

**ORDINANCE NO. 2012-17**

**AN ORDINANCE OF THE CITY OF BURNET, TEXAS, MODIFYING THE DUE DATES FOR MUNICIPAL UTILITY BILLS BY AMENDING CHAPTER 90 AND CHAPTER 110 OF THE CITY OF BURNET CODE OF ORDINANCES; AUTHORIZING THE IMPLEMENTATION OF SAID MODIFICATIONS; PROVIDING FOR SEVERABILITY, OPEN MEETINGS, AND AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AS FOLLOWS:**

**Section 1. That Chapter 90, Article III ("Rates"), Section 90-57 of the City of Burnet Code of Ordinances is amended to read as follows:**

"Payment of rates for residential and commercial refuse collection will be due and payable under the same terms and conditions as specified in Chapter 110, Article I of the Code."

**Section 2. That Chapter 110, Article I ("In General"), Section 110-19 ("Time and place of payments") of the City of Burnet Code of Ordinances is hereby amended to read as follows:**

"Charges for all utility services, including solid waste collection, shall be paid together on a monthly basis. The bills rendered under this section and Chapter 90 shall be due and payable on the twentieth (20<sup>th</sup>) day of the month following issuance. When the twentieth day of the month falls on a Saturday, Sunday, or an official municipal holiday, the due date shall be the next regularly scheduled business day. Payment must be received by the City by 8:00 a.m. on the morning of the next business day following the due date to avoid penalties defined in section 110-20 of this section."

**Section 3. That Chapter 110, Article I ("In General"), Section 110-21 ("Discontinuance of Service") of the City of Burnet Code of Ordinances is hereby amended to read as follows:**

"The city hereby reserves the right to discontinue service to any and all customers when such discontinuance becomes necessary for the repair of the system or any part of the system. The city reserves the right to discontinue service to any customer for the customer's failure to pay its monthly bill by 8:00 a.m. of the next business day following the last day of the month. Prior to discontinuing services, the city shall notify the customer by first class mail of the intent to disconnect. When utility service has been discontinued for nonpayment of a bill, service shall not be resumed except upon payment of the bill in full and until all applicable fees – including but not limited to a reconnect fee, an after-hours fee, and/or a collection fee – as set forth in section 110-24."

**Section 4.** The City Manager or his designee is hereby authorized to take the necessary steps for the implementation of this ordinance, including the transitional modification of the utility billing cycles to minimize the impact on the City's ratepayers.

**Section 5. Severability.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

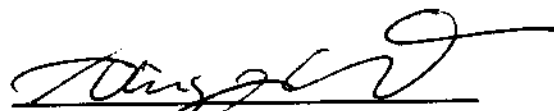
**Section 6. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*

**Section 7. Effective Date.** This ordinance shall take effect beginning the billing period that starts June 16, 2012, provided that the ordinance or a caption thereof is published in accordance with the City Charter.

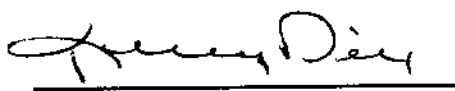
**PASSED AND APPROVED** on first reading this the 8<sup>th</sup> day of May, 2012.

**FINALLY PASSED AND APPROVED** on this the 22<sup>nd</sup> day of May, 2012.

**CITY OF BURNET, TEXAS**

  
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Gary Wideman, Mayor

**ATTEST:**

  
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Kelly Dix, City Secretary

