

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING APPENDIX D “FEE SCHEDULE” OF THE NEW BRAUNFELS CODE OF ORDINANCES; RATIFYING AND ADDING FEES TO APPENDIX D; PROVIDING FOR SEVERABILITY, SAVINGS CLAUSE; REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texas Senate Bill 1008, passed in May of 2025, relates to state and local authority to regulate the food service industry; and

WHEREAS, Senate Bill 1008 states that cities or county governments cannot charge a fee for a permit that exceeds what the State of Texas Department of State Health Services charges; and

WHEREAS, Senate bill 1008 includes additional changes, including the categories of permit types and the removal of the requirement for certain establishments to be charged a related fee; and

WHEREAS, the proposed fee modifications aim to promote regulatory consistency and to simplify the permitting process; and

WHEREAS, the City Council of the City of New Braunfels desires to adopt the updates to Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances.

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

SECTION 1.

THAT the findings and recitations set out in the preamble to this Ordinance are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2.

THAT Appendix D, Fee Schedule, of the City of New Braunfels Code of Ordinances, is hereby amended with additions indicated with underlined font and deletions indicated with strikethrough font as follows:

APPENDIX D FEE SCHEDULE

Sec. A. Schedule of Fees.

| HEALTH AND FOOD SAFETY | |
|--|--|
| The fees in this section below are based on the number of employees. | |
| Type 1 (1—6 employees) | \$300.00 |
| Type 1 <u>2</u> (7—10 <u>1-6</u> employees) | \$470.00 <u>\$258.00</u> |
| Type 2 <u>3</u> (11—20 <u>7-14</u> employees) | \$650.00 <u>\$515.00</u> |
| Type 3 <u>4</u> (21 <u>15</u> and more employees) | \$790.00 <u>\$773.00</u> |
| Nonprofit (regardless of employee count) | \$18.00 <u>No Fee</u> |
| The fees in this section below are not based on the number of employees. | |
| Tavern | \$100.00 |
| Grocery | \$250.00 |
| Meat processor | \$100.00 |
| State-licensed adult or childcare facility | \$100.00 <u>No Fee</u> |
| <u>School Kitchen (operated by private company)</u> | <u>\$250.00</u> |
| <u>Request for Health Inspection</u> | <u>\$150.00</u> |
| Plan review fee (one-time fee) for all above permit types. | One-half of the full year annual food establishment permit to operate fee. |
| Other Fee Types | |
| Central prep facility | \$110.00 |
| Mobile food unit | \$250.00 |
| Adoption or foster inspection | \$50.00 |
| Farmers market | \$100.00 |
| Mobile food court | \$150.00 |
| Frozen dessert manufacturer | \$200.00 |
| Temporary retail frozen dessert manufacturer permit | \$50.00 |
| Frozen dessert permit reinstatement | \$100.00 |
| Reinspection fee (due to failure of inspection) | \$150.00 |
| Food est. application submitted after January 1 (Late fee) | \$65.00 <u>\$100.00</u> per permit type |
| Temporary food establishment | \$75.00 <u>\$52.00</u> |
| Temporary food establishment (nonprofit) | \$25.00 <u>No Fee</u> |
| Temporary food establishment multiple event permit | \$150.00 – 6 Events per year |
| Temporary food establishment multiple event permit (nonprofit) | \$75.00 – 6 Events per year <u>No Fee</u> |
| Temporary food establishment sampler permit (TCS) | \$25.00 - Single event \$75.00 - 6 Events per year. |
| Food Handler Card | \$15.00 |

SECTION 3.

THAT all provisions hereof are hereby declared to be severable and if any provisions hereof are declared to be invalid or unconstitutional, such shall not invalidate or affect the remaining provisions hereof which will be and remain in full force and effect.

SECTION 4.

THAT all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

SECTION 5.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office.

PASSED AND APPROVED: First reading this the _____ day of August, 2025.

PASSED AND APPROVED: Second reading this the _____ day of September, 2025.

CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, MAYOR

ATTEST:

GAYLE WILKINSON, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY