

ORDINANCE NO. 2026-O-001

AN ORDINANCE OF THE CITY OF BLANCO, TEXAS, AMENDING ORDINANCE NO. 2025-O-008 RELATING TO PETITIONS FOR DISANNEXATION AND REQUESTS FOR RELEASE FROM THE CITY'S EXTRATERRITORIAL JURISDICTION TO PROVIDE FOR ADMINISTRATIVE PROCESSING FEES, TO BE INVOICED AFTER COSTS ARE INCURRED AT SPECIFIED HOURLY RATES SUBJECT TO MAXIMUMS; PROVIDING FOR ADMINISTRATION; PROVIDING THAT PETITION FILING DATES ARE UNAFFECTED BY FEE PAYMENT OR PROCESSING; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Blanco, Texas ("City"), is authorized and required under applicable provisions of the Texas Local Government Code, including Chapters 42 and 43, to receive and act upon petitions for disannexation and for release of land from the City's extraterritorial jurisdiction ("ETJ");

WHEREAS, administrative, planning, engineering, financial, mapping, and legal review by City staff, consultants, and the City Council is indispensable to the timely and accurate fulfillment of the City's responsibilities;

WHEREAS, City Council finds that it is in the best interest of the City to recover reasonable and actual administrative costs associated with the processing of such petitions, and to repeal any fixed, upfront application fees and instead impose post-incurred "administrative processing fees" calculated at hourly rates with maximums, in a manner that does not delay or affect statutory petition filing dates or municipal action timelines; and

WHEREAS, the City Council further finds that such administrative processing fees are reasonably related to staff time, public notice and hearing, document preparation, legal review, administrative handling, and council consideration, and that invoicing after costs are incurred at capped hourly rates aligns cost recovery with actual processing effort;

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

SECTION 1. LEGISLATIVE FINDINGS.

The findings and recitals set forth above are hereby adopted as findings of fact and legislative determinations of the City Council and incorporated into this Ordinance for all purposes.

SECTION 2. ADOPTION OF ADMINISTRATIVE PROCESSING FEES.

2.1 Administrative Processing Fees.

To support the City's administration, review and action on petitions for disannexation and requests for release from the City's ETJ, any prior reference by ordinance to a fixed application

fee is amended and replaced to provide for an “Administrative Processing Fee” on each such petition or request. These fees are intended solely to recover reasonable, actual administrative costs incurred by the City in processing such petitions and requests and shall not operate as a prerequisite to filing, receipt, or consideration of any petition.

2.2 Maximum Fee Amounts; Hourly Rates; Cost-Incurred Invoicing.

Petitions for disannexation: Administrative Processing Fees shall be invoiced in arrears based on actual time expended by City personnel and legal counsel, at hourly rates not to exceed \$100 per hour for City staff review and action, and \$150 per hour for attorney time, in a total amount not to exceed One Thousand Dollars (\$1,000.00) per petition, unless a lower cap is otherwise established by the City Administrator for good cause.

Requests for ETJ release: Administrative Processing Fees shall be invoiced in arrears based on actual time expended by City personnel and legal counsel, at hourly rates not to exceed \$100 per hour for City staff review and action, and \$150 per hour for attorney time, in a total amount not to exceed Two Hundred Fifty Dollars (\$250.00) per request, unless a lower cap is otherwise established by the City Administrator for good cause.

Invoicing shall occur periodically or upon conclusion of Council action on the petition/request, at the City’s discretion, and shall itemize any staff and attorney hours and applicable rates. No amount shall be invoiced until after the City has incurred the corresponding costs.

2.3 Additional Cost Controls.

The City Administrator shall promulgate administrative guidelines for timekeeping, rate application, and invoicing consistent with this Ordinance. Use of consultants shall be minimized where feasible; any consultant charges shall be billed at the applicable staff or attorney rate caps unless otherwise approved by the City Council in advance.

SECTION 3. APPLICATION FILING, RECEIPT, AND PROCESSING; NO PREREQUISITE PAYMENT.

3.1 Filing and Receipt Unaffected by Fees.

A petition or request under this Ordinance is deemed filed and received by the City upon delivery to the City Secretary or authorized designee, as applicable by law. Payment of any fee is not a condition of filing, receipt, completeness, or processing, and the statutory petition filing date and any statutory consideration timelines are unaffected by the timing of invoicing or payment.

3.2 Completeness for Review; No Upfront Payment Requirement.

Applications shall be considered complete for review and action if they otherwise satisfy applicable statutory and City content requirements. Payment or nonpayment of invoiced Administrative Processing Fees does not obligate the City Council to approve or deny the petition or application and does not delay or alter any statutory timeline for City action.

SECTION 4. WAIVER OR MODIFICATION OF ADMINISTRATIVE PROCESSING FEES.

The City Council may waive, reduce, or adjust Administrative Processing Fees imposed under this Ordinance where the Council determines, based on written findings of public necessity, equity, or hardship, that such waiver or modification serves the public interest. Any waiver or modification should, where feasible, be decided prior to final invoicing.

SECTION 5. SEVERABILITY; REPEAL OF INCONSISTENT PROVISIONS

If any word, phrase, clause, sentence, section, or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect, and it is the City Council's intent that the Ordinance would have been adopted without such invalid portion. Any provisions of prior Ordinance that are inconsistent with the provisions of this amended Ordinance are repealed.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED on this 13th day of January, 2026, by the City Council of the City of Blanco, Texas.

CITY OF BLANCO, TEXAS

By: _____

Mayor

ATTEST:

By: _____

City Secretary

