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**CITY OF SEABROOK  
ORDINANCE NO. 2019-19**

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**AMENDING THE CITY OF SEABROOK CITY CODE OF  
ORDINANCES TO UPDATE “APPENDIX B”  
“MASTER FEE SCHEDULE”**

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**AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, TO UPDATE “APPENDIX B”, ENTITLED “MASTER FEE SCHEDULE” BY ADDING EMERGENCY MEDICAL SERVICES FEES AND NOTARY PUBLIC SERVICES FEES; UPDATING AND AMENDING FEES FOR PUBLIC INFORMATION RECORDS, PARKS FACILITY RENTALS, PARK ENTRANCE, COMMUNITY DEVELOPMENT, RESIDENTIAL/COMMERCIAL CONSTRUCTION, CONTRACTOR REGISTRATION, BUILDING DEPARTMENT ADMINISTRATIVE, PLAN REVIEW, PUBLIC WORKS – STREETS, SANITATION/GARBAGE COLLECTION, AND UTILITY; MAKING FINDINGS OF FACT; REPEALING AND REPLACING ALL REFERENCES TO SUCH FEES AND CHARGES IN ALL ORDINANCES OR RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE AND EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Seabrook (“City Council”) seeks to provide for reasonable fees and charges for municipal services in order to recoup the cost of conducting municipal business on the public’s behalf without unduly relying on taxes; and

**WHEREAS**, the City Council approved Ordinance 2017-11 on April 4, 2017, establishing a Master Fee Schedule, in light of the municipal effort and resources that must be expended to operate, maintain, and provide services of the City of Seabrook to citizens, property owners, and parties doing business within the City; and

**WHEREAS**, the City Council finds that adoption of a Master Fee Schedule to consolidates all City fees and charges into one document to provide a single and convenient location for a list of all fees charged by the City of Seabrook; and

**WHEREAS**, the fees and charges approved and instituted by this ordinance are consistent with, and in accordance with, the annual budget for the City; and

**WHEREAS**, when new fees and/or charges are needed or required in order to abide by new legislation, such Master Fee Schedule will be amended and updated to include the necessary new fees and/or charges; and

**WHEREAS**, typographical errors found in the Master Fee Schedule will be corrected with each amendment and update of the Master Fee Schedule, and are found and corrected with the adoption of this Ordinance 2019-19; and

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48           **WHEREAS**, such amended and updated Master Fee Schedule is intended to repeal  
49 and replace all existing fees in conflict with the fee schedule listed on Appendix B attached  
50 and incorporated as part of this Ordinance, save and except water and wastewater impact fees  
51 which are wholly contained in a separate Ordinance.

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53           **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY**  
54 **OF SEABROOK, STATE OF TEXAS:**

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56           **SECTION 1. FINDINGS**

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58           The facts and matters set forth in the preamble of this Ordinance are hereby found to  
59 be true and correct.

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61           **SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE**

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63           The Seabrook City Code of Ordinances, is hereby amended to update  
64 “Appendix B”, entitled “Master Fee Schedule”, to add emergency medical  
65 services fees and notary public services fees, and to update and amend fees for  
66 public information records, parks facility rentals, park entrance, community  
67 development, residential/commercial construction, contractor registration,  
68 building department administrative, plan review, public works – streets,  
69 sanitation/garbage collection, and utility, as attached and incorporated herein  
70 into the City of Seabrook Code of Ordinances.

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72           **SECTION 3. REPEAL AND REPLACEMENT OF EXISTING FEES**

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74           The City Council hereby repeals and replaces all fees levied by the City of Seabrook  
75 in conflict with the fee schedule attached and incorporated herein as the attached Appendix  
76 B, subject to the provisions of this Ordinance. Said repeal and replacement shall be effective  
77 on October 1, 2019.

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79           **SECTION 4. INCORPORATION INTO THE CODE; PENALTY CLAUSE**

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81           This Ordinance is hereby incorporated into and made a part of the Seabrook City  
82 Code and violation of any provision hereof shall be subject to the penalty described in said  
83 Code, Section 1-15 “General Penalty; continuing violations”.

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85           **SECTION 5. CONSOLIDATING ALL FEES AND CHARGES FOR**  
86 **MUNICIPAL SERVICES INTO ONE DOCUMENT**

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88           All City fees and charges for municipal services are hereby intended to be  
89 consolidated into one document, Appendix B, so approved and attached and made a part of  
90 the Seabrook City Code of Ordinances and incorporated herein.

92           **SECTION 6. RESOLUTION OF CONFLICTING ORDINANCES AND**  
93 **PROVISIONS**

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95           In the event of a conflict or inconsistency between this ordinance and any other  
96 resolution, code or ordinance of the City, it is the intent that the fees and charges provided  
97 herein shall control, but not fees and charges made the basis of other specific provisions of  
98 the Code, which by way of illustration include but are not limited to the provisions of the  
99 Comprehensive Zoning Ordinance, Water and Wastewater Impact Fees Ordinance. Nothing  
100 adopted herein is intended to, in any way, nor shall any such provision be deemed to  
101 supersede or control over such provisions or any other fee or charge which may have been  
102 inadvertently omitted in this Ordinance.

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104           **SECTION 7. SAVINGS CLAUSE**

105           All rights and remedies of the City of Seabrook are expressly reserved and saved as to  
106 any and all provisions of any ordinance affecting fees of the City and to any and all  
107 violations of the provisions of any prior ordinance pertaining thereto which have accrued as  
108 of the effective date of this ordinance; and as to such accrued fees, collection activity,  
109 violations, and any pending litigation, both civil and criminal, whether pending in court or  
110 not, under such prior ordinances, same shall not be affected by this ordinance but may be  
111 prosecuted and pursued until final disposition.

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113           **SECTION 8. SEVERABILITY**

114           In the event any clause phrase, provision, sentence, or part of this Ordinance or the  
115 application of the same to any person or circumstances shall for any reason be adjudged  
116 invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect,  
117 impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the  
118 part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook,  
119 Texas, declares that it would have passed each every part of the same notwithstanding the  
120 omission of any such part thus declared to be invalid or unconstitutional, whether there be  
121 one or more parts.

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123           **SECTION 9. NOTICE**

124           The City Secretary shall give notice of the enactment of this Ordinance by promptly  
125 publishing it or its descriptive caption and penalty after final passage in the official  
126 newspaper of the City; the Ordinance to take effect upon publication.

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128           **PASSED AND APPROVED** with a quorum present, by an affirmative vote of a  
129 majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10  
130 on first reading, this **3rd day of September, 2019.**

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132           **PASSED AND ADOPTED** with a quorum present, by an affirmative vote of a  
133 majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10,  
134 on second and **final reading, this 17th day of September, 2019.**

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By: \_\_\_\_\_  
Thomas G. Kolupski  
Mayor

ATTEST:

By: \_\_\_\_\_  
Robin Lenio, TRMC  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven L. Weathered, City Attorney