

ORDINANCE NUMBER 1077

AN ORDINANCE OF THE CITY OF BURKBURNETT, TEXAS, AMENDING ARTICLE V "PUBLIC WORKS" OF THE CODE OF ORDINANCES OF THE CITY OF BURKBURNETT RELATING TO CHARGES FOR COMMERCIAL GARBAGE SERVICE IN SECTION 50.10, WATER VENDING MACHINE IN SECTION 53.30, AND OUT OF CITY WATER SALES IN SECTION 53.51; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND SPECIFYING THE EFFECTIVE DATE.

WHEREAS, the City of Burkburnett, Texas (the "City"), is a home rule municipality located in Wichita County, Texas; and

WHEREAS, the Board of Commissioners of the City have previously approved charges and rates for commercial garbage service, obtaining water from the water vending machine, and water rates and charges that are codified in various sections of Article V "Public Works" in the Code of Ordinances of the City of Burkburnett; and

WHEREAS, the Board of Commissioners has investigated and determined that above rates and charges should be adjusted in Article V as set forth in this Ordinance; and

WHEREAS, the Board of Commissioners finds that the amendments to fees and charges in this Ordinance are fair, reasonable, and necessary, and that the fees fairly and reasonably represent costs incurred by the City for services provided.

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

Section 1. The above and foregoing recitals are true and correct and are findings incorporated into this Ordinance and made a part hereof for all purposes.

Section 2. That Section 50.10 in Chapter 50 "Garbage and Refuse" of Article V "Public Works" in the Code of Ordinances is hereby to be amended to read as follows, and all other subsections of Section 50.10 not expressly amended herein shall remain in full force and effect:

SECTION 50.10-COLLECTION CHARGES

...

(B) The monthly rates for commercial garbage service set by the Board of Commissioners shall be as follows:

CONTAINER

SIZE	1X	2X	3X	5X
2 -Cubic Yd.	\$76.83	\$149.31	\$228.33	\$393.34
4-Cubic Yd.	\$125.73	\$250.05	\$384.14	\$684.24
6-Cubic Yd.	\$185.13	\$382.13	\$572.74	\$1,022.90
8-Cubic Yd.	\$244.55	<u>\$493.55</u>	\$761.37	\$1,361.59

Section 3. That Section 53.30 in Chapter 53 “Water” of Article V “Public Works” in the Code of Ordinances of the City of Burkburnett is hereby amended to read entirely as follows, and all other subsections of Section 53.30 not expressly amended herein shall remain full force and effect:

SECTION 53.30-WATER VENDING MACHINE

- (A) For residential customers obtaining water from the water vending machine who are not residents of the city, the rate shall be \$7.80 per thousand gallons of water, plus a service fee of \$25 per month, and a \$75 deposit. Persons who are not residents of the city may not purchase more than 10,000 gallons of water from the water vending machine per calendar month per residence.

Section 4. That Section 53.51 in Chapter 53 “Water” of Article V “Public Works” in the Code of Ordinances of the City of Burkburnett is hereby amended to read entirely as follows, and all other subsections of Section 53.51 not expressly amended herein shall remain full force and effect:

SECTION 53.51-WATER RATES AND CHARGES (OUT OF CITY WATER SALES)

- (A) Water rates. A qualified non-city user shall pay the city for the water metered through the user's water meter. The amount to be paid by a qualified non-city user is stated in Section 53.20 (B) of this code. ~~shall be calculated at a rate that is twice the rate that would be paid by the user if the user were located within the city limits.~~ A qualified non-city user shall be responsible for their own line (types and size of which are to be approved by the city as provided in these regulations) and any loss or usage will be paid by such user (no leak adjustments will be made).

Section 5. 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 6. In the event 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 7. 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 8. That this Ordinance shall take effect.

PASSED AND APPROVED ON THIS 16TH DAY OF DECEMBER 2024.

Lori Kemp, Mayor

ATTEST:

Nikki Tepfer, City Clerk