

ORDINANCE NO. O-26-04

AN ORDINANCE MODIFYING THE FREE WATER OVERAGE BENEFIT FOR QUALIFYING CITY EMPLOYEES, VOLUNTEER FIRE DEPARTMENT MEMBERS, RETIREES, AND CURRENT CITY COUNCIL AND PLANNING AND ZONING MEMBERS; ESTABLISHING A MAXIMUM WATER OVERAGE BENEFIT CAP OF 20,000 GALLONS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS,

The City has historically provided free or waived water overage charges on municipal utility billings to certain city employees and members of the Volunteer Fire Department; and

WHEREAS,

the City Council recognizes the value and service provided by qualifying city employees, Volunteer Fire Department members, retirees, and elected officials; and

WHEREAS,

the City Council desires to continue the water overage benefit for individuals who qualify while establishing a uniform limitation on the amount of water overage eligible for waiver; and

WHEREAS,

the City Council finds that establishing a maximum allowable overage benefit promotes fiscal responsibility and equitable administration of municipal utility services;

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

SECTION 1. DEFINITIONS

For the purposes of this ordinance:

1. **"Free water overage benefit"** means the waiver, credit, or non-billing of water usage charges in excess of standard base usage limits, subject to the limitations established herein.
2. **"City employee"** means any full-time, part-time, or temporary employee of the City who qualifies for the benefit under existing City policy.
3. **"Volunteer Fire Department member"** means any active member of the City's recognized Volunteer Fire Department who qualifies for the benefit under existing City policy.
4. **"Retired with the benefit"** means any former city employee or former Volunteer Fire Department member who retired while receiving the free water overage benefit as part of their retirement status.

5. **"Qualifying individual"** means any person eligible to receive the free water overage benefit pursuant to City policy, retirement status, or this ordinance.

SECTION 2. CONTINUATION OF FREE WATER OVERAGE BENEFIT

The City shall continue providing the free water overage benefit to all qualifying individuals, including:

1. Qualifying city employees;
2. Qualifying members of the Volunteer Fire Department who are in good standing. A member is considered in good standing by attending at least two drills each month.
3. Retirees with the benefit; and
4. Current City Council & Planning and Zoning members during their current term of office.

All benefits provided under this ordinance shall be subject to the limitations set forth in Section 3.

SECTION 3. WATER OVERAGE BENEFIT CAP

Effective upon passage, all free water overage benefits provided by the City shall be capped at a maximum of **20,000 gallons** per billing period.

Any water usage exceeding the 20,000-gallon overage cap shall be billed to the customer at the standard utility rates and policies applicable to the general public.

The City may administer and apply the cap through utility billing procedures and policies as necessary to implement this ordinance.

SECTION 4. NON-TRANSFERABILITY

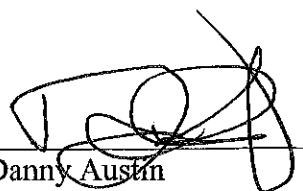
The free water overage benefit authorized under this ordinance shall be non-transferable and shall not extend to spouses, dependents, successors, or any individual not otherwise independently qualified under City policy or this ordinance.

SECTION 5. EFFECTIVE DATE

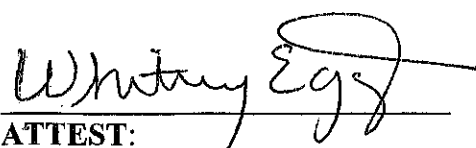
This ordinance shall take effect on June 1, 2026, allowing sufficient time for administrative and billing adjustments. Also that we will revisit it again in two years from today.

SECTION 6. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.



Danny Austin
Mayor



ATTEST:

Whitney Eggleston
City Recorder



CITY COUNCIL VOTE:

Jeanette Atkinson
Josh Munns
Tena Allen
Jim Hall
Angie Johnsen

Yes	☒	No	☐
Yes	☒	No	☐
Yes	☒	No	☐
Yes	☒	No	☐
Yes	☒	No	☐

APPROVED AS TO FORM:



Steve Brooks, City Attorney

