



**ORDER**  
**OF THE POLK COUNTY COMMISSIONERS COURT**  
**ADOPTING PLAN REVIEW FEES FOR UTILITY-SCALE SOLAR FACILITIES**

**WHEREAS**, Chapter 352, Subchapter B, Texas Local Government Code authorizes the county fire marshal to inspect for fire or life safety hazards and, if required or requested, to review building or site plans for those hazards; and

**WHEREAS**, Texas Local Government Code §352.016(c) authorizes the Commissioners Court, by order, to set reasonable fees to be charged to the owner of a business, multi-family dwelling, or commercial property to cover the cost of a plan review or inspection conducted under that section; and

**WHEREAS**, utility-scale solar energy facilities and their associated equipment (including but not limited to arrays, inverters, collection systems, substations, O&M buildings, and fire access roads) constitute “business” and/or “commercial property” for purposes of §352.016; and

**WHEREAS**, §352.016 authorizes the county fire marshal to conduct plan reviews and inspections using nationally recognized codes or standards adopted by the State of Texas; and

**WHEREAS**, the Commissioners Court finds that adopting a cost-recovery fee schedule for plan reviews related to utility-scale solar energy facilities is reasonably necessary to protect public safety and to defray the county’s direct costs;

**NOW, THEREFORE, BE IT ORDERED** by the Commissioners Court of Polk County, Texas:

**1. Authority; Applicability.**

This Order is adopted under Texas Local Government Code §352.016. It applies in the unincorporated areas of Polk County and within a municipality only to the extent permitted by law or an interlocal agreement approved by the municipality and the County.

**2. Definitions.**

a. **Utility-Scale Solar Energy Facility (“Solar Farm”)** means a ground-mounted photovoltaic energy project designed primarily to generate electricity for wholesale sale or export to the grid, including associated electrical equipment, substations, O&M buildings, access roads, and fire protection features.

b. **Plan Review** means review by the County Fire Marshal (or designee) of site plans, civil drawings, electrical one-lines, equipment datasheets, fire protection and access plans, vegetation/fuels management plans, and related submittals to evaluate fire or life safety hazards under §352.016.

c. **Owner/Developer** means the person or entity responsible for the project.

**3. Plan Review Required.**

Prior to commencing construction of a Solar Farm, the Owner/Developer shall submit plans

to the County Fire Marshal for review of fire or life safety hazards. Re-submittals are required when substantive design changes are made that affect fire or life safety.

**4. Fees; Cost Recovery.**

a. **Adoption.** The Commissioners Court adopts the Plan Review Fee Schedule attached as **Exhibit A**, incorporated herein by reference.

b. **Reasonableness; Purpose.** Fees are set in amounts reasonably calculated to recover the County's direct costs to conduct plan reviews and related inspections under §352.016.

c. **Fee Waiver/Adjustment.** For good cause shown, the Fire Marshal may recommend, and the Commissioners Court may approve, a partial waiver or adjustment consistent with the cost-recovery purpose of this Order.

**5. Use of Funds.**

Fees collected under this Order shall be deposited in the county treasury to the Fire Marshal Inspection Fee Fund and used to defray the County's costs of administration of this program.

**6. Standards Used for Review.**

The Fire Marshal may utilize nationally recognized codes and standards adopted by the State of Texas (including relevant portions of the International Fire Code, NFPA standards, and the National Electrical Code) and any county-adopted standards or guidelines for solar facility fire access, water supply, equipment clearances, and vegetation management.

**7. Non-Land-Use Regulation.**

This Order does not regulate land use or impose building permitting requirements; it implements §352.016 plan review and inspection for fire or life safety hazards only and shall not be construed to conflict with state-level siting or utility regulation.

**8. Administration.**

The County Fire Marshal is authorized to publish submittal checklists, timelines, and technical guidance, and to take actions necessary to implement this Order.

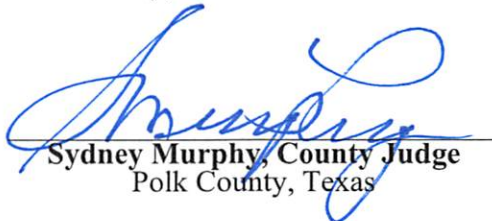
**9. Severability.**

If any provision of this Order is held invalid, the remaining provisions shall not be affected.

**10. Effective Date.**

This Order is effective on and after **October 1, 2025**, and applies to plan submittals received on or after that date.

**PASSED AND APPROVED** this 26<sup>th</sup> day of August 2025, in a duly called and posted meeting of the Commissioners Court of Polk County, Texas.

  
Sydney Murphy, County Judge  
Polk County, Texas

Attest;



Schelana Hock, County Clerk



*Handwritten signature*

*Handwritten text*



**Exhibit A**  
**Solar Farm Plan Review Fees**

\$500 for sites up to 1,000 acres  
\$25 for each additional 50 acres

Fees are due at the time of submittal; no review will begin until required fees/deposits are received.

Fees cover reviews for fire access (roads/turnarounds/grades), water supply or alternative suppression strategy, electrical equipment layout/clearances, emergency shut-down and marking, vegetation/fuels management, and construction fire safety.

Material design changes after conditional approval may require additional review and fees.

Letters of conditional approval or deficiency will be issued upon completion of review.

Nothing in this schedule authorizes enforcement inside a municipality unless permitted by law or interlocal agreement.