

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, AMENDING ORDINANCE NO. 06-11-119 (COMPREHENSIVE FEE ORDINANCE), SECTION 3 (WATER SERVICE CHARGES), SECTION 4 (SANITARY SEWER CHARGES), SECTION 4A (WATER REUSE CHARGES) AND SECTION 15 (LIBRARY FEES); AMENDING ORDINANCE NOS. 93-04-05, 99-09-19, 10-01-03, 11-09-45, 14-12-77, 15-09-73, 16-09-78, 17-09-70, 18-09-54, 19-03-18, 19-09-81, 19-12-117, 2020-09-64, 2020-10-67, 2021-09-60 AND 2022-09-49; MODIFYING OR ESTABLISHING CERTAIN FEES AND CHARGES FOR RESIDENTIAL AND COMMERCIAL WATER SERVICE, RESIDENTIAL COMMERCIAL AND INDUSTRIAL SEWER SERVICE, WATER REUSE SERVICE, LIBRARY FACILITY RENTALS AND ENGINEERING REVIEW AND INSPECTIONS, EFFECTIVE AS OF OCTOBER 1, 2023; REAUTHORIZING BUILDING PERMIT FEES IN ACCORDANCE WITH SECTION 214.908 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE AND SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas (“City Council”) finds that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas (“Frisco” or “City”) to modify various fees and charges that may be assessed and collected by Frisco by amending Frisco’s Comprehensive Fee Ordinance, Ordinance No. 06-11-119, as amended (“Comprehensive Fee Ordinance”), and Ordinance Nos. 93-04-05, 99-09-19, 10-01-03, 11-09-45, 14-12-77, 15-09-73, 16-09-78, 17-09-70, 18-09-54, 19-03-18, 19-09-81, 19-12-117, 2020-09-64, 2020-10-67, 2021-09-60 and 2022-09-49, as set forth below; and

WHEREAS, Frisco has complied with all procedural and legal requirements to amend the Comprehensive Fee Ordinance and Ordinance Nos. 93-04-05, 99-09-19, 10-01-03, 11-09-45, 14-12-77, 15-09-73, 16-09-78, 17-09-70, 18-09-54, 19-03-18, 19-09-81, 19-12-117, 2020-09-64, 2020-10-67, 2021-09-60 and 2022-09-49.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Water Service Charges. Section 3 (Water Service Charges) of the Comprehensive Fee Ordinance, Section 2 of Ordinance No. 14-12-77, Section 2 of Ordinance No. 15-09-73, Section 2 of Ordinance No. 16-09-78, Section 2 of Ordinance No. 17-09-70, Section 2 of Ordinance No. 18-09-54, Section 2 of Ordinance No. 19-09-81, Section 2 of Ordinance No. 2021-09-60 and Section 2 of Ordinance No. 2022-09-49 are hereby amended as follows:

“SECTION 3: Water Service Charges. There shall be charged and collected each month by the City from the consumers of water service the amount of money

hereinafter set out, based on the following rates:

A. Residential Service Fees:

Residential Meters	Monthly Cost
Minimum bill includes 2,000 gallons	\$22.52
2,001 to 15,000 gallons	\$4.98/ per thousand*
15,001 to 25,000 gallons	\$5.80/per thousand*
25,001 to 40,000 gallons	\$6.20/per thousand*
40,001 to 80,000 gallons	\$7.17/per thousand*
80,001 gallons and above	\$8.62/per thousand*

*Note: Cost per thousand gallons of water or fraction thereof.

B. Commercial Service Fees: The minimum monthly charge shall be based on the meter size and shall be billed at the following rates which include the cost of 2,000 gallons of water:

Meter Size	Monthly Charge Includes 2,000 Gallons	Cost Per Thousand Gallons* Over 2,000 Gallons
¾" standard	\$24.55	\$5.15
1"	\$36.44	\$5.15
1½"	\$73.03	\$5.15
2"	\$116.14	\$5.15
3"	\$215.73	\$5.15
4"	\$331.87	\$5.15
6"	\$696.97	\$5.15

*Note: Cost per thousand gallons of water or fraction thereof.

C. For multi-family units on master meters, a minimum of \$22.52 per unit will be charged, with \$4.98 per thousand gallons for each thousand gallons of

water or fraction thereof used above the total number of units multiplied by 2,000 gallons.

D. ...

E. **Commercial Irrigation Meters:** The minimum monthly charge shall be based on the meter size and shall be billed at the following rates which include the cost of 2,000 gallons of water:

Meter Size	Monthly Charge Includes 2,000 Gallons	Cost Per 2,001 - 40,000 Gallons*	Cost Per Thousand Gallons* Over 40,000 Gallons
¾" standard	\$24.55	\$5.15	\$7.17
1"	\$36.44	\$5.15	\$7.17
1½"	\$73.03	\$5.15	\$7.17
2"	\$116.14	\$5.15	\$7.17
3"	\$215.73	\$5.15	\$7.17
4"	\$331.87	\$5.15	\$7.17
6"	\$696.97	\$5.15	\$7.17

*Note: Cost per thousand gallons of water or fraction thereof.”

SECTION 3: Amendment to Sanitary Sewer Charges. Section 5 (Solid Waste Collection Fees) of the Comprehensive Fee Ordinance, and Section 2 of Ordinance No. 14- 12-77, Section 2 of Ordinance No. 15-09-73, Section 2 of Ordinance No. 16-09-78, Section 2 of Ordinance No. 17-09-70, Section 3 of Ordinance No. 19-09-81, Section 3 of Ordinance No. 2021-09-60 and Section 3 of Ordinance No. 2022-09-49 are hereby amended as follows:

“**SECTION 4: Sanitary Sewer Charges.** There shall be charged and collected each month by City for sanitary sewer service the amount of money hereinafter set out based on the following rates:

A. The minimum monthly sewer charge shall be \$30.28 for any single-family residential unit whose water consumption for the month does not exceed 2,000 gallons. The minimum monthly sewer charge shall be \$53.57 for

commercial and industrial users whose water consumption for the month does not exceed 2,000 gallons.

- B.** For each consumer whose water consumption in any month exceeds 2,000 gallons, the monthly sewer rate shall be \$6.38 per thousand gallons of water or fraction thereof. The charge for single-family residential sewer service shall be determined by averaging the billed consumption for three of the following four months December, January, February and March (removing the month with the highest consumption) and applying the applicable rates.
- C.** For each consumer whose average water consumption during the three (3) billed months of December, January, February and March (removing the month with the highest consumption) exceeds 2,000 gallons, the monthly sewer rate shall be \$6.38 per thousand gallons of water or fraction thereof; provided, however, that in no event shall single-family residential sewer service exceed the winter average on a monthly basis.
- D.** New customer accounts for which average water consumption has not been established will be billed for sewer service based on actual water usage and applying the applicable rates; provided, however, that in no event shall single-family residential sewer service exceed the cap of 6,000 gallons.
- E.** Residential customers on master meters shall pay a minimum of \$30.28 per unit per month plus \$6.38 per thousand gallons of water or fraction thereof for all consumption above the total number of units multiplied by 2,000 gallons. This provision applies to mobile home parks, apartment units and the like.
- F.** Commercial and industrial customers on master meters shall pay a minimum of \$53.57 per unit per month and \$6.38 per thousand gallons of water or fraction thereof for all consumption above the total number of units multiplied by 2,000 gallons.
- G.** Industrial users in the City pretreatment program shall be charged \$0.20 per thousand gallons of water or fraction thereof in addition to the regular charges.
- H.** All mobile home parks, apartment complexes and commercial and industrial sewer customers shall be billed monthly on their total volume of water consumption. Water used in a direct manufacturing process or for irrigation purposes can only be exempted upon request of and written approval by City.”

SECTION 4: Amendment to Water Reuse Charges. Section 4A (Water Reuse Charges) of the Comprehensive Fee Ordinance, Section 3 of Ordinance No. 14-12-77, Section 2 of Ordinance No. 19-03-18, Section 5 of Ordinance No. 2021-09-60 and Section 4 of Ordinance No. 2022-09-49 are hereby amended as follows:

“SECTION 4A: **Water Reuse Charges.** There shall be charged and collected each month by the City from the consumers of water reuse service, not currently on contract, the amount of money hereinafter set out, based on the following rates:

Reuse Meter	Cost Per Gallon*
Gallons	\$2.58/per thousand*

*Note: Maximum daily and annual amounts to be set per contract. Cost per thousand gallons of water or fraction thereof.”

SECTION 5: Amendment to Library Fees. The Comprehensive Fee Ordinance and Ordinance No. 12-09-63 are hereby amended as follows:

“SECTION 15: **Library Fees.**

...

Library Facility Rental Fees and Deposits. The fees, charges and deposits described in the following schedule shall be paid before use of any of the identified Library facilities is permitted. The City reserves the right to require provisions for additional security or waiver of fees, as may be determined by the Library Director or his/her designee. In the event a provision of this Section conflicts with a provision of a lease or license agreement entered into by the Library for the lease or licensing of space within the Library, the provision in the lease or license agreement shall govern and control.

Room/Package	Deposit	Hourly rental fee: (*3 hour minimum)	Fee for going over contracted time: (each 15 minute interval)
Community Event Rooms A/B/C	\$250.00	\$300.00*	\$100.00
Community Event Rooms A/B OR B/C	\$250.00	\$225.00*	\$75.00
Community Event Room A OR C	\$150.00	\$75.00*	\$40.00
Community Event Room B	\$150.00	\$150.00*	\$50.00
Creativity Commons	\$150.00	\$100.00*	\$40.00
Wedding Package: Includes use of Outdoor Terrace, 1 st and 2 nd floor lobbies, Unconference Room, Community Event Rooms A, B, & C, Creativity Commons, and Warming Pantry			
Friday or Sunday	\$500.00	\$3,500.00	\$175.00
Saturday	\$500.00	\$4,500.00	\$175.00

Party and Events Package: Includes use of Outdoor Terrace, 1 st and 2 nd floor lobbies, Community Event Rooms A, B, & C and Warming Pantry			
Friday or Sunday	\$500.00	\$2,700.00	\$150.00
Saturday	\$500.00	\$3,700.00	\$150.00

Add-Ons

	<u>Rental Fee</u>
Microphones	1 st free, every microphone after that is \$50
Warming Pantry	\$100/hour

Cleaning Fee

Wedding Package	\$500.00 all rooms and floors
Party Package	\$500.00 all rooms and floors
A/B/C	\$100.00 floors sweep/vacuum
A/B or B/C	\$75.00 floors sweep/vacuum
A or C	\$50.00 floors sweep/vacuum
B	\$50.00 floors sweep/vacuum
A/B/C	\$100.00 striking/break down fee
A/B or B/C	\$75.00 striking/break down fee
A or C	\$50.00 striking/break down fee
B	\$50.00 striking/break down fee

Replacement Fee

Chair	\$335.00
Round Table	\$547.00
Oblong Table	\$372.00
Modesty Panel	\$141.00”

SECTION 6: Amendment to Engineering Review and Inspection Fee. The Comprehensive Fee Ordinance and Section 1 of Ordinance No. 93-04-05 are hereby amended as follows:

Engineering Review and Inspection Fee. Each plat applicant shall pay to the City an engineering review and inspection fee for review and inspection of public improvements, including but not limited to water, sewer streets and drainage improvements, based on the amount of land covered by the plat as follows:

Less than 5 acres	\$4,400 per acre
5-30 acres	\$3,300 per acre
More than 30 acres	\$2,600 per acre

SECTION 7: Reauthorization of Building Permit Fees. After conducting a public hearing,

the City Council hereby reauthorizes all building permit fees, including all fees charged by Frisco as a condition to constructing, renovating or remodeling a structure, in accordance with Section 214.908 of the Texas Local Government Code.

SECTION 8: Penalty. Any person, firm, corporation or business entity violating this Ordinance, the Comprehensive Fee Ordinance or Ordinance Nos. 93-04-05, 99-09-19, 10-01-03, 11-09-45, 14-12-77, 15-09-73, 16-09-78, 17-09-70, 18-09-54, 19-03-18, 19-09-81, 19-12-117, 2020-09-64, 2020-10-67, 2021-09-60 and 2022-09-49, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine not to exceed FIVE HUNDRED DOLLARS (\$500.00), unless the violation relates to fire safety, zoning or public health and sanitation, in which case the fine shall not exceed TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each continuing day's violation under this Ordinance, the Comprehensive Fee Ordinance or Ordinance Nos. 93-04-05, 99-09-19, 10-01-03, 11-09-45, 14-12-77, 15-09-73, 16-09-78, 17-09-70, 18-09-54, 19-03-18, 19-09-81, 19-12-117, 2020-09-64, 2020-10-67, 2021-09-60 and 2022-09-49, as they exist or may be amended, shall constitute a separate offense. The penal provisions imposed under violating this Ordinance, the Comprehensive Fee Ordinance and Ordinance Nos. 93-04-05, 99-09-19, 10-01-03, 11-09-45, 14-12-77, 15-09-73, 16-09-78, 17-09-70, 18-09-54, 19-03-18, 19-09-81, 19-12-117, 2020-09-64, 2020-10-67, 2021-09-60 and 2022-09-49, as they exist or may be amended, shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 9: Savings/Repealing. The Comprehensive Fee Ordinance and Ordinance Nos. 93-04-05, 99-09-19, 10-01-03, 11-09-45, 14-12-77, 15-09-73, 16-09-78, 17-09-70, 18-09-54, 19-03-18, 19-09-81, 19-12-117, 2020-09-64, 2020-10-67, 2021-09-60 and 2022-09-49, shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 10: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 11: Effective Date. This Ordinance shall be effective on October 1, 2023 after its passage and publication as required by law and the City Charter.


DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this _____ day of _____, 2023.

Jeff Cheney, Mayor

**ATTESTED AND
CORRECTLY RECORDED:**

Kristi Morrow, City Secretary

APPROVED AS TO FORM:



Abernathy, Roeder, Boyd & Hullett, P.C.
Ryan D. Pittman, City Attorneys

Dates of Publication: _____, *Frisco Enterprise*