

**ORDINANCE NO. 2020-322**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEVERS, TEXAS ESTABLISHING DEPOSITS FOR CUSTOMERS RECEIVING CITY UTILITIES.**

**WHEREAS**, the City of Devers, Liberty County, Texas (the “City”) is a Type B general-law municipality and the City Council of the City of Devers, Liberty County, Texas (the “City Council”) has the authority to adopt an ordinance, not inconsistent with state law, that the City Council considers proper for the governance of the City pursuant to Texas Local Government Code, Section 51.032; and

**WHEREAS**, the City provides water and sewer service (“Utilities”) to customers within the City limits; and

**WHEREAS**, Texas Local Government Code, Section 552.0025(c), provides that a city may require utility deposits for customers to reduce the impact of delinquencies on the utility; and

**WHEREAS**, Texas Local Government Code, Section 552.001(b), provides that a city may regulate its utility system in a manner that protects the interests of the city; and

**WHEREAS**, the City wishes to regulate its utility system in a manner that protects the interests of the City by requiring utility deposits for customers to reduce the impact of delinquencies on the City utility system.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEVERS, LIBERTY COUNTY, TEXAS THAT:**

**SECTION 1.** All customers inside the City limits receiving services for Utilities will be assessed a Utility Services Deposit at the time of requested service. The amount of the deposit will be \$150.00 for all customers.

**SECTION 2.** Upon the termination of Utilities, at the request of the customer, the deposit or any portion of the deposit remaining shall be returned to the customer when utility bills and all other charges have been paid. The City shall have the right to keep any portion of the deposit needed to cover the cost of outstanding utility bills and any other charges allowed by law.

**BE IT FURTHER ORDAINED** by the City Council of the City of Devers, Liberty County, Texas, that this Ordinance shall become effective upon signature by the Mayor, or, if not signed or vetoed by the Mayor, upon expiration of the time for ordinances to become law without the signature by the Mayor.

**BE IT FURTHER ORDAINED** that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications, and to this end the provisions of this ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

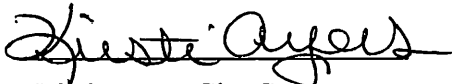
The above and foregoing ordinance shall be in full force and effect from and after its adoption, approval and publication, as provided by law.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Devers, this the 14<sup>th</sup> day of July, 2020.



Steven Horelica, Mayor

**ATTEST:**



Kristi Ayers, City Secretary