

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 35, “WATER AND SEWERS”, OF THE CODE OF THE CITY OF FORT WORTH AS AMENDED, BY AMENDING ARTICLE III “CHARGES”, DIVISION 2 “WATER AND WASTEWATER IMPACT FEES”, EXHIBIT A, INCORPORATED BY REFERENCE INTO SECTION 35-70.2(a); FURTHERMORE, BY AMENDING EXHIBIT B, INCORPORATED BY REFERENCE INTO SECTION 35-70.2(b); FURTHER, BY AMENDING SCHEDULE 1, INCORPORATED BY REFERENCE INTO SECTIONS 35-70.3(a), 35-73(a) and 35-78(a); FURTHER, BY AMENDING SCHEDULE 2, INCORPORATED BY REFERENCE INTO SECTION 35-70.3(b), 35-73(b) and 35-78(b); FURTHER, BY AMENDING EXHIBIT C, INCORPORATED BY REFERENCE INTO SECTION 35-71(a); FURTHER, BY AMENDING EXHIBIT D, INCORPORATED BY REFERENCE INTO SECTION 35-72(a); FURTHER, BY AMENDING EXHIBIT E, INCORPORATED BY REFERENCE INTO SECTION 35-76(a); FURTHER, BY AMENDING EXHIBIT F, INCORPORATED BY REFERENCE INTO SECTION 35-77(a); MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES AND REPEALING ALL ORDINANCES AND PROVISIONS OF THE CODE OF THE CITY OF FORT WORTH IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 395.052 of the Texas Local Government Code requires the City to review and update its current Land Use Assumptions and Capital Improvements Plans related to water and wastewater facilities and impact fees;

WHEREAS, on August 8, 2021, the City made available to the public, copies of the proposed amended Land Use Assumptions and Capital Improvements Plans related to water and wastewater facilities and impact fees;

WHEREAS, as required by Section 395.050, the Capital Improvement Advisory Committee submitted its written comments on the proposed amendments to the Land Use Assumptions, Capital Improvements Plans and Maximum Assessable Water and Wastewater Impact Fees per service unit on August 3, 2021;

WHEREAS, as required by Section 395.054 of the Texas Local Government Code, the City Council conducted a public hearing to discuss an ordinance amending the Land Use Assumptions, Capital Improvements Plans and impact fees on August 24, 2021;

WHEREAS, the City Council must approve the proposed amendments to the Land Use Assumptions and Capital Improvements Plans related to water and wastewater facilities and impact fees within 30 days of such public hearing; and

WHEREAS, the City Council hereby adopts these revisions to the Land Use Assumptions and Capital Improvements Plans and amendments to water and wastewater impact fees.

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

SECTION 1.

Part II of the Code of the City of Fort Worth, Texas, as amended, Chapter 35 “Water and Sewers”, Article III “Charges”, Division 2 “Water and Wastewater Impact Fees”, Section 35-70.2(a), Exhibit A, “Land Use Assumptions for Water”, incorporated by reference, is hereby further amended to be and read as shown on Exhibit A, attached hereto.

SECTION 2.

Part II of the Code of the City of Fort Worth, Texas, as amended, Chapter 35 “Water and Sewers”, Article III “Charges”, Division 2 “Water and Wastewater Impact Fees”, Section 35-70.2(b), Exhibit B, “Land Use Assumptions for Wastewater”, incorporated by reference is hereby further amended to be and read as shown on Exhibit B, attached hereto.

SECTION 3.

Part II of the Code of the City of Fort Worth, Texas, as amended, Chapter 35 “Water and Sewers”, Article III “Charges”, Division 2 “Water and Wastewater Impact Fees”, Sections 35-70.3(a), 35-73(a) and 35-78(a) Schedule 1 incorporated by reference is hereby further amended to be and read as shown on the amended Schedule 1 “Maximum Assessable Impact Fees for Water and Wastewater”, attached hereto.

SECTION 4.

Part II of the Code of the City of Fort Worth, Texas, as amended, Chapter 35 “Water and Sewers”, Article III “Charges”, Division 2 “Water and Wastewater Impact Fees”, Sections 35-70.3(b), 35-73(b) and 35-78(b) Schedule 2, incorporated by reference is hereby further amended to be and read as shown on the amended Schedule 2A “Collected Impact Fee for Water and Wastewater Schedule – Year 1,”, Schedule 2B “Collected Impact Fee for Water and Wastewater Schedule – Year 2,”, attached hereto.

SECTION 5.

Part II of the Code of the City of Fort Worth, Texas, as amended, Chapter 35 “Water and Sewers”, Article III “Charges”, Division 2 “Water and Wastewater Impact Fees”, Section 35-71(a), Exhibit C, “Water Benefit Area”, incorporated by reference, is hereby further amended to be and read as shown on Exhibit C, attached hereto.

SECTION 6.

Part II of the Code of the City of Fort Worth, Texas, as amended, Chapter 35 “Water and Sewers”, Article III “Charges”, Division 2 “Water and Wastewater Impact Fees”, Section 35-72(a), Exhibit D, “Water Capital Improvements Plan”, incorporated by reference, is hereby further amended to be and read as shown on Exhibit D, attached hereto.

SECTION 7.

Part II of the Code of the City of Fort Worth, Texas, as amended, Chapter 35 “Water and Sewers”, Article III “Charges”, Division 2 “Water and Wastewater Impact Fees”, Section

35-76(a), Exhibit E, “Wastewater Benefit Area”, incorporated by reference, is hereby further amended to be and read as shown on Exhibit E, attached hereto.

SECTION 8.

Part II of the Code of the City of Fort Worth, Texas, as amended, Chapter 35 “Water and Sewers”, Article III “Charges”, Division 2 “Water and Wastewater Impact Fees”, Section 35-77(a), Exhibit F, “Wastewater Capital Improvements Plan”, incorporated by reference, is hereby further amended to be and read as shown on Exhibit F, attached hereto.

SECTION 9.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 10.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and section of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 11.

This ordinance shall be effective on January 1, 2022.

APPROVED AS TO FORM AND LEGALITY:

Christa R. Lopez-Reynolds
Sr. Assistant City Attorney

ADOPTED: _____

SCHEDULE 1

MAXIMUM IMPACT FEE FOR WATER AND WASTEWATER SCHEDULE

METER SIZE	EQUIVALENCY FACTOR	WATER IMPACT FEE	WASTEWATER IMPACT FEE
5/8" x 5/8" and 5/8" x 3/4"	1.00	\$4,953	\$4,492
3/4" x 3/4"	1.50	\$7,430	\$6,738
1"	2.50	\$12,383	\$11,230
1-1/2"	5.00	\$24,765	\$22,460
2"	8.00	\$39,624	\$35,936
3"	21.75	\$107,728	\$97,701
4"	37.50	\$185,738	\$168,450
6"	80.00	\$396,240	\$359,360
8"	140.00	\$693,420	\$628,880
10"	210.00	\$1,040,130	\$943,320

Referenced in Section 35-70.3(a), 35-73(a) and 35-78(a)

SCHEDULE 2A
COLLECTED IMPACT FEE FOR WATER AND WASTEWATER SCHEDULE –
YEAR 1
(EFFECTIVE JANUARY 1, 2022 TO DECEMBER 31, 2022)

METER SIZE	EQUIVALENCY FACTOR	WATER IMPACT FEE	WASTEWATER IMPACT FEE
5/8" x 5/8" and 5/8" x 3/4"	1.00	\$1,870	\$1,420
3/4" x 3/4"	1.50	\$2,805	\$2,130
1"	2.50	\$4,675	\$3,550
1-1/2"	5.00	\$9,350	\$7,100
2"	8.00	\$14,960	\$11,360
3"	21.75	\$40,673	\$30,885
4"	37.50	\$70,125	\$53,250
6"	80.00	\$149,600	\$113,600
8"	140.00	\$261,800	\$198,800
10"	210.00	\$392,700	\$298,200

Referenced in Section 35-70.3(a), 35-73(a) and 35-78(a)

SCHEDULE 2B
COLLECTED IMPACT FEE FOR WATER AND WASTEWATER SCHEDULE –
YEAR 2
(EFFECTIVE JANUARY 1, 2023)

METER SIZE	EQUIVALENCY FACTOR	WATER IMPACT FEE	WASTEWATER IMPACT FEE
5/8" x 5/8" and 5/8" x 3/4"	1.00	\$1,981	\$1,796
3/4" x 3/4"	1.50	\$2,972	\$2,694
1"	2.50	\$4,953	\$4,490
1-1/2"	5.00	\$9,905	\$8,980
2"	8.00	\$15,848	\$14,368
3"	21.75	\$43,087	\$39,063
4"	37.50	\$74,288	\$67,350
6"	80.00	\$158,480	\$143,680
8"	140.00	\$277,340	\$251,440
10"	210.00	\$416,010	\$377,160

Referenced in Section 35-70.3(a), 35-73(a) and 35-78(a)