

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2025-05**

**AN ORDINANCE DELETING ARTICLE V
“NATURAL GAS PIPELINES”, OF CHAPTER 110
“UTILITIES”, OF THE CODE OF ORDINANCES OF
THE CITY OF KERRVILLE, TEXAS; CONTAINING A
CUMULATIVE CLAUSE; CONTAINING A SAVINGS
AND SEVERABILITY CLAUSE; AND PROVIDING
OTHER MATTERS RELATING TO THIS SUBJECT**

WHEREAS, Article V, Chapter 110 of the City’s Code of Ordinances (Code) sets out permitting and fees applicable to pipeline transporters of natural gas within the City; and

WHEREAS, the payment of fees to the City compensates the City for a transporter’s use of City property, in this instance the City’s right of way; and

WHEREAS, state law has changed over the years, such that the Texas Railroad Commission both regulates most aspects of a provider’s transport of natural gas and the fees for use of City property; and

WHEREAS, in addition, the City has authority to enter into franchise agreements with transporters of natural gas, such agreements which establish the fee for use of the City’s property; and

WHEREAS, due to changes in state law and the City’s existing franchise agreement for the use of City property for the placement of natural gas pipelines, Article V, Chapter 110 of the Code is no longer necessary and may be deleted; and

WHEREAS, based upon the information provided above, City Council finds it to be in the public interest to delete Article V, Chapter 110 from the City’s Code of Ordinances;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:**

SECTION ONE. Article V, Chapter 110 of the Code of Ordinances of the City of Kerrville, Texas, is deleted.

SECTION TWO. The City Secretary is authorized and directed to submit this amendment to the publisher of the City’s Code of Ordinances and the publisher is authorized to amend said Code to reflect the amendment adopted herein and to

correct typographical errors and to index, format, and number and letter paragraphs to the existing Code as appropriate.


SECTION THREE. The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.


SECTION FOUR. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

PASSED AND APPROVED ON FIRST READING, this the 11 day of FEBRUARY, A.D., 2025.

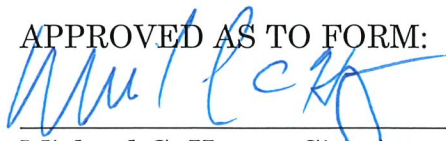
PASSED AND APPROVED ON SECOND AND FINAL READING, this the 25 day of FEBRUARY, A.D., 2025.

ATTEST:


Joe Herring, Jr., Mayor


Shelley McElhannon, City Secretary

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney