

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AMENDING APPENDIX A, "FEE SCHEDULE," TO THE TOWN'S CODE OF ORDINANCES BY REPEALING THE FOLLOWING EXISTING SECTIONS: SECTION I, "ENGINEERING INSPECTION FEES"; SECTION II, "BUILDING PERMIT/INSPECTION FEES"; SECTION IV, "SIGN-RELATED FEES"; SECTION V, "DEVELOPMENT FEES"; SECTION VIII, "MISCELLANEOUS"; SECTION X, "IMPACT FEES"; SECTION XII, "MUNICIPAL DRAINAGE UTILITY SYSTEM FEE SCHEDULE"; SECTION XIII, "PARKS AND RECREATION USER FEES"; SECTION XX, "HEALTH AND SANITATION FEES"; AND SECTION XXI, "MULTIFAMILY REGISTRATION AND INSPECTION FEES," AND REPLACING THEM WITH A NEW SECTIONS, AS FOLLOWS: SECTION I, "ENGINEERING SERVICES FEES"; SECTION II, "BUILDING PERMIT/INSPECTION FEES"; SECTION IV, "SIGN-RELATED FEES"; SECTION V, "DEVELOPMENT FEES"; SECTION X, "IMPACT FEES"; SECTION XII, "MUNICIPAL DRAINAGE UTILITY SYSTEM FEE SCHEDULE"; SECTION XIII, "PARKS AND RECREATION USER FEES"; SECTION XX, "HEALTH AND SANITATION FEES"; AND SECTION XXI, "MULTIFAMILY REGISTRATION AND INSPECTION FEES"; MAKING FINDINGS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

**WHEREAS**, the Town Council of the Town of Prosper, Texas ("Town Council"), has investigated and determined that, as a result of recent legislation as well as cost increases associated with services, including inspections, performed by the Town of Prosper, various fee amendments are necessary to Appendix A, "Fee Schedule," to the Town's Code of Ordinances; and

**WHEREAS**, the Town Council has reviewed the current and proposed fees and recommends the adoption of the revised fee schedule, as contained in Appendix A, "Fee Schedule," to the Town's Code of Ordinances.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:**

#### **SECTION 1**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

#### **SECTION 2**

From and after the effective date of this Ordinance, Section I, "Engineering Services Fees"; Section II, "Building Permit/Inspection Fees"; Section IV, "Sign-Related Fees"; Section V, "Development Fees"; Section VIII, "Miscellaneous"; Section X, "Impact Fees"; Section XII, "Municipal Drainage Utility System Fee Schedule"; Section XIII, "Parks and Recreation User Fees"; Section XX, "Health and Sanitation Fees"; and Section XXI, "Multifamily Registration and Inspection Fees," of Appendix A, "Fee Schedule," to the Town's Code of Ordinances are hereby repealed in their entirety and replaced with the following new Sections: Section I, "Engineering

Inspection Fees”; Section II, “Building Permit/Inspection Fees”; Section IV, “Sign-Related Fees”; Section V, “Development Fees”; Section X, “Impact Fees”; Section XII, “Municipal Drainage Utility System Fee Schedule”; Section XIII, “Parks and Recreation User Fees”; Section XX, “Health and Sanitation Fees”; and Section XXI, “Multifamily Registration and Inspection Fees,” to read as follows:

**“§ I. Engineering Services Fees.**

(a) Inspections:

- (1) The following engineering inspection fees are hereby adopted for all public infrastructure and related development:

Type	Fee
<b>Single-Family Residential Development</b>	\$2,000 base fee plus \$1,000 per platted lot
<b>Non-Residential Development</b>	\$2,000 base fee plus \$2,000 per final platted acreage
<b>Non-Residential Infrastructure</b> * = or as identified on preliminary site plan	\$2,000 base fee plus \$2,000 per conveyance* platted acreage
<b>Multi-Family Development</b>	\$2,000 base fee plus \$2,500 per final platted acreage
<b>Linear Utility</b> for offsite utilities outside of platted boundary ** = no base fee if done with platted development	\$2,000 base fee** plus Wastewater — \$5.00 per linear foot Water — \$5.00 per linear foot Storm Sewer — \$5.00 per linear foot
<b>Development Road</b> Separate from platted development ** = no base fee if done with platted development	\$2,000 base fee** plus \$5.00 per square yard of concrete surface
<b>Turn Lanes and Median Openings</b> ** = no base fee if done with platted development	\$2,000 base fee** plus \$5.00 per square yard of concrete surface
<b>Creek Stabilization</b> ** = no base fee if done with platted development	\$2,000 base fee** plus \$0.50 per square yard of disturbed area
<b>Saturday and After Hours Inspections</b>	\$500.00 per day

(b) Plan Review:

- (1) Residential Development: \$1,500.00 + \$100.00 per lot
- (2) Non-residential Development: \$1,500.00 + \$500.00 per acre
- (3) Multi-Family-residential Development: \$1,500.00 + \$50.00 per unit
- (4) After 3<sup>rd</sup> Submittal (4<sup>th</sup> or more) Plan Review Fee: \$1,000.00 each resubmittal

(c) Land Disturbance (without development):

- (1) Tracts one acre or less: \$100.00

- (2) Tracts greater than one acre: \$100.00 + \$25.00 per acre
- (3) Floodplain reclamation only: \$500.00 + \$25.00 per acre

(d) Land Disturbance (with development): \$200.00

(e) Floodplain Study Review: \$3,500.00 deposit (includes two reviews and one meeting) + \$250.00 non-refundable administrative fee. After third party billing, any remaining deposit not expended will be refunded.

(f) Stormwater

- (1) Re-inspection: \$100.00 per re-inspection
- (2) Notice of Violation: \$150.00
- (3) Lot Hold: \$150.00
- (4) Stop Work Order: \$150.00

## **§ II. Building Permit/Inspection Fees.**

(a) The building permit and inspection fees as follows are hereby for various construction-type projects in conjunction with, among others, residential, commercial and industrial structures prior to the start of construction. A determination of the valuation for any enclosed structure other than residential shall be determined at the discretion of the town.

(1) Minimum building permit fees: \$100.00.

(2) Residential new construction:

(A) Residential application fee: A nonrefundable application fee of \$300.00 will be due at time of application for all new one-family dwellings, two-family dwellings, and townhomes

(B) Residential building permit fee: \$1.00 per sq. ft. of gross square footage inclusive of garage patios, porches, etc.

(3) Residential accessory buildings and carports: \$0.75 per sq. ft. + \$75.00

(4) Residential alteration or addition: \$0.75 per sq. ft. + \$75.00

(5) Residential roof repair or replacement: \$100.00

(6) Swimming pools:

(A) In ground: \$300.00 permit fee

(B) Above ground: \$100.00 permit fee

(C) Spas: \$100.00

(7) Commercial (new construction, additions, alterations, and single trade permits for mechanical, electrical, and plumbing

(A) Commercial building application fee: A nonrefundable application fee of \$300.00 shall be due at time of application for all new shells, commercial stand-alone buildings, alterations, remodels, additions, and finish outs.

(B) Commercial building permit fee: \$6.25 per \$1,000 of valuation.

The valuation shall be based upon the square foot construction cost per the most current ICC Building Valuation Data. The valuation is determined using the building gross area times the square foot construction cost. For shell only buildings deduct 20 percent of construction cost. For finish outs only, deduct 50 percent of the construction cost.

- (8) Certificate of occupancy: \$100.00 / \$250.00 for a TCO valid for 90 days.
- (9) Contractor registration (except where such registration is prohibited by state law): \$100.00 each. All contractors are required to register with the Town. Annual \$100.00 registration fee.
- (10) After-hours inspections: \$100.00 per inspection with a 2-hour minimum.
- (11) Demolition: \$100.00 permit fee.
- (12) Fence: \$100.00 per permit. No permit is needed if replacing less than 2 panels of fence totaling less than 16' in length.
- (13) Foundations/foundation repair: \$100.00.
- (14) Lawn irrigation systems: \$100.00 permit fee. The inspection must be done by a certified backflow tester and a report must be given to the building inspector.
- (15) Miscellaneous inspections: Backflow prevention, electrical, mechanical, and plumbing: \$50.00 each.
- (16) Multifamily: One application is required per building: \$9.375 per \$1,000.00 valuation of project.
- (17) Re-inspection fee:
  - (A) \$50.00 for the first re-inspection.
  - (B) \$75.00 for the second re-inspection.
  - (C) \$100.00 for the third re-inspection.
  - (D) Fees will increase on a basis of \$25.00 each thereafter.
- (18) Concrete flatwork including sidewalks, approaches and patios: \$100.00 per permit.
- (19) Temporary outdoor seasonal sale or special event permit: \$100.00 permit fee + \$1,000.00 deposit.
- (20) Construction Trailer: \$100.00.
- (21) Residential solar and generators permit: \$150.00.
- (22) Revision/Restamp Fee and fee for multiple round plan review (starting after second round):



\$100.00 per hour with a 2-hour minimum.

(23) Residential single-trade permits for mechanical, electrical or plumbing: \$100.00.

- (b) Third-party geotechnical and material testing fee. The Town shall hire and manage third-party geotechnical and material testing companies for any project where such testing is deemed necessary and proper by the town. The town shall be reimbursed by the developer for the town's actual costs for such geotechnical and material testing.
- (c) Camera inspection fee for wastewater mains. Prior to the Town's acceptance of any wastewater main, the town shall inspect the wastewater main by camera. The fee for such inspection shall be \$1.00 per linear foot of wastewater main.
- (d) Expired Permits will be charged 50% of the original fee to reactivate for 30 days.
- (e) No refunds will be issued for permits under \$350.00 or for plan reviews. For all other permits, 75% of inspection fees only if requested before the permit expires and no work has begun.

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#### **§ IV. Sign-Related Fees.**

- (a) Any sign permit: \$100.00.
- (b) Special purpose sign district application: \$2,500.00.
- (c) Petition for waiver: \$500.00.

#### **§ V. Development Fees.**

The following development fees are hereby and shall be applied in accordance with the procedures established by the town's Subdivision Ordinance, as it exists or may be amended, and the town's Zoning Ordinance, as it exists or may be amended.

- (1) Development fees.
  - (A) Zoning change — standard: \$2,000 + \$30.00/acre or portion thereof; due at application.
  - (B) Zoning change — planned development: \$2,500 + \$30.00/acre or portion thereof; due at application.
  - (C) Specific use permit: \$700.00 + \$50.00/acre or portion thereof; due at application.
  - (D) Variance through board of adjustment or construction board of appeals: \$500.00; due at application.
  - (E) Miscellaneous applications: \$100.00; due at application.
  - (F) Façade Plan: \$200.00 + \$50.00 per building
  - (G) Zoning verification letter: \$50.00; due at application.

- (H) Preliminary site plan: \$500.00 + \$50.00/acre or portion thereof; due at application.
- (I) Site plan: \$500.00 + \$50.00/acre or portion thereof; due at application.
- (J) Site plan & Plat extensions: \$500.00
- (K) Annexation/disannexation application: \$1,000.00; due at application.
- (L) Preliminary plat:
  - (i) Single Family: \$500.00 + \$25.00 per lot
  - (ii) Non-Residential: \$500 + \$25.00 per acre
- (M) Final plat:
  - (i) Residential: \$600 + \$25.00 per lot (includes all lots, such as HOA lots)
  - (ii) Multi-Family: \$600 + \$25.00 per unit
  - (iii) Non-Residential: \$600 + \$25.00 per acre
- (N) Amended plat:
  - (i) Single Family: \$450.00
  - (ii) Multi-Family: \$450.00 plus \$10.00 per unit
  - (iii) Non-residential: \$450.00
- (O) Minor plat: \$400.00; due at application.
- (P) Property owner notifications: \$100.00 + \$5.00 for each mailed notification over 10.
- (Q) Alcoholic beverage sales distance variance: \$500.00.
- (R) Development Agreement: \$500.00
- (S) Conveyance Plat: \$600.00 + \$10.00 per lot.
- (T) Replat:
  - (i) Single Family: \$600.00 + \$25.00 per lot
  - (ii) Multi-Family: \$600 + \$10.00 per unit
  - (iii) Non-residential: \$600.00 + \$25.00 per acre
- (2) Other fees.
  - (A) Landscaping Inspection: \$100.00 for initial fee. \$200 on 3<sup>rd</sup> inspection and any additional inspection
  - (B) Landscape Plan fee: \$200.00
  - (C) Open Space Plan fee: \$100.00

