

ORDINANCE 2025-002

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 13 UTILITIES ARTICLE 13.05 WATER AND SEWER DIVISION 1 DEPOSITS AND ARTICLE 13.09 WATER ACCOUNTS AND BILLING; SETTING UTILITY DEPOSIT AMOUNTS; ESTABLISHING THE OWNER OF A PREMISES AS THE RESPONSIBLE PARTY; PROVIDING OF THE REPEAL OF ORDINANCES IN CONFLICT HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as the City of Wolfforth grows, there are more rental properties within the City; and

WHEREAS, to aid in the consistent collection of charges for water service, the City Council finds that is in the best interest of the City to charge for water service against each premises for which water service was and is installed and against the owner of such premises.

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

Part 1. Enacted.

THAT Chapter 13 of the Code of Ordinances of the City of Wolfforth is hereby amended by amending Article 13.05, Division 1 Deposits and Article 13.09 Water Accounts and Billing, which amended and added sections shall read as follows:

Chapter 13 Utilities

Article 13.05 WATER AND SEWER

Division 1 – Deposits

§ 13.05.001 Water deposit amount.

Any person, firm, or corporation, desiring to have a premises connected with the water supply of the city shall deposit with the city an amount as set forth in the fee schedule in appendix [A](#) of this code. Such deposit shall bear no interest and shall be refunded to the depositor when the use of city water shall be disconnected, and the depositor shall have paid all bills and accounts due unto the city for any account whatsoever connected with the water service, and the depositor shall forthwith return the receipt issued to him by the city. If the receipt is lost, the depositor must give security to the city or furnish satisfactory evidence of the depositor's right to receive the deposit. The deposit is required and made in the nature of a guarantee for a payment of water service accounts, and for damages to service connections or meters caused through neglect, abuse, or failure to properly care for the same by the consumer or his agents, and the deposit or any part thereof may be applied by the city to the payment of any such account when it becomes due. The deposit shall not be made nor accepted in the nature of prepayment, but only as a guarantee for the

payment of water service. Failure to pay the water bill when due by the consumer is to be considered as notice from the consumer to discontinue service and authority to the city to apply so much of the deposit as it is necessary for the payment of the then past-due account. In the event any deposit or a part thereof shall have been applied in payment of a past-due or delinquent account, no service may be reestablished until the deposit shall have been replaced to the full amount required by this article

§ 13.05.004 **Repealed**

Article 13.09 WATER ACCOUNTS AND BILLING

§ 13.09.008 **Reasons for termination of service.**

The City shall have the right to disconnect or refuse to connect or reconnect any water and/or wastewater service connection for the following reasons:

- (a) Failure of the water or wastewater service customer to meet the applicable provisions of law;
- (b) Violation by water or wastewater service customer of the rules and regulations pertaining to such service;
- (c) Nonpayment of bills by water or wastewater service customer;
- (d) Payment of a water or wastewater bill or security deposit with a check or draft which is not honored by the drawee;
- (e) Willful and negligent waste of water due to leaks during an established emergency;
- (f) Molesting any meter, seal, or other equipment controlling or regulating the supply of water or wastewater service;
- (g) Theft or diversion and/or use of water or wastewater without payment therefor;
- (h) Vacancy of premises;
- (i) Selling, delivering, or furnishing water without written permission from the City water department, either on or off the consumer's premises; or
- (j) Existence of a known dangerous condition for as long as the condition exists, in which case service may be terminated without notice.

Part 2. Severability.

If any section, sub-section, clause, phrase, or portion of this Ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase, or portion shall be deemed to be a separate, distinct, and independent provision and such invalidity shall not affect the validity of the remaining portions.

Part 3. Repeal.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Part 4. Open Meetings.

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Part 5. Effective Date.

This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND APPROVED this 3rd day of February 2025.

Charles Addington, II, Mayor

ATTEST:

Terri Robinette, City Secretary