

CITY OF ROYSE CITY, TEXAS

ORDINANCE NO. 21-05-1449

AN ORDINANCE OF THE CITY OF ROYSE CITY, TEXAS, AMENDING ORD. NO. 07-03-0563 ADOPTING IMPACT FEES, AS CODIFIED IN THE CITY CODE OF ORDINANCES, CHAPTER 10, ARTICLE 10.03, BY UPDATING SCHEDULES 1 AND 2 AS THEY RELATE TO WATER AND WASTEWATER FACILITIES; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONFLICTS; AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, the City Council of the City of Royse City, Texas (the “City Council”) has previously adopted Ordinance Nos. 07-03-562 and 07-04-563 and updated land use assumptions, capital improvements plans and schedules for the assessment and collection of impact fees for water and wastewater by Resolution No. 21-05-179R (individually and collectively, the “Impact Fee Ordinance”); and

WHEREAS, the City Council has investigated and determined that the City of Royse City, Texas (the “City”) has fully complied with Chapter 395, Tex. Loc. Gov’t Code (the “Code”), concerning the notice, adoption, promulgation and methodology necessary to adopt land use assumptions and capital improvements plan establishing impact fees and has properly adopted the Impact Fee Ordinance; and

WHEREAS, the City Council has further investigated and determined that City has reviewed the land use assumptions, capital improvements plan and impact fees adopted under the Impact Fee Ordinance in compliance with the Code; and

WHEREAS, notice has been published, public hearings have been held and the written recommendations of the Capital Improvements Advisory Committee, created under §395.058 of the Code, have been received regarding applicable matters, including updating the assessment and collection schedules for water and wastewater impact fees; and

WHEREAS, the City Council has held a public hearing to discuss the amendments to the land use assumptions, capital improvements plan and water/wastewater impact fees; and

WHEREAS, within thirty (30) days after the date of the public hearing on the amendments to the land use assumptions, capital improvements plan and water/wastewater impact fees, the City Council is considering to approve or disapprove the amendments as more fully set forth below; and

WHEREAS, the City Council has investigated and determined that the City has fully complied with Chapter 395 of the Code to approve the amendments to the land use assumptions, capital improvements plan and water/wastewater impact fees; and

WHEREAS, the City Council further finds that it is in the best interest of the citizens of the City of Royse City to make such changes to the City’s impact fee program to assure adequate

water and wastewater facilities to serve New Development by requiring each such development to pay its share of the costs of such improvements necessitated by and attributable to such New Development.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROYSE CITY:

SECTION 1. UPDATED SCHEDULE 1 FOR WATER FACILITIES

Schedule 1 of Ord. No. 07-03-0562, being Exhibit 3 thereof, and codified as section 10.03.051 of the City Code of Ordinances, hereby is amended and updated by reducing the water impact fee to be assessed per service unit from \$5,616 (5/8" water meter) to \$1,400 (5/8" water meter). Such updated assessment rate will be as set forth in the Impact Fee Ordinance, and the assessment amount will be removed from codification to avoid confusion between differently assessed New Development.

SECTION 2. UPDATED SCHEDULE 1 FOR WASTEWATER FACILITIES

Schedule 1 of Ord. No. 07-03-0562, being Exhibit 3 thereof, and codified as section 10.03.051 of the City Code of Ordinances, hereby is amended and updated by decreasing the wastewater impact fee to be assessed per service unit from \$6,824 (5/8" water meter) to \$2,249 (5/8" water meter). Such updated assessment rate will be as set forth in the Impact Fee Ordinance, and the assessment amount will be removed from codification to avoid confusion between differently assessed New Development.

SECTION 3. UPDATED SCHEDULE 2 FOR WATER FACILITIES

Schedule 2 of Ord. No. 07-03-0562, being Exhibit 4 thereof, and codified as section 10.03.052 of the City Code of Ordinances, hereby is amended and updated by reducing the water impact fee to be collected per service unit from \$2,000 (5/8" water meter) to \$1,400 (5/8" water meter). Such updated collection rate will be as set forth in the Impact Fee Ordinance, and the collection amount will be removed from codification to avoid confusion between differently assessed New Development.

SECTION 4. UPDATED SCHEDULE 2 FOR WASTEWATER FACILITIES

Schedule 2 of Ord. No. 07-03-0562, being Exhibit 4 thereof, and codified as section 10.03.052 of the City Code of Ordinances, hereby is amended and updated by increasing the wastewater impact fee to be collected per service unit from \$2,000 (5/8" water meter) to \$2,249 (5/8" water meter). Such updated collection rate will be as set forth in the Impact Fee Ordinance, and the collection amount will be removed from codification to avoid confusion between differently assessed New Development.

SECTION 5. UPDATED CODIFICATION LANGUAGE FOR ASSESSMENT RATES

Section 10.03.051 of the Royse City Code of Ordinances is amended to read as follows:

Sec. 10.03.051 Assessment rates (schedule 1)

Schedule 1. Impact Fees to be Assessed per Service Unit for ~~Water, Wastewater~~
and Roadway Facilities

~~Water Facilities~~

~~_____ \$5,022.00 per living unit equivalent (5/8" to 1" water meter)~~

~~Wastewater Facilities~~

~~_____ \$4,617.00 per living unit equivalent (5/8" to 1" water meter)~~

Roadway Facilities

Service Area	Impact Fees Per Service Unit (vehicle trip)
1	\$2,113.00
2	\$1,386.00
3	\$1,439.00
4	\$1,363.00

SECTION 6. UPDATED CODIFICATION LANGUAGE FOR COLLECTION RATES

Section 10.03.052 of the Royse City Code of Ordinances is amended to read as follows:

Sec. 10.03.052 Collection rates (schedule 2)

Schedule 1. Impact Fees to be Paid per Service Unit for ~~Water, Wastewater and~~ Roadway Facilities

~~Water Facilities~~

~~_____ \$2,000.00 per living unit equivalent (5/8" to 1" water meter)~~

~~Wastewater Facilities~~

~~\$2,000.00 per living unit equivalent (5/8" to 1" water meter)~~

Roadway Facilities

Service Area	Impact Fees Per Service Unit (vehicle trip)	
	Residential Uses	Nonresidential Uses
1	\$1,000.00	\$500.00
2	\$1,000.00	\$500.00
3	\$1,000.00	\$500.00
4	\$1,000.00	\$500.00

SECTION 7. SEVERABILITY

The terms and provisions of this ordinance shall be deemed to be severable and if the validity of any section, subsection, sentence, clause or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this ordinance.

SECTION 8. SAVINGS/REPEALING CLAUSE

The Impact Fee Ordinance shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any other ordinances in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 9. CONFLICTS

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Royse City, 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 Code hereby are superseded.

SECTION 10. EFFECTIVE DATE

This ordinance shall take effective immediately upon its passage and execution.

PASSED AND APPROVED by the City Council, the City of Royse City, on this the 25th day of May, 2021.



 Clay Ellis, Mayor


ATTEST:



Deborah Sorensen, TRMC, MMC, City Secretary



APPROVED AS TO FORM:



Jason Day, City Attorney

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