

ORDINANCE NO. 20240409-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 26 UTILITIES ARTICLE IV UTILITY SERVICE REGULATIONS DIVISION 2 SERVICE RULES SECTION 26-112 BILLING BY REVISING THE DUE DATE FOR UTILITY BILLS ISSUED BY THE CITY OF ANGLETON; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Texas Local Government Code Chapter 51, the City Council of the City of Angleton, Texas (“City”) has the general authority to adopt and publish an ordinance that is for the good government, peace or order of the municipality, is consistent with the laws of this State, and is necessary or proper for the carrying out of a power granted by law to the municipality; and

WHEREAS, the City Council for the City of Angleton (“City Council”) is authorized by Chapter 54 of the Texas Local Government Code to enforce rules, ordinances and police regulation of the municipality by fine or penalty; and,

WHEREAS, pursuant to Chapter 552 of the Texas Local Government Code the City is authorized to operate its utility systems to regulate the systems in a manner that protects the interests of the City;

WHEREAS, the City of Angleton, City Council desires to amend Chapter 26 Utilities; Article IV Utility Service Regulations; Division 2 Service Rules; Section 26-112 Billing of the Code of Ordinances for the City of Angleton in order to change the date utility bills are mailed to customers from the first of the month or as possible to the 25th day of the month., and

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

SECTION 1. All the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. Chapter 26 Utilities; Article IV Utility Service Regulations; Division 2 Service Rules; Section 26-112 Billing of the Code of Ordinances for the City of Angleton is hereby revised to read as follows:

Section 26-112 Billing

Utility bills are mailed to customers on or as soon after the first of the month as possible. The water bill is due on the **25th** of each month. If payment for the bill is not received in city hall by

5:00 p.m. on the **25th** day of the month or the next working day should the **25th** fall on a Saturday or Sunday or holiday, a second notice will be mailed stating the amount owed including late fee. If the account is not paid in full by the fifth day of the following month, water service will be disconnected and a reconnect fee will be added to the amount owed.

SECTION 3. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part this declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 4. . Repeal. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 5. Penalty. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred and No/100 Dollars (\$500.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

SECTION 6. Proper Notice & Meeting

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code

SECTION 7. Effective Date. That this Ordinance shall become effective immediately upon its passage and approval, with new rates reflected in the utility bill due in May 2024.

PASSED AND APPROVED, and ADOPTED on this the 9th day of April 2024.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary