

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AMENDING CERTAIN WATER AND WASTEWATER FEES CONTAINED IN SUBSECTION (d), "WATER/WASTEWATER CONNECTION/TAP FEE," OF SECTION XIV, "PUBLIC WORKS FEE SCHEDULE," CONTAINED IN APPENDIX A, "FEE SCHEDULE," TO THE TOWN'S CODE OF ORDINANCES; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town Council of the Town of Prosper, Texas ("Town Council"), has investigated and determined that certain provisions, including certain fees, contained in the Code of Ordinances as well as Appendix A to the Town's Code of Ordinances, should be revised; and

WHEREAS, on or about November 8, 2022, the Town Council reviewed the current and proposed provisions and fees in the Code of Ordinances and Appendix A to the Town's Code of Ordinances and determined that certain revisions would be advantageous, beneficial and in the best interests of the citizens of Prosper; and

WHEREAS, since that time, the Town has determined that additional minor revisions to water and wastewater fees should be revised and included in the fees contained in Appendix A to the Town's Code of Ordinances.

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

SECTION 1

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

From and after the effective date of this Ordinance, existing subparts (E), "Water tap fee," and (F), "Sewer tap fee," of Subsection (2), "Other fees," of Section V, "Development Fees," of Appendix A, "Fee Schedule," to the Town's Code of Ordinances are hereby repealed and the remaining subparts of said Subsection (2), "Other fees," shall be renumbered accordingly.

SECTION 3

From and after the effective date of this Ordinance, Subsection (d), "Water/wastewater connection/tap fee," of Section XIV, "Public Works Fee Schedule," of Appendix A, "Fee Schedule," to the Town's Code of Ordinances is amended to read as follows:

"Sec. XIV. Public Works Fee Schedule.

* * *

(d) *Water/wastewater connection/tap fee.*

(1) Water (lots without existing water service line/meter box)

(A) Water tap fee is based on water service line size, does not include other items such as, among other things, boring, impact fees, connection fees (see 2, below), pavement removal and replacement:

(i) 1-inch water service: \$1,610.00.

(ii) 1-½-inch water service: \$2,745.00.

(iii) 2-inch water service: \$3,675.00.

(iv) 4-inch water service: \$1,956.00.

(v) 6-inch water service: \$2,026.00.

(2) Water (lots with existing water service line/meter box).

(A) Water connection fee is based on water meter size, does not include impact fees, and shall be paid when a building permit is sought:

(i) 5/8-inch water meter: \$475.00.

(ii) 3/4-inch water meter: \$660.00.

(iii) 1-inch water meter: \$575.00.

(iv) 1-½-inch water meter: \$875.00.

(v) 1-½-inch-inch water meter (turbine): \$1,125.00.

(vi) 2-inch water meter: \$1,000.00.

(vii) 2-inch water meter (turbine): \$1,075.00.

(3) Wastewater (lots without existing wastewater service line)

(A) Wastewater tap size, does not include other items such as, among other things, boring, impact fees, connection fees (see 4, below), pavement removal and replacement:

(i) 4-inch: \$1,612.00.

(ii) 6-inch: \$1,840.00.

(4) Wastewater (lots with existing wastewater service line).

(A) Wastewater connection size does not include impact fees, and shall be paid when a building permit is sought:

(i) 4-inch: \$400.00.

(ii) 6-inch: \$400.00.”

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SECTION 4

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6

This Ordinance shall take effect and be in full force from January 1, 2023, and after its publication, as provided by the Revised Civil Statutes of the State of Texas and the Home Rule Charter of the Town of Prosper, Texas.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 13TH DAY OF DECEMBER, 2022.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney