

ORDINANCE NO. 2025-21

AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 110 (ENTITLED "UTILITIES") BY ADJUSTING THE VOLUMETRIC WATER RATE; MINIMUM WATER RATE CHARGE; AND SEWER CHARGES; MOVING WATER AND SEWER CHARGES FROM CHAPTER 110 TO APPENDIX B (ENTITLED "FEE SCHEDULE"); PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to the laws and constitution of this state, including Title 13 of the Texas Local Government Code and its vested authority as a home rule municipality the city is the sole purveyor of water and sewer service within its corporate limits; and

WHEREAS, City Council is vested with the authority to set water and sewer service rates; and

WHEREAS, the volumetric water rate, and minimum water charge rate have not been adjusted since 2011; and

WHEREAS, sewer charges have not been adjusted since 2012; and

WHEREAS, City Council finds, determines, and declares that the aforementioned rates require adjustment; and

WHEREAS, in accordance with city policy, City Council deems it appropriate to move water and sewer rates to the Fee Schedule found in Appendix B of the City Code of Ordinances; and

WHEREAS, City Council finds, determines, and declares that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given as required by Chapter 551 of the Texas Government Code.

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

Section One. Appendix Amendment. Appendix B, Article III of the Code of Ordinances of the City of Burnet is hereby amended by replacing the existing text with the text set out in Exhibit "A" hereto; and said exhibit is fully incorporated in this Ordinance for all purposes.

Section Two. Rate Adjustment Approved. The new volumetric water rate, minimum water charge rate, and sewer charges established in Exhibit "A" to this Ordinance, are hereby approved.

Section Three. Code Amendment. Chapter 110 (entitled "*Utilities*") of the Code of Ordinances of the City of Burnet is hereby amended by amending the sections referenced below by replacing the existing text with the text that follows:

Sec. 110-26. Volumetric rate. This rate is established in the Fee Schedule made part of the Code of Ordinances as Appendix B – Article III.

Sec. 110-27. Minimum charge. This charge is established in the Fee Schedule made part of the Code of Ordinances as Appendix B – Article III.

Sec. 110-29. Water connection fees. This fee is established in the Fee Schedule made part of the Code of Ordinances as Appendix B – Article III.

Sec. 110-30. Service outside city limits. This fee is established in the Fee Schedule made part of the Code of Ordinances as Appendix B – Article III.

Sec. 110-34. Computation of water bills. This computation is established in the Fee Schedule made part of the Code of Ordinances as Appendix B – Article III.

Sec. 110-36. Bulk water sales. This fee is established in the Fee Schedule made part of the Code of Ordinances as Appendix B – Article III.

Sec. 110-73. Sewer charges. This charge is established in the Fee Schedule made part of the Code of Ordinances as Appendix B – Article III.

Note to editor: Any section of Chapter 110 not listed above shall remain in full force and effect and this note shall not be made part of the code publication.

Section Four. Code Amendment. Chapter 110 (entitled “*Utilities*”) Section 110-28 (entitled “*City water sold at premises with water meters*”) of the Code of Ordinances of the City of Burnet is hereby amended by replacing the existing text in subsection (6) in its entirety with the following:

- (6) *Two or more connections; master metered.* Upon the approval of the city manager, two or more units may be served through a master meter under the following conditions: For each and every unit so served, a minimum rate for a 5/8” meter will be charged in accordance with the current rate structure. Water usage will be charged in accordance with the current rate structure. The provisions for minimum charges set out in section 110-27 shall not apply when such units are master metered.

Note to editor: Sec. 11-28 (1), (2), (3), (4) and (5) are not subject to amendment and shall remain in full force and effect and this note shall not be made part of the code publication.

Section Five. Findings. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section Six. Cumulative. This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event Section 6, (entitled “Repealer”) shall be controlling.

Section Seven. Repealer. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section Eight. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall

nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section Nine. Publication. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors, and format and number paragraphs to conform to the existing Code.

Section Ten. Effective Date. This Ordinance shall be effective upon the date of final adoption hereof.

PASSED, APPROVED, AND ADOPTED on this 27th day of May 2025.

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary