

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF MISSION CODE OF ORDINANCES CHAPTER 98-SUBDIVISIONS, ARTICLE VI -FEES AND CHARGES, SECTION 98-272 – INSPECTION FEES BY AMENDING THE FEES FOR SUBDIVISION INFRASTRUCTURE INSPECTIONS FOR GEOTECHNICAL LAB TESTING; PROVIDING REPEALER CLAUSE; PROVIDING SEVERABILITY CLAUSE; PROVIDING EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, The City of Mission is a home-rule municipality possessing the full power of local self-governance pursuant to Article XI, Section 5 of the Texas Constitution; and

WHEREAS, Pursuant to the laws of the State of Texas, including Section 51.001 of the Texas Local Government Code, the City Council has the authority to adopt an ordinance that, among other things, is good government peace or order of Mission; and

WHEREAS, The Planning and Zoning Commission has reviewed the proposed amendment and has recommended approval; and

WHEREAS, The City Council of the City of Mission finds that it is in the best interest of the citizens of Mission to amend the Code of Ordinances as set forth below:

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

SECTION 1: That the City of Mission Code of Ordinances, Chapter 98-Subdivisions, Article VI -Fees and Charges, Section 98-272 – Inspection Fees is hereby amended by adding the language underlined (added) and deleting the language that is stricken to read in full as follows:

- (a) A fee for the inspection of the subdivision improvements shall be paid so that the city gets a full reimbursement for the expenses associated with conducting such inspections. The inspection fee shall be \$85.00 per hour per inspection. If multiple city employees attend an inspection at the same time the fee shall be \$85.00 per hour for each person present during the inspection. Inspections will be invoiced at the minimum 1-hour call and rounded up to the nearest hour. The fees shall be invoiced by Planning Department staff on a monthly basis to the developer or the engineering firm of record.
- (b) For the geotechnical lab testing fees associated with the proper acceptance of public infrastructure the geotechnical firm, under contract with the city, shall provide a cost estimate for their total fees after review of the approved construction plans. The cost estimate provided by the firm shall be paid by the developer in order to obtain a notice to proceed with the infrastructure construction. ~~Any additional testing fees, due to initial failed tests, shall be paid to the firm separately by the developer.~~ In addition to the cost estimate for lab testing, the developer shall also pay a contingency fee equal to fifteen percent (15%) of the cost estimate to cover the cost of any failed tests. After the

subdivision is approved and recorded, and after paying all outstanding invoices for lab testing, any unused funds will be refunded to the developer.

SECTION 2. REPEALER All ordinances or parts of ordinances in conflict herewithin are hereby repealed.

SECTION 3. SEVERABILITY If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and any remaining provision shall continue in effect notwithstanding the invalidity of such section, subsection, clause, phrase or portion.

SECTION 4. EFFECTIVE DATE This ordinance shall take effect immediate upon its passage and publication as required by law.

PASSED, APPROVED, AND ADOPTED THIS ____ day of _____, 2026, at a regular meeting of the City Council Elective Commission of the City of Mission, Texas at which a quorum was present and which was held in accordance with the TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF MISSION

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

APPROVED AS TO FORM:

City Attorney