

**ORDINANCE NO. 22-07-07-05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING ARTICLE 13.1000, UTILITY BILLING, SECTION 13.1014 LATE CHARGES, TO ADD SECTION 13.1014(b) REGARDING A ONETIME WAIVER, PROVIDING CODIFICATION AND PUBLICATION, AN EFFECTIVE DATE, REPEALER, SEVERABILITY, PROPER NOTICE AND OPEN MEETINGS CLAUSES.**

**WHEREAS**, the City of Lago Vista, Texas is a home rule city; and

**WHEREAS**, the City has codified processes regarding utility billing in Article 13.1000 of the City's Code of Ordinances; and

**WHEREAS**, the current Ordinance provisions regarding late charges are silent regarding waiver by City staff and thus City Council approval is required for any waiver requests; and

**WHEREAS**, it is common practice in cities in the near area to allow staff to forgive one (1) late fee per rolling 12 months; and

**WHEREAS**, the City Council desires to provide City staff authority to waive one (1) late fee per calendar year; and

**WHEREAS**, the City Council finds that it is necessary and proper for the purpose of promoting effective and efficient government of the City to adopt the proposed amendments to Article 13.1000 of the Code of Ordinances to add Section 13.1014(b) to authorize staff to waive one (1) late fee per calendar year per utility account upon customer request.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:**

**SECTION 1. FINDINGS OF FACT.** All of the above and foregoing recitals are hereby found to be true and correct legislative findings of the City and are incorporated herein as findings of fact.

**SECTION 2. AMENDMENT.** The City Council of the City of Lago Vista, Texas, does hereby amend Article 13.1000 of the Code of Ordinances to add Section 13.1014(b) as shown in Exhibit "A." Underlined language shall be added and language to be deleted is signified by strike-through.

**SECTION 3. REPEALER.** All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Lago Vista, Texas, are hereby repealed to the extent said ordinances, orders or resolutions or parts thereof are in conflict herewith.

**SECTION 4. SEVERABILITY CLAUSE.** If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

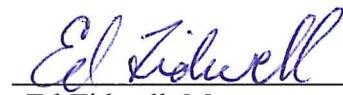
**SECTION 5. CODIFICATION AND PUBLICATION.** The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.013 of the Texas Local Government Code.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its passage and publication in accordance with the Texas Local Government Code.

**SECTION 7. OPEN MEETINGS.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**AND, IT IS SO ORDERED.**

**PASSED AND APPROVED** this 7<sup>th</sup> day of July 2022 by a vote of the City Council of the City of Lago Vista, Texas.

  
Ed Tidwell

Ed Tidwell, Mayor



ATTEST:



Starr Lockwood, Assistant City Secretary

On a motion by Councilmember Kevin Sullivan, seconded by Councilmember Gage Hunt, the above and foregoing ordinance was passed and approved.

Exhibit "A"

**Sec 13.1014 Late Charges**

- (a) If payment of all or any portion of the bill is not made by the due date, the city shall assess a late fee as set forth in the fee schedule located in Appendix A of this code.
- (b) The utility billing department shall have the authority to waive one (1) late fee per calendar year per utility account upon customer request.