

ORDINANCE NO. 2025-13

AN ORDINANCE OF THE CITY OF BRECKENRIDGE, TEXAS AMENDING CHAPTER 5 “BUILDINGS AND STRUCTURES, ARTICLE I “IN GENERAL”, SECTION 5-2 “CONSTRUCTION IN VIOLATION OF CODES; STOP-WORK ORDER” OF THE BRECKENRIDGE CODE OF ORDINANCES TO DOUBLE THE APPLICABLE PERMIT FEE IF WORK IS COMMENCED WITHOUT A PERMIT; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Breckenridge, Texas (the “City”) is a home-rule city operating pursuant to its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution;

WHEREAS, the City has “the power to enact and enforce ordinances necessary to protect health, life, and property, and to prevent and summarily abate and remove all nuisances within the city” pursuant to Section 3.2 of the City Charter;

WHEREAS, to that end, the City Commission of the City (the “City Commission”) adopted Chapter 5 of the Breckenridge Code of Ordinances to regulate buildings and structures within the City;

WHEREAS, Article I of said Chapter 5 adopts uniform building codes, which require that permits be obtained before certain work on buildings and structures is commenced; and

WHEREAS, Section 5-2 of said Article allows the City to stop work that is commenced in violation of an applicable building code, and the City Commission wishes to amend this Section to double the applicable building permit fee in cases where work is commenced before a permit is obtained.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS:

I. Amendment of Section 5-2. Chapter 5 “Buildings and Structures”, Article I “In General”, Section 5-2 “Construction in violation of codes; stop-work order” of the Breckenridge Code of Ordinances is amended to read as follows, and all articles, chapters, sections, paragraphs, sentences, phrases, and words not expressly amended hereby are hereby ratified and affirmed.

Sec. 5-2. Construction in violation of codes; stop-work order.

(a) Where construction or work on buildings or structures in the city is being done in violation of the provisions of this article or of the building codes adopted in section 5-1, or is being done in an unsafe or dangerous manner, the code enforcement official may order the work stopped by notice in writing served on the person or entity engaged in doing or causing such work to be done. Such person or entity will stop work until authorized to recommence by the building official.

(b) In addition to the powers provided to the City under section 5-2(a) above, a person or entity performing work prior to obtaining a permit for said work, when required by the building codes adopted in section 5-1, shall be responsible for paying twice the applicable permit fee contained in the Fee Schedule in Appendix A of this Code.

II. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Government Code.

III. Severability. The provisions of this Ordinance are declared to be severable. If any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this Ordinance, but they shall remain in effect notwithstanding the invalidity of any other part.

IV. Effective Date. This ordinance shall become effective immediately upon its adoption by the City Commission and after publication as required by Section 4.24 of the City Charter.

PASSED, APPROVED, AND ADOPTED on this the 1st day of July 2025.

Bob Sims, Mayor

ATTEST:

Jessica Sutter, City Secretary

S E A L