

ORDINANCE NUMBER 2614-10-2022(Z)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SAN BENITO, CHAPTER 13 (UTILITIES) PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF.

WHEREAS, the City Commission of the City of San Benito has amended the Code of Ordinances to provide streamlined procedures for the both the acceptance of minor plats by the City, and exceptions to certain platting requirements of the City for grandfathered properties; and

WHEREAS, the City Commission of the City of San Benito wishes to amend City Ordinances regarding water connections to make them consistent with City platting requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS:

SECTION 1: That the Code of Ordinances of the City of San Benito 10.01 (Subdivisions) is hereby amended by adding the following sections:

Section 13.04.0622 (a)

- (a) No person shall make any connection with or any opening into any water line of the city without a permit from the city. Before the city may issue a permit for any connection or connections, the property to be served shall first be duly platted and recorded at the county clerk's office by the record owner. No water connection shall be refused solely for failure to comply with platting requirements for Property within the City of San Benito which was divided into its current configuration prior to **February 14, 1995**, and has not had a change in boundaries since such time if the owner can provide proof of such. A recorded property deed dated prior to that date with a metes and bounds or legal description exactly matching the current property would constitute the necessary proof. The City may refuse or disconnect water services for non payment, or where otherwise authorized by state or local law. In the event of divided ownership of a lot or lots, the lot or lots in question shall be duly platted and recorded before any connection is approved. If a record owner of a lot requests more than one (1) water tap, a written assurance shall be filed with the city secretary by the record owner certifying ownership to the entire lot or lots in questions, and certifying further that there is no divided ownership. Nor will there be divided ownership of the lot or lots in question unless there is full compliance with all state and city platting requirements. Under no circumstances shall unplatted property be served or connected unless that property includes at least ten (10) acres in use for agricultural purposes. Any applicant requesting more than one (1) tap for the same lot shall certify in writing that he owns the entire lot and will not sell any part thereof without first complying with state

and city platting requirements. Applications for permits shall be made in writing at the city's water utilities office, on forms prescribed and furnished by the city, by the property owner or his authorized agent; and such application shall give the exact location of the property, the name of the owner, the service charge classification of the premises to be served, the name of the person, firm or corporation employed to do the work of making such connection, and such other information as the city shall prescribe. No connection or connections shall be made upon any property by the city's water utilities department unless there has been full compliance with all plumbing code requirements and all fees have fully paid pursuant to the schedule approved by the city. Each applicant for water service shall sign an application and agree to the following:

- (1) Affirm to the city full compliance with all of the requirements of the city;
- (2) Indicate the lot, block and subdivision to be served; and
- (3) Provide such other information that may be required

FIRST READING of this ordinance before the City Commission of the City of San Benito at its Regular City Commission Meeting on this the 18th day of October, 2022.


PASSED, APPROVED, AND ADOPTED on the Second and Final Reading at a Regular Meeting of the City Commission of the City of San Benito, Texas on this 1st day of November, 2022.

CITY OF SAN BENITO



Honorable Ricardo Guerra
Mayor

ATTEST:



Ruth A. McGinnis
City Secretary

