

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING SECTION 100-20, CHANGING THE MEMBERSHIP CRITERIA AND COMPOSITION OF THE ROADWAY IMPACT FEE ADVISORY COMMITTEE TO COMPLY 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, Senate Bill 1883 adopted during the 89th regular legislative session amended Texas Local Government Code Chapter 395 and was effective September 1, 2025; and

WHEREAS, the ordinance setting forth the membership criteria and composition of the Roadway Impact Fee Advisory Committee must be changed in order to comply with state law as amended by 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. ~~Advisory committee~~ Roadway Impact Fee Advisory Committee.

- (a) ~~Effective April 1, 2007, the planning commission shall serve as the roadway impact fee advisory committee~~
The Roadway Impact Fee Advisory Committee ("advisory committee") shall consist of seven persons appointed by a majority vote of the City Council. At least four 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, 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.
- ~~(b)(c)~~ The functions of the advisory committee are those set forth in ~~V.T.C.A.,~~ Local Government Code ch. 395, as amended, or any successor.
- ~~(c)(d)~~ The city shall make available to the advisory committee any professional reports prepared in the development or implementation of the roadway improvements plan.
- ~~(d)(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 24th day of November, 2025.

PASSED AND APPROVED: Second reading this 8th day of December, 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney