

ORDINANCE NO. 2023-1416

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING ORDINANCE NO. 2022-1387, BEING AN ORDINANCE CONSOLIDATING ALL RATES AND FEES CHARGED FOR WATER AND WASTEWATER SERVICES, TO IMPLEMENT WINTER AVERAGING FOR CERTAIN WASTEWATER CUSTOMERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, on September 20, 2022, the City Council of the City of Fulshear, Texas (“City”), adopted Ordinance No. 2022-1387, being an ordinance consolidating all rates and fees charged for water and wastewater services; and

WHEREAS, since the adoption of Ordinance No. 2022-1387, sufficient water consumption data has become available for the City to consider and adopt a winter averaging policy for determining the rates and fees for wastewater service to single-family residential customers; and

WHEREAS, the City Council desires to amend Ordinance No. 2022-1387 to adopt and provide for implementation of a winter averaging policy; and

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

Section 1. Section 3.0 of Ordinance No. 2022-1387 is hereby amended to read as follows:

“SECTION 3.0 RATES AND FEES: (a) The City Council hereby adopts the Ordinance Rate Sheet attached hereto as **Exhibit A**, setting forth the retail rates for water and wastewater services to be charged by the City of Fulshear effective for the monthly billing cycle commencing on or after January 1, 2023, and ending before the monthly billing cycle commencing on or after January 1, 2024. The City Council hereby adopts the Ordinance Rate Sheet attached hereto as **Exhibit B**, setting forth the retail rates for water and wastewater to be charged by the City of Fulshear effective for the monthly billing cycle commencing on or after January 1, 2024, and continuing indefinitely thereafter. Such rates shall be exclusive of any fee imposed by the North Fort Bend Water Authority or any successor entity.

(b) The City Council hereby adopts the Winter Averaging Protocol attached hereto as **Exhibit C**, which shall be applied to the rates for wastewater charged by the City of Fulshear to single-family residential customers as provided therein and in accordance with subsection (a).”

Section 2. Ordinance No. 2022-1387 is hereby amended by adding thereto a new Exhibit C, being Exhibit A attached hereto and incorporated herein. The Exhibit A attached hereto and the Exhibit C as added to Ordinance No. 2022-1387 as amended hereby are one and the same.

Section 3. Severability. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional whether there be one or more parts

Section 4. Repeal. All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 5. Effective Date. This Ordinance shall be and become effective upon its adoption and publication as required by law.

PASSED, APPROVED, AND ADOPTED this 18th day of April, 2023.





Aaron Groff, Mayor

ATTEST:



Katie Lewis, Assistant City Secretary