



ORDINANCE NO. 4010

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF FARMERS BRANCH, TEXAS, TO AMEND APPENDIX A – FEE SCHEDULE, REVISING THE PROCESSING FEE CHARGED FOR UTILITY BILL PAYMENTS BY CREDIT CARD TO 3.5%; TO AMEND ARTICLE II, “COLLECTION AND DISPOSAL,” OF CHAPTER 66, “SOLID WASTE,” BY AMENDING SECTION 66-43 TO REPLACE REFERENCES TO “SOLID WASTE SERVICES FEE” WITH “LANDFILL CLOSURE FEE” AND TO AMEND “APPENDIX A - FEE SCHEDULE” ACCORDINGLY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE OF OCTOBER 1, 2026.

WHEREAS, Chapter 132 of the Texas Local Government Code authorizes a municipality to accept payment by credit card and to collect a processing fee reasonably related to the expense incurred in processing the credit card payment, not to exceed five percent (5%) of the amount paid; and

WHEREAS, the City currently imposes a processing fee of two and one-half percent (2.5%) or one dollar (\$1.00), whichever is higher, each time a credit card is used to pay utility bill charges and fees imposed by the City; and

WHEREAS, the City Council finds that increasing the processing fee to three and one-half percent (3.5%), is reasonably related to the expense incurred by the City in processing utility bill payments by credit card and better reflects the actual expense incurred by the City in processing credit card payments; and

WHEREAS, the City Council has further investigated and determined that it is in the best interest of the City and its citizens to allow individuals to pay for utility bill charges and fees by credit card; and

WHEREAS, the City Council further finds that renaming the fee established under Section 66-43 of the Code of Ordinances from the “Solid Waste Services Fee” to the “Landfill Closure Fee” more clearly communicates the purpose of the fee.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1: A processing fee of three and one-half percent (3.5%) or one dollar (\$1.00), whichever is higher, is hereby established and shall be charged by the City at the point of sale each time a credit card is used to pay utility bill charges and fees imposed by the City. The table of fees in “Appendix A – Fee Schedule” of the Code of Ordinances, City of Farmers Branch, Texas, be and is hereby amended by amending the Fee Schedule to add a new provision in the table entitled

“Chapter 86 – Utilities,” without amendment, repeal or change to any other section, part of provision of said table, to read as follows:

Section This Code	Description	Amount
	Chapter 86. Utilities	
	<i>Credit Card Payment Processing Fee</i>	3.5% or \$1.00, whichever is greater. (applicable to credit card payments of utility bills for monthly service, service charges for disconnection, deposits, late fees, and penalties)
...	...	...

SECTION 2: Article II (“Collection and Disposal,” of Chapter 66 (“Solid Waste”), of the Code of Ordinances, City of Farmers Branch, Texas, be and is hereby amended by amending Section 66-43, to replace all references to “solid waste service fee” with “landfill closure fee, such that Section 66-43 is amended to read in its entirety as follows:

“CHAPTER 66

SOLID WASTE

...

ARTICLE II. – COLLECTION AND DISPOSAL

...

Sec. 66-43. – Solid Waste Service Fees; billing.

(a) Each single-family residence to which solid waste collection services are provided in accordance with this chapter shall pay a landfill closure fee in accordance with the rates set forth in Appendix A of this Code.

(b) The landfill closure fee to be paid pursuant to section 66-43(a) shall be included in the monthly utility billing of the owner, occupant or person in control of the premises to which such solid waste collection service is provided. If the customer does not receive water and sewer service from the city, the customer will otherwise be billed for the landfill closure fee.

(c) The landfill closure fee shall be due and payable not later than 15 days after the billing date. Accounts not paid within 25 days of the billing date shall be charged a service fee of five percent of the total bill.

(d) If any user or customer of solid waste services does not pay the landfill closure fee within 30 days of the billing date and a bill for such fee has been rendered for the following month's fee together with the fee for the preceding month, the entire amount due for the two months shall be paid not later than 15 days of the date the second bill was mailed. Failure to pay the entire bill within such 15-day period or to make satisfactory arrangements with the finance department for its payment will subject the address in question to be disconnected from water service without further notice. After such period, there shall be charged and collected a service charge as established by the city and listed in Appendix A of this Code.”

SECTION 3: All provisions of the Ordinances of the City of Farmers Branch, Texas, in conflict with the provisions of this ordinance be and are hereby repealed and all other provisions of the ordinances of the City of Farmers Branch, Texas, not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4: Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5: This Ordinance shall become effective on October 1, 2026, following its passage and publication, as the law and Charter in such cases provide. The fees and charges enacted by this Ordinance shall apply to credit card transactions and utility billing cycles occurring on or after October 1, 2026.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS THE 18TH DAY OF AUGUST 2026.

ATTEST:

APPROVED:

Stacy Henderson, City Secretary

Terry Lynne, Mayor

APPROVED AS TO FORM:

David Berman, City Attorney
(DB 8.8.26)