ORDINANCE NO. <u>010830-64</u>

AN ORDINANCE ANNEXING, FOR FULL PURPOSES, ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN REFERRED TO AS THE "DEL VALLE AREA", CONSISTING OF APPROXIMATELY 1,116 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, LOCATED IN TRAVIS COUNTY, TEXAS; AND APPROVING A SERVICE PLAN.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council finds that:

- (A) Notice of two public hearings concerning annexation of the territory described in Exhibit A to this ordinance was published in a newspaper of general circulation in the City of Austin and in the area to be annexed.
- (B) The public hearings were held on August 2, 2001 at 6:00 p.m. at the Lower Colorado River Authority, Hancock Building, Austin, Texas and on August 6, 2001 at 6:30 p.m. at the South Rural Health Center, 3518 F.M. 973 South, Austin, Texas.
- (C) The public hearings were concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation. A proposed Service Plan was made available and explained at the public hearings as required by state law.
- (D) The annexation, for full purposes of the territory described in Exhibit A serves the interests of the current and future residents of the City of Austin.
- (E) All procedural requirements imposed by state law for the annexation of the territory described in Exhibit A have been met.

PART 2. The annexation of this area will result in an unincorporated area that is surrounded by the full purpose territory of the City. In accordance with Texas Local Government Code Section 43.057, the Council finds that surrounding that unincorporated area is in the public interest.

PART 3. The present boundary limits of the City are amended to include the following territory which is within the limited purpose boundary limits of the City of Austin in Travis County, Texas, and which is annexed into the City for full purposes:

1,116 acres of land, more or less, out of the Santiago Del Valle Grant which 1,116 acres of land, more or less, are to be taken into and made a part of the City of Austin, Travis County, Texas; said 1,116 acres of land, more or less, being more particularly described in Exhibit A.

PART 4. The Service Plan attached as Exhibit B to this ordinance is approved as the Service Plan for the annexed area.

PART 5. The City Council declares that its purpose is to annex to the City of Austin every part of the area described in Exhibit A as provided in this ordinance, regardless of whether any other part of the described area is effectively annexed to the City. If this ordinance is held invalid as to any part of the area annexed to the City of Austin, that invalidity does not affect the effectiveness of this ordinance as to all of the remainder of the area.

If any area or lands included within the description of the area set out in Exhibit A are: (1) presently part of and included within the general limits of the City of Austin, (2) presently part of and included within the limits of any other city, town, or village, or (3) are not within the jurisdiction or power of the City of Austin to annex, then that area is excluded and excepted from the area annexed as fully as if the excluded and excepted area were expressly described in Exhibit A.

PART 6. The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 7. The Council finds that due to state law, limited purpose annexation must be converted from limited purpose to full purpose annexation within three years; and therefore, passage of this ordinance constitutes an emergency. Because of the emergency, the ordinance takes effect at 12:01 a.m. on September 6, 2001 for the preservation of the public peace, health, and safety.

PASSED AND APPROVED

<u>August 30</u> , 2001	hin nation
	Kirk Watson
\cap	Mayor
APPROVED: Acher Child	ATTEST: Amiley Brown
Sedora Jefferson	² Shirley A. Brown
City Attorney	City Clerk
Page 2 of 2	2

EXHIBIT A

C7a-01-002

Area to be changed from Limited Purposes to Full Purpose Annexation

(1,116 acres of land out of the Santiago Del Valle Grant in Travis County, Texas)

(Commerce Square, Commerce Square Sec. 2, Dalton Business Park, Bergstrom Arms Subd., Bergstrom Village No. One Amended, Bergstrom Village No. 2 thru 4, The Flow Addn., Gregg & Bryant Subd., Ames Subd., Luke's Subd., Gerl Subd., Glennbrook Addn. Sec.'s 1 & 2, A. L. Royster Addn., Davidson City Addn., Rio Addn., Valle Del Addition, Resub Joseph Lot 3 Joseph Addn., Morgan Subd. Browning-Ferris Corner II, Reed Addn., Ramsey-Reed Addn., Jim Dobson Addn., National Mobile Home Park Subd. Sec. Cleo's One, Corner, McNeeley Addn., CFR Addn., Bergstrom East Commercial Addn.. Resub Reed Addn. RM and Unplatted Land) (Thornberry Road, Crozier Lane, Hillcrest Farms Road, Spirit of Texas Drive, and Portions of Highway 71 East, Fallwell Lane, Hergotz Lane, F.M. 973, Dalton Lane and Thompson Lane)

