

## **ORDINANCE NUMBER 956**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING CHAPTER 54: STORMWATER DRAINAGE UTILITY SYSTEM OF THE BURKBURNETT CODE OF ORDINANCES; SECTION 54.04 SCHEDULE OF CHARGES; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Burkburnett is tasked with regulating stormwater runoff within its City limits; and

**WHEREAS**, the Board of Commissioners of the City finds, after due consideration, that it is in the best interest of the City to increase the Stormwater Drainage Utility System Fees to cover to cost of administering the stormwater program.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, THAT:**

**SECTION 1.** That Chapter 54: Stormwater Drainage Utility System, Section 54.04(B) is hereby amended to read as follows:

### § 54.04 SCHEDULE OF CHARGES.

(B) The schedule of charges is based on a methodology that is nondiscriminatory, reasonable, and equitable. The properties are established as a class unless individual calculation is believed to be necessary. The source of the impervious area data is the city and the stormwater runoff factors are based on engineering quantifications. The fee for all properties is computed using the same formula, which places all properties on the basis of a single-family living unit equivalent (SFLUE).

(1) A SFLUE is defined as the impervious area of an average residential lot which is 3,500 square feet.

(2) The minimum monthly drainage utility system fee for a nonresidential piece of property is \$4.00. An additional \$4.00 fee will be charged for each additional SFLUE. Each SFLUE is treated as a whole. If a nonresidential piece of property has impervious cover greater than 3,500 square feet but less than 7,000 square feet, the fee will be \$8.00 per month.

(3) Applied to a nonresidential piece of property with an impervious area of 31,600 square feet, the drainage utility system fee would be \$40.00, computed as follows: 31,600 square feet impervious; 31,600 square feet of impervious area divided by 3,500 square feet of impervious area per SFLUE; = 10 SFLUEs times \$4.00 per SFLUE; = \$40.00 per month.

(4) The fee schedule is applied with the following results:

(a) For single-family residential, condominiums and townhome classifications: \$4.00 per month per utility customer.

(b) For nonresidential: The fee will be based on the impervious land area of the property as determined by the city if the water service is provided through master meters. In the case of multiple master meters, the sum of the drainage charges for the entire property may be placed on the same utility bill.

**SECTION 2.** This ordinance shall take effect on October 1, 2019, after passage and publication.

**SECTION 3.** In the event any one or more of the provisions of this Ordinance should be declared to be invalid, unenforceable or illegal; such invalidity, unenforceability or illegality shall not affect the validity, enforcement or legality of the remaining portions of this Ordinance.

**SECTION 4.** That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required by the Open Meetings Act, Ch. 551, Loc. Gov't. Code.

**PASSED AND APPROVED** this 16<sup>th</sup> day of September 2019.

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Carl Law, Mayor

**ATTEST:**

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Margie Poole, City Clerk