month period. See Appendix D for applicable fees. The amount of the penalty for the report of a false burglar alarm is based on the following:
 - (1) If the alarm site has had more than three but fewer than six other false burglar alarms in the preceding 12-month period;
 - (2) If the alarm site has had more than five but fewer than eight other false burglar alarms in the preceding 12-month period; or
 - (3) If the alarm site has had eight or more other false burglar alarms in the preceding 12-month period.See Appendix D for applicable fees.
 - (e) The City may assess a penalty to a person who uses a police alarm system at an alarm site in the City without a permit for each false burglar alarm at such alarm site reported by an alarm system monitor, provided, however, the City will not assess a penalty under this Section 8-464(e) if a citation has been issued to person under Section 8-461(b) in connection with the same false burglar alarm. If a penalty is assessed pursuant to this Section 8-464(e), such person shall pay the penalty to the City as more fully set forth in Section 8-464(g). See Appendix D for applicable fees.
- O.** *Sec. 8-471(d).* Amend Chapter 8 by deleting Section 8-471(d) in its entirety and adding a new Section 8-471(d) to read as follows:
- (d) If an election is made under this Section 8-471, the property owner shall pay a fee to the City for each law enforcement response to a false burglar alarm from a police alarm system located at such owner's property

requested by an alarm systems monitor. See Appendix D for applicable fees.

- P.** *Sec. 8-493(a).* Amend Chapter 8 by deleting 8-493(a) in its entirety and adding a new Section 8-493(a) to read as follows:

- (a) *Permit fee.* A nonrefundable permit fee per alarm site with one fire alarm control unit is required for the issuance of a permit. If an alarm site has multiple fire alarm control units, a nonrefundable fee for the first alarm control unit and a separate fee for each additional fire alarm control unit is required. A new fee and permit are required upon a change in ownership or change in occupancy of the property. See Appendix D for applicable fees.

- Q.** *Sec. 8-494(a).* Amend Chapter 8 by deleting Sec. 8-494(a) in its entirety and adding a new Section 8-494(a) to read as follows:

- (a) If, within a 12-month period, three false alarm notifications of any type are emitted from an alarm site, the issuing authority shall assess the permit holder or the person in control of that alarm site a service fee for each subsequent false alarm notification emitted from the alarm site within that 12-month period. See Appendix D for applicable fees.

- R.** *Sec. 8-517(e).* Amend Chapter 8 by deleting Section 8-517(e) in its entirety and adding a new Section 8-517(e) to read as follows:

- (e) If an alarm permit is suspended and the suspension subsequently lifted under Subsection (d), the permit may be reinstated, subject to payment of a reinstatement fee. See Appendix D for applicable fees.

- S.** *Sec. 8-546(6)(a)(10).* Amend Chapter 8 by deleting Section 8-546(6)(a)(10) in its entirety and adding a new Sections 8-546(6)(a)(10) to read as follows:

10. *Fees.* There is a fee for obtaining or renewing a food service manager registration. There is also a fee for replacing a lost, stolen or damaged certificate of registration. See Appendix D for applicable fees.

- T.** *Sec. 8-546(27)(f)(3).* Amend Chapter 8 by deleting Section 8-546(27)(f)(3) in its entirety and adding a new Section 8-546(27)(f)(3) to read as follows:

3. *Permit fees.* See Appendix D for applicable fees regarding the following:

- a. Permanent, fixed food service establishments based on the number of employees as follows:

1-9 Employees

10-19 Employees

Over 19 Employees

- b. Temporary permits for temporary food service establishments.
- c. Concession facilities.
- d. Day care centers.
- e. Bed and breakfast facilities based on the following:
 - Limited.
 - Extended.
 - Food establishment.
- f. Mall kiosk.
- g. Mobile Units (Catering, ice cream trucks and itinerant vendors).
- h. Incidental Sales.
- i. Farmers Markets based on the following:
 - Single event
 - Season not exceeding eight months
 - Year if in a permanent facility

No fee shall be charged to any food establishment owned and operated by a governmental agency, independent school district or non-profit institution with an EIN (Employer Identification Number) and/or a 501(c)3 number from the IRS (Internal Revenue Service); however, such establishment shall comply with all other requirements of this ordinance.

- U. *Sec. 8-780(c).* Amend Chapter 8 by deleting Section 8-780(c) in its entirety and adding a new Section 8-780(c) to read as follows:
 - (c) *Fee.* Every application for a new City permit or renewal shall be accompanied by payment of a regulatory fee. See Appendix D for applicable fees.
- V. *Secs. 8-782(c)(1)(a), 8-782(c)(1)(b), 8-782(c)(2)(a), 8-782(c)(2)(b), 8-782(c)(3)(a), 8-782(c)(3)(b) and 8-782(c)(4)(a).* Amend Chapter 8 by deleting Sections 8-782(c)(1)(a), 8-782(c)(1)(b), 8-782(c)(2)(a), 8-782(c)(2)(b), 8-782(c)(3)(a), 8-782(c)(3)(b) and 8-782(c)(4)(a) in their entirety and adding new Sections 8-782(c)(1)(a), 8-782(c)(1)(b), 8-782(c)(2)(a), 8-782(c)(2)(b), 8-782(c)(3)(a), 8-782(c)(3)(b) and 8-782(c)(4)(a).
 - (c) Rotation list towing fees are established as follows:
 - (1) *Standard pickup:*

- a. A fee shall be paid to a towing company for towing a vehicle from one point to another location within the City as directed by the Police Department. See Appendix D for applicable fees.
- b. *Second tow truck.* In the event the police officer at the scene determines that a second tow truck is required, an additional fee shall be paid to the towing company for any work performed at the scene after the arrival of the second tow truck. See Appendix D for applicable fees.

