

ORDINANCE NO. 2024-07

AN ORDINANCE AMENDING SECTION 13.02.045 OF THE HUDSON OAKS CITY CODE RELATING TO THE USE OF WATER FROM FIRE HYDRANTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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, Section 13.02.045 of the Hudson Oaks Code of Ordinances prescribes requirements for the use of water from fire hydrants and the charges for such use; and

WHEREAS, the City Council desires to amend Section 13.02.045 as set forth herein; and

WHEREAS, the City Council finds that the regulations adopted herein are in the best interest of the City, and will promote the health, safety and general welfare of the citizens of the City and the general public.

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

SECTION 1.

That Section 13.02.045 "Use of water from fire hydrants" of Article 13.02 "Water" of the Hudson Oaks Code of Ordinances is hereby amended to read as follows:

“§ 13.02.045. Use of water from fire hydrants.

- (a) The rates and fees for water service provided through fire hydrants connected to any water system operated by the city, whether within or without the corporate boundaries of the city, shall be as follows:

Gallons Used per Month	Monthly Rate per 1,000 Gallons
0 to 35,000	\$5.50
35,001 to 65,000	\$5.75
65,001 and greater	\$6.50

- (b) Customers receiving water service provided through fire hydrants connected to any water system operated by the city, whether within or without the corporate boundaries of the city, shall be billed by customer rather than by meter, so that all meters issued to a single customer are read and the sum of total usage among the meters is billed as if a single meter.
- (c) Any person, firm or corporation using a utility meter for service through fire hydrants connected to the municipal water system may only connect and withdraw water during the following hours: Monday through Friday, from 7:00 a.m. until ~~4:00 p.m.~~ 7:00 p.m.
- (d) A \$1,000 deposit is required for the use of a fire hydrant meter during construction.
- (e) Upon the return of the fire hydrant meter to the City, the deposit will be used to pay the balance due on the account after receiving the final reading. A bill will be sent to the

contractor if there is a balance due; if there is a credit balance a check will be mailed to the contractor.

- (f) The \$1,000 deposit will be forfeited if the meter dials roll backward. The meter must be returned to the City; or another \$1,000 deposit will be required to keep the hydrant meter on the project.
- (g) There is a \$245.00 per month base rate that is charged regardless of usage.
- (h) Payments are due on the 10th of each month. If payment is not received prior to the cutoff date, the meter must be returned to the City and the deposit will be applied to the balance due at that time. A new deposit can be paid to continue to have access to the meter.
- (i) On the 10th of each month the contractor must provide a picture of the meter with the reading, or bring the meter to City Hall Tuesday through Thursday, from 8:00 a.m. until 4:00 p.m.”

SECTION 2.

This Ordinance shall be cumulative of all provisions of ordinances and of the Hudson Oaks City Code, as amended, except when 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 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase 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 sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 4.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined in accordance with the general penalty for violations of the City Code set forth in Section 1.01.009 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

The City Secretary of the City of Hudson Oaks is hereby directed to publish in the official newspaper of the City of Hudson Oaks, the caption, penalty clause, and effective date clause of this ordinance as authorized by Section 52.011 of the Local Government Code.


SECTION 6.

This ordinance shall be in full force and effect from and after its passage and publication, and it is so ordained.

PASSED AND APPROVED ON THIS 30th DAY OF MAY, 2024.


Tom Fitzpatrick, Mayor

Attest:


Shelley Scazzero
City Secretary

