

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" RETITLING AND AMENDING SECTION 14-8 "RECONNECTION FEE"; 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.

WHEREAS, having considered the recommendation of City Administration, the City Council of the City of Allen, Texas, finds it to be in the public interest to amend Section 14-8 of the Code of Ordinances of the City of Allen relating to utility account reconnection fees.

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 retitling and amending Section 14-8 "Reconnection Fee" to read as follows:

Sec. 14-8. – Disconnection fee.

- (a) If water service is disconnected for any customer and the amount of any past due and delinquent fees are thereafter paid, such water service may be resumed only after payment of a disconnection fee established by the city council by resolution.
- (b) Each time water service is disconnected for non-payment of fees and charges related to such service, the customer shall pay an additional refundable account deposit in an amount established by resolution of the city council at the time service is restored. Such deposits shall be applied to a customer's final bill. Customers closing an account and then reapplying to reestablish an account at the same address that is either owned or leased by the same customer must provide the current new account deposit amount plus the past accrued additional deposits for disconnections that occurred prior to the account being closed.

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the City of Allen, Collin County, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict with the provisions of this ordinance shall remain in full force and effect.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 January 1, 2020, 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 10th DAY OF DECEMBER 2019.

APPROVED:

Stephen Terrell, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:11/22/19:112360)

Shelley B. George, TRMC, CITY SECRETARY