

ORDINANCE NO. 1376-2023

AN ORDINANCE AMENDING CHAPTER 13 "UTILITIES" ARTICLE 13.03 "WATER SYSTEM", SECTION 13.03.009 "METER DEPOSITS & OTHER FEES", SUBSECTION (a) "WATER METER DEPOSIT" OF THE RIVER OAKS CODE OF ORDINANCES (2020) AS AMENDED CHANGING THE DEPOSIT FEE FOR CONSTRUCTION FIRE HYDRANT METERS FROM \$1,000 TO \$2,000 WITH CERTAIN CONDITIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of River Oaks is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the cost of fire hydrant construction meters has increased 50%; and

WHEREAS, with the increase of the cost of a fire hydrant construction meter it has necessitated that the City also increase the deposit fee to cover the damage, theft or loss of such meter; and

WHEREAS, the City Council has determined that the City's current deposit fee for fire hydrant/construction meters as codified into Article 13.03, Section 13.03.009(a) of the River Oaks Code of Ordinances (2020) as amended does not provide sufficient enough revenues to cover the replacement costs of the meter; and

WHEREAS, the City Council has concluded after due and careful consideration that it is now necessary to increase the deposit fee for fire hydrant/construction meters as codified into Article 13.03, Section 13.03.009(a) of the River Oaks Code of Ordinances (2020) from \$1,000.00 to \$2,000 and to also set certain conditions applicable to a person, firm or corporation renting such meters.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVER OAKS:

SECTION 1.

With the adoption of this Ordinance, Section 13.03.009 (a) of Article 13.03 of the River Oaks Code of Ordinances (2006) will be amended to now read as follows:

Section 13.03.009 Meter Deposits and Other Fees:

"(a) Water meter deposit. Each water customer shall put up a water meter deposit, which may be applied to the payment of any unpaid balance on the customer's water bill. When a deposit is used to pay the unpaid portion of a bill, the customer must restore the original amount plus the new application deposit amount for delinquent charges. The following water meter deposits shall be made:

Occupancy Type	Description	Amount of Deposit
Single-family residential	Owner responsible for payment of bill	\$100.00
Single-family residential	Renter responsible for payment of bill	\$200.00

Occupancy Type	Description	Amount of Deposit
Single-family residential	New application for owner due to account being finaled for delinquent charges	\$150.00
Single-family residential	New application for renter due to account being finaled for delinquent charges	\$300.00
Two-family residential (duplex)	(Separate deposit for each family unit) Owner responsible for payment of bill	\$100.00
Two-family residential (duplex)	(Separate deposit for each family unit) Renter responsible for payment of bill	\$200.00
Two-family residential (duplex)	(Separate deposit for each family unit) New application for owner due to account being finaled for delinquent charges	\$150.00
Two-family residential (duplex)	(Separate deposit for each family unit) New application for renter due to account being finaled for delinquent charges	\$300.00
Commercial	Restaurant	\$400.00
Commercial	Office	\$150.00
Commercial	Day care	\$325.00
Commercial Facility	Church	\$200.00
Commercial	Retail	\$150.00
Commercial	Beauty shops and barber shops	\$225.00
Commercial	Automotive service and repair	\$250.00
Commercial	Convenience and grocery stores	\$300.00
Industrial	Manufacturing	\$300.00
Multifamily	Apartments (per unit)	\$75.00
Construction	Fire hydrant meter ¹	\$2,000 + \$30 Service Fee
Commercial	Other/not otherwise listed	\$150.00
Commercial	New application due to account being finaled for delinquent charges	\$100.00 plus initial deposit amount

¹ Fire Hydrant meter subject to the following conditions:

1. A monthly rental fee of \$50.00
2. A requirement of a monthly meter reading sent in between the 5th and 10th of each month.
3. A requirement that a failure to submit meter readings, location changes, or any other

- information required by the City of River Oaks Fire Hydrant Meter Agreement on time will result in a fee of \$50.00 per violation added to the account for each offense.
4. The contractor must have pulled permits at the address the meter is needed for.
 5. The contractor must complete all applications and pay the deposit in full.
 6. The City has the right to terminate the contract at any time.
 7. Upon termination of contract the contractor must return the meter within 2 business days.”

SECTION 2.

CUMULATIVE CLAUSE

This Ordinance shall be Cumulative of all provisions of Ordinances and of the River Oaks Code of Ordinance, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances or Code, in which case the conflicting provisions of such Ordinances or Code are hereby repealed.

SECTION 3.

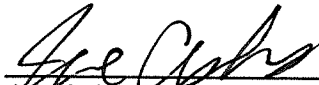
SEVERABILITY CLAUSE

It is hereby declared to be the intentions of the City Council that the phrases, clauses, sentences, paragraphs and sections 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.

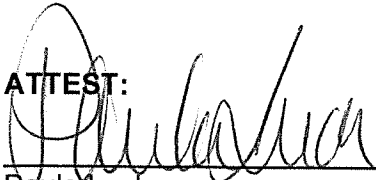
**SECTION 4.
EFFECTIVE DATE**

This Ordinance shall be in full force and effect after its passage by a majority vote of the City Council of the City of River Oaks and the legal publication of this ordinance if any is required and it is so ordained.

APPROVED THIS THE 11th DAY OF APRIL 2023.



Joe Ashton, Mayor
City of River Oaks

ATTEST:


Paula Luck
City Secretary
City of River Oaks