

ORDINANCE NO. 2415

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING SECTION 12-7 OF CHAPTER 12 OF THE CODE OF ORDINANCES OF THE CITY OF TERRELL, TEXAS, WITH THE ADDITION OF SECTION G., AVERAGE WINTER WATER USAGE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:

ARTICLE I

That Chapter 12, Section 12-7, Utility Billing Procedure of the Code of Ordinances of the City of Terrell, Texas, is hereby amended by adding item G., **Average Winter Water Usage**.

Sec. 12-7. Utility Billing Procedure

G. Average Winter Water Usage

Each Year during the month of April, the City shall compute the monthly average water usage for each residential customer for the month of December, January and February hereinafter called the Average Winter Water Usage.

This average shall be used to determine the annual residential sewer rate for each residential customer served by the City.

To qualify for the Average Winter Water Usage you must have resided at your residence prior to September 30 of the year requested. Residential Sewer Rates for all new services or for services started after September 30 shall be charged for 6,000 gallons, until an Average Winter Water Usage can be established.

ARTICLE II

That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

ARTICLE III

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are 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 and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

ARTICLE IV

That this Ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED on first reading this the 16th day of June, 2009.

PASSED AND APPROVED on final reading this the 21st day of July, 2009.

HAL RICHARDS, MAYOR

ATTEST:

JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

MARY GAYLE RAMSEY, CITY ATTORNEY