(2) *Priority pickup:*

- a. A fee shall be paid to the towing company for towing a vehicle from one point to another location within the City as directed by the Police Department. See Appendix D for applicable fees.
- b. *Second tow truck.* In the event the police officer at the scene determines that a second tow truck is required, an additional fee shall be paid to the towing company for any work performed at the scene after the arrival of the second tow truck. See Appendix D for applicable fees.

(3) *Heavy duty pickup:*

- a. A fee shall be paid to the towing company for towing a vehicle from one point to another location within the City as directed by the Police Department. See Appendix D for applicable fees.
- b. *Second tow truck.* In the event the police officer at the scene determines that a second tow truck is required, an additional fee shall be paid to the towing company for any work performed at the scene after the arrival of the second tow truck. See Appendix D for applicable fees.

(4) *Other labor:*

- a. Other labor performed by the towing company for standard and priority pickup tows shall be charged an hourly fee prorated in 15-minute increments. Other labor performed by the towing company for heavy duty pickup tows shall also be charged an hourly fee prorated in 15-minute increments. See Appendix D for applicable fees.

IX. *Chapter 9.* That Chapter 9 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 9-3(b), 9-287, 9-289(g)(7), 9-289(h), 9-309(a)(1), 9-309(a)(2), 9-342(e)(1), 9-353(b) and 9-354(a) in their entirety and adding new Sections 9-3(b), 9-287,

9-289(g)(7), 9-289(h), 9-309(a)(1), 9-309(a)(2), 9-342(e)(1), 9-353(b) and 9-354(a) to read as follows:

A. *Sec. 9-3(b)*. Amend Chapter 9 by deleting Section 9-3(b) in its entirety and adding a new Section 9-3(b) to read as follows:

(a) A violation of this section is punishable by a fine. See Appendix D for applicable fees.

B. *Sec. 9-287*. Amend Chapter 9 by deleting Section 9-287 in its entirety and adding a new Section 9-287 to read as follows:

Sec. 9-287. Imposition of civil penalty for violations.

(a) The owner of a motor vehicle is liable for a civil penalty if the motor vehicle proceeds into an intersection at a system location when the electronically operated traffic control signal for that motor vehicle's direction of travel is emitting a steady red signal as specified by Section 544.007(d) of the Texas Transportation Code. See Appendix D for applicable fees.

(b) An owner who fails to timely pay the civil penalty shall be subject to a late payment penalty. See Appendix D for applicable fees.

C. *Secs. 9-289(g)(7) and 9-289(h)*. Amend Chapter 9 by deleting Sections 9-289(g)(7) and 9-289(h) in their entirety and adding new Sections 9-289(g)(7) and 9-289(h) to read as follows:

(g) *Appeal*.

(7) A person found liable by the Municipal Court shall pay an appellate filing fee in addition to the civil penalty and any other fees due the City. See Appendix D for applicable fees.

(h) *Enforcement*. If the owner of a motor vehicle is delinquent by more than 90 days in the payment of a civil penalty imposed under this chapter in the minimum amount, the County Assessor-Collector or the Texas Department of Motor Vehicles may refuse to register a motor vehicle alleged to have been involved in the violation if it is owned by the same person that received the civil penalty. See Appendix D for applicable fees.

D. *Secs. 9-309(a)(1) and 9-309(a)(2)*. Amend Chapter 9 by deleting Sections 9-309(a)(1) and 9-309(a)(2) in their entirety and adding new Sections 9-309(a)(1) and 9-309(a)(2) to read as follows:

(1) *Right-of-way view obstructions*. Right-of-way view obstructions that lie within the City's right-of-way shall be removed by the property owner or person in control of the view obstruction within 14 days of the date of the notice. A property owner or person in control of the view obstruction who

fails to remove an obstruction within such time shall be cited for such violation and upon conviction is subject to a fine. Each day such property owner suffers or permits the obstruction to remain shall be deemed to be a separate offense. Should the property owner or person in control of the view obstruction fail to remove the obstruction within the 14 days, it shall be lawful for the City to remove the item and the exact cost thereof shall be billed to and become a personal liability of the property owner or person in control of the view obstruction. The property owner or person in control of the view obstruction may claim the item or material removed, with the exception of plant material, within seven days of its removal by reimbursing the City for the cost of its removal. Items that are unclaimed within such time shall become the property of the City. See Appendix D for applicable fees.

- (2) *Private property.* View obstructions that lie on private property shall be removed within 14 days of the date of the notice. A property owner or person in control of the view obstruction who fails to remove an obstruction within such time shall be cited for such violation and upon conviction is subject to a fine. Each day such property owner suffers or permits the obstruction to remain shall be deemed to be a separate offense. See Appendix D for applicable fees.

E. *Sec. 9-342(e)(1).* Amend Chapter 9 by deleting Section 9-342(e)(1) in its entirety and add a new Section 9-342(e)(1) to read as follows:

- (1) An offense under this section is punishable by a fine. Each instance of a violation of this section is a separate offense. See Appendix D for applicable fees.

F. *Sec. 9-353(b).* Amend Chapter 9 by deleting Section 9-353(b) in its entirety and adding a new Section 9-353(b) to read as follows:

- (b) The owner of a motor vehicle liable for a school bus stop arm violation shall pay a civil fine. See Appendix D for applicable fees.

G. *Sec. 9-354(a).* Amend Chapter 9 by deleting Section 9-354(a) in its entirety and adding a new Section 9-354(a) to read as follows:

- (a) A vehicle owner determined by a hearing officer at an administrative adjudication hearing to be liable for a school bus stop arm violation may appeal this determination to the municipal court by filing an appeal petition, along with a filing fee, with the municipal court clerk or a deputy clerk before the 31st calendar day after the date the hearing officer's order is entered with the department. If the hearing officer's order is reversed, the filing fee will be returned by the City to the appellant. See Appendix D for applicable fees.

