

ORDINANCE NO. 262

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS PROVIDING A MANDATORY FEE TO BE CHARGED APPLICANTS REQUESTING ANY CHANGE, AMENDMENT OR VARIANCE TO THE ZONING ORDINANCE OF THE CITY OF ADDISON AND PROVIDING FOR A MANDATORY FEE FOR REVIEW OF SUB-DIVISION AND PLATS; PROVIDING FOR REFUSAL TO PROCESS APPLICATION UNTIL FEE HAS BEEN RECEIVED; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$200.00 FOR EACH OFFENSE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES HERETOFORE ENACTED; PROVIDING FOR SEVERABILITY CLAUSE AND DECLARING AN EMERGENCY.

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

SECTION 1. All owners, lessees or any other persons, firms or corporations making an application with the City of Addison requesting a change, amendment or variance to the zoning ordinance applicable to his property shall be charged a mandatory fee for processing such request as follows:

<u>Amount of land affected by application</u>	<u>Fee</u>
Less than one acre	\$150.00
One acre but less than five acres	300.00
Five Acres or More	500.00

Any applicant whose application requests one or more changes, amendments or variances to the zoning law shall be charged in addition to the foregoing fees the sum of \$25.00 for each additional change, amendment or variance requested in such application. As an exception to the afore provided fees, any individual who resides on the property affected by the requested

zoning change, amendment or variance and whose application solely seeks a change, amendment or variance to a regulation contained within the existing zoning district on the property without a change in the use of the property shall be charged only a fee of \$25.00.

SECTION 2. All owners, lessees or other persons who shall file a subdivision or plat for review by the City of Addison shall be charged a mandatory fee for processing such subdivision or plat as follows:

Residential

Preliminary - \$25.00 plus \$1.00 per lot as shown on such subdivision or plat

Final - \$25.00 plus \$1.00 per lot on such subdivision or plat

Industrial, Commercial, Apartment or Other

Preliminary - \$25.00 plus \$5.00 per acre

Final - \$25.00 plus \$5.00 per acre

SECTION 3. No application for change, amendment or variance to the zoning ordinance shall be processed or any subdivision or plat reviewed by the City until the appropriate fee has been received by the City.

SECTION 4. Any person, firm or corporation violating any of the provisions of this Ordinance or falsifying any document to reduce the fee chargeable under this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction in the Municipal Court shall be subject to a fine not to exceed the maximum sum of \$200.00 for each offense and each and every day of continuance

thereof shall constitute a distinct and separate offense.

SECTION 5. All ordinances, orders, or resolutions, or parts thereof heretofore passed and adopted by the City Council in conflict herewith, shall be in the same or hereby repealed.

SECTION 6. If any section, paragraph, subdivision, clause, phrase or provision of the Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provisions thereof, other than the part so declared to be invalid or unconstitutional.

SECTION 7. The fact that the City of Addison does not have an adequate ordinance providing for the collection of fees for processing zoning applications and review of subdivision and plats creates an urgency and an emergency and in the preservation of public health, safety and welfare, requires that this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.


DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS ON THIS THE 11th DAY OF May, 1976.

APPROVED:



Mayor

ATTESTED:



City Secretary

APPROVED AS TO FORM:

Attorney