

ORDINANCE NO. 220-13

An Ordinance of the City Council of the City of Pearland, Texas, amending Chapter 30, Utilities, Article II, *RATES AND CHARGES*, of the code of ordinances to amend Section 30-39, *When Payment Due* and adding Section 30-48, *Extreme Winter Weather Events*; providing a penalty for violation; containing a savings clause and a severability clause; providing for codification, publication, and an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS:

Section 1. That Chapter 30, Article II, *RATES AND CHARGES*, of the City of Pearland Code of Ordinances, is hereby amended in its entirety to read as follows:

“ARTICLE II.- RATES AND CHARGES

Sec. 30-39. - When payment due.

(a) All bills for utility services furnished by the city shall be due no later than the twenty-fourth (24th) calendar day after the bill date; except that when the 24th calendar day coincides with a city holiday or weekend, the bill for utility services shall be due on the first (1st) business day following the 24th calendar day.

(b) A payment plan may be furnished upon the approval of the Chief Financial Officer or their designee. In the event the terms of the payment plan are violated, the plan shall become null and void, and the full amount in arrears shall become payable on the due date. If the entire payment is not made, a late fee shall be assessed along with the applicable non-payment disconnection.

Sec. 30-48. – Extreme Winter Weather Events

(a) Extreme Weather Emergency means a period when the previous day's highest temperature did not exceed 28 degrees Fahrenheit and the temperature is predicted to remain at or below that level for the next 24 hours according to the nearest National Weather Service reports.

(b) Utility service due dates during an Extreme Weather Emergency shall be delayed until the Extreme Weather Event has concluded, and the imposition of a Late Fee for any account during an Extreme Weather Event shall be delayed by the number of days of the Extreme Weather Event.

(c) No utility service shall be involuntarily disconnected during an Extreme Weather Emergency for non-payment, and any payment schedule for delinquent accounts shall be extended by the number of days of the Extreme Weather Event at the account holder's request.

Secs. 30-49—30-55. - Reserved.”

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Section 2. **Repealer.** All previously adopted amendments in conflict herewith shall be and are hereby repealed but only to the extent of such conflict.

Section 3. **Penalty.** Any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and shall, upon conviction by a court of competent jurisdiction, be punished by a fine in any sum not exceeding Two Hundred Dollars (\$200.00).

Section 4. **Savings.** All rights and remedies which have accrued in favor of the City under this Chapter and amendments thereto shall be and are preserved for the benefit of the City.

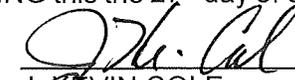
Section 5. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 6. **Codification.** It is the intent of the City Council of the City of Pearland, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

Section 7. **Publication.** The City Secretary shall cause this Ordinance, or its caption and penalty, to be published in the official newspaper of the City of Pearland, upon passage of such Ordinance.

Section 8. **Effective Date.** This Ordinance shall become effective ten (10) days following its second and final reading.

PASSED and APPROVED ON FIRST READING this the 27th day of September, A. D., 2021.



J. KEVIN COLE
MAYOR

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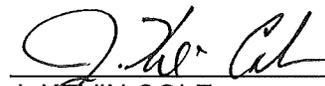
ATTEST:



CRYSTAL ROAN, TRMC, CMC
CITY SECRETARY

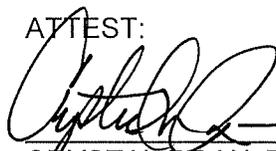
PASSED and APPROVED ON SECOND AND FINAL READING this the 11th day of October,

A. D., 2021



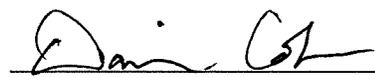
J. KEVIN COLE
MAYOR

ATTEST:

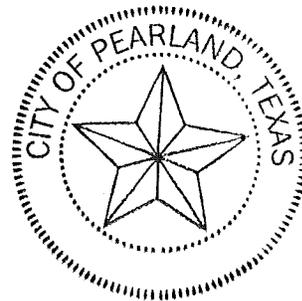


CRYSTAL ROAN, TRMC, CMC
CITY SECRETARY

APPROVED AS TO FORM:



DARRIN M. COKER
CITY ATTORNEY



VOTING RECORD FIRST READING

September 27, 2021

Voting "Aye" - Councilmembers Orlando, Carbone, Hernandez, Kamkar, Little, Perez, Owens.

Voting "Nay" – None.

VOTING RECORD SECOND AND FINAL READING

October 11, 2021

Voting "Aye" - Councilmembers Orlando, Carbone, Hernandez, Kamkar, Owens.

Voting "Nay" – None.

APPROVED AS TO FORM

PUBLICATION DATE: October 13, 2021

EFFECTIVE DATE: October 23, 2021