

# CITY OF WILLOW PARK

ORDINANCE NO. ~~666~~-13

667-13

**AN ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS, AUTHORIZING AND APPROVING THE IMPACT FEES CONTAINED IN THE CAPITAL IMPROVEMENT PLAN (DEFINED HEREIN) AND PROVIDING FOR IMPLEMENTATION OF THE IMPACT FEES; PROVIDING FOR A REPEALER, SAVINGS AND SEVERABILITY CLAUSES; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Willow Park, Texas (City) is a general law municipality located in Parker County, created in accordance with the Laws of the State of Texas; and

**WHEREAS**, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

**WHEREAS**, the municipal offices of the City perform certain functions related to the preservation of health, safety and general welfare of its citizens; and

**WHEREAS**, the City Council of the City of Willow Park, Texas previously adopted Ordinance No. 504-03 (2003) approving certain land use assumptions and a Capital Improvements Plan; and

**WHEREAS**, the City has fully complied with Chapter 395, TEX. LOCAL GOVT CODE, concerning the notice, adoption, promulgation and methodology necessary to adopt land use assumptions and a Capital Improvement Plan; and

**WHEREAS**, pursuant to Chapter 395, TEX. LOCAL GOVT CODE, the City has conducted a periodic review by qualified professionalism using generally accepted engineering and planning practices to evaluate the current land use assumptions in order to update the land use assumptions and Capital Improvement Plan; and

**WHEREAS**, the *Capital Improvement Plan 2012-2040* (Dec 2012), was prepared for the City ("Plan") by Biggs and Matthews, Inc., qualified professionals, and included updated land use assumptions, a geographic service area, and a Capital Improvement Plan for water and sewer facilities; and

**WHEREAS**, pursuant to Section 395.056, TEX. LOCAL GOVT CODE, the Capital Improvements Advisory Committee filed its written comments on the proposed land use assumptions and Capital

Improvement Plan before the public hearing on the Impact Fees; and

**WHEREAS**, the City has reviewed the updated and amended land use assumptions and Capital Improvement Plan and held a public hearing to discuss the proposed updates to the land use assumptions and Capital Improvement Plan; and

**WHEREAS**, the City did on March 27, 2013 adopt Ordinance 662-13 which did approve and adopt the updated land use assumptions and Capital Improvement Plan; and

**WHEREAS**, the City is acting on this Ordinance within thirty (30) days after a duly noticed public hearing held by the City Council on the proposed Impact Fees, pursuant to §395.049 TEX. LOCAL GOVT CODE, and has received the written report from the Advisory Committee, pursuant to §395.050 TEX. LOCAL GOVT CODE.

**NOW THEREFORE BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK THAT:**

## SECTION 1. AUTHORIZATION.

The Mayor, or the Mayor's designee, is hereby authorized and directed to implement the applicable provisions of this Ordinance.

## SECTION 2. IMPACT FEES ADOPTED

The City Council does hereby approve of the Water Impact Fee and Sewer Impact Fee (collectively "Impact Fee") in the amount set forth in Table 8-1 of "*Capital Improvements Plan 2012-2040 Water and Wastewater for City of Willow Park, Texas* (December 2012) ("Plan") and as shown on Exhibit "A" attached hereto, and incorporated herein.

**SECTION 3. IMPLEMENTATION OF IMPACT FEES.**

The City Council does hereby impose the Impact Fees approved herein, within both the extraterritorial jurisdiction and corporate boundaries of the City, and will administer said Impact Fees pursuant to Chapter 395 TEX. LOCAL GOVT CODE and Chapter 11, "Public Utilities, Article 11.500 "Impact Fees" Municipal Code of Ordinances, City of Willow, Park, Texas.

**SECTION 4. REPEALER.**

Chapter 11, "Public Utilities", Article 11.500 "Impact Fees", Section 11.504 "Impact Fee Schedule" is amended by repealing the Impact Fee Chart in Section 11.504 as shown below and replacing it with the Impact Fees shown as in Table 8-1 in the Plan and reproduced in Exhibit "A" hereto:

Meter Size	Equivalency Factor	Water
5/8 inch	1.0	\$1,400.00
3/4 inch	1.0	\$1,960.00
1.0 inch	1.0	\$3,500.00
1.5 inch	1.0	\$8,400.00
2.0 inch	1.0	\$14,000.00
3.0 inch	1.0	\$32,200.00
4.0 inch	1.0	\$57,400.00
6.0 inch	1.0	\$128,800.00
8.0 inch	1.0	\$229,600.00

  

Wastewater	Total
\$1,400.00	\$2,800.00
\$1,960.00	\$3,920.00
\$3,500.00	\$7,000.00
\$8,400.00	\$16,800.00
\$14,000.00	\$28,000.00
\$32,200.00	\$64,400.00
\$57,400.00	\$57,400.00
\$128,800.00	\$257,600.00
\$229,600.00	\$459,200.00

**SECTION 5. CONFLICTS**

All provisions of any ordinances in conflict with this Ordinance and in particular Ordinance No. 352-96 and Ordinance No. 504-03 are hereby repealed where in conflict with the provisions of the Impact Fee Amounts herein. Such partial repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the partial repeal prevent prosecution from being commenced for any violation if occurring prior to the partial repeal of the Ordinance. Any remaining portions of the non

conflicting Ordinances shall remain in full force and effect.

**SECTION 6. RECITALS**

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Ordinance.

**SECTION 7. SEVERANCE**

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

**SECTION 8. PUBLICATION.**

The City Secretary is hereby directed to publish in a newspaper of general circulation the caption herein above.

**SECTION 9. EFFECTIVE DATE.**

This Ordinance shall take effect after its publication.

PASSED AND APPROVED this 14<sup>th</sup> day of May, 2013.  
 /s/ R. L. Henderson  
 Mayor

ATTEST:  
 /s/ Joel Hoffman  
 City Secretary/Clerk

APPROVED AS TO FORM:  
 /s/ \_\_\_\_\_  
 City Attorney

The Willow Park City Council in acting on Ordinance No. ~~667~~-13 did on the 14<sup>th</sup> day of May, 2013 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Richard Neverdousky, Mayor	_____	_____
Brian Thornburg, Place 1	<u>✓</u>	_____
Gene Martin, Place 2	<u>✓</u>	_____
Amy Podany, Place 3	<u>✓</u>	_____
Dan Stalling, Place 4	<u>✓</u>	_____
Bernard Suchocki, Place 5	<u>✓</u>	_____

## EXHIBIT 'A'

Meter	Water Impact Fee	Sewer Impact Fee
5/8" meter	\$ 3,275	\$ 4,425
3/4" meter	4,912	6,638
1" meter	8,188	11,063
1 1/2" meter	16,375	22,125
2" meter	26,200	35,400
4" meter	81,875	110,625
6" meter	163,750	221,250
8" meter	262,000	354,000