

**ORDINANCE NO. 2026-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING SECTION 100-20, CHANGING THE MEMBERSHIP COMPOSITION OF THE ROADWAY IMPACT FEE ADVISORY COMMITTEE IN ACCORDANCE WITH S.B. 1883; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the City of New Braunfels has established a Roadway Impact Fee Advisory Committee created pursuant to Chapter 395, Texas Local Government Code; and

WHEREAS, the ordinance setting forth the membership criteria and revised membership composition of the Roadway Impact Fee Advisory Committee complies with the requirements of Senate Bill 1883.

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

**SECTION 1. Amendment.**

That City of New Braunfels Code of Ordinances, Section 100-20 is hereby amended as follows with underlined font indicating added language and strikethrough font indicating deleted language:

**Sec. 100-20. Roadway Impact Fee Advisory Committee.**

- (a) The Roadway Impact Fee Advisory Committee ("advisory committee") shall consist of ~~seven~~ five persons appointed by a majority vote of the City Council. At least ~~four~~ three advisory committee members shall be representatives of the real estate, development, or building industry who are not employees or officials of a political subdivision or governmental entity. The ~~Mayor and~~ City Manager, or City Manager's designee, and the City Engineer, or City Engineer's designee shall serve as members of the advisory committee.
- (b) Each appointed member of the advisory committee shall be appointed for a term of three years, Vacancies for any reason other than the expiration of a committee member's expired term shall be filled only for the unexpired term of the vacancy and in accordance with subsection (a), above.
- (c) The functions of the advisory committee are those set forth in Local Government Code ch. 395, as amended, or any successor.
- (d) The city shall make available to the advisory committee any professional reports prepared in the development or implementation of the roadway improvements plan.
- (e) The advisory committee shall adopt procedural rules for carrying out its duties.

(Ord. No. 2013-69, § 1(Att. A), 11-11-13)

**SECTION 2: Repealer.**

All provisions of the New Braunfels Code of Ordinances, or other ordinances, whether codified or uncoded, in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the Code of Ordinances or other ordinances, codified or uncoded, not in conflict with the provisions of the ordinance shall remain in full force and effect.

**SECTION 3: Severability**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence or section of this ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence paragraph or section of this ordinance.

**SECTION 4: Savings Clause.**

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

**SECTION 5: Effective Date.**

This ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

**PASSED AND APPROVED:** First reading this 26<sup>th</sup> day of January, 2026.

**PASSED AND APPROVED:** Second reading this 9<sup>th</sup> day of February, 2026.

**CITY OF NEW BRAUNFELS**

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**NEAL LINNARTZ**, Mayor

**ATTEST:**

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**GAYLE WILKINSON**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney