

ORDINANCE NO. 3831

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AMENDING APPENDIX A, FEE SCHEDULE, OF THE NORTH RICHLAND HILLS CODE OF ORDINANCES TO ADJUST THE FEES CHARGED FOR PUBLIC WORKS CONSTRUCTION PLAN REVIEW AND INSPECTIONS (CHAPTER 98); PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Richland Hills, Texas (“the City”) is a home rule city acting under its power 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 88th Texas Legislature passed House Bill 3492, which is codified as Local Government Code Section 212.906, effective immediately, which prohibits certain value-based fees and requires municipalities to impose said fees based on the actual cost to the municipality; and

WHEREAS, staff analysis of rates and charges for certain fees charged for engineering plan review and construction inspection fees has determined that the associated fees should be adjusted; and

WHEREAS, the North Richland Hills City Council now desires to modify certain fees as set forth in Appendix A, Fee Schedule;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, THAT:

SECTION 1: The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

SECTION 2: That Appendix A, Fee Schedule, of the North Richland Hills Code of Ordinances be amended by adjusting the fees for inspection and plan review for construction of public infrastructure and/or the construction of private improvements as authorized by Section 98-91 and as set forth in **Exhibit A**, attached hereto and made a part of this Ordinance for all purposes to be effective after publication in accordance with applicable law, as set forth below:

(a) Table 8, Public Works Fees, shall be restated as the attached Table 8, Public Works Fees, Construction Plan Review and Inspection, Code of Ordinances Sec. 98-91, as set forth in **Exhibit A**.

SECTION 3: All other fees set forth in Appendix A not amended herein in this Ordinance remain unchanged and in full force and effect.

SECTION 4: This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 5: All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6: 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 or decree 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 7: This Ordinance shall be in full force and effect from and after its passage.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this 11th day of December, 2023.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Maleshia B. McGinnis, City Attorney

RECOMMENDED:

Caroline Waggoner, Assistant City Manager