

**CITY OF FARMERSVILLE  
ORDINANCE #2009-25**

**AN ORDINANCE OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FARMERSVILLE, TEXAS, BY AMENDING THE MASTER FEE SCHEDULE ADOPTED THROUGH SECTION 11.122.4, ENTITLED “WATER SERVICE CHARGES”; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Farmersville, Texas (“City”), desires to modify the Master Fee Schedule related to the cost of water service provided by the City; and

**WHEREAS**, the City Council of the City of Farmersville, Texas, finds that all prerequisites to the adoption of this Ordinance have been met;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS:**

**Section 1. FINDINGS INCORPORATED**

All the above premises are hereby found to be true and correct legislative and factual findings of the City of Farmersville, and they are hereby approved and incorporated into the body of this Ordinance as if restated herein in their entirety.

**Section 2. MASTER FEE SCHEDULE AMENDED**

That the Master Fee Schedule, be, and the same is hereby, amended in part by deleting the current Water Service Fee charges and replacing said fees with new Water Service Fees in accordance with Section 11.122.4 of the Code of Ordinances to read as follows:

**WATER SERVICE FEES**

<b><u>WATER SERVICE USAGE</u></b>	<b><u>MONTHLY FEE</u></b>
First 1,000 gallons	\$10.15
1,001 to 10,000 gallons	\$3.56 per 1,000 gallons (base charge)
10,001 to 20,000	\$4.77 per 1,000 gallons includes 10% surcharge
In excess of 20,000 gallons	\$5.84 per 1,000 gallons includes 10% surcharge

**Section 3. SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the words, phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any word, 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 words, phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of any such unconstitutional word, phrase, clause, sentence, paragraph or section.

**Section 4. SAVINGS CLAUSE**

The Code of Ordinances, City of Farmersville, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

**Section 5. REPEALER CLAUSE**

Any provision of any prior ordinance of the City, whether codified or uncodified, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section 6. PENALTY CLAUSE**

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$2,000.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

**Section 7. EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**DULY PASSED** by the City Council of the City of Farmersville, Texas, on this 8th day of September 2009.

APPROVED:

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Donald C. Smith, Mayor

ATTEST:

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Eddie Sims, City Secretary