

ORDINANCE NO. 2021-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS TEMPORARILY CHANGING THE METHOD FOR CALCULATING RESIDENTIAL WASTEWATER RATES ESTABLISHED BY ORDINANCE NO. 2007-54 BY EXCLUDING THE MONTH OF FEBRUARY 2021 FROM THE MONTHS USED TO CALCULATE AVERAGE WATER CONSUMPTION UPON WHICH WASTEWATER RATES ARE BASED DUE TO THE HIGHER THAN AVERAGE WATER CONSUMPTION RESULTING FROM WINTER STORM URI DURING THE WEEK OF FEBRUARY 15; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. Pursuant to Ordinance No. 2007-54, residential wastewater rates are calculated based upon the average water consumption during the months historically having the lowest average (December, January and February).
2. Due to Winter Storm Uri during the week of February 15, 2021, water consumption that month was higher than average as a result of such things as burst pipes. Consequently, wastewater rates based on water consumption in February would be higher than normal.
3. In order to prevent residential wastewater rates from being abnormally high, it is necessary to exclude water consumption during the month of February, 2021 from the calculation of residential wastewater rates for 2021.

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

SECTION 1. The month of February is temporarily excluded from the three months (December, January, February) of water consumption used to calculate residential wastewater rates as provided by Ordinance No, 2007-54. The exclusion will apply to billing cycles from May 2021 through the end of March 2022.

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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

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

PASSED AND APPROVED on first reading on April 20, 2021.

PASSED, APPROVED AND ADOPTED on second reading on May 4, 2021.

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
Interim City Clerk

Michael J. Cosentino
City Attorney