

ORDINANCE NO. 891-07-06-26

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING CHAPTER 152 OF THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES REGARDING THE IMPACT FEE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

Section 1: General.

Sections 152.02, 152.04, 152.15, 152.19 and 152.22 and Exhibits A and B of Chapter 152 of the City of Pflugerville, Texas Code of Ordinances are hereby amended to read as attached as Exhibit "1".

Section 2: Effective Date.

This Ordinance will take effect on July 1, 2007 after its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

Section 3: Severability.

If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

PASSED AND APPROVED this 26th day of June, 2007.

CITY OF PFLUGERVILLE, TEXAS

By: _____

Jeff Coleman, Mayor

ATTEST:

Karen Thompson
Karen Thompson, City Secretary

EXHIBIT 1

§ 152.02 **DEFINITIONS.**

(A) For the purpose of this chapter, the following definitions will apply unless the context clearly indicates or requires a different meaning.

SERVICE AREA. The land area served by capital improvements plan projects. This includes the entire area inside the city limits and other areas surrounding the city limits, as shown on Exhibit A, attached to Ordinance 891-07-06-26.

§ 152.04 **ADMINISTRATIVE PROVISIONS.**

(A) *Capital improvements plan.* The capital improvements plan identifying capital improvements or facility expansions for which impact fees may be assessed, that was considered at the May 8, 2007, public hearing and is attached as Exhibit B, is approved and adopted.

(B) *Periodic updates.* The land use assumptions and the capital improvements plan upon which the impact fees are based will be updated at least every five years. Alternatively, the City Council may, pursuant to TEX. LOC. GOV'T CODE, § 395.0575, make a determination that no update is required.

§ 152.15 **TIME OF ASSESSMENT AND COLLECTION OF IMPACT FEE.**

(A) For new development that was platted before the adoption of Ordinance No. 319-90-06-26, the city will assess and collect the impact fee in effect at the time the building permit is issued or the application is made for an individual connection to the municipal water or wastewater system.

(B) For development that is platted after the adoption of the initial impact fee ordinance, as described in § 152.15 (A), the impact fee is assessed against each service unit of land and shall be the fee in effect at the time the final platting is approved. Except as provided for in §395.019 of the Texas Local Government Code:

(1) for parties within the municipal corporate boundaries, the assessment is made and collected at the time of issuance of building permit.

(2) for land platted outside the corporate boundaries, the assessment is made and collected at the time an application is made for an individual connection to the municipal water or wastewater system.

(3) where the City of Pflugerville lacks the authority to issue building permits in the area where the fee applies, the fee shall be assessed and collected at the time an application is made for an individual connection to the municipal water or wastewater system.

(C) The impact fee is assessed against each service unit of land on which any new development occurs or is proposed without additional platting. Except as provided for in §395.019 of the Texas Local Government Code, the assessment and collection is made on the date a building permit is issued, or, if no building permit is required, on the first day a service application is made for connection to the municipal water and/or wastewater system. At the latest, the impact fee must be collected at the time of connection to the city's water or wastewater system.

§ 152.19 IMPACT FEE AMOUNT.

(A) The amount of the impact fee for water and wastewater facilities applies equally over the entire service area.

(B) Effective July 1, 2007, the impact fee for each service unit is:

Fee Component	Assessed Fee per Service Unit
Water Utility Fees	
Supply & Treatment	\$1,582
Pumping & Storage	\$274
Transmission	\$547
Allocated Impact Fee Study Cost	\$1
Total Water Fees	\$2,403
Wastewater Utility Fees	
Treatment	\$1,311
Pumping	\$837
Interceptors	\$259
Allocated Impact Fee Study Cost	\$6
Total Wastewater Fees	\$2,414
Total Water and Wastewater Fees	\$4,817

(C) An impact fee is assessed and collected only for the utility service(s) capacity reserved, be it water or wastewater.

§ 152.22 CREDITS AND REIMBURSEMENTS.

(A) Where, in order to serve new development, the Developer is required to construct, contribute, contribute to, or dedicate, a capital improvement or facility expansion identified in the capital improvements plan (Exhibit B) the developer may enter into an agreement with the city whereby the developer is:

(1) Credited for the capital improvement or facility expansion against the impact fee otherwise due from the new development; or

(2) Reimbursed for all or a portion of the costs of the capital improvement or facility expansion from impact fees as received from other new developments that use the capital improvement or facility expansion.

EXHIBIT A EXISTING/POTENTIAL SERVICE AREA BOUNDARY MAP

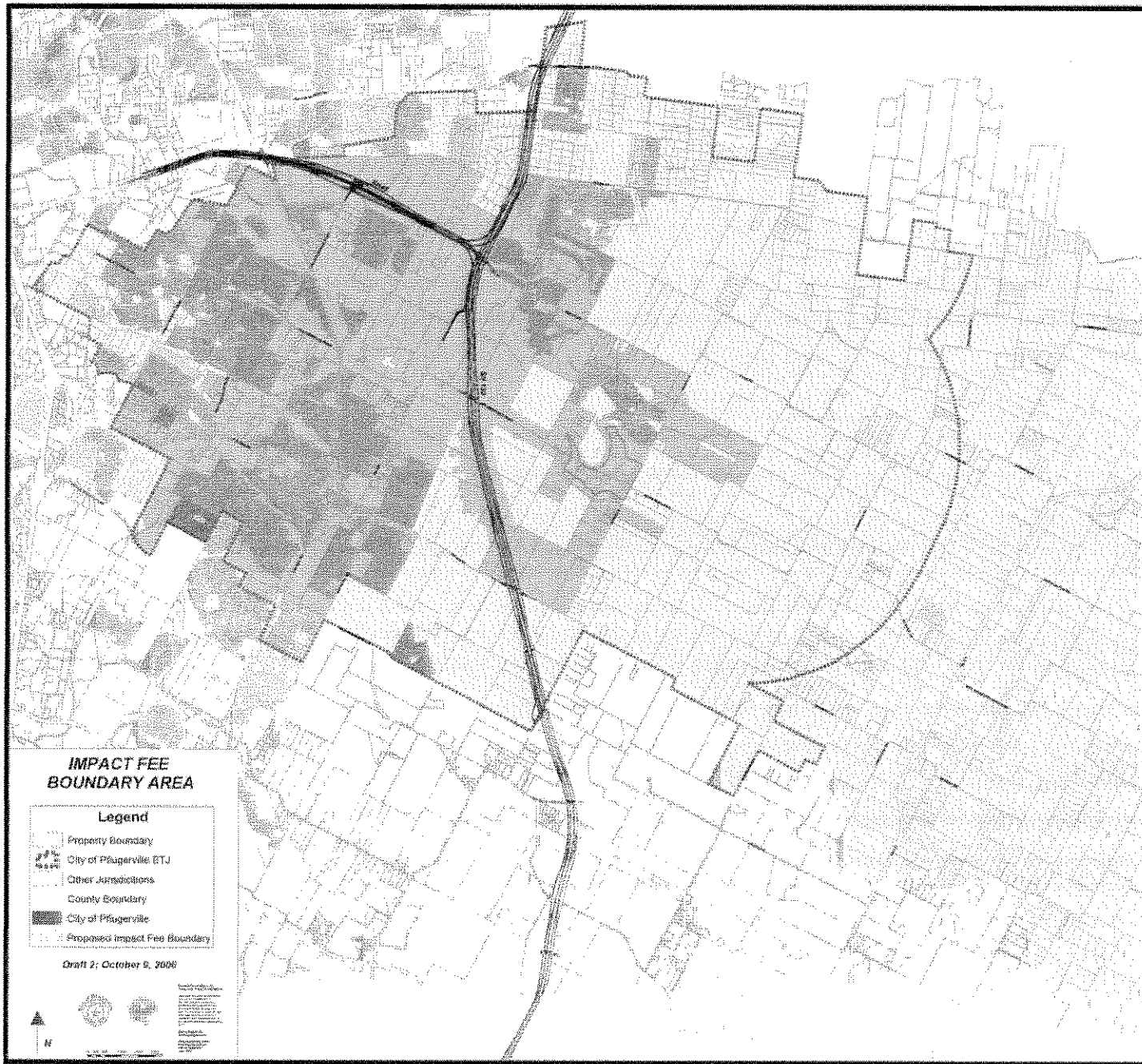


EXHIBIT B
2007-2016 WATER AND WASTEWATER
CAPITAL IMPROVEMENTS PLAN – CITY OF PFLUGERVILLE

Water Utility

Treatment

Backwash Clarifier \$ 729,992

Storage

Pfennig Ground Storage \$ 200,000

Southeast EST \$ 922,223

Pumping

Pfennig Booster Pump Station \$ 2,000,000

Transmission

TW Pipeline – Pflugerville Parkway \$ 744,592

Pfennig Bypass Pipeline \$ 486,661

Weiss Lane Transmission Line \$ 3,045,282

Kelly Lane Transmission Line \$ 2,260,541

Pecan Street Transmission Line \$ 1,660,731

Misc. Transmission \$ 304,163

Wastewater Utility

Treatment

Central WWTP Expansion \$ 11,000,000

Wilbarger WWTP – Phase I \$ 31,280,000

Pumping

Highland Park LS Expansion \$ 1,985,000

Interceptors

Wilbarger Interceptor - Phase I \$ 19,655,000

Wilbarger Interceptor - Phase II \$ 14,430,000

Rowe Loop Wastewater Svc Extension \$ 650,000

Southside Interceptor Expansion \$ 2,170,000