

ORDINANCE NO. 2020-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET AMENDING THE CODE OF ORDINANCES SECTION 110-31 (ENTITLED “SHUTOFF VALVES”); PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City is a provider of water service to its citizens; and

WHEREAS, pursuant to its police powers the City may impose reasonable regulations related to connection to the public water system; and

WHEREAS, City Council’s objective in imposing a shutoff valve requirement is to protect the public water system from unnecessary waste or compromise, and to assure the public water system retains adequate water pressure to provide service to customers and be available for fire suppression..

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

Section one. Code Amendment. The Code of Ordinances of the City of Burnet, Chapter 110 (entitled “Utilities”) Section 110-31 (entitled “Shutoff valves”) is hereby amended by replacing the existing language in its entirety with the language that follows:

Sec. 110-31. - Shutoff valves.

- (a) Shutoff valve requirements December 9, 1980 to August 31, 2020. At least one approved shutoff valve is required to be installed, on the customer’s side of the meter, for all water services connections made after December 9, 1980, and in all cases where a service line was repaired or replaced during such period.
- (b) Shutoff valve requirements after August 31, 2020. At least one approved shutoff valve is required to be installed, on the customer’s side of the meter, for all water services connections made after August 31, 2020, and in all cases where a service line is repaired or replaced after such date, subject to the additional requirements that follow:
 - (1) The shutoff valve shall be installed as near as practical to the meter; but in no event shall a shutoff valve be installed more than two (2) feet from the meter; and
 - (2) The shutoff valve shall be placed in a valve box approved by the City’s building official.

Section two. Findings. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section three. Penalty. A violation of this ordinance is unlawful and subject to penalty as prescribed in City Code of Ordinances Sec. 1-6 (entitled “*general penalty*”).

Section four. Cumulative. This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event section five shall apply.

Section five. Repealer. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section six. Severability. Pursuant to Code of Ordinances of the City of Burnet, Section 1-7, if any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid or unenforceable, the validity of the remaining portions of this Ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the city council in adopting, and of the mayor in approving this Ordinance, that no portion of this Ordinance, or provision or regulation contained in this Ordinance, shall become inoperative or fall by reason of any unconstitutionality or invalidity of any other portion, provision or regulation.

Section seven. TOMA Compliance. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code; as suspended, or otherwise modified, by executive orders of the governor of this state in response to the COVID-19 pandemic.

Section eight. Publication. The publishers of the City Code of Ordinances are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

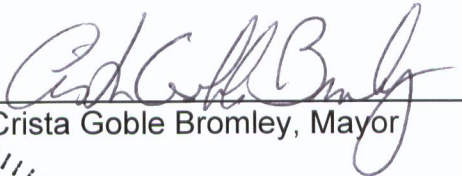
Section nine. Notice. The City Secretary is hereby directed to publish notice of this Ordinance, as required by Section 3.14 of the City Charter and the laws of the State of Texas.

Section ten. Effective Date. This Ordinance shall be effective upon the date of final adoption hereof and publication as required by law.


Passed on first reading on the 14th day of July, 2020

Passed and Adopted on the 28th day of July, 2020

CITY OF BURNET


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary

