

**ORDINANCE NO. \_\_\_\_\_**

**A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, AMENDING THE FEE SCHEDULE ORDINANCE CSO #5565-09-2024; BY UPDATING THE AUTHORITY FOR ON-SITE SEWAGE FACILITY FEES IMPOSED BY THE CITY FOR THE ISSUANCE OF PERMITS AND INSPECTIONS FOR ON-SITE SEWAGE FACILITIES; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HERewith; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Burleson, Texas (“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 Council passed Ordinance CSO #5565-09-2024, which, among other things, provided a fee schedule that contained a list of all fees charged by the City (save and except water and wastewater impact fees which are wholly contained in a separate ordinance); and

**WHEREAS**, the City Council finds it necessary to clarify the authority for imposing fees for the issuance of permit and inspection fees for on-site sewage facilities established by Chapter 366 of the Texas Health and Safety Code; and

**WHEREAS**, the City conducted a public hearing and adopted a resolution or ordinance pursuant to Subchapter C, Texas Health and Safety Code, designating the City as the authorized agent with the authority to regulate the use of on-site sewage disposal systems in the City; and

**WHEREAS**, the City desires to amend the fee schedule as shown on the attached Exhibit “A”, which is and incorporated as part of this Ordinance (the “Incorporated Fee Schedule”); and

**WHEREAS**, the Incorporated Fee Schedule is intended to repeal and replace existing on-site sewage facility fees in conflict with the Ordinance CSO #5565-09-2024; and

**WHEREAS**, the City Council desires that the Incorporated Fee Schedule amends the current fee schedule by providing that on-site sewage facility fees shall be determined by the City, and all other fees not amended hereby shall remain in full force and effect; and

**WHEREAS**, the City Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of to amend its fee schedule as set forth herein.

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

## **SECTION 1.**

The City hereby adopts the Incorporated Fee Schedule, which is attached hereto as Exhibit “A” and is incorporated herein for all purposes, and such Incorporated Fee Schedule shall amend the current fee schedule by amending the on-site sewage facility fees to show that fees are determined by the City.

## **SECTION 2.**

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

## **SECTION 3.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

## **SECTION 4.**

The findings and recitals set forth above in the preamble of this Ordinance are incorporated into the body of this Ordinance as if fully set forth herein.

## **SECTION 5.**

It is hereby officially found and determined that the meetings at which this Ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meetings was given as required by law.

## **SECTION 6.**

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

**PASSED AND APPROVED ON this the \_\_\_\_ day of \_\_\_\_\_, 2025.**

**First Reading:** the \_\_\_\_ day of \_\_\_\_\_, 2025.

**Final Reading:** the \_\_\_\_ day of \_\_\_\_\_, 2025

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Chris Fletcher, Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

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Amanda Campos, City Secretary

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E. Allen Taylor, Jr., City Attorney

**EXHIBIT A**

2. On-site sewage facility fee		
A. New System		
1. Application Fee		\$0
2. Water research fee		\$10
3. Permit Fee		\$250
4. Total for new system		\$260
B. Reinspection of system		\$75
C. Repair of system previously permitted		\$100