

ORDINANCE NO. 300

AN ORDINANCE AMENDING CITY OF MAGNOLIA, TEXAS ORDINANCE NO. 239, AS AMENDED, ORIGINALLY ADOPTED THE 13TH DAY OF MAY 1997, BY STRIKING ALL OF SECTION 2.02 THEREOF AND SUBSTITUTING THEREFOR A NEW SECTION 2.02; ADOPTING A SCHEDULE OF FEES FOR NATURAL GAS TAPS; ESTABLISHING BORING FEES; PROVIDING OTHER MATTERS RELATING TO THE SUBJECT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:

Section 1. City of Magnolia, Texas, Ordinance No. 239, as amended, originally adopted the 13th day of May 1997, is hereby amended by striking all of Section 2.02 thereof and substituting therefor a new Section 2.02 to provide as follows:

“2.02 Tap Fees. The following fees shall be collected by the City from the applicant or customer before each connection is made to the City’s natural gas system:

0 to 250 CF/H.....	\$783.00
251 to 450 CF/H.....	\$928.00
451 to 1,300 CF/H.....	\$1,723.00
1,301 to 1,600 CF/H.....	\$1,878.00
1,601 to 3,000 CF/H.....	\$3,018.00

2.02.1 The fee for all taps requiring more than 3,000 CF/H will be set by the City’s Public Works Director, or by any person authorized by the City Council, based on the actual cost of the tap.

2.02.2 If boring under a road or other structure is required, a boring fee of \$15/ft. or \$450, whichever is greater, shall be paid by the customer. When unusual situations exist that require additional costs, the boring fee shall be determined by the City’s Public Works Director, or by any person authorized by the City Council, based on the actual cost of the boring.

2.02.3 Location of Taps and Meters - The City’s Public Works Department shall approve the placement and location of any tap and/or meter, following the submittal of the required applications and payment of all applicable fees, to assure reasonable access for future maintenance and meter reading, and to

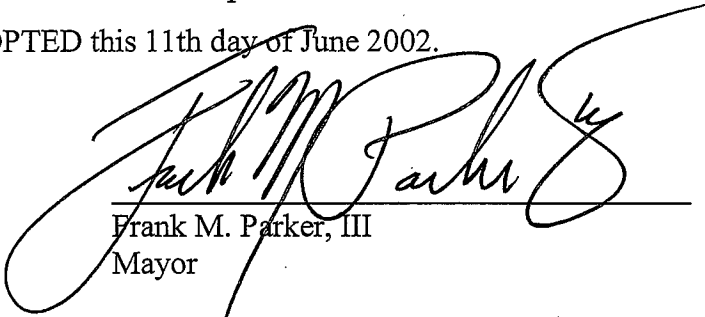
assure economical utilization of public rights-of-way.”

Section 2. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 3. All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

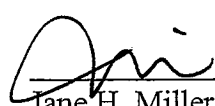
Section 4. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this 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 Magnolia, 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.

PASSED, APPROVED, AND ADOPTED this 11th day of June 2002.



Frank M. Parker, III
Mayor

ATTEST:



Jane H. Miller
City Secretary