

ORDINANCE NO. 726

AN ORDINANCE AMENDING SECTION 23-83 "DISCOUNT FOR QUALIFYING SENIOR CITIZENS AND DISABLED PERSONS" OF CHAPTER 23 "WATER, SEWERS AND SEWAGE DISPOSAL" OF THE KENNEDALE CITY CODE, BY EXTENDING DISCOUNT BENEFITS TO A SURVIVING SPOUSE FOR THE REMAINDER OF THE FISCAL YEAR; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas, is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Section 23-83 of the Kennedale City Code sets forth eligibility requirements to receive the senior citizen and disabled person discount; and

WHEREAS, the City Council now desires to extend the discount benefits to a surviving spouse for the remainder of the fiscal year.

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

SECTION 1.

Section 23-83 "Discount for Qualifying Senior Citizens and Disabled Persons" of Chapter 23 "Water, Sewers and Sewage Disposal" of the Kennedale City Code is hereby amended by amending subsection 23-83(3) to read as follows:

- (3) Qualifying senior citizens or disabled individuals may only apply the credit on water rates and sewer charges to one (1) residence in the City of Kennedale. Qualifying senior citizens or disabled individuals must apply and complete an affidavit in order to receive the discount, and must reapply and complete an affidavit every five years from the date of the last accepted application to continue to receive the discount. Should a qualifying spouse become deceased, the surviving spouse will continue to receive the discount until the end of the then current fiscal year, which spans from October to the following September.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances of the City of Kennedale, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

This ordinance shall be in full force and effect after its passage and it is so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, ON THE 20th DAY OF JULY 2021.

APPROVED:



MAYOR LINDA RHODES

ATTEST:



CITY SECRETARY LESLIE E. GALLOWAY



APPROVED AS TO FORM AND LEGALITY:

EFFECTIVE DATE:



CITY ATTORNEY DREW LARKIN


