

ORDINANCE NO. 4453

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 11 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY DELETING SECTION 11-42 IN ITS ENTIRETY AND ADDING A NEW SECTION 11-42 REGARDING THE MUNICIPAL DRAINAGE UTILITY SYSTEM RATES PROCESS; CLARIFYING THE BILLING PROCESS IF NO FEES FOR UTILITY SERVICES OTHER THAN STORMWATER MANAGEMENT APPLY TO PROPERTY; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE.

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

SECTION 1. That Chapter 11 of the Code of the City of Mesquite, Texas, as amended, is hereby amended by deleting Section 11-42 in its entirety and adding a new Section 11-42 to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

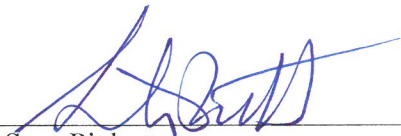
- (a) *Monthly rates.* The following schedule of monthly drainage charges is hereby established to become effective October 1, 2015:
 - (1) Each single-family residential dwelling unit \$4.50 per month
 - (2) All other developed property, per one hundred (100) square feet of impervious area.....\$0.10

For the purposes of this subsection, “impervious area” means any area not able to absorb rainfall thereby creating storm water runoff.
- (b) *Billing.* The drainage charges established by this section shall be billed to the user of the benefited property as the stormwater management fee. If other utility services are also provided to the property, the drainage charges shall be identified separately on the bill as the stormwater management fee.
- (c) *No deposit for accepting surface flow.* The City shall not require a deposit for drainage charges as a precondition to accepting surface flow into the drainage system.
- (d) *Delinquent charges.* Delinquent drainage charges are subject to the same penalties and methods of collection as other utility charges of the City.
- (e) *Revenue management.* 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 all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

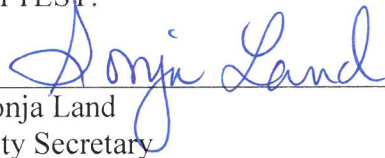
SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 17th day of October, 2016.



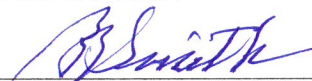
Stan Pickett
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney