

ORDINANCE NO. 776

AN ORDINANCE AMENDING ORDINANCE NO. 601, AND ESTABLISHING A FEE IN LIEU OF ON-SITE STORM WATER DETENTION AND PROVIDING FOR DETERMINATION OF SUCH FEE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Bixby, Oklahoma, does, from time-to-time, experience flooding and damage to private and public property from storm water runoff; and,

WHEREAS, the City of Bixby, Oklahoma, has, from time-to-time required the use of storm water detention ponds to prevent and/or minimize damage caused by storm water runoff; and,

WHEREAS, it is necessary for the City of Bixby, Oklahoma, to establish and maintain a storm water runoff system necessary for the protection of the public health and safety both as to personal injury and property damage;

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. The City of Bixby, Oklahoma, by this Ordinance establishes an alternative to storm water detention ponds which shall be a fee in lieu of on-site detention. Such fee in lieu of on-site detention shall be used for establishing, developing and maintaining storm water drainage systems and sub-regional - regional detention facilities.
2. A fee in lieu of is hereby set at a cost of .20 cents per impervious square feet for the subject development area or, in the alternative, \$1,800 per acre within the development tract.
3. That the determination of the optional fee to be charged, either per acre or per square foot, shall be at the sole discretion of the City Council and shall be determined by the City Council in accordance with which option would best benefit the City of Bixby, Oklahoma.
4. That all funds derived through the passage, implementation, and furtherance of this order shall be used exclusively for storm water management and control.

5. The fee in lieu of on-site detention shall be collected at the time the preliminary plat is approved for residential subdivisions or when the building permit is issued for commercial and industrial developments where plats have previously been filed.

PASSED this 26th day of May, 1998.

CITY OF BIXBY

BY: Joe Williams
MAYOR

Attest:

Carol Robinson
City Clerk

An Emergency is hereby declared to exist for the preservation of the public peace, health, and safety, by reason whereof this Ordinance shall take effect immediately from and after its passage and approval.

APPROVED this 26th day of May, 1998.

Emergency Clause voted on separately and approved this 26 day of May, 1998.

CITY OF BIXBY

BY: Joe Williams
MAYOR

Attest:

Carol Robinson
City Clerk

Approved:

Mike Spivey
City Attorney

RESOLUTION

1999-12

A RESOLUTION DETERMINING EXCESS CAPACITY FOR SANITARY SEWER SYSTEM, AND PROVIDING FOR EXTENSION AND EXPANSION OF SEWER CAPACITY, AND DETERMINING A SURCHARGE COST ASSESSMENT TO EXTEND AND EXPAND SEWER DISCHARGE CAPACITY

WHEREAS, the City of Bixby will cause the construction of the West Main Interceptor to provide sanitary sewer service to existing developments in Sections 2 and 11, Township 17 North, Range 13 East, and Section 35, Township 18 North, Range 13 East; and

WHEREAS, the City of Bixby has created surplus capacity in the aforementioned sanitary sewer facilities which is available for use by new developments in the same areas; and

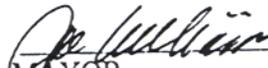
WHEREAS, the aforementioned sanitary sewer facilities were constructed using tax revenues from the citizens of the City of Bixby at large,

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA:

That an excess capacity surcharge fee is hereby established at \$800 per acre of residential development and \$2,400 per acre of commercial (to include multifamily residential), and industrial development within the City Limits; and \$2,400 per acre of residential development and \$7,200 per acre of commercial and industrial development outside the City Limits, within the aforementioned areas.

That those excess capacity surcharge fees as established herein shall apply to all unplatted land within the area described herein.

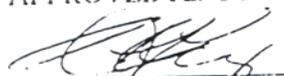
PASSED AND APPROVED BY A 4-0 VOTE OF THE CITY COUNCIL THIS 9th DAY OF August, 1999.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY