

ORDINANCE NO. 2020-O-087

**AN ORDINANCE OF THE CITY OF ATHENS, TEXAS, ESTABLISHING AND ADOPTING CHAPTER 23 FEES AND COST OF SERVICES FOR THE CITY OF ATHENS CODE OF ORDINANCES PROVIDING A SEVERABILITY CLAUSE; A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Athens, Texas seeks to organize fees and costs of providing services in a manner that is accessible and provides greater transparency;

**WHEREAS**, on December 4<sup>th</sup>, 1972 the City Council adopted and made effective the City of Athens Municipal Code of Ordinances;

**WHEREAS**, multiple Chapters and Sections require amending so that information is not duplicated in the proposed Chapter 23 Fees and Cost of Services of the City of Athens Code of Ordinances;

**WHEREAS**, Staff recommends removing duplicate information for clarity;

**WHEREAS**, on the 14<sup>th</sup> day of September 2020, the City Council of the City of Athens, Texas after due notice read aloud the ordinance amendment for the first time as required by Article III, Section 3.11 of the City of Athens Charter.

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

Section 1. Establish and adopt Chapter 23 - Fees and Cost of Services into the Code of Ordinances for the City of Athens, Texas.

**CITY OF ATHENS**  
**CHAPTER 23**  
**FEES AND COST OF SERVICES**

<b>DEPARTMENT</b>				
<b>TYPE</b>	<b>RATE</b>	<b>PER (UNIT)</b>	<b>OTHER INFORMATION</b>	
<b>AIRPORT</b>				
Land Leases	\$0.06	Square Foot	Lease contract (annual)	
T-Hangar Lease	\$200.00	T-Hangar	Lease contract (monthly)	
T-Hanger Late Fee	\$50.00	T-Hangar	If payment not received by 10th	
FBO Lease	Varies	Each	2% of Gross income - billed annually in October	
FBO Fuel Flowage Fees	\$0.03	Gallon	Paid monthly	
Penalty for Violations	\$200.00	Violation	Not exceeding \$200, separate offense daily	
<b>ANIMAL CONTROL</b>				
Impounding Fee	\$25.00	Animal	Impounding & collecting livestock/swine	
	\$10.00	Animal	Licensed Dogs	
	\$12.50	Animal	Unlicensed Dog	
Daily Boarding Fee	\$10.00	Animal	Impounding & collecting livestock/swine	
	\$2.50	Animal	Licensed Dogs	
	\$5.00	Animal	Unlicensed Dog	
Dog and Cat Registration	\$5.00	Animal	Annual registration fee	
Penalty for Violations	Varies	Violation	Not less than \$1 nor more than \$50	
<b>CITY SECRETARY</b>				
Copies	\$0.10	Page	Letter/Legal Size	
	\$0.10	Over 50 pages	Plus **Labor charge prorated+overhead charge	
<b>Note:</b> Any other charges for public information not listed will be defined in Title 1, Part 3, Chapter 70 of the Texas Administrative Code.	\$0.10	Page	Computer	
	\$1.00	Each	Diskette (See **)	
	\$2.50	Each	VHS Video (See **)	
	\$1.00	Each	Audio Cassette (See **)	
	\$1.00	Each	CD (See**)	
	Actual Cost		Each	Other electronic media (See **)
<b>**When applicable, labor cost will be added to Open Records Requests and will be billed at \$15/hr plus 20% overhead charge.</b>	\$0.50	Each	Oversize paper (11x17)	
	\$2.00	Sheet paper	Maps/D Size	
	\$3.00	Sheet film	Maps/D Size	
	\$3.00	Sheet paper	Maps/E Size	
	\$4.00	Sheet film	Maps/E Size	
Returned Checks	\$25.00	Each	-	
Miscellaneous Supplies	Actual Cost	Each	Various	
Postage and shipping charge	Actual Cost	Each	Various	
<b>CODE ENFORCEMENT</b>				
Assessment of Nuisance Abatement Expenses	Varies	Each	Lien filed if unpaid	
Citation for Public Health Violations	Varies	Each	\$200 - \$2,000; Addtl daily offense	
<b>COLLECTION SITE</b>				
Car or hatchback	\$6.00	Each	-	
Pickup truck	\$16.00	Each	-	
Pickup truck (with sideboards)	\$32.00	Each	-	
All other vehicles	\$12.00	Cubic yard	-	
Glass recycling	\$0.00	Each	Blue glass not accepted	
<b>DEVELOPMENT SERVICES</b>				
<b>RESIDENTIAL PERMIT FEES - BASED ON SQUARE FOOTAGE</b>		<b>BASE LIMIT</b>	<b>UPPER LIMIT</b>	<b>NEW CONSTRUCTION / ADDITIONS / REMODELS</b>
	\$25.00	-	250 sq. ft.	-
	\$50.00	251 sq. ft.	375 sq. ft.	-
	\$75.00	376 sq. ft.	750 sq. ft.	-
	\$150.00	751 sq. ft.	1,250 sq. ft.	-
	\$250.00	1,251 sq. ft.	2,000 sq. ft.	-
	\$400.00	2,001 sq. ft.	4,250 sq. ft.	-
	\$850.00	4,251 sq. ft.	-	-
Residential Permit Fee (Simple Permit)	\$25.00		Each	-
<b>COMMERCIAL PERMIT FEES - BASED ON VALUATION</b>		<b>BASE LIMIT</b>	<b>UPPER LIMIT</b>	<b>ADDT'L FEE PER EVERY \$1,000 OVER BASE VALUE</b>
	\$25.00	\$0.00	\$5,000.00	\$0.00
	\$75.00	\$5,001.00	\$10,000.00	\$0.00
	\$125.00	\$10,001.00	\$25,000.00	\$6.00
	\$200.00	\$25,001.00	\$50,000.00	\$5.00

**CITY OF ATHENS**  
**CHAPTER 23**  
**FEES AND COST OF SERVICES**

<b>DEPARTMENT</b>				
<b>TYPE</b>	<b>RATE</b>	<b>PER (UNIT)</b>		<b>OTHER INFORMATION</b>
	\$300.00	\$50,001.00	\$100,000.00	\$3.50
	\$450.00	\$100,001.00	\$500,000.00	\$2.50
	\$1,250.00	\$500,001.00	\$1,000,000.00	\$1.75
	\$2,000.00	\$1,000,001.00	\$0.00	\$1.00
<b>CONTRACTOR REGISTRATION FEES</b>				
Contractor/General	\$50.00		Each	-
Mechanical	\$50.00		Each	-
Plumbing	N/A		-	-
Electric	N/A		-	-
Irrigator	\$50.00		Each	-
Backflow Inspector	\$50.00		Each	-
<b>SINGLE TRADE PERMIT FEES</b>				
Mechanical	\$20.00		Each	-
Electrical	\$20.00		Each	-
Plumbing	\$20.00		Each	-
Irrigation	\$20.00		Each	-
<b>REINSPECTION FEES</b>				
First Reinspection Fee	\$0.00		Each	-
Subsequent Reinspection Fees	\$80.00		Each	-
<b>OTHER PERMIT FEES</b>				
Certificate of Occupancy	\$100.00		Each	-
Demolition	\$40.00		Each	-
Accessory Building	\$20.00		Each	-
Canopy or Tent	\$20.00		Each	-
Sign Permit	\$20.00		Each	-
Tree Removal	\$20.00		Each	-
Curb Cut	\$40.00		Each	-
House Moving	\$200.00		Each	-
Driveway/Patio	\$20.00		Each	-
Excavation & Grading	\$100.00		Each	-
Fence	\$25.00		Each	-
<b>FIRE FEES</b>				
Open Burning	\$20.00		Each	10'x10'x4"
Open Burning	\$50.00		Each	30'x30'x10'
Open Burn 20 Acres Plus	\$300.00		Each	Annual permit
Fire Works Stand	\$50.00		Each	Per stand
Carnivals and Fairs	\$65.00		Each	-
Underground Fire Service Mains	\$65.00		Each	-
Kitchen Hood System	\$65.00		Each	-
Fire Alarm System in Commercial Building	\$100.00		Each	First 25 devices
Fire Alarm System in Commercial Building	\$0.25		Each	Each addtl device over 25
Overhead Sprinkler System	\$100.00		Each	First 25 heads
Overhead Sprinkler System	\$0.25		Each	Each addtl device over 25
<b>ZONING APPLICATIONS</b>				
Zoning Change	\$250.00		Each	-
Plan Development with Site Plan	\$250.00		Each	-
Amended Site Plan	\$250.00		Each	-
Specific Use Permit	\$250.00		Each	-
Temporary Use Permit	\$40.00		Each	-
Board of Adjustment	\$250.00		Each	-
Zoning Verification Letter	\$20.00		Each	-
Plat Application	\$250.00		Each	-
<b>MUNICIPAL COURT</b>				
Warrant & Capias Fee	\$50.00		Each	-
<b>POLICE</b>				
Accident Report Copies	\$6.00		Report	3rd Party pick-up
	\$0.00		Report	If involved in reported accident
	\$6.00		Report	3rd Party fax
	\$6.00		Report	Mailed/3rd party
Additional Copies	\$0.10		Page	Letter/Legal Size

**CITY OF ATHENS**  
**CHAPTER 23**  
**FEES AND COST OF SERVICES**

<b>DEPARTMENT</b>			
<b>TYPE</b>	<b>RATE</b>	<b>PER (UNIT)</b>	<b>OTHER INFORMATION</b>
Electronic Copies	\$1.00	Each	CD (See**under City Secretary)
Fingerprinting	\$10.00	Each	-
<b>SANITATION</b>			
<b>RESIDENTIAL</b>			
1 - 95 Gallon Residential Cart & 1 - Recycling Cart	\$14.61	Utility Account	Picked up 1x Per Week
Additional 95 Gallon Residential Cart	\$1.00	Each	Billed monthly
<b>COMMERCIAL</b>			
Commercial Handload	\$25.02	Each	Picked up 1x Per Week
	\$40.22	Each	Picked up 2x Per Week
Additional 95 Gallon Commercial Cart	\$4.00	Each	Billed monthly
2YD - Commercial Container	\$65.91	Each	Picked up 1x Per Week
	\$110.40	Each	Picked up 2x Per Week
	\$164.09	Each	Picked up 3x Per Week
	\$211.65	Each	Picked up 4x Per Week
	\$256.11	Each	Picked up 5x Per Week
2YD Extra Lift	\$25.03	Each	Billed monthly
3YD - Commercial Container	\$82.81	Each	Picked up 1x Per Week
	\$145.67	Each	Picked up 2x Per Week
	\$219.31	Each	Picked up 3x Per Week
	\$256.11	Each	Picked up 4x Per Week
	\$340.48	Each	Picked up 5x Per Week
3YD Extra Lift	\$37.55	Each	Billed monthly
4YD - Commercial Container	\$101.21	Each	Picked up 1x Per Week
	\$168.68	Each	Picked up 2x Per Week
	\$257.66	Each	Picked up 3x Per Week
	\$340.48	Each	Picked up 4x Per Week
	\$412.58	Each	Picked up 5x Per Week
4YD Extra Lift	\$50.10	Each	Billed monthly
6YD - Commercial Container	\$128.85	Each	Picked up 1x Per Week
	\$191.71	Each	Picked up 2x Per Week
	\$285.24	Each	Picked up 3x Per Week
	\$368.09	Each	Picked up 4x Per Week
	\$458.59	Each	Picked up 5x Per Week
6YD Extra Lift	\$56.37	Each	Billed monthly
8YD - Commercial Container	\$156.41	Each	Picked up 1x Per Week
	\$269.88	Each	Picked up 2x Per Week
	\$377.30	Each	Picked up 3x Per Week
	\$504.61	Each	Picked up 4x Per Week
	\$625.76	Each	Picked up 5x Per Week
8YD Extra Lift	\$62.61	Each	Billed monthly
Locking Device on Dumpsters	\$5.00	Each	Billed monthly
20YD Industrial Container Roll Off	\$68.15	Each	Rental
	\$440.17	Each	Haul
30YD Industrial Container Roll Off	\$99.89	Each	Rental
	\$518.54	Each	Haul
40YD Industrial Container Roll Off	\$111.65	Each	Rental
	\$599.79	Each	Haul
30YD Compactor	Negotiated	Each	Rental
	\$686.39	Each	Haul
40YD Compactor	Negotiated	Each	Rental
	\$706.62	Each	Haul
2YD Vertipack Compactor	\$127.11	Each	Haul
2YD Vertipack Compactor Extra Lift	\$50.00	Each	Haul
6YD Vertipack Compactor	\$405.84	Each	Haul
6YD Vertipack Compactor Extra Lift	\$134.29	Each	Haul
30YD Container - Collection Site	\$375.00	Each	Haul - *No Franchise*
30YD City Demo Container	\$375.00	Each	Haul - *No Franchise*
Commercial No-Pickup Fee	\$9.00	Utility Account	Billed monthly
Violations of Refuse Article	\$50.00 - \$200.00	Violation	Per day of violation

**CITY OF ATHENS**  
**CHAPTER 23**  
**FEES AND COST OF SERVICES**

<b>DEPARTMENT</b>			
<b>TYPE</b>	<b>RATE</b>	<b>PER (UNIT)</b>	<b>OTHER INFORMATION</b>
<b>TEXAN THEATRE RENTAL FEE SCHEDULE</b>			
<b>GENERAL RENTALS</b>			
<b>SATURDAY RENTAL</b>			
Rental Fee	\$1,800.00	Flat Rate	Ten (10) Hour maximum occupancy
Hourly Event	\$200.00	Per Hour	Five (5) hour minimum
Additional Pre-event Hours	\$100.00	Per Hour	In advance
<b>FRIDAY AND SUNDAY RENTAL</b>			
Rental Fee	\$1,200.00	Flat Rate	Ten (10) Hour maximum occupancy
Hourly Event	\$180.00	Per Hour	Five (5) hour minimum
Additional Pre-event Hours	\$75.00	Per Hour	In advance
<b>MONDAY THROUGH THURSDAY RENTAL</b>			
Rental Fee	\$900.00	Flat Rate	Ten (10) Hour maximum occupancy
Hourly Event	\$135.00	Per Hour	Five (5) hour minimum
Additional Pre-event Hours	\$50.00	Per Hour	In advance
<b>ADDITIONAL FEES</b>			
Damage Deposit	\$500.00	Per Event	Refundable
Security Fee (if applicable)	\$40.00	Per Hour	Per Officer
Cleaning Fee	\$150.00	Per Event	Plus 8.25% Sales Tax
<b>PUBLIC USE &amp; NON-PROFIT RENTALS</b>			
<b>SUNDAY THROUGH FRIDAY RENTAL</b>			
Public Rental Fee	\$150.00	Flat Rate	Ten (10) Hour maximum occupancy
Non-Profit Rental Fee	\$250.00	Flat Rate	Ten (10) Hour maximum occupancy
Mezzanine Only	\$75.00	Flat Rate	Three (3) Hour maximum occupancy
<b>SATURDAY RENTAL - PUBLIC USE ONLY</b>			
Rental Fee	\$250.00	Flat Rate	Ten (10) Hour maximum occupancy
<b>ADDITIONAL FEES</b>			
Utility Fee	\$50.00	Per Event	-
Cleaning Fee	\$150.00	Per Event	Plus 8.25% Sales Tax
Damage Deposit	\$250.00	Per Event	Refundable
<b>MISCELLANEOUS FEES</b>			
Stage Removal	\$500.00	Flat Rate	-
Linen Rental	\$300.00	Flat Rate	-
<b>UTILITIES - WATER &amp; WASTEWATER</b>			
Customer Deposit - Residential	\$50.00	Each	Payable upon service date - Refundable
Customer Deposit - Commercial	\$100.00	Each	Payable upon service date - Refundable
Fire Hydrant Meter Deposit - Commercial	\$1,000.00	Each	Payable upon service date - Refundable
Service Connection Fee	\$30.00	Each	Normal
Tap Fee - 3/4" Water Meter	\$190.00	Each	Existing Tap - Meter Only
	\$780.00	Each	Short Side
	\$1,045.00	Each	Long Side
Tap Fee - 1" Water Meter	\$285.00	Each	Existing Tap - Meter Only
	\$890.00	Each	Short Side
	\$1,150.00	Each	Long Side
Tap Fee - 1 1/2" Water Meter	\$455.00	Each	Existing Tap - Meter Only
	\$1,335.00	Each	Short Side
	\$1,680.00	Each	Long Side
Tap Fee - 2" Water Meter	\$605.00	Each	Existing Tap - Meter Only
	\$1,390.00	Each	Short Side
	\$1,730.00	Each	Long Side
Tap Fee - Over 2" Water Meter	At Cost	Each	Short Side
	At Cost	Each	Long Side
System Fee Per Street Cut	\$25.00	Each	-
Street Cut - Water	\$9.00	Linear Foot	Asphalt and Oil Sand
Road Bore up to 2"	\$9.00	Linear Foot	-
Road Bore over 2"	At Cost	Linear Foot	-
Tap Fee - 4" Sewer	\$545.00	Each	Short Side
	\$1,010.00	Each	Long Side
Tap Fee - 6" Sewer	At Cost	Each	Short Side
	At Cost	Each	Long Side
Tap Fee - Over 6" Sewer	At Cost	Each	Short Side
	At Cost	Each	Long Side

