ORDINANCE NO. 2024-07-02-11

AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, AMENDING CHAPTER 42, SECTION 42-319 et. seq. CODE OF ORDINANCES, BY ADOPTING NEW LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENT PLAN AND BY AMENDING THE WATER AND WASTEWATER IMPACT FEES, AND; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, Sec. 395.052, Tex. Local Gov't Code, requires a municipality imposing impact fees to review and evaluate its current land use assumptions and capital improvements plan at least every five (5) years (dating from the day the initial capital improvements plan is adopted); and

WHEREAS, the last time such land use assumptions and capital improvements plan were reviewed, evaluated and updated was July 2019; and

WHEREAS, the City Council has reviewed, evaluated, and now wishes to adopt updated land use assumptions and a capital improvements plan in order to comply with said Texas Local Government Code requirements for same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, THAT:

Section 1. All of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

Section 2. Pursuant to and under the authority granted in Chapter 395 et. seq. of the Texas Local Government Code and Chapter 42, Section 42.321, Code of Ordinances, City of Elgin, Texas, the following is hereby adopted:

> "The updated capital improvements plan and land use assumptions plan for water and wastewater facilities dated July 2024, is adopted and incorporated in this section by reference and shall be kept on record in the office of the city secretary."

Section 3. Pursuant to and under the authority granted in Chapter 395 et. seq. of the Texas Local Government Code and Chapter 42, Section 42.321, Code of Ordinances, City of Elgin, Texas, the following is hereby adopted:

A. Maximum Impact fees:
City Water: $**5,103.41**
Wastewater: **$5,850.86**

B. Effective Impact fee to be appropriately charged beginning July 3, 2024 :
City Water: $5100.00
Wastewater: $5850.00

Section 4. This Ordinance shall become effective immediately after its passage.

Section 5. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

Section 6. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

Section 7. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meeting Act, Chapter 551, Texas Government Code, as amended.

READ, PASSED, and AMENDED on first reading this 2nd day of July 2024.

Theresa Y. McShan

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

Esmeralda Rangel

ESMERALDA RANGEL, Assistant City Secretary

CITY OF ELGIN TEXAS