

ORDINANCE #220920-02

CITY UTILITY SERVICES AND FEE STRUCTURES AMENDMENT

AN ORDINANCE OF THE CITY OF BIG LAKE, TEXAS, BY THE CITY COUNCIL TO AMEND ORDINANCE #210504-01-CITY PROVIDED UTILITY SERVICES AND FEE STRUCTURES, AS AMENDED; ORDINANCE #210504-01, SECTION 8.0: BILLING CYCLE AND PAYMENTS, RELATING TO SUBSECTION 8.8(a): SENIOR CITIZEN DISCOUNT, ADOPTING A NEW PAYMENT DUE DATE FOR SENIOR CITIZEN DISCOUNTS; PROVIDING FOR CONSISTENCY IN EXPECTED DUE DATES AND REPEALING ALL PARTS OF ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING SEVERABILITY AND OPENING MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the changing of "Senior Citizens" required utility payment due dates will create a unified due date for all account holders; and

WHEREAS, the unified due date for payments, allows for an ease of administrative duties to meet billing software requirements; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG LAKE, TEXAS, THAT:

SECTION 1.0. Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary.

SECTION 2.0. Senior Citizen Discount. The City Council hereby adopts the following amendment in Section 3.0 to read as set forth in Section 3.0 and incorporated in this ordinance as though fully transcribed herein for all purposes.

SECTION 3.0. Amendment of Ordinances. Ordinance #210504-01, City Provided Utility Services and Fee Structures, Section 8.0; Subsection 8.8(a), Senior Citizen Discount, is hereby amended to include the following additions and amendments: **Resident must pay utility bill in full by the 15th of the month and can only receive discount on one (1) residential account,** and all ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

SECTION 4.0. Savings Clause. All rights and remedies of the City of Big Lake are expressly saved as to any and all violations of the provisions of any ordinances within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5.0. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

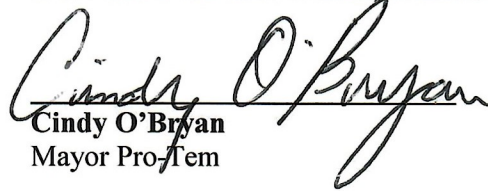
SECTION 6.0. Severability. It hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of the Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to the end the provisions of this Ordinance are declared to be severable.

SECTION 7.0. Opening Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose and said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 20th day of September, 2022.

PASSED, APPROVED AND ADOPTED on this 27th day of September, 2022.

THE CITY OF BIG LAKE, TEXAS


Cindy O'Bryan
Mayor Pro-Tem

ATTEST:


Sheri Benson, City Administrator