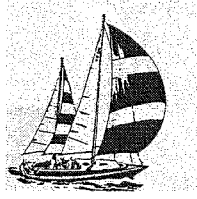


# City of Shoreacres



## NOTICE OF MEETING

Notice is hereby given that a Regular Meeting of the  
**City Council**  
of the City of Shoreacres, Texas, will be held on  
**Monday, October 17, 2016 at 7:00 p.m.**  
in the City Council Chambers on the first floor at City Hall, 601 Shore Acres Blvd.,  
Shoreacres, Texas, at which time the following subjects will be discussed, to wit:

**1.0 CALL TO ORDER / ROLL CALL: Members Present and Absent**

**2.0 PLEDGES OF ALLEGIANCE**

Texas Pledge:

Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

**3.0 SPECIAL PRESENTATIONS**

None.

**4.0 COUNCIL REPORTS & REQUESTS**

None.

**5.0 PUBLIC HEARINGS & PUBLIC COMMENTS**

**5.1 Public Comments**

This is the opportunity for the public to address council or comment on items which appear on the agenda. Time is limited to five minutes per speaker. Comments are to be directed to the city council and dialogue with the audience is not permitted. Councilmembers are prohibited by law from participating in discussion or deliberation of items not specifically identified on this agenda.

**6.0 ADMINISTRATIVE REPORTS**

**6.1 General Activity Report – City Administrator David Stall.**

**7.0 BUSINESS**

**7.1 Consideration and approval of invoices.** <sup>Stall</sup>

**7.2 Reconsideration and approval of Ordinance No. 2016-223 ending the use of a city online message board in accordance with Texas Government Code Sec. 551.006.** <sup>Bowles</sup>

**7.3 Reconsideration and action to adopt by Ordinance No. 2016-227 establishing the General Fund and Utility Fund operating budgets for fiscal year 2015/2016.** <sup>Jennings</sup>

**7.4 Consideration and action to adopt Ordinance No. 2016-228 establishing the 2016 property tax rate for the City of Shoreacres.** <sup>Sanford</sup>

- 7.5 Consideration and action to adopt Ordinance No. 2016-229 amending flood damage prevention regulations for newly installed mechanical and electrical service equipment. <sup>Bowles</sup>
- 7.6 Consideration and action to adopt Ordinance No. 2016-230 prohibiting the misuse or waste of city water; providing for the suspension of water service for waste of city water; providing for the restoration of water service; providing for a penalty for noncompliance. <sup>Bowles</sup>
- 7.7 Consideration and action to adopt Ordinance No. 2016-231 providing for changes in the rate and charge for residential waste collection and disposal service; repealing Ordinance No. 2006-09. <sup>Jennings</sup>

## 8.0 ADJOURNMENT

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Shoreacres, Texas is a true and correct copy of said Notice and that I posted a copy of said Notice on the bulletin board at City Hall on October 13, 2016 at or before 10:00 p.m., at a place convenient and readily accessible to the general public at all times; to remain so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

DATED THIS 13TH DAY OF OCTOBER 2016.



SHOREACRES, TEXAS

BY: \_\_\_\_\_

David K. Stall, CFM, TEM, City Administrator / City Secretary

The City Council of the City of Shoreacres reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultations with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).

**The City Council Chamber is wheelchair accessible and accessible parking spaces are available.**

**Requests for accommodations or interpretive services must be made at least two (2) working days prior to the meeting. Please contact City Office at 281.471.2244 or fax 281.471.8955 for additional information.**

I, the undersigned, do hereby certify that this Notice of Meeting was removed from the City Hall bulletin board at \_\_\_\_\_ AM/PM on \_\_\_\_\_, 2016.

BY: \_\_\_\_\_

**ORDINANCE No. 2016-223  
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SHOREACRES ENDING THE USE OF A CITY ONLINE MESSAGE BOARD IN COMPLIANCE WITH TEXAS GOVERNMENT CODE SEC. 551.006; CONTAINING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

\* \* \* \* \*

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

That, the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct; and,

That the Shoreacres City Code is hereby amended by amending section 2-261 to read as follows:

**Sec. 2-261. City Online Message Board.**

(1) Definitions

- (a) "Online message board" shall mean a commonly used free of charge message board software system capable of running on the city's official website.
- (b) "Governing Body" shall have the same meaning as in Texas Local Government Code Sec. 22.031(b).
- (c) "Users" shall mean all members of the governing body and city staff members authorized by the Mayor.
- (d) "Administrator" shall mean the person or persons designated by the governing body to maintain the city's website.

(2) Except as required by this section, the city shall maintain and operate its online message board in compliance with Texas Government Code Sec. 551.006.

(3) Access and administration

- (a) The administrator shall be responsible for the installation and maintenance of the message board. Maintenance shall include software updates, administering user accounts, and archiving messages. User accounts shall require passwords. User passwords shall only be stored in an encrypted format within the message board software. The administrator shall not modify or delete any posted messages by any user except to archive them as provided within this section.
- (b) Users shall have message board read and write privileges until October 25, 2016. Users shall be denied modification and delete privileges to all

messages posted. Users shall ensure that no one has access to their account other than the user assigned to the account.

- (c) The public shall have read only access to all messages posted by users on the message board.
- (4) All posted messages shall remain visible to the public for a period of no less than 30 days ~~[12 months]~~ from the creation of the message. All messages on the online message board shall be archived on November 25, 2016, and maintained for a period of six years.
- (5) Users shall not post messages where the content may be construed to violate any section of city code.
- (6) The online message board and Internet application shall be removed from the city's official website and the Internet on November 25, 2016.

\* \* \* \*

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this the 13th day of October 2016.

( CITY SEAL )

\_\_\_\_\_  
Kimberly Sanford, Mayor

ATTEST:

\_\_\_\_\_  
David K. Stall, CFM, TEM  
City Secretary

M/2		Yea	Nay	N/V	Absent
	K. Sanford	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
M	R. Bowles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	R. Hoskins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	D. Jennings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Z	J. McKown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Passed / Failed

10.13.16  
David Stall, City Secretary - Date

**ORDINANCE No. 2016-227  
ADOPTION OF THE BUDGET FOR FY-2016/2017**

AN ORDINANCE ADOPTING THE OPERATING BUDGET AND THE CAPITAL BUDGET FOR THE CITY OF SHOREACRES FOR THE FISCAL YEAR COMMENCING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017; AND PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS, in accordance with Texas State Law, the Mayor of the City of Shoreacres as Budget Officer, has prepared and submitted a budget covering the period from October 1, 2016 through September 30, 2017 inclusive; and

WHEREAS, a public hearing regarding the proposed Operating Budget and Capital Budget for FY 2016/2017 was published on the City of Shoreacres' Internet website and in the official city newspaper; and,

WHEREAS, a public hearing regarding the proposed Operating Budget and Capital Budget for FY 2016/2017 was held on October 13, 2016; and

WHEREAS, notice of this meeting, at which the Budget is to be adopted, has also been given in accordance with State Law; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES, STATE OF TEXAS:

**SECTION 1. BUDGET ADOPTED.**

That in the opinion and judgment of the majority of the City of Shoreacres Council Members, as signified by "aye votes," the Proposed Operating Budget and Capital Budget for Fiscal Year 2016/2017 as shown on Attachment "A" to this Ordinance is hereby made a part thereto; by and the same is hereby in all things approved and that same is proper and correct.

**SECTION 2. SEVERABILITY CLAUSE.**

The City Council of the City of Shoreacres hereby declares that if any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid by final judgment of a court of competent jurisdiction, it will not affect the remaining portions of this Ordinance. The City Council declares it would have passed and ordained all the remaining portions of this Ordinance without the inclusion of those portions found to be unconstitutional or invalid.

PASSED, APPROVED AND ADOPTED THIS 13TH DAY OF OCTOBER, 2016.

( CITY SEAL )

\_\_\_\_\_  
Kimberly Sanford, Mayor

Attest:

\_\_\_\_\_  
David K. Stall, CFM, TEM  
City Secretary

M/2		Yea	Nay	N/V	Absent
	K. Sanford	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	R. Bowles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	R. Hoskins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
M	D. Jennings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	J. McKown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Passed / ~~Failed~~

10/13/16  
David Stall, City Secretary - Date

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**ORDINANCE NO. 2016-228**

**AN ORDINANCE ESTABLISHING A PROPERTY TAX RATE OF \$0.781354/\$100 AS PROVIDED FOR UNDER THE TEXAS PROPERTY TAX CODE, PROVIDING FOR THE ASSESSMENT, LEVY, AND COLLECTION OF AD VALOREM TAXES FOR THE CITY OF SHOREACRES, TEXAS, FOR THE YEAR 2016 AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; ESTABLISHING THE DATE WHEN AD VALOREM TAXES BECOME DELINQUENT; PROVIDING FOR CERTAIN EXEMPTIONS; PROVIDING FOR THE RATE OF ASSESSMENT; PROVIDING FOR PENALTY AND INTEREST FOR DELINQUENT TAXES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR A SAVINGS CLAUSE.**

**WHEREAS**, Section 26.05 of the Texas Property Tax Code provides that before the latter of September 30<sup>th</sup> or the 60<sup>th</sup> day after the date the City receives the certified appraisal roll the City Council shall adopt a tax rate for the current tax year; and,

**WHEREAS**, the City received the certified appraisal roll on August 22, 2016;

**WHEREAS**, the City published the 2016 Property Tax Rate Notice for the City of Shoreacres in the Bay Area Observer; and,

**WHEREAS**, the City published the Notice of Tax Revenue Increase on the proposed tax rate of \$0.843000 in the Bay Area Observer, indicating that the two (2) required public hearings on the proposed tax rate would take place on September 29, 2016 and October 10, 2016; and,

**WHEREAS**, the City held the two (2) required public hearings on the proposed tax rate on September 29, 2016 and October 10, 2016; and,

**WHEREAS**, Section 26.05(b)(1) of the State Tax Code requires that certain specific language be Included in the ordinance adopting the tax rate; and,

**WHEREAS**, Section 26.05(b) of the State Tax Code requires that certain specific language be included in the motion to approve the ordinance adopting the tax rate; and,

**WHEREAS**, all notices required by law as a prerequisites to the passage approval, and adoption of a tax rate ordinance have been timely and properly given and held; now therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES,  
TEXAS:**

Section 1. That Ad Valorem property taxes for the year 2016 shall be at the rate of \$0.781354 per ONE HUNDRED AND NO/100 DOLLARS (\$100.00) valuation on all real and personal property located within the Corporate Limits of the City of Shoreacres, Texas, as of January 1, 2016, subject to all exceptions and exemptions provided by the Constitution and Statutes of the State of Texas.

**THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND  
OPERATION THAN LAST YEAR'S TAX RATE.**

Section 2. Of the total tax levied in Section 1, hereof, one hundred percent shall be levied to fund the maintenance and operation expenditures of the City for the year 2016, and zero percent is used for debt service since there is no debt.

Section 3. That all property to be assessed under or in compliance with Section 1 hereby shall be assessed at ONE HUNDRED PERCENT (100%) of the actual market value.

Section 4. All ad valorem taxes levied hereby shall be due and payable on or before January 31, 2017. All ad valorem taxes due the City and not paid on or before January 31<sup>st</sup> following the year for which they were levied shall bear penalty and interest as prescribed in the Property Tax Code of the State of Texas.

Section 5. Persons, married or unmarried, including those living alone, who are under Federal Old Age, Survivors and Disability Insurance or its successors, or married or unmarried persons sixty-five (65) years of age or older, including those living alone, shall be exempt from ad valorem taxes on the first \$40,000 of the market value of the residence homesteads. An eligible disabled person who is sixty-five (65) years of age or older may not receive both exemptions in the same year but may choose either. Exemptions shall be allowed for disabled veterans, as defined by Section 2, of Article VIII of the Constitution of the State of Texas to the maximum extent as allowed thereby. All lands designated as agricultural lands and exempted under the provisions of the Constitution of the State of Texas shall be exempt as provided by law.

Section 6. An ad valorem tax freeze on the homesteads of disabled individuals or individuals age sixty-five or older, which is governed by § 11.261 of the Tax Code, has been established by Ordinance and remains in effect according to the terms set out in those regulations.

Section 7. A delinquent tax incurs a penalty of six percent (6%) of the amount of the tax for the first calendar month it is delinquent plus one percent (1%) for each additional month or portion of a month the tax remains unpaid prior to July 1, 2017. However, a tax delinquent on July 1, 2017, incurs a total penalty of twelve percent (12%) of the amount of the delinquent tax without regard to the number of months the tax has been delinquent. A delinquent tax accrues interest at a rate of one percent (1%) for each month or portion of a month the tax remains unpaid.



Section 8. An additional penalty of twenty percent (20%) of the amount of taxes, penalty, and interest due shall be charged if collection of the same has been placed in the hands of an attorney pursuant to the terms of Section 33.07 and Section 6.30 of the Property Tax Code.

Section 9. This ordinance and the tax levy provided for herein shall become effective upon its passage by a majority vote of council.

Section 10. If any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be adjudicated, invalid, or unconstitutional, or be unenforceable, for any reason, the same shall not affect the validity of the remainder of this Ordinance.

PASSED AND APPROVED this the 17<sup>th</sup> day of October, 2016.

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KIMBERLY SANFORD, Mayor  
City of Shoreacres, Texas

ATTEST:

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DAVID STALL, City Administrator/City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	K. Sanford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Bowles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Hoskins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	D. Jennings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	J. McKown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed

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David Stall, City Secretary - Date

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**ORDINANCE No. 2016-229  
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE AMENDING FLOOD DAMAGE PREVENTION REGULATIONS FOR NEWLY INSTALLED MECHANICAL AND ELECTRICAL SERVICE EQUIPMENT; CONTAINS A SAVINGS CLAUSE; CONTAINING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

\* \* \* \* \*

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

That section 30-43 of the Shoreacres City Code is hereby amended to read as follows:

**Sec. 30-43. - New and replaced mechanical and electrical service equipment.**

A newly installed air conditioning compressor, heat pump, electrical service disconnect, meter pan, meter socket, service tray, or load distribution center (breaker box) shall be installed at or above:

- (a) the design flood elevation; or,
- (b) four (4') above the highest floor.

Exception: An existing load distribution center (breaker box) in a non-substantially damaged structure may be replaced in its pre-existing location without elevating to or above the design flood elevation or four (4') above the highest floor.

\* \* \* \* \*

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this the 24th day of October 2016.

( CITY SEAL )

\_\_\_\_\_  
Kimberly Sanford, Mayor

ATTEST:

\_\_\_\_\_  
David K. Stall, CFM, TEM  
City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	K. Sanford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Bowles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Hoskins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	D. Jennings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	J. McKown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed

\_\_\_\_\_  
David Stall, City Secretary - Date

**ORDINANCE No. 2016-230  
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE PROHIBITING THE MISUSE OR WASTE OF CITY WATER; PROVIDING FOR THE SUSPENSION OF WATER SERVICE FOR WASTE OF CITY WATER; PROVIDING FOR THE RESTORATION OF WATER SERVICE; PROVIDING FOR A PENALTY FOR NONCOMPLIANCE; CONTAINS A SAVINGS CLAUSE; CONTAINING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

\* \* \* \* \*

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

That the Shoreacres City Code is hereby amended by adding a section, to be numbered 66-61, which section reads as follows:

**Section 66-61. Waste or misuse of water prohibited.**

- (a) No person shall recklessly, flagrantly or wantonly misuse or waste, or cause to be misused or wasted, water supplied by the City, or conveyed through the City's water transmission facilities. For purposes of this section, the following are specifically determined to constitute reckless, flagrant or wanton misuse and waste:
- (1) Any irrigation of lawns or plants which, due to excess application of water, results in an excessive and/or prolonged flow of water off the property being irrigated;
  - (2) Use of any plumbing system, irrigation system, connection or fixture, which by reason of misuse, damage, disrepair, inadequate maintenance or dilapidation, wastes City water;
  - (3) Any plumbing system, irrigation system, connection or fixture, which by reason of misuse, damage, disrepair, inadequate maintenance or dilapidation, results in an excessive and/or prolonged flow of water off the property or into the public right-of-way, river, stream, bayou, creek, lake, bay, into a storm drainage system, or into a sanitary sewer system.

That the Shoreacres City Code is hereby amended by adding a section, to be numbered 66-62, which section reads as follows:

**Section 66-62. Preventing waste of water – suspension of water service.**

(a) In order to prevent the waste of water, the city administrator is authorized or his/her authorized designee to suspend water service whenever:

(1) There is visible, excessive, and prolonged flow of water off the property; and, the utility superintendent has certified that the customer's consumption exceeds 1,500 gallons over a period of not less than twenty-four (24) hours and no more than thirty-two (32) hours and provided the written notice required by subsection (b) is issued to the customer; or,

(2) The utility superintendent has certified that the customer's consumption exceeds 100,000 gallons over a period of twenty-one (21) days or less and provided the written notice required by subsection (c) is issued to the customer.

(b) Upon a complaint of waste of water by the visible, excessive, and prolonged flow of water off the property, the utility superintendent shall read the meter and provide a written notice of the complaint to the customer or place such notice at the public entry door of the service location. The notice shall inform the customer of the initial meter reading together with the date and time of the reading and that use in excess of 1,500 gallons over the next twenty-four (24) hours to thirty-two (32) hours may result in suspension of water service.

(c) Upon a finding that the customer's consumption exceeds 100,000 gallons in less than twenty-one (21) days the utility superintendent shall provide a written notice of service suspension to the customer or place such notice at the public entry door of the service location. The notice shall inform the customer of the two meter readings, the date and time of each reading, and the volume of water consumed.

That the Shoreacres City Code is hereby amended by adding a section, to be numbered 66-63, which section reads as follows:

**Section 66-63. Restoration of suspended water service.**

Water service that has been suspended in accordance with Sec. 66-62 shall only be restored (reconnected) upon the customer's payment of a fifty dollar (\$50.00) reconnection fee and payment in-full of any outstanding utility balance due the City on the account.

That the Shoreacres City Code is hereby amended by adding a section, to be numbered 66-64, which section reads as follows:

**Section 66-64. Penalty for noncompliance.**

Users of city water, except for the city, that do not comply with section 66-62 or 66-63 shall be subject to a penalty as provided in section 1-14 for each day of noncompliance.

\* \* \* \*

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this the 17th day of October 2016.

( CITY SEAL )

\_\_\_\_\_  
Kimberly Sanford, Mayor

ATTEST:

\_\_\_\_\_  
David K. Stall, CFM, TEM  
City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	K. Sanford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Bowles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Hoskins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	D. Jennings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	J. McKown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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\_\_\_\_\_  
David Stall, City Secretary - Date

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**ORDINANCE No. 2016-231**

AN ORDINANCE OF THE CITY OF SHOREACRES, TEXAS, PROVIDING FOR CHANGES IN THE RATE AND CHARGE FOR RESIDENTIAL WASTE COLLECTION AND DISPOSAL SERVICE; REPEALING ORDINANCE NO. 2006-09; CONTAINING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING AN EFFECTIVE DATE.

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

That the Shoreacres City Code is hereby amended by adding a section, to be numbered 66-224, which section reads as follows:

**Sec. 66-224. Household waste collection and disposal rate.**

Effective November 1, 2016, household waste collection and disposal rate is \$17.50 per customer per month.

That Ordinance No. 2006-09 (garbage rate) is repealed; and,

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this the 10th day of October 2016.

( CITY SEAL )

ATTEST:

\_\_\_\_\_  
David K. Stall, CFM, TEM  
City Secretary

\_\_\_\_\_  
Kimberly Sanford, Mayor

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	K. Sanford	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Bowles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Hoskins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	D. Jennings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	J. McKown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed

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David Stall, City Secretary - Date

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