

ORDINANCE NO. 2024-08-21-17

AN ORDINANCE AMENDING CHAPTER 2, OF THE CITY'S CODE OF ORDINANCES; ADDING ARTICLE VIII WATER LINE BREAKAGE POLICY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Rollingwood City Council recognizes that water line infrastructure is a vital component of the city's utility network. Breakages of city water lines result in significant repair costs, operational disruptions, and potential damage to other infrastructure and private property. The financial burden of these repairs falls disproportionately on the city's taxpayers and utility ratepayers; and

WHEREAS, ensuring accountability for damages caused by third parties is essential for maintaining the integrity and sustainability of the city's water system. Currently, there is a lack of clear policy regarding financial responsibility for breakages of city water lines, leading to potential disputes and inconsistent recovery of repair costs; and

WHEREAS, water line breakages can pose serious risks to public health and safety, including interruptions in water service, potential contamination, and hazards to the general public; and

WHEREAS, implementing a policy that requires payment for damages caused by third parties is anticipated to serve as a deterrent against negligence and accidental breakages. Increased awareness of the financial implications of causing damage is expected to encourage responsible behavior among individuals and organizations that interact with city infrastructure; and

WHEREAS, the proposed policy aims to create a system where those who cause damage to city water lines are held financially responsible, rather than the cost being absorbed by the broader community; and

WHEREAS, establishing a clear policy and process for charging individuals or entities responsible for breaking city water lines will streamline administrative procedures, reduce disputes, and facilitate more efficient recovery of repair costs. This will also provide a standardized framework for enforcement and compliance

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

SECTION 1. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Code Amendment.

Chapter 2 of the City's Code of Ordinances is hereby amended to add Article VIII as follows:

Article VIII

Section 2-800 Water Line Breakage

City Council shall adopt a policy dictating financial responsibility and payment for water line breaks. Such a policy to include, but not be limited to, responsibility for cost of repairs and reimbursement for water loss.

SECTION 3. All provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Should any sentence, paragraph, sub-article, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. 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.

APPROVED, PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas, on the 21st day of August, 2024

Gavin Massingill, Mayor

ATTEST:

Ashley Wayman, City Administrator