- (D) Comprehensive plan amendment: \$300.00.
- (E) HOA / POA Document Review Fee: \$500.00.
- (F) Park fee: \$30,000.00 per acre for up to 5% of the land.
- (G) Water or wastewater reinspection fees: No charge.

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#### **§ VIII. Miscellaneous.**

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- (10) Abatement Administrative fee: \$250.00.

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#### **§ X. Impact Fees.**

Any and all impact fees assessed shall be in accordance with the town's impact fee ordinance in article 10.02 of this code, as it exists or may be amended.

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#### **§ XII. Municipal Drainage Utility System Fee Schedule.**

- (a) The following fees are hereby established and shall be collected through the town's bill for public utilities pursuant to the Municipal Drainage Utility Systems Act and other applicable law. Fees shall be based on a property's impact on the town's drainage utility system. Impact shall be based on the parcel size for residential property and the impervious area for all other nonexempt property. Ten percent (10%) of the area of the public streets and sidewalks on a property shall count towards that property's impervious area. The drainage utility fees shall be established according to the following schedule on a monthly basis:

<b>Property Type</b>	<b>Parcel Size (sq. ft.)</b>	<b>Fees/Rates</b>
<b>Single-family residential</b>		
Tier 1	<10,000	\$4.00
Tier 2	≥ 10,000	\$6.15
All other nonexempt property:		\$2.00 per 1,000 square feet of impervious area; the minimum fee shall be \$2.75 per property

- (b) The following shall not be assessed a drainage utility system fee:
  - (1) Property held and maintained in its natural state, until such time that the

property is developed and all of the public infrastructure constructed has been accepted by the town in which the property is located for maintenance.

- (2) A subdivided lot, until a structure has been built on the lot and a certificate of occupancy has been issued by the town.
  - (3) State property.
  - (4) Public or private institutions of higher education property.
  - (5) Town property.
- (c) All billings, credits, exemptions, rules, and other procedures relating to this drainage fee shall be subject to the provisions of V.T.C.A., Local Government Code, section 402.041 et seq., and shall specifically include the following:
- (d)
- (1) There shall be a charge on each monthly utility statement for the municipal drainage utility system pursuant to Ordinance No. 07-71 and as authorized herein. The town manager or his designee is authorized to collect such charges in a manner consistent with the town charter and state law. The drainage fee will be a separate line item on the utility statement and shall be clearly identified as a separate charge.
  - (2) Except as otherwise provided herein, billing, charges and collection procedures shall be consistent with that for the water and sewer services.
  - (3) Drainage charges shall be identified separately on the utility billing. Billing shall be consistent with V.T.C.A., Local Government Code, section 402.048, as it exists or may be amended.
  - (4) Delinquent charges shall be collected in a manner consistent with V.T.C.A., Local Government Code, section 402.050, as it exists or may be amended and other applicable law.
  - (5) The town manager or his designee(s) may, from time to time, adopt rules for the administration of the drainage charge.

### **§ XIII. Parks and Recreation User Fees.**

(a) Field user fees.

- (1) Prosper Youth Sports Commission leagues (co-sponsored leagues):
  - (A) All participants who reside within town boundaries: \$10.00 per player per season.
  - (B) All participants who reside outside of the town boundary but reside within the Prosper Independent School District boundary: \$30.00 per player per season.
  - (C) All participants who reside outside of the town boundary and who reside outside of the Prosper Independent School District Boundary: \$50.00 per player per season.

- (D) Fees shall be paid in full prior to the use of any town athletic field.
- (E) The number of scheduled practices and games will be assigned based on the facility use agreement with the town.
- (F) Each participant shall be assessed the full fee amount based on residency.
- (2) Non-co-sponsored resident teams comprised of eighty percent (80%) or more participants who reside in the town boundary:
  - (A) Nonsynthetic turf field use: \$45.00 per hour.
  - (B) Synthetic turf field use: \$70.00 per hour.
  - (C) Additional \$20.00 per hour for use of the field lights.
- (3) Non-co-sponsored resident teams comprised of less than 80% participants who reside in the town boundary:
  - (A) Nonsynthetic turf field use: \$75.00 per hour.
  - (B) Synthetic turf field use: \$125.00 per hour.
  - (C) Additional \$20.00 per hour for use of the field lights.
- (4) Co-sponsored teams comprised of 80% or more participants who reside in the town boundary:
  - (A) Nonsynthetic turf field use: \$45.00 per hour.
  - (B) Synthetic turf field use: \$70.00 per hour.
  - (C) Additional \$20.00 per hour for use of the field lights.
- (b) Pavilion user fees.

<b>Number of Participants</b>	<b>Resident Rate</b>	<b>Nonresident Rate</b>	<b>Refundable Deposit</b>
1-50	\$35.00	\$100.00	\$100.00
51-100	\$50.00	\$100.00	\$100.00
100+	\$75.00	\$200.00	\$100.00

This fee structure is based on a four-hour time slot. Rental fee must be paid in full at the time the reservation is made. 14-day cancellation is required. Acceptable forms of payment are check, Visa, and MasterCard. The splash pad is open annually from Memorial Day to Labor Day.

(c) Tournaments, camps, and clinic fees.

During in-season play, defined as recreational play by the youth sports commission leagues, only co-sponsored organization tournaments will be allowed to utilize the synthetic turf fields. During in- season play, only co-sponsored camps and clinics will

be permitted to utilize the synthetic turf fields but must contain at least 80 percent town residents.

During out-of-season play, defined as seasons wherein recreational play by the youth sports commission has concluded or is not currently being scheduled, co-sponsored and non-co-sponsored organizations, camps, clinics and tournaments will be permitted to utilize the synthetic turf fields, regardless of residency status. The number of camps, clinics and tournaments held throughout the off-season shall be determined by the Director of the Parks and Recreation Department.

In the event that the tournament director would like to include food vendors at scheduled events, all town health requirements must be met no later than 30 days before the scheduled event. Please email [health@prospertx.gov](mailto:health@prospertx.gov) with any questions.

(1) Co-sponsored organization fees.

(A) Tournament fees:

- (i) \$25.00/per team (up to a two-day tournament).
- (ii) \$15.00/per team/additional day.
- (iii) Deposit per field: \$100.00.
- (iv) Minimum fee for tournaments: \$500.00.

(B) Camps and clinics fees:

- (i) \$5.00/per participant per day.
- (ii) Deposit per field: \$100.00.
- (iii) Minimum fee for camps and clinics: \$250.00.

(2) Resident, non-co-sponsored organization fees.

(A) Tournament fees:

- (i) \$25.00/per team (up to a two-day tournament).
- (ii) \$15.00/per team/additional day.
- (iii) Deposit per field: \$100.00.
- (iv) Minimum fee for tournaments: \$750.00.

(B) Camps and clinics fees:

- (i) \$5.00/per participant per day.
- (ii) Deposit per field: \$100.00.
- (iii) Minimum fee for camps and clinics: \$300.00.

(3) Nonresident, non-co-sponsored organization fees.

- (A) Tournament fees:
  - (i) \$50.00/per team (up a two-day tournament).
  - (ii) \$30.00/per team/additional day.
  - (iii) Deposit per field: \$100.00.
  - (iv) Minimum fee for tournaments: \$1,000.00.

- (B) Camps and clinics fees:
  - (i) \$10.00/per participant per day.
  - (ii) Deposit per field: \$100.00.
  - (iii) Minimum fee for camps and clinics: \$450.00.

(4) General fees.

- (A) Lights are charged at \$20.00/hour/field.
- (B) On-site staff: \$25.00/hour/staff member, if deemed necessary by the Parks and Recreation Department.
- (C) Field preparation: \$45.00/field/per preparation.
- (D) Any additional field preparation is a \$20.00 relining and dragging home plate fee. All requests must be made prior to the tournament beginning.
- (E) Water service is \$45.00 per container per day, and this includes cups and ice.
- (F) Temporary mound adjustments are a \$400.00 flat rate, per occurrence. Renting organization must provide a minimum of four staff members to assist with mound adjustments.
- (G) Full deposit payment must be received no later than two business days after the tournament has concluded.
- (H) Deposit must be received at time of reservation to guarantee the reservation. First deposit received will have priority over facility reservation.
- (I) Refunds for field rental fees are only refundable due to inclement weather and or cancellation of the rental 30 days prior to the rental date.

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**§ XX. Health and Sanitation Fees.**

- (a) Food establishment permit and inspection fees.
  - (1) Restaurant: \$450.00/year (includes two inspections per year).
  - (2) Convenience store: \$400.00/year.
  - (3) Liquor Store: \$400.00/year

- (4) Micro Markets (Self-Checkout Kiosks): \$275.00/year
- (5) Grocery store: \$700.00/year.
- (6) Mobile food establishment (hot): \$400.00/year.
- (7) Mobile food establishment (cold): \$300.00/year.
- (8) Ice Cream Truck: \$250.00/year
- (9) Temporary food establishment: \$52.00 for a maximum of fourteen (14) days.
- (10) Concession stand: \$50.00/season.
- (11) Independent school district-owned food establishment: No fee.
- (12) Private school food establishment: \$350/year.
- (b) Certain food establishment inspection fees.
  - (1) Reinspection: \$200.00/inspection.
  - (2) Investigative or complaint-based inspection: \$150.00/inspection (if the inspection is deemed to not have been warranted, the fee may be waived at the sole discretion of the regulatory authority).
- (c) Plan review of new or extensively remodeled food establishment fee. \$200.00.
- (d) Public/semi-public swimming pool or spa permit and inspection fee. \$300.00.

For the purpose of this section, a semi-public swimming pool or spa is a swimming pool or spa which is privately owned and open only to an identifiable class of persons including but not limited to hotel guests, residents of a multifamily dwelling complex, members of a homeowners or property owners association, fitness facility or club members.
- (e) Proration of annual fees.
  - (1) The cost of any annual fee referenced in subsection (a), "Food establishment permit and inspection fees," due and owing on or before January 31, 2023, shall be prorated to expire on January 31, 2023. On February 1, 2023, and every February 1 thereafter, all such annual fees shall be due and owing.
  - (2) Beginning on February 1, 2023, any annual fee referenced in subsection (a), "Food establishment permit and inspection fees," whose payment is one to five business days late shall be subject to a late payment penalty equal to 50 percent of the annual fee amount. Any such annual fee whose payment is more than five business days late shall be subject to a late payment penalty equal to 100 percent of the annual fee amount.

**§ XXI. Multifamily registration and inspection fees.**

- (a) The landlord of a multifamily dwelling complex shall annually pay the town a fee which includes registration and inspection fees.



- (b) A fee of fifty dollars (\$50.00) per dwelling unit with a minimum of two hundred dollars (\$200.00) per year shall be submitted annually with the required registration form as provided by the town.
- (c) Annual registration or renewals postmarked or received after the identified deadline date shall be assessed an additional fee increase of:
  - (1) Fifty percent (50%) if received within thirty (30) calendar days after the due date,
  - (2) One hundred percent (100%) if received within thirty-one (31) to sixty (60) calendar days after the due date; or
  - (3) One hundred percent (100%) if received more than sixty-one (61) days after the due date.
- (d) Cost of initial inspection and first reinspection: No fee.
- (e) Second reinspection if required: \$150.00 per residential unit or per any other area of the multifamily complex.
- (f) Third and any subsequent reinspections if required: \$300.00 per residential unit or per any other area of the multifamily complex.

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### **SECTION 3**

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

### **SECTION 4**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

### **SECTION 5**

This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the Revised Civil Statutes of the State of Texas and the Home Rule Charter of the Town of Prosper, Texas.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 16TH DAY OF SEPTEMBER, 2025.

APPROVED:

David F. Bristol  
David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni  
Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch  
Terrence S. Welch, Town Attorney

