

RESOLUTION NO. 9-17-02-1

A RESOLUTION OF THE AMARILLO CITY COMMISSION REVISING THE CITY OF AMARILLO DEVELOPMENT POLICY MANUAL PROVISION REGARDING WATER AND SEWER SERVICE OUTSIDE OF THE CITY LIMITS; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

WHEREAS, the City Commission desires to modify the terms and conditions upon which it may extend retail water and sewer service outside of the corporate limits of the City of Amarillo;

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF AMARILLO:

SECTION 1. That portion of the current *City of Amarillo Development Policy Manual* pertaining to water and sewer service outside the corporate limits of the city is hereby revised to read as follows, and any corresponding re-pagination of the remainder of the Manual is also authorized:

OUTSIDE CITY SERVICE

Water and sewer service will be provided to any land use outside the city limits of Amarillo that meets the minimum standards of development contained in this policy.

To obtain utility service outside the city limits, the person requesting service must submit a written request to the Director of Utilities. The request must describe the use, the location of the service, estimate of volume of water and wastewater, characteristics of the wastewater, and number and size of taps. A map showing location of the tap with roads, streets or section boundaries is also required. The applicant must also submit a land use plan for the development to the Director of Community Services, which must be approved prior to approval of utility service.

The Director of Utilities shall review the request and approve or disapprove service based on the requirements of this policy. If service is denied by the Director of Utilities, the applicant may appeal in writing the decision within ten days to the City Secretary for consideration by the City Commission. The applicant will be advised of the date the City Commission will consider the request.

If the request is approved, the customer must pay actual cost of any right of way acquisition, engineering design, main extensions, lift stations or pumps, construction inspection and taps necessary to provide service.

EXISTING AGREEMENTS

All existing agreements and contracts concerning water or sanitary sewer extensions shall remain in effect after this policy is adopted.

EXISTING DEVELOPED AREAS

This policy will apply to any existing development that requests utility service as though it is a new development seeking utility service.

PLANNING STANDARDS

To assure the orderly growth of areas outside the City of Amarillo, the applicant will prepare a master plan for the development of the area to be served with the utilities. When the area is within a close enough proximity to the city limits of Amarillo for the Planning Department to consider a potential for the annexation of the area within the next twenty years, then the Planning Department will prepare a master plan for the area adjacent to the utility line between the point of service and the city limits. In addition to the master plan requirements, any area requesting City utility service must meet the following minimum requirements:

1. All areas to be provided with utilities must be platted with all necessary easements and dedicated right(s)-of-way provided in accordance with the development policy manual.
2. Where the proposed development is of a size that would normally require the dedication of park space, the developers will dedicate the land for such space to the City for a future park site. Should the City ever determine that the land dedicated for the park site would not be used as a park, it will revert to the original person(s) dedicating the site.
3. All streets within and adjacent to the development must be paved.
4. All manufactured home parks must meet all City of Amarillo requirements for manufactured home parks.
5. No mobile homes will be served that do not meet all requirements for mobile homes within the City of Amarillo.
6. The property must meet all subdivision platting, subdivision improvement, and building code requirements of the City.
7. No development will be served that fails to meet the requirements of the master plan prepared by the City or the developer for the area.
8. Any unified development or proposed development that requests service must have a property owners association or group that has received the legal status thereof to guide the development and continued maintenance of the area.

UTILITY STANDARDS

1. Customer shall comply with all development policies and procedures, established by the City, regarding utility system design, plan approval, construction, testing and acceptance.
2. If annexation occurs, no reimbursement will be made for the cost of utility mains.
3. Backflow prevention devices will be installed on all service and will be inspected by the City. The City will set out all code-related inspection costs in the agreement with the person to be served with utilities.

AGREEMENT

Any person to be served with utilities outside the City shall sign a document agreeing to be annexed at any time requested by the City, or after any date stated in the agreement as being the minimum amount of time prior to annexation. This document shall be filed in the deed restrictions and run with the land.

EXCEPTIONS OR CONFLICTS


Any situation not covered by this policy shall be reviewed by the Director of Utilities. The Director of Utilities shall make a ruling on the resolution of the situation and that ruling shall be final.

SECTION 2. That should any part of this resolution conflict with any other resolution, then such other resolution is repealed to the extent of the conflict with this resolution.

SECTION 3. That should any word, phrase, or part of this resolution be found to be invalid or unconstitutional, such finding shall not affect any other word, phrase, or part hereof and such shall be and continue in effect.

SECTION 4. That this resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Commission of the City of Amarillo, Texas, this 17th day of September, 2002.



Trent Sisemore, Mayor

ATTEST:



Donna DeRight, City Secretary