**ORDINANCE NO. 2016-16**

**AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ARTICLE 1, CHAPTER 110, SECTION 110-19 “TIME AND PLACE OF PAYMENTS” AND SECTION 110-21 “DISCONTINUANCE OF SERVICE” OF THE BURNET CODE OF ORDINANCES IN ITS ENTIRETY; REPEALING ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.**

**Whereas,** the City of Burnet, Texas recognizes the provision of utility services to the City of Burnet is of paramount importance; and

**Whereas**, as authorized under law, and in the best interests of the citizens of Burnet, Texas, the Burnet City Council deems it expedient and necessary to establish certain rules and policies for the installation and payment of associated costs for utility service in order to efficiently manage a limited water resource.

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

**SECTION 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**SECTION 2. Amendments.**

The Burnet Code of Ordinances, Article I, Chapter 110, Section 110-19 is amended to read as follows:

Sec. 110-19 Time and place of payments.

Charges for all utility services, including solid waste collection, shall be paid together on a monthly basis. The bills rendered under this section and Chapter 90 shall be due and payable on the twentieth (20th) day of the month following issuance. When the twentieth day of the month falls on a Saturday, Sunday, or an official municipal holiday, the due date shall be the next regularly scheduled business day. Payment must be received by the City by 8:00 a.m. on the morning of the next business day following the due date to avoid penalties defined in section 110-20 of this section.

Sec.110-21 Discontinuance of Service.

“The city hereby reserves the right to discontinue service to any and all customers when such discontinuance becomes necessary for the repair of the system or any part of the system. The city reserves the right to discontinue service to any customer for the customer’s failure to pay its monthly bill by 8:00 a.m. of the next business day following the last day of the month. Prior to discontinuing services, the city shall notify the customer by first class mail of the intent to disconnect. When utility service has been discontinued for nonpayment of a bill, service shall not be resumed except upon payment of the bill in full and until all applicable fees – including but not limited to a reconnect fee, an after-hours fee, and/or a collection fee – as set forth in section 110-24.”

**SECTION 3.**  **Ordinances in Conflict.**  That all ordinances in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** **Severability**. Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudicated 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 declared to be invalid, illegal or unconstitutional.

**SECTION 4.** **Effective Date:** This ordinance shall take effect immediately upon its passage after the final reading.

**SECTION 5.**  **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 Meeting Act, Chapter 551, Local Government Code.

**PASSED AND APPROVED ON FIRST READING** this 28th day of June, 2016.

**FINALLY PASSED AND APPROVED** on this 26th day of July, 2016.

 **CITY OF BURNET, TEXAS**

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Gary Wideman, Mayor

**ATTEST**

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Kelly Dix, City Secretary