

## **ORDINANCE NO. 1451-2025**

**AN ORDINANCE AMENDING CHAPTER 13 "UTILITIES" OF THE RIVER OAKS CODE OF ORDINANCES (2020) REVISING DIVISION 2 "WATER SERVICE POLICY" SPECIFICALLY UNDER SECTION 13.02.033 "PAYMENT ARRANGEMENTS" SUBSECTION (a) AND SECTION 13.02.037 "DISCONNECTION OF UTILITY SERVICE" SUBSECTION (a) REGARDING UTILITY SERVICE DISCONNECTION OF A DELINQUENT WATER ACCOUNT; REPEALING THE FORMER ORDINANCES IN CONFLICT THEREOF; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; 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**, under the current Water Service Policy, pursuant to Section 13.02.033 "Payment Arrangements" (a) in order to avoid utility service disconnection for a delinquent account, the account holder must contact the utility office prior to 5:30 p.m. on the disconnection date and make arrangements to pay the utility charges, but it should read "In order to avoid utility service disconnection for a delinquent account, the account holder must contact the utility office prior to 5:30 p.m. the day before the disconnection date and make arrangements to pay the utility charges"; and

**WHEREAS**, under the current Water Service Policy, pursuant to Section 13.02.037 "Disconnection of Utility Service" (a) All water accounts that are considered delinquent will be disconnected as of 7:30 a.m. on the following business day after the disconnection date unless the disconnection date falls on a holiday or weekend, then the disconnection will be delayed to the next business day at 7:30 a.m., but it should read "All water accounts that are considered delinquent will be disconnected as of 7:30 a.m. on the disconnection date unless the disconnection date falls on a holiday or weekend, then the disconnection will be delayed to the next business day at 7:30 a.m."; and

**WHEREAS**, the City Council has concluded after due and careful consideration with the adoption of this ordinance to amend the River Oaks Code of Ordinances (2020) by revising the water utility policy regarding utility service connection of a delinquent water account as is herein provided.

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

### **SECTION 1.**

With the adoption of this ordinance, Article 13.02 "Utility Policy", Division 2 "Water Service Policy", Section 13.02.033 "Payment Arrangements" in subsection (a) of the River Oaks Code of Ordinances (2020) as adopted and as amended shall be revised to now read as follows:

#### **"§ Section 13.02.033 – Payment Arrangements**

(a) In order to avoid utility service disconnection for a delinquent account, the account holder must contact the utility office prior to 5:30 p.m. the day before the disconnection date and make arrangements to pay the utility charges."

### **SECTION 2.**

With the adoption of this ordinance, Article 13.02 "Utility Policy", Division 2 "Water Service Policy", Section 13.02.037 "Disconnection of Utility Service" revising the River Oaks Code of Ordinances (2020) as adopted and as amended and subsection (i) shall be revised to now read as follows:

### **“§ 13.02.037 – Disconnection of utility service**

(a) All water accounts that are considered delinquent will be disconnected as of 7:30 a.m. on the disconnection date unless the disconnection date falls on a holiday or weekend, then the disconnection will be delayed to the next business day at 7:30 A.M.

(1) Delinquent accounts are subject to be finaled 14 days following disconnection of utility service unless all delinquency is paid in full.

(2) Once finaled the delinquent amount owed will be deducted from the account deposit if there is sufficient amount from the deposit to cover the delinquent amount. Remaining overages, if any, from the water deposit after the delinquent amount is satisfied will be mailed to the customer at their last known mailing address. If the amount of the deposit does not cover the delinquency, the account holder will be responsible for the amount due.”

### **SECTION 3. 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 4. 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 5. SAVINGS**

All rights and remedies of the City of River Oaks are expressly saved as to any and all violations of the provisions of the City of River Oaks Code of Ordinances (2020), as amended, or any other ordinances affecting Utility Policy procedures which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

### **SECTION 6. PENALTY**

In accordance to Section 1.01.009, “General penalty for violations of code; continuing violations”, of the City of River Oaks Code of Ordinances (2020) as adopted and as amended; whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance shall be punished by a fine not exceeding five hundred dollars (\$500.00). Each day any violation of this code or of any ordinance shall continue shall constitute a separate offense.

**SECTION 7.  
REPEALING CLAUSE**

With the adoption of this ordinance, all ordinances or provisions previously adopted that are in conflict hereof, shall be repealed in their entirety.

**SECTION 8.  
PUBLICATION**

The City Secretary of the City of River Oaks is hereby directed to publish in the official newspaper the caption, savings clause, penalty clause, publication clause and effective date clause of this ordinance one (1) time after the adoption of this ordinance as authorized by Chapter 5, Section 5.02(c) of the Charter of the City of River Oaks.

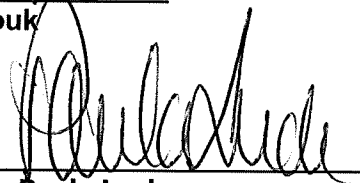
**SECTION 9.  
EFFECTIVE DATE**

This Ordinance shall be in full force and effect after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED THIS 3rd DAY OF JUNE 2025.**

  
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Mayor Darren Houk

**ATTEST:**

  
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Paula Luck  
City Secretary