

ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN PORTIONS OF SECTION 18-507 OF THE CODE OR ORDINANCES OF THE CITY OF DEER PARK, TEXAS, CONCERNING CROSS-CONNECTION CONTROL FEES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER PARK:

1. That Section 18-507 of the City of Deer Park Code of Ordinances is hereby amended to hereafter read as follows:

Section 18-507: Cross-connection control program.

(d) Cross-connection control fees.

(1) Backflow prevention assembly registration fee: One-time nonrefundable registration permit fee of \$35.00 for each nonresidential backflow prevention assembly device, per each separate device.

(2) Certified backflow prevention assembly tester registration fee: Annual nonrefundable registration fee of \$75.00 for TCEQ approved testers to show proof of their current TCEQ license and testing equipment in accordance with current TCEQ regulations.

(e) Enforcement. City water service to any premises may be discontinued and assessed a reconnection fee if a backflow prevention assembly is not installed, tested, or maintained as required by these regulations, or if it is found that a backflow prevention assembly has been removed or bypassed, or if any unprotected cross-connection or other structural or health hazard, including violations of these regulations, exists. Such fee shall be in accordance with Appendix B – Schedule of Fees, Rates and Charges, Section 106-28(b) for reconnection of service during regular business hours or at times other than regular business hours.

2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

3. If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances shall, for any reason, be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this Ordinance, or their application to other persons or sets of circumstances and, to this end, all provisions of this Ordinance are declared to be severable.

4. It is officially found and determined that the meeting at which this Ordinance was adopted was open to the public; and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Government Code of the State of Texas.

5. The City Council finds that this Ordinance relates to the immediate preservation of the public peace, safety and welfare, in that it is necessary to amend the provisions of the Code of Ordinances concerning certain fees related to cross-connection controls to prevent drinking water contamination for the protection of persons and property, thereby creating an emergency, for which the Charter requirement providing for the reading of Ordinances on three (3) several days should be dispensed with and this Ordinance should be passed finally on its introduction; and, accordingly, such requirement is dispensed with and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the ____ day of _____, 2018 **by a vote of** _____ **“Ayes” and** _____ **“Noes”**.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney