

ORDINANCE NO. O-2024-85

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 6 “BUILDINGS AND STRUCTURES”, CHAPTER 8 “PARKS”, CHAPTER 10 “TYLER UNIFIED DEVELOPMENT CODE”, CHAPTER 16 “SOLID WASTE DISPOSAL REGULATION”, AND CHAPTER 19 “UTILITIES” OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, BY AMENDING AND UPDATING VARIOUS FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, various fees for services are established in the City Code; and

WHEREAS, it is important for the City Council to update and revise various fees in the City Code;

WHEREAS, Texas Local Government Code Section 214.908(a) defines “building permit fee” as a fee charged by a municipality as a condition to constructing, renovating, or remodeling a structure; and

WHEREAS, Texas Local Government Code Section 214.908(b) provides that a building fee is abolished on the 10th anniversary date the fee is adopted or most recently reauthorized under Section 214.908, unless the municipality that adopted or reauthorized the fee (1) holds a public hearing on the reauthorization of the fee; and (2) reauthorizes the fee by vote of the governing body; and

WHEREAS, on September 11, 2024, the Tyler City Council conducted a public hearing in accordance with Texas Local Government Code Section 214.908;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS;

PART 1: That Tyler City Code Chapter 6, “Buildings and Structures”, Article VIII, “Fire Prevention”, is hereby amended by adopting, revising and/or reauthorizing miscellaneous fees by amending Section 6-127 to read as follows:

Sec. 6-127. Permits; Miscellaneous fees.

All permits issued by the Fire Department shall be valid for a period of six (6) months from the date of issuance, except as otherwise provided in this Article.

	<i>The following fees shall be charged by the Fire Department:</i>	<i>If work has started before permit issued, fee is doubled:</i>
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a. Permit to install or modify fire sprinkler system	<i>\$125.00 for first 25 heads. \$1.00 for each additional head</i>	<i>\$250.00 for first 25 heads. \$2.00 for each additional head.</i>
b. NFPA automatic fire extinguishing system	<i>\$125.00 per system</i>	<i>\$250.00 per system</i>
c. Nursing home inspection	<i>\$150.00</i>	<i>N/A</i>
d. Day care center inspection	<i>\$100.00</i>	<i>N/A</i>
e. Hospital inspection	<i>250.00 per building address</i>	<i>N/A</i>
f. Reinspection (new construction)	<i>\$75.00</i>	<i>N/A</i>
g. Reinspection (second and subsequent reinspections required to correct a Code violation)	<i>\$75.00</i>	<i>N/A</i>
h. Fireworks display	<i>\$125.00 for each day</i>	<i>\$250.00 for each day</i>
i. Group home inspection	<i>\$100.00</i>	<i>N/A</i>
j. Annual permit for mobile fuel dispensing	<i>\$100.00</i>	<i>\$200.00</i>
k. Permit for mall covered buildings (liquid- and gas-fired equipment; open flame and flame-producing equipment)	<i>\$100.00</i>	<i>\$200.00</i>
l. Permit for exhibit/trade shows	<i>\$75.00</i>	<i>\$150.00</i>
m. Permit to install or modify Underground fire sprinkler mains	<i>\$125.00 per riser</i>	<i>\$250.00 per riser</i>
n. Fire Alarm	<i>\$125.00 per building (First 10 devices) \$1.00 per device thereafter</i>	<i>\$250.00 per building (First 10 devices) \$2.00 per device thereafter</i>
o. Remove or Install Flammable/Combustible/Chemical Storage Tanks	<i>\$125.00 per tank</i>	<i>\$250.00 per tank</i>
p. Visual Inspection (Fire Alarms/Underground Fire Mains/Overhead Sprinkler)	<i>\$75.00</i>	<i>N/A</i>
q. Other Medical (Required State Inspections)	<i>\$150.00</i>	<i>N/A</i>
r. Foster Home/Adoption	<i>No Charge</i>	<i>N/A</i>
s. Home Fire Safety Inspection	<i>No Charge</i>	<i>N/A</i>
t. All Certificate of Occupancy Inspections, including reinspections	<i>\$75.00</i>	<i>\$150.00</i>
u. Apartment Buildings <= 4 stories	<i>\$10.00 per building; minimum \$75.00, maximum \$225.00</i>	<i>N/A</i>
v. Apartment Highrise > 4 stories	<i>\$10.00 per floor; minimum \$75.00, maximum \$225.00</i>	<i>N/A</i>
w. Hotels	<i>\$100.00</i>	<i>N/A</i>
x. Small Restaurants (ie: Coffee Shops, Donut Shops, Ice Cream Parlor)	<i>\$75.00</i>	<i>N/A</i>

y. Restaurants and Cafeterias	\$100.00	N/A
z. Bars and Nightclubs	\$125.00	N/A
aa. Outdoor burning permit	\$1000.00 for seven (7) days. Additional \$150.00/day after the seventh day	N/A
Expedited Plans Review (as staffing permits)	\$150.00 in addition to regular permit fee	N/A
bb. Permit to install or modify Access Control	\$75.00 per system	\$150.00
cc. Permit to install or modify Fire Pump	\$100.00 per fire pump	\$200.00 per fire pump
dd. Final Acceptance Test for permitted projects	\$75.00	\$150.00
ee. Permit for scheduled Fire Watch/FMO Standby	\$200.00 up to and including 4 hours. \$25.00 each additional half hour	N/A
ff. Citizen Complaints, FMO Warning/Citations, System Deficiency (Red/Yellow Tag) Follow-Up	No Charge	N/A
gg. Food Trucks	\$50.00	N/A
hh. Grocery Stores	\$75.00	N/A
ii. Gas Stations/Convenience Stores	\$75.00	N/A
jj. Any business entity which does not fall within the preceding categories.	\$50.00	N/A
kk. Group F-1 > 12,000 sf (Factory Use, Manufacturing)	\$100.00	N/A
ll. Group M > 12,000 sf (Large Retail, Department Stores)	\$100.00	N/A
mm. Group S-1 > 12,000 sf (Storage use)	\$100.00	N/A
After Hours Inspections (as staffing permits, excluding holidays. Normal business hours are 8:00am to 5:00pm Monday - Friday)	\$200.00 up to and including 4 hours. \$25.00 each additional half hour. This is in addition to the applicable permit/inspection fee.	N/A

(Ord. 0-97-29, 6/18/97) (Ord. 0-99-59, 8/18/99) (Ord. 0-2002-38, 9/11/02) (0-2006-79; 9-13-2006) (Ord. 0-2009-103, 9/23/09) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2021-111; 12/08/21) (Ord. No. 0-2022-87; 09/14/22) (Ord. No. 0-2024-85; 9/11/24)

PART 2: That Tyler City Code Chapter 6, "Buildings and Structures", Article I, "Building Code", is hereby amended by adopting, revising and/or reauthorizing miscellaneous fees by amending Section 6-3 to read as follows:

Sec. 6-3. SCHEDULE OF PERMIT FEES

a. *Building permit fees.*

1. *New residential construction fees shall be \$0.35 per each square foot of building space. Residential construction shall include all single family detached residences and single family attached residences including duplexes, townhomes and condominiums. Minimum fee fifty dollars (\$50.00).*

*(Ord. No. 0-2010-99, 9/22/10)(Ord. No. 0-2015-107; 12/9/15) (Ord. No. 0-2019-80; 9/25/19)
(Ord. No. 0-2020-85; 9/9/20)(Ord. No. 0-2021-91; 9/22/21) (Ord. No. 0-2024-85; 9/11/24)*

2. *Nonresidential, commercial and industrial new construction and alteration, additions and repairs. Building permit and fire inspection fees, not including plumbing and electrical permits and inspections fees, on all nonresidential, commercial and industrial new construction and alteration, additions and repairs, shall be five dollars (\$5.00) per each one thousand dollars (\$1,000.00) of estimated construction valuation. Minimum fee fifty dollars (\$50.00).*

*(Ord. No. 0-2010-99, 9/22/10)(Ord. No. 0-2015-107; 12/9/15) (Ord. No. 0-2019-80; 9/25/19)
(Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2024-85;9/11/24)*

3. Residential, alteration, additions and repairs fees shall be \$0.35 per each square foot of area being remodeled, altered, added, or repaired. The minimum fee for any type of permit shall be fifty dollars (\$50.00).

*(Ord. No. 0-2010-99, 9/22/10)(Ord. No. 0-2015-107; 12/9/15) (Ord. No. 0-2019-80; 9/25/19)
(Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2024-85; 9/11/24)*

4. When the estimated construction valuation is not available, or the provided estimate of construction valuation is, in the opinion of the Chief Building Official, not consistent with business or industry-wide construction valuation standards, the Chief Building Official may assign the valuation in accordance with the latest Building Valuation Data, as published by the International Code Council.

5. The fee for reinspection shall be fifty dollars (\$50.00).

6. The fee for plan review shall be twenty-five (25) percent of the permit fee, to be paid when plans are submitted for nonresidential, commercial, and industrial plans. The fee for plan review shall be twenty (20) percent of the permit fee, to be paid when plans are submitted for new residential, residential alteration, addition or repair. If staffing is available, expedited plan review fees for non-civil plans shall be three hundred (300) percent of the normal permit fee plus one hundred (100) dollars per hour. The fee applies to voluntary requests for expedited plan review from applicants.

7. Clean and Show - \$30.00

b. Cooling and heating systems:

1. Minimum permit fee-fifty dollars (\$50.00).
2. Fee for inspecting heating, ventilating, ductwork, air-conditioning and refrigeration systems shall be minimum fifty dollars (\$50.00).
3. Fee for inspecting repairs, alterations and additions to an existing system

shall be Fifty dollars (\$50.00).

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

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

6. Building Contractor's Registration: *fifty dollars (\$50.00)* (to expire December 31 of each (year). At the time of registration, applicants for registration that are seeking to build, alter or remodel one- or two-family residences shall submit to the Building Inspection Department proof that they have made application for the appropriate State registration as well.

c. Permit fees for signs:

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

(Ord. No. 0-2011-46, 6/8/11) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2024-85; 9/11/24)

d. Demolition of buildings or structures:

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

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

e. Moving of buildings or structures:

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

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

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

- 3. Housemover's registration \$50.00
- 4. Housemover's bond See State Requirements

f. Miscellaneous

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

In the event any building or structure is started without a permit, the above fees will be increased one hundred (100) percent. No fees shall be refunded, waived, reduced or transferable, except where approved by City Council. (Ord. No. O-93-46, Pt. 2, 7-12-93; Ord. No. O-93-68, Pt. 2, 9-8-93; Ord. No. O-93-83, Pt. 1, 10-1-93) (Ord. No. 0-96-2000, 4/4/96) (Ord. No. 0-2001-59, 12/5/2001) (Ord. No. 0-2002-38, 9/11/02) (0-2006-79; 9-13-2006) (Ord. No. 0-2008-140; 11/12/08) (Ord. No. 0-2011-46, 6/8/11) (Ord. No. 0-2012-69, 9/12/12) (Ord. No. 0-2015-107; 12/9/15) (Ord. No. 0-2017-99; 10/25/17) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2021-91; 9/22/21) (Ord. No. 0-2024-85; 9/11/24)

PART 3: That Tyler City Code Chapter 8, "Parks", Article V., "Fees", is hereby amended by adopting, revising and/or reauthorizing miscellaneous fees by amending Section 8-76 to read as follows:

Sec. 8-76. Special event permit fee; park pavilions and restrooms.

The rates and charges for special event permit fees, park pavilions, and restrooms are provided in this section. All such rates and charges shall be paid in advance. The rates shall be determined in accordance with the following:

a. Unless otherwise specifically provided, the fee for a special event permit shall be fifty dollars (\$50.00).

b. A fee of fifty dollars (\$50.00) shall be charged for the rental of park pavilions and restrooms. A fee of three hundred dollars (\$300.00) shall be charged for vendor shows. A vendor show is defined as any event that takes up a majority of the park rented. The Parks Director shall use his/her discretion to determine if an event is designed as a “vendor show.” (Ord. No. 0-2024-85; 9/11/24)

c. Bergfeld Park amphitheater-A fee of three hundred dollars (\$300.00) per day and a damage deposit of one hundred fifty dollars (\$150) to five hundred dollars (\$500.00) shall be charged for the rental of the amphitheater at Bergfeld Park.

i. Mowing Request-If a special request is needed for the space to be mowed outside of the normal mowing schedule, a fee of one hundred dollars (\$100.00) will be charged.

ii. All amplified events will require paid Parks staff at the expense of the PERMITTEE at a ratio of one (1) employee per 300 attendees, at a rate of \$25.00 per hour, per employee. (Ord. No. O-96-53, 6-26-96) (Ord. 0-2009-103, 9/23/09) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2023-85; 9/13/23) (Ord. No. 0-2024-85; 9/11/24)

PART 4: That Tyler City Code Chapter 10, “Tyler Unified Development Code”, Article X, “Administration and Enforcement”, Division B., “Fees”, is hereby amended by adopting, revising and/or reauthorizing miscellaneous fees by amending Section 10-776 to read as follows:

Sec. 10-776 Fees

Application, Permit, Test, or Deposit	Fee
Alternative Compliance Review	\$80.00
Annexation (Voluntary)	\$570.00 [a] [b] + [c] + [e] (Ord. No. 0-2012-83; 10/10/12)(Ord. No. 0-2013-16; 2/27/13) (Ord. No. 0-2014-8; 1/22/14) (Ord. No. 0-2024-85; 9/11/24)
Billboard Registration	\$85.00 per billboard Initially and annually thereafter (Ord. No. 0-2012-69, 9/12/12) (Ord. No. 0-2016-31; 4/13/16)
FEMA Map Revision Letter Review	\$500.00
Master Sign Plan	\$80.00 (Ord. No. 0-2012-83; 10/10/12) (Ord. No. 0-2024-85; 9/11/24)
Master Street Plan Amendment	\$650.00 (Ord. No. 0-2024-85; 9/11/24)
Mobile Food Vendor Permit	\$300.00 (Ord. No. 0-2024-68; 7/24/24)
Plats	

Minor Plat (four lots or less with no street or utility extensions)	\$300.00 + \$5 per lot + [a] (when applicable) + [c] (Ord. No. 0-2012-83; 10/10/12) (Ord. No. 0-2013-16; 2/27/13) (Ord. No. 0-2014-8; 1/22/14)
Major Plat	\$400.00 + \$5 per lot + [c] + [e] (Ord. No. 0-2012-83; 10/10/12) (Ord. No. 0-2013-16; 2/27/13) (Ord. No. 0-2014-8; 1/22/14)
Preliminary Plat	\$300.00 + \$5 per lot + [e]
Pre-Plat Agreement	\$200.00 (Ord. No. 0-2012-69, 9/12/12)
Vacation (Plat Vacation or Vacating Plat)	\$100.00 + [c] (Ord. No. 0-2012-83; 10/10/12)(Ord. No. 0-2013-16; 2/27/13) (Ord. No. 0-2014-8; 1/22/14)
Variance/Waiver Request	\$100.00
Predevelopment Meeting (site > 1 acre)	\$100.00
Right-of-way Closure	\$500.00 [a] + [e] (Ord. No. 0-2012-83; 10/10/12) (Ord. No. 0-2024-85; 9/11/24)
Sexually Oriented Business License	\$600.00 Initially and annually thereafter
Street Name Change	\$350.00 [a] + [e] (Ord. No. 0-2012-83; 10/10/12) (Ord. No. 0-2024-85; 9/11/24)
Subdivision Infrastructure Plan Review	\$1,000
Temporary Sign Permit	\$10.00
Temporary Use Permit	\$35.00
Traffic Impact Analysis Review	\$1,500
Outdoor Transient Vendor Permit	\$150.00 [c]
Unified Development Code Amendment	\$500.00
Variance	\$536.00 [a] + [c] + [e] (Ord. No. 0-2012-69; 9/12/12) (Ord. No. 0-2012-83; 10/10/12) (Ord. No. 0-2013-16; 2/27/13) (Ord. No. 0-2014-8; 1/22/14) (Ord. No. 0-2024-85; 9/11/24)
Zoning Change/Special Use Permit/Beer and Wine Site Inspection Verification /Zoning Site Inspection Verification	\$700.00 [a] [b] + [e] (Ord. No. 0-2012-83; 10/10/12)(Ord. No. 0-2012-91; 11/13/12) (Ord. No. 0-2024-85; 9/11/24)
Zoning Change Planned Development	\$1,200.00 [a] [b] + [e] (Ord. No. 0-2012-83; 10/10/12) (Ord. No. 0-2024-85; 9/11/24)
Zoning Site Plan Amendment	\$1,200.00 [a] [b] + [e] (Ord. No. 0-2024-85; 9/11/24)
Zoning Site Plan Amendment (Administrative)	\$80.00
Zoning Verification Letter Request	\$50.00

(Ord. No. 0-2024-85; 9/11/24)

Notes:

References to the existing Publication Fee, Refundable Zoning Sign Deposit and Recording Fee are deleted from the Chart above and are included below. These existing fees [a], [b], and [c], are added to the fees above, where applicable. The intent is to include these existing fees with the fees above, where applicable, to make payment easier. In addition, the Notification Fee, which historically has been mailed to the applicant after the total number of required mailings has been determined, has been added as a lump sum to allow applicants to pay all fees upfront. Staff performed a study on the average number of notices sent per zoning case, and determined the average Notification Fee to be \$20.00. Therefore, the current reference to a .50 Notification Fee per mailed notification is deleted.

[a] Includes mandatory publication and mailed notification required for owners whose property is within 200 feet of the proposed action.

[b] Includes \$20 Zoning Sign Deposit (refundable upon sign's return)

[c] Includes the City fee only. An additional recording fee in the amount published by the Smith County Clerk must also be paid.

[d] The Outdoor Transient Vendor permit fee shall not be required for a Non-Profit.

Non Profit - An organization or entity formed for the purpose of serving a purpose of public or mutual benefit other than the pursuit or accumulation of profits, i.e., 501(c)(3)s, schools, religious organizations, governmental organizations. Proof of non profit status is required. All other entities/individuals will be charged the regular rate.

[e] Late submittal convenience fee equals 50% of total application fee added to application fee.

(Ord. No. 0-2009-19; 3/11/09) (Ord. No. 0-2009-88; 8/26/09) (Ord. No. 0-2010-99; 9/22/10) (Ord. No. 0-2012-69, 9/12/12) (Ord. No. 0-2012-83; 10/12/12) (Ord. No. 0-2012-91; 11/13/12) (Ord. No. 0-2013-16; 2/27/13) (Ord. No. 0-2014-8; 1/22/14) (Ord. No. 0-2016-31; 4/13/16) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2019-94; 10/23/19) (Ord. No. 0-2019-96; 11/13/19) (Ord. No. 0-2024-85; 9/11/24)

PART 5: That Tyler City Code Chapter 16, "Solid Waste Disposal Regulations", Article I, "Solid Waste Disposal Regulations", is hereby amended by adopting, revising and/or reauthorizing miscellaneous fees by amending Section 16-13 to read as follows:

Sec. 16-13. Fees

All fees listed in this section are subject to street use fees and sales tax. The following are the fees for collection of solid waste:

a.

Automated Service for Residential	Container Size	Number of Containers	Trips Per Week	Monthly Charge
1. Units	96 gallon wheeled cart included (For household waste only—not for brush or yard waste)	1	2	\$23.57+ tax (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-91; 9/22/21)(Ord. No. 0-2022-87; 09/14/22)(Ord. No. 0-2023-85; 9/13/23) (Ord. No. 0-2024-85; 9/11/24)

2. More than three (3) residential units at one location may be considered commercial.
3. Additional carts are \$11.78 per month - (Optional) (Ord. No. 0-2020-85; 9/9/20)(Ord. No. 0-2022-87; 09/14/22)(Ord. No. 0-2023-85; 9/13/23) (Ord. No. 0-2024-85; 9/11/24)
4. Subscription Curbside Recycling - \$5.96 per month for collection every two weeks – (Optional)
5. Additional Curbside Recycling Carts - \$2.04 per month for collection every two weeks. (Optional)
6. Packout Service (not applicable to brush collection or leaf bag collection)
Packout Service (up to 150 feet) - \$15.67 per month (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2024-85; 9/11/24)
Packout Driveout Service (over 150 feet) - \$23.28 per month (0-2006-14, 1/25/06; Ord. No. 0-2006-51, 5/24/06) (Ord. 0-2007-111, 9/26/07) (Ord. 0-2009-103, 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. No. 0-2020-85; 9/9/20)(Ord. No. 0-2022-87; 09/14/22) (Ord. No. 0-2024-85; 9/11/24)
7. For Solid Waste customers who do not receive Automated Service for Residential (i.e., do not have carts) -\$5.41 per month. This surcharge shall not apply to Packout or Driveout customers. (Ord. No. 0-2008-92; 6/23/08) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2024-85; 9/11/24)
8. Duplex = 2 units, requires 2 carts (2 x #1 above) \$47.13 (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-91; 9/22/21)(Ord. No. 0-2022-87; 09/14/22)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

(Ord. 0-2011-74; 9/14/11) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-91; 9/22/21)(Ord. No. 0-2022-87; 09/14/22)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

b. Commercial, Residential, Public, Education and Religious Institutions: The Director may adjust such rates upward or downward as necessary based on market conditions. Landfill fees, gate rates, and other costs resulting from local, state or federal solid waste regulations charged to the City shall be passed through and added to the following rate schedules on the effective date of such regulations. Effective January 1, each year, the maximum rate will be adjusted by the Consumer Price Index for all Urban Consumers (CPI-U) for all goods and all services. CPI adjustments will be based upon the National average at the close of each December of each year and the affective rate will be established at October 1st of each year. (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2024-86; 9/11/24)

1. Front load containers: (Ord. 0-2004-96, 12/8/04) (Ord. No. 0-2006-51, 5/24/06) (Ord. No. 0-2024-85; 9/11/24)

Number of Pickups per week	Container Size				
	2 Yd.	3 Yd.	4 Yd.	6 Yd.	8 Yd.
1	\$61.21	\$71.62	\$90.56	\$111.70	\$143.10
2	\$98.88	\$122.67	\$154.78	\$192.75	\$257.03

3	\$140.18	\$160.99	\$210.29	\$289.15	\$350.47
4		\$214.67	\$280.36	\$385.52	\$467.28
5		\$268.33	\$350.47	\$481.92	\$584.14
6		\$295.72	\$385.52	\$579.62	\$700.96

(Ord. 0-2007-111, 9/26/07, Ord. 0-2015-54, 6/10/15)(Ord. No. 0-2022-87; 09/14/22) (Ord. No. 0-2024-85; 9/11/24)

2. Roll-Off containers: (Ord. 0-2004-96, 12/8/04) (Ord. No. 0-2024-85; 9/11/24)

Type and Size of Container Effective October 1, 2024			
Open top	Daily Rental	Monthly Rental	Service Fee
12 yard	\$10.00	\$100.00	\$360.00
20 yard	\$10.00	\$100.00	\$430.00
30 yard	\$10.00	\$100.00	\$525.00
40 yard	\$10.00	\$100.00	\$621.00
45 yard	\$10.00	\$100.00	\$670.00
Compactor			
30 yard	Varies depending on cost	\$534.00	
35 yard		\$583.00	
40 yard		\$631.00	
42 yard		\$658.00	

(Ord. 0-2015-54, 6/10/15)(Ord. No. 0-2022-87; 09/14/22) (Ord. No. 0-2024-85; 9/11/24)

3. Commercial Hand Pickup:

- (a) Thirty-two (32) gallon garbage cans and/or bags picked up two (2) times each week.
- (b) 96-gallon wheeled carts included in base rate and picked up two (2) times each week:

Commercial Hand Pickup Automated Service	Base Cost
Number of Carts	
1	\$26.17 + tax
2	\$52.33 + tax
3	\$78.50 + tax
4	\$104.67+ tax
Packout Service (up to 150 feet): \$15.67 per month	
Packout Driveout Service (over 150 feet) - \$23.28 per month	
(0-2006-14, 1/25/06) (Ord. 0-2007-111, 9/26/07) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord No. 0-2011-74, 9/14/2011) (Ord. No. 0-2017-77; 9/13/17)(Ord. No. 0-2022-87; 09/14/22)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)	

4. Late Fees. 1 ½% per month on balance over 30 days past-due.

c. Residential Brush Pickup:

Effective January 1, 2013

Size of Load Cost

Minimum \$20.00

(Ord. No. 0-2022-87; 09/14/22) (Ord. No. 0-2024-85; 9/11/24)

d. Special Pickup:

ServiceRate

All service beyond those normally provided by Solid Waste Department and where the customer requests a service level or a combination of service where there is no posted rate. Rate will be based on comparable cost of service as determined and set by the Director.

e. Fuel Recovery Fee.

To recover the increase in fuel costs associated with solid waste collection by Solid Waste Department vehicles, a fuel recovery fee is hereby established. Said fee shall be adjusted monthly, and shall be based upon adding .05 percent (.05%) for every cent that the average price of diesel fuel rises above \$2.50 per gallon, or decreasing by .05 percent (.05%) for every cent that the average price of diesel fuel decreases but remains above \$2.50 per gallon.

(Ord. 0-2001-43, 9-5-2001) (Ord. No. 0-2003-55, 10/22/03) (Ord. No. 0-2006-92, 10-24-2006) (Ord. 0-2007-111, 9/26/07) (Ord. No. 0-2008-92; 6/23/08) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2022-87; 09/14/22)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

PART 6: That Tyler City Code Chapter 19, "Utilities", Article III., "Water & Sewer Service", Division C., "Rates", is hereby amended by adopting, revising and/or reauthorizing miscellaneous fees by amending Sections 19-60, 19-64, and 19-66 to read as follows:

Sec. 19-60. Water service rates.

a. There is hereby established a minimum monthly water use charge based upon the size of the water meter installed as follows:

MINIMUM MONTHLY RATES-Effective 10-1-2024 For all classes except Industrial		
Monthly Minimum		
Meter Size (in.)	Inside City	Outside City
5/8	18.30	28.37
1	20.75	32.16
1 1/2	26.85	41.62
2	36.65	56.81
3	56.45	87.50
4	91.10	141.21
6	166.50	258.08
8	255.05	395.33
10	365.20	566.06

12	633.85	982.47
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(Ord 0-2003-42, 9-10-2003) (0-2005-77, 9-28-05) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (0-2008-155, 12/10/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2015-91; 9/22/15) (Ord. No. O-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)(Ord. No. 0-2022-33; 4/12/2022) (Ord. No. 0-2022-87; 9/14/2022)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

b. Subject to the minimum monthly charges as provided in subsection a. above, the following rates per month shall be charged for water furnished:

CHARGE (per 1,000 gallons):

Volume	
Volume Charge – Inside City (per 1k gal)	
Volume	October 1, 2024 For all classes except Industrial
First 2k	3.75
Next 23k	3.75
Next 975k	3.29
Next 4mil	3.14
Over 5mil	3.11
Volume	
Volume Charge – Outside City (per 1k gal)	
Volume	October 1, 2024 For all classes except Industrial
First 2k	5.63
Next 23k	5.63
Next 975k	4.94
Next 4mil	4.71
Over 5mil	4.67

(Ord 0-2003-42, 9-10-2003)(0-2005-77, 9-28-05)(0-2006-79; 9-13-2006)(0-2008-128; 9/24/08)(0-2008-155, 12/10/08)(Ord. 0-2009-103; 9/23/09)(Ord. No. 0-2010-99, 9/22/10)(Ord. 0-2012-69, 9/12/12)(Ord. No. 0-2014-86; 9/24/14)(Ord. No. 0-2015-91; 9/22/15)(Ord. No. O-2016-78; 9/14/2016)(Ord. No. 0-2017-77; 9/13/17)(Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-37; 4/28/21) (Ord. No. 0-2022-87; 9/14/2022)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

Industrial Water Rates

<u>Monthly Minimum</u>			<u>Rate per 1,000 gallons</u>		
<u>Meter Size (in.)</u>	<u>Inside City</u>	<u>Outside City</u>	<u>Gallons</u>	<u>Inside City</u>	<u>Outside City</u>
5/8	18.30	28.37	0-2,000	3.18	4.77
1	20.75	32.16	2k - 25K	3.41	5.12

1 1/2	26.85	41.62		25k - 1m	2.80	4.20
2	36.65	56.81		1m - 5m	2.67	4.01
3	56.45	87.50		over 5m	2.64	3.96
4	91.10	141.21				
6	166.50	258.08				
8	255.05	395.33				
10	365.20	566.06				
12	633.85	982.47				

(Ord. No. 0-2022-87; 9/14/2022) (Ord. No. 0-2024-85; 9/11/24)

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

Fire Line Fee-Effective 10-1-2020

Fire Line Fee

Size

Inches		Fee
4	A	12.00
6	B	23.50
8	C	43.00
10	D	99.50
12	E	107.00

(0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2024-85; 9/11/24)

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

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

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

SCHEDULE OF WATER TAP AND METER ACTIVATION FEES

Size	Tap and Meter	Activation	Branch
1" tap x 5/8" meter		1807.00	340.00

1" tap x 1" meter	2168.00	375.00
1½" tap x 1½" meter	3968.00	688.00
2" tap x 2" meter	4565.00	785.00

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

Size of Existing Tap	Meter Size	Meter Activation Fee
¾"	⅝"	467.00
1"	⅝"	467.00
1"	1"	528.00
1½"	1½"	968.00

2" 2" 1165.00

Ord 0-2003-42, 9-10-2003) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2024-85; 9/11/24)

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

Size of Meter (inches) Credit Allowed

⅝	\$ 30.00
1	55.00
1½	140.00
2	170.00

f. Miscellaneous fees and charges:

After hour turn on/off fee 50.00

Delinquent fee 50.00

Late Notice 15.00

Connection Fee (Charged when service is moved to a new address) 50.00

Recheck Fee (Charged when customer demands that the meter be rechecked and the recheck confirms the original reading; First one free, reading be

\$25.00 after that within 12 month period. 25.00

Additional Daytime Trip fee 25.00
 Returned check fee 35.00
 Meter testing fee 50.00
 Plugging of Service main 250.00
 Removal of illegal jumper 100.00
 Meter removal, Meter Locked, Meter reinstalled 100.00
 (Ord. No. 0-2004-93, 9-13-2006) (0-2008-128; 9/24/08) (Ord. No. 2009-7, 2/11/09) (Ord. No. 0-2015-91; 9/22/15) (Ord. No. 0-2024-85; 9/11/24)

g. Rates for service outside City shall be based upon a contract price between City and the individual customer. Water and sewer rates shall be at least one hundred fifty (150) percent of the rates for service within City, except that tap fees and meter activations shall be the same as those within City.

h. The water tap and activation fees shall be reviewed annually by the Division to reflect changes in costs experienced by the Division. Changes in the fee schedule shall become effective upon approval by the City Council. (Ord. No. O-96-54, 6-26-96) (Ord. No. 0-98-74, 9/2/98) (Ord. No. 0-99- 70, 10-1-99 (Ord 0-2003-42, 9-10-2003) (Ord. No. 0-2022-87; 9/14/2022) (Ord. No. 0-2024-85; 9/11/24)

Sec. 19-64. Sewer service rates.

a. The following rates per month shall be charged for sanitary sewer service furnished to the users or customers receiving City sanitary sewer services. In calculating the monthly service charge, the rates shall be applied to the volume of water used as measured by the consumer's water meter, except that water usage subject to charges for sanitary sewer service to single-family residences, duplexes, apartment houses, townhouses, condominiums, and mobile home parks shall not exceed ten thousand (10,000) gallons per single-family residential unit monthly. Rates to commercial, governmental and institutional customers will be based on monthly water use subject to customer proof of lower sewage discharged. If the customer is not supplied water by City, the volume of water used shall be determined by metering or measuring devices acceptable to the Division.

