

ORDINANCE NO. 2019-12-09-E

PUBLIC WORKS UTILITY RATES

AN ORDINANCE OF THE CITY OF RANGER, TEXAS, PROVIDING RATES FOR WATER, WASTEWATER, AND SOLID WASTE SERVICES AND PENALTY CHARGES AMOUNT WITHIN THE CITY AND ITS SERVICE AREA; REPEALING ORDINANCE NO. 2018-12-10-F, PROVIDING SEVERABILITY, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, the provision of water, wastewater and solid waste collection services for the residents of the City of Ranger, Eastland County, Texas (the "City") is necessary for the public health of the citizens and the protection of the environment and natural resources of the City; and

Whereas, the City provides rates for the water, wastewater, solid waste collection and disposal services, and the penalty charges to all residences and businesses in its service area;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF RANGER, TEXAS, THAT:

Article I. Authority and Definitions.

Section 1. Authority. This ordinance is adopted pursuant to the police powers and authority given to home rule cities by the constitution, codes and general laws of the State of Texas, including but not limited to chapters 51 and 402, Texas local government code.

Section 2. Purpose. The purpose of this ordinance is to provide service rates for the public health and general welfare, the efficient and effective provision of city services and the protection of the environment and natural resources of the community. From and after the passage of this ordinance all residential, business, commercial, and industrial occupancies and uses within the City and its service area shall conform to the following rates.

Section 3. Findings of fact. The findings and recitations set out in the preamble of this ordinance are found to be true and correct and that they hereby adopted by the City Commissioners and made a part hereof for all purposes.

Section 4. Definitions. For the purposes of this ordinance, the following terms, phrases, words, and their derivations shall be the meaning ascribed to them in Ordinance Public Utility Procedure, Article 1, Section 4.

Article II. Public Works Utility Fee Schedule & Penalty

Section 1. The Public Works Utility Fee Schedule of the City of Ranger is amended to read as reflected in the attached Exhibit "A" which is incorporated herein by reference.

Section 2. Damage or injury to waterworks system. It shall be unlawful for any person, in any way, to intentionally or carelessly break, deface or in any manner damage, injure, or destroy any hydrant, standpipe, lock box, or other property belonging to the City or a duly authorized agent of the City (Council approved contractor) or City employee. Any tampering of a meter that has been turned off for non- of payment of services rendered is susceptible to tampering charges or theft of services charges with a minimum of \$500.00 and up to \$1000.00 per day with each day being a separate offense.

Section 3. Repair and restitution for damages. The City requires each customer to “call before you dig” so the water department can respond and locate the lines for a customer. Repair charges will be assessed to the customer if no attempt is made to contact the city water department before digging and damage occurs. Repair charges are due within 10 days from the date of invoice. Time, materials, water loss, equipment, other customer inconvenience may all be billed.

Section 4. Penalty. Any person who shall violate any of the provisions of this article, or shall fail to comply therewith, or with any of the requirements thereof, within the city limits may be deemed guilty of an offense and shall be liable for a fine assessed by the Municipal Court Judge. Each day the violation exists shall constitute a separate offense. Such penalty shall be in addition to all the other remedies provided herein.

Section 5. No reduced rate or free service. All customers receiving services from the city shall be subject to the provisions of this ordinance and shall be charged the rates established in this ordinance, and no reduced rate or free service shall be furnished to any customer, unless authorized by the Mayor or City Manager. It is shown, from establishing reasonable classifications of customers for which rates differing from the rates stated herein may be adopted, and that nothing contained herein shall be constructed to prevent the city from furnishing water services to special projects or other establishments at a bulk rate if deemed advisable by the city.

Article III. General Provisions.

Section 1. Repeal of conflicting ordinances. All parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 2. Savings clause. All rights and remedies of the City of Ranger are expressly saved as to any and all violations of the provisions of any ordinances affecting water, sewer, or disposal within the City, which have accrued at the time of the effective date of this ordinance, and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 3. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 4. Effective date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Texas Local Government Code.

Section 5. Open Meetings. 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 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.

FIRST READING PASSED AND APPROVED, this 12th day of November, 2019

SECOND READING PASSED AND ADOPTED, this 9th day of December, 2019




THE CITY OF RANGER, TEXAS



Joe Pilgrim, Mayor

ATTEST:



Savannah Fortenberry, City Secretary

