

Memorandum Regarding Council Bill No. 2023-45: An Ordinance adopting a consolidated fee ordinance.

Background:

The City of Nixa, like almost all other cities in Missouri, charge user fees for the services, licenses, and approvals provided by the City. User fees are charged so that the general taxpayer is not completely subsidizing the provision of services or approvals provided to individuals. The City's fees are currently scattered throughout the City Code and several un-codified ordinances.

Analysis:

The intent of this Council Bill is to place the City's user fees into one section of the City Code. This will place the City's fees on a firm enforceable foundation and provide the fees in a more convenient location. Currently, to determine the amount and legal authority for a currently imposed City fee, the public or staff are required to search the City Code for the fee or know that the fee was approved by an uncodified ordinance. This is unwieldy and inefficient.

Additionally, the Bill updates the language of a few sections of the City Code to update the provisions to reflect current practices related to specific fees.

Recommendation:

Staff recommends approval of this Bill. The updates made to the City Code by the Bill will provide the City's fees with an added element of efficiency and formality.

MEMO SUBMITTED BY:

Nick Woodman | City Attorney

Attachments:

- Council Bill No. 2023-45;
- Council Bill Exhibit A – City Clerk Fees;
- Council Bill Exhibit B – Finance Department Fees;
- Council Bill Exhibit C – Planning and Development Department Fees;
- Council Bill Exhibit D – Police Department Fees;
- Council Bill Exhibit E – Public Works Department Fees; and
- Council Bill Exhibit F – Parks and Recreation Department Fees.

1 AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA AMENDING SEVERAL
2 SECTIONS OF THE NIXA CITY CODE FOR THE PURPOSE OF CONSOLIDATING
3 AND MODIFYING PROVISIONS RELATED TO THE CITY’S FEES.
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5
6 WHEREAS the City of Nixa charges various fees for many services and approvals;
7 and

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9 WHEREAS the City Council desires to consolidate the various fees imposed by
10 the City; and

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12 WHEREAS to that end, the City Council desires to modify the Nixa City Code and
13 consolidate the various fees of the City into one section of the City Code.
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15 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
16 NIXA, AS FOLLOWS, THAT:

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18 SECTION 1: Chapter 2, Article IV, Section 2-151 of the Nixa City Code is hereby
19 amended by repealing said section in its entirety and adopting in lieu thereof a new
20 section 2-151, said section shall read as follows:
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22 (Note: Language to be added is indicated by being underlined. Language to be removed
23 is indicated by being ~~stricken~~.)

24
25 ~~Sec. 2-151. – Waiver of fees for governmental entities by resolution – authorized.~~

26
27 ~~No municipal user fees, whether imposed by this code or any other ordinance shall~~
28 ~~be waived except by Resolution of the City Council. The Council shall only waive such~~
29 ~~fees by Resolution for other governmental entities and upon a showing by said~~
30 ~~governmental entity that the public is better served by the requested waiver than by the~~
31 ~~imposition of the fee.~~

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33 Sec. 2-151. – Fees for city services or other charges.

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35 (a) Generally. The amount authorized for various City fees shall be in accordance with
36 the provisions of this section. In the event that the amount of a fee contained in this
37 section conflicts with an amount established by another section of the Nixa City Code
38 or Ordinance, the amount set forth in this section for the fee shall control.
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40 (b) Fees Imposed. The fees set forth in this section shall be charged for the various
41 services, licenses, and approvals referenced herein:
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43 (1) Fees Administered by the City Clerk:

44 [Insert Council Bill Exhibit A here.]
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47 (2) Fees Administered by the Finance Department:

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49 [Insert Council Bill Exhibit B here.]

51 (3) Fees Administered by the Planning and Development Department:

52
53 [Insert Council Bill Exhibit C here.]

54 (4) Fees Administered by the Police Department:

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56 [Insert Council Bill Exhibit D here.]

57 (5) Fees Administered by the Public Works Department:

58
59 [Insert Council Bill Exhibit E here.]

60 (6) Fees Administered by the Parks and Recreation Department:

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62 [Insert Council Bill Exhibit F here.]

63 (c) Purpose of Fees. Generally, the fees adopted by this section shall be imposed to, at
64 a minimum, defray the costs to the City of providing the service, license, or approval.
65 It is the City Council's intention that the provision of the various services, licenses, or
66 approvals shall not be a burden to the general taxpayers of the City but instead are
67 borne by those seeking the services, licenses, or approvals.

68 (d) Waiver of fees for governmental entities by resolution. No fees, whether imposed by
69 this code or any other ordinance shall be waived except by Resolution of the City
70 Council. The Council shall only waive such fees by Resolution for other governmental
71 entities and upon a showing by said governmental entity that the public is better served
72 by the requested waiver than by the imposition of the fee.

73 **SECTION 2:** Chapter 2, Article IV, Section 2-149 of the Nixa City Code is hereby
74 amended by repealing said section in its entirety and adopting in lieu thereof a new
75 section 2-149, said section shall read as follows:

76 (Note: Language to be added is indicated by being underlined. Language to be removed
77 is indicated by being ~~stricken~~.)

78 Sec. 2-149. – Charges for insufficient bank funds.

79 The officers of the city shall charge the amount established in Section 2-151 of
80 the Nixa City Code ~~by ordinance as a fee service and administrative charge~~, in addition
81 to the fee charged by a financial institution, for any check that is written to the city and
82 returned insufficient. This charge also applies in the case of direct withdrawals or closed
83 accounts which are redeemed by a customer.

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SECTION 3: Chapter 4, Article I, Section 4-4 of the Nixa City Code is hereby amended by repealing said section in its entirety and adopting in lieu thereof a new section 4-4, said section shall read as follows:

(Note: Language to be added is indicated by being underlined. Language to be removed is indicated by being ~~stricken~~.)

Sec. 4-4. – ~~Schedule of License Fees.~~

(a) The classes of licenses identified in Section 4-2 of this Chapter ~~following categories and subcategories of licenses~~ shall be issued upon compliance with the provisions of this Chapter and payment of the applicable license fees ~~fee as provided for in Section 2-151 of the Nixa City Code. herein.~~

~~(1) General Licenses.~~

- ~~a. Malt liquor – original package: \$75.00.~~
- ~~b. Intoxicating liquor – all kinds – original package: \$150.00.~~
- ~~c. Malt liquor and light wines – by the drink: \$75.00.~~
- ~~d. Common eating and drinking places: \$450.00.~~
- ~~e. Wine and brandy manufacturer: \$300.00.~~
- ~~f. Microbrewery: \$300.00.~~
- ~~g. Intoxicating liquor – all kinds – by the drink: \$450.00.~~

~~(2) Sunday Sales. (Additional fees)~~

- ~~a. Intoxicating liquor – original package: \$300.00.~~
- ~~b. Restaurant bars: \$300.00.~~
- ~~c. Common eating and drinking places: \$300.00.~~
- ~~d. Liquor by the drink – all kinds: \$300.00.~~

~~(3) Permits.~~

- ~~a. Temporary permit – by the drink for certain organizations (7 days max.): \$37.50.~~

139 b. ~~Tasting permit: \$37.50.~~

140

141 c. ~~Liquor Catering permit: \$15.00 per each calendar day.~~

142

143 (b) (4) Duration – Proration and refund of fees. All licenses issued under the provisions
144 of this Chapter shall expire on the thirty-first (31st) day of December following the
145 issuance thereof. For a partial year license, the fee shall be prorated quarterly. No
146 license fee shall be returned to the holder upon sale, transfer or dissolution of the
147 business of which the license was issued.

148

149 (c) (5) Revocation or forfeit of license – fee not returned. In case of revocation or forfeiture
150 of any license granted and issued under the provisions of this Chapter for cause or
151 otherwise, the City shall in no event return any part of the fee paid for such license.

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153 **SECTION 4:** Chapter 6, Article II, Section 6-34 of the Nixa City Code is hereby
154 amended by repealing said section in its entirety and adopting in lieu thereof a new
155 section 6-34, said section shall read as follows:

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157 (Note: Language to be added is indicated by being underlined. Language to be removed
158 is indicated by being ~~stricken~~.)

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160 Sec. 6-34. - Fee for impounded animals.

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162 Any person owner claiming an impounded animal at the facility shall will pay a user
163 fee service/storage fee for prior to the return of the animal in the amount established by
164 in Section 2-151 of the Nixa City Code ordinance.

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166 **SECTION 5:** Chapter 6, Article II, Section 6-37 of the Nixa City Code is hereby
167 amended by repealing said section in its entirety and adopting in lieu thereof a new
168 section 6-37, said section shall read as follows:

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170 (Note: Language to be added is indicated by being underlined. Language to be removed
171 is indicated by being ~~stricken~~.)

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173 Sec. 6-37. - Certain animal licenses.

174

175 (a) There shall be a licensing fee imposed in the amount established in Section 2-151 of
176 the Nixa City Code by ordinance on all dogs that are not spayed or neutered and kept
177 as pets within the city limits. This licensing fee tax must shall be paid by the owner or
178 owners of any dog, provided that the animal is more than 12 weeks of age.

179

180 (b) The fee for licensing a spayed or neutered dog will be in the amount established in
181 Section 2-151 of the Nixa City Code by ordinance; but, in order to receive this reduced
182 fee, the owner must present verification from a licensed veterinarian of the procedure.
183 All owners must present evidence of vaccination to obtain an animal license.

184

185 (c) Service dogs used for handicap assistance must also be licensed; however, their fee
186 may be waived. Proof of dog training for handicapped assistance and evidence of
187 vaccination are required in order for fee to be waived.
188

189 (d) Miniature pigs, as such term is defined in section 6-13 of the Nixa City Code ~~city code~~,
190 shall also be subject to the licensing requirements established in this section.
191 However, the additional fee charged for registering a non-spayed or non-neutered
192 miniature pig shall only be charged on miniature pigs which are more than four months
193 in age.
194

195 **SECTION 6:** Chapter 12, Article II, Section 12-21 of the Nixa City Code is hereby
196 amended by repealing said section in its entirety and adopting in lieu thereof a new
197 section 12-21, said section shall read as follows:
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199 (Note: Language to be added is indicated by being underlined. Language to be removed
200 is indicated by being ~~stricken~~.)
201

202 Sec. 12-21. Business licenses required.
203

204 No person, sole proprietor, partnership, corporation or other business organization
205 shall carry on a business at a physical location within the City of Nixa without securing a
206 license as set out in this chapter and paying the fee for same established in Section 2-
207 151 of the Nixa City Code ~~by ordinance~~.
208

209 **SECTION 7:** Chapter 12, Article II, Section 12-28 of the Nixa City Code is hereby
210 amended by repealing said section in its entirety and adopting in lieu thereof a new
211 section 12-28, said section shall read as follows:
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213 (Note: Language to be added is indicated by being underlined. Language to be removed
214 is indicated by being ~~stricken~~.)
215

216 Sec. 12-28. Itinerant merchant.
217

218 No person shall exercise, carry on, or engage in selling, exchanging, or trading
219 personal property, goods, wares, or merchandise from a motor vehicle in the city without
220 first having obtained a license ~~therefore~~ from the city. The license required by this section
221 shall be issued by the city clerk upon payment of a fee as established in Section 2-151 of
222 the Nixa City Code ~~by ordinance~~. Any person seeking a license under this Section shall
223 submit to a criminal background check as part of the application process. No person who
224 has been convicted of felony within the past seven years or a misdemeanor involving
225 moral turpitude or false statements shall be issued a license under this section. The term
226 of the license issued pursuant to this section shall be for one year, beginning January 1
227 and ending December 31 of the same year. The fee for said license shall not be prorated.
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229 **SECTION 8:** Chapter 16, Article X, Division 2, Section 16-420 of the Nixa City
230 Code is hereby amended by repealing said section in its entirety and adopting in lieu
231 thereof a new section 16-420, said section shall read as follows:

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233 (Note: Language to be added is indicated by being underlined. Language to be removed
234 is indicated by being ~~stricken~~.)

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236 Sec. 16-420. - Application; city council consideration; renewal.

237
238 (a) An application for a business license for the operation of an adult business in the city
239 shall be obtained from the city clerk.

240
241 (b) Each such application shall be submitted in the name of the person proposing to
242 conduct or operate the adult business and shall be notarized. All applications shall
243 contain the following information:

244
245 (1) The business name, address and telephone number of the establishment, a
246 description of the adult business to be performed on the premises, and the name
247 of the owner of the premises where the adult business will be located.

248
249 (2) The name, residence address, home telephone number, occupation, dates and
250 place of birth and social security number of the applicant.

251
252 (3) The names, residence addresses, social security numbers and dates of births of
253 all partners, if the applicant is a partnership; and if the applicant is a corporation or
254 a limited liability company, the same information for all corporate officers, directors
255 and stockholders, and all limited liability company managers and members.

256
257 (4) The addresses of the applicant, or of all partners, or of all corporate officers and
258 directors, or of all limited liability company managers of members, for the five years
259 immediately prior to the date of the application.

260
261 (5) A description of the adult business or similar business history of the applicant, or
262 of all partners, or of all corporate officers and directors; or of all limited liability
263 company managers and members, whether any such person or entity, in
264 previously operating in this or another city, county or state, has had a business
265 license revoked or suspended, the reason therefor, and the activity of occupation
266 subjected to such action, suspension or revocation.

267
268 (6) A statement of each and every business, occupation or employment of the
269 applicant, or of all partners, or of all corporate officers and directors, or of all limited
270 liability company managers and members, for the three years immediately
271 preceding the date of the application.

272
273 (7) A statement from the applicant, or from each partner, or from each corporate officer
274 and director, or from each limited liability company manager and member, that

275 each such person has not been convicted of, released from confinement for
276 conviction, or diverted from prosecution on:

277
278 a. A felony criminal act within five years immediately preceding the application; or

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280 b. A misdemeanor criminal act within five years immediately preceding the
281 application, where such misdemeanor criminal act involved sexual offenses,
282 prostitution, promotion of prostitution, sexual abuse, pornography or related
283 offenses as defined in the state criminal code or the criminal code of the
284 jurisdiction in which the offense was charged or involved controlled substances
285 or illegal drugs or narcotic offenses as defined in the Missouri Controlled
286 Substances Act or other statutes or ordinances.

287
288 The statement shall also indicate that no applicant, partner or corporate officer or
289 director has been convicted of a municipal ordinance violation or diverted from
290 prosecution on a municipal ordinance violation, within two years immediately
291 preceding the application, where such municipal ordinance violation involved
292 sexual offenses, indecent exposure, prostitution or the sale of controlled
293 substances or illegal drugs or narcotics.

294
295 (8) If the applicant is a corporation, a current certificate of registration issued by the
296 state secretary of state.

297
298 (9) A statement under oath that the applicant has personal knowledge of the
299 information contained within the application and that the information contained
300 therein is true and correct and that the applicant has read the provisions of this
301 article.

302
303 (c) Upon submission of each such application, the police department shall review the
304 information contained therein and verify the qualifications of the applicant. The city
305 council shall, within 45 days, consider the application at a regular session. The
306 applicant shall be present and in person at the meeting when said application is
307 considered by the city council. Failure to appear will be grounds for denial of the
308 application. If the application meets all of the requirements as set forth in this article,
309 the city council may issue a license for operation of the adult business. Such license
310 shall be issued until December 31 of the year in which such license is issued, or
311 December 31 of the next year if the license is issued after October 1. All licenses
312 issued under this article are subject to a fee in the amount established in Section 2-
313 151 of the Nixa City Code ~~to the fee schedule~~ and must be renewed annually in the
314 same manner as provided above.

315
316 (d) On applications requesting a license to operate a bath house or body painting studio,
317 the applicant shall provide for each person working on the premises a health certificate
318 from a duly licensed state physician stating that within 90 days prior thereto, the
319 applicant and all other persons working on the premises have been examined and
320 found free of any contagious or communicable disease.

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SECTION 9: Chapter 20, Article V, Division 6, Section 20-401 of the Nixa City Code is hereby amended by repealing said section in its entirety and adopting in lieu thereof a new section 20-401, said section shall read as follows:

(Note: Language to be added is indicated by being underlined. Language to be removed is indicated by being ~~stricken~~.)

Sec. 20-401. Golf cart ~~special use~~ permits.

All golf carts operated on city streets or roadways shall be registered with the city and issued a permit yearly. The city clerk shall prepare an application form for the ~~special use~~ permit and charge a fee as established in Section 2-151 of the Nixa City Code of ~~\$15.00~~ for each permit. A sticker with identifying numbers shall be attached to the rear of the registered golf cart and be visible for inspection upon request. A permit issued pursuant to this section shall be issued for a single golf cart and is not transferrable to other golf carts.

SECTION 10: Chapter 20, Article VII, Division 3, Section 20-519 of the Nixa City Code is hereby amended by repealing said section in its entirety and adopting in lieu thereof a new section 20-519, said section shall read as follows:

(Note: Language to be added is indicated by being underlined. Language to be removed is indicated by being ~~stricken~~.)

Sec. 20-519. - Permits for curb loading zones.

The city traffic engineer shall not designate or sign any curb loading zone upon special request of any person unless such person makes application for a permit for such zone and for two signs to indicate the ends of each such zone. The city traffic engineer upon granting a permit and issuing such signs ~~shall collect from the applicant and deposit in the city treasury a service fee in the amount established by ordinance and may by general regulations~~ impose conditions upon the use of such signs and for reimbursement of the city for the value thereof in the event of their loss or damage and their return in the event of misuse or upon expiration of permit. Every such permit shall expire at the end of one year.

SECTION 11: Chapter 22, Article II, Division 1, Section 22-22 of the Nixa City Code is hereby amended by repealing said section in its entirety and adopting in lieu thereof a new section 22-22, said section shall read as follows:

(Note: Language to be added is indicated by being underlined. Language to be removed is indicated by being ~~stricken~~.)

Sec. 22-22. - Water system state of emergency.

- 367 (a) The city administrator, after considering pumping capacity, water level in storage
368 tanks, water level in production wells, water usage rates, weather and drought
369 conditions and such other factors as may be deemed relevant, may declare a Stage
370 I, II or III Emergency, and when so declared, no person shall use or draw water from
371 the city's water distribution system in violation of the restrictions on usage applicable
372 to the state of emergency declared by the city administrator.
373
- 374 (b) Prior to declaring a state of emergency, the city administrator shall enter into the
375 records of the city findings of fact upon which he based his decision and shall
376 thereupon enter his order declaring an emergency, specifying whether the emergency
377 is of a Stage I, II or III type. He, and all city agents, officers, and employees upon
378 whom he may call for assistance, shall thereupon proceed to implement the provisions
379 of this section as the conditions may require.
380
- 381 (c) The fact of the declaration of emergency, the type of emergency, and the restrictions
382 on usages applicable to that type of declaration shall be disseminated to the general
383 public through the local broadcast and print media and in such other manners as the
384 city administrator may determine is reasonably calculated to inform the residents of
385 and visitors to the city of the declaration. If reasonable efforts to bring the declaration
386 of emergency to the public have been made, considering the seriousness of the
387 conditions, the time available, and the media or means available for the dissemination
388 of information, lack of knowledge of the declaration of emergency shall be no defense
389 to a violation of this section.
390
- 391 (d)
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- 393 (1) As used herein, the term "Stage I Emergency" means that it shall be unlawful for
394 water to be used from the water distribution system for the watering of grasses,
395 lawns, gardens, trees, shrubs, or similar vegetation; to wash any building,
396 sidewalks, driveways or any outdoor structure; to fill or refill any pools, hot tubs,
397 tanks or other vessels not used for direct public health and welfare except when
398 done in compliance with a watering schedule established by the city administrator
399 and advertised to the public pursuant to Subsection (c) of this section. It shall be
400 unlawful to wash motor vehicles of any type, trailers of any type, and other
401 automotive or boating equipment except when done in compliance with a watering
402 schedule established by the city administrator or at a car wash that has, prior to
403 the declaration of the state of emergency, been issued a business license by the
404 city for that purpose.
405
- 406 (2) Water rates for $\frac{5}{8} \times \frac{3}{4}$ residential service connections during a Stage I Emergency
407 will be adjusted. All water used in excess of 15,000 but less than 25,000 will be
408 charged at a rate 25 percent higher than the regular rate per 1,000 gallons. All
409 water used in excess of 25,000 will be charged at a rate 50 percent higher than
410 the regular rate per 1,000 gallons.
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412 (3) Bulk water rates during a Stage I Emergency will be charged at a rate 50 percent
413 higher than the regular rate for bulk water per 1,000 gallons.

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415 (e)

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417 (1) As used herein, the term "Stage II Emergency" means that it shall be unlawful for
418 water to be used from the water distribution system for the watering of grasses,
419 lawns, gardens, trees, shrubs, or similar vegetation; to wash any building,
420 sidewalks, driveways or any outdoor structure; to fill or refill any pools, hot tubs,
421 tanks or other vessels not used for direct public health and welfare. It shall be
422 unlawful to wash motor vehicles of any type, trailers of any type, and other
423 automotive or boating equipment by any means except at a car wash that has,
424 prior to the declaration of the state of emergency, been issued a business license
425 by the city for that purpose; or to draw water from the city water system from any
426 faucet or outlet when such water is not being used for ordinary and usual domestic,
427 commercial, or industrial purpose.

428
429 (2) Water rates for $\frac{5}{8} \times \frac{3}{4}$ residential service connections during a Stage II emergency
430 will be adjusted. All water used in excess of 15,000 but less than 25,000 will be
431 charged at a rate 25 percent higher than the Stage I rate per 1,000 gallons. All
432 water used in excess of 25,000 will be charged at a rate 50 percent higher than
433 the Stage I rate per 1,000 gallons.

434
435 (3) Bulk water rates during a Stage II Emergency will be charged at a rate 50 percent
436 higher than the Stage I rate for bulk water per 1,000 gallons.

437
438 (f)

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440 (1) As used herein, the term "Stage III Emergency" means that conditions on the
441 distribution system are critical and all efforts are for securing the water supply for
442 the health and welfare of the citizens. During a Stage III emergency, it shall be
443 unlawful to use water in any manner for the watering of grasses, lawns, gardens,
444 trees, shrubs, or similar vegetation under any conditions or by any means; or to
445 wash any motor vehicle, trailer, or other automotive or boating equipment; or to
446 wash any building, sidewalks, driveways or any outdoor structure under any
447 conditions or by any means, including at a commercial car wash, or to fill or refill
448 any pools, hot tubs, tanks or other vessels not used for direct public health and
449 welfare.

450
451 (2) Water rates for $\frac{5}{8} \times \frac{3}{4}$ residential service connections during a Stage III Emergency
452 will be adjusted. All water used in excess of 15,000 but less than 25,000 will be
453 charged at a rate 25 percent higher than the Stage II rate per 1,000 gallons. All
454 water used in excess of 25,000 will be charged at a rate 50 percent higher than
455 the Stage II rate per 1,000 gallons.

456

457 (3) Violations for a Stage III Emergency may result in the loss of service. During a
458 Stage III Emergency, the city may curtail service by removing the water meter and
459 capping the service until outstanding accounts have been satisfied per subsection
460 (h) (4) of this section. Further violation may result in the loss of service until the
461 state of emergency is reduced to Stage I.

462
463 (4) During a Stage III Emergency, no bulk water service is available. A bulk service
464 customer who uses water during a Stage III Emergency shall be charged a rate of
465 100 percent higher than the Stage II rate per 1,000 gallons and the loss of service
466 until the Emergency level has been removed. Further use shall be considered theft.

467
468 (g) At the next regular or special meeting of the city council following the declaration of
469 an emergency of either stage by the city administrator, the city council shall review the
470 findings of fact and declaration of the city administrator. After making such review, the
471 council shall either confirm the actions of the city administrator, reduce the stage of
472 emergency or overturn the declaration in its entirety; provided, however, that no action
473 of the council to reduce the stage of emergency declared by the city administrator or
474 to overturn a declaration of emergency shall be effective unless such action is
475 approved by the majority vote of all the members of the council then-elected or
476 appointed and serving on the council. Further, no action of the council in reducing the
477 stage of emergency or overturning the action of the city administrator in declaring an
478 emergency shall be a defense to a charge of violating the provisions of this section for
479 acts which occurred after the declaration became effective, but prior to its modification
480 or reversal by the city council.

481
482 (h) The following additional provisions shall be applicable to the provisions of this section:

483
484 (1) A declaration of emergency made under this section shall continue in full force and
485 effect unless and until the stage of the declaration is increased or reduced (in which
486 event, the prior declaration shall be superseded as of the date and time of the entry
487 of the new declaration), or released by written order of the city administrator or
488 reduced or reversed by action of the city council.

489
490 (2) In declaring a state of emergency, the city administrator may, if circumstances
491 justify, make the declaration applicable only for specified hours of the day or for
492 certain specified days.

493
494 (3) No culpable mental state shall be required for a person charged with the violation
495 of the provisions of this section to be found guilty of such violation. The owner or
496 occupant of the premises upon which such illegal use shall occur shall also be
497 deemed guilty of a violation occurring upon any such premises, regardless of the
498 person who shall have committed such illegal use. The preceding sentence shall
499 not be construed as relieving the person actually making such illegal use from
500 responsibility therefor.

501

502 (4) The water service of any person found guilty of knowingly violating the provisions
503 of this section may be disconnected from the water distribution system, and, if so
504 disconnected, shall not be reconnected until he shall have paid all costs of water
505 used and a disconnection/reconnection fee in the amount established by ordinance
506 ~~which shall be placed in the city water fund~~ Section 2-151 of the Nixa City Code.
507

508 (i) *Guidelines and examples for emergency declaration considerations.* Because of
509 continually varying conditions on the water distribution system, weather and other
510 environmental factors, any one or combination of occurrences may be considered as
511 benchmarks for the city administrator in making an emergency declaration. Some
512 examples include:

513
514 (1) Water level in a well or wells that is reduced to within 50 feet above the top of the
515 pump.

516
517 (2) Water usage in excess of pumping capacity for sustained periods beyond normal
518 operations.

519
520 (3) Storage capacity in one or more towers being reduced during peak periods below
521 minimum levels for sustained periods.

522
523 (4) System component failure, such as a well pump failure, large water leak or large
524 fire combined with any of subsections (i)(1)—(3) of this section or during peak
525 usage times that could cause any of the above factors to occur.

526
527 (j) *City facilities and operations.* During a declared water system emergency, all city
528 departments and facilities shall reduce certain operations that may contribute to
529 further escalation of the emergency. During declared periods, all departments shall:

530
531 (1) Reduce all outdoor watering to the level implemented for other users. During a
532 stage I emergency, reduce outdoor watering to only recreational fields, shrubs,
533 flowerbeds and trees.

534
535 (2) During stage II and III emergency, stop all outdoor watering. Cease all nonessential
536 outdoor watering of grass areas in yards and open spaces.

537 (3) During all stages, cease all vehicle and equipment and other washing except
538 where necessary for operations.

539
540 (4) During stage I emergency, reduce hydrant or system flushing to only essential
541 operations necessary to maintain the health, safety and welfare of the citizens.
542 Increase discretion with increased stages.

543
544 **SECTION 12:** Chapter 22, Article II, Division 2, Section 22-48 of the Nixa City Code
545 is hereby amended by repealing said section in its entirety and adopting in lieu thereof a
546 new section 22-48, said section shall read as follows:
547

548 (Note: Language to be added is indicated by being underlined. Language to be removed
549 is indicated by being ~~stricken~~.)

550

551 Sec. 22-48. - Provisions related to payment of bills for water charges.

552

553 (a) All bills issued by the city for the payment of water service shall be due and payment
554 shall be made by the due date stated on the bill. Bills shall be mailed via United States
555 regular mail. Bills shall be considered delinquent after 5:00 p.m., central time, on the
556 due date stated on the bill. The due date for water service bills shall be the fifth or
557 twentieth day of the month as stated on the bill. Payments that are mailed, including
558 payments made by a bank bill pay service provided by the user's bank or financial
559 institution, must be received by the due date stated on the bill to avoid a surcharge or
560 the disconnection of service. A ~~ten percent~~ surcharge in the amount established in
561 Section 2-151 of the Nixa City Code shall be added to all bills for water service which
562 are not paid by the stated due date. If a bill for water service is not paid by the tenth
563 calendar day following the due date, the provision of water service shall be subject to
564 being disconnected. Following disconnection of services due to nonpayment, full
565 payment of all delinquent utility accounts due shall be paid prior to the city
566 reconnecting water utility service. Furthermore, a service charge in the amount
567 established in Section 2-151 of the Nixa City Code of ~~\$50.00~~ shall be charged for the
568 reconnection of water service or any other utilities which require reconnection ~~fee in~~
569 ~~the amount established by ordinance shall be charged for each electric and water~~
570 ~~service reconnected.~~

571

572 (b) Bills and notices to water service users shall be deemed to have been presented and
573 given when sent via United States regular mail to the address of the utility user on file
574 with the city.

575

576 (c) The city shall not be bound by bills issued under mistake of fact as to the quantity and
577 nature of water service rendered.

578

579 (d) The city shall have the right to read meters and issue bills either monthly or for such
580 other periods as may be deemed practicable by the city and such bills shall be due
581 and payable as provided herein.

582

583 (e) Water service shall be provided for the sole use of the water utility user. The resale or
584 sub-metering of water or water service by any person is prohibited. A separate bill
585 shall be issued for each meter, and water service furnished to the same user through
586 separate meters shall not be added or cumulated for billing purposes, irrespective of
587 the location of the meters except only when such separate meters are installed on the
588 same premises for the convenience and at the request of city, in which event the water
589 service furnished through said meters may be cumulated for billing purposes.

590

591 (f) In case of a dispute involving the accuracy of a water meter, such meter may be tested
592 upon the request of the water user and the bill will be adjusted if the testing reveals a
593 discrepancy. If upon testing, the meter is found to be accurate, the requesting water

594 user shall reimburse the city for all testing costs associated with the request. The city
595 may place this on the user’s next bill.

596
597 (g)The city administrator, for the purpose of preventing the disconnection of water service,
598 is hereby authorized to enter into repayment agreements with water utility users
599 provided that said users have not failed to fully pay a prior repayment agreement
600 amount within the last 12 months preceding the current request for a repayment
601 agreement. Repayment agreements shall not exceed a term of three months.

602
603 (h)The city administrator is authorized and empowered to promulgate additional
604 procedures to carry out the terms and intent of this section. Such additional
605 procedures shall be placed on file for public inspection in the office of the city clerk
606 and shall include, without limitation, procedures related to the disconnection of water
607 service for nonpayment and provisions related to repayment agreements. Violations
608 of these additional procedures shall be considered violations of this section.

609
610 **SECTION 13:** Chapter 22, Article III, Division 1, Section 22-112 of the Nixa City
611 Code is hereby amended by repealing said section in its entirety and adopting in lieu
612 thereof a new section 22-112, said section shall read as follows:

613
614 (Note: Language to be added is indicated by being underlined. Language to be removed
615 is indicated by being ~~stricken~~.)

616
617 Sec. 22-112. - Construction of proper toilet facilities.

618
619 The owner of all houses, buildings, or properties used for human occupancy,
620 employment, recreation, or other purposes, situated within the city and abutting on any
621 street, alley or right-of-way in which there is now located or may in the future be located
622 a public sanitary or combined sewer of the city, is hereby required at his expense to install
623 suitable toilet facilities therein and to connect such facilities directly with the proper public
624 sewer in accordance with the provisions of this chapter, ~~within 90 days after date of official~~
625 ~~notice to do so, provided that said public sewer is within 400 feet of the property line.~~

626
627 **SECTION 14:** Chapter 22, Article III, Division 2, Nixa City Code is hereby amended
628 by repealing said Division in its entirety, said Division shall read as follows:

629
630 (Note: Language to be added is indicated by being underlined. Language to be removed
631 is indicated by being ~~stricken~~.)

632
633 ~~DIVISION 2. PRIVATE SEWAGE DISPOSAL SYSTEMS~~

634
635 ~~Sec. 22-130. Public sewer not available.~~

636
637 ~~Where a public sanitary or combined sewer is not available under the provisions~~
638 ~~of section 22-112, the building sewer shall be connected to a private sewage disposal~~
639 ~~system complying with the provisions of this division.~~

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~~Sec. 22-131. Permit for private sewer.~~

~~(a) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the city sewer inspector. Where the city has initiated a public sewer system improvement project that would serve the property where a private system is proposed, and the total cost of the sewer system improvement project is known, the owner shall place in escrow 150 percent of the owner's fair proportional amount of the system's total cost in cash or an irrevocable letter of credit prior to receipt of a private sewer permit.~~

~~(b) If the city has not yet initiated a sewer system improvement project to serve the property where a private sewer system is proposed, the owner shall sign a contractual agreement with the city guaranteeing full payment of the property's fair proportional amount of the public sewer system improvement when it becomes available. All such agreements shall be recorded with the county recorder. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by plans, specifications, and other information as is deemed necessary by the city sewer inspector. A permit and inspection fee in the amount established by ordinance shall be paid to the city at the time the application is filed. A permit and inspection fee in the amount established by ordinance shall be paid to the city at the time the building permit application is filed.~~

~~Sec. 22-132. Inspection of private sewer.~~

~~A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the city sewer inspector. He shall be allowed to inspect the work at any stage of construction and in any event, the applicant for the permit shall notify the city sewer inspector when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the city sewer inspector.~~

~~Sec. 22-133. Requirements for private sewer.~~

~~The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the state department of natural resources. No septic tank or cesspool shall be permitted to discharge to any natural outlet.~~

~~Sec. 22-134. Availability of public sewer.~~

~~At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in section 22-133, a direct connection shall be made to the public sewer in compliance with this article, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned according to the rules and regulations of the state department of natural resources.~~

686 ~~Sec. 22-135. Maintained at owner's expense.~~

687
688 ~~The owner shall operate and maintain the private sewage disposal facilities in a~~
689 ~~sanitary manner at all times at no expense to the city.~~

690
691 ~~Sec. 22-136. Filling of abandoned private sewer.~~

692
693 ~~When a public sewer becomes available, the building sewer shall be connected to~~
694 ~~said sewer within 60 days and the private sewage disposal system shall be abandoned~~
695 ~~according to the rules and regulations of the state department of natural resources.~~

696
697 ~~Sec. 22-137. Construction site privies.~~

698
699 ~~Approved type privies may be temporarily erected and maintained on construction~~
700 ~~sites with the approval of the city sewer inspector.~~

701
702 **SECTION 15:** Chapter 22, Article III, Division 3, Section 22-159 of the Nixa City
703 Code is hereby amended by repealing said section in its entirety and adopting in lieu
704 thereof a new section 22-159, said section shall read as follows:

705
706 (Note: Language to be added is indicated by being underlined. Language to be removed
707 is indicated by being ~~stricken~~.)

708
709 Sec. 22-159. - Public sewer permit.

710
711 The owner of any house or building, or his representative, shall obtain a sewer
712 connection permit at city hall before any sewer construction is started. The cost of this
713 permit shall be as set forth in Section 2-151 of the Nixa City Code ~~established by~~
714 ~~ordinance.~~

715
716 **SECTION 16:** Chapter 22, Article IV, Division 2, Section 22-312 of the Nixa City
717 Code is hereby amended by repealing said section in its entirety and adopting in lieu
718 thereof a new section 22-312, said section shall read as follows:

719
720 (Note: Language to be added is indicated by being underlined. Language to be removed
721 is indicated by being ~~stricken~~.)

722
723 Sec. 22-312. Provisions related to payment of bills for electric charges.

724
725 (a) All bills issued by the city for the payment of electric service shall be due and payment
726 shall be made on the due date stated on said bill. Bills shall be mailed via United
727 States regular mail. Bills shall be considered delinquent after 5:00 p.m., central time,
728 on the due date stated on said bill. The due date for electric service bills shall be the
729 5th or 20th day of the month. Payments that are mailed, including payments made by
730 a bank bill pay service provided by the user's bank or financial institution, must be
731 received by the due date to avoid a surcharge or disconnection of service. A ~~ten~~

732 ~~percent~~ surcharge in the amount established in Section 2-151 of the Nixa City Code
733 shall be added to all bills for electric service which are not paid by the stated due date.
734 If a bill for electric service is not paid by the tenth calendar day following the due date,
735 the provision of electric service will be subject to being disconnected. Following
736 disconnection of services due to nonpayment, full payment of all delinquent utility
737 accounts due shall be paid prior to the city reconnecting electric utility service.
738 Furthermore, a service charge in the amount established in Section 2-151 of the Nixa
739 City Code ~~of \$50.00~~ shall be charged for the reconnection of electric service, or any
740 other utilities which require reconnection.

741
742 (b) Bills and notices to electric service users shall be deemed to have been presented
743 and given when sent via United States regular mail to the address of the utility user
744 on file with the city.

745
746 (c) Electric service shall be provided for the sole use of the electric utility user. The resale
747 or sub-metering of electric energy or electric service by any person is prohibited. A
748 separate bill shall be issued for each meter, and electric service furnished to the same
749 user through separate meters and shall not be added or cumulated for billing
750 purposes, irrespective of the location of the meters except only when such separate
751 meters are installed on the same premises for the convenience and at the request of
752 the city, in which event the electric service furnished through said meters may be
753 cumulated for billing purposes.

754
755 (d) The city shall not be bound by bills issued under mistake of fact as to the quantity and
756 nature of electric service rendered.

757
758 (e) The city shall have the right to read meters and issue bills either monthly or for such
759 other period as may be deemed practicable by the city and such bills shall be due and
760 payable as provided herein.

761
762 (f) In case of a dispute involving the accuracy of an electric meter, such meter may be
763 tested upon the request of the user and the bill will be adjusted as provided in
764 subsections 22-309 of this Code. If upon testing, the meter is found to be accurate as
765 described in subsection 22-309, the requesting customer shall reimburse the city for
766 all testing cost associated with the request.

767
768 (g) The city administrator, for the purpose of preventing the disconnection of electric
769 service, is hereby authorized to enter into repayment agreements with electric utility
770 users provided that said users have not failed to fully pay a prior repayment agreement
771 amount within the last 12 months preceding the current request for a repayment
772 agreement. Repayment agreements shall not exceed a term of three months.

773
774 (h) The city administrator is authorized and empowered to promulgate additional
775 procedures to carry out the terms and intent of this section. Such additional
776 procedures shall be placed on file for public inspection in the office of the city clerk
777 and shall include, without limitation, procedures related to the disconnection of electric

778 service for nonpayment and provisions related to repayment agreements. Violations
779 of these additional procedures shall be considered violations of this section.
780

781 **SECTION 17:** Chapter 22, Article III, Division 6 of the Nixa City Code is hereby
782 amended by repealing said division in its entirety and adopting in lieu thereof a new
783 division, said division shall read as follows:
784

785 (Note: Language to be added is indicated by being underlined. Language to be removed
786 is indicated by being ~~stricken~~.)
787

788 DIVISION 6. – RATES AND CHARGES; BILLING AND COLLECTION PROCEDURES
789

790 Sec. 22-242. - Determination of usage.
791

792 (a) *Basis for service charges.* Except as otherwise herein provided, service charges shall
793 be based on one of the following:
794

795 (1) On the quantity of water used from any source or sources of supply, as measured
796 by a water meter or meters acceptable to the city.
797

798 (2) On the quantity of sanitary sewage, industrial wastes, water or other liquids
799 entering the sanitary sewage system of the city and measured by a sewage meter
800 acceptable to the city.
801

802 (3) On the quantity of water as determined by the city or other authorized
803 representative of the city through a study of the particular service.
804

805 (4) On the quantity of sanitary sewage, industrial wastes, water or other liquids
806 entering the sanitary sewage system of the city as determined by the city or other
807 authorized representative of the city through a study of the particular service.
808

809 (b) *Outside city sewer service.* Those users outside the City limits who receives sewer
810 service shall pay 1 ½ times the city sewer rate per 1,000 gallons of water use, plus
811 the city's minimum base charge then in effect or as may be amended.
812

813 ~~(1) Each owner of a private well or other private water supply who requests outside~~
814 ~~city sewer service shall, at his own expense, install and maintain in continuous~~
815 ~~efficient operation a water meter acceptable to the city on such private well or other~~
816 ~~private water supply. Property owners currently receiving outside sewer service,~~
817 ~~as of the adoption date of the ordinance from which this article is derived, who~~
818 ~~elects not to install a water meter shall be billed on the basis of 7,920 gallons per~~
819 ~~month of household water use.~~
820

821 ~~(2) Upon adoption of the ordinance from which this article is derived, each owner who~~
822 ~~receives outside city sewer service shall pay 1½ times the city sewer rate per 1,000~~

823 gallons of water use, plus the city's minimum base charge then in effect or
824 amended in the future.

825
826 ~~(3) As of the date of the ordinance from which this article is derived, each owner shall~~
827 ~~pay a city sewer deposit in the amount established by ordinance for commercial~~
828 ~~prior to receipt of outside city sewer service. The owner shall maintain said deposit~~
829 ~~in full during each and every month outside city sewer service is provided.~~

830
831 (c) *Maintenance of meters.* Where installed, all water or sewage meters shall be
832 maintained by the owner, at his expense, in continuous efficient operation at all times.
833 The readings of any such meter which, in the opinion of the city, has not been so
834 maintained will be disregarded and the city or its authorized representative shall
835 determine the sewage volume delivered to the sanitary system of the city during the
836 time covered by discredited meter readings.

837
838 Sec. 22-243. - Sewer service charge rates.

839
840 (a) All users, other than occupied residential units, with the exception of owners of vacant,
841 unoccupied single-family residential units as noted below shall be billed on the basis
842 of all monthly water consumption as determined by monthly water meter reading. The
843 city shall collect sewer service charges for the use of, and the services rendered by
844 said sanitary sewer system from the owners or occupants of each residence, building
845 or structure, which is connected to the sanitary sewer system of the city. Owners of
846 vacated, unoccupied single-family residential units, who have given notification to the
847 utility billing department that utility service to the single-family residence is no longer
848 required but wish to continue using their irrigation system, shall be billed for minimum
849 base sewer service charge.

850
851 (b) The rates and charges established by this article shall be applied to the water
852 consumption billed after this article shall have been placed in effect, except as herein
853 otherwise provided. In order that the least sewer service charge to the residential
854 water consumers for water used to maintain lawns, gardens, flowers, shrubs, trees,
855 etc., water usage shall be derived from water consumption recorded in periods when
856 such activities are reduced.

857
858 (c) For the months of January, February and March, the basis of the occupied residential
859 bills shall be based on the current monthly water consumption. In computing the
860 residential bills for the remaining nine months consisting of April, May, June, July,
861 August, September, October, November and December, the average of the monthly
862 meter reading taken between January and March shall be used.

863
864 (d) In cases where a residence first becomes subject to the sewer services charges
865 established herein and that date is after the meter reading date in May and no water
866 meter reading was taken before such date, the owner or occupant of such residence
867 shall be billed the customer service charge plus a volume charge, as determined by
868 the city until a basis can be established as herein provided.

869
870 (e) In multiple housing complexes or combinations of multiple housing units, apartment
871 housing units, trailer park pads or spaces, the number of users shall be the number of
872 dwelling units connected to the sewer system whether served by individual water
873 meters or by a single master water meter or private water supply. Where a single
874 water meter or private water supply serves multiple housing complexes, the number
875 of dwelling units shall be used in computing charges, whether or not all units are
876 occupied.

877
878 (f) ~~The minimum charge charges per month shall be as set forth herein; established by~~
879 ~~ordinance. In addition, each contributor shall pay a user charge rate for debt service~~
880 ~~and operation and maintenance including replacement in the amount established by~~
881 ~~ordinance.~~

882
883 (1) Monthly Base Rates.

- 884
885 a. Beginning January 1, 2023, the base rate shall be \$13.25.
- 886
887 b. Beginning January 1, 2024, the base rate shall be \$13.75.
- 888
889 c. Beginning January 1, 2025, the base rate shall be \$14.25.
- 890
891 d. Beginning January 1, 2026, the base rate shall be \$14.75.

892
893 (2) Rates usage. In addition to the base rates established herein, an additional rate,
894 as established below, shall be charged:

- 895
896 a. Beginning January 1, 2023, the usage rate shall be \$4.14 per 1,000 gallons of
897 water consumption.
- 898
899 b. Beginning January 1, 2024, the usage rate shall be \$4.18 per 1,000 gallons of
900 water consumption.
- 901
902 c. Beginning January 1, 2025, the usage rate shall be \$4.23 per 1,000 gallons of
903 water consumption.
- 904
905 d. Beginning January 1, 2026, the usage rate shall be \$4.27 per 1,000 gallons of
906 water consumption.

907
908 (g) Except as otherwise provided herein, the sewer service charge shall be based on the
909 quantity of water used on or in the property or premises subject to such charges and
910 shall be computed by applying the rates established; and shall be payable as herein
911 provided.

912
913 Sec. 22-244. - Extra charges.

914

915 In order that the rates and charges may be justly and equitably adjusted to the
916 service rendered, the city shall have the right to base its charges not only on volume but,
917 also on the strength and character of sewage and wastes which it is required to treat and
918 dispose of. The city shall have the right to measure and determine the strength and
919 content of all sewage and wastes discharged, either directly or indirectly, into the city's
920 sanitary sewage system in such a manner and by such method as it may deem
921 practicable in the light of the conditions and attending circumstances of the case in order
922 to determine the proper charge.

923
924 (1) *Extra charges for discharge of excess BOD.* Any customer who discharges sewage
925 having a BOD concentration in excess of 280 mg/l shall pay an additional charge
926 in the amount established by ordinance. Such additional charges shall be
927 determined by the Director of Public Works subject to review and approval by the
928 City Administrator and shall include, but not be limited to costs of labor, chemicals,
929 and equipment directly used in correcting the conditions.

930
931 (2) *Extra charges for discharge of excess suspended solids.* Any customer who
932 discharges sewage having a suspended solids concentration in excess of 300 mg/l
933 shall pay an additional charge in the amount established by ordinance. Such
934 additional charges shall be determined by the Director of Public Works subject to
935 review and approval by the City Administrator and shall include, but not be limited
936 to costs of labor, chemicals, and equipment directly used in correcting the
937 conditions.

938
939 (3) *Extra charges for discharge of toxic substance.* Any customer who discharges a
940 toxic substance which is deleterious to the treatment process or to sludge
941 utilization shall be liable for all costs incurred by the city in returning the treatment
942 process or sludge to its proper condition. Such additional extra charges shall be
943 determined by the Director of Public Works treatment plant operator subject to
944 review and approval by the City Administrator city council and shall include, but
945 not be limited to costs of labor, chemicals, and equipment directly used in
946 correcting the toxic conditions.

947
948 Sec. 22-245. - Method of billing.

949
950 (a) All sewer service charges established by this division shall be a part of, but noted as
951 a separate item on the water bill of each user and shall be billed, collected and become
952 delinquent at the same time and in the same manner as such water bill. Any user of
953 the city sewer system who is delinquent in the payment of the service charge provided
954 herein shall be deemed to be delinquent in the payment of the sewer bill and shall be
955 subject to being disconnected from the sewer system in the same manner and at the
956 same time as provided in other ordinances for disconnection from the water system.
957 No person who has been disconnected from the sewer system shall be again
958 connected thereto until he has paid to the city all delinquent sewer bills in full together
959 with a reconnect charge in the amount established by Section 2-151 of the Nixa City

960 Code ordinance. Disconnection shall be by removal of the water meter or physical
961 blockage or disconnection of the building sewer service line.

962
963 (b) The rates established by this division may be billed to the tenants occupying the
964 property served, unless otherwise requested in writing by the property owners, but
965 such billings shall in no way relieve the owner from the liability in the event payment
966 is not made as herein required.

967
968 (c) The owners of tenant-occupied property shall have the right to examine the collection
969 records of the city for the purpose of determining whether such rates and charges
970 have been paid by such tenants; provided that such examination shall be made at the
971 office at which such records are kept and during the hours that such office is open for
972 business.

973
974 **SECTION 18:** Chapter 22, Article V, Division 2, Section 22-374 of the Nixa City
975 Code is hereby amended by repealing said section in its entirety and adopting in lieu
976 thereof a new section 22-374, said section shall read as follows:

977
978 (Note: Language to be added is indicated by being underlined. Language to be removed
979 is indicated by being ~~stricken~~.)

980
981 Sec. 22-374. - Facility use.

982
983 Any member of the general public may utilize the ~~The~~ recycle/compost collection
984 facility during the normal business hours of the facility is for use by the city's utility paying
985 ~~customers (referred to herein as residents).~~ Users ~~Residents~~ shall personally deliver and
986 deposit only accepted recycling material and ~~yard waste~~, free of garbage, animal and
987 hazardous wastes, during normal hours of operation. Recycling material ~~and yard waste~~
988 must be deposited in designated bins. Users of the City's solid waste collection system
989 may utilize the facility without the need for a permit, pursuant to the approval of Ordinance
990 898 (Approved by the qualified voters at the April 4, 1995, election). Those who are not
991 users of the City's solid waste collection system may utilize the facility after obtaining a
992 permit from the City and paying the permit fee established in Section 2-151 of the Nixa
993 City Code.

994
995 **SECTION 19:** Chapter 24, Article I, Section 24-2 of the Nixa City Code is hereby
996 amended by repealing said section in its entirety and adopting in lieu thereof a new
997 section 24-2, said section shall read as follows:

998
999 (Note: Language to be added is indicated by being underlined. Language to be removed
1000 is indicated by being ~~stricken~~.)

1001
1002 Sec. 24-2. Encroachment permits within public rights-of-way, public easements and
1003 public property.

1004
1005 (a) *Permits required for encroachment;*

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- (1) Permits required. The following activities require an Encroachment Permit: the installation, maintenance or repair of: a driveway approach, sidewalk, Utility Facility either public or private, that is installed on, over or under any portion of any public right-of-way or public easement or public property that requires digging, trenching, cutting of a roadway, curbing, sidewalk, etc. after the original construction of a development has been completed and; after the final plat has been approved and recorded and; the improvements have been inspected and accepted by the city as being complete.

- (2) Specific exemptions. Exempt encroachments are those which, in the opinion of the director, would have a minor impact on the present or planned use of the public right-of-way, public easement or public property and those which are expressly exempted herein. The following encroachments are exempt as long as they do not create a vision or clearance hazard.
 - (i) Mailboxes and their enclosing structures,

 - (ii) Temporary signs and banners as permitted by city ordinance.

 - (iii) Guard/handrails along edges of driveway approaches, walks, stairs, etc. that encroach in public right-of-way, and;

 - (iv) Lawns, plants and approved street trees encroaching in public right-of-way that do not impede mobility or obstruct visibility for pedestrians, bicyclists and motorists and; do not violate ADA standards.

 - (v) This chapter shall not apply to any officer or employee of the city in the discharge of his official duties.

- (3) Emergency work authorization. This chapter shall not prevent any person, association, firm or corporation from performing emergency maintenance on any pipe, conduit or wire lawfully on or under any public street, or from making an emergency use, or encroachment as may be necessary for the preservation of life or property when an urgent necessity therefor arises, except that the person, firm, association or corporation making an emergency use or encroachment shall apply for a written permit as soon as possible after work has begun, commencing with the first business day the city offices open.