LEGAL DESCRIPTION

FOR LEGAL DESCRIPTION APPROXIMATELY 1,122 ACRES OF LAND BEING OUT OF THE SANTIAGO VALLE DEL GRANT IN TRAVIS COUNTY, TEXAS, OF WHICH APPROXIMATELY 1,122 ACRES OF LAND (1,192 ACRES LISTED IN ORDINANCE NO. 980827-D) ARE TO BE CHANGED FROM LIMITED PURPOSE TO A FULL PURPOSE ANNEXATION, SAID APPROXIMATELY 1,122 ACRES OF LAND BEING ALL OF THAT LAND ANNEXED FOR LIMITED PURPOSE AS ADOPTED BY ORDINANCE NO. 980827-D (CASE NO. C7A-98-001) SAVE AND EXCEPT THE FOLLOWING DESCRIBED TRACT OF LAND CONTAINING APPROXIMATELY 6.0 ACRES OF LAND:

BEGINNING at the most northerly corner of that certain parcel of land described as tract Two in Exhibit A of said ordinance No. 980827-D (Case No. C7a-98-001), being the most northerly corner of that certain 3.00 acre tract of land conveyed to Grace I. Lehto by deed dated December 30, 1993 of record in Volume 12095 at Page 1224 of the Real Property Records of Travis County, Texas, same being at the most westerly southeast corner of Patton Avenue and Bergstrom Downs No. 1, a subdivision of record in Book 5, Page 2 of the Plat Records of Travis County, Texas, also being in the southwesterly line of that certain tract of land conveyed to Arlene Bolm Fitzpatrick by deed dated August 1, 1974 of record in Volume 5000 at Page 2364 of said Real Property Records;

THENCE, in a southeasterly direction along the southwesterly line of the said Arlene Bolm Fitzpatrick tract common in part with the northeasterly line of the said Lehto tract and common in part with the northeasterly line of that certain 3.699 acre tract of land conveyed to William and Bernice Schkade by deed dated March 7, 1989 of record in Volume 10890 at Page 1381 of said Real Property Records to a point at the most westerly corner of the said Schkade tract, same being an inside ell corner of the said Arlene Bolm Fitzpatrick tract, for the most easterly corner of the herein described tract;

2

THENCE, in a southwesterly direction along the southeasterly line of the said Schkade tract, common in part with the southwesterly line of the said Arlene Bolm Fitzpatrick tract and common in part with the northwesterly line of that certain 20.878 acre tract of land conveyed to J.V. Marble Mfg., Inc. et. al by deed dated February 21, 1984 of record in Volume 8467 at Page 555 of said Real Property Records to a point at the most southerly corner of the said Schkade tract, same being the most easterly corner of that certain tract of land conveyed to W.W. Taylor by deed of record in Volume 2813 at Page 120 of said Real Property Records, for the most southerly corner of the herein described tract;

THENCE, in a northwesterly direction along the common line of the said Schkade and Taylor tracts and its northwesterly prolongation to a point in the north right-ofway line of Jet Lane, same being the southeasterly line of said Bergstrom Downs No. 1, for the most westerly corner of the herein described tract;

THENCE, in a northeasterly direction along the northwesterly right-of-way line of Jet Lane and the southeasterly line of Bergstrom Downs No. 1 to a point in the north right-of-way line of Earl Street at the most southerly corner of the said Lehto tract, for an inside ell corner of the herein described tract;

THENCE, in a northwesterly direction along the north right-of-way line of Earl Street and the southwesterly line of the said Lehto tract to a point at intersection of the north right-of-way line of Earl Street with the southeasterly right-of-way line of Patton Avenue, same being the most westerly corner of the said Lehto tract, for an outside ell corner of the herein described tract;

THENCE, in a northeasterly direction along the southeasterly right-of-way line of Patton Avenue, same being the northwesterly line of the said Lehto tract to the point of beginning.

