

ORDINANCE NO. 3252

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 7.5 OF THE CODE OF THE CITY OF MESQUITE; BY AMENDING SCHEDULE 2, *COLLECTION RATES*, REFERENCED THEREIN, THEREBY REVISING IMPACT FEE DISTRIBUTION AND AMENDING TABLE 2, *LAND USE/VEHICLE MILE EQUIVALENCIES*, REFERENCED THEREIN, THEREBY CHANGING THE TRIP RATES AND TOTAL SERVICE UNITS INFORMATION RELATING TO DAY CARE CENTERS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Mesquite on the 16th day of September, 1996, adopted Ordinance No. 3111, currently codified as Chapter 7.5 of the Code of the City of Mesquite, which provides for the establishment of Impact Fees; and

WHEREAS, it has been demonstrated and the City Council finds that it is in the best interest of the citizens of the City to revise the impact fee collection rate by discontinuing collection of fees for Water and Wastewater Facilities and adjusting the rate paid for Roadway Facilities thereby effectively maintaining the current total amount of impact fee collected but directing the fees to road improvement within the limits currently provided by law; and

WHEREAS; to maintain the current fee for all collection categories, information as it relates to Day Care Centers requires amendment.

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

SECTION 1. That Chapter 7.5 of the Code of the City of Mesquite, Texas, is hereby amended as follows; in all other respects said Code and Chapter to remain in full force and effect:

That **Schedule 2, Collection Rates**, referenced in Chapter 7.5, and a part of the Mesquite Impact Fee Regulations for all purposes, is hereby amended to read as shown on **Schedule 2, Collection Rates**, attached hereto and incorporated herein for all purposes.

That the Current **Table 2, Land Use/Vehicle Mile Equivalencies**, referenced in Chapter 7.5, and a part of the Mesquite Impact Fee Regulations for all purposes, is amended by changing the information relating to Day Care Center in Category INSTITUTIONAL as follows:

The figure in the column entitled **Trip Rate** which currently reads 0.20(X) shall hereby be amended to read 0.10(X).

The figure in the column entitled **Total Service Units (Veh Mi/Dev Unit)** which currently reads 0.38 shall hereby be amended to read 0.19.

SECTION 2. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00) for each offense.

SECTION 4. That this Ordinance shall take effect on October 1, 1998.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 21st day of September, 1998.



Mike Anderson

Mayor

ATTEST:



Ellen Williams

City Secretary

APPROVED:



B.J. Smith

City Attorney

Schedule 2 Collection Rates

City of Mesquite

Collection Rates for Water Facility Impact Fees

<u>Service Area*</u>	<u>Fee Per Service Unit</u>
City of Mesquite	\$00.00

Collection Rates for Wastewater Facility Impact Fees

<u>Service Area*</u>	<u>Fee Per Service Unit</u>
City of Mesquite and North Mesquite Drainage Basin Service Area	\$00.00

Collection Rates for Roadway Facility Impact Fees

<u>Service Area*</u>	<u>Fee Per Service Unit for</u>	
	<u>Residential Uses</u>	<u>Non-Residential Uses</u>
1	\$365.00	\$151.00
2	\$365.00	\$151.00
3	\$365.00	\$151.00
4	\$365.00	\$151.00
5	\$365.00	\$151.00
6	\$365.00	\$151.00
7	\$302.00	\$151.00
8	\$365.00	\$151.00
9	\$365.00	\$151.00
10	\$365.00	\$151.00
11	\$365.00	\$151.00
12	\$365.00	\$151.00
13	\$365.00	\$151.00
14	\$365.00	\$151.00
15	\$365.00	\$151.00

* The entire City of Mesquite constitutes one (1) service area for purposes of water facility impact fees. The entire City of Mesquite and the North Mesquite Drainage Basin Service Area constitute one (1) service area for purposes of wastewater facility impact fees. Consult the service area map to determine the service areas for roadway facility impact fees.