

**ORDINANCE NO. 1392-2023**

**AN ORDINANCE OF THE CITY OF RIVER OAKS AMENDING CHAPTER 13 "UTILITIES" OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED SPECIFICALLY SECTION 13.12.012, "STORMWATER UTILITY FEE"; REVISING MONTHLY STORMWATER UTILITY FEES FOR THE PURPOSE OF FUNDING THE STORMWATER UTILITY SYSTEM AS AUTHORIZED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council adopted Ordinance No. 913-2012, the Storm Water Utility Ordinance that was codified into the River Oaks Code of Ordinances as Article 3.12 "Storm Water Utility System" creating a storm water (drainage) utility system for the purpose of providing storm water service for real property in the proposed service area upon payment of storm water charges (except real property that is exempt from such charges), and offering storm water service on nondiscriminatory, reasonable and equitable terms; and

**WHEREAS**, On August 22, 2023 following a legal public hearing, the Storm Water Task Force recommended storm water fees to be increased from \$6.00 to \$7.00 on residential properties and from \$0.00266 to \$0.00310 per square foot of impervious area for non-residential properties.

**WHEREAS**, the City Council, after careful consideration, deems it necessary to increase storm water utility rates, which the City Council finds is nondiscriminatory, reasonable and equitable.

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

**SECTION I.  
APPLICABILITY OF STORMWATER UTILITY FEES**

Storm Water utility fees will be levied against all benefitted properties in the established service areas except real property that is exempted in Article 13.12 "Stormwater Utility System" shall be imposed and issued with utility billing statements issued commencing with the January 1, 2024 monthly billing cycle. The City Council hereby with the adoption of this ordinance establishes the storm water utility fees as set forth in Chapter 13 "Utilities" of the River Oaks Code of Ordinances (2006) as amended, specifically in Section 13.12.012 "Storm Water Utility Fees" to read as follows:

**"Section 13.12.012 Stormwater Utility Fee.** Storm Water utility fees provided for in Chapter 13 "Utilities", Article 13.12 "Storm Water Utility System" of the City of River Oaks Code of Ordinances (2006) as amended are calculated based on the total storm water runoff potential for improved parcels for each customer class within the City measured as impervious area in square feet (SF). The total storm water runoff potential shall be divided into the two (2) customer classes of residential and non-residential based on the relative amount of impervious area in each class.

(a) Residential Property Fees. Storm water utility fees for residential property, as defined in Article 13.12, shall be calculated for each dwelling unit at the following flat rate per dwelling unit:

(1) Residential Property: Fee = \$ 7.00 per dwelling unit per month

(2) Non-residential Property Fees. Storm water utility fees for non-residential property, shall be calculated for each improved parcel based upon the storm water runoff potential on each parcel measured as impervious area in square feet (SF) at the following rate:

(i) Non-Residential Property: Fee = Allocated Impervious Area on the Parcel(s) in square feet (SF) X \$0.00310/SF/month.”

SECTION II.  
EFFECTIVE DATE

This Ordinance shall be in full force and effect commencing with the January 1, 2024 monthly billing cycle from and after its passage, and it is so ordained.

**APPROVED THIS THE 28<sup>th</sup> DAY OF NOVEMBER 2023.**

Darren Houk, Mayor  
City of River Oaks

**ATTEST:**

Paula Luck  
City Secretary  
City of River Oaks

