

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AMENDING THE LEON VALLEY CODE OF ORDINANCES APPENDIX A FEE SCHEDULE, ARTICLE A11.000 WATER AND SEWER FEES, SECTION A11.001 GENERALLY, (a) MONTHLY WATER RATES AND CHARGES, ALL CUSTOMERS RESIDENTIAL OR NONRESIDENTIAL, (2) MONTHLY VOLUMETRIC RATE (PER THOUSAND GALLONS) TO PROVIDE RELIEF FOR WATER CUSTOMERS WHO EXPERIENCED A HIGH WATER CHARGE DUE TO A WATER LEAK PRIOR TO THE PASSAGE OF ORDINANCE 2021-50; PROVIDING FOR REPEALER, SEVERABILITY, AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Leon Valley owns and operates a water utility and water customers pay water rates that support the maintenance and operations of the water utility; and

WHEREAS, plumbing leaks on private properties increase the amount of water traversing through the customer's water meter, with the water not being productively used, consequently increasing the fees for water service; and

WHEREAS, the City recognizes that unplanned plumbing repairs negatively affect a person's ability to pay a high water bill; and

WHEREAS, the City seeks to assist its water customers by reducing excessive water bills caused by unplanned water leaks on private property; and

WHEREAS, providing incentives to repair water leaks expeditiously reduces overall water loss, which greatly assists in the City's goal of water conservation and drought management.

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

SECTION 1. That Article A11.000 Water and Sewer Fees, Section A11.001 Generally, (2) Monthly volumetric rate (per thousand gallons), is hereby amended to add:

(D) Methods for adjusting for commercial and residential water leaks.

1. Customers who have experience a water leak may apply for a one time per calendar year adjustment to their water bill. A second water bill adjustment may be requested during the same calendar year, but only under extraordinary circumstances as approved by the City Manager. **Leon Valley Water customers may also request a water bill adjustment for a water leak that occurred at any time prior to the passage of Ordinance 2021-50, but this shall be limited to one occurrence. Customer must provide proof of repairs in the form of receipts or paid invoices from either a plumbing service provider or from the resident performing their own plumbing work.**

SECTION 2. 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 phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph, or section of this Ordinance.

SECTION 3. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 4. This Ordinance shall become effective immediately upon its passage and publication as required by law.