

CITY OF WATAUGA, TEXAS
ORDINANCE NO. 2020-016

AN ORDINANCE BY THE CITY COUNCIL OF THE
CITY OF WATAUGA, TEXAS, TEMPORARILY
SUSPENDING ENFORCEMENT OF UTILITY LATE
FEES ON PAST DUE AMOUNTS AND DISCONNECT
ACTIONS UNDER SECTIONS 42-85, 42-88, AND 12-
42(e)-(f), WATAUGA CODE OF ORDINANCES;
PROVIDING FOR SEVERABILITY; PROVIDING AN
EFFECTIVE DATE.

WHEREAS, In response to the COVID-19 pandemic, on March 17, 2020, Mayor Arthur Miner proclaimed and declared, pursuant to the authority conferred upon the Mayor by the Watauga City Charter and Texas Government Code § 418.108, a local state of disaster within the City of Watauga, Texas, which was continued indefinitely by the City Council on March 23, 2020; and,

WHEREAS, on March 26, 2020, the Public Utility Commission of Texas ordered exceptions to its rules for electric, water, and sewer utilities, prohibiting the assessment of late fees and disconnection of customers when they cannot pay their utility bills; and

WHEREAS, the economic downturn that has resulted from the COVID-19 pandemic has made it difficult for many residents of Watauga to pay their bills and continue to care for themselves and their families; and

WHEREAS, the City Council finds that it has authority to temporarily postpone utility bill payments and waive disconnection of service and any related fees are under Section 552.001(b), Local Government Code, in order to protect the interests of the municipality and to ensure that residents are safe and able to maintain necessary utilities in this difficult time; and

WHEREAS, the City Council finds that temporarily suspending utility bill payments and disconnection fees established by Sections 42-85, 42-88, Watauga Code of Ordinances and their related fees found in Sections 12-42(e) and (f), Watauga Code of Ordinances, is necessary in order to protect the interests of the municipality in response to the COVID-19 disaster.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Watauga, Texas as follows:

I.

The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

II.

The City Council of the City of Watauga hereby temporarily suspends all utility late fees on past due accounts and suspends utility disconnection actions for non-payment provided for in the City of Watauga Code of Ordinances, Sections 42-85 and 42-88, and Sections 12-42(e) and (f), and consents to these suspensions continuing indefinitely, or until such time as they are terminated by order of the City Council.

III.

If any section, sub-section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

IV.

This Ordinance shall become effective and shall be in full force and effect from and after the date of passage and adoption by the City Council of the City of Watauga, Texas, and upon approval thereof by the Mayor of the City of Watauga, Texas, and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas this, the 20th day of April 2020.

APPROVED:



ARTHUR L. MINER, MAYOR

ATTEST:


ANDREA GARDNER, CITY SECRETARY



APPROVED AS TO FORM AND LEGALITY:


GEORGE HYDE, CITY ATTORNEY
Russell Rodriguez Hyde & Bullock LLP