ORDINANCE No. _____

AN ORDINANCE ADOPTING A WATER MAIN CAPACITY CHARGE PURSUANT TO SECTION 35-90 OF THE CITY CODE FOR A CITY INITIATED 24-INCH WESTSIDE V WATER TRANSMISSION APPROACH MAIN TO SERVE THE WHOLESALE CUSTOMER CITIES OF WILLOW PARK AND HUDSON OAKS AS WELL AS SURROUNDING AREAS, LOCATED AT THE INTERSECTION OF FM 3325 AND INTERSTATE HIGHWAY 20; MAKING THIS ORDINANCE CUMULATIVE OF OTHER ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 35 of the City Code, "Water and Sewers", Article III, Division 4, entitled "Water Main Capacity Charges" provides for the adoption of Water Main Capacity Charges by City Council to allow for developers and the City to recover costs incurred from installing water mains offsite of a development and sets forth the method and procedures for assessing reimbursements from subsequent developers wishing to connect to the offsite water mains;

WHEREAS, The City of Fort Worth Water Department is constructing a 24-inch diameter westside V water transmission approach main to serve the wholesale customer Cities of Willow Park and Hudson Oaks as well as surrounding areas within the City of Fort Worth's extraterritorial jurisdiction; and

WHEREAS, the City of Fort Worth has an allocated capacity of 5.97 million gallons per day (MGD) from the 24-inch diameter water transmission approach main.

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

SECTION 1.

The City Council finds, in accordance with the Code of the City of Fort Worth, Texas (2015), as amended, Chapter 35, "Water and Sewers", Article III, Division 4, Sections 35-87 through 35-93, that the Fort Worth Water Department has initiated construction of a 24-inch westside V water transmission approach main to serve the wholesale customer cities of Willow Park and Hudson Oaks as well as surrounding areas within Fort Worth's extraterritorial jurisdiction.

SECTION 2.

The City Council finds that $727,332.00 is the cost to construct the 24-inch diameter westside V water transmission approach main. Therefore, $121,831.16 per MGD is the Water Main Capacity Charge to be assessed if the plat meets the definition of "Other Development" as defined in Section 35-88 of the City Code. The City Council further finds that the Water Main Capacity Charge has been calculated in accordance with the requirements of Section 35-92 of the City Code. This Water Main Capacity Charge will reimburse the Fort Worth Water Department.

SECTION 3.

The City Council also hereby directs the City of Fort Water Department to review the plats that are located in or around the boundary area as described in Exhibit "A" to determine if a charge for reimbursement will be assessed in accordance with Section 35-93 of the City Code.

SECTION 4.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), 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 5.

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 sections 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 6.

This ordinance shall be effective upon adoption.

APPROVED AS TO FORM AND LEGALITY:

_____
Christopher A. Mullins
Assistant City Attorney

ADOPTED:_____