

POSITION PAPER

CONSOLIDATED CITYWIDE FEE SCHEDULE

City of Tontitown, Arkansas

September 20, 2026

PURPOSE

This proposal began with a straightforward concern raised through conversations with Tontitown citizens: it should not be unnecessarily difficult for a resident, builder, contractor, business owner, or other applicant to determine what fees the City will charge for a particular activity.

The problem became particularly apparent when attempting to determine the complete City charges associated with construction of a single-family residence. A citizen may encounter a building permit fee, impact fees, utility-related fees, inspection charges, and other applicable costs that are established in different portions of the Municipal Code or calculated under different provisions.

After discussions involving the Planning Department and City Attorney, the issue was broadened beyond residential construction. The same problem can exist anywhere City fees are established in multiple ordinances, departments, applications, or schedules.

The City Attorney has therefore prepared an ordinance amending Chapter 155 to require a Consolidated Citywide Fee Schedule.

The objective is not to rewrite every fee ordinance. It is much simpler: a citizen should be able to go to one current City source and determine what the City charges, how a charge is calculated, what ordinance authorizes it, which department administers it, and when it must be paid.

THE CURRENT PROBLEM

The proposed ordinance expressly recognizes that City fees, charges, rates, permits, licenses, deposits, and other amounts are presently established throughout multiple provisions of the Municipal Code and other ordinances.

The attorney's draft therefore requires one consolidated reference identifying all current City fees and charges. The required schedule is intentionally broad and includes administrative, records, business-license, permit, public-safety, planning, zoning, subdivision, building, inspection, utility, sanitation, parks, recreation, facility-use, animal-control, and other departmental charges.

This is fundamentally a public-information and administrative-organization issue.

Citizens should not need detailed familiarity with the Municipal Code simply to answer the question: "What is this going to cost me at City Hall?"

For a single-family residence, that question illustrates the problem particularly well. A person may understandably ask for the "building permit fee" while not realizing that additional City charges may apply elsewhere in the Code.

The same problem can arise with businesses, utility customers, planning applicants, facility users, or anyone else required to pay a municipal charge.

WHAT THE PROPOSED ORDINANCE DOES

The ordinance requires the City to maintain the consolidated schedule on its official website.

For each applicable fee or charge, the schedule is to identify:

- the name of the charge;
- the current amount or method of calculation;

- the responsible department;
- the controlling Code or ordinance provision;
- the effective date of the displayed amount; and
- the time or event at which payment becomes due.

This provides something that the present arrangement often does not provide easily: the entire financial requirement in one understandable reference, together with the legal authority behind each charge.

IT DOES NOT GIVE STAFF AUTHORITY TO CHANGE FEES

An important safeguard in the attorney's draft is that the consolidated schedule is expressly defined as an administrative reference.

It does not independently create, amend, waive, accelerate, delay, or repeal a City fee.

If the consolidated schedule ever conflicts with the Municipal Code, another controlling ordinance, or applicable law, the controlling legal authority governs.

Likewise, creation of a new fee, elimination of an existing fee, or alteration of a fee or calculation method that is not already governed by an enacted automatic-adjustment formula continues to require appropriate City Council action.

That distinction is important. The proposal consolidates information. It does not transfer the Council's legislative authority to City employees.

AUTOMATICALLY ADJUSTED FEES

Some City fees are already required by ordinance to change according to an established formula or index.

That creates another source of confusion because the original amount printed in an ordinance may not necessarily be the amount currently being collected.

The proposed ordinance addresses this by requiring the consolidated schedule to reflect the current administratively adjusted amount and effective date. The City must also retain documentation identifying the authority for the adjustment and, where applicable, the index, adjustment factor, calculation, resulting amount, and effective date.

Before the schedule is initially published, the ordinance specifically requires the City to verify each amount against the official ordinance record and insert the current inflation-adjusted amounts required under §§155.03 and 155.04.

This creates both transparency and an audit trail.

A PARTICULARLY IMPORTANT PROVISION FOR PERMIT APPLICANTS

One provision directly addresses the citizen concerns that initially led to this discussion.

Whenever the Planning Department generates fees for a permit or application, the applicant must receive a complete written fee calculation or permit-fee summary.

That document must identify:

- each individual charge;
- the amount or calculation;
- the controlling legal authority; and
- when the charge is due.

The applicant is asked to acknowledge receipt of that information.

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Importantly, the attorney's draft expressly provides that the signature signifies receipt only. It does not constitute agreement with the calculation, waiver of any right, or proof of payment.

If the applicant declines to sign, staff simply documents when and how the information was provided. If the charges subsequently change, the applicant receives an updated summary.

For a citizen building a home, this means that instead of receiving scattered numbers or discovering additional charges at different stages of the process, the City provides a written explanation of the applicable charges and their authority.

That is a significant improvement in communication.

APPLICATIONS SHOULD NOT BECOME A SECOND FEE SCHEDULE

The ordinance also addresses another administrative problem.

Applications, worksheets, checklists, invoices, and other informational documents may calculate or identify fees, but they cannot independently establish or amend them.

Whenever practicable, those documents should refer applicants to the current consolidated schedule rather than permanently reproducing amounts that may later change.

This reduces the possibility that an old application form continues displaying an outdated fee after the controlling ordinance or an authorized annual adjustment has changed the amount.

The City therefore moves toward a much cleaner system: one controlling ordinance structure and one current public-facing schedule rather than multiple potentially inconsistent fee lists.

DEPARTMENTAL RESPONSIBILITY AND ACCOUNTABILITY

The ordinance also establishes responsibility for keeping the information current.

The Mayor designates the City official or employee responsible for coordinating, publishing, and maintaining the consolidated schedule.

Each department remains responsible for verifying the fees it administers and promptly reporting an authorized change.

This is preferable to leaving responsibility undefined and assuming that someone will eventually notice that an online application, departmental form, or fee sheet is outdated.

EXISTING AUTHORITY REMAINS IN PLACE

The proposed ordinance also carefully avoids changing the respective responsibilities of City officials.

It expressly states that nothing in the new section transfers or changes authority concerning approvals, inspections, enforcement, permit issuance, certificates of occupancy, collections, or other duties already assigned elsewhere in the Municipal Code.

Accordingly, this proposal is not intended to restructure the Planning Department, Building Official, administration, or other departments.

It addresses how City fee information is organized and communicated, not who possesses substantive regulatory authority.

PRACTICAL RESULT

The value of this ordinance can be summarized with a simple example.

A citizen contemplating construction of a single-family residence should not have to search multiple chapters of the Municipal Code, several applications, and different departmental materials to determine the City's charges.

Under the proposed system, that citizen should be able to:

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1. consult one current City fee schedule;
2. identify each potentially applicable charge;
3. see the amount or calculation;
4. identify the ordinance authorizing it;
5. determine when payment is required; and
6. receive a written permit-fee calculation from the Planning Department identifying the actual charges applicable to the application.

The same principle applies to a business license, zoning application, utility charge, recreation fee, public-safety charge, records fee, or another municipal charge.

CONCLUSION

The proposed ordinance addresses a basic governmental responsibility: citizens should be able to determine, without unnecessary difficulty, what their municipal government requires them to pay and the legal authority for requiring that payment.

The proposal does not independently raise fees, eliminate fees, or give administrative staff authority to establish new charges.

Instead, it creates a common reference point, requires the information to remain current, preserves the underlying ordinances as the controlling authority, documents automatic adjustments, identifies departmental responsibility, and provides Planning Department applicants with a written breakdown of the charges applicable to their particular application.

The ordinance therefore addresses the original citizen concern without unnecessarily rewriting the City's substantive fee ordinances or altering existing departmental authority.

At its core, the proposal is about clarity, consistency, transparency, and accountability in the presentation of City fees to the public.