X. *Chapter 10.* That Chapter 10 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 10-52(b)(5)(h), 10-97(d), 10-101(b)(5), 10-131(a), 10-166(b), 10-194.3(c), 10-194.3(e), 10-199(a), 10-213(a) and 10-231(d) and adding new Sections 10-97(d), 10-101(b)(5), 10-131(a), 10-166(b), 10-194.3(c), 10-194.3(e), 10-199(a), 10-213(a) and 10-231(d) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

- A.** *Sec. 10-52(b)(5)(h).* Amend Chapter 10 by deleting Section 10-52(b)(5)(h) in its entirety.
- B.** *Sec. 10-97(d).* Amend Chapter 10 by deleting Section 10-97(d) in its entirety and adding a new Section 10-97(d) to read as follows:
 - (d) Any person convicted of violating this article shall be guilty of a misdemeanor punishable by a fine. See Appendix D for applicable fees.
- C.** *Sec. 10-101(b)(5).* Amend Chapter 10 by deleting Section 10-101(b)(5) in its entirety and adding a new Section 10-101(b)(5) to read as follows:
 - (5) Pay an annual smoking permit fee. See Appendix D for applicable fees.
- D.** *Sec. 10-131(a)* Amend Chapter 10 by deleting Section 10-131(a) in its entirety and adding a new Section 10-131(a) to read as follows:

Sec. 10-131. Same – Charges when work done by City.

- (a) The expenses incurred by the City pursuant to the correcting of conditions as set forth in this chapter shall be charged to and become a lien on the real estate or lot or lots upon which such expense is incurred. Such charges to be levied shall include special expenses and fees to defer all expense incurred by the City. See Appendix D for applicable fees for the following:

- (1) Single residential lot (with/without dwelling), per lot
- (2) Five (5) or more adjacent lots (without dwelling), per lot *
- (3) Nonresidential property (five acres or less)
- (4) Nonresidential property (greater than five acres) **

* Lots without dwellings that can be contracted by the acres shall be charged the nonresidential fee. See Appendix D for applicable fees.

** An additional fee shall be charged for every additional 10 acres. See Appendix D for applicable fees.

- E.** *Sec. 10-166(b).* Amend Chapter 10 by deleting Section 10-166(b) in its entirety and adding a new Section 10-166(b) to read as follows:
- (b) *Offense.* A person commits an offense if the person maintains a public nuisance described in Section 10-166. An offense under this section is a misdemeanor punishable by a fine. The Mesquite Municipal Court shall order abatement and removal of the nuisance on conviction. See Appendix D for applicable fees.
- F.** *Sec. 10-194.3(c) and 10-194.3(e).* Amend Chapter 10 by deleting Sections 10-194.3(c) and 10-194.3(e) in their entirety and adding new Sections 10-194.3(c) and 10-194.3(e) to read as follows:
- (b) An offense under this section is a Class C Misdemeanor subject to a fine. See Appendix D for applicable fees.
- (e) For a second and any subsequent offense within a six-month period, the violation is a Class C Misdemeanor subject to a higher fine. See Appendix D for applicable fees.
- G.** *Sec. 10-199(a).* Amend Chapter 10 by deleting Section 10-199(a) in its entirety and adding a new Section 10-199(a) to read as follows:
- (a) A person who violates a provision of this article is guilty of a separate offense for each day or part of a day during which the violation is committed, continued or permitted. Each offense, upon conviction, is punishable by a fine. See Appendix D for applicable fees.
- H.** *Sec. 10-213(a).* Amend Chapter 10 by deleting Section 10-213(a) in its entirety and adding a new Section 10-213(a) to read as follows:
- (a) A person who knowingly violates any provision of this chapter or who knowingly fails to perform a duty required of him under this chapter commits an offense. A person is guilty of a separate offense for each item of regulated metal property involved in a violation of this chapter. An offense under this chapter is punishable by a fine. See Appendix D for applicable fees.
- I.** *Sec. 10-231(d).* Amend Chapter 10 by deleting Section 10-231(d) in its entirety and adding a new Section 10-231(d) to read as follows:
- (d) A person who violates a provision of this section is guilty of a separate offense for each day or part of a day during which the violation is committed, continued or permitted. Each offense, upon conviction, is punishable by a fine. See Appendix D for applicable fees.

- XI.** *Chapter 11.* That Chapter 11 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 11-42(a), 11-54(a)(2), 11-56 and 11-130 in their entirety and adding

new Sections 11-42(a), 11-54(a)(2), 11-56 and 11-130 to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

A. *Sec. 11-42(a).* Amend Chapter 11 by deleting Section 11-42(a) in its entirety and adding a new Section 11-42(a) to read as follows:

(a) *Monthly rates.* The following schedule of monthly drainage charges is hereby established to become effective October 1, 2015:

(1) Each single-family residential dwelling unit.

(2) All other developed property, per one hundred (100) square feet of impervious area.

For the purposes of this subsection, "impervious area" means any area not able to absorb rainfall thereby creating storm water runoff. See Appendix D for applicable fees.

B. *Sec. 11-54(a)(2).* Amend Chapter 11 by deleting Section 11-54(a)(2) in its entirety and adding a new Section 11-54(a)(2) to read as follows:

(2) The amount of such deposit shall be established by the City Council from time to time and is hereby established as follows:

<i>Area</i>	<i>See Appendix D for applicable fees.</i>
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One acre or less	Minimum
From one acre up	For each additional acre

C. *Sec. 11-56.* Amend Chapter 11 by deleting Section 11-56 in its entirety and adding a new Section 11-56 to read as follows:

Sec. 11-56. Permit fee.

