

ORDINANCE NO. 2011-05

AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF TULIA, TEXAS AND PROVIDING FOR THE FISCAL YEAR 2011-2012; PROVIDING FOR THE TIME AND MANNER OF PAYING THE AD VALOREM TAXES LEVIED.

BE IT ORDANINED BY THE CITY COUNCIL OF THE CITY OF TULIA, TEXAS:

Section 1. That there is hereby levied and there shall be collected for the use and support of the municipal government of the City of Tulia, Texas, the year Two Thousand and Eleven (2011) upon all property, real, personal, and mixed within the corporate limits of said City subject to taxation, a tax of thirty-six and eighty-four eight-nine hundredth cents (\$.368489) on each One Hundred Dollars (\$100) based on 100% assessed valuation; for the maintenance and support of the general government and for the operation of the City Government to be placed in the General Fund 100% of the total amount received.

Section 2. It is hereby made the duty of the City Treasurer and every such person collecting money for the City of Tulia to deposit to the General Fund of the City.

Section 3. The ad valorem taxes herein levied shall become due on the 1st day of October, 2011, and may be paid up to and including the following January 31, 2012, without penalty, but, if not sooner paid, such taxes shall become delinquent on the following day, February 1, 2012. Penalties, interest and the recovery of costs and expenses on and related to a delinquent tax shall be as provided by Chapter 33 of the Texas Property Tax Code.

Section 4. All taxpayers shall be allowed discounts for the payment of taxes prior to January, 2012, said discounts to be allowed under the following conditions (a) three percent (3%) discount on all ad valorem taxes due, if such taxes are paid during the month of October, 2011; (b) two percent (2%) on all ad valorem taxes due, if such taxes are paid during the month of November, 2011; (c) one percent (1%) on all ad valorem taxes due, if such taxes are paid during the month of December, 2011.

Section 5. The taxes herein levied shall be a first and prior lien against the property upon which they are assessed and the said first lien shall be superior and prior to all other liens, charges, and encumbrances, and this lien shall be attached to personal property to the same extent and with the same priorities as to real estate.

Section 6. This ordinance shall take effect and be in force from and after its passage.

Section 7. Should any part of this ordinance be declared invalid, for any reason, that invalidity shall not affect the remainder of this ordinance.

PASSED AND APPROVED THIS 13TH DAY OF SEPTEMBER, 2011.



Pat George
Mayor, Pat George

Jeannie Rogers
City Secretary, Jeannie Rogers

0850

FILED

2011 SEP 20 AM 10:32

BRENDA HUDSON
COUNTY & DISTRICT CLERK
SWISHER COUNTY, TEXAS

Brenda Hudson
Deputy



STATE OF TEXAS } OFFICIAL PUBLIC
COUNTY OF SWISHER } RECORD

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the volume and page of the named record of Swisher County, Texas, as stamped hereon by me.

Brenda Hudson
BRENDA HUDSON
COUNTY AND DISTRICT CLERK
SWISHER COUNTY, TEXAS
BY *Brenda Hudson* Deputy

ORDINANCE NO. 2011-05

AN ORDINANCE AMENDING ARTICLE 3.13 ENTITLED "PERMIT FEES, BONDS AND INSURANCE" OF CHAPTER 3 ENTITLED "BUILDING REGULATIONS", OF THE TULIA CITY CODE ADOPTED SEPTEMBER 21, 2004, AS AMENDED, BY AMENDING THE PERMIT FEES AND ADDING PERMIT FEES; CONTAINING A REPEALING CLAUSE, A SAVINGS CLAUSE AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. That Article 3.13 entitled "Permit Fees", of Chapter 3 entitled "Building Regulations", of the Tulia City Code adopted September 21, 2004, as amended, is hereby amended to read as follows:

ARTICLE 3.13. PERMIT FEES, BONDS AND INSURANCE

(a) Building permits.

- | | |
|--|-------------------------|
| 1. Minimum Permit Fee | \$ 75.00 each |
| 2. New Commercial or Residential Construction | \$ 0.08 per square foot |
| 3. New Construction, Additions to Existing Buildings | \$ 0.08 per square foot |
| 4. Alterations to Existing Buildings: Minimum permit fee | |
| 5. Building Inspection for Moved Buildings:
For each building that is to be moved to another location within the City limits or into the City limits: Minimum permit fee. | |
| 6. Moving Permit (To move a building within or into the City) | \$ 45.00 each |
| 7. Demolition Permit | \$ 45.00 each |
| 8. Certificate of Occupancy | \$ 25.00 each |
| 9. Reinspection or Red Tag Fee | \$ 100.00 each |
| 10. Any Inspection Not Listed | \$ 45.00 each |
| 11. After Hours Inspections (in addition to appropriate fee listed above) | \$ 25.00 each |

After hours inspections are inspections between the hours of 5:00 pm and 8:00 am Monday through Friday and all day on weekends and City recognized holidays, and are subject to staff availability.

