

RESOLUTION NO. 2184

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, AMENDING RESOLUTION NO. 910, DATED OCTOBER 7, 1997, AND APPROVING THE ESTABLISHMENT OF A SANITARY SEWER EXTENSION POLICY FOR DEVELOPED PROPERTY OR (EXISTING) SUBDIVISIONS, EFFECTIVE JUNE 1, 2004.

WHEREAS, it is the general policy of the City of Keller, Texas, to make available public sanitary sewers to the developed property or (existing) subdivisions, in the City of Keller that do not have public sanitary sewers available, in accordance with the 1993 Sanitary Sewer Extension Plan, as amended, or as may be requested by benefiting property owners; and

WHEREAS, it has been deemed to be in the best interest, health, and welfare of the citizens of the City of Keller that said plan be implemented, and a policy be approved for sanitary sewer extensions for developed property or (existing) subdivisions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS:

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, the City Council of the City of Keller, Texas hereby amends Resolution No. 910, dated October 7, 1997, and approves the establishment of a Sanitary Sewer Extension Policy for Developed Property or (Existing) Subdivisions, attached hereto, as Exhibit "A", to be effective upon passage of said resolution.

1 AND IT IS SO RESOLVED.

2 Passed by a vote of 4 to 0 on this the 1st day of June,
3 2004.

4 CITY OF KELLER, TEXAS

5
6 BY: Julie A. Tandy
7 Julie A. Tandy, Mayor
8

9 ATTEST:

10 Sheila Stephens
11 Sheila Stephens, City Secretary

12 Approved as to Form and Legality:

13 L. Stanton Lowry
14 L. Stanton Lowry, City Attorney
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**SANITARY SEWER EXTENSION POLICY
FOR DEVELOPED PROPERTY OR (EXISTING) SUBDIVISIONS**

June 1, 2004

It is the general policy of the City of Keller, Texas to make available sanitary sewers to the developed property or existing subdivisions that do not have public sanitary sewers available as recommended in the 1993 Sanitary Sewer Extension Plan (as amended), or as may be requested by the property owner(s).

In order to create the availability of public sanitary sewer, the City of Keller hereby intends to construct all main or interceptor sanitary sewers as described in the amended Sanitary Sewer Extension Plan, the cost of which is to be paid from the Water and Sewer Utility Fund.

General Criteria

1. To connect developed properties or existing subdivisions to the main or interceptor sanitary sewers, projects may be initiated by either the City of Keller or by the benefiting property owners. A petition of intent to connect to the public sewer system from a minimum of 70% of the benefiting property owners shall be required for property owner-initiated projects.
2. Requests for sanitary sewer extensions initiated by property owners not included in the Extension Plan may be considered on a case-by-case basis.
3. The City of Keller intends to construct main and interceptor sewers according to the schedule set forth in the Extension Plan; however, reserves the right to modify said schedule at its sole discretion.
4. Benefiting property owner(s) shall bear the cost of collector sanitary sewer lines at a cost of \$6,000.00 per developed lot or property served.
5. Any property, developed or undeveloped, or any property being subdivided for development that is within 1600 lineal feet of an operable main or interceptor sanitary sewer shall connect to said public sanitary sewer.
6. Any property lying within 300 lineal feet of an operable main or interceptor sanitary sewer that is currently served by a septic system determined to be inoperable by the public regulating authority, shall connect to an operable main or interceptor sanitary sewer.
7. Special sanitary sewer assessment financing option may be used to assist benefiting property owner within an existing developed area or subdivision (benefit district) as identified in the Extension Plan in financing the cost of the collector lines in accordance with the provisions of Chapter 402 of the Texas Government Code as follows:
 - a. Each property served by public sanitary sewer shall be assessed \$6,000.00 payable in accordance with the special assessment document approved by the City of Keller.
 - b. The special sewer assessment term shall not exceed five (5) years and having an interest rate of not less than five percent (5%) per annum.

- c. The special sewer assessment amount for the collector sanitary sewers to be determined on a per-phase or benefited district basis.
 - d. Other assessment terms and/options may be considered or determined by the City Council.
8. All applicable utility connection fees and impact fee shall be paid by the property owners at the time of connection to the public sanitary sewer system as prescribed by City Ordinance, EXCEPT those benefiting property owners "connecting" to said public sanitary sewer within ninety (90) days of the date in which the public sewer becomes operable shall receive credit of the utility connection fees and impact fee by having the credit amount deducted from the \$6,000.00 connection fee.

This policy does not apply to vacant or undeveloped property. All new development shall comply with the provisions of the Keller Unified Development Code.