

ORDINANCE 606

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PANHANDLE, TEXAS, REPEALING THE CODE OF ORDINANCES 604 CHAPTER 13, UTILITIES, ARTICLE 13.105 WATER AND SEWERS, MAKING IT A REQUIREMENT THAT ONLY AN OWNER OF PROPERTY MAY OPEN WATER AND SEWER ACCOUNTS; AND AMENDING SECTION 13.105 WHICH WILL ESTABLISH NEW FEES FOR WATER AND SEWER DEPOSITS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Mayor and City council approved Ordinance 604 to try and eliminate debt from renters, and

WHEREAS, since the passage of Ordinance 604, the City has realized that when evaluating utility rates to our current needs and long range planning,

WHEREAS, the city desires to repeal this ordinance and require all persons opening a new water and sewer account be responsible through their deposit

THAT, Section 13.105 that will be REPEALED reads as follows:

Sec. 13.105 Water and Sewer Accounts and Deposits

- (a) Water and sewer service accounts may only be opened by the owner of the real property to which water and/or sewer service will be provided. The owner of the real property will be the customer for water and sewer service.
- (b) The deposit for water and sewer services to be paid to the city shall be \$75.00. The city shall hold the deposit as long as the customer receives service from the city. Upon discontinuation of service, the final bill shall be deducted from the deposit and the remaining deposit, if any, or the final bill shall be mailed to the customer. The city manager has the authority to waive a required deposit as special circumstances as may be needed from time to time for various reasons.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANHANDLE, TEXAS:

Chapter 13 Section 13.105 AMENDED shall read as follows:

The deposit for water and sewer services to be paid to the city shall be \$150.00. The city shall hold the deposit as long as the customer receives service from the city. Upon discontinuation of service, the final bill shall be deducted from the deposit or any remaining deposit, if any, or the final bill shall be mailed to the customer. Renters/Tenants who are not the property owner must show proof of lease agreement. Any outstanding balances by any applicant must be paid before water is turned on. Only the person on the lease agreement may apply for water from the City of Panhandle. A credit check may be issued for anyone seeking water service before that service can be turned on, and the City may require varying utility deposits for customers as it seems appropriate in each case or who have multiple months of disconnects. The City Manager has the authority to waive a required deposit as special circumstances as may be needed for various reasons.

REPEALER

THAT, Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim or lawsuit that has been initiated or has arisen under or pursuant to any of the ordinances or sections thereof that have been specifically repealed on the date of adoption of this Ordinance shall continue to be governed by the provisions of such ordinance or section thereof and for that purpose the ordinance or section thereof shall remain in full force and effect.

SEVERABILITY

THAT, if any provision, section, subsection, sentence, clause or the application of the same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this Ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Panhandle in adopting this Ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

EFFECTIVE DATE


THAT, this ordinance shall become effective from and after its adoption and publication as required by law.

PASSED, APPROVED, AND ADOPTED, on the 9th day of April, 2020, at a regular meeting of the City Council of the City of Panhandle, Texas, which meeting was held in compliance with the Open Meetings Act, Tex Gov't Code, §551.001, et.seq., at which meeting a quorum was present and voting.



Doyle Robinson, Mayor

ATTEST:



Veronica Willburn, City Secretary

