

ORDINANCE NO. 16-02-22B

AN ORDINANCE AMENDING SECTION 44-30 – BILLING AND COLLECTION PROCEDURES FOR UTILITY ACCOUNTS; TURN OFF FOR DELINQUENCY; RECONNECTION CHARGE; PROVIDING FOR A PENALTY, A SEVERABILITY CLAUSE, AND EFFECTIVE DATE

At the regular City Council Meeting of the City Council of the City of Mineola, Wood County, Texas, held on February 22, 2016, at 6:00 p.m., at the Mineola Municipal Complex, there being a quorum of the City Council present, upon motion duly made and seconded the following Ordinance was adopted, to-wit:

WHEREAS, the City desires to establish a standardized penalty fee and schedule for improved administration and understanding by the public;

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

Section 1

That Section 44-30 of the Code of Ordinances is hereby amended to read as follows:

Section 44-30. “Billing and Collection Procedures for Utility Accounts”

(a) All bills for water and sewer service shall be sent to all customers on or about the last business day of each month (the “Billing Date”). Payment on all utility accounts shall be due on the 10th day of the month following the Billing Date (the “Due Date”) or the next business day if the 10th day is a weekend day or city holiday.

(b) All bills for which payment has not been received by the City on or before the Due Date shall be assessed a late charge penalty of \$10.00 or 10% of the amount due, whichever is greater.

(c) If payment on a utility account is not received by the City on or before 8:00 a.m. on the 21st day of the month, or the next business day if the 21st day is a weekend day or city holiday, then all water and sewer service shall be immediately scheduled to be disconnected and an administrative fee in an amount of \$30.00 shall be charged to the customer’s account. The administrative fee shall be charged regardless whether service is disconnected. The customer may request a maximum of three (3) non-consecutive fifteen (15) day extensions in a year (365 day period).

(d) If service is disconnected for nonpayment, then service shall be re-connected on the same business day that payment is received by the City, provided payment is received by the City no later than 3:00 p.m. If payment is received by the City after 3:00 p.m., then service will be reconnected on the next business day. If customer requests reconnection after hours, an additional \$75.00 after hours reconnection fee will be charged.

(e) None of the foregoing provisions shall prevent the City Administrator and Finance Director from negotiating a payment plan with a delinquent utility customer or making similar arrangements to ensure payment to the City while maintaining service to the customer.

Section 2

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Mineola, and this ordinance shall not operate to repeal or affect the Code of Ordinances of the City of Mineola or any other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such Code of Ordinances or any other ordinances are hereby repealed.

Section 3

It is hereby declared to be the intention of the Mineola City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court or competent jurisdiction, such unconstitutionality shall not effect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section 4

This Ordinance shall take effect upon the fulfillment of each of the requirements of Sections 52.003 and 52.011 of the Texas Local Government Code.

APPROVED and ADOPTED by the City Council of the City of Mineola, Texas on the 22nd day of February, 2016.



Rodney T. Watkins, Mayor

Attest:



Meroy Rushing, Assistant City Administrator