

ORDINANCE NO. 14-03-06-11

AN ORDINANCE OF THE CITY OF CORINTH, TEXAS AMENDING SECTION 36.104 OF THE CORINTH CODE OF ORDINANCES TO AMEND THE CURRENT COLLECTED RATE PER SERVICE UNIT FOR ROADWAY IMPACT FEES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas is a home rule municipality located in Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Chapter 395 of the Texas Local Government Code sets forth certain procedures to be followed by municipalities in imposing, collecting, updating, amending, and expending impact fees; and

WHEREAS, the City Council has directed City staff to take those procedural steps necessary for the Council to consider amendments to decrease the current collected rate of roadway impact fees; and

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 roadway impact fees; and

WHEREAS, the Capital Improvement Advisory Committee has filed its written comments on the proposed amendments to the roadway impact fees; and

WHEREAS, the City Council finds that the amended impact fees set forth below provide the appropriate level of cost recovery to the City attributable to new development; and

WHEREAS, on March 6, 2014 the City Council conducted a public hearing, after compliance with all legal prerequisites, to consider amending roadway impact fees within the designated service area; **NOW, THEREFORE**,

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

SECTION 1.

That all the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety. The City Council affirms the current land use assumptions and impact fee roadway capital improvements plan.

SECTION 2.

That subsection (C) of Section 36.104 (Roadway Impact Fees) of the Code of Ordinances, City of Corinth, Texas is hereby amended to read as follows:

“§ 36.104 ROADWAY IMPACT FEES.

...
(C) Current collected roadway impact fees shall be the maximum fee per service unit of \$238.20. For properties for which a plat was recorded on or before December 16, 2004, the current collected roadway impact fees shall be the maximum fee per service unit of \$166.05. Current collected fees may be amended by the City Council from time to time, provided they do not exceed the maximum assessable fees.”

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.

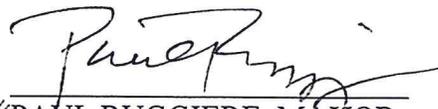
SECTION 4.

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.

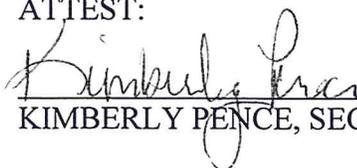
This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

ADOPTED THE 12 DAY OF March, 2014.


PAUL RUGGIERE, MAYOR



ATTEST:


KIMBERLY PENCE, SECRETARY

APPROVED AS TO FORM:


DEBRA A. DRAYOVITCH, CITY ATTORNEY