

ORDINANCE NO. 04-11-18-26

AN ORDINANCE OF THE CITY OF CORINTH, TEXAS AMENDING ORDINANCE NO. 01-05-17-11 BY ADOPTING AMENDMENTS TO THE IMPACT FEES FOR WATER TREATMENT AND DISTRIBUTION FACILITIES AND FOR WASTEWATER COLLECTION AND TREATMENT FACILITIES; ASSESSING MAXIMUM IMPACT FEES AND IMPACT FEE AMOUNTS TO BE COLLECTED; ADOPTING UPDATED LAND USE ASSUMPTIONS AND AN UPDATED CAPITAL IMPROVEMENTS PLAN; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Corinth, Texas, has given the notices and conducted the public hearings required by Chapter 395 of the Local Government Code for amendment of the land use assumptions, capital improvements plan, and impact fees; and

WHEREAS, the Advisory Committee has filed its written comments on the proposed amendments to the land use assumptions, capital improvements plan, and impact fees as required by law;

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

SECTION 1.

That Ordinance No. 01-05-17-11 be, and the same is hereby, amended by amending Section I thereof to read as follows:

SECTION I:

The Land Use Assumptions and Capital Improvements Plans dated October 15, 2004, as attached hereto as Exhibit "A", are approved and incorporated herein by reference for all purposes."

SECTION 2.

That Section 2 of Ordinance No. 01-05-17-11 be, and the same is hereby, amended to read as follows:

SECTION IV:

...

- c. A maximum impact fee of \$2,177.00 per service unit equivalent for water supply, treatment and distribution facilities is hereby assessed in accordance with the SUE Table for water meter sizes set forth below. The current collected water impact fee of \$1,959.30 per service unit equivalent is hereby adopted in accordance with the Table for water meter sizes below. A maximum impact fee of \$2,213.00 per service unit equivalent for wastewater collection and treatment facilities is hereby assessed in accordance with the SUE Table for sewer meter sizes set forth below. The current collected wastewater impact fee of \$1,991.70 per service unit equivalent is hereby adopted in accordance with the following Table for water meter sizes.

Meter Size	Meter Unit Equivalent	Maximum Water Impact Fee	Water Impact Fee to be Collected	Maximum Wastewater Impact Fee	Wastewater Impact Fee to be Collected
5/8" x 3/4"	1.00	\$2,177.00	\$1,959.30	\$2,213.00	\$1,991.70
3/4"	1.50	\$3,265.50	\$2,938.95	\$3,319.50	\$2,987.55
1"	2.50	\$5,442.50	\$4,898.25	\$5,532.50	\$4,979.25
1 1/2"	5.00	\$10,885.00	\$9,796.50	\$11,065.00	\$9,958.50
2"	8.00	\$17,416.00	\$15,674.40	\$17,704.00	\$15,933.60
3"	17.50	\$38,097.50	\$34,287.75	\$38,727.50	\$34,854.75
4"	31.50	\$68,575.50	\$61,717.95	\$69,709.50	\$62,738.55
6"	70.00	\$152,390.00	\$137,151.00	\$154,910.00	\$139,419.00
8"	120.00	\$261,240.00	\$235,116.00	\$265,560.00	\$239,004.00
10"	190.00	\$413,630.00	\$372,267.00	\$420,470.00	\$378,423.00

- d. The amount of the impact fee due for water and wastewater shall be determined by multiplying the number of SUEs generated by the new development by the impact fee per SUE. If a new development's water or wastewater uses will exceed the SUEs set forth below by more than ten percent (10%) consumption or flow, the City Engineer shall calculate the amount of impact fees for each category based on actual use.
- e. The fees have been calculated to provide a credit of the portion of the ad valorem tax and utility service revenues generated by new service units during the program period that is being used for the payment of improvements, including the payment of debt, that are included in the capital improvement plan, in accordance with Section 395.014 of the Texas Local Government Code.
- f. The City Council may amend the current collected fees from time to time, provided they do not exceed the maximum assessable fees.

The maximum assessable impact fees may be amended by the City Council in accordance with the procedures set forth in Tex. Local Government Code, Chapter 395, as amended."

SECTION 3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City and shall not operate to repeal or affect any such other ordinances except insofar as the provisions thereof are inconsistent or in conflict with the provisions hereof, and to the extent of such conflict, if any, such other ordinances are hereby repealed. Any other ordinance of the City requiring dedication of land for public parks, requiring dedication of right-of-way or easements, or construction or dedication of on-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs necessitated by and attributable to new development, or fees to be placed in trust for the purpose of reimbursing the City or developers for oversizing or constructing water or sewer mains or lines shall remain in full force and effect and not be repealed by the terms of this ordinance.

SECTION 4.

Should any paragraph, sentence, 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 declared to be invalid, illegal or unconstitutional.

SECTION 5.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 18 DAY OF November, 2004.



Victor J. Burgess
MAYOR

ATTEST:
Kimberly Dence
CITY SECRETARY