

**CITY OF HUTCHINS
ORDINANCE NO. 2024-02-1188**

AN ORDINANCE OF THE CITY OF HUTCHINS, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 13, TITLED “UTILITIES”, BY AMENDING ARTICLE 13.02, TITLED “WATER WORKS,” BY AMENDING §13.02.009 TO ADD PROVISIONS FOR PASS THROUGH CHARGES FOR WATER PURCHASED FROM THE CITY’S SUPPLIERS; BY AMENDING CHAPTER 13, TITLED “UTILITIES”, BY AMENDING ARTICLE 13.03, TITLED “SEWER USER CHARGES” BY AMENDING §13.03.002 TITLED “SEWER RATES TO ADD PROVISIONS FOR PASS THROUGH CHARGES FOR SANITARY SEWER TREATMENT PURCHASED FROM THE CITY’S SUPPLIERS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Hutchins, Texas finds that the City’s water and sewer service provider, the City of Dallas, has recently increased the water and sewer rates its charges the City of Hutchins by fifteen percent (15%) for water and four percent (4%) for sewer; and

WHEREAS, the City sets the uniform monthly rates for water and sanitary sewer service annually; and

WHEREAS, without the ability to pass through mid-year rate increases charged by the City of Hutchins water and sewer service supplier, the City must absorb the cost increase which results in less revenue for operation and maintenance of the City’s water and sanitary sewer infrastructure, and

WHEREAS, the City Council of the City of Hutchins finds that in order to run a fiscally sound water and sewer system and to insure sound operating procedures it is necessary to allow the City to pass through cost increases to customers.

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

SECTION 1. That the City of Hutchins Code of Ordinance is hereby amended by amending Chapter 13 titled “Utilities,” by amending Article 13.02 titled “Water Works” by amending Section 13.02.009 titled “Water rates,” to add the following:

§13.02.009 Water rates.

- (a) The uniform monthly rates shall be charged all person, firms or corporations for use of the city water within the corporate limits of the city shall be as provided for in the fee schedule found in appendix A of this code.

- (b) Monthly rates in amounts double that of the above corporate limits rates shall be charged all persons, firms or corporations for use of water outside of the city's corporate limits.
- (c) Any future changes in the city's cost of water purchased from the city's water suppliers will be passed through to the city's water customers.

SECTION 2. That the City of Hutchins Code of Ordinance is hereby amended by amending Chapter 13 titled "Utilities," by amending Article 13.03 titled "Sewer User Charges" by amending Section 13.03.002 titled "Sewer rates" to read as follows:

§13.03.002. Sewer rates.

- (a) All users of the sanitary sewer service shall be charged rates as provided for in the fee schedule found in appendix A of this code.
- (b) Any future changes in the city's cost of sanitary sewer or wastewater treatment from the city's sanitary sewer or wastewater treatment suppliers will be passed through to the city's sanitary sewer or wastewater customers.

SECTION 3. That all provisions of the ordinances of the City of Hutchins in conflict with the provisions of this ordinance be, and the same are hereby repealed and that all other provisions of the ordinances of the City of Hutchins not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That if any article, paragraph, subdivision, clause or provision of this ordinance as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid or unconstitutional.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

IT IS ACCORDINGLY SO ORDAINED.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS ON THIS THE 19th DAY OF FEBRUARY, 2023.

CITY OF HUTCHINS, TEXAS

Mario Vasquez, Mayor

ATTEST:

Cynthia Olguin, City Secretary

APPROVED AS TO FORM:

Joseph J. Gorfida, Jr., City Attorney
(02-14-2024:4875-1348-1083, v. 1)