

**Ordinance to amend Chapter 55 of the City Code of Ordinances, regarding water contracts for customers located outside city limits but within the city's water service area.**

**Section 1.** That Chapter 55 of the City Code of Ordinances, Section 55-111, titled "Contract requirements where land is partly or wholly beyond city", is revised. The new language is shown in underlined text and the deleted provisions are shown in struck through text, both as follows:

**ARTICLE VIII. WATER SERVICE OUTSIDE CITY**

**Sec. 55-110. Land of applicant must be platted.**

Except as hereinafter provided, every lot, parcel or tract of land outside of the city limits for which application for water service is made to the city must be platted in accordance with the platting ordinance of the city and the final plat thereof duly filed in the Nueces County Plat Records, or in the plat records of any other county where the said property, whether lot, parcel or tract, lies, if not within Nueces County.

*(Code 1958, § 38-61; Ord. No. 11139, § 2, 11-1-1972; Ord. No. 12281, § 2, 9-25-1974)*

**Sec. 55-111. Contract requirements where land is partly or wholly beyond city.**

Prior to construction which includes delivery of city water to any property which lies partly or wholly beyond the corporate limits of the city, an application must be submitted to Development Services Department for a written service contract between the city and all owners and record mortgagees and lienholders of such property shall to be entered into whereby said owners, mortgagees and lienholders agree:

- (1) To construct all improvements on such property in accordance with all city codes and regulations and to obtain all city permits as though said property were inside the city, and
- (2) To allow inspections of all of such construction by duly authorized inspectors or representatives of city departments charged with enforcement of said codes, ~~and~~
- ~~(3) To annex said property with the effective date of such annexation being the date when the property becomes adjacent to the city limits, or will become adjacent to the city limits by any type of simultaneous annexation of other properties or at a later date to be solely determined by the city council.~~

Every such executed contract shall be filed with the city secretary prior to delivery of water by the city and filed of record in the county deed records by the owners, mortgagees and lienholders and shall continue in effect until annexation to the city has been completed.

Provided, however, that neither platting nor such contract shall be required wherever such property to be served is the subject of an industrial district agreement, ~~in excess of five (5) acres and not less than five (5) acres thereof is principally used for port-related industry, which is hereby defined to be a heavy industrial use or activity which generates substantial tonnage through the Port of Corpus Christi, adds value to the product which is processed, would only be allowed inside the city limits of Corpus Christi in Zoning District "I-3", "IH" and provides for itself almost all services normally provided by city.~~ Platting, however, will be required if the tract involved has resulted from a division of land which was legally required to have been platted when such division occurred. At any time when the use of such property is materially changed, as solely and finally determined by the city council, the owners, mortgagees and lienholders, their successors and assigns shall be required to enter into a water service contract within thirty (30) days, containing such additional terms and conditions as the city council may specify, to bring any existing improvements on said property into compliance with all applicable codes within such period of time as the city council deems practicable. As to any improvement, the applicable codes shall be those in effect at the time of commencement of such improvement. In the event such contract is not made within thirty (30) days, city water service shall be terminated by order of the city council.

Upon becoming effective, these provisions shall apply to all new customers outside the city.

Land owned by governmental entities may be excused from the contractual obligation to be platted ~~or annexed~~ as set out in this article, as determined in the discretion of the city council.

*(Code 1958, § 38-62A; Ord. No. 11139, § 2, 11-1-1972; Ord. No. 12281, § 2, 9-25-1974; Ord. No. 14720, § 1, 1-17-1979; Ord. No. 21843, § 1, 1-4-1994)*

**Section 2.** This ordinance takes effect upon date of final City Council approval. Publication shall be provided as required by the City Charter. Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

PASSED AND APPROVED, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Nelda Martinez  
Mayor