

AN ORDINANCE FOR THE CITY OF WEST COLUMBIA, TEXAS, AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES BY THE ADDITION OF SECTION 19-2 WHICH REQUIRES ANY UTILITY PATRON WHO SUBSCRIBES TO ANY CITY PROVIDED UTILITY TO PAY THE MINIMUM CHARGE FOR SEWER, WATER AND GARBAGE; PROVIDES FOR THE COMPUTATION OF SEWER CHARGES FOR UTILITY PATRONS WHO USE PRIVATE WELL WATER; AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES BY ADDING SECTION 13-228 ENTITLED "PROHIBITION OF DISCHARGE OF WELL WATER INTO CITY SEWER SYSTEM; PROVIDING FOR THE REPEAL OF ALL ORDINANCES RESOLUTIONS, OR POLICIES OF THE CITY OF WEST COLUMBIA TO THE EXTENT THAT THEY ARE INCONSISTENT OR IN CONFLICT WITH THIS ORDINANCE; CONTAINING A SEVERABILITY CLAUSE; PROVIDING THAT THE VIOLATION OF THIS ORDINANCE SHALL CONSTITUTE AN OFFENSE PUNISHABLE BY A FINE OF NOT MORE THAN TWO THOUSAND DOLLARS (\$2000.00); AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST COLUMBIA, TEXAS:

Section One

Chapter 19 of the Code of Ordinances of the City of West Columbia shall be and is hereby amended by the addition of Section 19-2 as follows:

Section 19-2. A Mandatory Minimum Utility Bill.

- a. Each and every utility patron, including each unit, person or entity required to make security deposit under Section 19-147 of the Code, must pay a minimum monthly charge for sewer, water and garbage whether the particular service in question is used by that patron or not.
- b. Each and every patron which is not physically attached to and/or has no metered city water usage is, for the purposes of computing the monthly charge for sewer services under subparagraph "a." above, deemed to have introduced a minimum of 2000 gallons of water per inhabitant at the service address in question into the city sewer system.

Section Two

Chapter 13 of the Code of Ordinances of the City of West Columbia entitled "Health Regulations And Nuisances", Article VI regarding regulation of private water wells shall be and is hereby amended by the addition of Section 13-228 as follows:

Section 13-228. Prohibition of Discharge of Well Water Into City Sewer System.

It is unlawful for any person to discharge any private well water into the city sanitary sewer system. Excluded from the enforcement of this section is any residence using private well water as of the passage of this ordinance, which exclusion shall expire upon the sooner to occur of (a) the disconnection and/or nonuse of any such private well for a period of 10 consecutive days and (b) the 10th anniversary of the passage of this ordinance.

Section Three

Any rules, ordinances, police regulations, resolutions, and/or policies of the City of West Columbia, whether written, or otherwise, which are in any manner in conflict with or inconsistent with this ordinance, shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

Section Four

It is hereby declared to be the intention of the City Council that the several provisions of this ordinance are severable, and if any court of competent jurisdiction enters a final order which holds that any section, sub-section, sentence, clause, phrase, or other portion of this ordinance is invalid, illegal, or otherwise unenforceable, then any such portion shall be deemed a separate, distinct and independent provision, and any such ruling shall not affect any other provision of this ordinance which are not specifically designated as being illegal, invalid or unenforceable.

Section Five

This ordinance shall be effective and applicable immediately from and after the date of its passage and approval by the City Council of the City of West Columbia, and the publication of its caption as provided by law.

PASSED AND APPROVED this the 10th day of September, 2012.


LAURIE B. KINGANNON, Mayor

ATTEST:

Kelli R. Kuban

KELLI KUBAN, City Secretary