

**CITY OF GUNTER, TEXAS**  
**ORDINANCE NO. 2020-08-20-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNTER, TEXAS, AMENDING ORDINANCE NO. 2015-12-10-02, THE MASTER FEE SCHEDULE, TO AMEND FEES RELATED TO THE DEPOSIT REQUIRED FOR WATER SERVICES INSIDE AND OUTSIDE THE CITY OF GUNTER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/REPEALING CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gunter (the “City”) is a Type A General Law Municipality located in Grayson County created in accordance with the provisions of the Texas Local Government Code; and

**WHEREAS**, the City Council of the City of Gunter (the “City Council”) previously adopted Ordinance No. 2015-12-10-12 adopting a Master Fee Schedule setting forth various fees for goods, services, activities, permits and licenses provided by the City; and

**WHEREAS**, the City’s Master Fee Schedule needs to be updated to amend certain fees related to deposits for water services provided within and outside the City; and

**WHEREAS**, the City Council finds and determines that it is in the best interest of the City to amend the Master Fee Schedule as provided herein.

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

**Section 1: Findings Incorporated.** The findings set forth above are incorporated as if fully set forth herein.

**Section 2: Master Fee Schedule Amendment.** That Section 1.13.011 “WATER AND SEWER” of Ordinance No. 2015-12-10-12, the Gunter Master Fee Schedule, is hereby amended as set forth below (with additions being reflected as underlined and the removals being reflected as strike-through):

Inside City Limits Residential Water Rates

~~\$125.00~~ \$200.00 water deposit

Outside City Limits Residential Water Rates

~~\$125.00~~ \$200.00 water deposit

**Section 3: Severability Clause.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is

expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Gunter hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

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

**Section 5: Penalty.** Any person, firm, corporation, or entity violating this Ordinance be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding Five Hundred Dollars (\$500.00). Each occurrence in violation of this Ordinance shall constitute a separate and distinct offense. Each day a violation of this Ordinance occurs constitutes a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City of Gunter from filing suit to enjoin the violation. The City of Gunter retains all legal rights and remedies available to it pursuant to local, state, and federal law.

**Section 6: Publication and Effective Date.** This Ordinance shall become effective upon its passage and publication as required by law.

**Section 7: Open Meetings.** That it is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

**Section 8:** This Ordinance is effective immediately upon its passage and approval.


**DULY ADOPTED AND PASSED** by the City Council of the City of Gunter, Texas, on this the 20<sup>th</sup> day of August 2020.

AYES 5

NAYS 0

ABSTENTIONS 0

APPROVED:

  
\_\_\_\_\_  
Mark Millar, Mayor

ATTEST:

  
\_\_\_\_\_  
Detra Gaines, City Secretary

