

ORDINANCE 2026-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS, AMENDING ORDINANCE NO. 521 BY CHANGING THE FRANCHISE FEE FROM 4% TO 5% OF WEST TEXAS GAS UTILITY, LLC.'S GROSS RECEIPTS DERIVED FROM THE SALE, TRANSPORTATION, AND DISTRIBUTION OF NATURAL GAS WITH THE WOLFFORTH CITY LIMITS; PROVIDING FOR THE REPEAL OF PORTIONS OF ORDINANCE NO. 521 AND OTHER ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 20, 2019, the City Council of the City of Wolfforth adopted Ordinance No. 521 establishing the terms of the franchise agreement between West Texas Gas Utility, LLC. and the City of Wolfforth;

WHEREAS, in Section 4.1, establishes the procedure for increasing the Franchise Fee;

WHEREAS, the City desires to increase the franchise fee from 4% to 5% with the first payment of the 5% fee being in the second quarter of 2026; and

WHEREAS, the Council finds that the increase in the franchise fee to 5% is necessary and proper for the good government of the City to change the franchise fee established in Ordinance No. 521 from 4% to 5%.

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

Part 1. Enacted.

THAT Ordinance No. 521 is hereby amended by amending Section 4.1(a) to change the franchise fee from four percent (4%) of WTG's gross receipts derived from the sale, transportation, and distribution by WTG of natural gas within the city limits during the preceding calendar quarter to five percent (5%) of WTG's gross receipts derived from the sale, transportation, and distribution by WTG of natural gas within the city limits during the preceding calendar quarter.

Part 2. Severability

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

Part 3. Repealing Clause

(unapproved draft)

All provisions in Ordinance No. 521 or any other ordinance or portion of an ordinance in conflict with the provisions of this Ordinance shall be and are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Part 4. Open Meetings

It is hereby officially found and determined that the meeting at which this Ordinance was 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 of the Texas Government Code and Chapter 52 of the Texas Local Government Code.

Part 5. Effective date

This Ordinance shall be in force and effect upon its passage and approval.

PASSED AND ADOPTED on this the 20th day of April 2026.

Charles Addington, II, Mayor
City of Wolfforth, Texas

ATTEST:

Terri Robinette, City Secretary