

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE WATER AND WASTEWATER IMPACT FEES ORDINANCE NO. C-590(E0314) RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN THE INCORPORATED LIMITS AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF BURLESON, TEXAS; IMPOSING AN IMPACT FEE ON NEW LAND DEVELOPMENT IN BURLESON, ITS EXTRATERRITORIAL JURISDICTION AND SERVICE AREA TO PROVIDE WATER AND WASTEWATER FACILITIES NECESSITATED BY SUCH NEW DEVELOPMENT; STATING THE AUTHORITY FOR ADOPTION OF THE ORDINANCE; PROVIDING DEFINITIONS; PROVIDING FINDINGS AND DECLARATIONS OF THE CITY COUNCIL; PROVIDING FOR THE ASSESSMENT, PAYMENT AND TIME OF PAYMENT OF WATER AND WASTEWATER FACILITIES IMPACT FEES; PROVIDING FOR REVIEW OF WATER AND WASTEWATER FACILITIES IMPACT FEES AND THE FEE SCHEDULES; PROVIDING FOR THE PLACEMENT OF REVENUE COLLECTED FROM WATER AND WASTEWATER FACILITIES IMPACT FEES INTO WATER AND WASTEWATER FACILITIES IMPACT FEE ACCOUNTS ESTABLISHED FOR THAT PURPOSE; PROVIDING FOR EXEMPTIONS; PROVIDING FOR REFUND OF UNEXPENDED FUNDS; PROVIDING FOR USE OF FUNDS DERIVED FROM WATER AND WASTEWATER FACILITIES IMPACT FEES; PROVIDING THAT IMPACT FEES MAY BE PLEDGED TOWARD PAYMENT OF BOND ISSUES AND SIMILAR DEBT INSTRUMENTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson is responsible for and committed to the provision of public facilities and services (including water and wastewater service) at levels necessary to cure any existing public service deficiencies in already developed areas; and

WHEREAS, such facilities and service levels shall be provided by the City of Burleson utilizing funds allocated in the capital budget and capital improvements programming processes and relying upon the funding sources indicated therein; and

WHEREAS, new residential and nonresidential development causes and imposes increased demands upon Burleson public facilities and services, including water and wastewater facilities, that would not otherwise occur; and

WHEREAS, planning projections indicate that such development will continue and will place ever-increasing demands on the City to provide necessary public facilities; and

WHEREAS, the development potential and property values of properties is strongly influenced and encouraged by City policy as expressed in the Comprehensive Plan and as implemented via the City zoning ordinance and map; and

WHEREAS, to the extent that such new development places demands upon the public facility infrastructure, those demands should be satisfied by more equitably assigning responsibility for financing the provision of such facilities from the public at large to the developments actually creating the demands for them; and

WHEREAS, the amount of the impact fee to be imposed shall be determined by the cost of the additional public facilities needed to support such development, which public facilities shall be identified in a capital improvements program; and

WHEREAS, the City Council, after careful consideration of the matter, hereby finds and declares that impact fees imposed upon residential and nonresidential development to finance specified major public facilities, the demand for which is created by such development, is in the best interests of the general welfare of the City and its residents, is equitable, and does not impose an unfair burden on such development; and

WHEREAS, in 1987 the Texas Legislature adopted Senate Bill 336, now Chapter 395 of the Texas Local Government Code; and

WHEREAS, the City Council finds that in all things the City has complied with said statute in the notice, adoption, promulgation and methodology necessary to adopt Impact fees;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON:

**SECTION 1
GENERAL PROVISIONS**

Section 1.01 Short Title

This Ordinance shall be known and cited as the Water and Wastewater Impact Fees Ordinance.

Section 1.02 Intent

This Ordinance is intended to impose water and wastewater impact fees, as established in this Ordinance, in order to finance public facilities, the demand for which is generated by new development in the designated conceptual service area.

Section 1.03 Authority

The City is authorized to enact this Ordinance by the Burleson City Charter and by Chapter 395 of the Texas Local Government Code, which authorizes home-rule cities, among others, to enact or impose impact fees on land within their corporate boundaries and in their extraterritorial jurisdictions, and on persons with whom they have a water or sewer service contract, as charges or assessments imposed against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to such new development. The provisions of this Ordinance shall not be construed to limit the power of the City to adopt such Ordinance pursuant to any other source of local authority, nor to utilize any other methods or powers otherwise available for accomplishing the purposes set forth herein, either in substitution of or in conjunction with this

Ordinance. Guidelines may be developed by resolution or otherwise to implement and administer this Ordinance.

Section 1.04 Definitions

As applied in this Ordinance, the following words and terms shall be used:

- (1) Assessment - The determination of the amount of the maximum impact fee per service unit which can be imposed on new development pursuant to this Ordinance.
- (2) Building Permit - Written permission issued by the City for the construction, repair, alteration or addition to a structure.
- (3) Capital Construction Cost of Service - Costs of constructing capital improvements or facility expansions, including and limited to the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorney's fees, and expert witness fees), and the fees actually paid or contracted to be paid to an independent qualified engineer or financial consultant preparing or updating the capital improvements plan who is not an employee of the City.
- (4) Capital Improvements Advisory Committee (Advisory Committee) - Advisory committee, appointed by the City Council, consisting of at least five members which are not employees of the City, not less than 40 percent of which shall be representatives of the real estate, development, or building industries, and, if impact fees are to be applied within the extraterritorial jurisdiction of the City, including one member representing the extraterritorial jurisdiction; or consisting of the Planning and Zoning Commission, including one regular or ad hoc member who is not an employee of the City and which is representative of the real estate, development, or building industry, and, if impact fees are to be applied within the extraterritorial jurisdiction of the City, one representative of the extraterritorial jurisdiction area; which committee is appointed to regularly review and update the capital improvements program in accordance with the requirements of Chapter 395 of the Texas Local Government Code, and its successors.
- (5) Capital Improvements Program (CIP) - Plan which identifies water and wastewater capital improvements or facility expansions pursuant to which impact fees may be assessed.
- (6) City - City of Burleson.
- (7) City Council (Council) - Governing body of the City of Burleson.
- (8) City Manager - Chief executive officer of the City, appointed by the Council, or the City Manager's designee.
- (9) Comprehensive Plan - The comprehensive long-range plan, adopted by the City Council, which is intended to guide the growth and development of the City which includes analysis, recommendations and proposals for the City regarding such

topics as population, economy, housing, transportation, community facilities and land use.

- (10) Conceptual Service Area - Area within the corporate boundaries and within the extraterritorial jurisdiction of the City as defined by Chapter 42 (Extraterritorial Jurisdiction of Municipalities) and Chapter 43 (Municipal Annexation) of the Local Government Code, to be served by the water or wastewater capital improvements or facilities expansions specified in the capital improvements program applicable to the conceptual service area. The conceptual service area represents the general geographic basis for planning the utility capital improvement programs, used to formulate the fees. The service area is conceptual in nature and does not necessarily represent a definitive commitment for service by the City; the conceptual service area boundary also does not necessarily represent limits to service potential or fee assessment. The City's Conceptual Service Area is shown on Exhibit "A", attached hereto and made a part hereof by reference.
- (11) Credit - The amount of the reduction of an impact fee for fees, payments or charges for the same type of capital improvements for which the fee has been assessed.
- (12) Duplex - A structure on a single lot designed to accommodate two dwelling units, as authorized under the City's zoning regulations.
- (13) Dwelling Unit - a structure or portion of an overall structure in which a typical household or person or unrelated persons would reside together. A single dwelling unit would include a single family detached house or individual units of attached housing, i.e., one unit within a duplex, triplex, fourplex, or larger apartment building.
- (14) Effective Impact Fee - Amount of impact fee collected per service unit, which may be equal to or less than the maximum impact fees. Effective Impact Fees are as set forth in Exhibit "C", attached hereto and made a part hereof by reference.
- (15) Existing Development - All development within the conceptual service area which had a water or wastewater tap on the City's water or sewer system, as of November 15, 2005, the date of the City's adoption of the initial Impact Fee Ordinance.
- (16) Facility Expansion - The expansion of the capacity of an existing facility which serves the same function as an otherwise necessary new capital improvement in order that the existing facility may serve new development. Facility expansion does not include the repair, maintenance, modernization, or expansion of an existing facility to serve existing development.
- (17) Finance Director – Finance Director of the City of Burleson.
- (18) Final Subdivision Plat (Final Plat) - The map, drawing or chart on which is provided a subdivider's plan of a subdivision, and which has received final

approval by the Planning and Zoning Commission and City Council and which is recorded with the office of the County Clerk.

- (19) Growth-Related Costs - Capital construction costs of service related to providing additional service units to new development, either from excess capacity in existing facilities, from facility expansions or from new capital facilities. Growth-related costs do not include:
- (a) Construction, acquisition, or expansion of public facilities or assets other than capital improvements or facility expansions identified in the capital improvements plan;
 - (b) Repair, operation or maintenance of existing or new capital improvements or facility expansions;
 - (c) Upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;
 - (d) Upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;
 - (e) Administrative and operating costs of the City; and
 - (f) Principal payments and interest or other finance charges on bonds or other indebtedness, except for such payments for growth-related facilities contained in the capital improvements program.
- (20) Impact Fee - Charge or assessment to be imposed by the City upon new development to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to new development. The term includes amortized charges, lump-sum charges, impact fees, contributions in aid of construction, and any other fee that functions as described by this definition. Impact fees do not include dedication of rights-of-way or easements, or construction or dedication of site-related water distribution or wastewater collection facilities, or streets, sidewalks, or curbs if the dedication or construction is required by other valid ordinances of the City Code and is necessitated by and attributable to the new development; or lot or acreage fees placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or sewer mains or lines; or other pro rata fees for reimbursement of water or sewer mains or lines extended by the City.
- (21) Irrigation Meter - Water meter used only for providing landscape irrigation water demand.
- (22) Land Use Assumptions - Description of the conceptual service area and projections of changes in land uses, densities, intensities, and population therein over at least a 10-year period, adopted by the City, as may be amended from time to time, upon which the capital improvement plan is based.

- (23) Living Unit Equivalent (LUE) - Basis for establishing equivalency among and within various customer classes, based upon the relationship of the continuous duty flow rate in gallons per minute for a water meter of a given size and type compared to the continuous duty maximum flow rate in gallons per minute for a 5/8" x 3/4" diameter simple water meter, using American Water Works Association C700-C703 standards. LUE's for water meters are shown below.

LINE EQUIVALENCIES FOR VARIOUS TYPES AND SIZES OF WATER METERS

| METER TYPE | METER SIZE | CONTINUOUS DUTY MAXIMUM RATE (gpm) | RATIO TO 5/8" x 3/4" METER |
|------------|------------|------------------------------------|----------------------------|
| SIMPLE | 5/8"x 3/4" | 10 | 1.000 |
| SIMPLE | 3/4" | 15 | 1.500 |
| SIMPLE | 1" | 25 | 2.500 |
| SIMPLE | 1-1/2" | 50 | 5.000 |
| SIMPLE | 2" | 80 | 8.000 |
| COMPOUND | 2" | 80 | 8.000 |
| TURBINE | 2" | 100 | 10.000 |
| COMPOUND | 3" | 160 | 16.000 |
| TURBINE | 3" | 240 | 24.000 |
| COMPOUND | 4" | 250 | 25.000 |
| TURBINE | 4" | 420 | 42.000 |
| COMPOUND | 6" | 500 | 50.000 |
| TURBINE | 6" | 920 | 92.000 |
| COMPOUND | 8" | 800 | 80.000 |
| TURBINE | 8" | 1600 | 160.000 |
| COMPOUND | 10" | 1150 | 115.000 |
| TURBINE | 10" | 2500 | 250.000 |
| TURBINE | 12" | 3300 | 330.000 |

SOURCE: AWWA Standards C700, C701, C702, C703.

- (24) Multifamily Development - A single structure containing three or more dwelling units.
- (25) New Development - Subdivision of land; or the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units. New development excludes the sale of water taps resulting from the conversion of an individual well to the City's water utility and

the sale of wastewater taps resulting from the conversion of an individual septic or other individual waste disposal system to the City's wastewater utility.

- (26) Offset - The amount of the reduction of an impact fee designed to fairly reflect the value of system-related facilities, pursuant to rules herein established or administrative guidelines, provided and funded by a developer pursuant to the City's subdivision regulations or requirements.
- (27) Residential - A lot developed for use and occupancy as a single-family residence or a duplex.
- (28) Service Unit - Standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvements or facility expansions expressed in living units equivalent.
- (29) Service Unit Equivalent (SUE) – See Living Unit Equivalent (LUE). For purposes of this Ordinance, a Service Unit Equivalent (SUE) is equivalent and interchangeable with Living Unit Equivalent (LUE) -
- (30) Single-Family Residence - Single-family dwelling unit, as authorized under the City's zoning regulations.
- (31) Site-related Facility - Improvement or facility which is for the primary use or benefit of a new development and/or which is for the primary purpose of safe and adequate provision of water or wastewater facilities to serve the new development, and which is not included in the capital improvements plan, and for which the developer or property owner is solely responsible under subdivision and other applicable regulations.
- (32) System-related Facility - A capital improvement or facility expansion which is designated in the Capital Improvements Plan and which is not a site-related facility. A system-related facility may include a capital improvement which is located offsite, within or on the perimeter of the development site.
- (33) Tap Purchase - The filing with the City of a written application for a water or wastewater tap and the acceptance of applicable fees by the City. The term "tap purchase" shall not be applicable to a master water meter or master wastewater connection purchased from the City by a wholesale customer such as a water district, political subdivision of the State of Texas, or other wholesale utility customer; nor shall it be applicable to a meter purchased for and exclusively dedicated to fire protection.
- (34) Triplex - A structure on a single lot designed to accommodate three dwelling units, as authorized under the City's zoning regulations
- (35) Wastewater Facility - Improvement for providing wastewater service, including, but not limited to, land or easements, treatment facilities, lift stations, or interceptor mains. Wastewater facility excludes wastewater lines or mains which are constructed by developers, the costs of which are reimbursed from charges

paid by subsequent users of the facilities and which are maintained in dedicated trusts. Wastewater facilities also exclude dedication of rights-of-way or easements or construction or dedication of on-site wastewater collection facilities required by valid ordinances of the City and necessitated by and attributable to the new development.

- (36) Wastewater Facility Expansion - Expansion of the capacity of any existing wastewater improvement for the purpose of serving new development, not including the repair, maintenance, modernization or expansion of an existing wastewater facility to serve existing development.
- (37) Wastewater Improvements Plan (Wastewater CIP) - Portion of the CIP, as may be amended from time to time, which identifies the wastewater facilities or wastewater facility expansions and their associated growth-related costs which are necessitated by and which are attributable to new development, for a period not to exceed ten (10) years, which are to be financed in whole or in part through the imposition of wastewater impact fees pursuant to this Ordinance.
- (38) Water Facility - Improvement for providing water service, including, but not limited to, land or easements, water supply facilities, treatment facilities, pumping facilities, storage facilities, or transmission mains. Water facility excludes water lines or mains which are constructed by developers, the costs of which are reimbursed from charges paid by subsequent users of the facilities and which are maintained in dedicated trusts. Water facilities also exclude dedication of rights-of-way or easements or construction or dedication of on-site water distribution facilities required by valid ordinances of the City and necessitated by and attributable to the new development.
- (39) Water Facility Expansion - Expansion of the capacity of any existing water improvement for the purpose of serving new development, not including the repair, maintenance, modernization or expansion of an existing water facility to serve existing development.
- (40) Water Improvements Plan (Water CIP) - Portion of the CIP, as may be amended from time to time, which identifies the water facilities or water facility expansions and their associated growth-related costs which are necessitated by and which are attributable to new development, for a period not to exceed ten (10) years, which are to be financed in whole or in part through the imposition of water impact fees pursuant to this Ordinance.
- (41) Wholesale Customer - Water or wastewater customer of the City's utilities which purchases utility service at wholesale rates for resale to their retail customers.

Section 1.05 Applicability of Impact Fees

- A. This Ordinance shall be uniformly applicable to new development which occurs within the water and wastewater conceptual service areas.
- B. No new development shall be exempt from the assessment of impact fees as defined in this Ordinance, except as provided in Section 1.25.A.

Section 1.06 Impact Fees as Conditions of Development.

No application for new development shall be approved within the City without assessment of impact fees pursuant to this Ordinance, and no water and wastewater tap for new development that receives water or wastewater service from the City shall be issued and no building permit shall be issued unless the applicant has paid the impact fees imposed by the Ordinance and calculated hereunder.

Section 1.07 Establishment of Water and Wastewater Conceptual Service Areas

- A. The water and wastewater conceptual service areas are established as shown on the Conceptual Service Area Maps that are marked Exhibit A, attached hereto and made a part hereof by reference.
- B. The conceptual service areas shall be established consistent with any facility conceptual service area established in the CIP for each utility. Additions to the conceptual service area may be designated by the City Council consistent with the procedure set forth in Chapter 395 of the Texas Local Government Code and its successors.

Section 1.08 Land Use Assumptions

Land use assumptions used in the development of the impact fees are contained in Exhibit B attached hereto and made a part hereof by reference. These assumptions may be revised by the City Council according to the procedure set forth in Chapter 395 of the Texas Local Government Code and its successors.

Section 1.09 Service Units

- A. Service units are established in accordance with generally accepted engineering and planning standards.
- B. Service units shall be calculated based on living units equivalent as determined by the size of the water meter(s) for the development; or alternatively, as approved by the City Manager as a result of an engineering report prepared by a qualified professional engineer licensed to perform such professional engineering services in the State of Texas, which demonstrates that the number of LUE's of service for the new development will be different than those indicated by the size of the water meter.
- C. If a fire demand meter (tap) is purchased for a property, the meter size utilized to calculate the number of LUE's shall be the dimension of the portion of the fire demand meter which reflects the meter size which would provide only domestic service to the property. Said reduced meter size shall then be utilized to calculate the number of LUE's.
 - 1. The meter types used to calculate the number of LUE's shall be either simple or compound meters.

2. If the fire protection capacity of the fire demand meter is routinely utilized for domestic purposes as evidenced by the registration of consumption recorded on the City's meter-reading and billing systems, the then-owner of the property shall be assessed the then-current fee for the fire protection capacity which has been converted to domestic capacity by its routine usage as domestic capacity.
 3. To avoid the use of fire flow volumes for domestic usage, the owner of any property for which a fire demand meter is purchased shall be required to execute a restrictive covenant on a form approved by the City, which covenant shall acknowledge the right of the City to assess such fees to subsequent owners of the property. Said covenant shall be executed prior to the purchase of the fire demand meter and shall be filed in the deed records of the County.
 4. No fees shall be collected for the purchase of taps which shall be utilized to provide only fire protection capacity.
- D. Upon wastewater tap purchase for lots for which no water meter has been purchased, service units shall be established by a professional engineer licensed in the State of Texas and shall be reviewed by the City Manager, who shall designate the appropriate number of service units.
- E. The City Council may revise the service units designation according to the procedure set forth in Chapter 395 of the Texas Local Government Code and its successors.

Section 1.10 Impact Fees Per Service Unit

- A. The maximum impact fee per service unit for each conceptual service area shall be computed by subtracting fifty percent (50%) of the total projected cost of implementing the capital improvements plan for that category of capital improvements, and dividing the growth-related capital construction cost of service in the conceptual service area identified in the capital improvements plan for that category of capital improvements, by the total number of projected service units anticipated within the conceptual service area which are necessitated by and attributable to new development, based on the land use assumptions for that conceptual service area. Maximum impact fees per service unit for each conceptual service area are established by category of capital improvements and are set forth in Exhibit C attached hereto and made a part hereof by reference.
- B. Exhibit C may be amended by the City Council according to the procedure set forth in Chapter 395 of the Texas Local Government Code and its successors.
- C. The Effective Impact Fees per service unit, shown in Exhibit C to this Ordinance, may be amended from time to time by the City Council, through ordinance amendment, to any amount equal to or less than the maximum fees set forth in Exhibit C to this ordinance.

- D. In accordance with Section 395.014 (a) (7) of the Local Government Code, the capital improvements plans (Exhibits D and E) have included a credit equal to fifty percent (50%) of the total projected cost of implementing the capital improvements plans, and the credit was applied to such projected costs prior to calculation of the Maximum and Effective Impact Fees shown in Exhibit C of this Ordinance.

Section 1.11 Assessment of Impact Fees

- A. The approval of any subdivision of land or of any new development shall include as a condition the assessment of the impact fee applicable to such development.
- B. Assessment of the impact fee for any new development shall be made as follows:
 - 1. For new development which is submitted for approval pursuant to the City's subdivision regulations following the effective date of this Ordinance, assessment shall be at the time of recording the final subdivision plat with the County Clerk and shall be the value of the effective impact fee per service unit then in effect, as provided in Exhibit C as set forth in Section 1.10.C. The City may provide the subdivider with a copy of Exhibit C prior to final subdivision plat approval, but providing such copy shall not constitute assessment within the meaning of this Ordinance.
 - 2. For new development for which a final subdivision plat was recorded with the County Clerk prior to November 15, 2005 and for which no replatting is necessary prior to the issuance of a building permit, assessment shall be upon the issuance of a building permit (or upon issuance of a water or sewer tap for properties outside the Burleson city limits), and shall be the value of the maximum impact fee per service unit in effect November 15, 2005.
 - 3. For new development occurs or is proposed to occur without platting, assessment shall be upon the issuance of a building permit (or upon issuance of a water or sewer tap for properties outside the Burleson city limits), and shall be the value of the maximum impact fee per service unit set forth in Exhibit C.
 - 4. For properties with existing taps that were purchased prior to November 15, 2005, owners may exchange those purchased taps for taps which will reflect an equivalent number of LUE's, as determined under Section 1.09. If the exchange of said taps will result in an increase in the number of LUE's, the purchaser shall be assessed the effective impact fee in effect at the time of tap exchange, based on the additional LUE's required.
 - 5. Water demand related solely to landscape irrigation demand shall be assessed a water impact fee, but shall not be assessed a sewer impact fee.

6. Because fire protection is of critical concern to the community as a whole, water demand related solely to fire protection is not subject to assessment of an impact fee. However, if the fire protection capacity of the fire demand meter is routinely utilized for domestic purposes as evidenced by the registration of consumption recorded on the City's meter-reading and billing systems, the current owner of the property shall be assessed the impact fees currently in effect at the time such conversion is established by the City for the fire protection capacity which has been converted to domestic capacity by its routine usage as domestic capacity.
- C. Following assessment of the impact fees pursuant to Subsection B of this Section, no additional impact fees or increases thereof shall be assessed against that development unless the number of service units increases, as set forth under Section 1.09.
- D. Following the lapse or expiration of approval for a plat, a new assessment must be performed at the time a new application for such development is filed.

Section 1.12 Calculation of Impact Fees

- A. Following the request for new development as provided in Section 1.11 of this Ordinance, the City shall compute impact fees due for the new development in the following manner:
 1. The total service units for the new development shall be multiplied by the appropriate per-unit effective fee value determined as set forth in Section 1.10; and
 2. The maximum amount payable shall be capped at the assessment amount calculated as set forth in Section 1.11 of this Ordinance; and
 3. Fee credits and offsets shall be subtracted as determined by the process proscribed in Section 1.15 of this Ordinance.
- B. The value of each impact fee due for a new development shall not exceed a value computed by multiplying the effective fee assessed per service unit pursuant to Section 1.10 by the number of service units generated by the development.

Section 1.13 Collection of Impact Fees

- A. No water or wastewater tap or building permit shall be issued until all impact fees due have been paid to the City, or until a "notice of impact fee due" is recorded as provided in this Section, except as provided otherwise by contract.
- B. Effective impact fees, as shown in Exhibit C of this Ordinance, shall be paid at the time of the issuance of a building permit, except as provided in Section C through Section F of this Section.

- C. For land platted outside the corporate boundaries of the City, fees shall be collected at the time an application for connection to the City's water or wastewater system is filed.
- D. If the City lacks authority to issue building permits in the area where the impact fee applies, impact fees shall be collected at the time an application is filed for connection to the City's water or wastewater system.
- E. The City may, at its sole discretion, enter into contracts to establish a different date of fee collection than those provided in this Section.
- F. It shall be the policy of the City to attempt to revise any contracts which might exist with wholesale customers, or which in the future may be entered into for wholesale service, in such a manner that impact fees are collected from the wholesale customer according to the number of LUE's attributable to each retail meter for new development within the wholesale customer's service area.
- G. The City of Burleson shall collect City of Fort Worth impact fees at the same time as but in addition to City of Burleson impact fees.

Section 1.14 Suspension of Fee Collection

- A. This section is no longer applicable. There is no suspension of fee collection.

Section 1.15 Offsets and Credits Against Impact Fees

- A. Pursuant to rules established in this Section, the City may offset fifty percent (50%) of the value of any system-related facilities which have been dedicated to and received by the City without City participation in the cost thereof, including the value of rights-of-way or capital improvements constructed pursuant to an agreement with the City, against the value of the impact fees due for that category of capital improvement.
- B. All offsets and credits against impact fees shall be subject to the following limitations and shall be granted based on this Ordinance and additional standards promulgated by the City, which may be adopted as administrative guidelines.
 - 1. No offset or credit shall be given for the dedication or construction of site-related facilities.
 - 2. The unit costs used to calculate the offsets shall not exceed those assumed for the capital improvements included in the capital improvements plan for the category of facility within the conceptual service area for which the impact fee is imposed.
 - 3. If an offset or credit applicable to a plat or development has not been exhausted within ten (10) years from the date of the issuance of the first building permit after the effective date of this ordinance or within such period as may be otherwise designated by contract, such offset or credit shall lapse.

4. In no event will the City reimburse the property owner or developer for an offset or credit when no impact fees for the new development can be collected pursuant to this Ordinance or for any value exceeding the total impact fees due for the development for that category of capital improvement, unless otherwise agreed to by the City.
- C. An applicant for new development must apply for an offset or credit against impact fees due for the development either at or before the time of plat recordation, or if development is to occur without platting, at or before issuance of a building permit (or at or before issuance of a water or sewer tap for properties outside the Burleson city limits). The applicant shall file a petition for offsets or credits with the City on a form provided for such purpose. The contents of the petition shall be established by administrative guidelines. The City must provide the applicant, in writing, with a decision on the offset or credit request, including the reasons for the decision. The decision shall specify the maximum value of the offset or credit which may be applied against an impact fee, which value and the date of the determination shall be associated with the plat for the new development.
 - D. The available offset or credit associated with the plat or development shall be applied against an impact fee in the following manner:
 1. Such offset or credit shall be prorated equally among all service units, as calculated in Section 1.09, and remain applicable to such service units, to be applied at time of filing and acceptance of an application for a building permit, against impact fees due.
 2. If the total number of service units used by the City in the original offset or credit calculation, as described in 1 above, is eventually exceeded by the number of total service units realized by the actual development, the City may, at its sole discretion, collect the full impact fee exclusive of any associated offset or credits for the excess service units.
 3. At its sole discretion, the City may authorize alternative credit or offset agreements upon petition by the owner in accordance with guidelines promulgated by the City.

Section 1.16 Establishment of Accounts and Records

- A. The City's Finance Department shall establish an account for each service area for each category of capital facility for which an impact fee is imposed. Each impact fee collected within the service area shall be deposited in such account.
- B. Interest earned on the account into which the impact fees are deposited shall be considered funds of the account and shall be used solely for the purposes authorized in Section 1.17. Disbursement of funds shall be authorized by the City at such times as are reasonably necessary to carry out the purposes and intent of this Ordinance.

- C. The City's Finance Department shall establish adequate financial and accounting controls to ensure that impact fees disbursed from the account are utilized solely for the purposes authorized in Section 1.17. Disbursement of funds shall be authorized by the City at such times as are reasonably necessary to carry out the purpose and intent of this Ordinance. Any impact fee paid shall be expended within a reasonable period of time, not to exceed ten (10) years from the date the fee is deposited into the account. Execution of a design or construction contract by the City shall be considered to be expenditure of funds of the account.
- D. The City's Finance Department shall maintain and keep financial records for impact fees, which shall show the source and disbursement of all fees collected in or expended from each service area. The records of the account into which impact fees are deposited shall be open for public inspection and copying during ordinary business hours.

Section 1.17 Use of Proceeds of Impact Fee Accounts

- A. The impact fees collected pursuant to this Ordinance may be used to finance or to recoup capital construction costs of service. Impact fees may also be used to retire bonds or to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the City to finance such capital construction costs of service.
- B. Impact fees collected pursuant to this Ordinance shall not be used to pay for any of the following expenses:
 - 1. Construction, acquisition or expansion of capital improvements or assets other than those identified in the associated capital improvements plans;
 - 2. Repair, operation, or maintenance of existing or new capital improvements or facilities expansions;
 - 3. Upgrading, expanding or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards;
 - 4. Upgrading, expanding or replacing existing capital improvements to provide better service to existing development; provided however, that impact fees may be used to pay the costs of upgrading, expanding or replacing existing capital improvements in order to meet the need for new capital improvements generated by new development; or
 - 5. Administrative and operating costs of the City.

Section 1.18 Appeals

- A. The property owner or applicant for new development may appeal the following decisions to the City Council:
 - 1. The applicability of an impact fee to the development;
 - 2. The basis for fee calculation;

3. The availability or the value of an offset or credit;
 4. The application of an offset or credit against an impact fee due; and
 5. The amount of any refund due under Section 1.19 of this Ordinance.
- B. The burden of proof shall be on the appellant to demonstrate that the value of the fee or the value of the offset or credit was not calculated according to the applicable impact fee schedule or the guidelines established for determining offsets and credits.
- C. The appellant must file a notice of appeal with the City Manager of Burleson within thirty (30) days following the decision. The development application or tap purchase or building permit application may be processed while the appeal is pending if the notice of appeal is accompanied by a bond or other sufficient surety satisfactory to the City Secretary in an amount equal to the original determination of the impact fee due.

Section 1.19 Refunds

- A. Any impact fee or portion thereof collected pursuant to this Ordinance which has not been expended as authorized by this Ordinance within ten (10) years from the date of payment, shall be refunded, upon application, to the record owner of the property at the time the refund is paid, or, if the impact fee was paid by another political subdivision or governmental entity, to such political subdivision or governmental entity, together with interest calculated from the date of collection to the date of refund at the statutory rate as set forth in Section 302.002, Finance Code, or its successor statute.
- B. An impact fee collected pursuant to this Ordinance shall be considered expended if the total expenditures for capital improvements or facilities expansions authorized in Section 1.17 within ten (10) years following the date of payment exceeds the total fees collected for such improvements or expansions during such period.
- C. If a refund is due pursuant to Subsections A and B, the City shall pro-rate the same by dividing the difference between the amount of expenditures and the amount of the fees collected by the total number of service units assumed within the conceptual service area for the period to determine the refund due per service unit. The refund to the record owner or governmental entity shall be calculated by multiplying the refund due per service unit by the number of service units for the development for which the fee was paid, and interest due shall be calculated upon that amount.
- D. Upon completion of all the capital improvements or facilities expansions identified in the capital improvements plan upon which the fee was based, the City shall recalculate the maximum impact fee per service unit using the actual costs for the improvements or expansions. If the maximum impact fee per service unit based on actual cost is less than the impact fee per service unit paid, the City shall refund the difference, if such difference exceeds the impact fee paid by

more than ten percent (10%). The refund to the record owner or governmental entity shall be calculated by multiplying such difference by the number of service units for the development for which the fee was paid, and interest due shall be calculated upon that amount.

- E. Upon the request of an owner of the property on which an impact fee has been paid, the City shall refund such fees if:
 - 1. Existing service is available and service is denied; or
 - 2. Service was not available when the fee was collected and the City has failed to commence construction of facilities to provide service within two years of fee payment; or
 - 3. Service was not available when the fee was collected and has not subsequently been made available within a reasonable period of time considering the type of capital improvement or facility expansion to be constructed, but in no event later than five years from the date of fee payment.
- F. The City shall refund an appropriate proportion of impact fee payments in the event that a previously purchased unused water meter is replaced with a smaller meter, based on the LUE differential of the two meter sizes and the per-LUE fee at the time of the original fee payment, less an administrative charge of \$50.
- G. Petitions for refunds shall be submitted to the City Council on a form provided by the City for such purpose. Within one month of the date of receipt of a petition for refund, the Council must provide the petitioner, in writing, with a decision on the refund request, including the reasons for the decision. If a refund is due to the petitioner, the Council shall notify the Finance Director and request that a refund payment be made to the petitioner.

Section 1.20 Updates to Plan and Revision of Fees

The City shall review the land use assumptions and capital improvements plan for water and wastewater facilities at least every five years, the first five year period which shall commence from the date of adoption of the capital improvements plan referenced herein. The City Council shall accordingly then make a determination of whether changes to the land use assumptions, capital improvements plan or impact fees are needed and shall, in accordance with the procedures set forth in Chapter 395 of the Texas Local Government Code, or any successor statute, either update the fees or make a determination that no update is necessary.

Section 1.21 Functions of Advisory Committee

- A. The functions of the Advisory Committee are those set forth in Chapter 395 of the Texas Local Government Code, or any successor statute, and shall include the following:
 - 1. Advise and assist the City in adopting land use assumptions;

2. Review the capital improvements plan regarding water and wastewater capital improvements and file written comments thereon;
 3. Monitor and evaluate implementation of the capital improvements program;
 4. Advise the City of the need to update or revise the land use assumptions, capital improvements program and impact fees; and
 5. File semiannual reports evaluating the progress of the City in achieving the capital improvements plans and identifying any problems in implementing the plans or administering the impact fees, and any perceived inequities in administration of the fee.
- B. The City shall make available to the Advisory Committee any professional reports prepared in the development or implementation of the capital improvements plan.
- C. The Council shall adopt procedural rules for the committee to follow in carrying out its duties.

Section 1.22 Use of Other Financing Mechanisms

- A. The City may finance water and wastewater capital improvements or facilities expansions designated in the capital improvements plan through the use of operating cash transfers, through the issuance of bonds, through the formation of public improvement districts or other assessment districts, or through any other authorized mechanism, in such manner and subject to such limitations as may be provided by law, in addition to the use of impact fees.
- B. Except as herein otherwise provided, the assessment and collection of an impact fee shall be additional and supplemental to, and not in substitution of, any other tax, fee, charge or assessment which is lawfully imposed on and due against the property.

Section 1.23 Impact Fees as Additional and Supplemental Regulation

- A. Impact fees established by this Ordinance are additional and supplemental to, and not in substitution of, any other requirements imposed by the City on the development of land or the issuance of building permits or the sale of water or wastewater taps or the issuance of certificates of occupancy. Such impact fees are intended to be consistent with and to further the policies of the City's Comprehensive Plan, capital improvements plan, zoning ordinance, subdivision regulations and other City policies, ordinances and resolutions by which the City seeks to ensure the provision of adequate public facilities in conjunction with the development of land.
- B. This Ordinance shall not affect, in any manner, the permissible use of property, density of development, design, and improvement standards and requirements, or any other aspect of the development of land or provision of public improvements subject to the zoning and subdivision regulations or other

regulations of the City, which shall be operative and remain in full force and effect without limitation with respect to all such development.

Section 1.24 Relief Procedures

- A. Any person who has paid an impact fee or an owner of land upon which an impact fee has been paid may petition the City Manager to determine whether any duty required by this Ordinance has not been performed within the time so prescribed. The petition shall be in writing and shall state the nature of the unperformed duty and request that the act be performed within sixty (60) days of the request. If the Manager determines that the duty is required pursuant to the Ordinance and is late in being performed, it shall cause the duty to commence within sixty (60) days of the date of the request and to continue until completion.

Section 1.25 Exemption from Ordinance

- A. In an area where water service is provided under a contract between the City and a water district, utility district, or other political subdivision, the City may agree that the water impact fees or other capital recovery fees of the district or political subdivision shall be collected in the area instead of Burleson's water impact fees. Before the City enters into such a contract the City Council shall find that the agreement will be in the City's best interest.
- B. Except as provided in Subsection A of this Section, no exemptions will be granted from payment of applicable water and wastewater impact fees.

Section 1.27 Certification of Compliance Required

- A. The City Manager shall submit a written certification verifying compliance with this chapter to the Texas Attorney General each year not later than the last day of the City's fiscal year.
- B. The certification must be signed by the presiding officer of the City Council and must include a statement that reads substantially similar to the following: "This statement certifies compliance with Chapter 395, Local Government Code."

**SECTION 2
WATER FACILITIES IMPACT FEES**

Section 2.01 Water Conceptual Service Area

- A. There is hereby established a water conceptual service area as depicted on Exhibit A attached hereto and made a part hereof by reference.
- B. The boundaries of the water conceptual service area may be amended from time to time, and new water conceptual service areas may be delineated, pursuant to the procedures in Section 1.07.

Section 2.02 Water Capital Improvements Plan

- A. The Water Capital Improvements Plan for the City is hereby adopted as Exhibit D attached hereto and made a part hereof by reference.
- B. The Water Capital Improvements Plan may be amended from time to time, pursuant to the procedures set forth in Chapter 395 of the Texas Local Government Code and its successors.

Section 2.03 Water Impact Fees

- A. The maximum and effective impact fee values per service unit for water facilities are hereby adopted and incorporated in Exhibit C attached hereto and made a part hereof by reference.
- B. The impact fee values per service unit for water facilities may be amended from time to time, pursuant to the procedures in Section 1.10.

SECTION 3

WASTEWATER FACILITIES IMPACT FEES

Section 3.01 Wastewater Conceptual Service Area

- A. There is hereby established a wastewater conceptual service area as depicted on Exhibit A attached hereto and made a part hereof by reference.
- B. The boundaries of the wastewater conceptual service area may be amended from time to time, and new wastewater conceptual service areas may be delineated, pursuant to the procedures in Section 1.07.

Section 3.02 Wastewater Capital Improvements Plan

- A. The Wastewater Capital Improvements Plan for the City is hereby adopted as Exhibit E attached hereto and made a part hereof by reference.
- B. The Wastewater Capital Improvements Plan may be amended from time to time, pursuant to the procedures set forth in Chapter 395 of the Texas Local Government Code and its successors.

Section 3.03 Wastewater Impact Fees

- A. The maximum and effective impact fee values per service unit for wastewater facilities are hereby adopted and incorporated in Exhibit C attached hereto and made a part hereof by reference.
- B. The impact fee values per service unit for wastewater facilities may be amended from time to time, pursuant to the procedures in Section 1.10.

SECTION 4

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

SECTION 5

If any sentence, section, subsection, clause, phrase, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 6

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes, which are hereby found and declared to be in furtherance of the public health, safety, and welfare. Any member of the Council or any City official or employee charged with the enforcement of this ordinance, acting for the City in the discharge of his or her duties, shall not thereby render himself or herself personally liable; and is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

SECTION 7

Any violation of this ordinance can be enjoined by a suit filed in the name of the City in a court of competent jurisdiction.

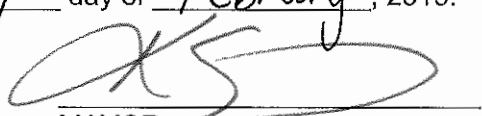
SECTION 8

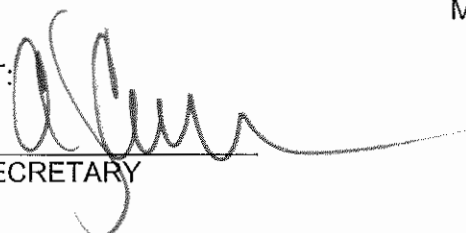
If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portions of the Ordinance which shall continue to have full force and effect.

SECTION 9

This Ordinance shall take effect immediately upon passage and approval, as provided by law.

PASSED AND APPROVED on this 4 day of February, 2019.


