

ORDINANCE No. _____

AN ORDINANCE ADOPTING A PER ACRE CHARGE AMENDMENT IN ACCORDANCE WITH CHAPTER 35, ARTICLE III, DIVISION 3, SEWER PER ACRE CHARGES, SECTIONS 35-81 THROUGH 35-86 OF THE CITY CODE, FOR THE 298.38 ACRES SERVED BY CITY INITIATED SEWER MAIN PROJECT (“WESTSIDE WATER TREATMENT PLANT”) LOCATED AT 12200 OLD WEATHERFORD RD); MAKING THIS ORDINANCE CUMULATIVE OF OTHER ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 14, 2002, the City Council adopted City of Fort Worth Ordinance No. 15095 providing for the adoption of per acre charges when certain criteria are met, codified as Chapter 35, Article III, Division 3, Sewer Per Acre Charges, Sections 35-81 through 35-86 of the City Code; and further amended by City Ordinance No. 21251 on or about May 20, 2014; and

WHEREAS, the City of Fort Worth constructed City initiated 18-inch sewer main under the Westside Water Treatment Plant Project; and

WHEREAS, previous sewer per acre charge Ordinance No. 21082-01-2014 is to be repealed in order to reduce the basin boundary.

**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 Chapter 35, Article III, Division 3, Sewer Per Acre Charges, Sections 35-81 through 35-86 of the City Code, that the City of Fort Worth constructed 18-inch sewer mains extension to serve the Westside Water Treatment Plant. Further, the City Council finds that the previous calculated sewer basin area of 710.86 acres has been amended to reduce the area served by the Westside Water Treatment Plant extension for a revised calculated sewer basin of 298.38 acres, such sewer basin being more fully described in the attached Exhibit "A", which is attached hereto and made a part hereof for all purposes. This sewer main is located in the City's Extra Territorial Jurisdiction and Council District 3.

SECTION 2.

The City Council finds that the cost to install the sanitary sewer mains is \$550,395.00. In accordance with Chapter 35, Article III, Division 3, Sewer Per Acre Charges, Sections 35-81 through 35-86 of the City Code, the City Council hereby establishes the amended sewer per acre charge within this sewer basin to be \$1,844.61. This sewer per acre charge will reimburse the Fort Worth Water Department.

SECTION 3.

The City Council hereby repeals Ordinance No. 21082-01-2014 in order to reduce the basin boundary served by the Westside Water Treatment Plan sewer extension as stated in this Ordinance.

SECTION 4.

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 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:

Christa R. Lopez-Reynolds
Sr. Assistant City Attorney

ADOPTED: _____