

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 42, TRAFFIC AND VEHICLES, CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, BY ADDING A NEW ARTICLE V. ROAD IMPACT FEES; AND ADOPTING A ROAD IMPACT FEE FOR KENNEY FORT BOULEVARD; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, Section 395.044, Texas Local Government Code requires a municipality desiring to impose a road impact fee to approve land use assumptions and a capital improvement plan prior to adoption of said fee; and

WHEREAS, on April 28, 2011, pursuant to Section 395.045 of the Texas Local Government Code, the City Council conducted a public hearing and thereafter approved land use assumptions and a capital improvement plan for a road impact fee for Kenney Fort Boulevard; and

WHEREAS, on June 9, 2011, pursuant to Section 395.049 of the Texas Local Government Code, the City Council conducted a public hearing regarding the imposition of road impact fees for Kenney Fort Boulevard; and

WHEREAS, pursuant to Section 395.050, the Capital Improvements Advisory Committee filed written comments on the proposed road impact fee with the City; and

WHEREAS, all provisions of Chapter 395 of the Texas Local Government Code have been complied with in full; Now Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That Chapter 42, Code of Ordinances (2010 Edition), City of Round Rock, is hereby amended by adding a new article, to be numbered Article V. Road Impact Fees, which said Article shall read as follows:

ARTICLE V. ROAD IMPACT FEES

Sec. 42-500. – Road Impact Fees.

(a) *Kenney Fort Boulevard.*

(1) *Land Use Assumptions and Capital Improvement Plan.*

a. The Land Use Assumptions and Capital Improvement Plan for Kenney Fort Boulevard dated March 23, 2011, as shown on pages 10-12 of the Roadway Impact Fee Study prepared by HDR Engineering, Inc., are hereby adopted and incorporated by reference and shall be kept of record in the office of the City Secretary.

(2) *Road Impact Fee.*

a. The road impact fee service area, the boundaries of which are depicted as the service area in the March 23, 2011 Roadway Impact Fee Study prepared by HDR Engineering, Inc. is hereby adopted and incorporated by reference and shall be kept of record in the office of the City Secretary.

b. Beginning on January 1, 2012, the City shall assess a road impact fee of \$540 per service unit. Such fee shall be collected pursuant to Section 395.016 of the Texas Local Government Code.

II.

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

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

C. 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 were discussed, considered and

formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this ____ day of _____, 2011.

Alternative 2.

READ and **APPROVED** on first reading this the ____ day of _____, 2011.

READ, APPROVED and ADOPTED on second reading this the ____ day of _____, 2011.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Secretary