

ORDINANCE NO. 2016-08

AN ORDINANCE AMENDING SECTION 9.100 "SERVICE CHARGE" OF ARTICLE 9.000 "UTILITY RELATED FEES" OF APPENDIX A "FEE SCHEDULE" TO THE BRIDGEPORT CODE OF ORDINANCES FOR THE PURPOSE OF ADOPTING A METER TAMPERING PENALTY; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bridgeport is a Type A general law municipality located in Wise County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council of the City of Bridgeport previously adopted an ordinance prohibiting the unauthorized use of services that includes tampering with the City's meters and/or equipment; and

WHEREAS, the City currently does not charge a penalty attributed to customers who tamper with the City's meters, equipment, or other property; and

WHEREAS, the City Council desires to amend Section 9.100 "Service Charge" of Appendix A "Fee Schedule" to include all relevant fees for tampering with City meters.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, THAT:

SECTION 1

Section 9.100 "Service Charge" of Article 9.000 "Utility Related Fees" of Appendix A "Fee Schedule" to the Bridgeport Code of Ordinances is hereby amended to add subsection (c) as follows:

"Sec. 9.100 Service Charge

...

- (c) Customer shall pay the service charge of \$100.00 per identified violation of tampering with the City's meters, equipment or other property in accordance with Section 13.121 "Tampering With City's Meters, Equipment or Other Property" of Chapter 13 "Utilities". If the meter, equipment or other property is broken, damaged, or inoperable and must be replaced due to tampering, the customer is responsible for the full replacement cost of the meter, equipment, or other property. Customer shall be required to pay all penalties imposed that will appear on the customer's next billing statement following replacement."

SECTION 2

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Bridgeport, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if a phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not effect the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of the unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4

All rights and remedies of the City of Bridgeport are expressly saved as to any and all violations of the provisions of any ordinances governing utility fees as of the effective date of this ordinance; and any accrued violations, or pending litigation, both civil and criminal, whether pending in court or not under such ordinances, shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

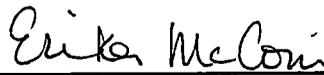
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, BY A VOTE OF 4 TO 1, ON THIS THE 14 DAY OF March, 2016.

APPROVED:



Corey Lane, Mayor

ATTEST:


Erika McComis, City Secretary



Ordinance amending Section 9.100 "Service Charge" of Appendix A