Minimum Sewer Rates for All Non-Industrial Classes- Effective 10-1-2024		
Monthly Minimum		
Meter Size (in.)	Inside City	Outside City
5/8	23.40	35.10
1	26.50	39.75
1 1/2	34.30	51.45
2	47.40	71.10
3	72.90	109.35
4	119.10	178.65
6	219.30	328.95
8	335.40	503.10

10	481.80	722.70
12	828.60	1,242.90

(Ord 0-2003-42, 9-10-2003) (0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2015-91; 9/22/15) (Ord. No. 0-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19)(Ord. No. 0-2020-85; 9/9/20)(Ord. No. 0-2022-87; 9/14/2022)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

b. Subject to the minimum monthly charges as provided in subsection a. above, the following rates per month shall be charged for sewer service based on water consumption below:

VOLUME	
Volume Charge – Inside City (per 1k gal)	
Volume	October 1, 2024
<i>First 2k</i>	4.10
<i>Next 23k</i>	4.10
<i>Next 975k</i>	3.52
<i>Next 4mil</i>	3.24
<i>Over 5mil</i>	3.06
VOLUME	
Volume Charge – Outside City (per 1k gal)	
Volume	October 1, 2024
<i>First 2k</i>	6.15
<i>Next 23k</i>	6.15
<i>Next 975k</i>	5.28
<i>Next 4mil</i>	4.86
<i>Over 5mil</i>	4.59

In calculating the monthly rates and charges hereunder for apartment houses, townhouses, condominiums, mobile home parks under single ownership and other buildings designed for or occupied by three (3) or more families, every separate living unit therein shall be considered a separate user or customer receiving services rendered by the City's sanitary sewer system. (Ord 0-2003-42, 9-10-2003) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-37; 4/28/21)(Ord. No. 0-2022-87; 9/14/2022)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

c. For commercial and residential structures not supplied with water from the City of Tyler, the following rules apply for sewer service.

For commercial structures not supplied water from the City of Tyler, sewer service shall be metered in a manner approved by the Director.

For residential structures not supplied water from the City of Tyler, sewer service will be based on established rates and 10,000 gallons water consumed (maximum residential sewer charge). (Ord 0-2003-42, 9-10-2003) (0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (Ord. No. 0-2024-85; 9/11/24)

d. The foregoing rates shall apply to service except industrial waste service, rendered within the City. Rates for service outside the City shall be based upon contract price between City and the individual customer which shall be one hundred fifty (150) percent of the rates for service within the City. (Ord. No. O-96-54, 6-26-96) (Ord No. O-98-74, 9-2-98) (Ord. No. 0-99- 70, 10-1-99) (Ord. No. 2009-7, 2/11/09) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2017-77; 9/13/17)(Ord. No. 0-2022-87; 9/14/2022) (Ord. No. 0-2024-85; 9/11/24)

Sec. 19-66. Sewer utility industrial rates.

a. Calculation based on water used. The City sewer utility industrial rate is calculated by adding the minimum bill which is based on the size of water meter, plus the volume of water used, plus a surcharge calculated for any extra strength waste discharged into the system.

TABLE (A1)

MINIMUM MONTHLY INDUSTRIAL RATES -Effective 10-1-2024		
Monthly Minimum		
Meter Size (in.)	Inside City	Outside City
5/8	84.00	126.00
1	84.00	126.00
1 1/2	84.00	126.00
2	84.00	126.00
3	84.00	126.00
4	119.10	178.65
6	219.30	328.95
8	335.40	503.10
10	481.80	722.70
12	828.60	1,242.90

(Ord 0-2003-42, 9-10-2003) (0-2005-77,9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2015-91; 9/22/15) (Ord. No. O-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)(Ord. No. 0-2022-87; 9/14/2022)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

TABLE (A2)

VOLUME CHARGE FOR WATER USED¹ (per 1,000 gallons):

Volume Charge – Inside City (per 1k gal)

Volume	October 1, 2024
First 2k	3.48
Next 998k	2.89
Next 4mil	2.75
Over 5mil	2.68
Volume Charge – Outside City (per 1k gal)	
Volume	October 1, 2024
First 2k	5.22
Next 998k	4.34
Next 4mil	4.13
Over 5mil	4.02
SURCHARGE FOR EXTRA STRENGTH DISCHARGE	
Based on water used at \$ per mg/1 per 1,000 gallons	
October 1, 2022	
<i>BOD5</i>	0.002660663
<i>COD</i>	0.001286306
<i>TSS</i>	0.001491758

(Ord 0-2003-42, 9-10-2003) (Ord. 0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-37; 4/28/21)(Ord. No. 0-2022-87; 9/14/2022)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

b. Calculation based on sewage disposal. The City sewer utility industrial rate is calculated by adding the minimum bill which is based on the size of the water meter [see TABLE (A1) above, plus the volume of sewage discharged over the minimum, plus a surcharge calculated for any extra strength waste discharged into the system.

TABLE A3

VOLUME CHARGE FOR SEWAGE DISCHARGED² (PER 1,000 GALLONS)		
October 1, 2024		
<i>Gallons</i>	<i>Inside City</i>	<i>Outside City</i>
<i>First 2,000</i>	3.48	5.22
<i>Next 998,000</i>	2.89	4.34
<i>Next 4,000,000</i>	2.75	4.13
<i>Over 5,000,000</i>	2.68	4.02
SURCHARGE FOR EXTRA STRENGTH DISCHARGE		
Based on sewage discharged \$ per mg//1 per 1,000 gallons		
October 1, 2022		
<i>BOD5</i>	0.003927484	
<i>COD</i>	0.001838857	
<i>TSS</i>	0.002132359	

(Ord 0-2003-42, 9-10-2003) (Ord. 0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. O-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-37; 4/28/21)(Ord. No. 0-2022-87; 9/14/2022)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

c. If an industrial user is not connected to the city water system, the minimum charge will be calculated on water system size. The rates charged will be equivalent to the rates charged for metered systems of the same size.

d. If any of the concentrations set forth in the industrial waste ordinance are exceeded, such as, but not limited to chemical oxygen demand (COD) and total suspended solids (TSS), the industrial customer will pay a surcharge in accordance with the preceding extra strength surcharge rates, or as transportation and/or treatment costs may warrant for any other pollutants. Only in exceptional cases will pollutants in excess of permitted parameters be accepted.

e. Industrial rates (I.R.) can thus be calculated by either of two (2) equations:

1. Volume of water used (under 1,000,000 gallons based on a seventy (70) percent return factor):

$$I.R. = M_w + (\text{Rate per 1,000 gals.}) (V_w - 2) + [(\text{COD Surcharge})(\text{COD}-300) + (\text{TSS Surcharge})(\text{TSS}-250)] V_w$$

2. Volume of sewage discharged (under 1,000,000 gallons):

$$I.R. = M_s + (\text{Rate per 1,000 gals.})(V_s-2) + [(\text{COD Surcharge})(\text{COD}-300) + (\text{TSS Surcharge})(\text{TSS}-250)] V_s$$
 where:

M_w = The minimum rate for sewer utility use based on the size of water meter.

M_s = The minimum rate for sewer utility use based on the size of water meter, or on the water meter size equivalent.

V_w = The total volume of water used during the month (in thousands of gallons).

V_s = The total volume of sewage discharged during the month (in thousands of gallons).

COD = The established chemical oxygen demand strength of the industrial waste discharged, based on laboratory analyses, and expressed in milligrams per liter (mg/l).

TSS = The established total suspended solids concentration of the industrial waste discharged, based on laboratory analyses, and expressed in milligrams per liter (mg/l).

250 = The surcharge limit for TSS established in the industrial waste ordinance, expressed in milligrams per liter (mg/l).

300 = The surcharge limit for COD established in the industrial waste ordinance, expressed in milligrams per liter (mg/l).

f. Rates for services to industrial waste dischargers outside the city limits shall be multiplied by a factor of 1.5. (Ord. No. O-96-54, 6-26-96) (Ord. No. 0-98-74, 9/2/98) (Ord. No. 0-99-70, 10-1-99) (Ord. No. 0-2022-87; 9/14/2022) (Ord. No. 0-2024-85; 9/11/24)

PART 7: That Tyler City Code Chapter 19, "Utilities", Article V., "Liquid Waste and

Grease”, Division 1., “Liquid Waste Transportation and Disposal”, is hereby amended by adopting, revising and/or reauthorizing miscellaneous fees by amending Section 19-102 to read as follows:

Sec. 19-102. Application procedure for permit; fees; duration of permit; permit non-transferable.

a. The Permit required by this Article shall be secured prior to operation of a vehicle as transporter to any disposal facility.

b. Applications may be obtained during business hours from the Manager at 511 West Locust, Tyler, Texas, 75702.

c. Applications must be submitted on a form provided for that purpose by the Manager. The application form must be filled in completely, signed by the applicant and verified before a notary public.

d. Each applicant shall provide the following information on the application:

1. Name (owner and business);
2. Address (residence and business);
3. Owner's social security number;
4. Telephone numbers (residence, business, emergency);
5. Texas Natural Resource Conservation Commission (TNRCC) registration number;
6. The vehicle identification number (VIN) of each vehicle to be permitted;
7. The license number of each vehicle to be permitted; public.
8. Year, make and model of each vehicle to be permitted;
9. Gallon capacity of each vehicle to be permitted;
10. A description of metering equipment with which each such vehicle is equipped;
11. A color photograph of each disposal vehicle;
12. A photocopy of each driver's motor vehicle operator's license;
13. Such other information or data that the Manager may deem necessary to the administration of this article.

e. Each application shall be accompanied by a permit fee of thirty dollars (\$30.00) for the first vehicle to be permitted and twenty dollars (\$20.00) for each additional vehicle to be permitted (maximum of three (3) vehicles per permit). The same fees will apply to annual renewals and will be payable within thirty (30) days of that renewal (normally January first).

f. A Permit issued hereunder shall be valid for a period of one (1) year from the date of issuance unless earlier revoked or suspended in accordance with the provisions of this article.

g. A Permit issued under the authority of this article may not be sold, assigned or otherwise transferred nor inure to the benefit of any transporter other than the original permittee.

h. The fee for disposal of septage at a City disposal facility is *Hundred Dollars (\$100.00)* per one thousand (1,000) gallons. (Ord. No. 0-2021-91; 9/22/21)(Ord. No. 0-2022-87; 09/14/22)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

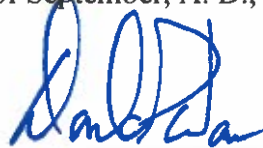
i. Trip tickets for each load of septage disposed at a City disposal facility will be forwarded to the Office of the Manager, Water Utilities Department for billing. A statement will be rendered within the first two (2) weeks of each month for the preceding month's discharges. The statement shall identify the quantity (in thousands of gallons) of septage.

j. In the event the volumes of septage received at City facilities decrease substantially and the Manager determines that significant unauthorized waste disposal has resulted as a consequence of the increase in rates, the Manager is authorized to adjust the rate downward for disposal of septage, but in no case may the rate be adjusted so that it is less than the cost for the City to provide the service. (Ord. No. O-96-79, 9-4-96) (Ord. No. 0-99-80, 10/20/99) (Ord. No. 0-2021-91; 9/22/21)(Ord. No. 0-2022-87; 09/14/22); 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-37; 4/28/21)(Ord. No. 0-2022-87; 9/14/2022)(Ord. No. 0-2023-85;9/13/23) (Ord. No. 0-2024-85; 9/11/24)

PART 8: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 9: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, or later. The effective date of this Ordinance shall be October 1, 2024.

PASSED AND APPROVED this 11th day of September, A. D., 2024.



DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


DEBORAH G. PULLUM, CITY ATTORNEY

