

**AN ORDINANCE OF THE CITY OF HAMILTON, MISSOURI, ADOPTING THE COMPREHENSIVE FEE SCHEDULE FOR REGULATING AND ASSESSING SERVICE CHARGES; PROVIDING FOR COLLECTION OF FEES; AMENDING THE CITY OF HAMILTON CODE AND ZONING ORDINANCE IN CONFLICT WITH THE MASTER FEE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE FOR APPLICABLE CHANGES**

**WHEREAS**, staff of the City of Hamilton, Missouri has prepared and presented a Comprehensive Fee Schedule which lists the fees that are assessed to cover the costs associated with the efficient operation of the City and provision of services to applicants for certain licenses, permits, approvals and other services; and

**WHEREAS**, after careful study and due consideration of the financial plan for the provision of City services and to ensure that taxpayers of the City of Hamilton are not overly burdened with paying for the provision of City services directly related to services to one or few applicants for the same, the Board of Alderman has determined that the public welfare would be best served by adopting the Comprehensive Fee Schedule.

Be it ordained by the Board of Aldermen of the City of Hamilton, Missouri as follows:

**Section 1.** That the Comprehensive Fee Schedule attached hereto as Exhibit A and incorporated as if fully set forth herein, is hereby adopted.

**Section 2.** Section 40.030, Building Permit Fee of Chapter 40 Building Codes, Permits and Enforcement is hereby amended as follows:

**40.030. Building Permit Fee.** The City shall collect charges for a building permit to construct, enlarge or alter a structure; or change the occupancy of a building or structure requiring greater strength, exit way or sanitary provisions, or to install or alter any equipment for which provision is made or the installation of which is regulated by the code adopted in this section, except that ordinary repairs shall be exempt from these provisions. No Building Permit shall be issued until a building permit fee has been received by the City Clerk. The Building Permit Fee shall be in the amount set forth in the Comprehensive Fee Schedule.

**Section 3.** Section 40.240, Permit Application and Fees of Chapter 40A Grading, Erosion and Sediment Control is hereby amended as follows:

**40.240 Permit Application and Fees.** An application for a Land Disturbance Permit shall be submitted on the City's land disturbance application form provided by the Department and filed with the Department. Each land disturbance permit application shall be accompanied by a MoDNR land disturbance permit, a MoDNR state operating permit as well as an erosion and sediment control plan and a SWPPP both prepared by a

qualified professional engineer or person certified in erosion and sediment control meeting the provisions of this section, unless the requirement is specifically waived by the Director. The responsible party shall install and maintain BMPs in accordance with the land disturbance permit and SWPPP. The responsible party shall maintain a copy of the city's and MoDNR's land disturbance permits, the sediment and erosion control plan and the SWPPP on site. Major amendments of the erosion and sediment control plan shall be submitted to the City and shall be processed and approved, or disapproved, in the same manner as the original plans. Field modifications of a minor nature may be authorized by the City's inspector. The City shall collect a fee for the purpose of recovering administrative costs associated with processing applications, reviewing plans, issuing permits, conducting inspections and enforcing this section. Each applicant shall pay the applicable fee at the time of application. Such fees shall be established in the Comprehensive Fee Schedule and periodically adjusted by ordinance from time to time.

**Section 4.** Section 40.300, Streets and Rights of Way of Chapter 40B Excavation is hereby amended as follows:

**40.300. Streets and Rights of Way.** No excavation of any street, sidewalk, public right of way or other real property of the City shall occur unless an excavation permit is obtained from the City Clerk after the filing for an application permit on a form approved by the City Clerk. An excavation permit deposit or payment and performance bond is required before the City Clerk will issue an excavation permit allowing the permittee to dig or excavate on, in, through or under any street, sidewalk, public right of way or other real property of the City.

The amount of the deposit will be established in the Comprehensive Fee Schedule, except when the amount of the deposit is clearly inadequate to cover the cost of restoration then the City Administrator or Mayor may increase the amount of the deposit to an amount considered by the City Administrator or Mayor to be adequate to cover the restoration costs.

The amount of the bond shall be in an amount not less than \$5,000.00, except when the amount of the bond is clearly inadequate to cover the cost of restoration then the City Administrator or Mayor may increase the amount of the bond required to an amount considered by the City Administrator or Mayor to be adequate to cover the restoration and other costs. All bonds shall be held for 1 year from the date of the permit.

Each application shall be accompanied by proof of liability insurance from the applicant's contractor (or from the applicant if applicant is the contractor) performing the described work in the minimum amount of three hundred thousand dollars (\$300,000.00) per occurrence against all claims for damages arising from the prosecution of the work. The City shall be shown as an additional insured.

The Permittee is responsible for cleanup and restoration of the area excavated to the satisfaction of the City.

The City may deduct from the deposit or recover from the bond any expense to the City in restoring the surface of the excavation to its pre-excavation condition plus any costs incurred for cleaning of mud, debris, or other materials from the excavation site.

Failure to complete restoration of the excavation site within 30 calendar days of the permit date (or such longer period as is authorized by the City Administrator or Mayor) will result in forfeiture of the deposit or bond. Any unused part of the deposit

shall be returned to the applicant, without interest, after excavation is completely refilled and the excavation site is restored to its pre-excavation condition.

**Section 5.** Section 42.010, Permit Required of Chapter 42 – Demolition of Buildings is hereby amended as follows:

**42.010 Permit Required.** No person shall demolish, tear down or wreck any building or structure within the City without first obtaining a demolition permit therefore, issued by the Building Inspector. The cost of the demolition permit will be established in the Comprehensive Fee Schedule and shall be issued only after payment of the fee and completion of an application therefore giving such information as necessary to enforce the provisions of this Chapter.

**Section 6.** Section 43.010, Permit Required of Chapter 43 – Moving of Buildings is hereby amended as follows:

**43.010 Permit Required.** No person shall move or cause to be moved on or across any street any building or structure without first obtaining a permit to do so. The application for such permit shall include the height and size of the building to be moved and the complete route over which same is to be moved. The cost of the moving permit will be established in the Comprehensive Fee Schedule. Upon receipt of an application the City Clerk shall cause the application to be put on the agenda for the next regular meeting of the Board of Alderman.

**Section 7.** Section 63.020, License Required of Chapter 63 -- Fireworks is hereby amended as follows:

**63.020 License Required.** No fireworks shall be sold with a <sup>out</sup> license. The cost of the fireworks license will be established in the Comprehensive Fee Schedule and shall be issued only after payment of the fee and completion of an application shall be made and paid to the City Clerk.

**Section 8.** Section 73.210, Issuance of Licenses and Tags; Fee; Term of Chapter 73 – Subchapter B -- Dogs is hereby amended as follows:

**73.210. Issuance of Licenses and Tags; Fee; Term.** All licenses (which shall be in the form of a receipt) and license tags shall be issued by the City Clerk upon receipt of the following from the owner:

Such information as may reasonably be required to include the full name and residence address of the owner and the breed, sex, color, age and size of the dog to be registered, and

A fee established in the Comprehensive Fee Schedule and

Proof of vaccination of the dog to be registered against rabies within one year of the date of application for a license.

The Clerk shall keep a “City Dog Register” and shall enter the foregoing information in same for each dog registered, together with the date of registration

and the dog's registration number which shall correspond to the number stated in the license receipt and engraved on the license tag issued.

The term of all licenses issued hereunder shall be one year from July 1 to the next following June 30, and there shall be no proration of fees for partial year licenses, nor shall any refund be made of any license fee paid. All license fees shall be accounted for by the Clerk and deposited to the general fund of the City.

**Section 9.** Section 73.220, Clerk's Duties Regarding Notice and Registration of Chapter 73 – Subchapter B -- Dogs is hereby amended as follows:

**73.220 Clerk's Duties Regarding Notice and Registration.**

3. Proof of vaccination against rabies within the preceding year. If such an impounded dog is not redeemed after five (5) days and the owner does not sooner redeem it then the Animal Control Officer may, in his discretion, euthanize such dog or release it to any person other than the owner after such person's payment of a fee established in the Comprehensive Fee Schedule and proper registration and rabies vaccination of such dog.

**Section 10.** Section 73.610, Kennel Regulations of Chapter 73 – Subchapter B -- Dogs is hereby amended as follows:

**73.610 Kennel Regulations.**

(a) A license shall be issued to individuals requesting to operate a kennel within city limits for a fee established in the Comprehensive Fee Schedule.

**Section 11.** Section 73.402 License of Chapter 73 – Subchapter D -- Cats is hereby amended as follows:

**73.402. License**

The owner or person in charge of any cat which is more than four months of age and resides in the city shall annually register the cat as to sex, breed, description, name and address of the owner or person in charge, and the name of the cat if any. At the time of such registration, such owner or person in charge shall, upon providing proof of a valid rabies vaccination, obtain a license for such cat and shall pay a license fee as established in the Comprehensive Fee Schedule:

Upon the written recommendation of a licensed veterinarian, a waiver may be granted to the spay or neuter requirement when it is determined that age or health reasons may be reason for exemption.

Proof of alteration (spaying or neutering) may be accomplished by providing a proof of sterilization letter or certificate signed by a state licensed veterinarian who describes the pet by name, description, breed, color, age, gender and owner name.

At the time of registration under this article, such owner or person in charge shall obtain a license for such cat issued by the City and shall be issued a metal tag as evidence of such license. The license must be renewed each year on or before

July 1. Each person renewing a license more than 30 days after July 1 shall be charged a \$10.00 late fee. No valid license tag shall be issued for any cat until such cat has been inoculated against rabies in accordance with state law. The provisions of this section shall not apply to cats whose owners are nonresidents, temporarily within the city for a period not exceeding 30 days.

The owner or person in charge shall, at all times, keep the tag affixed to the cat. It shall be unlawful for any owner or person in charge to fail to comply fully with all requirements of this section by failing to obtain a license or otherwise. It shall also be unlawful for any person, except the owner or person in charge, or his agent, except for purposes of grooming or bathing, to remove a tag from a cat tagged under the provisions of this section. It shall be unlawful for any person to place an unissued tag upon any cat, to procure a tag from the City by fraud or misrepresentation, or to disfigure or alter the words or figures upon a tag.

**Section 12.** Section 76.1000, Utility Vehicles of Chapter 73 – Subchapter E – Utility Vehicles, Golf Carts is hereby amended as follows:

**76.1000. Utility Vehicles.**

2(a) Any individual operating a utility vehicle shall have a valid operator's or chauffeur's license, but is not required to pass an examination for the operation of a motorcycle and shall obtain a special permit from the City Clerk for a fee established in the Comprehensive Fee Schedule.

**Section 13.** Section 76.1002, All Terrain Vehicles of Chapter 73 – Subchapter E – Utility Vehicles, Golf Carts is hereby amended as follows:

**76.1002. All Terrain Vehicles.**

2. Operation on city streets. Person may operate an all terrain vehicle upon the streets, roads and alleyways of this City subject to the provisions of this Section. Any individual operating an all terrain vehicle shall obtain a special permit from the City Clerk for a permit fee established in the Comprehensive Fee Schedule.

**Section 14.** Section 88.040, License Fee Imposed of Chapter 88 – Business and Occupation Taxes and Licenses is hereby amended as follows:

**88.040. License Fee Imposed.** There is hereby levied and the City Collector shall hereafter collect, a business license fee from each applicant for a license. No license shall be issued until the fee has been paid, and there shall be no proration for partial years. The business license fees are established in the Comprehensive Fee Schedule.

**Section 15.** 90.060 Deposits of Chapter 90 – Utilities in General is hereby amended as follows:

**90.060**

Before any utility service is furnished to any customer, a deposit to guarantee payment of all service charges when due shall be made. The deposits are established in the Comprehensive Fee Schedule.

**Section 16.** 90.080 Billing and payment of Chapter 90 – Utilities in General is hereby amended as follows:

**90.080**

3(e) Except as otherwise provided in this section, the city shall assess late charges against all delinquent accounts. If a customer's bill is not paid in full by the date payment is due, the bill for the next billing period shall include a late fee established in the Comprehensive Fee Schedule. Late charges shall not be assessed against the balance due on a delinquent account if the customer is current on the payments required by a settlement agreement for the account.

**Section 17.** 90.081 Penalty Charge of Chapter 90 – Utilities in General is hereby amended as follows:

**90.081 Penalty Charge**

A penalty fee established in the Comprehensive Fee Schedule will be added to all delinquent utility bills if not paid by the end of business (5:00 p.m.) on the 20<sup>th</sup> day of the month.

**Section 18.** 90.100 Disconnect/Reconnection Fees of Chapter 90 – Utilities in General is hereby amended as follows:

**90.100 Disconnect/Reconnection Fees**

(1) A disconnection fee established in the Comprehensive Fee Schedule shall be charged a customer's account when a worker is dispatched to disconnect the customer's water or sewer service for nonpayment.

(2) A reconnection fee established in the Comprehensive Fee Schedule shall be charged a customer's account when water or sewer service is reconnected.

**Section 19.** 91.010 Water Service Furnished Solely by City; Connections, Fee and Responsibility for Lines of Chapter 91 – Use of Public Water System, and Installation and Connection of Water System is hereby amended as follows:

**91.010 Water Service Furnished Solely by City; Connections, Fees and Responsibility for Lines.**

**WATER TAP FEES.**

**B. FEES.**

1. In City Limits. The tapping fee for a ¾ inch waterline for service locations inside city limits will be established in the Comprehensive Fee Schedule per tap. The fee for a 1 inch waterline will be established in the Comprehensive Fee Schedule per tap. If

the waterline requirements are greater than 1 inch, any additional costs for the installation and/or connection of the same will be at the sole expense of the user/consumer. The user/consumer will be solely responsible for any and all additional expenses related to the connection to the City's waterline, including but not limited to tapping saddle, piping to connect to the City's waterline, backfill, and road repairs caused by any digging and/or boring activities.

2. Outside City Limits. The tapping fee for a ¾ inch waterline for service locations outside city limits will be established in the Comprehensive Fee Schedule per tap. The fee for a 1 inch waterline will be established in the Comprehensive Fee Schedule per tap. If the waterline requirements are greater than 1 inch, any additional costs for the installation and/or connection of the same will be at the sole expense of the user/consumer. The user/consumer will be solely responsible for any and all additional expenses related to the connection to the City's waterline, including but not limited to tapping saddle, piping to connect to the City's waterline, backfill, and road repairs caused by any digging and/or boring activities.

3. Inspection Fees. Inspection fees will be established in the Comprehensive Fee Schedule for connections to serve locations inside and outside city limits.

**Section 20.** 92.050 Application for connections to public sewer; Permit required; Fees of Chapter 92 – Sewers and Drainage is hereby amended as follows:

**92.050 Application for connections to public sewer**

**B. FEES.**

1. In City Limits. A per tap tapping fee will be established in the Comprehensive Fee Schedule to connect to the city sewer for service locations inside the city limits.

2. Outside City Limits. A per tap tapping fee will be established in the Comprehensive Fee Schedule to connect to the city sewer for service locations outside the city limits.

All other costs and expenses incident to the installation and connection of the sewer shall be borne by the owner, who shall indemnify the City for any loss or damage directly or indirectly caused by the connection of the sewer to the public sewer.

**Section 21.** That all ordinances or parts of ordinances therefore enacted which are in conflict herewith is hereby repealed.

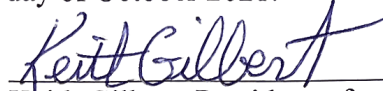
**Section 22.** It is the intent of the Board of Aldermen that this amendment be made a part of the City Code and such inclusion shall have the same force and effect as if the ordinance had been included in the original code at the time of its adoption by the Board of Aldermen.

**Section 23.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

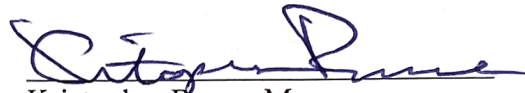
**Section 24.** This ordinance shall be in full force and effect from and after the date of its passage and approval.

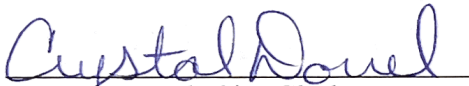
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 13<sup>th</sup> day of October 2021.

  
\_\_\_\_\_  
Keith Gilbert, President of  
Board of Aldermen

Approved this 13<sup>th</sup> day of October 2021.

  
\_\_\_\_\_  
Kristopher Bruce, Mayor

Attest:   
\_\_\_\_\_  
Crystal Dorrel, City Clerk





# Exhibit A

## City of Hamilton

### Comprehensive Fee Schedule

Fee Type		Fee
<b>Building Permits</b>	New Construction and Remodels, Accessory Buildings, Garages, Decks, Gas Lines, Mechanical Roofing, Water & Sewer, etc.	
	Cost of Construction	
	\$0 - \$1,000	\$15
	\$1,001 - \$2,000	\$20
	\$2,001 - \$3,000	\$25
	\$3,001 - \$4,000	\$30
	\$4,001 - \$5,000	\$35
	\$5,001 - \$6,000	\$40
	\$6,001 - \$7,000	\$45
	\$7,001 - \$8,000	\$50
	\$8,001 - \$9,000	\$55
	\$9,001 - \$12,000	\$65
	\$12,001 - \$15,000	\$75
	\$15,001 - \$20,000	\$90
	\$20,001 - \$25,000	\$105
	\$25,001 - \$30,000	\$120
	\$30,001 - \$35,000	\$135
	\$35,001 - \$40,000	\$150
	\$40,001 - \$50,000	\$165
	\$50,001 - \$55,000	\$180
	\$55,001 - \$60,000	\$195
	\$60,001 - \$70,000	\$215
	\$70,001 - \$75,000	\$225
	\$75,001 - \$80,000	\$235
	\$80,001 - \$90,000	\$250
	\$90,001 - \$100,000	\$265

Over \$100,000 = \$265 + \$3 for each additional \$1,000 or fraction thereof.

Late Fee: \$50.000 in addition to Permit fee, if construction has begun prior to obtaining permit

Land Disturbance Permit	\$50.00
Excavation Permit	\$450.00
Demolition Permit	\$10.00
Moving Building Permit	\$10.00
Plat filing fee	\$10.00

<b>Animal Fees</b>	Dog (Spayed/Neutered)	\$5.00
	Dog (Unaltered)	\$10.00
	Impoundment fee	\$5.00
	Kennel License	\$500.00
	Cat (Spayed/Neutered)	\$10.00
	Cat (Unaltered)	\$30.00
<b>ATV/UTV</b>	Annual license fee	\$15.00
<b>Business License</b>	Junkyard	\$100.00
	Retail sales of intoxicating liquor in the original package of not less than eight ounces but for which the liquor shall not be consumed, nor the original package opened, upon the business premises	\$75.00
	Retail sales of malt liquor by the drink for consumption on the business premises	\$52.50
	Retail sales of malt liquor, but not for resale, in the original package and quantities of not less than three standard bottles of beer, which malt liquor is not consumed, nor the original package opened, upon the business premises	\$27.50
	All other businesses	25.00
	<b>Utilities</b>	Residential Property Owner deposit (current on all taxes owed to the City)
	Residential Property Owner deposit (delinquent on any taxes owed to the City)	\$300.00
	Residential Rental Customers deposit (current on all taxes owed to the City)	\$300.00
	Residential Rental Customers deposit (delinquent on any taxes owed to the City)	\$450.00
	Commercial Establishments or Multi Water User Structures to meet one of the provisions listed in Chapter 90, Section 90.060	
	Delinquent Fee	\$25.00
	Disconnect Fee	\$20.00

	Reconnect Fee	\$60.00
<b>Water</b>	Tapping Fee	
	Inside City	
	¾ inch	\$450.00
	1 inch	\$675.00
	Larger	Sole expense of user/consumer
	Outside City	
	¾ inch	\$550.00
	1 inch	\$775.00
	Larger	Sole expense of user/consumer
		Inspection fee
	Inside City Limits	\$50.00
	Outside City Limits	\$75.00
	Transmitter replacement on meter due to owner negligence	\$75.00
	Meter Tampering	
	First offense	\$100.00
	Second offense	\$200.00
	Manual Meter Reading	\$25.00
<b>Sewer</b>	Tapping Fees	
	Inside City Limits	\$100.00
	Outside City Limits	\$200.00
<b>Zoning</b>	Zoning Map Amendments	\$25.00
	Appeal/Variance Fee	\$10.00
	Conditional Use Permit	\$75.00