

**ORDINANCE NO. 3725**

**AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AMENDING CHAPTER 110, ARTICLE XIX, IMPACT FEES, APPENDIX A, FEE SCHEDULE OF THE CODE OF ORDINANCES OF THE CITY OF NORTH RICHLAND HILLS TO REFLECT THE REVISED CITY OF FORT WORTH WATER AND WASTEWATER IMPACT FEES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** Chapter 395 of the Texas Local Government Code provides a procedure enabling municipalities to enact and update impact fees; and

**WHEREAS,** On September 22, 1997, the City Council first imposed impact fees by passing Ordinance No. 2241, which such fees have previously been reviewed and updated after a public hearing on December 11, 2017 and January 9, 2019 pursuant to Ordinance No. 3570; and

**WHEREAS,** To ensure the development of adequate systems of sewage collection and disposal to protect the public health, welfare and safety of its citizens, the City of North Richland Hills ("North Richland Hills") contracts with the City of Fort Worth ("Fort Worth") as a wholesale customer whereby Fort Worth provides wholesale wastewater services to developments within the city limits of North Richland Hills ("Wholesale Wastewater Contract"); and

**WHEREAS,** The Wholesale Wastewater Contract requires North Richland Hills to collect and pay an Impact Fee to Fort Worth for all connections to the Fort Worth wastewater system; and

**WHEREAS,** After having complied with all legal prerequisites, on September 21, 2021, Fort Worth adopted amendments to its Land Use Assumptions, Capital Improvements Plan, and established a new Maximum Assessable Impact Fee to be collected upon issuance of all new building permits for developments that connect to the Fort Worth System; and

**WHEREAS,** In order to continue the Wholesale Wastewater Contract and provide adequate sewage collection and disposal services to its citizens, North Richland Hills is required to adopt the new Maximum Assessable Impact Fee being imposed by Fort Worth; and

**WHEREAS,** After having complied with all legal requirements and a public hearing on January 10, 2022, the City Council desires to adopt the updated impact fee calculations for the Fort Worth Access Fee attached hereto as **Exhibit "A,"** which was considered at the January 10, 2022 public hearing; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, THAT:**

- Section 1: The City Council finds that all legal requisites have been met, and that the recitals above are true and correct and are incorporated into this Ordinance for all purposes.
- Section 2: This ordinance incorporates the updated Fort Worth impact fees and the incremental increase for fees as set forth in the attached **Exhibit A**, which such fees will be collected for Fort Worth by North Richland Hills.
- Section 3: The fees established by Appendix A of the North Richland Hills Code of Ordinances for Chapter 110, Article **XIX**, Impact Fees, Appendix A Fee Schedule are hereby amended by modifying the calculation for the Fort Worth Access Fee which replaces Table 1, and replacing Schedules 2A and 2B as set forth in the attached **Exhibit "A."** Schedule 2C is hereby repealed.
- Section 4: All other fees set forth in Appendix A not amended herein in this ordinance remain unchanged and in full force and effect.
- Section 5: This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.
- Section 6: It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality 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 in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.
- Section 7: All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that 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 8: This ordinance shall become effective immediately after and upon its passage.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** on this 10<sup>th</sup> day of January, 2022.

**CITY OF NORTH RICHLAND HILLS**

By: \_\_\_\_\_  
Oscar Trevino, Mayor

**ATTEST:**

\_\_\_\_\_  
Alicia Richardson  
City Secretary/Chief Governance Officer

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Maleshia B. McGinnis, City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Caroline Waggoner, Director of Public Works

**EXHIBIT "A"**

TABLE 1  
CITY OF FORT WORTH IMPACT FEES

Program Year	Dates	Fort Worth Access Fees		
		Water		Wastewater
		Fee (Base Rate)	NRH Ratio	
1	January 1, 2022 – December 31, 2022	\$1,870	54%	\$1,420
2 - 5	January 1, 2023 – December 31, 2026	\$1,981	*	\$1,796

\* Fort Worth Water Access Fee changes annually. The annual rate will be the base rate shown multiplied by the NRH Ratio which is to be determined annually. The NRH Ratio will be calculated as the percentage of the overall water that the City of North Richland Hills purchases from the City of Fort Worth

**Schedule 2A**

City of Fort Worth

The Effective and Collected Impact Fee for Water and Wastewater Schedule: Year 1  
Effective for all Building Permits issued on or after January 1, 2022, but before January 1, 2023

Meter Size	Equivalency Factor	Water Impact Fee	Wastewater Impact Fee
5/8" x 5/8" and 5/8" x 3/4"	1.00	\$1,870	\$1,420
3/4" x 3/4"	1.50	\$2,805	\$2,130
1"	2.50	\$4,675	\$3,550
1-1/2"	5.00	\$9,350	\$7,100
2"	8.00	\$14,960	\$11,360
3"	21.75	\$40,673	\$30,885
4"	37.50	\$70,125	\$53,250
6"	80.00	\$149,600	\$113,600
8"	140.00	\$261,800	\$198,800
10"	210.00	\$392,700	\$298,200

### Schedule 2B

City of Fort Worth

The Effective and Collected Impact Fee for Water and Wastewater Schedule: Years 2 - 5  
Effective for all Building Permits issued on or after January 1, 2023, but before January 1,  
2027

<b>Meter Size</b>	<b>Equivalency Factor</b>	<b>Water Impact Fee</b>	<b>Wastewater Impact Fee</b>
5/8" x 5/8" and 5/8" x 3/4"	1.00	\$1,981	\$1,796
3/4" x 3/4"	1.50	\$2,972	\$2,694
1"	2.50	\$4,953	\$4,490
1-1/2"	5.00	\$9,905	\$8,980
2"	8.00	\$15,848	\$14,368
3"	21.75	\$43,087	\$39,063
4"	37.50	\$74,288	\$67,350
6"	80.00	\$158,480	\$143,680
8"	140.00	\$277,340	\$251,440
10"	210.00	\$416,010	\$377,160

### Schedule 2C

\*\* Eliminated \*\*