(b) Plumbing permits.

1. New Commercial or Residential Construction

A. Drain and Vent System	\$ 0.04 per square foot
B. Water System	\$ 0.04 per square foot
C. Gas System	\$ 0.04 per square foot
2. New Construction Addition to Existing Buildings	
A. Drain and Vent System	\$ 0.04 per square foot
B. Water System	\$ 0.04 per square foot
C. Gas System	\$ 0.04 per square foot
3. Minimum Permit Fee	\$ 75.00 each
4. Alterations to Existing Buildings	\$ 4.00 each fixture \$ 75.00 minimum
5. Sewer Line or Tap (Repair or Replace)	\$ 25.00 each
6. Gas Piping System (Repair or Replace)	\$ 25.00 each
7. Water Service (Repair or Replace)	\$ 25.00 each
8. Backflow Installation	\$ 25.00 each
9. Water Heater	\$ 25.00 each
10. Water Softener	\$ 25.00 each
11. Reinspection or Red Tag Fee	\$ 100.00 each
12. Any Inspection Not Listed	\$ 25.00 each
13. After Hours Inspections (in addition to appropriate fee listed above)	\$ 25.00 each

After hours inspections are inspections between the hours of 5:00 pm and 8:00 am Monday through Friday and all day on weekends and City recognized holidays, and are subject to staff availability.

(c) Electrical permits.

1. New Commercial or Residential Construction	\$ 0.04 per square foot
2. New Construction, Additions to Existing Buildings	\$ 0.04 per square foot
3. Minimum Permit Fee	\$ 75.00 each
4. Alterations to Existing Buildings	\$ 25.00 minimum
A. First 100 outlets	\$ 0.40 each
B. Additional outlets over 100	\$ 0.30 each
5. Installation of New Meter Loop	\$ 25.00 each
6. Altering or Changeout of Meter Loop	\$ 25.00 each
7. Construction Meter Loop	\$ 25.00 each
8. Sign Connections	\$ 25.00 each
9. Reinspection or Red Tag Fee	\$ 100.00 each
10. Any Inspection Not Listed	\$ 25.00 each
11. After Hours Inspections (in addition to appropriate fee listed above)	\$ 25.00 each

After hours inspections are inspections between the hours of 5:00 pm and 8:00 am Monday through Friday and all day on weekends and City recognized holidays, and are subject to staff availability.

On any new construction, the building wiring, meter loop and constructions meter loop are separate permit fees.

(d) Mechanical permits.

- | | |
|--|-------------------------|
| 1. New Construction | \$ 0.04 per square foot |
| 2. Installation or relocation of Unit(s) in Existing Building(s)
To include the
Commercial hoods - Type I or II
Commercial refrigeration
Commercial cold storage box
Boilers
Floor heaters, wall furnaces, unit heaters
Equipment changeout | \$ 25.00 each |
| 3. Minimum Permit Fee | \$ 75.00 each |
| 4. Reinspection Fee | \$ 100.00 each |
| 5. Inspections Not Listed | \$ 25.00 each |
| 6. After Hours Inspections (in addition to appropriate fee listed above) | \$ 25.00 each |

After hours inspections are inspections between the hours of 5:00 pm and 8:00 am Monday through Friday and all day on weekends and City recognized holidays, and are subject to staff availability.

(e) Roofing permits.

1. A roofing contractor must register with the City and provide a \$10,000.00 bond and pay \$10.00 for a license every year.
2. Only licensed contractors may take out the roofing permit. The permit will be \$50.00.

Exception. A homeowner may sign a permit and accept liability for the contractor.

(f) Sprinkler/Irrigation permits

- | | |
|--|------------------|
| 1. Minimum Permit Fee for the first 75 heads | \$ 90.00 each |
| 2. Additional heads over 75 | \$ 0.50 per head |

All sprinkler/irrigation systems are subject to being inspected every two (2) years with a permit fee of \$25.00 per each reinspection.

(g) Waiver of permit fees

The City shall retain the right to waive any permit fees because of the size of project, for positive impact on economic development in and around the City and for other reasons as the

City may from time to time determine.

(h) State licenses. Each contractor who applies for a permit must have such current state licenses as may be required for the type of work such contractor will perform and shall maintain in such license in force and effect at all times during performance of the work.

(i) Bonding requirements.

When applying for a permit herein above set forth and required, each contractor will be required to provide a \$10,000.00 bond acceptable to the City.

(i) Liability insurance requirements.

(1) Any plumbing, electrical or building contractor seeking a permit hereunder, must provided evidence to the City of liability insurance acceptable to the City in the amount not less than the amount required by state law or regulation or \$250,000.00 per occurrence, whichever is more.

(2) Any roofing contractor seeking a permit hereunder, must provided evidence to the City of liability insurance acceptable to the City in the amount not less than \$1,000,000.00 per occurrence.

(k) Contractor ID Card.

Each contractor receiving a permit as required herein shall all pay \$10.00 for a Contractor ID Card for each agent and employee who will be appraising, bidding or contracting with homeowners, businesses or other citizens of the City for said contracting services.

(l) Exceptions.

(1) A homeowner may contact the City and sign a request that any contractor be relieved of the bonding, liability insurance and Contract ID Card requirements set forth herein, which request the City may grant in its discretion to the extent that such request does not attempt to relieve the contractor of requirements that are required by state law or regulation and is otherwise permitted by law.

(2) The City may, in its discretion, waive bonding, liability insurance or Contractor ID Card requirements for local contractors who have done business in Swisher County, Texas, for at least two (2) years to the extent that such request does not attempt to relieve the contract of requirements that are required by state law or regulation and is otherwise permitted by law


Section 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be, and the same are hereby repealed.


Section 3. The invalidity of any section, subsection, paragraph, sentence, clause, phrase,

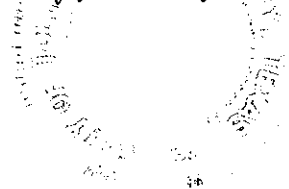
word or words shall not invalidate any other part of this ordinance. It is the intention of the City Council in enacting this ordinance that the provisions are separable, and no provision hereof shall become inoperative or fail by reason of the invalidity of any other provision.

Section 4. This ordinance shall take effect and be in full force on passage and approval.

PASSED AND APPROVED this the 7th day of November, 2011.


Pat George, Mayor


City Secretary



ORDINANCE NO. 2011-06

AN ORDINANCE AMENDING OF SUBSECTION (b) OF SECTION 6.02.013 ENTITLED "REMOVAL OF GARBAGE; CHARGES FOR REMOVAL" OF ARTICLE 6.02 ENTITLED "GARBAGE AND OTHER REFUSE", OF CHAPTER 6 ENTITLED "HEALTH AND SANITATION", OF THE CODE OF ORDINANCES, 2004, CITY OF TULIA, TEXAS, AS AMENDED, BY ADDING PARAGRAPH (5) FOR CHARGES FOR GARBAGE COLLECTION SERVICE FOR SWISHER COUNTY RESIDENTS; CONTAINING A REPEALING CLAUSE, A SAVINGS CLAUSE AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TULIA, TEXAS:

Section 1. That Subsection (b) of Section 6.02.013 entitled "Removal of garbage; charges for removal" of Article 6.02 entitled "Garbage and Other Refuse", of Chapter 6 entitled "Health and Sanitation", of the Code of Ordinances, 2004, City of Tulia, Texas, as amended, is hereby amended by adding thereto paragraph (5) to provide for charges to Swisher County Residents who desire to utilize City garbage collection, which paragraph (5) will read as follows:


(5) Swisher County Residents: Swisher County residents may contract with the City to utilize containers designated by the City for disposal of their residential garbage and trash for a fee of \$25.00 per month, such use of the containers and residential garbage and trash disposal to be in accordance with Section 6.02.005 of the Code of Ordinances, 2004, City of Tulia, Texas, as amended.

Section 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be, and the same are hereby repealed.

Section 3. The invalidity of any section, subsection, paragraph, sentence, clause, phrase, word or words shall not invalidate any other part of this ordinance. It is the intention of the City Council in enacting this ordinance that the provisions are separable, and no provision hereof shall become inoperative or fail by reason of the invalidity of any other provision.

Section 4. This ordinance shall take effect and be in full force on passage and approval.

PASSED AND APPROVED this the 7th day of November, 2011.


Pat George, Mayor, City of Tulia, Texas


Jeanne Rogers, City Secretary