

**ORDINANCE NO. 16-09-15-04**

**AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING APPENDIX A, FEE SCHEDULE, ARTICLE 4.000 BUSINESS RELATED FEES, SECTION 4.500 HEALTH DEPARTMENT INSPECTION AND PERMIT FEES, LAGO VISTA CODE OF ORDINANCES; PROVIDING A SAVINGS CLAUSE, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.**

**Whereas**, Appendix A, Fee Schedule, Article 4.000, Business Related Fees, Section 4.500 Health Department Inspection and Permit Fees, City of Lago Vista Code of Ordinances (“Ordinances”) regulates application filing fees charged by Quality Assurance; and

**Whereas**, the City has operated under a contract with Quality Assurance since 2006 to provide food and health plan review and inspections and the City has not raised application filing fees during the term of such contract; and

**Whereas**, due to the rise in cost of materials required to provide these services as well as the rise in the overall economic costs of doing business over the past decade, it is becoming difficult to continue to provide the same services that Quality Assurance was able to provide according to 2006 economic standards; and

**Whereas**, the City, based upon the factors outlined above, desires to raise the filing fees.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:**

**Section 1. Findings of Fact.** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the amending or addition of rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

**Section 2. Appendix A, Fee Schedule, Article 4.000, Business Related Fees, Section 4.500 Health Department Inspection and Permit Fees, City of Lago Vista Code of Ordinances** is hereby amended to read as follows:

(a) Basic services:

(1) Food service inspections (2 per year)/permitting (includes: investigation of complaint and foodborne illness investigations): \$350.00/year.

(2) New establishments:

- (A) \*Inspection fee: \$250.00 or \$300.00/year;
- (B) \*Plan review fee: \$125.00; or
- (C) \*Remodel plan review fee: \$90.00.

(b) Additional services:

- (1) Follow-up inspections/re-inspections: \$125.00.
- (2) Plan review fee (includes: 1 resubmittal/opening inspection/alcohol license release): \$125.00.
- (3) Remodel plan review fee (includes: 1 resubmittal/opening inspection/alcohol license release): \$90.00.
- (4) Plan review/remodel plan review resubmittal fee: \$50.00.
- (5) Change of ownership inspection (includes: 1 follow-up): \$100.00.
- (6) Alcoholic beverage license release: \$25.00.
- (7) Alcoholic beverage license release (if no inspection required): Free.
- (8) Day care/foster care inspections: \$50.00.

(c) Optional services:

- (1) Public/semipublic swimming pool/spa inspection (includes complaints): \$100.00.
- (2) Pool plan review fee (includes: 1 resubmittal/opening inspection): \$75.00.
- (3) Pool plan review resubmittal fee: \$30.00.
- (4) Pool re-inspection fee: \$50.00.
- (5) Food handlers class (minimum of 5 people): \$25.00/per person.
- (6) Temporary events: \$25.00/booth.
- (7) Mobile food vendors inspection/licensing: \$75.00.
- (8) Mobile food vendors re-inspection fee: \$30.00.
- (9) Bed and breakfast inspections (2 per year): \$250.00 or \$300.00 per year.
- (10) Mobile food vendors inspection/licensing:
  - (A) Unrestricted unit: \$150.00.
  - (B) Restricted unit: \$100.00.

- (11) Farmers markets:
  - (A) Class A permit: \$100.00/year.
  - (B) Class B permit: \$150.00/year.
  - (C) Class C permit: \$200.00/year.

**Section 3. Amendment of Ordinances.** Appendix A, Fee Schedule, Article 4.000, Business Related Fees, Section 4.500 Health Department Inspection and Permit Fees are hereby amended in their entirety as provided in this Ordinance, and all ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

**Section 7. Savings Clause.** All rights and remedies of the City are expressly saved as to any and all violations of the provisions of any ordinances affecting animals, licensing and registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**Section 8. Effective Date.** This ordinance shall take effect October 1, 2016 and after its publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

**Section 9. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

**PASSED AND APPROVED** on this 15<sup>th</sup> day of September, 2016.

ATTEST:

  
Sandra Barton, City Secretary

**THE CITY OF LAGO VISTA, TEXAS**

  
Dale Mitchell, Mayor

