

ORDINANCE NO. 2022-10-19-12

AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, PART I, CHAPTER 22, ARTICLE II, SECTION 22-30 PAYMENT; TERMINATION OF SERVICE; LIEN FOR UNPAID CHARGES; APPEALS; RESTORATION OF SERVICE AND PART 1, CHAPTER 34, ARTICLE III, SECTION 34-69 PAYMENT; TERMINATION OF SERVICE; LIEN FOR UNPAID CHARGES; APPEALS; RESTORATION OF SERVICE

WHEREAS, the City of Rollingwood is a General Law Type A City under the statutes of the State of Texas; and

WHEREAS, the City Council of the City of Rollingwood ("City Council") previously established a Code of Ordinances; and

WHEREAS, the City Council wishes to amend the amount of time that must pass before a penalty will be assessed for delinquent utility service charges from 30 days to 3 business days.

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. Part I of the City's Code of Ordinances Chapter 22, Article II, Section 22-30 and Chapter 34, Article III, Section 34-69 is hereby amended to read as follows, with deletions from the code delineated as strikethroughs and additions as underlined:

Sec. 22-30. – Payment; termination of service; lien for unpaid charges; appeals; restoration of service.

- (a) Payment Due. All charges for water and wastewater services ("Utility Services"), including surcharges and billable repairs, shall be due and owing by the date issued on the statement. If, after ~~30~~ 3 business days from the date a charge for Utility Services or connection fee is due and owing, the customer has not made full payment, all amounts due and owing and unpaid shall be increased by a penalty of five percent ("delinquent charges"). All payments received shall be applied first to the most recent charges then due and owing. In addition, the customer's water service may be terminated as provided for herein.

Sec. 34-69. - Payment; termination of service; lien for unpaid charges; appeals; restoration of service.

- (a) Payment Due. All charges for Utility Services, including surcharges and billable repairs, shall be due and owing by the date issued on the statement. If, after ~~30~~ 3 business days from the date a charge for Utility Services or connection fee is due and owing, the customer has not made full payment, all amounts due and owing and unpaid shall be increased by a penalty of five percent (“delinquent charges”). All payments received shall be applied first to the most recent charges then due and owing. In addition, the customer's water service may be terminated as provided for herein.

SECTION 4. 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 5. Should any sentence, paragraph, 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 6. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law provides.

APPROVED, PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas, on the 19th day of October, 2022.

APPROVED:

Gavin Massingill, Mayor

ATTEST:

Desiree Adair, City Secretary

