



AGENDA MEMORANDUM
Public hearing and First Reading for the City Council Meeting of August 30, 2022
Second Reading for the City Council Meeting of September 6, 2022

DATE: August 30, 2022
TO: Peter Zaroni, City Manager
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Ordinance Amending Section 49-112, Right of Way Management Fees, of the City Code of Ordinances to adopt a Consolidated Fee Schedule for Right Of Way Management

CAPTION:

Ordinance amending Chapter 49, Article VIII, Management of Right of Way of the Corpus Christi Code to adopt a consolidated fee schedule for Right of Way management and providing an effective date

SUMMARY:

This item will amend Section 49-112, Right of Way Management Fees, of the City Code of Ordinances to consolidate a fee schedule for right-of-way management.

BACKGROUND AND FINDINGS:

The City of Corpus Christi is charged with maintaining control of and access to the right of way to protect the health, safety and welfare of its citizens. It is desirable to adopt fees that will provide the City greater control over permits and review of proposed construction activity in right of way. Substantial public funds have been invested to build, maintain and repair the City streets and sidewalk. It is desirable to adopt regulations and fees that protect the structural integrity and safeguard the value of the public investment for the benefit of City residents.

The consolidated fee schedule includes a description of all new fees, existing fees that have been updated, and existing fees that shall be maintained as part of for Right of Way management.

New

- Right of Way (ROW) Operator Registration Fee: Proposed to establish a fee of forty-five dollars (\$45.00) per right-of-way user per year for processing registration information.
- Emergency Permit Application Fee: Propose to establish a permit application fee of one-hundred forty-five dollars (\$145.00) for emergency or expedited permits. The fee includes one inspection.
- Planned Right of Way (ROW) Fee: Propose to establish a tiered fee to address planned street excavations. The tier rate shall be based on the number of days estimated by the

applicant in the application. In the event the excavation takes longer than the days estimated, the applicable tier rate shall be applied to the total number of days required to complete the project. The fee is paid by an applicant prior to permit issuance.

- Tier 1: Sixty dollars (\$60) per day- anticipated number of days to complete work 0-60 days.
- Tier 2: Ninety dollars (\$90) per day- anticipated number of days to complete work 61-120 days.
- Tier 3: One-hundred twenty dollars (\$120) per day- anticipated number of days to complete work 121-180 days.
- Tier 4: One-hundred fifty dollars (\$150) per day- anticipated number of days to complete work >180 days.
- **Re-Inspection Fee:** Propose to establish a re-inspection fee of seventy-five dollars (\$75) per hour if repairs to the ROW do not pass initial inspection. Overtime inspection fees are incurred at a rate of one hundred dollars (\$100.00) per hour after business hours, on weekends, and holidays.
- **Violation Fee or Non-Compliance Fee:** Propose to establish a fee of fifteen hundred dollars (\$1500) per day to the violator for any work performed without a permit, for any permit that has not been extended before its expiration date, and for any permit wherein work has not been completed by the expiration date provided for in the permit.
- **Traffic Plan Review Fee:** Propose to establish a fee for the review of construction plans as part of a private development shall be assessed based on the following tier system:
 - Level 1: Two-hundred and four (\$204) dollars for developments < 1 acre.
 - Level 2: Two-hundred and fifty-six (\$256) dollars for developments between 1- 5 acres.
 - Level 3: Four-hundred and fifty-nine (\$459) dollars for developments > 5 acres.
- **Traffic Study Fee:** Propose to establish a fee for the review of traffic studies for private developments including traffic impact analyses, urban transportation plan amendments, and access management shall be assessed based on the following tier system:
 - Level 1: Four hundred (\$400) dollars for developments < 1 acre.
 - Level 2: Seven hundred (\$700) dollars for developments between 1- 5 acres.
 - Level 3: Nine hundred (\$900) dollars for developments > 5 acres.

Revised

- **Permit Application Fee:** Propose to consolidate all application fees to ninety-five (\$95) dollars. Previous fee schedule included two separate rates of either eighty-five (\$85) and ninety-five (\$95) dollars.
- **Barricade Fee:** Propose to consolidate and increase fees for the closure (barricading with traffic control devices) of city streets (including sidewalks and alleys) to \$0.0629 per sq. ft. per day.

Existing

- **Parking Meter Removal or Bagging Fee:** Recommend maintaining a one-time fee for each parking meter removed or temporarily bagged of twenty-eight dollars and fifty cents (\$28.50).
- **Pavement Cost Recovery Fee:** Recommend maintaining the current calculation used for reimbursement to the city to account for the decrease in the useful life of a street caused by excavation.

ALTERNATIVES:

The alternative would be to deny the proposed fee schedule.

FISCAL IMPACT:

There is no fiscal impact for this item.

RECOMMENDATION:

Staff recommends approval of the ordinance to amend Section 49-112 of the Corpus Christi Code to adopt a consolidated fee schedule for Right of Way Management, repealing conflicting provisions..

LIST OF SUPPORTING DOCUMENTS:

- Ordinance