

## ORDINANCE NO. 2024-02

**AN ORDINANCE AMENDING SECTION 13.03.032(A) OF THE HUDSON OAKS CODE OF ORDINANCES BY AMENDING COMMERCIAL SEWER RATES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE FOR NEW MONTHLY COMMERCIAL SERVICE CHARGE.**

**WHEREAS**, the City of Hudson Oaks, Texas is a Type A general-law municipality located in Parker County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City Council has reviewed the existing and proposed commercial sewer rates and has heard the recommendations of the City staff; and

**WHEREAS**, the City Council finds that such sewer rate amendments are necessary to provide the lowest rates consistent with a fiscally sound utility system and the public investment and to insure sound operating practices.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUDSON OAKS, TEXAS.**

### SECTION 1.

That Chapter 13 "Utilities", Article 13.03 "Sewers", Sections 13.03.032(a) "Monthly Service Charge"

#### **"Sec. 13.03.032 Monthly Service Charge**

(a) *A monthly service charge shall be made each month, or fraction thereof, for sewer service. For residential customers that are also water customers of the city, the monthly charge for all months in a calendar year shall be based on the average water use for the account during the proceeding November, December and January water billing periods. For commercial customers that are also water customers of the city, the monthly charge for wastewater will be calculated on metered commercial water services for that month. If the sewer customer is not a city water customer, then the customer shall authorize the operator of the water system which the customer is on to release to the city the billing records for the required months in order to base the sewer bill. In the event that the customer utilizes their own well for water, then the customer shall authorize the city to install a meter on the customer's well to track water usage. Such meter shall be installed at cost to the customer. If no other option is available for direct measurement of water usage, then the customer, shall authorize the city to base the billings on an estimated water use which is a conservative estimate based on similar facilities. Such option shall only be used as a "last resort" and direct water metering shall be installed soon as practical.:*

### SECTION 2.

This ordinance shall be cumulative of all provisions of the zoning ordinance and of the Code of Ordinances of the City of Hudson Oaks, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

### SECTION 3.


It is hereby declared to be the intention of the city council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality 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 in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

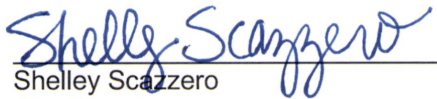
**SECTION 4.**

This ordinance shall be in full force and effect with the March 2024 billing cycle, and it is so ordained.

**PASSED AND APPROVED ON THIS 25<sup>TH</sup> DAY OF JANUARY, 2024.**

  
\_\_\_\_\_  
Tom Fitzpatrick, Mayor

Attest:

  
\_\_\_\_\_  
Shelley Scazzero  
City Secretary

