

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE CODE OF ORDINANCES OF THE TOWN BY AMENDING CHAPTER 82 (UTILITIES), ARTICLE II (WATER), SECTION 82-97 (CROSS-CONNECTION CONTROL) BY AMENDING SUBSECTION (S) OF SECTION 82-97 REGARDING FEES BY INCREASING THE DEPOSIT FEE FOR FIRE HYDRANT WATER METER WITH BACKFLOW PREVENTION DEVICE FROM \$1,200.00 TO \$1,500.00; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. Amendment. The Code of Ordinances (“Code”) of the Town of Addison, Texas (“City”) is amended as set forth below, and all other chapters, articles, divisions, sections, phrases and words of the Code are not amended hereby (additions to the Code are underlined; deletions are ~~struck through~~):

A. Section 82-97 (Fees) of Chapter 82 (Utilities), Article II (Water) of the Code is amended by amending subsection (s) thereof to read as follows:

(s) *Fees.*

(1) There shall be a testing fee for each separate backflow assembly on which a test is performed by the town. This fee applies to but is not limited to all newly installed backflow devices, which the town may choose to randomly test. If upon inspection or testing of a newly installed backflow prevention assembly, it is deemed not to be working properly, it is the responsibility of the property owners or persons in charge of any premises to make necessary repairs. A retest fee will be assessed for each retest.

(2) The following fees shall be applicable in connection with this section:

(i) *Town of Addison Testing Fee:* The fee for a backflow prevention assembly test is \$200.00 for each separate test.

The fee for a backflow prevention assembly retest is \$100.00 for each retest performed.

(ii) *Licensed backflow prevention assembly tester registration fee:* Annual registration fee for approved testers shall be a nonrefundable fee of \$75.00.

(iii) *Testing form booklet fees:* The fee for a testing form booklet of 30 test forms shall be \$25.00 each.

- (iv) *Deposit fee for fire hydrant water meter with backflow prevention device:* There shall be a refundable rental deposit fee for fire hydrant water meters with backflow prevention devices of ~~\$1,500.00~~\$1,200.00. The deposit will be refunded when the meter is returned and damage has been assessed.
- (v) *Private contractors testing fees:* There shall be no additional charges by the town for testing conducted by private contractors.

Section 2. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided, however, that the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 3. Severability. The provisions of this Ordinance are severable, and if any section, subsection, sentence, paragraph, phrase, word, or provision of this Ordinance or the application of any section, subsection, sentence, paragraph, phrase, word, or provision hereof to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by the valid judgment or decree of a court of competent jurisdiction, the same shall not affect the validity of any other section, subsection, phrase, word, or provision of this Ordinance or the application of any other section, subsection, sentence, paragraph, phrase, word, or provision to any person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional section, subsection, sentence, paragraph, phrase, word, or provision, and to this end the remainder of this Ordinance shall remain in full force and effect.

Section 4. Effective Date. This Ordinance shall become effective from and after its passage and approval.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the ____ day of _____, 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney