

ORDINANCE NO. 2399

AN ORDINANCE AMENDING CHAPTER 30 "FEES," SECTION 30-41 "DRAINAGE CHARGES," OF THE CODE OF ORDINANCES, CITY OF EULESS TO REVISE THE SCHEDULE OF DRAINAGE CHARGES APPLICABLE TO PROPERTIES WITHIN THE CITY OF EULESS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Euless is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Euless, Texas, in order to protect the public health and safety from loss of life and property caused by surface water overflows and surface water stagnation, has heretofore, pursuant to legislative authority, established a Municipal Drainage Utility System within the municipal boundaries of the City of Euless, Texas, and, also pursuant to legislative authority, established fees, together with the assessment, levying, and collection thereof, to finance and fund such Municipal Drainage Utility System; and

WHEREAS, the City Council finds it necessary to adjust the rates for drainage charges levied against real property; and

WHEREAS, the City Council finds that the basis for the drainage charges set forth herein is directly related to drainage; and

WHEREAS, the City Council finds that the classification of benefited properties set forth herein is nondiscriminatory, equitable, and reasonable; and

WHEREAS, the City Council finds that the schedule of charges set forth herein below, and the rates upon which such schedule of charges was calculated, are equitable for similar services in all areas of the City of Euless, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS, THAT:

SECTION 1.

The schedule of charges for drainage services furnished or caused to be furnished by the City as set out in Chapter 30 "Fees," Section 30-41 "Drainage Charges" of the Code of Ordinances, City of Euless, Texas is hereby amended to read as follows:

Section 30-41 Drainage charges

The following schedule of drainage charges is hereby levied against all real property lying within the city subject to drainage charges under V.T.C.A., Local Government Code Chapter 552, Subchapter C.

1. *Basic Drainage Charge.* The monthly drainage rate is hereby established at \$31.81 per impervious acre of land. This rate may be modified by the City Council from time to time by a modification of such basic drainage charge. Impervious land area shall be calculated by multiplying the acreage of the parcel by the runoff coefficient for the particular land use as specified in subsection (3) of this section.
2. *Single-Family Residential.* The monthly municipal drainage utility charge for each single-family residential parcel is hereby levied at \$3.75.
3. *Other.* All other lots, tracts and parcels of land within the City of Euless shall be charged on the basis of the acreage contained in such lot, tract or parcel of land, and the use made of such property in accordance with the following schedule of drainage charges, which are hereby levied against all such remaining lots, tracts and parcels of land within the City.

Land Use	Runoff Coefficient	Rate	Monthly Charge per Acre
Vacant Land	N/A	N/A	\$ -
Park Land and Open Space	0.35	\$ 31.81	\$ 11.13
Church/Governmental	0.80	\$ 31.81	\$ 25.45
School	0.65	\$ 31.81	\$ 20.68
Hospital	0.80	\$ 31.81	\$ 25.45
Multifamily	0.80	\$ 31.81	\$ 25.45
Business/Industrial	0.95	\$ 31.81	\$ 30.22

SECTION 2.

CUMULATIVE CLAUSE. This Ordinance shall be cumulative of all provisions of the City Code and other ordinances of the City of Euless, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

SECTION 3.

SEVERABILITY CLAUSE. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance

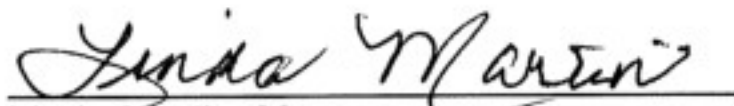
shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4.

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and the rates adopted herein shall be effective with billing dates beginning on or after November 1, 2024.

PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Eules City Council on September 10, 2024, by a vote of 7 ayes, 0 nays, and 0 abstentions.

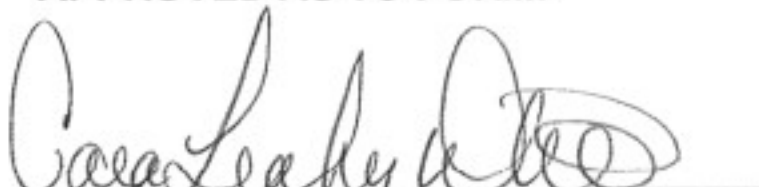
APPROVED:


Linda Martin, Mayor

ATTEST:


Kim Sutter, TRMC, CMC
City Secretary/Chief Governance Officer

APPROVED AS TO FORM:


Wayne Olson, City Attorney
Cara Leahy White