



AGENDA MEMO

Business of the City Council

City of Sweeny, Texas

Meeting Date	05/20/2025	Agenda Items	
Approved by City Manager		Presenter(s)	Administration
Reviewed by City Attorney	Yes	Department	Developmental Services
Subject	Discussion and possible action to Ordinance 25-106, amending or repealing contractor registration requirements, pursuant to the recent repeal of Chapter 114 by Ordinance 25-103; §91.40(B), §91.41(A), §112.03.		
Attachments / Supporting documents	Ord. 25-106 & Ord. 25-103		
Financial Information	Expenditure Required:	\$300 Estimated	
	Amount Budgeted:	N/A	
	Account Number:		
	Additional Appropriation Required:		
	Additional Account Number:		

Executive Summary

Council previously approved Ordinance 25-103, repealing Chapter 114 of the City Ordinances for contractor registration. That section has since been completely repealed by our codifying company, American Legal, and reflected online.

There are three other sections within our ordinances that reference Chapter 114 directly and must additionally be repealed and/or amended.

Ordinance 25-106 would be to remove both §91.40(B) & §112.03. Proposed to be repealed is shown by strikethrough below.

§ 91.40 UTILITY COMPANIES USING CITY RIGHT-OF-WAY.

(A) Utility companies and other users of the rights-of-way of the City of Sweeny, Texas, must abide by the city's ordinances and the rules and regulations established in this subchapter prior to performing any work in the right-of-way.

~~—(B) All users and occupants performing work or excavating in a city right-of-way shall register as a contractor in accordance with the City of Sweeny contractor registration ordinance found in § 114.03 of the Code of Ordinances of the city. The registration forms and fees required by this subchapter can be located on the city's website.~~

§ 112.03 COMPLIANCE.

~~—Roofing contractors and tree trimming contractors who are subject to this chapter shall comply with Chapter 114, Contractor Registration Ordinance of the city.~~

Additionally, to amend §91.41(A) to remove the registration portion, but leaving the additional requirements required by the LGC and PUC.

§ 91.41 RIGHT-OF-WAY PERMIT PROCEDURES.

(A) ~~After completing the registration provided above, all~~ right-of-way users, **other than certified telecommunications providers**, shall complete and submit a right-of-way permit application (a copy of which is attached as an exhibit to Ord. 109-22). In addition, the permit applicant must provide proof of liability insurance coverage in the amount of \$300,000 with the City of Sweeny being listed as an additional insured., ~~consistent with § 114.03 of the Code of Ordinances of the city.~~ A certified telecommunications provider shall meet ~~the bonding and insurance~~ requirements established in Tex. Local Gov't Code Chapter 283 in lieu of this division. If the application contains a request for lane closures, the applicant must also furnish a traffic control plan.

Recommended Action

To Approve Ordinance 25-106, amending and repealing the requirement for the registration of contractors.