

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS, BY AMENDING THE CODE OF ORDINANCES, AS HERETOFORE AMENDED, BY AMENDING CHAPTER 3 “CITY DEPARTMENTS”, ARTICLE 3-3. “WATER AND SEWER REGULATIONS”, SECTION 3-3-2 “PAYMENT OF BILLS” BY AMENDING SUBSECTION 3-3-2(E), TO AUTHORIZE THE CITY MANAGER OR DESIGNEE TO CONSIDER ADJUSTMENT TO A CUSTOMER’S WATER BILL FOLLOWING REPAIR OF A LEAK; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Coppel provides regulations for their water and sewer service;  
and

**WHEREAS**, the City of Coppel has declared that all bills for water, sewer and garbage services are due the dates shown on the bill and a penalty of ten percent of the total charge will be assessed for all bills not paid on or before due date; and

**WHEREAS**, the City has determined that it is appropriate to authorize the City Manager or designee to consider an adjustment to a customer bill following repair of a leak which caused usage greater than the customer’s twelve-month average;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS**

**SECTION 1.** That the *Code Ordinance* of the City of Coppel, Texas, as heretofore amended, be, and the same is hereby amended by amending the Code of Ordinances, Chapter 3, City Departments, Article 3-3, Water and Sewer Regulations, Section 3-3-2 Payment of Bills, by amending subsection (E), which shall read as follows:

**“CHAPTER 3 – CITY DEPARTMENTS**

**....**

**ARTICLE 3-3. WATER AND SEWER REGULATIONS**

### **Sec. 3-3-1. Liability for materials**

....

### **Sec. 3-3-2. Payment of bills**

All bills for water, sewer and garbage services are due the date shown on the bill, and a penalty of ten percent of the total charge will be assessed for all bills not paid on or before the due date. The City Manager or designee may authorize an abatement of one-month penalty to a residential customer within a twelve (12) month calendar year upon the request of said customer.

A. *Discontinuance of service* .....

B. ....

.....

E. *Lost water in customer side.* All customers shall be responsible for loss of water due to rupture, fracture or break in pipes inside the discharge side of the meter; and, if such lost water is not paid for according to the rates provided by section 315 and by section 332 of the Code of Ordinances of the City of Coppell, Texas, service shall be discontinued. Service will not be restored until all claims have been paid. However, the City Manager or his/her designee may consider an adjustment reducing a customer's water bill for a water leak if the following criteria are met:

1. Completion of the Leak Repair Affidavit which documents the leak and that the leak has been repaired; and
2. Customer has not received an adjustment related to water leak at this location within the previous 24 months; and
3. The usage caused by the leak is greater than the 12-month average. If the usage is not greater than the 12-month average, no leak adjustment will be granted

If a water leak adjustment is provided, the adjusted water bill will be calculated as follows:

1. The average of the customers previous 12 months of usage will be calculated and charged at the most current adopted water rates.
2. The usage over the 12-month average will be charged as follows:
  - a. 50% of the remaining usage will be charged at the most current adopted water rates
  - b. 50% of the usage will be charged at the most current rate paid by the City of Coppell to Dallas Water Utilities for the volume rate.

F. ....”

**SECTION 2.** That all provisions of the Code of Ordinance of the City of Coppell, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, illegal, or invalid, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

**SECTION 4.** That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 5.** That this ordinance shall take effect immediately from and after its passage beginning with the April 2023 billing cycles and the publication of its caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Coppell, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022

APPROVED:

\_\_\_\_\_  
WES MAYS, MAYOR

ATTEST:

\_\_\_\_\_  
ASHLEY OWENS, CITY SECRETARY

APPROVED AS TO FORM:

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ROBERT E. HAGER, CITY ATTORNEY