

Motion was made by Tom Wolff, seconded by Rayma B. Causey,
that the following Ordinance be passed:

NO. 13

AN ORDINANCE PRESCRIBING THE RATES TO BE CHARGED FOR WATER AND WATER SERVICE INSIDE AND OUTSIDE THE TOWN OF WHISPERING OAKS, TEXAS; PROVIDING THAT NO FREE SERVICE SHALL BE ALLOWED; PROVIDING A PENALTY FOR FAILURE TO PAY ACCOUNTS; PROVIDING CONDITIONS UPON WHICH SERVICE WILL BE RESUMED; AND PROVIDING IF ANY PART OF THIS ORDINANCE IS HELD INVALID BY THE COURTS, IT SHALL NOT AFFECT THE VALIDITY OF THE REMAINING PROVISIONS.

WHEREAS, the Town of Whispering Oaks is now the owner of the water system complete located therein, the water wells supplying same, and all connected pipes and appurtenances, and it is necessary and proper that charges be provided for the use thereof:

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHISPERING OAKS, TEXAS:

SECTION I.

RATES

(1) There shall be charged and collected by the Town from all resident consumers of water and water service, per connection or tap, the sum of Eight and No/100 (\$8.00) Dollars per month.

(2) There shall be charged and collected by the Town from all non-resident consumers of water and water service, per connection or tap, the sum of Twelve and No/100 (\$12.00) Dollars per month.

SECTION II.

TIE-ON CHARGES, DEPOSIT AND REFUND

There shall presently be no tie-on charge for a connection to the water system for existing homes; however, a deposit of Twenty-Five and No/100 (\$25.00) Dollars will be required for a water service connection, to be refunded upon demand when service is terminated, provided all charges

for water are current; otherwise, the amount owing will be deducted and the balance refunded.

SECTION III.

NEW RESIDENCES

That any new residence or any type of construction requiring a water service connection shall pay the sum of Thirty-Five and No/100 (\$35.00) Dollars therefor, plus the Twenty-Five and No/100 (\$25.00) Dollars deposit aforesaid set out.

SECTION IV.

NO FREE SERVICE

That no free service shall be allowed, and should the Town or any of its agencies or instrumentalities make use of the services and facilities of the water works system of said Town, payment therefor shall be paid per connection according to the rates herein prescribed and under the conditions herein set out.

SECTION V.

TIME AND PLACE OF PAYMENT

That all accounts for water and water service shall be due and payable on or before the 30th day of each month, at the office of the Town Secretary in the Town of Whispering Oaks, Texas, unless otherwise provided.

SECTION VI.

PENALTIES FOR LATE PAYMENT

That there shall be added to each account for water and water services paid which is more than Thirty (30) days past due, the sum equal to Ten (10%) per cent of the amount of said account, as a penalty for late payment thereof.

SECTION VII.

DISCONTINUANCE OF SERVICE

That water and water service to any consumer whose account is more than Thirty (30) days delinquent shall be

disconnected and cut off, and the charge therefor will be Two and No/100 (\$2.00) Dollars. In addition to the charges herein set out, there shall be charged and collected the sum of Eight and No/100 (\$8.00) Dollars for reconnection and resumption of such service to said consumer.

VIII.

SAVINGS CLAUSE

That if any section, paragraph, sentence, clause, phrase, or word of this Ordinance or the application thereof to any circumstance is held invalid, such holding shall not affect the validity of the remaining portions of the Ordinance, and the Town Council hereby declares that it would have passed such remaining portions despite such invalidity.

PASSED AND APPROVED this the 1st day of October,
A. D. 1975.

Harry J. McLaughlin
MAYOR

ATTEST:

Deanne Sparlow
Town Secretary

APPROVED AS TO FORM AND CONTENT:

Geo. B. Darden, Town Attorney