

**ORDINANCE NO. 0219-2**

**AN ORDINANCE OF THE CITY OF LINDSAY, TEXAS, AMENDING THE FEE SCHEDULE TO INCLUDE FEES RELATED TO RIGHT-OF-WAY MANAGEMENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lindsay, Texas, is a Type A general law municipality located in Cooke County, created in accordance with Chapter 6 of the Local Government Code, and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City Council has previously adopted Ordinance No. 1018-2 adopting fees for administrative and certain other services provided to the members of the public and to the citizens of the City and that such fees should be established in a schedule of fees; and

**WHEREAS**, the City Council deems it appropriate to amend the fee schedule to include fees related to right-of-way management.

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

**SECTION 1.**

The City of Lindsay Official Fee Schedule is hereby revised to add the following fees:

<b>OTHER PERMIT FEES</b>	
<b>Permit</b>	<b>Fee</b>
Right-of-Way Excavation Permit	\$1 - \$1,000,000: 10% of the total cost of the Project, not to exceed \$5,000. \$1,000,001 - \$2,000,000: \$5,500. \$2,000,001 and above: \$6,000 plus an additional \$500 for each additional million dollars of project cost.
Right-of-Way Registration	\$100.00

**SECTION 2.**

This Ordinance shall be cumulative of all provisions of ordinances of the City of Lindsay, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 3.**

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

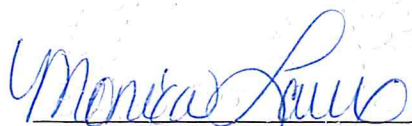
**SECTION 4.**

This Ordinance shall be in full force and effect after its passage and publication.

PASSED AND APPROVED ON THIS 11 DAY OF February, 2019.

  
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Scott Neu, Mayor

ATTEST:

  
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Monica Laux, City Secretary