

TOWN OF WESTLAKE

ORDINANCE NO. 1014

AN ORDINANCE OF THE TOWN OF WESTLAKE AMENDING AND ESTABLISHING A NEW WATER AND WASTEWATER RATE AND FEE SCHEDULE; REPEALING ORDINANCE 952 IN ITS ENTIRETY; PROVIDING A PENALTY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Westlake finds the provision of water and wastewater services throughout the Town of Westlake, Texas, (the “Town”) is of vital importance to the health, safety and welfare of the citizens of the Town; and

WHEREAS, the Town Council of the Town of Westlake finds the proposed Water and Wastewater rate and fee schedule provides sufficient recovery of cost of services while maintaining an appropriate fund reserve balance in accordance with the Town’s adopted Financial Policy; and

WHEREAS, the Town Council repeals Ordinance 952 in its entirety to consolidate the Water and Wastewater rate and fee schedule; and

WHEREAS, the Town Council affirms Ordinance 998 establishing a process and fee schedule for non-payment of utility bills; and

WHEREAS, upon the recommendation of staff, the Town Council of the Town of Westlake, Texas, is of the opinion that it is in the best interests of the Town and its citizens that the proposed Water and Wastewater rates should be approved and adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS:

SECTION 1: That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2: That the Town Council does hereby approve the Water and Wastewater rate and tap fee schedule as shown on *Exhibit “A”* hereto, which said exhibit is hereby incorporated in its entirety as if fully set forth.

SECTION 3: That all provisions of this ordinance shall remain in full force and effect.

SECTION 4: That this Ordinance shall be cumulative of all other Town Ordinances and all other provisions of other Ordinances adopted by the Town which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

SECTION 5: That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Westlake, and upon conviction shall be punishable by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6: It is hereby declared to be the intention of the Town Council of the Town of Westlake, Texas, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared legally invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such legal invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the Town Council of the Town of Westlake without the incorporation in this Ordinance of any such legally invalid or unconstitutional, phrase, sentence, paragraph or section.

SECTION 7: This ordinance shall take effect January 1, 2025.

PASSED AND APPROVED ON THIS 11TH DAY OF NOVEMBER 2024.

ATTEST:

Kim Greaves, Mayor

Dianna Buchanan, Town Secretary

Wade Carroll, Town Manager

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney