

ORDINANCE NO. O-2012-017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, AMENDING CHAPTER 94 "UTILITIES" OF THE CODE OF ORDINANCES OF THE CITY OF MAGNOLIA, TEXAS BY AMENDING SECTION 94-7 OF ARTICLE I; PROVIDING A SEVERABILITY CLAUSE; AND MAKING OTHER PROVISIONS RELATED THERETO.

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WHEREAS, it is deemed in the best interest of the City of Magnolia, Texas for the health, safety and welfare of its citizens that an ordinance be established to regulate the providing of water and sewer utilities ; and

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

Section 1. That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

Section 2. The Code of Ordinances of the City of Magnolia, Texas, is hereby amended by amending Section 94-7 "Returned Checks" of Article I, Chapter 94 to read as follows:

"Article I. In General

Sec. 94-7. Returned Checks.

A processing fee charge of not more than \$35.00 will be made on all returned checks tendered for payments under this chapter to the City that has been dishonored and returned unpaid for non-sufficient funds, a closed account, or any other similar reason. Payment for the amount due on an account and the processing fee must be in the form of cash, cashier's check, or money order."

Section 3. **SEVERABILITY CLAUSE.** That if any provision, word, sentence, paragraph, clause, phrase or section of this Ordinance or its application to any person or circumstances is adjudged or held invalid, void or unconstitutional, the invalid, void or unconstitutional portion shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

Section 4. All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 5. **PUBLICATION.** This ordinance shall take effect when published in the

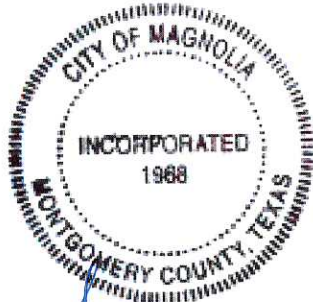
official newspaper of the City of Magnolia as required by Section 52.011 of the Local Government. The City Secretary is directed to publish the caption of this ordinance in the official City newspaper.

Section 6. The City Council finds that a public hearing was properly noticed and held and that notice was posted and the ordinance was passed in accordance with the Open Meetings Act.

PASSED AND APPROVED this 8th day of May, 2012.

THE CITY OF MAGNOLIA

By: [Signature]
Todd Kana, Mayor



ATTEST:

[Signature]
Lynne George, TRMC, CPM, City Secretary

APPROVED:

[Signature]
Leonard Schneider, City Attorney