

ORDINANCE No. \_\_\_\_\_

**AN ORDINANCE ADOPTING A PER ACRE CHARGE 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 16,010.97 ACRES SERVED BY CITY INITIATED SEWER MAIN PROJECT (“WASTEWATER DIVERSION FROM EAGLE MOUNTAIN LAKE DRAINAGE BASIN TO BIG FOSSIL CREEK DRAINAGE BASIN FORCE MAIN AND GRAVITY SEWER”) LOCATED AT 5000 PARK DR; 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. 23708 on or about June 25, 2019; and

WHEREAS, The City of Fort Worth Water Department is installing a sanitary sewer collector main (City Project Number 01309, X-24800) “Wastewater Diversion from Eagle Mountain Lake Drainage Basin To Big Fossil Creek Drainage Basin Force Main and Gravity Sewer” located at 5000 Park Dr.

**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, the Water Department is installing 13,780 linear feet of 36-inch diameter pipe sewer collection main to provide wastewater service to sub basin M391X as well as diverted wastewater effluent from drainage basins East of Eagle Mountain Lake. Further, the City Council finds that the Sanitary Sewer Improvements will serve a calculated sewer basin area of 16,010.97 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 7.

**SECTION 2.**

The City Council finds that the City qualified costs to install the 36-inch sewer collection main is \$6,950,831.27. 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 per acre charge within this sewer basin to be \$434.13. This sewer per acre charge will reimburse the City.

**SECTION 3.**

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 4.**

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 5.**

This ordinance shall be effective upon adoption.

APPROVED AS TO FORM AND LEGALITY:

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Christa R. Lopez-Reynolds  
Sr. Assistant City Attorney

ADOPTED: \_\_\_\_\_