

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 153 OF THE MANSFIELD CODE OF ORDINANCES BY ADOPTING AMENDMENTS TO ROADWAY IMPACT FEES; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Chapter 395 of the Texas Local Government Code (Statute) sets forth certain requirements and procedures to be followed by municipalities in imposing, collecting, updating and expending impact fees; and,

**WHEREAS**, pursuant to said procedures, the City Council of the City of Mansfield, Texas, (City Council) held a public hearing on November 14, 2022 and by Ordinance No. OR-2280-22, adopted updated land use assumptions and updated capital improvement plans for roadway facilities and impact fees based thereon; and,

**WHEREAS**, the City Council has since then directed City staff to review and bring forth revised roadway impact fees for further consideration; and,

**WHEREAS**, the Capital Improvements Advisory Committee, created pursuant to the Statute, has previously filed its written comments on the proposed amendments to the roadway impact fees as required; and,

**WHEREAS**, after notice of a public hearing was given as required by Statute, the City Council held a public hearing on June 12, 2023, to discuss the imposition of the proposed amended impact fees; and,

**WHEREAS**, the City Council finds that the revised roadway impact fees set forth below provide the appropriate level of cost recovery to the City attributable to new development.

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

**SECTION 1.**

That Section 153.10(A) (Impact Fees per Service Unit) of the Code of Ordinances, City of Mansfield, is hereby amended by adopting the updated Maximum Assessable Roadway Impact Fees per Service Unit as set forth in Exhibit D attached hereto and incorporated herein by reference and the updated Current Collected Roadway Impact Fees per Service Unit as set forth in Exhibit E attached hereto and incorporated herein by reference.

**SECTION 2.**

That Sections 153.26(A)-(B) (Calculation of Impact Fees) of the Code of Ordinances, City of Mansfield, are hereby amended by adopting the updated Current Collected Roadway Impact

Fee Per Land Use Category Per Service Area as set forth in Exhibit G attached hereto and incorporated herein by reference.

**SECTION 3.**

That the Exhibits attached to and referenced in this ordinance shall be controlling and shall supersede the Exhibits previously adopted via Ordinance No. 2280-22.

**SECTION 4.**

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City and shall not operate to repeal or affect any such other ordinances except insofar as the provisions thereof are inconsistent or in conflict with the provisions hereof, and to the extent of such conflict, if any, such other ordinances are hereby repealed. Any other ordinance of the City requiring dedication of land for public parks, requiring dedication of right-of-way or easements, or construction or dedication of on-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs necessitated by and attributable to new development, or fees to be placed in trust for the purpose of reimbursing the City or developers for oversizing or constructing water or sewer mains or lines shall remain in full force and effect and not be repealed by the terms of this ordinance.

**SECTION 5.**

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

**SECTION 6.**

This ordinance shall take effect immediately from and after its passage on the first and final reading and publication as required by law, and it is so ordained.

**DULY PASSED ON THE FIRST AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 12<sup>TH</sup> DAY OF JUNE, 2023.**

---

**Michael Evans, Mayor**

**ATTEST:**

---

**Susana Marin, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

---

**Bradley Anderle**, City Attorney