

ORDINANCE NO. 2024-03

AN ORDINANCE AMENDING SECTION 5.03, “DEVELOPMENT FEES AND CERTIFICATES,” OF “ARTICLE 5, “FINAL PLAT AND CONSTRUCTION DOCUMENTS,” OF APPENDIX B, “SUBDIVISIONS,” OF THE SAGINAW CITY CODE BY CHANGING THE AMOUNT AND TIMING OF REVIEW AND INSPECTION FEES PAID TO THE CITY BY THE DEVELOPER; AMENDING THE MASTER FEE SCHEDULE BY ESTABLISHING REVISED CHARGES FOR PUBLIC WORKS INSPECTION FEES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas (the “City”) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City previously adopted regulations regarding development fees and certificates; and

WHEREAS, during the 88th regular session, the Texas Legislature adopted HB 3492, prohibiting certain value-based fees;

WHEREAS, the City Council previously adopted Ordinance 2023-27, establishing the City of Saginaw Fee Schedule, and now desires to amend said ordinance to repeal the affected value-based fees and establish new fees on the basis of HB 3492; and

WHEREAS, the City Council after due and careful consideration, considers it desirable and in the best interest of the health, safety, morals and general welfare to amend the regulations and fees related to public works review and inspection fees within the City; and

WHEREAS, the City Council deems it necessary and desires to amend the public works inspection fee to better compensate the City for the expense of these engineering review and inspections.

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

SECTION 1.

Section 5.03 of Article 5, “Final Plat and Construction Documents,” of Appendix B “Subdivisions,” of the Saginaw City Code is hereby amended by repealing paragraph A, amending paragraph B, and renumbering paragraphs B through D to be paragraphs A through C, to read as follows:

“Sec. 5.03. – Development fees and certificates.

- A. A review and inspection fee of \$300/ hour, with a minimum of 2 hours/day, shall be paid to the city by the developer. The city will issue an invoice to the developer monthly, unless an agreement is put in place during the pre-construction meeting requesting an alternate payment arrangement. All fees must be paid on/before the due date on the invoice. A letter of acceptance will not be granted until all fees have been paid. This fee is to compensate the city for the cost of up to two engineering reviews of construction plans and specifications (one initial review and a second review to verify that all original review comments have been addressed), and inspection of such improvements to be constructed within the subdivision. Any reviews in addition to the first two engineering reviews will not be covered by the fee discussed previously. The developer will be required to pay the city the extra costs associated with these additional reviews.
- B. The impact fees shall be assessed at the time of recordation of the final plat. The impact fees shall be collected at the time a building permit is issued on a lot-by-lot basis. The building permit for each lot shall not be issued without payment of the applicable impact fees.
- C. The final plat submittal shall include certificates from the city, school district and county tax collectors showing that all city, school district and county taxes on the land being subdivided have been paid to the current year."

SECTION 2.

The City Council hereby amends the line item "Public Works Inspection Fee" of the City's Master Fee Schedule, established by Ordinance No. 2023-27, as amended, to read as follows:

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Public Works Inspection Fee	\$ 300/ hour	Minimum of 2 hours per day.
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SECTION 3.

This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City and other applicable City ordinances, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the applicability of the conflicting provisions of such ordinances are hereby repealed.

SECTION 4.

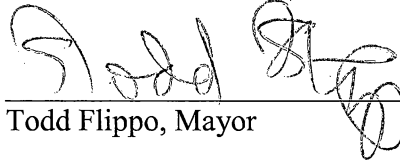
It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since

the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 5.

This Ordinance shall be in full force and effect from and after its passage and it is so ordained.

PASSED AND APPROVED THIS 20th **DAY OF** February, 2024.



Todd Flippo, Mayor

ATTEST:



Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:



Bryn Meredith, City Attorney

