

ORDINANCE NO. 398-96

AN ORDINANCE IMPOSING A LIEN AGAINST THE REAL PROPERTY OF ALL CUSTOMERS PURCHASING UTILITY SERVICE FROM THE CITY OF WILLOW PARK, TEXAS, INCLUDING WATER AND WASTEWATER TREATMENT, WHO FAIL TO PAY FOR SAID SERVICE, AFTER BEING SERVED WITH THIRTY (30) DAYS WRITTEN NOTICE OF THE CITY'S INTENT TO PERFECT SAID LIEN IN THE REAL PROPERTY RECORDS OF PARKER COUNTY, TEXAS. SAID LIEN SHALL NOT APPLY TO HOMESTEAD PROPERTY AS DEFINED IN THE TEXAS STATE CONSTITUTION.

WHEREAS, the City Council for the City of Willow Park, Texas has announced its intent to impose a lien on the real property of all customers of the City's utility services, including water and wastewater treatment, who, after receiving thirty (30) days written notice, continue to not pay for said services. It is expressly understood that said lien does not apply to any category of property owner exempted from such a lien pursuant to Section 402.0025 of the Tex. Loc. Gov. Code.

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

Section 1. Pursuant to Section 402.0025 of the Tex. Loc. Gov. Code, the City of Willow Park shall perfect a lien on the real property of any real property owner that fails to pay for City provided utility services, including but not limited to water and waste water treatment after receiving thirty (30) days written notice of the City's intent to perfect said lien unless the customer pays for said services.

Section 2. Said lien for delinquent utility bills, shall not apply to any category of real property owner specifically exempted from such a lien pursuant to the provisions of Section 402.0025 of the Tex. Loc. Gov. Code, including:

- a. Homestead property;
- b. Property on which service was connected in a tenant's name after notice that the property is rental property;
- c. Property with delinquent bills incurred prior to the effective date of this ordinance;

Section 3. The City of Willow Park's lien for delinquent utility bills shall be perfected by filing in the real property records of Parker County, Texas a notice of lien containing the legal description of the property and the account number for the delinquent charges. Said lien may include penalties, interest, and collection costs.

AND IT IS SO ORDERED.

PASSED AND APPROVED AND ADOPTED by the City Council of the City of Willow Park, Texas this 19 day of November, 1996, by a vote of 5 to 0.

APPROVED:

William J. Clemens

WILLIAM J. CLEMENS, MAYOR
CITY OF WILLOW PARK, TEXAS

ATTEST:

Reba Robertson

REBA ROBERTSON, CITY SECRETARY
CITY OF WILLOW PARK, TEXAS