

**ORDINANCE NUMBER 26-537**

**AN ORDINANCE OF THE CITY OF RICHWOOD, TEXAS, AMENDING CHAPTER 12, SECTION 12-232 OF THE CODE OF ORDINANCES, “LIEN FOR WORK OR IMPROVEMENTS, PROCEDURE FOR FIXING,” TO AUTHORIZE RECOVERY OF LIEN FILING AND ADMINISTRATIVE COSTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Richwood is authorized under state law, including the Texas Health and Safety Code, to abate conditions that endanger public health, safety, and welfare and to recover the costs of such abatement; and

**WHEREAS**, Section 12-232 of the Code of Ordinances of the City of Richwood currently authorizes the City to place a lien on property to recover expenses incurred for certain work or improvements and to collect interest on those expenditures; and

**WHEREAS**, the City Council finds it necessary and in the public interest to clarify that costs incurred by the City in filing, recording, releasing, and enforcing such liens, including county clerk filing fees and administrative expenses, may also be recovered from the property owner; and

**WHEREAS**, this amendment is intended to clarify existing enforcement authority, ensure consistency with state law, and protect the City’s ability to fully recover costs incurred in connection with lien enforcement;

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

**Section 1:** That Chapter 12, Section 12-232 of the Code of Ordinances of the City of Richwood, Texas, is hereby amended to read as follows (additions underlined):

**Sec. 12-232. – Lien for work or improvements, procedure for fixing.**

The public works director or city health officer shall file with the county clerk a statement of expenses incurred under sections 12-130 and 12-131, giving the amount of such expense, the date on which such work was done or improvements made; and the city shall have a privileged lien on such lot or real estate upon which such work was done or improvements made to secure the expenditures so made, in accordance with the provisions of V.T.C.A., Health and Safety Code § 342.007; which such lien shall be second only to tax liens for street improvements. Such amount shall bear ten percent interest from the date such statement was filed. Such expenditures, and interest as aforesaid, suit may be instituted and recovery and foreclosure of such lien may be had in the name of the city; and the statement of expenses so made, as aforesaid or a certified copy thereof, shall be prima facie proof of the amount expended for such work improvements.

In addition to the expenses incurred for such work or improvements, the City of Richwood is authorized to assess and recover all costs incurred in filing, recording, releasing, or enforcing the lien, including but not limited to county clerk filing fees, administrative costs, postage, and notice expenses. Such costs shall be added to the lien amount and shall be recoverable in the same manner as the underlying expenditures and interest.

**Section 2:** Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance.

**Section 3: Effective Date**

This ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 9th day of February 2026.

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Michael Durham, Mayor

ATTEST:

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Kirsten Garcia, City Secretary