3

LEGAL DESCRIPTION: John E. Moore

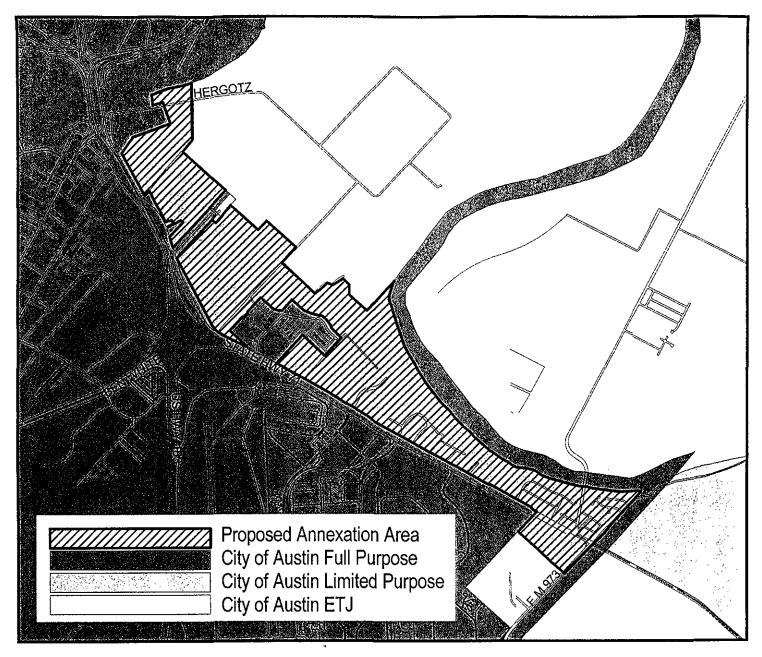
John E. Moore 06-27-200<u>1</u>

oupapor

APPROVED: Michael T. Ritter, RPLS NO.3692 Engineering Support Section Infrastructure Support Services City of Austin

REFERENCES

Austin Grid M-18 thru M-20, N-17 thru N-19, P-16 & P-17 TCAD MAPS 3-0623, 3-0720, 3-0721, 3-1023, 3-1521, 3-1531 & 3-2331



C7a-01-002 - Del Valle Conversion - Area to be changed from a Limited Purpose Annexation to a Full Purpose Annexation

Exhibit B

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CITY OF AUSTIN

ANNEXATION SERVICE PLAN

Case Name:Del Valle AreaCase Number:C7a-01-002Date:July 20, 2001

INTRODUCTION

This Service Plan ("Plan") is made by the City of Austin, Texas ("City") pursuant to Chapter 43 of the Texas Local Government Code. This Plan relates to the annexation to the City of a tract of land ("annexation area") known as the Del Valle Area (the area). The annexation area includes approximately 1120 acres extending on the east side of US 183 from the existing full purpose city limits near Hergotz Lane southeastwards along US 183 and SH 71 to the existing full purpose city limits at Falwell Lane. The entire area is currently in the City limited purpose jurisdiction.

The area was annexed for limited purposes on August 27, 1998 with an effective date of September 7, 1998. The area is being annexed for full purposes in accordance with the requirements of Section 43.123(d) (2) and Section 43.27(a) of the Texas Local Government Code.

The area is located in Travis County, Texas. The annexation area is described by metes and bounds in Exhibit A, which is attached to this Plan and to the annexation ordinance of which this Plan is a part. The annexation area is also shown on the map in Exhibit A.

EFFECTIVE TERM

This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.

INTENT

It is the intent of the City of Austin that services under this Plan shall provide full municipal services as required and defined by the Texas Local Government Code.

The City reserves the right guaranteed to it by the Texas Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrence or any other

Annexation Service Plan Del Valle Page 2 of 9

legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable or obsolete or unlawful.

SERVICE COMPONENTS

In General. This Plan includes three service components: (1) the Early Action Program, (2) Additional Services, and (3) a Capital Improvement Program.

As used in this Plan, providing services includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services by contract, in whole or in part. It may also include separate agreements with associations or similar entities.

1. EARLY ACTION PROGRAM

The following services will be provided in the annexation area commencing on the effective date of the annexation, unless otherwise noted.

a. <u>Police Protection</u>. The Austin Police Department ("APD") will provide protection and law enforcement services in the annexation area. These services include:

- normal patrols and responses;
- handling of complaints and incident reports;
- special units, such as, traffic enforcement, criminal investigations, narcotics, gang suppression, and special weapons and tactics team.

b. <u>Fire Protection</u>. The Austin Fire Department ("AFD") will provide emergency and fire prevention services in the annexation area. These services include:

- Fire suppression and rescue; *
- Emergency medical services first response for Austin Emergency Medical Services Department on life threatening medical emergencies;
- Hazardous materials mitigation and regulation;
- Emergency prevention and public education efforts;
- Dive rescue;
- Technical rescue;
- Aircraft/rescue/firefighting;
- Construction plan review;
- Inspections;
- Rescue/hazardous materials unit.