MAYOR

ATTEST: 
CITY SECRETARY

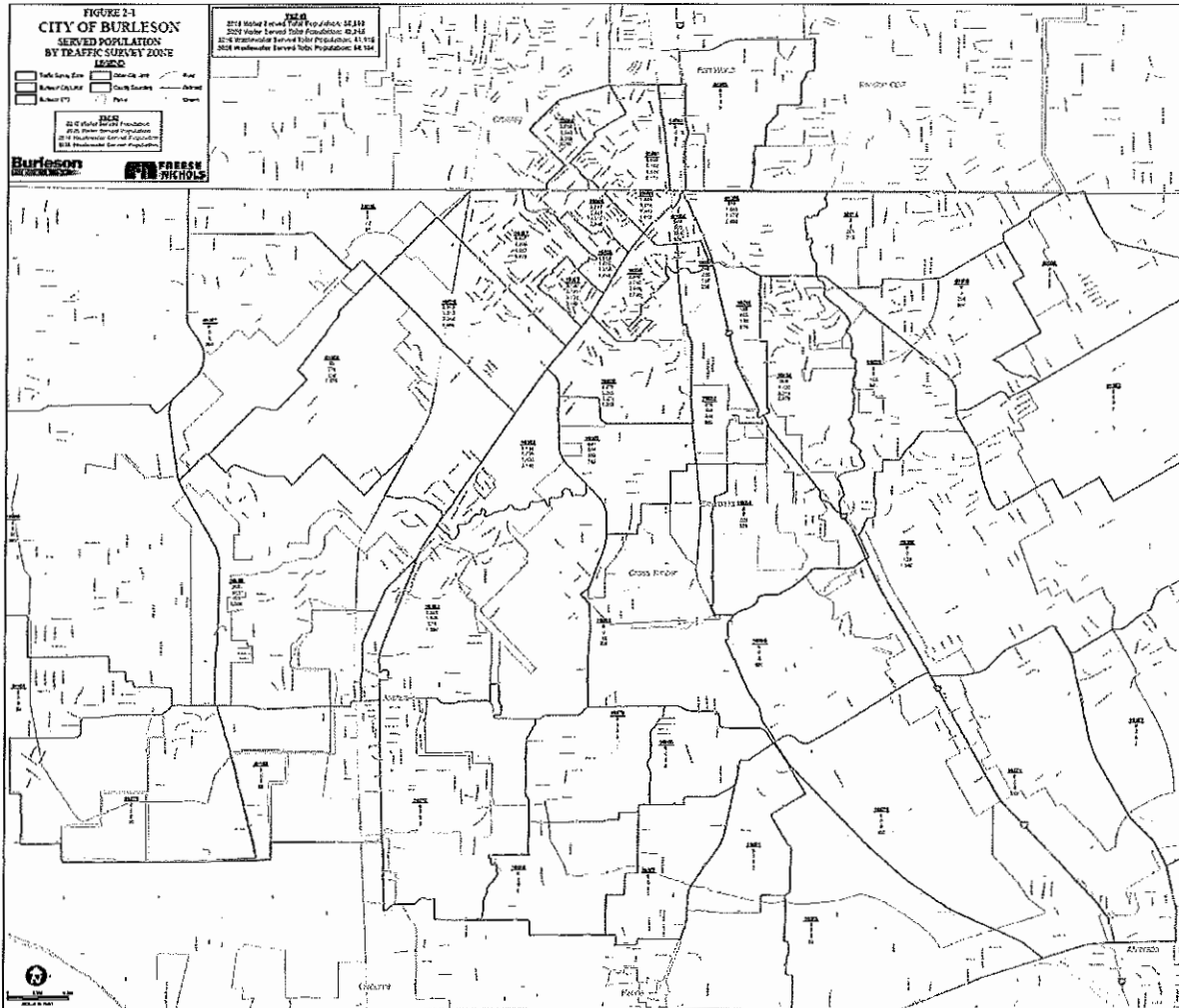
First Reading: January 22, 2019

Second Reading: February 4, 2019



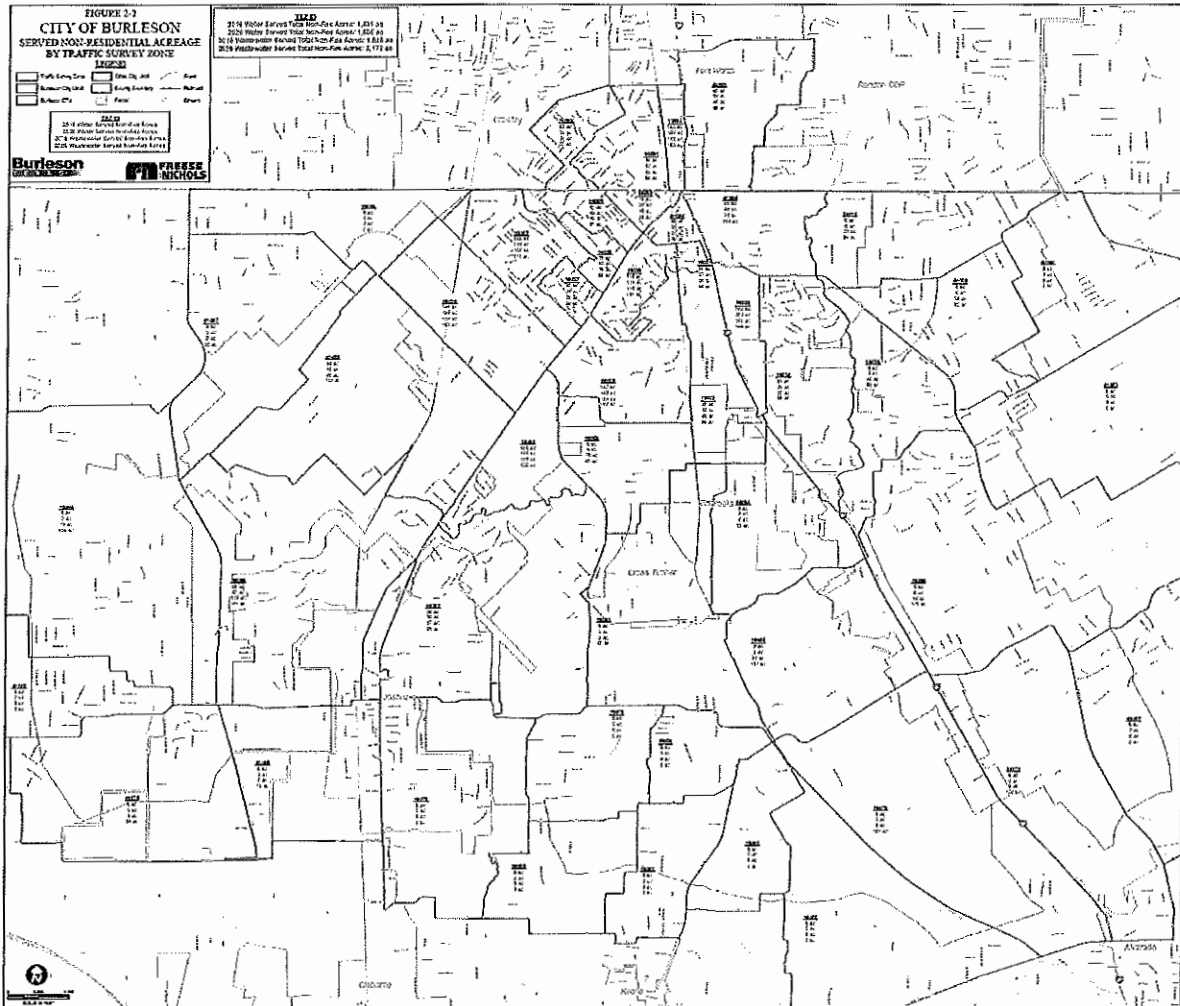
EXHIBITS A and B CONCEPTUAL SERVICE AREA and LAND USE ASSUMPTIONS MAPS

SERVED POPULATION BY TSZ



NOTE: Larger maps are available for viewing at the City of Burleson Engineering Services Department

SERVED NON-RESIDENTIAL ACREAGE BY TSZ



NOTE: Larger maps are available for viewing at the City of Burleson Engineering Services Department

EXHIBIT C - MAXIMUM AND EFFECTIVE IMPACT FEES

MAXIMUM IMPACT FEES

FOR VARIOUS WATER METER SIZES

| METER TYPE | METER SIZE | MULTIPLIER | MAXIMUM IMPACT FEE ¹ | | |
|------------|-------------|------------|---------------------------------|--------------|----------------|
| | | | WATER | SEWER | BOTH |
| SIMPLE | 5/8" x 5/8" | 1 | \$2,624.00 | \$1,312.00 | \$3,936.00 |
| SIMPLE | 5/8" x 3/4" | 1 | \$2,624.00 | \$1,312.00 | \$3,936.00 |
| SIMPLE | 3/4" x 3/4" | 1.5 | \$3,936.00 | \$1,968.00 | \$5,904.00 |
| SIMPLE | 1" | 2.5 | \$6,560.00 | \$3,280.00 | \$9,840.00 |
| SIMPLE | 1 1/2" | 5 | \$13,120.00 | \$6,560.00 | \$19,680.00 |
| SIMPLE | 2" | 8 | \$20,992.00 | \$10,496.00 | \$31,488.00 |
| COMPOUND | 2" | 8 | \$20,992.00 | \$10,496.00 | \$31,488.00 |
| TURBINE | 2" | 10 | \$26,240.00 | \$13,120.00 | \$39,360.00 |
| COMPOUND | 3" | 16 | \$41,984.00 | \$20,992.00 | \$62,976.00 |
| TURBINE | 3" | 24 | \$62,976.00 | \$31,488.00 | \$94,464.00 |
| COMPOUND | 4" | 25 | \$65,600.00 | \$32,800.00 | \$98,400.00 |
| TURBINE | 4" | 42 | \$110,208.00 | \$55,104.00 | \$165,312.00 |
| COMPOUND | 6" | 50 | \$131,200.00 | \$65,600.00 | \$196,800.00 |
| TURBINE | 6" | 92 | \$241,408.00 | \$120,704.00 | \$362,112.00 |
| COMPOUND | 8" | 80 | \$209,920.00 | \$104,960.00 | \$314,880.00 |
| TURBINE | 8" | 160 | \$419,840.00 | \$209,920.00 | \$629,760.00 |
| COMPOUND | 10" | 115 | \$301,760.00 | \$150,880.00 | \$452,640.00 |
| TURBINE | 10" | 250 | \$656,000.00 | \$328,000.00 | \$984,000.00 |
| TURBINE | 12" | 330 | \$865,920.00 | \$432,960.00 | \$1,298,880.00 |

Notes:

1. Impact fees shown above do not include City of Fort Worth impact fees that Burleson is required to collect in addition to Burleson impact fees.

2. Maximum Impact Fees for Water are based on the Impact Fee Study prepared by Freese and Nichols as presented to City Council in September 2016. Maximum Impact Fees for Wastewater are based on the Impact Fee Study Update prepared by Freese and Nichols as presented to City Council in January 2019.

1.

EFFECTIVE IMPACT FEES

FOR VARIOUS WATER METER SIZES

These Fees Effective: **Sept. 20, 2016 to Sept. 30, 2017**

| METER TYPE | METER SIZE | MULTIPLIER | EFFECTIVE IMPACT FEE ¹ | | |
|------------|-------------|------------|-----------------------------------|--------------|----------------|
| | | | WATER | SEWER | BOTH |
| SIMPLE | 5/8" x 5/8" | 1 | \$2,100.00 | \$950.00 | \$3,050.00 |
| SIMPLE | 5/8" x 3/4" | 1 | \$2,100.00 | \$950.00 | \$3,050.00 |
| SIMPLE | 3/4" x 3/4" | 1.5 | \$3,150.00 | \$1,425.00 | \$4,575.00 |
| SIMPLE | 1" | 2.5 | \$5,250.00 | \$2,375.00 | \$7,625.00 |
| SIMPLE | 1 1/2" | 5 | \$10,500.00 | \$4,750.00 | \$15,250.00 |
| SIMPLE | 2" | 8 | \$16,800.00 | \$7,600.00 | \$24,400.00 |
| COMPOUND | 2" | 8 | \$16,800.00 | \$7,600.00 | \$24,400.00 |
| TURBINE | 2" | 10 | \$21,000.00 | \$9,500.00 | \$30,500.00 |
| COMPOUND | 3" | 16 | \$33,600.00 | \$15,200.00 | \$48,800.00 |
| TURBINE | 3" | 24 | \$50,400.00 | \$22,800.00 | \$73,200.00 |
| COMPOUND | 4" | 25 | \$52,500.00 | \$23,750.00 | \$76,250.00 |
| TURBINE | 4" | 42 | \$88,200.00 | \$39,900.00 | \$128,100.00 |
| COMPOUND | 6" | 50 | \$105,000.00 | \$47,500.00 | \$152,500.00 |
| TURBINE | 6" | 92 | \$193,200.00 | \$87,400.00 | \$280,600.00 |
| COMPOUND | 8" | 80 | \$168,000.00 | \$76,000.00 | \$244,000.00 |
| TURBINE | 8" | 160 | \$336,000.00 | \$152,000.00 | \$488,000.00 |
| COMPOUND | 10" | 115 | \$241,500.00 | \$109,250.00 | \$350,750.00 |
| TURBINE | 10" | 250 | \$525,000.00 | \$237,500.00 | \$762,500.00 |
| TURBINE | 12" | 330 | \$693,000.00 | \$313,500.00 | \$1,006,500.00 |

Notes:

1. Impact fees shown above do not include City of Fort Worth impact fees that Burleson is required to collect in addition to Burleson impact fees.

EFFECTIVE IMPACT FEES

FOR VARIOUS WATER METER SIZES

These Fees Effective: Oct. 1, 2017 to Sept. 30, 2018

| METER TYPE | METER SIZE | MULTIPLIER | EFFECTIVE IMPACT FEE ¹ | | |
|------------|-------------|------------|-----------------------------------|--------------|----------------|
| | | | WATER | SEWER | BOTH |
| SIMPLE | 5/8" X 5/8" | 1 | \$2,362.00 | \$950.00 | \$3,312.00 |
| SIMPLE | 5/8" X 3/4" | 1 | \$2,362.00 | \$950.00 | \$3,312.00 |
| SIMPLE | 3/4" X 3/4" | 1.5 | \$3,543.00 | \$1,425.00 | \$4,968.00 |
| SIMPLE | 1" | 2.5 | \$5,905.00 | \$2,375.00 | \$8,280.00 |
| SIMPLE | 1 1/2" | 5 | \$11,810.00 | \$4,750.00 | \$16,560.00 |
| SIMPLE | 2" | 8 | \$18,896.00 | \$7,600.00 | \$26,496.00 |
| COMPOUND | 2" | 8 | \$18,896.00 | \$7,600.00 | \$26,496.00 |
| TURBINE | 2" | 10 | \$23,620.00 | \$9,500.00 | \$33,120.00 |
| COMPOUND | 3" | 16 | \$37,792.00 | \$15,200.00 | \$52,992.00 |
| TURBINE | 3" | 24 | \$56,688.00 | \$22,800.00 | \$79,488.00 |
| COMPOUND | 4" | 25 | \$59,050.00 | \$23,750.00 | \$82,800.00 |
| TURBINE | 4" | 42 | \$99,204.00 | \$39,900.00 | \$139,104.00 |
| COMPOUND | 6" | 50 | \$118,100.00 | \$47,500.00 | \$165,600.00 |
| TURBINE | 6" | 92 | \$217,304.00 | \$87,400.00 | \$304,704.00 |
| COMPOUND | 8" | 80 | \$188,960.00 | \$76,000.00 | \$264,960.00 |
| TURBINE | 8" | 160 | \$377,920.00 | \$152,000.00 | \$529,920.00 |
| COMPOUND | 10" | 115 | \$271,630.00 | \$109,250.00 | \$380,880.00 |
| TURBINE | 10" | 250 | \$590,500.00 | \$237,500.00 | \$828,000.00 |
| TURBINE | 12" | 330 | \$779,460.00 | \$313,500.00 | \$1,092,960.00 |

Notes:

1. Impact fees shown above do not include City of Fort Worth impact fees that Burleson is required to collect in addition to Burleson impact fees.

EFFECTIVE IMPACT FEES

FOR VARIOUS WATER METER SIZES

These Fees Effective: Oct. 1, 2018 to Feb. 3, 2019

| METER TYPE | METER SIZE | MULTIPLIER | EFFECTIVE IMPACT FEE ¹ | | |
|------------|-------------|------------|-----------------------------------|--------------|----------------|
| | | | WATER | SEWER | BOTH |
| SIMPLE | 5/8" X 5/8" | 1 | \$2,624.00 | \$950.00 | \$3,574.00 |
| SIMPLE | 5/8" X 3/4" | 1 | \$2,624.00 | \$950.00 | \$3,574.00 |
| SIMPLE | 3/4" X 3/4" | 1.5 | \$3,936.00 | \$1,425.00 | \$5,361.00 |
| SIMPLE | 1" | 2.5 | \$6,560.00 | \$2,375.00 | \$8,935.00 |
| SIMPLE | 1 1/2" | 5 | \$13,120.00 | \$4,750.00 | \$17,870.00 |
| SIMPLE | 2" | 8 | \$20,992.00 | \$7,600.00 | \$28,592.00 |
| COMPOUND | 2" | 8 | \$20,992.00 | \$7,600.00 | \$28,592.00 |
| TURBINE | 2" | 10 | \$26,240.00 | \$9,500.00 | \$35,740.00 |
| COMPOUND | 3" | 16 | \$41,984.00 | \$15,200.00 | \$57,184.00 |
| TURBINE | 3" | 24 | \$62,976.00 | \$22,800.00 | \$85,776.00 |
| COMPOUND | 4" | 25 | \$65,600.00 | \$23,750.00 | \$89,350.00 |
| TURBINE | 4" | 42 | \$110,208.00 | \$39,900.00 | \$150,108.00 |
| COMPOUND | 6" | 50 | \$131,200.00 | \$47,500.00 | \$178,700.00 |
| TURBINE | 6" | 92 | \$241,408.00 | \$87,400.00 | \$328,808.00 |
| COMPOUND | 8" | 80 | \$209,920.00 | \$76,000.00 | \$285,920.00 |
| TURBINE | 8" | 160 | \$419,840.00 | \$152,000.00 | \$571,840.00 |
| COMPOUND | 10" | 115 | \$301,760.00 | \$109,250.00 | \$411,010.00 |
| TURBINE | 10" | 250 | \$656,000.00 | \$237,500.00 | \$893,500.00 |
| TURBINE | 12" | 330 | \$865,920.00 | \$313,500.00 | \$1,179,420.00 |

Note:

1. Impact fees shown above do not include City of Fort Worth impact fees that Burleson is required to collect in addition to Burleson impact fees.

EFFECTIVE IMPACT FEES

FOR VARIOUS WATER METER SIZES

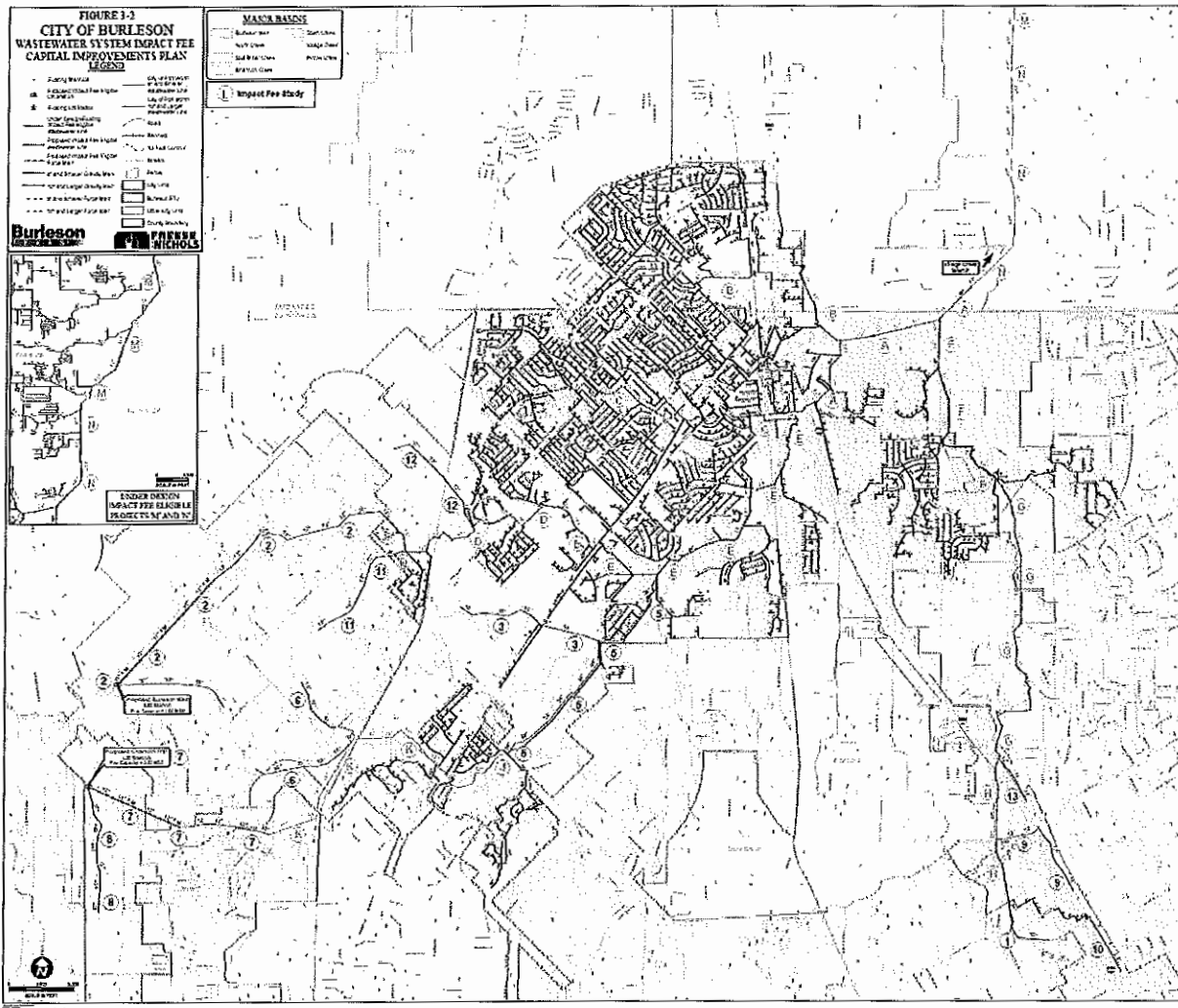
These Fees Effective: **Beginning Feb. 4, 2019**

| METER TYPE | METER SIZE | MULTIPLIER | EFFECTIVE IMPACT FEE ¹ | | |
|------------|-------------|------------|-----------------------------------|--------------|----------------|
| | | | WATER | SEWER | BOTH |
| SIMPLE | 5/8" X 5/8" | 1 | \$2,624.00 | \$1,312.00 | \$3,936.00 |
| SIMPLE | 5/8" X 3/4" | 1 | \$2,624.00 | \$1,312.00 | \$3,936.00 |
| SIMPLE | 3/4" X 3/4" | 1.5 | \$3,936.00 | \$1,968.00 | \$5,904.00 |
| SIMPLE | 1" | 2.5 | \$6,560.00 | \$3,280.00 | \$9,840.00 |
| SIMPLE | 1 1/2" | 5 | \$13,120.00 | \$6,560.00 | \$19,680.00 |
| SIMPLE | 2" | 8 | \$20,992.00 | \$10,496.00 | \$31,488.00 |
| COMPOUND | 2" | 8 | \$20,992.00 | \$10,496.00 | \$31,488.00 |
| TURBINE | 2" | 10 | \$26,240.00 | \$13,120.00 | \$39,360.00 |
| COMPOUND | 3" | 16 | \$41,984.00 | \$20,992.00 | \$62,976.00 |
| TURBINE | 3" | 24 | \$62,976.00 | \$31,488.00 | \$94,464.00 |
| COMPOUND | 4" | 25 | \$65,600.00 | \$32,800.00 | \$98,400.00 |
| TURBINE | 4" | 42 | \$110,208.00 | \$55,104.00 | \$165,312.00 |
| COMPOUND | 6" | 50 | \$131,200.00 | \$65,600.00 | \$196,800.00 |
| TURBINE | 6" | 92 | \$241,408.00 | \$120,704.00 | \$362,112.00 |
| COMPOUND | 8" | 80 | \$209,920.00 | \$104,960.00 | \$314,880.00 |
| TURBINE | 8" | 160 | \$419,840.00 | \$209,920.00 | \$629,760.00 |
| COMPOUND | 10" | 115 | \$301,760.00 | \$150,880.00 | \$452,640.00 |
| TURBINE | 10" | 250 | \$656,000.00 | \$328,000.00 | \$984,000.00 |
| TURBINE | 12" | 330 | \$865,920.00 | \$432,960.00 | \$1,298,880.00 |

Note:

- Impact fees shown above do not include City of Fort Worth impact fees that Burleson is required to collect in addition to Burleson impact fees.

EXHIBIT E WASTEWATER CAPITAL IMPROVEMENTS PLAN



NOTE: Larger maps are available for viewing at the City of Burleson Engineering Services Department