

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE WAIVING CERTAIN FEES AND CHARGES IN RESPONSE TO THE WINTER WEATHER EVENT; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1. FINDINGS.**

- (1) On January 31, 2023, a Winter Storm Warning was issued for the Austin area due to forecasted severe winter weather posing an imminent threat of widespread and severe property damage, injury, and loss of life due to a combination of prolonged freezing temperatures and rain resulting in heavy ice accumulation on freeways, surface roads and trees.
- (2) From January 31, 2023, through February 2, 2022, the City experienced prolonged freezing temperatures and freezing rain which resulted in significant ice accumulation on freeways, surface roads and trees (“2023 Winter Weather Event”).
- (3) On February 3, 2023, Mayor Kirk Watson issued a Declaration of Local Disaster because the 2023 Winter Weather Event caused widespread and severe property damage and injury due to prolonged freezing temperatures, freezing rain, and ice accumulation.
- (4) On February 4, 2021, Governor Greg Abbott issued a Declaration of State of Disaster because the 2023 Winter Weather Event caused widespread and severe property damage and injury due to significant ice accumulations, sub-freezing temperatures, freezing rain and sleet, hazardous travel disruptions, power outages and heavy rain.
- (5) During the 2023 Winter Weather Event, many homes and multi-family structures had trees that accumulated inches of heavy ice on their branches resulting in downed trees, powerlines, and other related cosmetic and structural damage. There is an immediate need to prevent these homes and multi-family structures from becoming further damaged.
- (6) The City has a health and safety interest in protecting its residents from the dangers posed by tree and structural damage. There is an immediate need to prevent these structures from becoming further damaged.

31 **PART 2. FEE WAIVERS.**

32 (A) The Council waives all permitting and development fees that, in the  
33 judgment of the Building Official, are required to repair or reconstruct multi-  
34 family and single-family structures damaged or destroyed, and are required  
35 to remove trees and tree limbs damaged as a result of the 2023 Winter  
36 Weather Event that occurred in the City of Austin’s planning jurisdiction.  
37 The fees covered by this waiver include, but are not limited to, permitting,  
38 plan review, inspection, demolition, and variance fees. The fees covered by  
39 this waiver are for repairing existing multi-family and single-family  
40 structures. The fees covered by this waiver do not include fees for re-  
41 inspections.

42 (B) To the extent necessary, the Council ratifies and authorizes the waiver of any  
43 fee described in Subsection (A) that was not assessed beginning on January  
44 31, 2023, through the date of this ordinance.

45 (C) The Council waives the assessment of late fees on non-payment of city  
46 utility bills having due dates that fell during the period from January 31,  
47 2023, through February 17, 2023. The Council further ratifies and authorizes  
48 any administrative waivers of late fees previously granted for bills that fell  
49 due during that period.

50 **PART 3.** This ordinance expires on March 31, 2023.

51 **PART 4.** Based on the findings in Part 1 of this ordinance, the Council finds that  
52 repair and reconstruction of damaged multi-family and residential structures; and  
53 removal of damaged trees and tree limbs constitute an emergency. Because of this  
54 emergency, this ordinance takes effect immediately on its passage for the  
55 preservation of the public peace, health, and safety.

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**PASSED AND APPROVED**

\_\_\_\_\_, 2023

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Kirk Watson  
Mayor

**APPROVED:** \_\_\_\_\_  
Anne L. Morgan  
City Attorney

**ATTEST:** \_\_\_\_\_  
Myrna Rios  
City Clerk

DRAFT