

**ORDINANCE NO. 2008-J**

**AN ORDINANCE OF THE CITY OF COCKRELL HILL, TEXAS, REPEALING ORDINANCE 1996-E IN ITS ENTIRETY; ESTABLISHING NEW WATER AND SEWER RATES; ESTABLISHING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE IMMEDIATE EFFECT.**

**WHEREAS**, the City of Cockrell Hill, Texas (“City”), is a type-A general law municipality and has the authority to adopt ordinances that are not inconsistent with state law and that are necessary for the government, interest, welfare, or good order of the municipality pursuant to Section 51.012 of the V.T.C.A., Local Government Code; and

**WHEREAS**, the City Council of the City of Cockrell Hill, Texas (“City Council”), finds, determines, and declares that certain fees are necessary to provide for efficient government services; and

**WHEREAS**, the City Council finds and determines that the current fees for water and sewer services are insufficient to cover the costs of the respective services; and

**WHEREAS**, the City Council desires to adopt fees necessary for the City to provide good and efficient government for the benefit of the citizens of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COCKRELL HILL, TEXAS, THAT:**

**Section 1. FINDINGS INCORPORATED**

The findings set forth above are found to be true and correct and are hereby incorporated into the body of this Ordinance for all purposes as if fully set forth herein.

**Section 2. REPEAL OF ORDINANCE 1996-E**

Ordinance 1996-E of the City of Cockrell Hill, Texas, is hereby repealed in its entirety.

**Section 3. ADOPTION OF WATER AND SEWER RATES**

The following monthly rates are hereby established and shall be collected for water and sewer services furnished by the City:

RESIDENTIAL SERVICE:

Water: \$16.75 base rate, which shall include up to 1000 gallons, and an additional \$2.50 for each 1000 gallons, or part thereof, thereafter; and

Sewer: \$14.20 base rate, which shall include up to 1000 gallons, and an additional \$2.50 for each 1000 gallons, or part thereof, thereafter. Sewer usage is based upon metered water service.

COMMERCIAL SERVICE:

Water: \$19.00 base rate, which shall include up to 1000 gallons, and an additional \$2.50 for each 1000 gallons, or part thereof, thereafter; and

Sewer: \$18.65 base rate, which shall include up to 1000 gallons, and an additional \$2.50 for each 1000 gallons, or part thereof, thereafter. Sewer usage is based upon metered water service.

**Section 4. PENALTY.**

Any person who violates or fails to comply with this chapter or the provisions of the State Rules, and any person who is the permit holder of or otherwise operates a food service establishment that does not comply with the requirements of this chapter, and any responsible officer of that permit holder, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than \$2,000. Each day any violation or noncompliance continues constitutes a separate offense. The regulatory authority may seek to enjoin violation of these rules.”

**Section 5. SEVERABILITY CLAUSE**

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

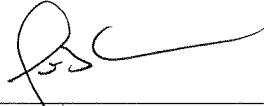
**Section 6. REPEALER CLAUSE**

Any provision of any prior ordinance of the City, whether codified or uncodified, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section 7. EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and publication as required by law.

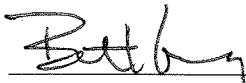
PASSED, APPROVED AND ADOPTED by the City Council of the City of Cockrell Hill, Texas, on this the 23 day of September, 2008.



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Luis Carrera, Mayor  
City of Cockrell Hill, Texas

ATTEST:



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Bret Haney, Executive Assistant  
City of Cockrell Hill, Texas

[SEAL]

APPROVED AS TO FORM:



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Robert F. Brown, City Attorney  
City of Cockrell Hill, Texas