Annexation Service Plan Del Valle Page 3 of 9

These services are provided on a City-wide basis by over 950 employees operating from 39 emergency fire stations and other non-emergency sites. All Austin firefighters are certified by the Texas Commission on Fire Protection.

Currently, the closest fire station to the annexation area is located at 5309 Riverside Drive, approximately 2.6 miles from the intersection of Thompson Lane/Highway 71 East.

AFD serves as the first responder on life threatening emergencies for Austin EMS. All AFD personnel are certified at an Emergency Medical Technician ("EMT") level or higher. All engines (pumpers), ladder trucks, and rescue units carry Automatic External Defibrillators for use with heart attach victims.

c. <u>Emergency Medical Service</u>. The City of Austin/Travis County Emergency Medical Services ("EMS") Department is the current provider of emergency medical services in the annexation area and will continue to provide service following annexation.

Austin/Travis County EMS will provide the following emergency and safety services to the annexation area:

- Emergency dispatch, pre-arrival First Aid instructions and coordination of other public safety support agencies
- Emergency paramedic ambulance response
- Medical rescue services

Currently, the closest EMS station to the annexation area is Medic 12, co-located with the Austin Fire Department at 5309 Riverside Drive, approximately 2.6 miles from the intersection of Thompson Lane/Highway 71 East. Austin/Travis County EMS is a mobile service provider, with units constantly moving throughout the system area. An ambulance is frequently dispatched from a location outside the station.

The Austin Fire Department (AFD) will provide emergency medical first response to all patients in a life-threatening situation. All Austin Fire Department personnel are certified at the Emergency Medical Technician (EMT) level or higher and assist EMS personnel in providing patient care.

d. <u>Solid Waste Collection</u>. The Austin Solid Waste Services Department will provide services in the area. Services will be provided by City personnel or by solid waste service providers under contract with the City. Services currently provided in the City for single family residences, including duplex, triplex and fourplex dwelling units, include:

- garbage collection once per week cart collection in accordance with City Pay-As-You-Throw guidelines;
- recycling collection once per week curbside collection, materials collected include newspaper, magazines, catalogs, junk mail, corrugated cardboard; tin, steel and aluminum cans, glass bottles and jars, plastic bottles (#1 and #2);

Annexation Service Plan Del Valle Page 4 of 9

• yard trimmings collection – once per week residential collection in paper bags or reusable containers;

Commercial garbage collection service for businesses is available on a subscription basis from the City or private service providers.

For the first two years following annexation residential customers living in the area prior to annexation may continue to utilize the services of privately owned solid waste service providers in accordance with provisions of the Texas Local Government Code.

e. <u>Maintenance of Water and Wastewater Facilities</u>. Water and wastewater services will be provided through facilities located within or adjacent to the area. The facilities will be maintained and operated by the City's Water and Wastewater Utility as governed by standard policies and procedures, and under the provisions of the attached City service extension policy.

f. <u>Maintenance of Roads and Streets, Including Street Lighting</u>. The Street and Bridge Division of the Department of Public Works and Transportation will maintain public streets over which the City has jurisdiction.

- Emergency pavement repair;
- Ice and snow monitoring of major thoroughfares;
- Street maintenance. Maintenance activities include crack seal, sealcoat, slurry seal, and PM overlay.
- Repair maintenance of public streets on an as-needed basis. Repair maintenance operations include pothole repair, filling depressions (level up), spot surface replacement, spot full-depth repair, and utility cut repairs;

Publicly dedicated streets that have been accepted for maintenance will be included in the City's preventative maintenance program. Preventative maintenance projects are prioritized on a City-wide basis and scheduled based on a variety of factors, including surface condition (distresses), rideability (smoothness), age, traffic volume, functional classification, and available funding. Any necessary street or bridge rehabilitation or reconstruction will be considered on a City-wide priority basis.

If necessary, the Transportation Division of the Transportation, Planning and Sustainability Department will also provide regulatory signage services in the annexation area. Traffic signal, stop, and all other regulatory studies are conducted in conjunction with growth of traffic volumes. All regulatory signs and signals are installed when warranted following an engineering study. Faded, vandalized, or missing signs are replaced as needed. "CALL BACK" service provided 24 hours a day, 365 days a year for emergency sign repair.