**CITY OF ATHENS**  
**CHAPTER 23**  
**FEES AND COST OF SERVICES**

<b>DEPARTMENT</b>			
<b>TYPE</b>	<b>RATE</b>	<b>PER (UNIT)</b>	<b>OTHER INFORMATION</b>
System Fee Per Street Cut	\$25.00	Each	-
Street Cut - Sewer	\$9.00	Linear Foot	Asphalt and Oil Sand
Road Bore	At Cost	Linear Foot	-
Reconnect Fee	\$50.00	Each	After disconnection for non-payment
Reconnect Fee - After Hours	\$100.00	Each	Outside of 8am - 5pm
Reconnect Fee - After Removal of Meter	\$100.00	Each	After disconnection for non-payment
Meter Test Fee	\$25.00	Each	1" Or smaller meter
	\$40.00	Each	Larger than 1"
Returned Check Fee	\$25.00	Each	-
Transfer Fee	\$30.00	Each	Transfer existing service to new address
Late Payment Penalty	10%	Each	Penalty assessed during cutoff billing each month

<b>UTILITIES - WATER &amp; WASTEWATER</b>					
<b>WATER RATES</b>	<b>9/15/2020 (FY 2021)</b>	<b>9/15/2021 (FY 2022)</b>	<b>9/15/2022 (FY 2023)</b>	<b>9/15/2023 (FY 2024)</b>	<b>9/15/2024 (FY 2025)</b>
Base Rate - 3/4" Water Meter (includes 2,000 gal)	\$19.00				
Base Rate - 1" Water Meter (includes 2,000 gal)	\$30.40				
Base Rate - 1 1/2" Water Meter (includes 2,000 gal)	\$60.80				
Base Rate - 2" Water Meter (includes 2,000 gal)	\$91.20				
Base Rate - 3" Water Meter (includes 2,000 gal)	\$190.00				
Base Rate - 4" Water Meter (includes 2,000 gal)	\$304.00				
Base Rate - 6" Water Meter (includes 2,000 gal)	\$760.00				
Base Rate - 8" Water Meter (includes 2,000 gal)	\$1,140.00				
Base Rate - 10" Water Meter (includes 2,000 gal)	\$1,672.00				
Base Rate - 12" Water Meter (includes 2,000 gal)	\$2,508.00				
Volumetric Water Rate (per 1,000 gal)	\$3.34				
Bulk Water (per 1,000 gal)	\$9.59				
<b>WASTEWATER RATES</b>	<b>9/15/2020 (FY 2021)</b>	<b>9/15/2021 (FY 2022)</b>	<b>9/15/2022 (FY 2023)</b>	<b>9/15/2023 (FY 2024)</b>	<b>9/15/2024 (FY 2025)</b>
Base Rate - Wastewater (includes 2,000 gal)	\$20.00				
Volumetric Wastewater Rate (2,000 - 7,000 gal max)	\$6.26				
Commercial Volumetric Wastewater Rate (2,001 - no max)	\$6.26				

**Note:** Rate change will be effective each respective October billing cycle.

Section 2. The Code of Ordinances of the City of Athens, Texas are amended as shown below. (For clarity, text to be repealed is stricken through, new text is shown in italics, and text to remain unchanged is labeled as such).

Chapter 1 – General Provisions, Section 1-7. Municipal Court Fees.

