

ORDINANCE NO. 2013-17

AN ORDINANCE AMENDING ENID MUNICIPAL CODE, 2003, TITLE 2, ENTITLED “FINANCE AND TAXATION,” CHAPTER 6, ENTITLED “FEE SCHEDULE,” ARTICLE E, ENTITLED UTILITIES FEES AND CHARGES,” SECTION 2-6E-10, ENTITLED “STORMWATER DEVELOPMENT FEES,” TO ADJUST THE CALCULATION FOR FEES AND TO ADJUST THE FEES TO 2012 RATES; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY, AND CODIFICATION.

ORDINANCE

BE IT ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF ENID, OKLAHOMA:

Section I: That Title 2, Chapter 6, Article E, Section 2-6E-10 of the Enid Municipal Code, 2003, is hereby amended to read as follows:

2-6E-10: STORMWATER DEVELOPMENT FEES:

A. Rates ~~And~~ Charges Established: The rates and charges established in section 13-3-10 of this code shall be as follows:

1. Subdivision and site plans:

Single-family estate with less than 2 lots per acre	\$ 985.00 <u>1,076.34</u> /lot
Single-family estate with 2 or more lots per acre	1,475.00 <u>1,611.77</u> /acre
Single-family	2,457.00 <u>2,684.83</u> /acre
Multi-family	3,930.00 <u>4,294.42</u> /acre
Commercial/industrial or other	6,387.00 <u>6,979.25</u> /acre

2. Building Permit issuance: For structure improvements on tracts not covered by subsection A1 of this section:

Single-family estates	\$ 206.00 <u>225.10</u> /building site
Single-family	614.00 <u>670.93</u> /building site

Multi-family	1,965.00 2,147.21/acre
Commercial/industrial or other	3,195.00 3,491.26/acre

B. Area Determination:

1. Area determination for subdivisions and site plans shall include all public dedication and open spaces included in the plat or plan ~~and one-half (1/2) of the rights of way of any abutting streets.~~
2. Area determination for building permits shall be the area of the lot, tract or parcel of land that the permitted improvement sets within and the part of any adjacent and abutting property that is considered by the city to be used by, or incidental to, the permitted improvement.

C. Assessment ~~Of~~ Fee: The fee will only be assessed one time for a property.

D. Payment ~~Of~~ Fee: Payment of fee shall be made before release of plats, site plans or issuance of building permit. In the case of commercial subdivision, payment of fee may be deferred until site plan approval, but in no case shall the amount of impervious surface or runoff be increased before payment of fee.

E. Annual Increase ~~Of~~ Rates: The rates and fees charged pursuant to this section shall increase by three percent (3%) each year after ~~2009~~2012, effective July 1 of each year thereafter. (Ord. 2009-01, 1-6-2009)

Section II: Repealer. All ordinances or parts thereof, which are inconsistent with this ordinance, are hereby repealed.

Section III: Savings Clause. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceedings now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section IV: Severability. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall, for any reason, be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Commission of the City of Enid that this section of the Enid Municipal Code would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part not been included.

Section V: Codification. This ordinance shall be codified as Title 2, Chapter 6, Article E, Section 2-6E-10 of the Enid Municipal Code, 2003.

PASSED AND APPROVED by the Mayor and Board of Commissioners of the City of Enid, Oklahoma, on this 5th day of March 2013.

CITY OF ENID, OKLAHOMA

William E. Shewey, Mayor

(SEAL)

ATTEST:

Linda Parks, City Clerk

Approved as to Form and Legality:

Andrea L. Springer, City Attorney