For major arterials and collectors, the repainting of street markings is on a six to twelve month frequency. All improved intersections and roadways are striped upon improvement. All roadways are restriped and remarked as needed.

Annexation Service Plan Del Valle Page 5 of 9

Street lighting will be maintained by the Electric Utility in accordance with Sec. 43.056 (b) (6) and the City's policies.

g. <u>Maintenance of Parks, Playgrounds, and Swimming Pools</u>. There are no public recreation facilities in the annexation area.

Recreational facilities and area amenities, including parks, pools, and medians, that are privately owned, maintained, or operated will be unaffected by the annexation.

f. <u>Maintenance of Any Other Publicly-Owned Facility, Building, or Service</u>. Should the City acquire any other facilities, buildings, or services necessary for municipal services located within the annexation area, an appropriate City department will provide maintenance services for them.

2. ADDITIONAL SERVICES

Certain services, in addition to the above services, will be provided within the annexation area. They are as follows:

a. <u>Watershed Protection Department.</u> The City of Austin's Watershed Protection Department will provide drainage maintenance services in the annexation area. Drainage planning and maintenance are fee-based services. Services provided by the Watershed Protection Department include:

- detention and water quality pond inspections;
- detention and water quality pond maintenance (residential only);
- open waterway maintenance and stabilization;
- storm sewer maintenance and rehabilitation;
- watershed development review and inspection;
- emergency spills and pollution complaints response;
- storm sewer discharge pollution prevention (commercial only);
- water quality education and assessments for creeks;
- underground hazardous materials storage and leak prevention program;
- flood plain office (information relating to flood plains);
- flood early warning system;
- drainage engineering, environmental and tree preservation review and inspection;
- commercial landscape review and inspection (commercial only).

b. <u>Library.</u> The library branch nearest to this proposed annexation area is the Riverside Branch located at 2410 E. Riverside Drive.

c. <u>Austin/Travis County Health and Human Services Department.</u> Upon annexation, the following services will be available from the Department.

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- investigation of public health related complaints including foodborne illness, on-site sewage facility (OSSF) systems, recreational water quality, tall weeds and grass, litter abatement and public swimming pools and spas,
- enforcement of the City's smoking in public places ordinance and the minor's access to tobacco ordinance;
- inspection of food establishments, child care facilities, OSSF systems;
- investigation of reported elevated blood levels in children;
- animal services including leash law, pet licensing and rabies control;
- access to community health clinics;
- Medical Assistance Program benefits;
- rodent and vector control consultation.

d. <u>Electric Utility Department.</u> The Electric Utility Department will continue to provide electric utility service to all areas which the City is authorized to serve by the Public Utility Commission of Texas.

e. <u>Anti-litter Services.</u> The Austin Solid Waste Services Department will provide anti-litter services in the annexed area. Services currently provided in the City include:

- bulky item collection twice per year; a notice to customers is provided in advance of the pickup date;
- large brush collection twice per year; a notice to customers is provided in advance of the pickup date;
- street sweeping service approximately six (6) times per year for streets with curb and gutter;
- dead animal collection dead animals are removed from roadways upon request; household hazardous waste drop-off facility – use of facility on regularly scheduled days of operation

For the first two years following annexation residents may continue to utilize the services of privately owned solid waste service providers in accordance with provisions of the Texas Local Government Code.

f. <u>Other Services.</u> All other City Departments with jurisdiction in the area will provide services according to City policy and procedure.

3. CAPITAL IMPROVEMENTS PROGRAM

The City will initiate the construction of capital improvements necessary for providing municipal services for the annexation area as necessary.

Each component of the Capital Improvement Program is subject to the City providing the related service directly. In the event that the related service is provided through a contract service provider, the capital improvement may not be constructed or acquired by the City but may be

Annexation Service Plan Del Valle Page 7 of 9

provided by the contract provider. The City may also lease buildings in lieu of construction of any necessary buildings.

a. <u>Police Protection</u>. No capital improvements are necessary at this time to provide Police services.

b. <u>Fire Protection</u>. No capital improvements are necessary at this time to provide Fire services.

c. <u>Emergency Medical Service</u>. No capital improvements are necessary at this time to provide EMS services.

d. <u>Solid Waste Collection</u>. No capital improvements are necessary at this time to provide solid waste collection services.

e. <u>Water and Wastewater Facilities.</u> Wastewater service will be extended to the annexation area. Because of the time required to design and construct the necessary wastewater facilities, the facilities can not be reasonably provided within two and one half years of the effective date of annexation. The following schedule for the improvements is proposed: Construction will begin within two years of the effective date of annexation and will be substantially complete within four and one half years of the effective date of annexation.

Water and wastewater services to new development and subdivisions will be provided according to the standard policies and procedures of the Water and Wastewater Utility, which may require the developer of a new subdivision to install water and wastewater lines. The extension of water and sewer service will be provided in accordance with the attached water and wastewater service extension policy.

f. <u>Roads and Streets.</u> No road or street related capital improvements are necessary at this time.

g. <u>Parks. Playgrounds and Swimming Pools.</u> No capital improvements are necessary at this time to provide services.

h. <u>Watershed Protection Department</u>. No capital improvements are necessary at this time to provide services.

i. <u>Street Lighting.</u> Provision of street lighting will be in accordance with the City's street lighting policies.

j. <u>Other Publicly Owned Facilities, Building or Services: Additional Services.</u> In general, other City functions and services, and the additional services described above can be provided for the annexation area by using existing capital improvements. Additional capital improvements are not necessary to provide City services.

Annexation Service Plan Del Valle Page 8 of 9

k. <u>Capital Improvements Planning</u>. The annexation area will be included with other territory in connection with planning for new or expanded facilities, functions, and services.

AMENDMENT: GOVERNING LAW

This Plan may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to and shall be interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

FORCE MAJEURE

In case of an emergency, such as force majeure as that term is defined in this Plan, in which the City is forced to temporarily divert its personnel and resources away from the annexation area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexation area of the level described in this Plan as soon as possible. Force Majeure shall include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions and other inability of the

City, whether similar to those enumerated or otherwise, which is not within the control of the City. Unavailability or shortage of funds shall not constitute Force Majeure for purposes of this Plan.

SUMMARY OF THE WATER AND WASTEWATER UTILITY SERVICE EXTENSION POLICY (1997)

The following information is a summary of the Water and Wastewater Utility Service Extension Policy, Chapters 25-1 through 25-5 and 25-9 of the 1999 Austin Code of Ordinances Volume II, in conformance with the Texas Local Government Code requirement that the Plan have a summary of the service extension policy.

Water and wastewater service is only provided to lots that have been properly subdivided and platted or are a legal lot. For property that is required by subdivision regulations to construct water or wastewater facilities connecting to the City system, funding and construction of those facilities will remain the responsibility of the developer. If the specific undeveloped property does not have City water or wastewater service fronting the property, the owner may make an application for an extension of service to the Director of the Water and Wastewater Utility for review. If the Director determines that adequate capacity is available, or will be, and if the project does not include City cost participation or reimbursement, and if the proposed facilities are a logical extension of the City's Water and Wastewater System and the requested extension otherwise meets the requirements

Annexation Service Plan Del Valle Page 9 of 9

of Chapter 25-9, the extension size, capacity, and routing may be approved by the Director for funding and construction by the developer.

Depending on the size of the new facilities and other conditions, with City Council approval, the City may reimburse the developer for part of the cost of constructing certain facilities. With City Council approval, the City may cost participate by reimbursing costs associated with the oversize capacity of wastewater mains larger than 8 inches in diameter but less than 18 inches, and of water mains greater than 12 inches but less than 24 inches in diameter. With City Council approval, the City may reimburse to the developer the construction cost of the full capacity of wastewater facilities 18 inches in diameter or larger, and water facilities 24 inches in diameter or larger, as well as other facilities such as reservoirs or pumps. The actual calculation of the cost participation and reimbursement amounts, including limits and the schedules for the payments, are included in the Land Development Code.

For lots that have water or wastewater lines in the street fronting the lot, the owner may receive water or wastewater service by applying for a tap permit and paying any required fees. The new customers will be required to pay the impact fees and all connection fees. However, if the tap is purchased within two years of the completion of the line by the City, the impact fee will be waived.

As long as a property is using a septic system, the property owner remains responsible for the operation and maintenance of the septic system. If the septic system fails before the City sewer service is extended to the property, the property owner must repair the system. Under certain circumstances the Austin Health and Human Services Department/Travis County Health Department may require connection to the City sewer facilities.

This policy is set by the City Council and can be amended in the future by ordinance.