

ORDINANCE NO. 748

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING MANOR CODE OF ORDINANCES APPENDIX A, ARTICLE A7.000 UTILITY SERVICE CHARGES AND FEES BY ESTABLISHING STORMWATER DRAINAGE FEES; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR PENALTIES; AND PROVIDING FOR A SAVINGS, SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, the City of Manor, Texas (the “City”) is experiencing significant growth and development and such growth is expected to continue;

Whereas, many of the City’s fees and charges are not adequate to cover the City’s actual costs for providing services required to be provided by the City;

Whereas, the City’s growth has presented increasingly more complex and time-consuming planning, engineering, and legal issues that have required increased expenditures for professional consulting, including, but not limited to, planning, engineering, and legal fees and expenses;

Whereas, the established stormwater drainage charge is based on the revenue required to support the stormwater utility;

Whereas, the Manor, Texas City Council (the “City Council”) approved Ordinance 742 on May 15, 2024, which established Stormwater as a public utility and established charges to be paid by users of benefited property in the service area; and

Whereas, the City Council has determined that the proposed provisions are reasonable and necessary to more effectively support the stormwater utility in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, THAT;

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and incorporated herein for all purposes as findings of fact.

SECTION 2. Amendment of Code of Ordinances. The City Council hereby amends Appendix A, Fee Schedule of the Manor Code of Ordinances (the “Fee Schedule”) to amend the Utility Stormwater Charges and Fees as provided for in Section 3 of this Ordinance.

SECTION 3. Amendment of Article A7.000. The City Council hereby amends Article A7.000 of the Fee Schedule to add Section A7.010 to read as follows:

“Sec. A7.010 – Stormwater Drainage Rates.

- (a) *Single Family Residential*. The minimum monthly charge per Equivalent Residential Unit (ERU) shall be as follows:

Rate Table – Single Family Residential Stormwater Drainage

Single Family Residential	\$6.50
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- (b) *Non-Single Family Residential*. The minimum monthly charge per Equivalent Residential Unit (ERU) shall be as follows:

Rate Table – Non-Single Family Residential Stormwater Drainage

Non-Single Family Residential	Total Impervious Cover/2,730 * 6.50
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SECTION 4. Amendment of Conflicting Ordinances. The Manor Code of Ordinances is amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

SECTION 5. Savings Clause. All rights and remedies of the City of Manor are expressly saved as to any and all violations of the provisions of any ordinances affecting fees or charges which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 7. Effective Date. This Ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Texas Local Government Code and the City Charter.

SECTION 8. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on this 5th day of June 2024.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz,
City Secretary