

CITY OF GUNTER, TEXAS
ORDINANCE NO. 2019-10-17-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNTER, TEXAS, AMENDING THE GUNTER CODE OF ORDINANCES CHAPTER 13 UTILITIES, ARTICLE 13.02 BILLING PROCEDURES, SECTION 13.02.002, SUBSECTIONS (B) AND (D); PROVIDING FOR THE ADOPTION OF THESE AMENDMENTS; PROVIDING SAVINGS, REPEALER, AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Gunter, Texas ("City") is a Type A general law municipality located in Grayson County, Texas; and

WHEREAS, the City has authority under Chapter 552 of the Texas Local Government Code to operate and regulate a municipal water system and a municipal sanitary sewer collection and treatment system; and

WHEREAS, the City Council of the City of Gunter has determined that the billing cycle needs to be shortened to support the logistical operations of the city staff; and

WHEREAS, the City Council of the City of Gunter finds it necessary to amend the billing procedures to effectively operate the water and sanitary sewer systems and provide these essential services;

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

Section 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2: Amendment. Chapter 13 Utilities, Article 13.02 Billing Procedures, Section 13.02.002, Subsections (B) And (D) of the City of Gunter Code of Ordinances is hereby amended as follows (with additions being reflected as underscored and deletions in strikethrough text):

Section 13.02.002 is hereby amended as follows:

"Sec. 13.02.002 Payments; delinquency

(b) The bill as rendered shall be the total amount due and payable to the department for all services. The charges so rendered shall be due and payable upon receipt of such bill and shall become delinquent after the ~~fifteenth (15th)~~ tenth (10th) day of the month. If such bill is not paid as of the fifteenth day of the month, a ten percent (10%) penalty will be added to the total outstanding balance."

(d) If bill is not paid by the ~~twentieth (20th)~~ fifteenth (15th) of the month, service will be disconnected. A reconnect charge in the amount established by section 13.04.001 will be collected before service is restored. After-hours reconnect will be in the amount established by section 13.04.001.

Section 3: Effective Date: This Ordinance shall take effect on January 1, 2020, upon and after its passage and publication as provided by law.

Section 4: Savings/Repealing Clause: All provisions of any ordinance in conflict with this Ordinance are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

Section 5: Severability. If any section, part, or provision of this Ordinance is declared unconstitutional or invalid, by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Council in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GUNTER, TEXAS, on this the 17th day of October, 2019, by the following motion:

AYES 3
NAYS 0
ABSTENTIONS 0

APPROVED:

Mark Millar
Mark Millar, Mayor

ATTEST:

Detra Gaines
Detra Gaines, City Secretary