- (4) Failure to obtain an encroachment permit prior to start of work. It is the responsibility of the person or organization creating the Encroachment to make sure required permit(s) are secured prior to the start of any work within a public right-of-way, public easement or public property. Failure to do so will result in a "Stop Work Order" and possible citation for being in violation of the is section. Each day that the Encroachment exists without a permit will be subject to a fine of up to \$100.00 per day. The stop work order will be rescinded only after a permit for the

1052 Encroachment has been secured, any discrepancies have been remedied and any
1053 assessed fines have been paid.

1054

1055 (b) *Application, fees and construction bond.*

1056

1057 (1) Any person desiring to locate or maintain an encroachment shall submit an
1058 application (on a form proved by the city) to the office of the director. The
1059 application shall include a description of the proposed encroachment and a scale
1060 drawing illustrating the nature and extent of the proposed encroachment and its
1061 relationship to adjoining properties and facilities. The director may require an
1062 actual survey to determine the exact location of any public or private improvements
1063 that will be encroaching in the public right-of-way.

1064

1065 (2) *Permit fee.* A Permit processing fee in the amount established in Section 2-151 of
1066 the Nixa City Code of ~~\$100.00~~ shall be paid at the time the permit application is
1067 submitted.

1068

1069 (3) *Construction bond.* A construction bond in the amount of at least \$5,000.00 naming
1070 the city of Nixa as payee/beneficiary shall be established at the time of application.
1071 A bond may be made in the form of cash or certified cashier's check or; in lieu of
1072 a cash deposit, the applicant may, upon approval by the director, file an approved
1073 surety bond issued by a company authorized to do a general surety business in
1074 the state of Missouri. The purpose and intent of this bond is to reimburse the city
1075 for expenses that are incurred when having to remove an Encroachment and
1076 restore the right-of-way to its former condition.

1077

1078 Any bond provided as surety for this section may only be accessed by the city and
1079 only for the purpose of completing, repairing or removing an encroachment that
1080 either has been abandoned by the contractor, does not meet the standards set
1081 forth in this chapter or; has left the encroachment site in disrepair (i.e. the
1082 directional boring contractor boring too shallow, causing a protuberance in the
1083 street asphalt). If for some reason the encroachment permit is denied, the full Bond
1084 amount shall be returned to the applicant once they are notified of that denial.

1085

1086 Any bond or cash deposit required by the director pursuant to this part shall be
1087 payable to the city and shall be filed with the city clerk at the time of application.

1088

1089 Upon satisfactory completion of all work authorized in the permit, and fulfillment of
1090 all conditions of the permit, the city will release the bond, or cash deposit back to
1091 the permittee. The city shall not reduce or release any portion of any Bond for any
1092 reason until satisfactory completion of all work covered by the permit.

1093

1094 (4) *Exceptions to Fee and Bond Requirements.* Work which requires a permit and is
1095 being performed by any person or persons, firm or corporation under contract with
1096 the city and for the city, or any city department will be exempt from the fee and
1097 bond requirements of this chapter.

1098
 1099 (c) *Review of application.* The director shall conduct or cause a review of the application
 1100 for an encroachment permit to determine its compliance with the standards in this
 1101 ordinance, and the director, may at his discretion ~~discretion~~, request comments from
 1102 affected city departments, third party utility companies and agencies regarding the
 1103 impact of the proposed encroachment.

1104
 1105 **SECTION 20:** Chapter 25, Article I, Section 25-8 of the Nixa City Code is hereby
 1106 amended by repealing said section in its entirety and adopting in lieu thereof a new
 1107 section 25-8, said section shall read as follows:

1108
 1109 (Note: Language to be added is indicated by being underlined. Language to be removed
 1110 is indicated by being ~~stricken~~.)

1111
 1112 Sec. 25-8. Applicable Fees and charges.

1113
 1114 (a) *Application fee.* The following application fees are hereby imposed as follows as they
 1115 relate to this article and the placement on municipal/city/utility poles: (1) For
 1116 municipal/city/utility poles, Applicant shall pay an application fee as established in
 1117 Section 2-151 of the Nixa City Code ~~of \$500.00~~ for an application to place up to five
 1118 small wireless facilities. Each small wireless facility beyond the initial five will cause
 1119 an additional application fee as established in Section 2-151 of the Nixa City Code ~~of~~
 1120 ~~\$100.00 to be imposed.~~

1121
 1122 (b) *Application fee due.* Applications pursuant to this article ~~✓~~ shall be accompanied by
 1123 the required application fee. Application fees are nonrefundable.

1124
 1125 (c) *Additional charges or fees.* The city shall not require any fees or other charges, from
 1126 a communications service provider authorized to occupy the rights-of-way, for: 1)
 1127 routine maintenance; 2) the replacement of wireless facilities with wireless facilities
 1128 that are substantially similar, the same size, or smaller if the wireless provider includes
 1129 equipment specifications for the replacement of equipment consistent with
 1130 subsections (iv) and (v) under the section titled application requirements; or 3) the
 1131 installation, placement, maintenance, operation or replacement of micro wireless
 1132 facilities suspended on cables that are strung between existing utility poles in
 1133 compliance with applicable safety codes.

1134
 1135 (d) *Charges for corrective actions by city.* Wireless service providers shall pay to the city
 1136 all actual and documented costs incurred by the city for correcting, transferring,
 1137 removing or other services rendered within 30 days from the date of receipt of invoice
 1138 from the city.

1139
 1140 (e) *Charges for unauthorized attachments/facilities.* The attachment of any wireless
 1141 facility, attached to or installed within four feet of city poles, or the modification of any
 1142 such wireless facility, not listed on provider's inventory and done without the approval
 1143 of the city pursuant to the terms of this chapter, shall be considered an unauthorized

1144 attachment of the wireless facility. In the event of unauthorized attachment, the
 1145 wireless services provider shall pay the city for each unauthorized wireless facility, the
 1146 rent for such unauthorized attachment back to the date of the last audit, as well as be
 1147 guilty of a violation of the city's ordinances punishable in accord with section 1-9. Such
 1148 fees shall be paid by the wireless services provider without prejudice to any of the
 1149 city's other rights under this chapter, including the city's right to remove such
 1150 unauthorized facilities.

1151
 1152 **SECTION 21:** Chapter 101, Article I, Section 101-11 of the Nixa City Code is
 1153 hereby amended by repealing said section in its entirety and adopting in lieu thereof a
 1154 new section 101-11, said section shall read as follows:

1155
 1156 (Note: Language to be added is indicated by being underlined. Language to be removed
 1157 is indicated by being ~~stricken~~.)

1158
 1159 Sec. 101-11. Fees.

1160
 1161 ~~Reasonable fees~~ Fees sufficient to cover the costs of administration of the
 1162 provisions of this Subpart, the inspection of buildings or structures for compliance with
 1163 the provisions of this Subpart, publication of notices as required by the provisions of this
 1164 Subpart notice and similar matters may shall be charged to applicants for approved use
 1165 permits, sign permits, preliminary plat approval, special-use permits, subdivision plat
 1166 approval, zoning amendments, variances, and any other review of an application or
 1167 approval required by this Subpart other administrative relief. Said fees shall be in such
 1168 amounts as established in Section 2-151 of the Nixa City Code. A schedule of all
 1169 ~~established fees related to land development shall be as established by ordinance.~~

1170
 1171 **SECTION 22:** Chapter 103, Article II, Section 103-31 of the Nixa City Code is
 1172 hereby amended by repealing said section in its entirety and adopting in lieu thereof a
 1173 new section 103-31, said section shall read as follows:

1174
 1175 (Note: Language to be added is indicated by being underlined. Language to be removed
 1176 is indicated by being ~~stricken~~.)

1177
 1178 Sec. 103-31. - Occupancy permit required; fees.

1179
 1180 (a) It shall be unlawful for any person to occupy or for any owner or agent thereof to permit
 1181 the occupation of any building, or addition thereto, or part thereof, for any purpose
 1182 until a certificate of occupancy has been issued by the city administrator or his
 1183 designate. Every owner, agent or manager of any building, or addition thereto, shall
 1184 inform the city administrator or his designate whenever any portion of such building or
 1185 any dwelling unit therein becomes vacant and request an inspection thereof under the
 1186 provisions of this article. The certificate of occupancy so issued shall state that the
 1187 occupancy complies with all the provisions of this article. This section shall not apply
 1188 to any occupancy in existence on March 1, 1994, until vacancy in rental unit occurs.
 1189 If a rental unit is occupied before a "certificate of occupancy" is issued, an inspection

1190 fee in the amount established by Section 2-151 of the Nixa City Code shall ordinance
1191 ~~will~~ be required. If a landlord allows more than one violation, a summons to appear in
1192 municipal court will be issued.

1193
1194 (b) The occupancy permit will be issued for each dwelling unit or building or portion
1195 thereof, occupied. It shall be unlawful for any person to knowingly make any false
1196 statement in his application for an occupancy permit as to the names, ages,
1197 relationship or number of occupants who will occupy the premises.

1198
1199 **SECTION 23:** Chapter 103, Article II, Section 103-33 of the Nixa City Code is
1200 hereby amended by repealing said section in its entirety and adopting in lieu thereof a
1201 new section 103-33, said section shall read as follows:

1202
1203 (Note: Language to be added is indicated by being underlined. Language to be removed
1204 is indicated by being ~~stricken~~.)

1205
1206 Sec. 103-33. Inspection fees.

1207
1208 (a) A fee in the amount established in Section 2-151 of the Nixa City Code ~~by ordinance~~
1209 shall be paid to the city and shall accompany each request for inspection of a single-
1210 family dwelling. For the purpose of this section, a dwelling unit occupied as a
1211 condominium shall be considered a single-family dwelling.

1212
1213 (b) Except as otherwise provided, a fee in the amount established in Section 2-151 of the
1214 Nixa City Code shall be paid to the city and shall accompany each request for ~~by~~
1215 ~~ordinance for each~~ inspection ~~shall be paid to the city and shall accompany each~~
1216 ~~request for~~ inspection of a dwelling unit in a multifamily dwelling. A penalty fee in the
1217 amount established by Section 2-131 of the Nixa City Code shall ordinance ~~will~~ be
1218 charged for each rescheduled inspection if an appointment is scheduled and the
1219 inspector is unable to get into the unit as scheduled by the applicant. This fee will be
1220 charged even if it is the second or third inspection of the year, which doesn't require
1221 payment. (See section 103-31(a) for fee if property is occupied before the certificate
1222 of occupancy is issued.)

1223
1224 **SECTION 24:** Chapter 103, Article III, Division 2, Section 103-121 of the Nixa City
1225 Code is hereby amended by repealing said section in its entirety and adopting in lieu
1226 thereof a new section 103-121, said section shall read as follows:

1227
1228 (Note: Language to be added is indicated by being underlined. Language to be removed
1229 is indicated by being ~~stricken~~.)

1230
1231 Sec. 103-121. - Fees.

1232
1233 (a) *Permit fees.*

1234

1235 (1) The fees for each manufactured home installation permit shall comply with those
1236 regulating single-family residential new construction.

1237
1238 (2) When permit fees are to be based on the value or valuation of the work to be
1239 performed, the determination of value or valuation under this article shall be made
1240 by the building official. The value to be used shall be the total value of all work
1241 required for the manufactured home installation plus the total value of all work
1242 required for the construction of accessory buildings and structures for which the
1243 permit is issued as well as all finish work, painting, roofing, electrical, plumbing,
1244 heating, air-conditioning, elevators, fire-extinguishing systems and any other
1245 permanent equipment which is a part of the accessory building or structure. The
1246 value of the manufactured home itself shall not be included.

1247
1248 (b) *Plan review fees.* When a plan or other data are required to be submitted by section
1249 103-120(a), a plan review fee shall be paid at the time of submitting plans and
1250 specifications for review. Said plan review fee shall be the same fee established for
1251 ~~as established by ordinance for single-family residence plan reviews~~ as established in
1252 Section 2-151 of the Nixa City Code.

1253
1254 (c) *Other provisions.* Expiration of plan review. Applications for which no permit is issued
1255 within 180 days following the date of application shall expire by limitation, and plans
1256 and other data submitted for review may thereafter be returned to the applicant or
1257 destroyed by the building official. The building official may extend the time for action
1258 by the applicant for a period not exceeding 180 days upon request by the applicant
1259 showing that circumstances beyond the control of the applicant have prevented action
1260 from being taken. No application shall be extended more than once. In order to renew
1261 action on an application after expiration, the applicant shall resubmit plans and pay a
1262 new plan review fee.

1263
1264 **SECTION 25:** Chapter 109, Section 109-6 of the Nixa City Code is hereby
1265 amended by repealing said section in its entirety and adopting in lieu thereof a new
1266 section 109-6, said section shall read as follows:

1267
1268 (Note: Language to be added is indicated by being underlined. Language to be removed
1269 is indicated by being ~~stricken~~.)

1270
1271 Sec. 109-6. Fee amounts.

1272
1273 (a) *Fee schedule.* Any person who initiates any new impact generating land development,
1274 except those exempted pursuant to section 109-5(c) (exemptions), or those preparing
1275 an individual assessment pursuant to section 109-9, shall pay an impact fee as
1276 determined by the fee schedule established by the city council from time to time in
1277 section 2-151 ~~404-44~~.

1278

1279 (b) *Mixed uses*. If a building permit is requested for mixed uses, then the fee shall be
1280 determined according to the fee schedule by apportioning the space committed to
1281 uses specified on the schedule.
1282

1283 **SECTION 26:** Chapter 111, Article III, Section 111-140 of the Nixa City Code is
1284 hereby amended by repealing said section in its entirety and adopting in lieu thereof a
1285 new section 111-140, said section shall read as follows:
1286

1287 (Note: Language to be added is indicated by being underlined. Language to be removed
1288 is indicated by being ~~stricken~~.)
1289

1290 ~~Sec. 111-140. –Private wastewater disposal systems.~~ (Reserved).
1291

1292 ~~(a) Where a public sanitary or combined wastewater disposal system is not available~~
1293 ~~under the provisions of section 22-112 the building wastewater shall be connected to~~
1294 ~~a private wastewater disposal system complying with the provisions of this article.~~
1295

1296 ~~(b) Before commencement of construction of a private wastewater disposal system, the~~
1297 ~~owner shall first obtain a written permit signed by the water quality superintendent.~~
1298 ~~The application for such permit shall be made on a form furnished by the city, which~~
1299 ~~the applicant shall supplement by any plans, specifications, and other information as~~
1300 ~~is deemed necessary by the water quality superintendent. A permit and inspection fee~~
1301 ~~shall be paid to the city at the time the application is filed.~~
1302

1303 ~~(c) A permit for a private wastewater disposal system shall not become effective until the~~
1304 ~~installation is completed to the satisfaction of the water quality superintendent. He~~
1305 ~~shall be allowed to inspect the work at any stage of construction and in any event, the~~
1306 ~~applicant for the permit shall notify the water quality superintendent when the work is~~
1307 ~~ready for final inspection and before any underground portions are covered. The~~
1308 ~~inspection shall be made within 72 hours of the receipt of notice by the water quality~~
1309 ~~superintendent.~~
1310

1311 ~~(d) The type, capacities, location and layout of a private wastewater disposal system shall~~
1312 ~~comply with all recommendations of the DNR of the state, and the state water pollution~~
1313 ~~board. No septic tank or cesspool shall be permitted to discharge to any natural outlet.~~
1314

1315 ~~(e) At such time as a public wastewater becomes available to a property served by a~~
1316 ~~private wastewater disposal system, as provided in subsection (d) of this section, a~~
1317 ~~direct connection shall be made to the public wastewater in compliance with this~~
1318 ~~article, and any septic tanks, cesspools, and similar private wastewater disposal~~
1319 ~~facilities shall be abandoned and filled with suitable material.~~
1320

1321 ~~(f) The owner shall operate and maintain the private wastewater disposal facilities in a~~
1322 ~~sanitary manner at all times at no expense to the city.~~
1323

1324 ~~(g) When public wastewater becomes available, the building wastewater shall be~~
1325 ~~connected to said wastewater within 60 days and the private wastewater disposal~~
1326 ~~system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.~~
1327

1328 ~~(h) Approved type privies may be temporarily erected and maintained on construction~~
1329 ~~sites with the approval of the water quality superintendent.~~
1330

1331 **SECTION 27:** Chapter 111, Article IV, Section 111-175 of the Nixa City Code is
1332 hereby amended by repealing said section in its entirety and adopting in lieu thereof a
1333 new section 111-175, said section shall read as follows:
1334

1335 (Note: Language to be added is indicated by being underlined. Language to be removed
1336 is indicated by being ~~stricken~~.)
1337

1338 Sec. 111-175. Application requirements.
1339

1340 (a) All applicants for a building permit for wireless facilities and/or support structures shall
1341 comply with the requirements set forth in this article and the city's currently adopted
1342 building code.
1343

1344 (b) No collocation or replacement of wireless facilities to an existing structure shall occur
1345 until the application is reviewed and approved by the city and a building permit issued.
1346

1347 (c) No construction or substantial modification of wireless facilities or support structures
1348 shall occur until the application is reviewed and approved by the city, and a building
1349 permit as well as a special use permit have been issued.
1350

1351 (d) All representations/statements made by the applicant to the city in the application may
1352 be relied upon in good faith by the city.
1353

1354 (e) An application for a wireless facility or support structures shall be signed on behalf of
1355 the applicant by a person with knowledge of the contents and the completeness of the
1356 information.
1357

1358 (f) Where a certification is called for in this article, such certification shall bear the
1359 signature and seal of a registered professional engineer licensed State of Missouri.
1360

1361 (g) In addition to all other required information as stated in this article, all applications for
1362 the construction of new wireless facilities or support structures, or for a substantial
1363 modification of an existing wireless facility or support structure, shall contain the
1364 information hereinafter set forth:
1365

1366 (1) The name, address, and phone number of the property owner and applicant. If the
1367 site has, or is to have, a tower and the owner of the tower is different than the
1368 applicant, provide name and address of the tower owner is different than the
1369 applicant, provide name and address of the tower owner;

- 1370
- 1371 (2) The postal address and tax map parcel number of the property;
- 1372
- 1373 (3) The zoning district or designation in which the property is situated;
- 1374
- 1375 (4) Size of the property stated both in square feet and lot line dimensions, and a survey
- 1376 showing the location of all lot lines;
- 1377
- 1378 (5) The location of the nearest residential structure;
- 1379
- 1380 (6) The location, size and height of all existing and proposed structures on the property
- 1381 which is the subject of the application;
- 1382
- 1383 (7) The type, locations and dimensions of all proposed and existing landscaping and
- 1384 fencing;
- 1385
- 1386 (8) The size and centerline height location of all proposed and existing antennae on
- 1387 the supporting structure;
- 1388
- 1389 (9) The number, type and model of the antennae(s) proposed with a copy of the
- 1390 specification sheet;
- 1391
- 1392 (10) A site plan describing the proposed tower and antennae(s) and all related
- 1393 fixtures, structures, appurtenances, and apparatus, including height above pre-
- 1394 existing grade, materials, color and lighting;
- 1395
- 1396 (11) Signed documentation to verify that the wireless facility with the proposed
- 1397 installation will be in full compliance with the FCC's rules for radio frequency
- 1398 emissions under 47 CFR § 1.1307(b)(1) or other applicable federal law, as
- 1399 amended;
- 1400
- 1401 (12) A copy of the FCC license(s) applicable for the intended use of the wireless
- 1402 facilities; and
- 1403
- 1404 (13) A copy of the geotechnical subsurface soils investigation, evaluation report and
- 1405 foundation recommendation for a proposed or existing tower site and if existing
- 1406 tower or water tank site, a copy of the installed foundation design.
- 1407
- 1408 (14) The applicant will provide written documentation by a qualified individual or
- 1409 organization which shows any proposed new tower or existing structure intended
- 1410 to support wireless facilities is in compliance with FAA rules and regulations, as
- 1411 amended, and if it requires lighting. This requirement shall also be for any
- 1412 existing structure or building where the application increases the height of the
- 1413 structure or building. All filings with the FAA, all responses from the FAA and any
- 1414 related correspondence shall be provided with the application.
- 1415

1416 (15) The applicant shall provide certification with documentation (structural analysis)
1417 that the wireless facility tower and foundation and attachments, roof-top support
1418 structure, water tank structure, and any other supporting as proposed to be
1419 utilized are designed and will be constructed to meet all local, city, state and
1420 federal structural requirements for loads, including wind and ice loads.

1421
1422 (16) If the proposal is for collocation or replacement of a wireless facility on an existing
1423 structure, the applicant shall provide written certification of the condition of the
1424 structure per ANSI report, Annex E, "Tower Maintenance and Inspection
1425 Procedures, ANSI/TIA/EIA-222F" or the most recent edition. The inspection
1426 report must be performed every three years for a guyed tower and five years for
1427 monopoles and self-supporting towers.

1428
1429 (17) There shall be a pre-application meeting. The purpose of the pre-application
1430 meeting will be to address issues that will help to expedite the review and
1431 permitting process. A pre-application meeting shall also include a site visit if there
1432 has not been a prior site visit for the requested site.

1433
1434 (18) An applicant shall submit to the city the number of completed applications
1435 determined to be needed at the pre-application meeting. Written notification of
1436 the application shall be provided to the legislative body of all adjacent
1437 municipalities as applicable and/or requested.

1438
1439 (19) The holder of a special use permit shall notify the city of any intended
1440 modification of a wireless facility or support structure and shall apply to the city
1441 to modify or construct a wireless facility or support structure.

1442
1443 (20) Application fees.

1444
1445 a. A non-refundable fee as established in Section 2-151 of the Nixa City Code
1446 of \$1,500.00 will shall be paid to the city at the time of application for a new
1447 support structure or a substantial modification. The fee will cover all
1448 administrative and building permit fees.

1449
1450 b. A non-refundable fee as established in Section 2-151 of the Nixa City Code
1451 of \$500.00 will shall be paid to the city at the time of application for a
1452 collocation on an existing support structure. This fee will cover all
1453 administrative and building permit fees.

1454
1455 **SECTION 28:** Chapter 117, Article IV, Section 117-100 of the Nixa City Code is
1456 hereby amended by repealing said section in its entirety and adopting in lieu thereof a
1457 new section 117-100, said section shall read as follows:

1458
1459 (Note: Language to be added is indicated by being underlined. Language to be removed
1460 is indicated by being ~~stricken~~.)

1461

1462 Sec. 117-100. Building permit procedures; requirements.

1463
1464 (a) It shall be the duty of the city planner to designate the building inspector to administer
1465 and enforce the regulations herein.

1466
1467 (b) It shall be unlawful to commence or to proceed with the erection, construction,
1468 reconstruction, conversion, alteration, enlargement, extension, razing or moving of
1469 any building or any portion thereof without first having applied in writing to the building
1470 supervisor for a building permit to do so and having been granted a building permit
1471 therefor.

1472
1473 (c) Every application for a building permit shall be in writing and delivered to the city
1474 planner and shall be accompanied by a detailed set of plans, in triplicate, showing the
1475 size of the proposed building or structure, location of the building on the lot, the details
1476 and type of construction to be used, and any necessary stormwater drainage pipes
1477 (12-inch RCP or CMP minimum). Upon the issuance of a permit, two sets of plans
1478 shall be retained by the city planner for a permanent record and one set shall be
1479 returned to the applicant.

1480
1481 (d) Agricultural buildings in AG zones are exempt from building permit procedures.

1482
1483 (e) Blank forms shall be provided by the city planner for the use of those applying for
1484 permits as provided for in this article. Any permits issued by the city planner shall be
1485 on standard forms for such purpose and furnished by the city.

1486
1487 (f) A careful record of all such applications, plans, and permits shall be kept in the
1488 development department.

1489
1490 (g) The fee for application of a building permit shall be the amount forth in Section 2-151
1491 of the Nixa City Code. The money generated by the building permit fee shall, except
1492 for the actual cost of printing and preparation of building permit, be placed in a building
1493 inspector's fund. The money shall accumulate in said fund until a building inspector is
1494 appointed for the city at which time it shall be expended for his salary and expenses.

1495
1496 (h) The issuance of a building permit by the city does not indicate approval of the plans,
1497 materials, construction type or methods by the city and does not create any warranty
1498 to the person to whom the permit is issued or to any third persons.

1499
1500 **SECTION 29:** The City Attorney, when codifying the provisions of this Ordinance,
1501 is authorized to provide for different section numbers, subsection numbers, and different
1502 internal citation references than those provided herein when such section numbers,
1503 subsection numbers, or internal citation references are in error or are contrary to the intent
1504 of this Ordinance.

1505
1506 **SECTION 30:** Savings Clause. Nothing in this Ordinance shall be construed to
1507 affect any suit or proceeding now pending in any court or any rights acquired, or liability

1508 incurred nor any cause or causes of action occurred or existing, under any act or
1509 ordinance repealed hereby.

1510
1511 **SECTION 31:** Severability Clause. If any section, subsection, sentence, clause, or
1512 phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect
1513 the validity of the remaining portions of this Ordinance. The Council hereby declares that
1514 it would have adopted the Ordinance and each section, subsection, sentence, clause, or
1515 phrase thereof, irrespective of the fact that any one or more sections, subsections,
1516 sentences, clauses, or phrases be declared invalid.

1517
1518 **SECTION 32:** This Ordinance shall be in full force and effect from and after its final
1519 passage by the City Council and after its approval by the Mayor, subject to the provisions
1520 of section 3.11(g) of the City Charter.

1521
1522
1523 **ADOPTED BY THE COUNCIL THIS 23rd DAY OF October, 2023.**

1524
1525 ATTEST:
1526
1527 _____
1528 PRESIDING OFFICER CITY CLERK

1529
1530 **APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2023.**

1531
1532 ATTEST:
1533
1534
1535 _____
1536 MAYOR CITY CLERK

1537
1538
1539 APPROVED AS TO FORM:

1540
1541 _____
1542 CITY ATTORNEY

COUNCIL BILL EXHIBIT A

City Clerk Fees

<u>Business Licenses</u>		
Fee Name	Fee Amount	Fee Description/Code Section
Business License	\$50.00/New \$25.00/Renewal	Duration of license begins January 1 and ends December 31. (See Sec. 12-21, 12-24, & 16-420).
Business License Late Fee	\$10.00	If License Application is not submitted by March 31. (See Sec. 12-21 & 12-24).
<u>Itinerant Merchant License (Solicitor's License)</u>		
Fee Name	Fee Amount	Fee Description/Code Section
Solicitor License	\$100.00 license	Duration of license begins January 1 and ends December 31. (See Sec. 12-28).
<u>Miscellaneous Permits</u>		
Fee Name	Fee Amount	Fee Description/Code Section
Recycling Permit	\$36.00.	Annual Permit for those who are not users of the City's solid waste management system. (See Sec. 22-374).
Golf Cart Permit	\$15.00	Annual Permit. (See Sec. 20-401).
<u>Alcoholic Beverages</u>		
Fee Name	Fee Amount	Fee Description/Code Section
Malt liquor-Original Package	\$75.00	(See Sec. 4-4).
Intoxicating liquor-all kinds-original package	\$150.00	(See Sec. 4-4).
Malt liquor and light wines	\$75.00	(See Sec. 4-4).
Common eating and drinking places	\$450.00	(See Sec. 4-4).
Wine and brandy manufacturer	\$300.00	(See Sec. 4-4).
Microbrewery	\$300.00	(See Sec. 4-4).
Intoxicating liquor-all kinds-by the drink	\$450.00	(See Sec. 4-4).
Intoxicating liquor-original package (Sunday Sales)	\$300.00	Additional Fee. (See Sec. 4-4).

Restaurant bars (Sunday Sales)	\$300.00	Additional Fee. (See Sec. 4-4).
Common eating and drinking places (Sunday Sales)	\$300.00	Additional Fee. (See Sec. 4-4).
Liquor by the drink-all kinds (Sunday Sales)	\$300.00	Additional Fee. (See Sec. 4-4).
Temporary permit-by the drink for certain organizations	\$37.50	(7 days max.). (See Sec. 4-4).
Tasting permit	\$37.50	(See Sec. 4-4).
Liquor catering permit	\$15.00	Per each calendar day. (See Sec. 4-4).
<u>Nuisance Abatement Fees</u>		
Fee Name	Fee Amount	Fee Description/Code Section
Nuisance Abatement Administrative Fee	\$77.25	Fee charged for staff time associated with nuisance abatement actions. (See Sec. 14-26).

COUNCIL BILL EXHIBIT B

Finance Department Fees

Returned Check Fee		
Fee Name	Fee Amount	Fee Description/Code Section
Returned Check Fee	\$25.00 plus any fees charged by the relevant financial institution.	(See Sec. 2-149).
Utility Billing Fees		
Fee Name	Fee Amount	Fee Description/Code Section
Late Fee	10% of the outstanding balance.	Charged to outstanding balance after due date. (See Sec. 22-48 & 22-312).
Recycling Center Charge	\$1.50	Fee charged to each user of the City's solid waste collection system for use of the City recycling center. (See Ordinance No. 898. Rate approved by the voters on 1-23-95).
Service Charge	\$50.00	Charged when reconnection is required after a user has been disconnected for non-payment. (See Sec. 22-48 & 22-312).
Trip Charge	\$25.00	Additional fee when a reconnection is required after a user has been disconnected for non-payment and a reconnection request is conducted after business hours.

COUNCIL BILL EXHIBIT C

Planning and Development Fees

Planning and Development Fees		
Fee Name	Fee Amount	Fee Description/Code Section
Rental Inspection	\$25	(See Sec. 101-11, 103-31, & 103-33).
Rental Inspection Penalty	\$50	(See Sec. 103-33).
Reinspection Penalty	\$25	Applies when City is required to re-inspect a unit. (See Sec. 103-33).
New Commercial Building Permit	\$.25 per square feet	(See Sec. 101-11 & 117-100).
Residential Plan Review Fee	\$50	(See Sec. 101-11).
Commercial Plan Review Fee	Fee amount is based on the hourly rate charged by the City's authorized third-party reviewer. The city shall provide an estimate of the fee amount to applicant. Additional review time shall be charged to the applicant before a certificate of occupancy is issued.	Fee charged for the inspection by the City of commercial building plans when an applicant is seeking a certificate of occupancy for said building. (See Sec. 101-11).
New Single Family Structure Permit	\$.47 per square feet of the structure	(See Sec. 101-11).
Residential Alteration	\$.37 per square footage effected by the remodel. When mechanical alterations are part of the	Fee charged for the permitting and inspection by the City of a remodel of a residential building (internal or external remodel). (See Sec. 101-11).

	<p>remodel \$40 shall be charged.</p> <p>When plumbing alterations are part of the remodel \$40 shall be charged.</p> <p>When electrical alterations are part of the remodel \$40 shall be charged.</p>	
Commercial Remodel	<p>\$.25 per square footage effected by the remodel.</p> <p>When mechanical alterations are part of the remodel \$60 shall be charged.</p> <p>When plumbing alterations are part of the remodel \$60 shall be charged.</p> <p>When electrical alterations are part of the remodel \$60 shall be charged.</p>	<p>Fee charged for the permitting and inspection by the City of a remodel of a commercial building.</p> <p>(See Sec 101-11).</p>
Commercial Alterations	\$60	<p>Fee charged for the permitting and inspection by the City of the infill of a commercial building in which no structural, mechanical, electrical, or plumbing modifications are part of the infill.</p>

		(Sec. 101-11).
Accessory Building	<p>\$40</p> <p>When mechanical alterations are part of the remodel \$40 shall be charged.</p> <p>When plumbing alterations are part of the remodel \$40 shall be charged.</p> <p>When electrical alterations are part of the remodel \$40 shall be charged.</p>	<p>Fee charged for the permitting and inspection by the City of the placement or construction of an accessory building.</p> <p>(See Sec. 117-278 & Sec. 103-1 (International Residential Code)).</p>
Fence	\$40	<p>Fee charged for the permitting and inspection by the City of the placement or construction of fence.</p> <p>(See Sec. 105-60).</p>
Above Ground Pool	\$80	<p>Fee charged for the permitting and inspection by the City of the placement or construction of an above ground pool.</p> <p>(See Sec. 117-278).</p>
In Ground Pool	\$160	<p>Fee charged for the permitting and inspection by the City of the placement or construction of an in-ground pool.</p> <p>(See Sec. 117-278).</p>
Deck & Patio	\$75	<p>Fee charged for the permitting and inspection by the City of the placement or construction of a deck.</p> <p>(See Sec. 117-278).</p>

Solar Permit	\$40	Permit issued for the inspection of the electrical connection of solar panel arrays.
Sign	\$50	Fee charged for the permitting and inspection by the City of the placement or construction of a sign. (See Ch. 113).
Temporary Sign	\$25	Fee charged for the permitting and inspection by the City of the placement or construction of a temporary sign. (See Ch. 113).
Fireworks Stand	\$100	Fee charged for the permitting and inspection by the City of the placement or construction of a fireworks stand. (See Ch. 16, Art. IV, Division 4).
Storm Shelter	\$80	Fee charged for the permitting and inspection by the City of the placement or construction of a storm shelter. (See Sec. 101-11).
Building Demolition	\$75	Fee charged for the permitting and inspection by the City of the removal or demolitions of a structure. (See Sec. 101-11).
Annexation	\$500	Fee charged for the review and processing of a voluntary petition for annexation of real property into the City limits.
Zoning Map Amendment (Rezone)	\$250	Fee charged for the review and processing of an application for a zoning map amendment (petition to rezone). (See Sec. 101-11).
Special Use Permit	\$250	Fee charged for the review and processing of an application for the issuance of a special use permit. (See Sec. 101-11).

Minor Subdivision Plat	\$150	Fee charged for the review and processing of an application for a minor subdivision plat. (See Sec. 101-11).
Major Subdivision Preliminary Plat	\$350 + \$1 per lot created	Fee charged for the review and processing of an application for a major subdivision preliminary plat. (See Sec. 101-11).
Major Subdivision Final Plat	\$200 + \$1 per lot created	Fee charged for the review and processing of an application for a major subdivision final plat. (See Sec. 101-11).
Variance	\$200	Fee charged for the review and processing of an application for a variance to the City Board of Adjustment. (See Sec. 101-11).
Easement and Right-of-Way Vacation	\$100	Fee charged for the review and processing of an application for the vacation of a City easement or right-of-way. (See Sec. 101-11).

Planning and Development Fees – Impact Fees (Sewer)

Fee Name	Fee Amount	Fee Description/Code Section
Residential Sewer Impact Fees	\$863 (3/4") \$1,439 (1") \$4,606 (2") \$9,212 (3") \$14,394 (4")	Fee is based on the size of water meter. (See Ch. 109).
Apartment Complex	\$609.00 (per unit)	(See Ch. 109).
Duplex Homes	\$609 (per unit)	(See Ch. 109).

Planning and Development Fees – Impact Fees (Police)

Fee Name	Fee Amount	Fee Description/Code Section
Commercial Shopping Center	\$389.42 (25,000 square feet or less)	(See Ch. 109).

	\$359.35 (25,001 – 50,000 square feet)	
	\$312.94 (50,000 – 100,000 square feet)	
	\$269.59 (100,001 square feet or more)	
General Office	\$179.49 (10,000 square feet or less)	(See Ch. 109).
	\$144.92 (10,001 – 25,000 square feet)	
	\$123.39 (25,001 square feet or more)	
Medical/Dental Office	\$285.96	(See Ch. 109).
Hospital	\$132.81	(See Ch. 109).
Nursing Home	\$45.90	(See Ch. 109).
Business Park	\$100.99	(See Ch. 109).
Light Industrial	\$55.16	(See Ch. 109).
Warehouse	\$39.25	(See Ch. 109).
Mini-Warehouse	\$19.78	(See Ch. 109).
Churches – without weekday school or daycare	\$19.78	(See Ch. 109).
Lodging	\$65.00 (per room)	(See Ch. 109).
Day Care	\$35.00 (per student)	(See Ch. 109).
Apartment Complex	\$106.00 (per unit)	(See Ch. 109).
Duplex Homes	\$106.00 (per unit)	(See Ch. 109).
Residential Permit	\$106.00	(See Ch. 109).
Planning and Development Fees – Impact Fees (Parks)		

Fee Name	Fee Amount	Fee Description/Code Section
Apartment Complex	\$307.00 (per unit).	(See Ch. 109).
Duplex Homes	\$307.00 (per unit)	(See Ch. 109).
Residential Permit	\$435.00	(See Ch. 109).

COUNCIL BILL EXHIBIT D

Police Department Fees

General Police Department Fees		
Fee Name	Fee Amount	Fee Description/Code Section
Finger Printing Services	\$10.00 per fingerprint card.	Fee charged for providing fingerprinting services to the public.
<u>Animal Control</u>		
Fee Name	Fee Amount	Fee Description/Code Section
Impound Fee	\$20.00 minimum plus \$3.00 per day after first.	(See Sec. 6-34).
Animal Licensing Fee (dogs and miniature pigs)	\$2.00 spayed/neutered; \$3.00 intact.	(See Sec. 6-37).

COUNCIL BILL EXHIBIT E

Public Works Fees

<u>Public Works – Electric</u>		
Fee Name	Fee Amount	Fee Description/Code Section
Temporary Electric Service	\$90.00	Fee charged for providing temporary electric service, with meter, during construction.
Permanent Electric Service (200 AMP)	\$90.00	Fee charged for providing permanent electric service, with a meter, for service up to 200 amps.
Permanent Electric Service (400 AMP)	\$185.00	Fee charged for providing permanent electric service, with a meter, for service above 200 amps and up to 400 amps.
Permanent Commercial and Industrial Electric Service	\$575.00	Fee charged for permanent commercial or industrial electric service for both single and three-phase power, with meter.
Permanent Net Metering Electric Service	\$90.00 (200 AMP) \$185.00 (400 AMP)	Same as permanent service fees above but with a net meter for measuring customer owned solar production
Primary Conduit Installation	\$3.00/linear ft.	Fee charged to developers to offset cost for electric materials in new subdivisions. This is based on the number of linear feet of conduit to be installed.
Three Phase Conduit Installation	\$9.00/linear ft.	Same as above but with three pipes.
LED Street Light	\$1,450.00 per light.	To cover a portion of the cost of new street light installation in new subdivisions.
Small Cell Wireless (Up to 5 antennae)	\$500.00	This is for application review and approval. There are or may be other associated costs such as “make-ready” cost which are incurred by the City to uprate the structure. (See Sec. 25-8).
Small Cell Wireless (Each antenna over 5)	\$100.00	This is for application review and approval. There are or may be other associated costs such as “make-ready” cost which are incurred by the City to uprate the structure. (See Sec. 25-8).
<u>Public Works – Water</u>		
Fee Name	Fee Amount	Fee Description/Code Section
Wireless Telecommunication Tower (New Support Structure)	\$1,500.00	Fee charged for application review. (See Sec. 111-175).

or Substantial Modification)		
Wireless Telecommunication Tower (Collocation)	\$500.00	Fee charged for application review. (See Sec. 111-175).
¾" Water Meter (Customer Install)	\$165.00	Fee charged for providing water service. Charge includes the meter and City's installation of meter. Customer installs service.
1" Water Meter (Customer Install)	\$290.00	Fee charged for providing water service. Charge includes the meter and City's installation of meter. Customer installs service.
2" Water Meter (Customer Install)	\$660.00	Fee charged for providing water service. Charge includes the meter and City's installation of meter. Customer installs service.
4" Water Meter (Customer Install)	Any supplied materials plus the meter cost	Fee charged for providing water service. Charge includes the meter and City's installation of meter. Customer installs service. Due to the price of certain materials being unstable and varying, the actual amount charged is to be based on the actual cost to the City of any material to be supplied.
¾" Water Meter (City Install)	\$1,200.00	Fee charged for providing water service. Charge includes the meter and City's installation of meter and City's installation of service.
1" Water Meter (City Install)	\$1,500.00	Fee charged for providing water service. Charge includes the meter and City's installation of meter and City's installation of service
2" Water Meter (City Install)	\$3,500.00	Fee charged for providing water service. Charge includes the meter and City's installation of meter and City's installation of service
4" Water Meter (City Install)	Inventory replacement cost plus equipment and labor cost reimbursement.	Fee charged for providing water service. Charge includes the meter and City's installation of meter and City's installation of service. Due to the price of certain materials being unstable and varying, the actual amount charged is to be based on the actual cost to the City of any material to be supplied.
<u>Public Works – Sewer</u>		
Fee Name	Fee Amount	Fee Description/Code Section
Sewer Tap – Residential Building Permit	\$15.00	Fee applies when an applicant requests a sewer tap to serve a residential building. (See Sec. 22-159).

Sewer Tap – Commercial Building Permit	\$20.00	Fee applies when an applicant requests a sewer tap to serve a commercial building. (See Sec. 22-159).
<u>Public Works – Miscellaneous Fees</u>		
Fee Name	Fee Amount	Fee Description/Code Section
Encroachment Permit	\$100.00	This fee is for review, issuance, inspection, and closing of the permit. (See Sec. 24-2).
Materials Replacement Cost	The amount for this fee is derived from the actual costs of replacing the item.	This fee applies when materials and supplies from the City’s stock is utilized by a developer or other third party.

COUNCIL BILL EXHIBIT F

Parks and Recreation Fees

Program Fees – Parks and Recreation		
Fee Name	Fee Amount	Fee Description
Martial Arts Class	\$50.00 per month	Monthly registration fee
Spring Break Camp	\$17.00/day (Member) \$22.00/day (Nixa Resident) \$27.00/day (Non-Nixa Resident)	Registration fee per day needed for camp.
Summer It-Up	\$25.00 Initial Fee for Registration (Per Family) \$96.50/week (Member) \$110.00/week (Nixa Resident) \$110.00/week (Non-Nixa Resident)	Initial Registration Fee per family for paperwork processing and camp shirt. Registration fee per week needed for camp. (prorated for weeks shorter than 5 days).
Winter Break Camp	\$17.00/day (Member) \$22.00/day (Nixa Resident) \$27.00/day (Non-Nixa Resident)	Registration fee per day needed for camp.
Afterschool Archery	\$25.00/session (Nixa-Resident) \$27.00/session (Non-Nixa Resident)	Registration fee per session. (6 classes)
Adult Dance Class	\$45.00/individual \$75.00/couple	Registration Fee paid per session. (6 classes)
Aquatics Fees – Parks and Recreation		
Fee Name	Fee Amount	Fee Description
Open Swim	\$5.00 (Nixa Resident) \$6.00 (Non-Nixa Resident)	Daily General Swim Admission

Splash Time	\$3.00/person *Ages 8 and under	Daily Splash Time Admission (Mon. – Thurs. & Saturday)
Lap Swim	\$3.00/person	Daily Lap Swim Admission (Mon. – Thur. & Saturday)
Pre-Season Pool Pass	\$110.00/person; additional person within the same household \$25.00 (Member and Nixa Resident) \$125.00/person; additional person within same household \$35.00 (Non- Members and Non-Nixa Resident)	Valid through May 14 th . Rates increase per person \$15.00 and additional persons \$10.00. Excluding the member rates. Season Pass Registration Rate
Punch Pass	\$45.00 (Nixa Resident) \$55.00 (Non-Nixa Resident)	Pass Registration for 10 Pool Visits.
Pool Parties	\$110.00 (90 minute rental)	Umbrella reservation fee for a party for up to 20 guests.
Jr. Lifeguard Training	\$32.00 (Member) \$37.00 (Nixa Resident) \$44.00 (Non-Nixa Resident)	Registration Fee for session. (8 classes)
Swim Team	\$60.00 (Member) \$65.00 (Nixa Resident) \$70.00 (Non-Nixa Resident)	Registration Rate per session.
Aqua Exercise	\$45.00 (Member) \$50.00 (Nixa Resident) \$60.00 (Non-Nixa Resident)	Registration Fee per session.

	*Silver Sneaker and Renew Active members free with visit check in.	
Swim Lessons	\$42.00 (Member) \$47.00 (Nixa Resident) \$55.00 (Non-Nixa Resident)	Registration Fee per session. (8 classes)

Community Events – Parks and Recreation

Fee Name	Fee Amount	Fee Description
Father Daughter Dance (Pre-Registration)	\$25.00 (Member) \$30.00 (Nixa Resident) \$35.00 (Non-Resident) \$10.00 for each additional child.	Registration fee includes admission for one parent and one child.
Father Daughter Dance (Day of Registration)	\$30.00 (Member) \$35.00 (Nixa Resident) \$40.00 (Non-Resident) \$10.00 for each additional child.	Registration fee includes admission for one parent and one child.
Indoor Garage Sale	10x10 Space - \$20.00 10x15 Space - \$30.00 Table Rental - \$5.00/table	Booth Registration per space.

Sports – Parks and Recreation

Fee Name	Fee Amount	Fee Description/Code Section
Fall Basketball	\$42.00 (Member) \$47.00 (Nixa Resident) \$55.00 (Non-Resident) \$10.00 additional fee for late registrations.	Registration Fee per season. (6 game schedule)

Winter Basketball	<p>\$42.00 (Member)</p> <p>\$47.00 (Nixa Resident)</p> <p>\$55.00 (Non-Resident)</p> <p>\$10.00 additional fee for late registrations.</p>	Registration Fee per season. (6 game schedule)
Spring Soccer	<p>\$42.00 (Member)</p> <p>\$47.00 (Nixa Resident)</p> <p>\$55.00 (Non-Resident)</p> <p>\$10.00 additional fee for late registrations.</p>	Registration Fee per season. (6 game schedule)
Fall Soccer	<p>\$42.00 (Member)</p> <p>\$47.00 (Nixa Resident)</p> <p>\$55.00 (Non-Resident)</p> <p>\$10.00 additional fee for late registrations.</p>	Registration Fee per season. (6 game schedule)
Spring Volleyball	<p>\$42.00 (Member)</p> <p>\$47.00 (Nixa Resident)</p> <p>\$55.00 (Non-Resident)</p> <p>\$10.00 additional fee for late registrations.</p>	Registration Fee per season. (6 game schedule)
Fall Volleyball	<p>\$42.00 (Member)</p> <p>\$47.00 (Nixa Resident)</p> <p>\$55.00 (Non-Resident)</p> <p>\$10.00 additional fee for late registrations.</p>	Registration Fee per season. (6 game schedule)
Baseball/Softball/T-Ball Session 1	<p>\$42.00 (Member)</p> <p>\$47.00 (Nixa Resident)</p>	Registration Fee per season. (6 game schedule)

	\$55.00 (Non-Resident) \$10.00 additional fee for late registrations.	
Baseball/Softball/T-Ball Session 2	\$42.00 (Member) \$47.00 (Nixa Resident) \$55.00 (Non-Resident) \$10.00 additional fee for late registrations.	Registration Fee per season. (6 game schedule)
Flag Football	\$42.00 (Member) \$47.00 (Nixa Resident) \$55.00 (Non-Resident) \$10.00 additional fee for late registrations.	Registration Fee per season. (6 game schedule)
Tennis Lessons	\$50.00/session	Registration Fee per session (4 classes)
<u>Fitness – Parks and Recreation</u>		
Fee Name	Fee Amount	Fee Description
Personal Training	One Session - \$20.00 (1/2 hour); \$35.00 (1 hour) Ten Sessions - \$180. (1/2 hour); \$315.00 (1 hour)	Registration Fee per session
Nutrition Coaching	One Session - \$55.00 Four Sessions - \$150.00 Eight Sessions - \$295.00	Registration Fee per session. Sessions are 1 hour
<u>Room Rentals – Parks and Recreation</u>		
Fee Name	Fee Amount	Fee Description
James Room	\$15.00 (Member) \$25.00 (Non-Member)	Per hour reservation fee.
Finley Room	\$15.00 (Member) \$25.00 (Non-Member)	Per hour reservation fee.

Osage Room	\$35.00 (Member) \$45.00 (Non-Member)	Per hour reservation fee.
James & Finley Room	\$30.00 (Member) \$50.00 (Non-Member)	Per hour reservation fee.
Missouri Room	\$25.00 (Member) \$35.00 (Non-Member)	Per hour reservation fee.
Mississippi Room	\$25.00 (Member) \$25.00 (Member)	Per hour reservation fee.
Missouri & Mississippi Rooms	\$50.00 (Member) \$70.00 (Non-Member)	Per hour reservation fee.
Mississippi & Osage Rooms	\$60.00 (Member) \$80.00 (Non-Member)	Per hour reservation fee.
Community wing (Osage, Mississippi, and Missouri)	\$85.00 (Member) \$115.00 (Non-Member)	Per hour reservation fee.
Community wing half day.	\$400.00 (Member) \$580.00 (Non-Member)	6 hour block reservation fee.
Community wing full day	\$700.00 (Member) \$1,060.00 (Non-Member)	Full day reservation fee.

Annual Membership Fees – Parks and Recreation

Fee Name	Fee Amount	Fee Description
Family Membership	\$505.00 Paid in full or \$47.50 monthly	Annual or monthly EFT membership fee.
Adult Individual (18-59 years of age).	\$310.00 Paid in full or \$29.50 monthly	Annual or monthly EFT membership fee.
Senior Individual (60+ years of age).	\$200.00 paid in full or \$20.00 monthly.	Annual or monthly EFT membership fee.
Senior Couple	\$325.00 paid in full or \$30.00 monthly.	Annual or monthly EFT membership fee.

Youth Individual (17 or younger)	\$205.00 paid in full or \$20.00 monthly.	Annual or monthly EFT membership fee.
90-Day Membership	\$90.00/person paid in full only	90 consecutive day membership fee (no member discount benefits).
<u>Non-Member Daily Admission Fees – Parks and Recreation</u>		
Fee Name	Fee Amount	Fee Description
Adult Individual	\$6.00/day or \$54.00 for 10 day punch pass.	Per day visit fee, 10 visit punch card fee.
Youth Individual	\$4.00/day or \$36.00 for 10 day punch pass.	Per day visit fee, 10 visit punch card fee.
Senior Individual	\$4.00/day or \$36.00 for 10 day punch pass.	Per day visit fee, 10 visit punch card fee.
Family	\$15.00/day or \$135.00 for 10 day punch pass.	Per day visit fee, 10 visit punch card fee.
<u>Tot-Drop Fees – Parks and Recreation</u>		
Fee Name	Fee Amount	Fee Description
Tot-Drop	Free to Members. \$3.00/visit or \$24.00 for 10 day punch pass.	Non-member daily tot-drop fee.
<u>Miscellaneous Fees – Parks and Recreation</u>		
Fee Name	Fee Amount	Fee Description
Membership Change Fee	\$20.00	Fee for downgrading membership outside of renewal date.
Membership Cancellation Fee	\$30.00	Membership cancelation fee for canceling membership outside of renewal period.
Non-sufficient funds fee	\$25.00	Administrative fee for all returned payments.