

ORDINANCE NO. 2848

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 11, "PLANNING AND DEVELOPMENT," OF THE CODE OF THE CITY OF MESQUITE BY ADDING SECTION 11.42 ESTABLISHING MUNICIPAL DRAINAGE UTILITY SYSTEM RATES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That Section 11, "PLANNING AND DEVELOPMENT," of the Code of the City of Mesquite, Texas, is hereby amended by adding a new section, Sec. 11.42, which shall read as follows:

Sec. 11.42. Municipal Drainage Utility System Rates.

- (A) The following schedule of drainage charges is hereby established:
 - (1) Each single-family residential dwelling unit \$2.00 per month
 - (2) All other developed property \$0.03 per 100 square feet of impervious area.

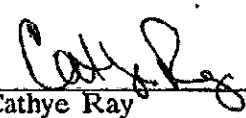
For the purposes of this subsection, "impervious area" means any area not able to absorb rainfall thereby creating storm water run-off.

- (B) The drainage charges established by this section shall be billed to the user of the benefited property along with the bill for other utility services provided to the property. The drainage charges shall be identified separately on the bill as Storm Water Management fee.
- (C) The City shall not require a deposit for drainage charges as a precondition to accepting surface flow into the drainage system. Delinquent drainage charges are subject to the same penalties and methods of collection as other utility charges of the City.
- (D) The income of the drainage utility system shall be segregated and completely identifiable in the accounts of the City. The revenues produced by the drainage charges established by this Article shall be applied to the funding of both operating requirements and future system improvements and other capital costs and may not be transferred to the general fund of the City.

SECTION 2. That should any word, sentence, clause, paragraph, or provision of this ordinance be held to be invalid or unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part or provision so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of Chapter 11 or any other provision of the Code of the City of Mesquite.

SECTION 3. That this Ordinance shall be and become effective immediately upon and after its passage and approval.

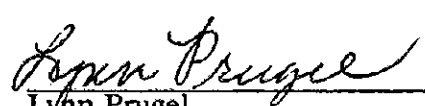
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of November, 1992.




Cathye Ray
Mayor

ATTEST:

APPROVED:



Lynn Prugel
City Secretary



B.J. Smith
City Attorney