

ORDINANCE NO. 2024-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 86, ARTICLE 1, DIVISION 1, WATER AND WASTEWATER LINE EXTENSIONS OF THE SAN MARCOS CITY CODE BY AMENDING SECTION 86.003 TO ALLOW CERTAIN OUT OF CITY CONNECTIONS TO BE MADE WITHOUT APPLICATION FOR ANNEXATION; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Chapter 86, Article 1, Division 1, Water and Wastewater Line Extensions, of the San Marcos City Code is hereby amended by amending Section 86.003 to read as follows: (Added text is indicated by underlining. Deleted text is indicated by strikethroughs.)

Sec. 86.003. Extensions and connections to city water or wastewater system outside the city limits.

a) Applications for service connections to or extension of city water or wastewater lines to serve a property located outside the city limits will be granted only with the approval of the city council. An application for approval of such an extension must be accompanied by a written request for annexation of the applicant's property, except as provided for herein. If the property is not contiguous to the city limits, the application must be accompanied by a written request for annexation of an area at least 15 feet in width from each property owner or, for public right-of-way, the entity having jurisdiction over the right-of-way, along the intended route of the line extension.

b) Annexation requests must be submitted on forms approved by the city.

c) City Council may approve exceptions to the annexation request requirements under this Section for landowners who have entered into an agreement with the City, approved by City Council, to contribute the majority of the costs of a wastewater treatment plant necessitated by the landowners' developments.

SECTION 2. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 3. All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 4. This ordinance shall become effective upon adoption on second reading.

PASSED AND APPROVED on first reading on March 19, 2024.

PASSED, APPROVED AND ADOPTED on second reading on April 2, 2024.

Jane Hughson
Mayor

ATTEST:

APPROVED:

Elizabeth Trevino
City Clerk

Samuel J. Aguirre
City Attorney