

ORDINANCE NO. 2023 - 02-003-004

AN ORDINANCE OF THE CITY OF WHITE SETTLEMENT AMENDING CHAPTER 20 "FEES" OF THE CODE OF ORDINANCES, CITY OF WHITE SETTLEMENT, TEXAS IN ITS ENTIRETY; PROVIDING FOR THE ADOPTION OF FEES FOR CERTAIN CITY SERVICES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of White Settlement 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 has reevaluated its fees based on actual services and costs incurred by the City; and

WHEREAS, the City Council finds that the fee amendments contemplated by this ordinance are representative of the actual services provided and costs incurred by the City and deems it appropriate and in the best interest of the City to amend such fees.

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

SECTION 1.

Chapter 20 "Fees" of the of the Code of Ordinances, City of White Settlement, Texas is amended by amending Section 20-1 to read as follows:

"Sec. 20-1. - General provisions.

- (a) All persons, firms, corporations or other entities applying for permits, seeking licenses, seeking use of public property or otherwise becoming involved in an activity wherein a fee is proscribed by ordinance or regulator directive or rule shall be required to pay such fees as described in Section 20-2.
- (b) In addition to the fees listed in Section 20-2, the city council may adopt other ordinances from time to time establishing various fees for city services, activities, and uses.
- (c) It shall be a violation of this section to conduct any activity or commence any use for which the payment of a fee is required unless such fee has been paid."

SECTION 2.

Chapter 20 "Fees" of the of the Code of Ordinances, City of White Settlement, Texas is amended by entitling Section 20-2 as "20-2 Fee Schedule" and so that the body of the section reflects the fee schedule as shown on the attached Exhibit "A" to this ordinance.

SECTION 3.

Chapter 20 "Fees" of the of the Code of Ordinances, City of White Settlement, Texas is amended by amending Sections 20-3 through 20-16 to read as "Reserved".

SECTION 4.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of White Settlement, 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 5.

It is hereby declared to be the intentions 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 invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or 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 invalid or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

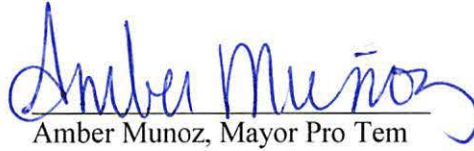
SECTION 7.

The City Secretary of the City of White Settlement, Texas, is hereby directed to publish this Ordinance in compliance with state law and the City's charter.

SECTION 8.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED THIS THE 7th DAY OF FEBRUARY 2023.

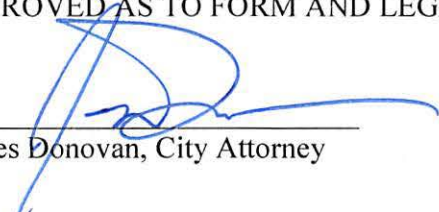

Amber Munoz, Mayor Pro Tem

ATTEST:


Amy Arnold
City Secretary



APPROVED AS TO FORM AND LEGALITY:


James Donovan, City Attorney