

ORDINANCE NUMBER 1093

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING TITLE V. "PUBLIC WORKS", CHAPTER 52 "SEWERS", SECTION 52.60 "RATES AND CHARGES" OF THE CITY OF BURKBURNETT, TEXAS CODE OF ORDINANCES, PROVIDING AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; SPECIFYING THE EFFECTIVE DATE; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Burkburnett (the "City") is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code;

WHEREAS, the Board of Commissioners finds that the Sewer Rates and Charges should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, THAT:

SECTION 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. Amendment. The City of Burkburnett Board of Commissioners hereby amends Title V "Public Works", Chapter 52 "Sewers", Section 52.60 "Rates and Charges". The provision is amended as follows:

SECTION 52.60-RATES & CHARGES

Users of the City of Burkburnett Sewer System shall be subject to the following rates effective September 1, 2025:

A. Residential User Charges

- (1) Residential User Charges shall be calculated from the following formula:

$$\text{Monthly User Charge} = \text{Base Rate} + \$2.74 (\text{Average Water Consumption})$$

Where: Monthly User Charge = the amount in dollars charged for basic residential sewer services.

Base Rate –\$16.21

Average Monthly Water Consumption = the average monthly water consumption during the months of December, January and February measured in 1,000-gallon units.

- (2) Whenever Average Monthly Water Consumption has not yet been established, a minimum charge of \$31.97 per month shall be used.

B. Commercial User Charges

- (1) Commercial User is hereby defined for the purposes of this Ordinance as anyone who uses water for purposes other than domestic use.
- (2) Commercial User Charges shall be calculated from the following formula:

$$\text{Monthly User Charge} = \text{Base Rate} + \$3.12 (\text{Monthly Water Consumption})$$

Where: Monthly User Charge = the amount in dollars charged for basic commercial sewer services.

Base Rate = \$16.21

Monthly Water Consumption = the monthly water consumption measured in 1,000-gallon units.

SECTION 3. This Ordinance shall be cumulative of all other ordinances and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this ordinance. Ordinances, or parts thereof, in force at the time this ordinance shall take effect and that are inconsistent with this ordinance are hereby repealed to the extent that they are inconsistent with this ordinance.

SECTION 4. In the event that any one or more of the provisions of this Ordinance should be declared to be invalid, unenforceable, or illegal, such invalidity, unenforceability, or illegality shall not affect the validity, enforcement, or legality of the remaining portions of this Ordinance.

SECTION 5. It is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that notice of the time, place, and purpose of said meeting was given.

SECTION 6. This Ordinance shall be in full force and effective September 1, 2025.

PASSED AND APPROVED ON THIS 18th DAY OF AUGUST 2025.

Lori Kemp, Mayor

ATTEST:

Nikki Tepfer, City Clerk