

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, APPROVING AMENDMENTS TO THE LAND USE ASSUMPTIONS, THE CAPITAL IMPROVEMENT PLAN FOR WATER, WASTEWATER AND ROADWAY FACILITIES, CHANGES TO THE IMPACT FEE CALCULATIONS BY AMENDING CHAPTER 17, SCHEDULE 1 AND 2 OF THE CODE OF ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Coppel, Texas previously imposed Impact Fees for Water, Wastewater and Roadway Facilities for the financing of Capital Improvements required for new development in the City; and,

WHEREAS, with the advice and assistance of the Capital Improvements Advisory Committee, amendments to the Land Use Assumptions and the Capital Improvement Plan for Water, Wastewater and Roadway Facilities have been prepared; and

WHEREAS, based on amendments to the Land Use Assumptions, amendments to the Capital Improvement Plan for Water, Wastewater and Roadway Facilities have been prepared by Birkhoff, Hendricks, & Carter, L.L.P. in association with Lee Engineering, L.L.C., in a document entitled “Engineering Evaluation Report of The Water, Wastewater, and Roadway 2018-2028 Impact Fee Update,” dated March 2020; and

WHEREAS, the Capital Improvement Advisory Committee has filed written comments on the amendments to the Land Use Assumptions and the Capital Improvement Plan for Water, Wastewater and Roadway Facilities and the City Council has received and reviewed those comments; and

WHEREAS, the City Council of the City of Coppel has given notice and held a public hearing required by Chapter 395 of the Texas Local Government Code for the amendments to the Land Use Assumptions, the Capital Improvement Plan for Water, Wastewater and Roadway Facilities and modification of impact fees for the financing of capital improvements required by new development within the city; and

WHEREAS, the City Council find it is in the best interest of the City of Coppel and its citizens to approve and adopt the amendments to the Land Use Assumptions and the Capital Improvement Plan for Water, Wastewater and Roadway Facilities and to establish impact fees consistent with the Capital Improvement Plan and to make other conforming changes to the Code of Ordinances.

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

SECTION 1. The City of Coppel, Texas hereby approves and adopts the “Engineering Evaluation Report of The Water, Wastewater, and Roadway 2018-2028 Impact Fee Update,” dated

March 2020 and prepared by Birkhoff, Hendricks, & Carter, L.L.P. in association with Lee Engineering, L.L.C., as the amended Land Use Assumptions, Capital Improvement Plan for Water, Wastewater and Roadway Facilities of the city, a copy of which shall be maintained in the office and archives of the City Secretary.

SECTION 2. That Chapter 17, Article 17-2-3 “Water Facility Fees”, 17-3-3 “Wastewater Facilities Fees” and 17-4-3 “Roadway Facilities Fees”, respectively, of the Code of Ordinances of the City of Coppell, Texas, is amended by adopting the following impact fees as set forth in the schedule as follows:

“CHAPTER 17. IMPACT FEES

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ARTICLE 17-2. WATER FACILITIES FEES

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Sec. 17-2-3. Water Facility Fees

The maximum impact fees per service unit for water facilities and the impact fees per service unit for water facilities which are to be paid by development are hereby established, as set forth in Schedule 1 and the established assessed fee is hereby provided in Schedule 2, as amended. The impact fees per service unit for water facilities may be amended from time to time as provided in Chapter 395, Texas Local Government Code.

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ARTICLE 17-3. SEWER FACILITIES FEES

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Sec. 17-3-3. Wastewater Facilities Fees

The maximum impact fees per service unit for wastewater facilities and the impact fees per service unit for wastewater facilities which are to be paid by development are hereby established, as set forth in Schedule 1 and the established assessed fee is hereby provided in Schedule 2, as amended. The impact fees per service unit for wastewater facilities may be amended from time to time as provided in Chapter 395, Texas Local Government Code.

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ARTICLE 17-4. ROADWAY FACILITIES FEES

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Sec 17-4-3. Roadway Facilities Fees

The maximum impact fees vehicle mile for each roadway benefit area and the impact fees per vehicle mile for roadway facilities which are to be paid by development are hereby established, as set forth in Schedule 1 and the established assessed fee is hereby provided in Schedule 2, as amended. The

impact fees per vehicle mile for roadway facilities may be amended from time to time as provided in Chapter 395, Texas Local Government Code.
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SECTION 3. That Chapter 17, Article 17-2 “Water Facility Fees” of the Code of Ordinances of the City of Coppell, Texas, is amended by amending Schedule 1 and Schedule 2 to read as follows:

“CHAPTER 17. IMPACT FEES

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ARTICLE 17-2. WATER FACILITIES FEES

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**SCHEDULE 1
MAXIMUM FEE RATE FOR IMPACT FEES**

WATER FACILITY MAXIMUM FEE PER SERVICE UNIT		
Meter Size - Type	E.S.U. *	Water Impact Fee
5/8" x 3/4" – Simple	1.0	\$ 1,327.79
1" – Simple	1.7	\$ 2,257.24
1 1/2" – Simple	3.3	\$ 4,381.70
2" – Simple/Compound	5.3	\$ 7,037.28
2" – Turbine	6.7	\$ 8,896.18
3" – Compound	10.7	\$14,207.34
3" – Turbine	16.0	\$21,244.61
4" – Compound	16.7	\$22,174.06
4" – Turbine	28.0	\$37,178.07
6" – Compound	33.3	\$44,215.35
6" – Turbine	61.3	\$81,393.42
8" – Compound	53.3	\$70,771.12
8" – Turbine	106.7	\$141,675.01
10" – Compound	153.3	\$203,549.95
10" – Turbine	166.7	\$221,342.31
12" – Turbine	220.0	\$292,113.43

WASTEWATER FACILITY MAXIMUM FEE PER SERVICE UNIT		
Meter Size - Type	E.S.U. *	Wastewater Impact Fee
5/8" x 3/4" – Simple	1.0	\$445.81
1" – Simple	1.7	\$757.89
1 1/2" – Simple	3.3	\$1,471.19
2" – Simple/Compound	5.3	\$2,362.82
2" – Turbine	6.7	\$2,986.96
3" – Compound	10.7	\$4,770.22
3" – Turbine	16.0	\$7,133.04
4" – Compound	16.7	\$7,445.11
4" – Turbine	28.0	\$12,482.81
6" – Compound	33.3	\$14,845.63
6" – Turbine	61.3	\$27,328.45
8" – Compound	53.3	\$23,761.93
8" – Turbine	106.7	\$47,568.44
10" – Compound	153.3	\$68,343.41
10" – Turbine	166.7	\$74,317.32
12" – Turbine	220.0	\$98,079.25

ROADWAY FACILITY MAXIMUM FEE PER SERVICE UNIT	
Service Area	Cost Per Service Unit
1	\$ 177.50

* Based on AWWA Standards C701

**SCHEDULE 2
ASSESSED FEE RATE**

WATER FACILITY PAYMENT AND COLLECTION FEE PER SERVICE UNIT		
Meter Size - Type	E.S.U. *	Water Impact Fee
5/8" x 3/4" – Simple	1.0	<i>Fee Set by Separate Resolution</i>
1" – Simple	1.7	
1 1/2" – Simple	3.3	
2" – Simple/Compound	5.3	
2" – Turbine	6.7	
3" – Compound	10.7	
3" – Turbine	16.0	
4" – Compound	16.7	
4" – Turbine	28.0	
6" – Compound	33.3	
6" – Turbine	61.3	
8" – Compound	53.3	
8" – Turbine	106.7	
10" – Compound	153.3	
10" – Turbine	166.7	
12" – Turbine	220.0	

WASTEWATER FACILITY PAYMENT AND COLLECTION FEE PER SERVICE UNIT		
Meter Size - Type	E.S.U. *	Wastewater Impact Fee
5/8" x 3/4" – Simple	1.0	<i>Fee Set by Separate Resolution</i>
1" – Simple	1.7	
1 1/2" – Simple	3.3	
2" – Simple/Compound	5.3	
2" – Turbine	6.7	
3" – Compound	10.7	
3" – Turbine	16.0	
4" – Compound	16.7	
4" – Turbine	28.0	
6" – Compound	33.3	
6" – Turbine	61.3	

WASTEWATER FACILITY PAYMENT AND COLLECTION FEE PER SERVICE UNIT		
Meter Size - Type	E.S.U. *	Wastewater Impact Fee
8" – Compound	53.3	<i>Fee Set by Separate Resolution</i>
8" – Turbine	106.7	
10" – Compound	153.3	
10" – Turbine	166.7	
12" – Turbine	220.0	

ROADWAY FACILITY PAYMENT AND COLLECTION FEE PER SERVICE UNIT	
Service Area	Cost Per Service Unit
1	<i>Fee Set by Separate Resolution</i>

* Based on AWWA Standards C701”

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance or the Code of Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the remaining provisions of said ordinance or the Code of Ordinances, as amended hereby, which shall continue in full force and affect.

SECTION 5. That all the provisions of this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance of the Code of Ordinances as amended hereby, acting for the City of Coppell, Texas, in the discharge of their duties, shall not thereby render themselves personally liable; and they are hereby relieved from all personal liability for any damage that might occur to persons or property as a result of any act required or permitted in the discharge of said duties.

SECTION 6. That any violation of this ordinance may be enjoined by a suit filed in the name of the City of Coppell, Texas, in a court of competence jurisdiction; and this remedy shall be in addition to any penal provision in this ordinance or in the Code of Ordinances of the City of Coppell, Texas as amended hereby.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Coppell, Texas, this the _____ day
of _____, 2020.

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY