

ORDINANCE NO. 2018-21

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING CHAPTER 13, ARTICLE 13.03, SECTION 13.03.112(A) OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS, ESTABLISHING REQUIREMENTS FOR DETERMINATION OF WASTEWATER FLOW; AMENDING CHAPTER 13, ARTICLE 13.03.113 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, ESTABLISHING ACCEPTABLE METHODS OF APPLYING FOR SERVICE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR IMMEDIATE EFFECT; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council has found that the current practice of determining the wastewater flow can be modified to be more beneficial to the customer; and

WHEREAS, the City Council of Ovilla wishes to establish a process that is reasonable for the City of Ovilla, Texas; and

WHEREAS, the City Council of Ovilla has found that current practice of applying for service in person is not necessary to establish service; and

WHEREAS, the City Council of Ovilla wishes to establish a process that is convenient for a new applicant to establish service with the City of Ovilla, Texas; and

WHEREAS, the City Council finds and determines it is in the best interest of the citizens of the City of Ovilla to amend the Code of Ordinances to establish a wastewater flow determination process; and establish a convenient process for establishing service.

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

SECTION 1.

AMENDMENT OF CHAPTER 13, ARTICLE 13.03, SECTION 13.03.112 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS

CHAPTER 13, ARTICLE 13.03, SECTION 13.03.112(a) "Determination of wastewater flow" of the Code of Ordinances of the City of Ovilla, Texas, is hereby amended to read as follows:

Each March, the billable wastewater flow for each residential customer will be adjusted based on the calculated winter average. The volume of flow used in computing wastewater charges for residential customers will be calculated by using the lowest month of the previous December, January, and February metered water consumption, to be known as the winter average. The winter average consumption of all residential customers will be used for those customers without a winter average.

AMENDMENT OF CHAPTER 13, ARTICLE 13.03, SECTION 13.03.113 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS

CHAPTER 13, ARTICLE 13.03, SECTION 13.03.113 "Application for service" of the Code of Ordinances of the City of Ovilla, Texas, is hereby amended to read as follows:

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Each customer desiring wastewater service from the city must make application for service and furnish the information requested by the city manager and pay the applicable deposit and fees associated with establishing service.

SECTION 2. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 3. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered, if necessary, to conform to the uniform numbering system of the Code.

SECTION 5. EFFECTIVE DATE

Because of the nature of the interests and safeguards sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

SECTION 6. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, ADOPTED and APPROVED by the City Council of Ovilla, Texas, on this the 10th day of September 2018.

ATTEST:


Pamela Woodall, City Secretary



APPROVED AS TO FORM:


Ron G. MacFarlane, Jr., City Attorney