

Ordinance No. 2019. 08
Village of Salado
County of Bell
State of Texas
March 28, 2019

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS AMENDING ORDINANCE NO. 2018.12 SECTION 5, SUBSECTION B, PARAGRAPH 3 TO ADD LANGUAGE CLARIFYING HOW RESERVATION FEES WILL BE CREDITED; AMENDING SUBSECTION I TO AUTHORIZE THE FILING OF A LIEN FOR IMPACT FEE INSTALLMENT AGREEMENTS AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN IMPACT FEE INSTALLMENT AGREEMENTS; AND ADDING NEW SUBSECTION E TO SECTION 6 TO REQUIRE RESERVATION FEES FOR PROPERTIES UTILIZING ON-SITE SEPTIC SYSTEMS AND CLARIFYING HOW RESERVATION FEES WILL BE CREDITED; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; AMENDMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the Board of Aldermen Village of Salado, Texas (the "Village") seeks to promote the health, safety and general welfare of the citizens of the Village, and the best interests of the Village; and

WHEREAS, the Village is responsible for and committed to the provision of public services including wastewater services at levels necessary to provide service for customers connecting to the system; and

WHEREAS, the Village adopted Ordinance No. 2018-12 establishing impact fees in accordance with Local Government Code Chapter 395 on August 12, 2018; and

WHEREAS, the Board of Aldermen has carefully reviewed the policies and procedures established by Ordinance No. 2018.12 and desires to make certain amendments to the policies and process for impact fees to ensure the efficient administration; and

WHEREAS, the Board of Aldermen, finds that it is necessary and proper for the good government, peace or order of the Village of Salado to adopt this ordinance relating to the impact fees imposed in the Village.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. AMENDMENT

Section 5, Subsection B, Paragraph 3 is hereby amended to add the following language:

The reservation fee specified in the agreement and paid by the property owner shall be applied as a credit to reduce the impact fee assessed in accordance with this ordinance at the time the property is connected to the Village Sewer System.

Section 5, Subsection I is hereby amended to add the following language:

Property Owners opting to pay impact fees in yearly installments must execute an Impact Fee Installment Agreement on forms provided by the Village and approved the Village Administrator. In such cases, the Village will file a Notice of Impact Fee Due as a lien against the property until such fee is paid in full.

Section 6 Subsection D is hereby added to read as follows:

A property owner within the initial service area, with a septic system installed on or after April 2, 2011 and before April 2, 2019, may continue use of the septic system in lieu of connecting to the Village Sewer System in accordance with Village Ordinance 2018.13 upon the payment of a reservation fee to the Village. The reservation fee specified in the agreement and paid by the property owner shall be applied as a credit to reduce the impact fee assessed in accordance with this ordinance at the time the property is connected to the Village Sewer System.

3. REPEALER

This Ordinance, upon its enactment and effective date, shall repeal all conflicting provisions that may be contained in other Village ordinances or regulations, except to the extent they apply to obligations and violations arising prior to the enactment of this Ordinance.

4. SEVERABILITY

In the event that any one or more of the sections, provisions, clauses, or words of this Ordinance or the application thereof to any situation or circumstance shall for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other sections, provisions, clauses, or words of this Ordinance or the application thereof to any other situations or circumstance and it is intended that this Ordinance shall be severable and that it shall be construed and applied as if such invalid or unconstitutional section, provision, clause, or word had not been included herein.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 51.001 of the Texas Local

Government Code.

6. EFFECTIVE DATE

This ordinance shall take effect upon passage and publication.

7. PROPER NOTICE AND MEETING

That the meeting at which this Ordinance was enacted was open to the public as required by the Texas Open Meetings Act, and that notice of the time, place, and subject matter of the meeting was given as required by the Texas Open Meeting Act.

FIRST READING PASSED AND APPROVED this, the 28th day of March 2019, by a vote of 3 (ayes) to 1 (nays) and 0 (abstentions) of the Board of Aldermen of the Village of Salado, Texas.

SECOND READING PASSED AND APPROVED this, the 4th day of April 2019, by a vote of 3 (ayes) to 1 (nays) and 0 (abstentions) of the Board of Aldermen of the Village of Salado, Texas.

THE VILLAGE OF SALADO

By: 
Skip Blancett, Mayor

ATTEST:


Cara McPartland, Village Secretary

