

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, AMENDING APPENDIX A FEE SCHEDULE, ARTICLE A8 BUILDING AND CONSTRUCTION RELATED FEES, SECTION A8.005 BULK WATER FEES OF THE CODE OF ORDINANCES TO INCREASE THE BULK WATER METER DEPOSIT FEE; PROVIDING FOR REPEALER, PENALTY, SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Leon Valley, as a Home Rule Municipality, derives its powers from its Home Rule Charter and is limited in authority only by express provisions of the Texas Constitution and the State statutes; and

WHEREAS, in accordance with such powers the City Council adopted the Leon Valley Code of Ordinances, Appendix A Fee Schedule to assure that city services and equipment are being adequately reimbursed; and

WHEREAS, City Council determined the fee being charged as a deposit for bulk water meters is not enough to cover replacement costs should a bulk water meter be lost or stolen and that a fee for the Edwards Aquifer Authority (EAA) Habitat Conservation Plan should also be levied to cover costs associated with that plan; and

WHEREAS, the City Council now determines that in order to be fully reimbursed for costs incurred, the deposit for a bulk water meter must be increased and the EAA fee imposed.

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

Section 1. Amendment. Code of Ordinances, Appendix A Fee Schedule, Article A8.000 Building and Construction Related Fees, Section A8.005 Bulk Water Meter, (b) Deposit is hereby amended to increase the deposit for bulk water meters from \$1,000.00 to \$2,500.00 and a new subsection (e) is added to impose an Edwards Aquifer Authority fee of \$0.62 per 1,000 gallons of water used.

Section 2. Recitals. 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 3. Conflicts. 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and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.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 4. Savings. That all rights and privileges of the City are expressly saved as to any and all violations of the provision of any ordinances repealed by this ordinance which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violation and all pending litigation, both civil and criminal, whether

pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 5. 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 6. TOMA compliance. It is officially found, determined, and declared 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, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. Penalty. A violation of the Leon Valley specific portions of this ordinance is a Class C misdemeanor punishable by a fine not to exceed \$2,000.00.

Section 8. Effective date. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 21st day of January, 2025.

APPROVED

CHRIS RILEY
MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

ARTURO D. 'ART' RODRIGUEZ
City Attorney