

TOWN OF PONDER

ORDINANCE NO. 21-11

AN ORDINANCE OF THE TOWN OF PONDER, TEXAS ADOPTING AMENDED LAND USE ASSUMPTIONS, CAPITAL IMPREMENTS PLAN AND WATER AND SEWER IMPACT FEES ATRIBUTABLE TO NEW DEVELOPMENT IN THE TOWN'S WATER AND SEWER SERVICE AREA; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Town of Ponder, Texas with the passage of Resolution 16-22 on December 16th, 2016, last updated its water and sewer master plan containing land use assumptions, its capital improvements plan and water and sewer impact fees to be assessed by the Town; and

WHEREAS, Texas Local Government Code Section 395.052 requires a five-year mandatory review and update of the Town's land use assumptions, capital improvements plan and the amount of impact fee per service unit; and

WHEREAS, Belcheff & Associates presented to the Capital Improvements Advisory Committee (Advisory Committee) the 2021 Water and Sewer Impact Fee Program, concerning necessary updates to the Town's water and sewer impact fees made necessary due to the projected increase in future costs associated with the Town's current capital improvements plan for the construction of water and sewer infrastructure necessary to serve new development in the Town's service area; and

WHEREAS, the Advisory Committee undertook an examination of the 2021 Water and Sewer Impact Fee Program and recommended that the Town Council approve the proposed amended land use assumptions, capital improvement plans and impact fees for the construction of water and sewer infrastructure necessary to serve new development in the impact fee service areas; and

WHEREAS, pursuant to Texas Local Government Code Section 395.050, the action and comments of the Advisory Committee regarding the recommended updates and amendments have been duly recorded in the public minutes of the Committee in compliance with State law; and

WHEREAS, Texas Local Government Code Section 395.054 states that to amend water and sewer impact fees, the Town must hold a public hearing to discuss the proposed ordinance, order, or resolution amending the land use assumptions, capital improvements plan and impact fees; and

WHEREAS, the Town Council adopted Resolution 21-09 on June 2nd, 2021 establishing a public hearing date for July 12th, 2021 to discuss, consider and act on amendment of land use assumptions, capital improvements plan and water and sewer impact fees; and

WHERAS, the Texas Local Government Code Sections 395.054 and 395.055 state that prior to holding the public hearing a notice of public hearing shall be published in the official newspaper of general circulation and that the Town shall make available to the public proposed land use assumptions, capital improvements plan and the amount of proposed amended impact fee per service unit; and

WHEREAS, the Town Secretary timely published the notice of public hearing in the official newspaper of general circulation concerning the public hearing to consider approval of the amendment of the Town's current land use assumptions, capital improvements plan and impact fees and the Town made available to the public the proposed land use assumptions, capital improvements plan and the amount of proposed

amended impact fee per service unit pursuant to 2021 Water and Sewer Impact Fee Program study; and

WHEREAS, the Town Council held a public hearing on July 12th, 2021, to consider the proposed amendments to the land use assumptions, capital improvements plan and impact fees to be adopted by ordinance within thirty (30) days following the public hearing; and

WHEREAS, by the adoption of this ordinance, the Town approves the amendments to the land use assumptions and capital improvements plans; and establishes new water and sewer impact fees to be collected upon issuance of building permit or as otherwise allowed by the Texas Local Government Code Chapter 395;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS:

1. That the land use assumptions and capital improvements plan within the water and sewer service area are amended as reflected in the 2021 Water and Sewer Impact Fee Program Study which is incorporated into this Ordinance by reference.
2. That the water and sewer impact fees within the service area are amended to establish new Water and Sewer Impact Fee Schedule as set forth in the Exhibit "A" attached hereto.
3. This Ordinance is in full force and effect immediately upon its adoption.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS,
THIS _____ day of _____, 2021.**

APPROVED:

Matthew Poole, Town Mayor

ATTEST:

Sheri Clearman, Town Secretary

Exhibit "A"

Town of Ponder Water and Sewer Impact Fee Schedule

Meter Size	Equivalency Factor	Water Impact Fee	Sewer Impact Fee	Total Impact Fee
5/8"x5/8" and 5/8"x3/4"	1.00	\$3,505	\$4,815	\$7,508
3/4"x3/4"	1.50	\$5,257	\$7,223	\$12,480
1"	2.50	\$8,762	\$12,038	\$20,799
1-1/2"	5.00	\$17,523	\$24,075	\$41,599
2"	8.00	\$28,037	\$38,520	\$66,558
3"	17.50	\$61,332	\$84,263	\$145,595
4"	30.00	\$105,140	\$144,451	\$249,592
6"	62.50	\$219,042	\$300,940	\$519,982
8"	90.00	\$315,421	\$433,354	\$748,775
10"	145.00	\$508,178	\$698,181	\$1,206,359