

State of Kansas, Montgomery County
This instrument was filed for
Record on June 12, 2025 12:18 PM
Recorded in Book 747 Page 320 - 321
Fee: \$0.00 202501708



Marilyn Calhoun
Marilyn Calhoun, Register of Deeds

ORDINANCE NO. 4485

AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE COLLECTION OF SYSTEMS DEVELOPMENT CHARGES FOR ALL HOUSING UNITS IN THE CITY OF INDEPENDENCE, KANSAS, THROUGH DECEMBER 31, 2026.

WHEREAS, the City of Independence, Kansas, seeks to encourage the construction and development of new housing units within the city to address housing needs and promote growth; and

WHEREAS, the City recognizes that the Systems Development Charge (SDC), while an important funding mechanism for future infrastructure needs, may present a barrier to the development of both single-family and multifamily housing; and

WHEREAS, the City Commission desires to temporarily suspend the collection of the SDC to incentivize residential development and support housing affordability initiatives;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS:

Section 1. Temporary Moratorium

There is hereby established a temporary moratorium on the collection of the Systems Development Charge (SDC), as described in Sections 106-261 through 106-264 of the Code of Ordinances and as listed in Appendix D of the Fee Schedule, for all housing units—whether single-family or multifamily—within the city limits.

Section 2. Scope of Moratorium

This moratorium shall apply solely to the SDC. All other applicable water connection fees, sewer connection fees, and permit or inspection charges as outlined in the Code of Ordinances and the City's Fee Schedule shall remain in full force and effect and shall continue to be assessed and collected as required by law.

Section 3. Effective Period

This moratorium shall take effect upon publication of this Ordinance and shall remain in effect through December 31, 2026. No SDC shall be assessed or collected for any qualifying housing development that applies for a water meter installation and connection during this period.



Section 4. Applicability

This moratorium shall apply to all new housing units, including both owner-occupied and rental developments, that require a new water meter installation and that would otherwise be subject to the SDC.

Section 5. Non-Housing Development Not Affected

This ordinance shall not apply to commercial, industrial, or non-residential developments, which remain subject to the SDC and all other utility-related fees.

Section 6. Severability

If any section, subsection, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 7. Publication and Effective Date

This Ordinance shall be published once in the official City newspaper and shall take effect and be in force from and after its publication.

Passed and approved this 11th day of June, 2025.

CITY OF INDEPENDENCE, KANSAS

By: W. Scott Smith
W. Scott Smith, Mayor

ATTEST:

David Schwenker
David Schwenker, City Clerk

