

CITY OF TOM BEAN

ORDINANCE NO. 82-100

AN ORDINANCE REQUIRING A DEPOSIT, TOGETHER WITH PAYING ANY DELINQUENT WATER BILLS BEFORE CITY WATER WILL BE FURNISHED TO ANY BUSINESS, HOUSE, HOME, APARTMENT, MOBILE HOME OR ANY SITE DESIGNED TO RECEIVE CITY WATER AND PROVIDING A PENALTY FOR ANY PERSON, FIRM OR CORPORATION, WHO CONNECTS TO THE CITY WATER WITHOUT CITY APPROVAL WHEN A DELINQUENT BILL EXISTS ON SAID PROPERTY SO CONNECTED AND PROVIDING A FINE OF TWO HUNDRED AND NO/100 (\$200.00) DOLLARS FOR SUCH VIOLATOR.

WHEREAS, there is a need to regulate the collection of delinquent water bills within the City of Tom Bean, Texas, and

WHEREAS, persons or tenants are moving from residences, businesses, mobile homes, without paying delinquent water bills, and

WHEREAS, it is necessary for the City to provide water service for all the citizens who live within the City of Tom Bean, Texas, and that each citizen, individual or business pay according to their use;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOM BEAN, TEXAS, THAT THERE IS HEREBY PASSED A MANDATORY DEPOSIT FEE FOR EACH PERSON, HOUSEHOLD, BUSINESS, INDUSTRY OR INSTITUTION, AND THAT THERE, ALSO, BE A MANDATORY COLLECTION OF ANY BACK WATER BILLS INCURRED ON ANY PROPERTY WITHIN THE CITY LIMITS OF TOM BEAN, TEXAS, SO AS TO MINIMIZE THE EXPENSE OF EVERY CITIZEN WITHIN THE CITY OF TOM BEAN, TEXAS.

SECTION 1. Short Title.

This ordinance shall be known and may be cited as an ordinance requiring a mandatory deposit for water and the mandatory payment of delinquent water bills to any person, household, business, industry or institution, which requires a City water meter within the City of Tom Bean.

SECTION 2. Definition of Words.

For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the contest,

words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number, the plural numbers. The word "shall" is always mandatory and not merely directory.

1. Person to mean any person, household, business, industry or institution.

2. City water means any water coming from or connected to the City water system providing water for any person, household, business, industry or institution.

SECTION 3.

All deposits and delinquent water bills shall be collected and payable to the City Clerk through the City offices of the City of Tom Bean, Texas.

SECTION 4.

The City shall refuse water service to any person failing and refusing to put up a deposit or to pay the delinquent bills accrued against such property, whether actually made by that person, or some other person, and the property and the landlord of such property shall be liable for such bills if not paid by any tenant who rents, leases, or business in possession or said property.

SECTION 5. Penalty.

Any person, for himself or another person, that shall turn on a water meter, circumvent a water meter, or turn the water on to any property that has been disconnected for the non-payment of water bill, shall be guilty of a misdemeanor and fined not more than TWO HUNDRED AND NO/100 (\$200.00) DOLLARS.

SECTION 6. Repeal of Conflicting Ordinances.

All existing ordinances of the City of Tom Bean, Texas, are hereby repealed insofar as they may be inconsistent with the provisions of this ordinance.

SECTION 7. Separability of Provisions.

It is the intention of the City Council of Tom Bean, Texas, that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is

further the intention of the City Council that, if any provisions of this ordinance is declared invalid or unconstitutional, all other provisions thereof shall remain valid, enforceable and constitutional.

PASSED and APPROVED this 5TH day of April, A.D. 1982.


MAYOR

ATTEST:


CITY SECRETARY