

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 14 "UTILITIES" BY AMENDING SECTION 14-1(d) REGARDING REFUNDS OF UTILITY ACCOUNT DEPOSITS; BY AMENDING SECTION 14-1(e) TO REQUIRE PROOF OF IDENTIFICATION FOR UTILITY SERVICES; PROVIDING FOR A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:**

**SECTION 1.** The Code of Ordinances of the City of Allen, Collin County, Texas, be and the same is hereby amended by amending Section 14-1(d) and (e) to read as follows:

**"Sec. 14-1. Deposits, interest, and account establishment.**

...

- "(d) Said deposit will be refunded as an account credit to active account holders after establishment of a 24-month continuous period of on-time payments without any penalties or applied to the final bill, whichever occurs first. Notwithstanding the foregoing the City may offset any remaining deposit funds after application to the final bill for services rendered against any debt (including taxes) lawfully due to City from the account holder."
- "(e) The utility billing office will require account holders to provide proof of identity including social security number, and a driver's license number or Texas identification number, or other identification with a photograph to verify the identity of the applicant for service. Residential utility accounts shall be established in the name(s) of the individual(s) owning or leasing the residence. The utility billing office may require applicants to provide proof of ownership or a lease of the premises for which service is requested. The utility billing office may take action to confirm the ownership or lease of the premises and will terminate service with fourteen (14) days prior written notice to any customer who establishes service and who is not the owner or lessee of the residence."

**SECTION 2.** All ordinances of the City of Allen, Collin County, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

**SECTION 4.** An offense committed before the effective date of this ordinance is governed by prior law and the Code of Ordinances of the City of Allen, as previously amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinance of the City of Allen, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense, and each, and every day such violation shall continue be deemed to constitute a separate offense.

**SECTION 6.** This ordinance shall take effect immediately from and after its passage in accordance with its provisions of the Charter of the City of Allen, and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 23<sup>RD</sup> DAY OF OCTOBER 2018.**

**APPROVED:**

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**Stephen Terrell, MAYOR**

**APPROVED AS TO FORM:**

**ATTEST:**

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**Peter G. Smith, CITY ATTORNEY**  
(PGS:10-4-18:TM 103215)

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**Shelley B. George, TRMC, CITY SECRETARY**