

**Ordinance amending Chapter 55 of the Corpus Christi Code to allow one contract for entire subdivision for outside city limit water contracts and allow transfer of water services outside the City limits without a new contract for the same use**

**WHEREAS**, City of Corpus Christi, Department of Development Services, is requesting an ordinance amending the language of Article VIII, Sec 55-113. – City Council approval (OCL water contracts) and Sec 55-114.-Reconnects and Transfers.

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

**SECTION 1.** The Corpus Christi Code of Ordinance, Section 55-113 is amended by adding the following language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as delineated below:

**Sec. 55-113. - City council approval.**

(a) Each contract for water service outside the city limits which includes a new water connection must receive approval by the city council before the contract for such service can become effective. A council approved water contract for a subdivision phase will serve as the governing water contract for all lots wholly within the platted subdivision and will convey with the real property. The conditions of Sec 55-111 apply to all individual properties.

(b) The city manager or his designated representative is hereby authorized to execute water service contracts meeting all of the requirements contained in this article when no additional service connection is involved or the contract is for temporary water service for a period of not more than one (1) year or for consumption of less than ten-acre feet of water during the entire contract term.

**SECTION 2.** The Corpus Christi Code of Ordinance, Section 55-114 is amended by adding the following language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as delineated below:

**Sec. 55-114. - Reconnects and transfers.**

Whenever an existing use outside the city limits is terminated and later sought to be reactivated, or whenever a request is received to transfer an existing tap for a different use outside the city limits from one customer to another, a new contract for service must be executed containing all of the conditions in section 55-111 except that code compliance will only be required for improvements or repairs after the date of execution of such new contract.

Temporary service will be provided upon request of a new customer to property being transferred as long as the applicant has signed the appropriate

service contract and obtains the approval of all other parties within six (6) weeks from the date service is resumed. Failure to provide a fully executed contract will cause such temporary service to be terminated.

**SECTION 3.** If for any reason any section, paragraph, subdivision, sentence, clause, phrase, word, or provision of this Ordinance shall be held to be invalid or unconstitutional by final judgment of a court of competent jurisdiction, such judgment shall not affect any other section, paragraph, subdivision, sentence, clause, phrase, word, or provision of this Ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, sentence, clause, phrase, word, or provision of this Ordinance be given full force and effect for its purpose. The City Council hereby declares that it would have passed this Ordinance, and each section, paragraph, subdivision, sentence, clause, phrase, word, or provision thereof, irrespective of the fact that any one or more sections, paragraphs, subdivisions, sentences, clauses, phrases, words, or provisions be declared invalid or unconstitutional.

**SECTION 4.** Publication shall be made in the City's official publication as required by the City's Charter.

**SECTION 5.** This ordinance is effective immediately upon passage.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote:

Joe McComb	_____	Michael Hunter	_____
Roland Barrera	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette M. Guajardo	_____	Greg Smith	_____
Gil Hernandez	_____		

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_ 2019, by the following vote:

Joe McComb	_____	Michael Hunter	_____
Roland Barrera	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette M. Guajardo	_____	Greg Smith	_____
Gil Hernandez	_____		

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

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

\_\_\_\_\_  
Joe McComb  
Mayor