

**ORDINANCE NO. 1117**

**AMENDING THE ROBSTOWN CODE OF ORDINANCES, CHAPTER 13 UTILITIES, ARTICLE 13.03, CITY UTILITIES, DIVISION 4. SEWER SYSTEM, PART I - IN GENERAL, SECTION 13.03.167, RATES AND CHARGES; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the current Ordinance No. 1006B, adopted in October 2008, Section 28-95 (C) 2, "Applicability," does not clearly and properly include residents of apartment complexes as among customers that should be included the Residential billing classification for sewer services, and

**WHEREAS**, Ordinance No. 1006B, Section 28-95 (D) 2, "Applicability," erroneously refers to Residential customers instead of General Service Class customers, and

**WHEREAS**, the Board of Trustees of the Robstown Utility Systems recommends correction of these aforementioned provisions in order to and clarify how the sewer rates are applied to apartment complexes served by Robstown Utility Systems, and

**WHEREAS**, monthly charges and fixture rates will remain the same and there are no rate increases included in this amendment,

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

**Section 1.** Subsection 13.03.167(c)2, of Chapter 13, Article 13.03, Division 4, Sewer System, Part I, In General, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 13.03.167 Rates and charges.

(c) Residential Service Rate Schedule

(2) Applicability

(A) This rate is applicable to sewer service used solely for residential purposes for service to single family, multifamily dwellings or apartment complexes. The monthly charges shall be billed to each residential customer within multifamily dwellings or apartment complexes if the charges are paid directly by the customer-tenant to the City of Robstown Utility Systems.

(B) Multifamily dwellings and apartment complexes shall be billed as ONE UNIT as per subsection (3) if paid by landlord, property owner or property management company.

**Section 2.** Subsection 13.03.167(d)2, of Chapter 13, Article 13.03, Division 4, Sewer System, Part I, In General, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 13.03.167 Rates and charges.

(c) General Service Rate Schedule

(2) Applicability This rate is applicable to all customers except residential and large general service customers.

**Section 3. Severability.** If any section, sentence, phrase or clause of this Ordinance is declared by a Court of competent jurisdiction to be unconstitutional, invalid or unenforceable, such declaration shall not be deemed to affect the remaining sections, sentences, phrases or clauses of this Ordinance.

**Section 4. Conflicts.** All other ordinance or parts of another ordinance inconsistent or conflicting with any part of this ordinance is hereby repealed to the extent of the inconsistency or conflict.

**Section 5. Effective Date.** This Ordinance shall become effective at 12:01 a.m. on the date of final approval upon second reading, as provided by the Charter of the City of Robstown and the laws of the State of Texas.


**That the foregoing ordinance was read for the First time and passed to its Second reading on this the 20<sup>th</sup> day of March 2023 with the following votes:**

Mayor	Gilbert Gomez	Mayor	<u>"Aye"</u>
Mayor Pro Tem	Mary Ann Y. Saenz	Place No. 1	<u>"Aye"</u>
Council Members:	Nelda Sanchez	Place No. 2	<u>"Aye"</u>
	Cordelia Bosquez	Place No. 3	<u>"Aye"</u>
	Jimmy Morales	Place No. 4	<u>"Aye"</u>
	Joe Carrion	Place No. 5	<u>"Aye"</u>
	Esmi Cueva Limon	Place No. 6	<u>"Aye"</u>


**That the foregoing ordinance was read for the Second time and passed FINALLY on this the 17<sup>th</sup> day of April 2023 with the following votes:**

Mayor	Gilbert Gomez	Mayor	<u>"Aye"</u>
Mayor Pro Tem	Mary Ann Y. Saenz	Place No. 1	<u>"Aye"</u>
Council Members:	Nelda Sanchez	Place No. 2	<u>"Aye"</u>
	Cordelia Bosquez	Place No. 3	<u>"Aye"</u>
	Jimmy Morales	Place No. 4	<u>"Aye"</u>
	Joe Carrion	Place No. 5	<u>"Aye"</u>
	Esmi Cueva Limon	Place No. 6	<u>"Aye"</u>

PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROBSTOWN,  
TEXAS THIS 17<sup>th</sup> DAY OF APRIL 2023.

  
Gilbert Gomez, Mayor

ATTEST:

  
Beatriz Charo, City Secretary

APPROVED AS TO FORM:

  
Frank Garza, City Attorney - Special Counsel

