

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 6,856.57 ACRES SERVED BY DEVELOPER SEWER MAIN PROJECT ("SKYLINE RANCH AND WALNUT CREEK") LOCATED NEAR 6601 LONGVUE AVENUE (FM 2871); MAKING THIS ORDINANCE CUMULATIVE OF OTHER ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 25, 2015, the City Council adopted City of Fort Worth Ordinance No. 21843 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. 23523 on January 15, 2019; and

WHEREAS, the City of Fort Worth is constructing offsite sanitary sewer mains "Skyline Ranch" and "Walnut Creek Sanitary Sewer Interceptor Extension" (City Project Numbers 00343, 01460, and 103414) located near 6601 Longvue Avenue;

WHEREAS, previous sewer per acre charge Ordinance No. 23523-01-2019 is to be repealed in order to increase per acre charge amount and adjust the boundary to include the area served by and the costs associated with the Walnut Creek Sanitary Sewer Inceptor Extension.

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 Developer is installing 36-inch, 33-inch, and 30-inch diameter sewer pipes, as part of Skyline Ranch and Walnut Creek Sanitary Sewer Interceptor Extension to serve the surrounding areas. Further, the City Council finds that the Sanitary Sewer Improvements will serve a calculated sewer basin area of 6,856.57 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 Extraterritorial Jurisdiction and Council District 3.

SECTION 2.

The City Council finds that the cost to install the sanitary sewer mains is \$18,062,580.91. 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 \$2,634.35. This sewer per acre charge will reimburse the Fort Worth Water Department.

SECTION 3.

The City Council hereby repeals Ordinance No. 23523-01-2019 in order to increase the per acre charge served by the Walnut Creek Sanitary Sewer Inceptor 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:

By: _____

M. Kevin Anders, II
Assistant City Attorney

Jannette S. Goodall
City Secretary

ADOPTED: _____

EFFECTIVE: _____