A non-refundable fee shall be charged for each permit issued to cover administrative expenses. See Appendix D for applicable fees.

D. *Sec. 11-130.* Amend Chapter 11 by deleting Section 11-130 in its entirety and adding a new Section 11-130 to read as follows:

Sec. 11-130. Penalty clause.

Any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a penalty or fine for each offense, and each and every day such offense is continued shall constitute a new and separate offense. In addition, the violator shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or

remedy any violation. Section 11-148(c) states an additional penalty against persons proceeding with construction without obtaining the necessary permits from the City. See Appendix D for applicable fees.

XII. *Chapter 12.* That Chapter 12 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 12-28(a), 12-29(a), 12-30(a) and 12-58 in their entirety and adding new Sections 12-28(a), 12-29(a) and 12-30(a), to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

A. *Sec. 12-28(a).* Amend Chapter 12 by deleting Section 12-28(a) in its entirety and adding a new Section 12-28(a) to read as follows:

(a) All applications for a license under this article shall be accompanied by a nonrefundable application fee. An application shall not be considered to have been filed until the fee is paid and all information required by the application form has been submitted. See Appendix D for applicable fees.

B. *Sec. 12-29(a).* Amend Chapter 12 by deleting Section 12-29(a) in its entirety and adding a new Section 12-29(a) to read as follows:

(a) Each license issued pursuant to this section shall expire on December 31 of each year. A license may be renewed by submission to the City Secretary of an application on the form prescribed by such official and payment of a nonrefundable renewal procession fee at least 30 days in advance of the expiration date. The renewal application must be reviewed in accordance with the same standards and requirements for an original license application, as set out in Section 12-28. See Appendix D for applicable fees.

C. *Sec. 12-30(a).* Amend Chapter 12 by deleting Section 12-30(a) in its entirety and adding a new Section 12-30(a) to read as follows:

(1) The license fee must be paid to the City annually to operate a sexually oriented business. See Appendix D for applicable fees.

D. *Sec. 12-58.* Amend Chapter 12 by deleting Section 12-58 in its entirety.

XIII. *Chapter 13.* That Chapter 13 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 13-73(b)(3), 13-73(d)(7), 13-73(j)(1), 13-73(m)(7), 13-73(o)(3) and 13-73(t)(8) in their entirety and adding new Sections 13-73(b)(3), 13-73(d)(7), 13-73(j)(1), 13-73(m)(7), 13-73(o)(3) and 13-73(t)(8) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

A. *Sec. 13-73(b)(3).* Amend by deleting Section 13-73(b)(3) in its entirety and adding a new Section 13-73(b)(3) to read as follows:

(3) The permit fee for banners will be per display period or any part thereof. See Appendix D for applicable fees.

- B.** *Sec. 13-73(d)(7).* Amend by deleting Section 13-73(d)(7) in its entirety and adding a new Section 13-73(d)(7) to read as follows:
- (7) The copy on the face of a billboard sign may not be changed without first obtaining a permit. See Appendix D for applicable fees.
- C.** *Sec. 13-73(j)(1).* Amend by deleting Section 13-73(j)(1) in its entirety and adding a new Section 13-73(j)(1) to read as follows:
- (1) A permit must be obtained prior to placement of an inflatable sign. The fee for such permit shall be for each period of placement. See Appendix D for applicable fees.
- D.** *Sec. 13-73(m)(7).* Amend by deleting Section 13-73(m)(7) in its entirety and adding a new Section 13-73(m)(7) to read as follows:
- (7) The permit fee for movable signs is paid annually per business and shall be subject to renewal on October 1 of each year. Said permit is not transferrable. See Appendix D for applicable fees.
- E.** *Sec. 13-73(o)(3).* Amend by deleting Section 13-73(o)(3) in its entirety and adding a new Section 13-73(o)(3) to read as follows:
- (3) The permit fee for pennants shall be per display period of any part thereof and shall be paid in addition to any Special Promotions Permit fee. See Appendix D for applicable fee.
- F.** *Sec. 13-73(t)(8).* Amend by deleting Section 13-73(t)(8) in its entirety and adding a new Section 13-73(t)(8) to read as follows:
- (8) The permit fee shall be per display period or any part thereof. An applicant may obtain a permit for three successive display periods (one-year). See Appendix D for applicable fees.

XIV. *Chapter 14.* That Chapter 14 of the Mesquite City Code, as amended, is hereby amended by deleting the second paragraph in Section 14-30, by deleting the first paragraph in Section 14-38, Sections 14-39, 14-40, 14-45, 14-51(f), 14-52, 14-53(a), 14-54(a), 14-72(b), 14-73(b), 14-74(c) and 14-75(b) in their entirety and adding a new second paragraph in Section 14-30, a new first paragraph in Section 14-38, Sections 14-39, 14-40, 14-45, 14-51(f), 14-52, 14-53(a), 14-54(a), 14-72(b), 14-73(b), 14-74(c) and 14-75(b) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

- A.** *Sec. 14-30.* Amend Chapter 14 by deleting the second paragraph in Section 14-30 in its entirety and adding a new Section 14-30 to read as follows:

For a single-family residence, the charge shall be per month for collections. See Appendix D for applicable fees.

- B.** *Sec. 14-38.* Amend Chapter 14 by deleting the first paragraph in Section 14-38 in its entirety and adding a new first paragraph in Section 14-38 to read as follows;

Sec. 14-38. Collection of large items and disposal of junk and trash from rental property.

Except as otherwise provided in this section, collection of large items, heavy brush, trash, yard waste, solid waste or remodeling materials from vacant rental property may be arranged with the Solid Waste Division who may collect such items only after a fee, based on the quantity of items requiring disposal, has been paid to the Solid Waste Division. It shall be the responsibility of the property owner to notify the Solid Waste Division of the need for the service. The fee for this service is per load. See Appendix D for applicable fees.

