

ORDINANCE NO. 2022-28

AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 98 (ENTITLED "SUBDIVISIONS") BY AMENDING APPENDIX "A" (ENTITLED "PERMIT FEES") TO SET FEES FOR APPLICATION REVIEWS BY THE STAFF CITY ENGINEER; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Texas Local Government Code Chapter 212, City Council adopted regulations addressing the subdivision of land within the corporate limits and extraterritorial jurisdiction; and

WHEREAS, the review of permit applications, in many instances, requires the expertise of a professional engineer; and

WHEREAS, the current application fee structure was established to assure the City was reimbursed for costs associated with engaging a consulting engineer to review applications; and

WHEREAS, the City hired a City Engineer whose responsibility includes review of permit applications; and

WHEREAS, City Council determined the Subdivision Applications Fee Schedule requires adjustment to accommodate situations where applications will be reviewed by the City Engineer and situations when the City Engineer, due to work load or other factors, refers an application to a consulting engineer; and

WHEREAS, City Council, finds, determines, and declares that publication of notice of this Ordinance, as required by Section 3.14 of the City Charter and the laws of the State of Texas, was made by the City Secretary within the period prescribed by Section 3.14; and.

WHEREAS, City Council, finds, determines, and declares that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given as required by Chapter 551 of the Texas Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section one. Amendment. The Code of Ordinances, Chapter 98 (entitled "*Subdivisions*") is hereby amended by replacing the entire text in Appendix A (entitled "Fee Schedule") with the text set out below:

CHAPTER 98—APPENDICES

APPENDIX A – PERMIT FEES

TYPE APPLICATION	FEES	CITY ENGINEER REVIEW COSTS*	CITY CONSULTING ENGINEER REVIEW COSTS**
Preliminary Plat	\$425.00 + \$10.00 per lot + Current USPS costs + Engineer review costs	\$350.00 + \$30.00 per lot***	Amount consulting engineer invoices city + 15%
Construction Plans***	\$400.00 + Engineer review costs + Current USPS costs	Site Plan**** \$2,000.00 Subdivision \$3,000.00	Amount consulting engineer invoices city + 15%
Construction Plans Inspection and testing	1.5% of approved and certified engineer's estimate		
Final Plat	\$400.00 + \$10.00 per lot + \$75.00 GIS + Current USPS costs + Engineer review costs	\$350.00 + \$50.00 per lot***	Amount consulting engineer invoices city + 15%
Replat or Amended Plat	\$300.00 + \$10.00 per lot + \$75.00 GIS + Current USPS costs + Engineer review costs		Amount consulting engineer invoices city + 15%
Short Form Plat	\$200.00 + \$25.00 per lot + 75.00 GIS + Current USPS costs + Engineer review costs		Amount consulting engineer invoices city + 15%
Plat Vacation	\$100.00 + Estimated recording fees + Current USPS costs + Engineer review costs		Amount consulting engineer invoices city + 15%

Subdivision Variance	\$200.00 Each variance + Current USPS costs + Engineer review costs		Amount consulting engineer invoices city + 15%
Traffic Impact Analysis	\$200.00 + Engineer review fees		Amount consulting engineer invoices city + 15%

- * Applied if application is reviewed by City Engineer.
- ** Applied if application is reviewed by a consulting engineer engaged by the City.
- *** Fee for first three reviews. After third review applicant shall be required to pay additional review fees at a rate of one-third of the initial fees for each review.
- **** Site development review constitutes a review on a single parcel of land, not intended to be subdivided, and is not single family or two family. Subdivision development is what does not constitute Site Development and is a project that is subdivided and impacts two or more tracts or lots.

Section two. Findings. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section three. Penalty. A violation of this ordinance is unlawful and subject to City Code of Ordinances Sec. 1-6 (entitled "general penalty").

Section four. Cumulative. This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event Section 5, (entitled "Repealer") shall be controlling.

Section five. Repealer. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section six. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section seven. Publication. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

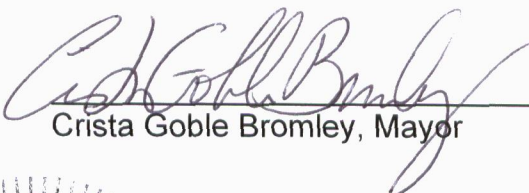
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Section eight. Effective Date. This Ordinance shall be effective upon the date of final adoption hereof and publication as required by law.


Passed on first reading on the 12th day of April 2022

Passed, Approved and Adopted on the 26th day of April 2022

CITY OF BURNET


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary

