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Planning

ORDINANCE NO. 584

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AMENDING ARTICLE VII (WATER AND SEWER CONNECTIONS AND EXTENSIONS) OF THE CODE OF THE CITY OF ABILENE BY ADDING SECTION 21-49(a) THERETO; SETTING OUT EXCEPTIONS TO THE FRONT FOOT PRO-RATA RATES IN REGARD TO FARMLAND WHICH IS UNPLATTED; SETTING OUT AREA REQUIREMENTS, PURPOSES AND NUMBER OF RESIDENCES TO BE LOCATED ON THE AREA SERVICED BY WATER AND SEWER LINES; SETTING OUT PROVISIONS FOR A CERTIFICATE FROM THE DIRECTOR OF PLANNING; AND PROVIDING FOR PASSAGE.

WHEREAS, the present front foot pro-rata rates for the extension of water and sewer lines create a hardship on large tracts of land such as farmland and other land used for agricultural purposes which are unplatted; and,

WHEREAS, the City of Abilene is of the opinion that exceptions to the pro-rata rates should be granted so that farmland and other agriculture properties used as such but are unplatted may obtain water and sewer services at a reasonable cost; and,

WHEREAS, the City Council of the City of Abilene is of the opinion that such amendment would be in the best interest of the public welfare of the City of Abilene; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Article VII (Water and Sewer Connections and Extensions) of the Code of the City of Abilene is hereby amended by adding Section 21-49(a) thereto, which reads as follows:

21-49(a). Farmland exception.

An exception to the front foot pro-rata rates will apply to unplatted farmland meeting the following specifications. The tract of land to be serviced under this exception must be (1) unplatted; (2) two (2) acres or more in area; (3) used for no purpose other than residential and farming or ranching; and (4) must have only one residence located thereon. In addition, an applicant seeking service under this provision must obtain a certificate, from the Director of Planning for the City, which includes the statement, "Platting of the subject tract of land is not desirable at this time because it is not yet being subdivided or developed," and which shall be subscribed by the Director of Planning or his duly authorized subordinate.

Under this FARMLAND EXCEPTION, the pro-rata rate shall be based upon one hundred (100) foot frontage, (although the actual frontage may be much greater). The proponent, seeking the benefit of this exception, shall file a metes and bounds description of the entire contiguous tract of land under his ownership at that location with the Director of Planning and only one exception shall be allowed therefor. In order to obtain a water or sewer connection under this exception, the applicant must execute a Special Pro-rata Application, provided by the City Engineer, outlining the special conditions for service.

PASSED ON FIRST READING this the 17 day of April, A. D. 1972.
PASSED ON SECOND READING this the 25 day of May, A. D. 1972.

Anton P. Bennett
MAYOR
Pro Tempore

ATTEST:

Ruth R. Hoelger
CITY SECRETARY

APPROVED:
Ben Nickelsen
CITY ATTORNEY