- C.** *Secs. 14-39 and 14-40.* Amend Chapter 14 by deleting Sections 14-39 and 14-40 in their entirety and adding new Sections 14-39 and 14-40 to read as follows:

Sec. 14-39. Collection from unimproved vacant lots.

Large items, heavy brush, trash or solid waste will not be removed from vacant lots by the City as part of the regular pickup service. Special collection of such items may be arranged with the Solid Waste Division who may collect such items only after a fee for such service, based on the quantity of items requiring disposal, has been paid to the Solid Waste Division. It shall be the responsibility of the property owner to notify the Solid Waste Division of the need for the service. The fee for this service is per load. See Appendix D for applicable fees.

Sec. 14-40. Collection of solid waste not generated at residential location.

Collection of large items, heavy brush, trash, yard waste or solid waste not specifically generated from the location where waste is placed for collection may be arranged with the Solid Waste Division who may collect such items only after a fee, based on the quantity of items requiring disposal, has been paid to the Solid Waste Division. It shall be the responsibility of the property owner to notify the Solid Waste Division of the need for the service. The fee for this service is per load. See Appendix D for applicable fees.

- D.** *Sec. 14-45.* Amend Chapter 14 by deleting Section 14-45 in its entirety and adding a new Section 14-45 to read as follows:

Sec. 14-45. Charges for collection.

- (a) For commercial establishments, apartment residences, boarding houses, restaurants and other food establishments, container storage and collection service shall be required. The schedule of rates for commercial front-load and commercial roll-off rates shall apply. See Appendix D for applicable fees.

- (b) Where container storage and service are inappropriate, residential-type collection may be allowed in which event the charge shall be per month for commercial establishments and boarding houses. See Appendix D for applicable fees.
 - (c) With the approval of the City, open top containers are available for certain commercial establishments. The charge shall be assessed at the rates established each time the container is emptied. See Appendix D for applicable fees.
 - (d) With the approval of the City, open top containers are available to contractors and residents doing remodeling and repair work in a residential area. Temporary placement of such containers shall be for a maximum period of four weeks annually but may be extended by the Manager of Solid Waste. The charge shall be assessed at the rates established each time the container is emptied. See Appendix D for applicable fees.
 - (e) Commercial and industrial stationary compaction service is available upon request. The lease cost of such equipment will be established between the customer and the City. The charge shall be assessed at the rates established each time the container is emptied. See Appendix D for applicable fees.
- E.** *Sec. 14-51(f).* Amend Chapter 14 by deleting Section 14-51(f) in its entirety and adding a new Section 14-51(f) to read as follows:
- (f) At any time from the date of impoundment until the expiration of three months from such date, the owner of the container may reclaim the container upon payment of a reclamation fee per container per occurrence, which amount encompasses the actual cost of such impoundment including but not limited to administrative costs, the cost of transportation, cost of disposal of contents and cost of storage. If the container is not claimed before the expiration of 10 calendar days from the date the container is impounded, an additional daily storage fee will be charged for each day after the expiration 10 days. Storage fees, in addition to the reclamation fee, must be paid prior release of the container to the owner. If a container is not claimed within three months of the date of impoundment, the container will be deemed to have been abandoned by the owner and forfeited to the City, and upon forfeiture the owner will be forever barred from any and all claim or right to the container or any proceeds from the property. See Appendix D for applicable fees.
- F.** *Sec. 14-52.* Amend Chapter 14 by deleting Section 14-52 in its entirety and adding a new Section 14-52 to read as follows:

Sec. 14-52. Brush collection for commercial district.

The Solid Waste Division may collect large brush from commercial property only after a fee has been paid to the Solid Waste Division. This fee shall

be determined based on the quantity of brush requiring disposal. It shall be the responsibility of the property owner to notify the Solid Waste Division of the need for the service. The fee for this service is per load. See Appendix D for applicable fees.

- G.** *Sec. 14-53(a).* Amend Chapter 14 by deleting Section 14-53(a) in its entirety and adding a new Section 14-53(a) to read as follows:
- (a) Pay the City an agreement fee which may be paid in monthly installments. See Appendix D for applicable fees.
- H.** *Sec. 14-54(a).* Amend Chapter 14 by deleting Section 14-54(a) in its entirety and adding a new Section 14-54(a) to read as follows:
- (a) A private contractor wishing to provide collection of recyclable materials shall make written application for a permit on forms provided by the Manager and pay the City a fee annually. See Appendix D for applicable fees.
- I.** *Sec. 14-72(b).* Amend Chapter 14 by deleting Section 14-72(b) in its entirety and adding a new Section 14-72(b) to read as follows:
- (b) The operator of any commercial vehicle arriving at the Municipal Composting Facility with materials without a suitable cover or container shall pay a surcharge in addition to any other applicable fees or charges to defray the expense of litter cleanup. See Appendix D for applicable fees.
- J.** *Sec. 14-73(b).* Amend Chapter 14 by deleting Section 14-73(b) in its entirety and adding a new Section 14-73(b) to read as follows:
- (b) The following shall be charged for organic landscape materials brought to the Municipal Composting Facility:
- (1) *Compost materials charge.*
- a. Pick-up
- b. 10-foot trailer
- c. 12-foot trailer
- d. 14-foot trailer
- e. 16-foot trailer
- f. 18-foot trailer
- g. 20-foot trailer

- (2) *Chipped loads.*
 - a. 10-cubic-yard box truck
 - b. 20-cubic-yard box truck
 - c. 30-cubic-yard box truck
- (3) *Roll-off containers and tract trailers.*
 - a. 10-cubic-yard
 - b. 20-cubic-yard
 - c. 30-cubic-yard
 - d. 40-cubic-yard
 - e. 50-cubic-yard
 - f. 60-cubic-yard

See Appendix D for applicable fees.

- K.** *Sec. 14-74(c).* Amend Chapter 14 by deleting Section 14-74(c) in its entirety and adding a new Section 14-74(c) to read as follows:

- (c) Materials produced at the Municipal Composting Facility may be purchased, when available, during normal operating hours:
 - (1) Compost, per cubic yard
 - (2) Mulch, per cubic yard (purchases under 50 yards)
 - (3) Bulk mulch, per cubic yard (minimum purchase of 50 cubic yards or more)

See Appendix D for applicable fees.

- L.** *Sec. 14-75(b).* Amend Chapter 14 by deleting Section 14-75(b) in its entirety and adding a new Section 14-75(b) to read as follows:

- (b) A nonrefundable fee is required for the issuance of a permit. A new fee and permit will be required upon a change of address for the person responsible for payment of the user fee established herein. No permit fee will be charged for a public entity using the Municipal Composting Facility. See Appendix D for applicable fees.

- XV.** *Chapter 15.* That Chapter 15 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 15-195(e), 15-205(f), 15-206(c), 15-206(d)(1), 15-206(e)(1), 15-206(g) and 15-219(a) in their entirety and adding new Sections 15-195(e), 15-205(f), 15-206(c), 15-206(d)(1), 15-206(e)(1), 15-206(g) and 15-219(a) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:
- A.** *Sec. 15-195(e).* Amend Chapter 15 by deleting Section 15-195(e) in its entirety and adding a new Section 15-195(e) to read as follows:
- (e) *Permit fee.* The following require permits:
- (1) For certificated telecommunications providers providing access lines 9as defined in Chapter 283, Local Government Code
 - (2) For persons occupying the rights-of-way of the City under a franchise ordinance or agreement
 - (3) Transport facilities
 - (4) Network node:

For each application containing up to five network nodes

For each additional node beyond five
 - (5) Node support pole and other poles
 - (6) For all other applicants
- See Appendix D for applicable fees.
- B.** *Sec. 15-205(f).* Amend Chapter 15 by deleting Section 15-205(f) in its entirety and adding a new Section 15-205(f) to read as follows:
- (f) A person who violates a provision of this article is guilty of a separate offense for each day or portion of a day during which the violation is committed, continued, authorized, directed or permitted. A person who knowingly commits an offense under Subsection (b)(3) or (d)(2) is punishable by a fine. Any other offense under this article is punishable by a fine. See Appendix D for applicable fees.
- C.** *Sec. 15-206(c).* Amend Chapter 15 by deleting Section 15-206(c) in its entirety and adding a new Section 15-206(c) to read as follows:
- (c) *Application fee.* Except as otherwise provided in Subsection (b), the application fee is for use of the right-of-way. See Appendix D for applicable fees.

- D.** *Sec. 15-206(d)(1).* Amend by deleting Section 15-206(d)(1) in its entirety and adding a new Section 15-206(d)(1) to read as follows:

(d) *Annual fee.*

- (1) Except as otherwise provided in Subsection (e), see Appendix D for applicable fees.

- E.** *Sec. 15-206(e)(1).* Amend by deleting Section 15-206(e)(1) in its entirety and adding a new Section 15-206(e)(1) to read as follows:

(e) *Special fees.*

- (1) Instead of the annual fee charged under Subsection (d), one-time fees will be charged for a license to use a right-of-way for the following uses:
- a. Landscaping and appurtenant irrigation systems.
 - b. Subdivision and monument signs.
 - c. Other streetscape elements, including planters, crosswalk texturing and coloring, artwork, lighting, benches, flag poles, bollards and trash receptacles.

See Appendix D for applicable fees.

- F.** *Sec. 15-206(g).* Amend by deleting Section 15-206(g) in its entirety and adding a new Section 15-206(g) to read as follows:

(g) *Penalties.*

- (1) A person using or occupying a right-of-way for a private use in violation of this division or without a license or other permit granted by the City is guilty of an offense and, upon conviction, is subject to a fine for each day that the violation exists. See Appendix D for applicable fees.
- (2) Any owner, occupant, tenant or licensee who fails to keep the sidewalks, curbs and private structures constructed within or over the licensed area in good repair is guilty of maintaining a nuisance and, upon conviction, is subject to a fine for each day the nuisance is maintained. See Appendix D for applicable fees.

- G.** *Sec. 15-219(a).* Amend Chapter 15 by deleting Section 15-219(a) in its entirety and deleting Section 15-219(a) to read as follows:

- (a) Provider shall pay the City applicable annual fees on the following:

Collocation Fee for Network Nodes on Service Poles

Annual fee for each service pole

Network Node Annual Site Rental Fee

For each network node site*

Transport Facility Monthly Rental Fee

For each network node site**

See Appendix D for applicable fees.

*Adjusted on an annual basis, by an amount equal to one-half (1/2) of the annual change, if any, in the Consumer Price Index, provided that if the annual fees reach \$270.00 for a site, the adjustment shall be the City's actual costs that exceed \$270.00.

**Not to exceed the monthly aggregate per node fee.

XVI. *Chapter 16.* That Chapter 16 of the Mesquite City Code, as amended, is hereby amended by deleting Sections 16-1, 16-2(1) through 16-2(3), 16-2(7), 16-2(8), 16-3(b) through 16-3(k), 16-43, 16-44(c), 16-59(a)(1), 16-59(a)(2), 16-106(d), 16-135(d)(1), 16-159(a), 16-200(a) and 16-200(b), in their entirety and adding new Sections 16-1, 16-2(1) through 16-2(3), 16-2(7), 16-2(8), 16-3(b) through 16-3(k), 16-43, 16-44(c), 16-59(a)(1), 16-59(a)(2), 16-106(d), 16-135(d)(1), 16-159(a), 16-200(a) and 16-200(b) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

- A.** *Sec. 16-1.* Amend Chapter 16 by deleting Section 16-1 in its entirety and adding a new Section 16-1 to read as follows:

Sec. 16-1. Water rates.

The water rates to be charged and collected by the City from all customers obtaining service from the waterworks system of the City shall be and are hereby fixed. See Appendix D for applicable fees for the following:

**Residential and Commercial
Water Rates – Minimum Bill**

0.625 inch meter

1.000 inch meter

1.500 inch meter
2.000 inch meter
3.000 inch meter
4.000 inch meter
6.000 inch meter

Apartments Water Rates – Minimum Bill

The minimum bill amount for apartment complexes is the minimum rate charged for a 0.625 inch meter multiplied by the number of units on each metered account.

Volumetric Rates

0 – 1,000 Gallons
1,001 – 5,000 Gallons
5,001 – 10,000 Gallons
10,001 – 50,000 Gallons
50,001 – 70,000 Gallons
70,001 – 500,000 Gallons
Over 500,000 Gallons

Apartment complexes with more than one unit are billed by dividing the total number of gallons consumed by the number of units in the apartment complex and computing the bill as though each unit was a separate residence using the average number of gallons.

City of Mesquite Water Rates

City of Mesquite water accounts shall be charged for all consumption in excess of 1,000 gallons at the same rate that the City pays North Texas Municipal Water District per 1,000 gallons.

- B.** *Secs. 16-2(1) through 16-2(3).* Amend Chapter 16 by deleting Sections 16-2(1) through 16-2(3) in their entirety and adding new Sections 16-2(1) through 16-2(3) to read as follows:

Sec. 16-2. Deposits for service.

A deposit shall be made at the time of making application for water service and must remain in force as long as the customer is receiving service. The minimum amount of which shall be as follows:

- (1) *Initial deposit and requirements for the following:*
- a. Residential.

- b. Commercial.
- c. This deposit shall remain in effect at all times until service is terminated.
- d. See Appendix D for applicable fees.

Commercial customers whose deposits are calculated to be \$250.00 or larger, may elect to place a surety bond or an irrevocable letter of credit or may execute an assignment of a savings account to the City in lieu of a cash bond. Any surety bond, letter of credit or assignment of a savings account must be in a form and format approved by the City. If a commercial customer's deposit that is placed in the form of a surety bond, letter of credit or savings account expires or is cancelled for any reason, such deposit must be replaced within 30 days of notice of such expiration or cancellation.

Residential and commercial customers must provide identification of the person in whose name the service is to be billed by supplying a driver's license number or other identification showing proof of name.

- (2) *Additional deposits – Residential.* When and if it is found that the deposit required, and as collected according to the above schedule, is not sufficient to protect the City from losses, and it becomes necessary to disconnect service to any customer because of nonpayment of his water utility bill, the City shall require an additional minimum deposit or three months' estimated water utility bill, whichever is larger, before water service is reconnected. Nonpayment of a customer's water charge occurs when a two-month bill is not paid on the due date specified on the water utility bill as defined in Section 16-3. See Appendix D for applicable fees.
- (3) *Same – Commercial.* When and if it is found that the deposit required, and as collected according to the above schedule, is not sufficient to protect the City from losses, and it becomes necessary to disconnect service to any customer because of nonpayment of his water utility bill, the City shall require an additional minimum deposit or three months' estimated water utility bill, whichever is larger, before water service is reconnected. Nonpayment of a customer's water charge occurs when a two-month bill is not paid on the due date specified on the water utility bill as defined in Section 16-3. See Appendix D for applicable fees.

- C. *Secs. 16-2(7) and 16-2(8).* Amend Chapter 16 by deleting Sections 16-2(7) and 16-2(8) in their entirety and adding new Sections 16-2(7) and 16-2(8) to read as follows:

- (7) *Builder's deposit.* When and if a builder is in the process of constructing a residential house, a deposit per house being constructed is required. For each commercial establishment being constructed, the builder is required to

place a deposit. See Appendix D for applicable fees.

- (8) *Fire hydrant meter deposit.* Persons needing large quantities of water on a temporary basis may request a temporary fire hydrant meter. Customers requesting a fire hydrant meter shall pay a meter deposit plus a commercial consumption deposit. See Appendix D for applicable fees.

D. *Secs. 16-3(b) through 16-3(k).* Amend Chapter 16 by deleting Sections 16-3(b) through 16-3(k) in their entirety and adding new Sections 16-3(b) through 16-3(k) to read as follows:

- (b) If the bill is not paid by the due date as set out on the face of the bill, a penalty is added, and the gross amount is then due. Should any customer's bill remain unpaid on the billing date for the next month's bill, the unpaid amount will appear on the bill as being in "previous balance." The customer shall receive a written notice stating that the total amount of the bill (shown as net amount) shall be due and payable within 15 days from the billing date, and that if not paid within 15 days, water service shall be disconnected. See Appendix D for applicable fees.
- (c) If the water service is disconnected, the customer must pay the total bill due, plus an additional deposit according to Section 16-2(2) or (3) above, plus a reconnection fee before water service will be reconnected. See Appendix D for applicable fees.
- (d) If the customer pays the water services representative when he goes to the house or business to disconnect the service for nonpayment, the customer must pay the total bill due plus the additional deposit according to Section 16-2(2) or (3) above plus a service fee. See Appendix D for applicable fees.
- (e) A service charge will also be charged for each service call that a water services representative makes to a customer that has been disconnected for nonpayment when a customer reconnects his water service himself without paying the total amount due or if a customer has moved into a house and turned the water on without placing a deposit with the City. See Appendix D for applicable fees.
- (f) A service charge will be charged if a meter has been removed for nonpayment of a water utility bill. See Appendix D for applicable fees.
- (g) A service charge will be charged when a jumper is removed. See Appendix D for applicable fees.
- (h) Water may be turned on for cleaning purposes for 10 days with an advance payment. See Appendix D for applicable fees.
- (i) When and if a customer pays his water utility bill by check and the customer's bank will not honor the check, the check is returned to the City

and written notice is mailed to the customer giving five days in which to redeem the check. If the returned check is not redeemed by the customer by 8:00 p.m. on the fifth day, the customer's service shall be disconnected. The requirements for an additional deposit as stated in Section 16-2(2) or (3) above plus the reconnection fee as stated in subsection (c) of this section must be paid before the customer's water service is reconnected. See Appendix D for applicable fees.

(j) A service charge will be charged for a transfer of service within Mesquite. See Appendix D for applicable fees.

(k) A service charge will be charged each time a check is returned from the bank. See Appendix D for applicable fees.

E. *Sec. 16-43.* Amend Chapter 16 by deleting Section 16-43 in its entirety and adding a new Section 16-43 to read as follows:

Sec. 16-43. City collection fee.

On all pro rata fees reimbursed to the developer, the City shall deduct two percent of the amount collected plus a collection fee. The City shall deposit collection fees into the City water and sewer fund for expenditure. See Appendix D for applicable fees.

F. *Sec. 16-44(c).* Amend Chapter 16 by deleting Section 16-44(c) in its entirety and adding a new Section 16-44(c) to read as follows:

(c) *Water meter and meter box pricing.* The cost of the meters is calculated as actual City cost plus 20 percent administrative and stocking fees. The following meter sizes are available: 5/8", 1", 1 1/2" or 2" (meter sizes of 3", 4", 6" and 8" are available based on individual quotes).

The City reserves the right to determine whether a conventional meter or a radio read meter is required for each lot, structure, street or subdivision. See Appendix D for applicable fees.

Meter

Size

Meter or Meter Box Description

5/8"	Meter Neptune 5/8"x 3/4" T-10
5/8"	Meter (Radio Read) Neptune T-10 E-Coder R9001
1"	Meter Neptune 1" T-10
1"	Meter (Radio Read) Neptune T-10 E-Coder R9001
1 1/2"	Meter Neptune 1 1/2" T-10
1 1/2"	Meter (Radio Read) Neptune T-10 E-Coder R9001
2"	Meter Neptune 2" T-10
2"	Meter (Radio Read) Neptune T-10 E-Coder R9001

>2"	3", 4", 6" and 8" Meters Pricing Available by Quote
	Fire Hydrant Meter with RPZ Backflow Prevention Device Deposit
Meter Box for 5/8" Meter	Nominal 18-inch Diameter Cast Iron Ring and Locking Lid HDPE Base Enclosure-with Slot - Bass & Hays P34P14D-3-LID-2
Meter Box for 1", 1-1/2" and 2" Meters	Nominal 32-5/8-inch Diameter Cast Iron Ring and Locking Lid HDPE Base Enclosure with Slot - Bass & Hays P55P18D1S BH5C-LID-1

Miscellaneous fittings will be charged at the City's cost plus 20 percent for administrative fees and stocking fees. Meter and box prices are subject to change.

G. *Secs. 16-59(a)(1) and 16-59(a)(2).* Amend Chapter 16 by deleting Sections 16-59(a)(1) and 16-29(a)(2) in their entirety and adding new Sections 16-59(a)(1) and 16-59(a)(2) to read as follows:

- (a) The rates or charges per month for services furnished by the sanitary sewer system shall be as follows:
 - (1) *Residential and commercial accounts.* See Appendix D for applicable fees. Residential accounts are capped at 8,000 gallons of water consumed.
 - (2) *Apartments.* See Appendix D for applicable fees.

H. *Sec. 16-106(d).* Amend Chapter 16 by deleting Section 16-106(d) in its entirety and adding a new Section 16-106(d) to read as follows:

- (d) All industrial users required to have an Industrial User Wastewater Discharge Permit (Section 16-29) shall pay a monthly fee for each applicable permit and/or pretreatment agreement. See Appendix D for applicable fees.

I. *Sec. 16-135(d)(1).* Amend Chapter 16 by deleting Section 16-135(d)(1) in its entirety and adding a new Section 16-106(d)(1) to read as follows:

- (d) A manifest system, consisting of a four-part trip ticket, is used to document the generation, transportation and disposal of all applicable liquid waste generated in the city and shall be used as follows:
 - (1) The trip ticket books are purchased by the transporter from the city's health division for a fee. See Appendix D for applicable fees.

J. *Sec. 16-159(a).* Amend Chapter 16 by deleting Section 16-159(a) in its entirety and adding a new Section 16-159(a) to read as follows:

- (a) The Regulatory Authority shall not issue a permit to an applicant until the appropriate established fee is paid. A person shall pay a fee for the first vehicle and a fee for each additional vehicle operated by the person. See Appendix D for applicable fees.

K. *Secs. 16-200(a) and 16-200(b).* Amend Chapter 16 by deleting Sections 16-200(a) and 16-200(b) in their entirety and adding new Sections 16-200(a) and 16-200(b) to read as follows:

- (a) A permit shall not be issued to an applicant until the appropriate established fee is paid. See Appendix D for applicable fees.
- (b) In addition to said permit fee a permittee shall pay an inspection and monitoring fee per year for each interceptor under his service. Said fee shall be paid within 30 days of the beginning of service date for each interceptor. A list of all interceptors under the service of a permittee shall be provided to the regulatory authority and shall be updated by the permittee on a monthly basis. See Appendix D for applicable fees.