

ORDINANCE NO. 8111

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 18-2, PROVIDING FOR AN OPTION FOR RESIDENTIAL CUSTOMERS TO OPT-OUT OF DIGITAL METERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, In October 2021, Amarillo City Council approved a \$29.5 million loan (at zero percent interest with a \$1 million loan forgiveness) by the Texas Water Development Board's Clean Water State Revolving Fund to fund the digital water meter system; and,

WHEREAS, Phase I of the project began in February of 2023 with approximately 1,500 digital meter installations and Phase II is ongoing; and,

WHEREAS, the City Council wishes to provide an option for residential customers to opt-out of the installation of a digital meter;

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

SECTION 1. The Amarillo Municipal Code, Chapter 18-2, Article III, Section 18-2-52 be and hereby is amended, to read as follows:

Sec. 18-2-52. - Meters—Required.

Water furnished by the City to its customers shall be measured by meters. The City will furnish, install and maintain all meters. The size and type of meters shall be determined by the City. Notwithstanding any provision of this chapter a single-family residential customer may opt-out of the installation of a radio transmitter per a written form provided by the Utility Department without incurring a fee.

SECTION 2. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be

unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 3. Repealer. All ordinances, parts of ordinances, resolutions, and parts of resolutions that adopt a Drought Contingency Plan are hereby repealed. Further, any and all other ordinances or resolutions of any nature, or parts of either, that conflict with the terms of this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 4. Continuation. That nothing in this ordinance or any code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed by this ordinance.

SECTION 5. Effective Date. This ordinance shall become effective according to law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading the 9th day of January 2024; and PASSED on Second and Final Reading the 23rd day of January 2024.

Cole Stanley, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

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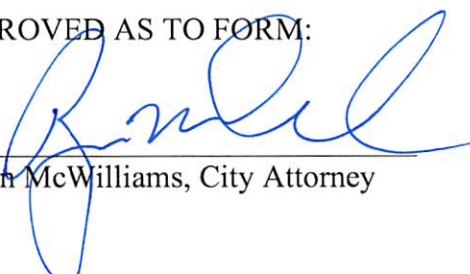
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