(a) Fee for Warrant and Capias: When a warrant or capias is issued out of municipal court for the arrest of a person, a fee of ~~thirty-five dollars (\$35.00)~~ *per Chapter 23 Fees and Cost of Services* shall be added to the courts for the service and/or provisions of such warrant or capias by a peace officer.

Chapter 3. – Airport, Article III. – Rules and Regulations, Section 3-47. – Lease of airport property, construction and fees on airport, Rule 7-2. – Lease Rate.

The city will charge a rate of ~~five cents (\$.05) per square foot~~ *per Chapter 23 Fees and Costs of Services*, per year for the lease of airport property, for lease contract not to exceed twenty (20) years in length. All lease contracts will be reviewed annually as concerns lease rates. Increases in lease rates will be calculated based on the Federal Consumer Price Index. City-owned T-hangars will be leased or rented for ~~one hundred seventy-five dollars (\$175.00)~~ *at a rate per Chapter 23 Fees and Costs of Services*, per month.

Chapter 3. – Airport, Article III. – Rules and Regulations, Section 3-47. – Lease of airport property, construction and fees on airport, Rule 7-3. – Construction on leased property, G.

All persons, firms, association, corporations, or entities approved by the city council to conduct a commercial activity on Athens Municipal Airport shall pay a monthly fee equal to ~~two (2) a~~ percent of the gross income earned by the commercial activity, *per Chapter 23 Fees and Costs of Services*. Aircraft sales and fuel flowage fees shall be exempt from the ~~two (2) said~~ percent of gross sales fee. Fuel flowage fees equal to ~~three cents (\$.03)~~ *amounts per Chapter 23 Fees and Cost of Services*, shall be paid to the city on a monthly basis. The fee for the previous month's activity shall be paid by the tenth day of the following second month. Prior to starting the commercial activity, a 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 may be used to pay or reduce said obligation.

Chapter 3. – Airport, Article III. – Rules and Regulations, Section 3-50. – Penalty for violation.

The airport manager or his/her designee may deny use of the airport for a period not exceeding fifteen (15) days for any person violating or refusing to comply with any of the rules or regulations prescribed herein pending a hearing [by] the city council. Upon such hearing, such person may be deprived of the further use of the airport and it facilitates for a period of time as may appear necessary for the protection of life and property. Any violation of this article shall be a misdemeanor, and upon conviction, be punishable by a fine not exceeding ~~two hundred (\$200.00) dollars~~ *amounts per Chapter 23 Fees and Cost of Services*, and each day a violation continues to exist shall constitute a separate offense. The section is cumulative of all other

penalties for violation of federal, state, and local laws, rules, regulations, ordinances, and orders. Citation for violation or issuance of a violation ticket of any of the rules and regulations prescribed herein may be made by any authorized police officer. The airport manager or his/her designee [and/or] city council may request authorized police officers to investigate any suspected violation of these rules.

Chapter 4 – Animals and Fowl, Article I. – In General, Section 4-11. – Same-Fees.

For each animal impounded under the provisions of this article, the supervisor of the animal shelter shall be paid an impounding fee of ~~twenty-five dollars (\$25.00)~~ *per Chapter 23 Fees and Cost of Services*, and a fee of ~~ten dollars (\$10.00)~~ *per Chapter 23 Fees and Cost of Services* per day for keeping each animal. These fees will be strictly collected for the purposes of impounding and collecting livestock and/or swine.

Chapter 4 – Animals and Fowl, Article II. – Dogs and Cats, Section 4-28. – Impoundment-Redemption and fees.

(a) Licensed dogs. If a dog is found to be licensed and registered as provided by city ordinance, the supervisor shall make a reasonable effort to notify the owner that the dog is impounded in the animal shelter. The owner may redeem the dog at any time prior to sale or destruction by paying to the supervisor ~~an ten dollar (\$10.00)~~ *impounding fee per Chapter 23 Fees and Cost of Services*, plus a ~~two dollars and fifty cents (\$2.50)~~ *per day board fee per Chapter 23 Fees and Cost of Services* for each day the dog has been impounded.

(b) Unlicensed dogs. In the event the dog is unlicensed or unregistered, the owner may redeem it at such time prior to sale or destruction by having the dog duly licensed, vaccinated against rabies, the payment of the fees therefor and the additional payment of ~~an twelve dollar and fifty cent (\$12.50)~~ *impounding fee per Chapter 23 Fees and Cost of Services*, plus a ~~five dollars (\$5.00)~~ *per day board fee per Chapter 23 Fees and Cost of Services*, for each day such dog has been impounded.

Chapter 4 – Animals and Fowl, Article II. – Dogs and Cats, Section 4-32. – Registration required; fee; license period; city record.

(a) Every dog or cat six (6) months of age or older must be registered in the City of Athens and the fee for said registration shall be ~~five dollars (\$5.00)~~ *as per Chapter 23 Fees and Cost of Services* per year per animal.

Chapter 4 – Animals and Fowl, Article II. – Dogs and Cats, Section 4-34. – Penalty for violation of sections 4-30, 4-32, 4-33.

All persons who violate sections 4-30, 4-32 and/or 4-33 shall be deemed guilty of a misdemeanor and upon conviction shall be fined *per Chapter 23 Fees and Costs of Services* ~~not less than one dollar (\$1.00) nor more than fifty dollars (\$50.00)~~.



Chapter 5 Buildings and Structures, Article I. – In General, Section 5-2. – Permit fees.

The fee for each permit shall be as set forth in the City of Athens ~~Development Fee Chart Chapter 23 Fees and Cost of Services Schedule A, as now or hereafter amended.~~

*Remove City of Athens Development Permit Fee Chart Schedule A.*

City of Athens, Texas Zoning Code, Appendix A, A-6. – Schedule of Fees

The following fees for the processing of zoning/development applications, ~~as governed by this Ordinance, are included herein as Appendix A-6 per Chapter 23 Fees and Costs of Services.~~

*Remove both Zoning Applications and Platting Applications Charts.*

Chapter 10 – Health and Sanitation, Article II. – Nuisances, Section 10-27. – Penalty provision.

Any owner, person, firm, corporation or business entity violating this article shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum *per Chapter 23 Fees and Cost of Services* ~~of not less than two hundred dollars (\$200.00) and not more than two thousand dollars (\$2,000.00).~~ Each continuing day's violation under this article shall constitute a separate offense. The penal provisions imposed under this article shall not preclude the city from filing suit to enjoin the violation. The city retains all legal rights and remedies available to it pursuant to local, state and federal law.

Chapter 10 – Health and Sanitation, Article III. – Solid Waste Collection and Disposal, Section 10-37. – Fees.

(a) Residential. The residential garbage collection fee is hereby set for twice-a-week collection as shown in ~~Exhibit A to Ordinance No. O-30-97~~ *per Chapter 23 Fees and Cost of Services.*

(b) Commercial. The commercial garbage collection fees are hereby set on the number of containers and number of collections per week as shown in ~~Exhibit A to Ordinance No. O-30-97~~ *per Chapter 23 Fees and Cost of Services.*

Chapter 10 – Health and Sanitation, Article III. – Solid Waste Collection and Disposal, Section 10-37.1. – Solid waste rate schedule.

*Remove all tables under this Section. Fees for solid waste for residential and commercial customers per Chapter 23 Fees and Cost of Services.*

Chapter 10 – Health and Sanitation, Article III. – Solid Waste Collection and Disposal, Section 10-38. – Violations.

Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined ~~any sum of not less than fifty dollars~~

~~(\$50.00) nor more than two hundred dollars (\$200.00) per Chapter 23 Fees and Cost of Services,~~ and each day that any such person shall violate any of the provisions of this article shall constitute a separate offense and be punishable as such.

Chapter 10 – Health and Sanitation, Article III. – Solid Waste Collection and Disposal, Section 10-39. – Commercial/business and residential trash pickup.

(b) *Exception.* (1) A commercial/business premises may request an exemption from trash pick-up if satisfactory justification is provided to the city that no accumulation of trash will occur. A fee ~~of \$9.00 per month~~ *per Chapter 23 Fees and Cost of Services* shall be collected from each commercial/business premises. The fee shall be for miscellaneous health and sanitation purposes such as street cleaning.

Chapter 14 – Offense and Miscellaneous Provisions, Section 14-24. – Fees for fingerprinting.

A fee ~~of ten dollars (\$10.00)~~ *per Chapter 23 Fees and Cost of Services* shall be charged to each person applying for fingerprinting at the Athens Police Department, and such fees are payable at the time of said service.

Chapter 21 – Water and Sewers, Article I. – In General, Section 21-6. – Water service deposits.

Each residential, *commercial and industrial* consumer of water shall make a ~~twenty five dollar~~ water deposit *per Chapter 23 Fees and Cost of Services* with the city water department. ~~and each commercial and industrial consumer of water shall make a forty dollar water deposit with the city water department.~~ Each consumer, in addition to the deposit fee; shall make application in prescribed form with the city at its city hall, in person, or by an authorized agent who shall state the name of the actual user and his authority to make such application. No service shall be provided to any address where it is found or discovered that such service was obtained as a result of misinformation or deliberate misrepresentation. Any service obtained by such, may be discontinued immediately.

Chapter 21 – Water and Sewers, Article I. – In General, Section 21-6.5. – Miscellaneous fees and charges.

(a) That from and after the 1<sup>st</sup> day of September 2015, the following miscellaneous fees and charges shall apply *per Chapter 23 Fees and Costs of Services.*

*Remove Miscellaneous Fees and Charges chart.*

Chapter 21 – Water and Sewers, Article I. – In General, Section 21-7. – Water and wastewater rates- Residential/commercial.

That from and after the ~~1<sup>st</sup> day of September 2015, and the 28<sup>th</sup> day of September 2020~~ and of the following subsequent years as shown, ~~the following~~ rates shall apply and the said minimum rate shall be based upon meter size *per Chapter 23 Fees and Cost of Services*.

*Remove chart for water and wastewater rates.*

Chapter 21 – Water and Sewers, Article I. – In General, Section 21-12. – Bill payment date; penalties for late payment.

A municipal utility bill is considered delinquent when not paid in full within fifteen (15) days of the billing date. All bills delinquent for fifteen (15) days shall receive a second notice, included on which shall be added a ten (10) per cent penalty fee for late payment of utility bill, and said notice shall describe procedures for termination of services. The second notice shall constitute the only notice that the customer shall receive before termination of services. All bills must be paid in full on or before the thirtieth day after the date of billing. Any person, subscriber or user, who violates this section shall be penalized as follows:

- (a) All municipal utilities services shall be disconnected.
- (b) Upon payment of delinquent utility bills, service will be restored only after the payment of a late charge ~~of fifty dollars (\$50.00)~~ *per Chapter 23 Fees and Cost of Services* for each violation of this section.
- (c) If the utility bill runs sixty (60) days the services shall be not only disconnected but meter shall be pulled. Upon payment of delinquent utility bills after utilities have been pulled, there shall be a reconnect fee ~~of one hundred dollars (\$100.00)~~ *per Chapter 23 Fees and Cost of Services* payable to the city.
- (d) Upon the sixtieth day of delinquency, the bill shall be finalized and all books cleared. The deposit which has been placed with the city shall be used against the bill.
- (e) Flow testing of meters shall be used as a last resort and if the customer insists on a flow test, the flow test shall be payable ~~in the following manner:~~ *per Chapter 23 Fees and Cost of Services*.  
~~One inch or smaller .... \$25.00~~  
~~Larger than one inch .... 40.00~~

This fee shall be payable only if the meter pulled passes the flow test and shows to be reliable.

Section 3. Should any clause, phrase, sentence section of this Ordinance be deemed invalid or unconstitutional by a court of competent jurisdiction, said finding shall not affect the remaining clauses, phrases, sentences or sections of this Ordinance.

Section 4. Any Ordinance, Resolution or Order previously passed and/or adopted by the City Council, or any part thereof, if found to be in conflict with the provisions of this Ordinance, shall be resolved in favor of the terms and conditions of this Ordinance, and any prior conflicting Ordinance, Resolution or Order or any part thereof, is hereby repealed to the extent of said conflict.

Section 5. This ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Athens, Texas.

**PASSED, APPROVED and ADOPTED** this the 28<sup>th</sup> day of September 2020 at a regular meeting of the City Council of the City of Athens, Texas, with the following record vote:

Monte Montgomery, Mayor	Aye
Ed McCain, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
Robert Gross, Councilmember	Aye

Voted in favor of the motion	4
Voted against the motion	0
Motion carried	4-0

---

Monte Montgomery, Mayor

ATTEST:

---

Bonnie Hambrick, City Secretary