

ORDINANCE NO. 2026-04-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING ORDINANCE NO. 2024-12-107 BY AMENDING SECTION 5, ENTITLED “DURATION,” TO EXTEND THE EFFECTIVE DATE OF ORDINANCE NO. 2024-12-107 REGARDING THE CITY OF MCKINNEY’S TEMPORARY CESSATION ON ANY NEW WATER OR WASTEWATER UTILITY LINE CONNECTIONS, THE APPROVAL OR ISSUANCE OF ANY NEW WATER METERS, OR THE CREATION OF ANY NEW RETAIL UTILITY SERVICE ACCOUNTS FOR CERTAIN DESIGNATED CLASSES OF PROPERTIES ALL AS SET FORTH IN SAID ORDINANCE FOR A PERIOD OF ONE (1) ADDITIONAL YEAR; AND PROVIDING FOR ENFORCEMENT, SEVERABILITY, REPEALER, PUBLICATION, AND AN EFFECTIVE DATE

WHEREAS, the City Council of the City of McKinney, Texas, (the “City Council”) as a duly elected legislative body, adopted Ordinance No. 2024-12-107 to address significant water and wastewater service challenges in its extraterritorial jurisdiction (“ETJ”) and areas removed from its ETJ as explained in said Ordinance; and

WHEREAS, the City of McKinney, Texas, (the “City”) has petitioned the Public Utility Commission of the State of Texas (the “PUC”) to decertify portions of its current water and wastewater Certificates of Convenience and Necessity (“CCN”) in Docket No. 56698; and

WHEREAS, the City’s petition for decertification of certain portions of its CCN has not yet been ruled on by PUC; and

WHEREAS, Ordinance No. 2024-12-107 was scheduled to expire on July 1, 2025, however, the expiration date was extended to July 1, 2026, by Ordinance No. 2025-05-032; and

WHEREAS, the City Council hereby determines that the initial duration of Ordinance No. 2024-12-107, as extended by Ordinance No. 2025-05-032, is insufficient for the satisfaction of the cessation’s stated purpose, and desires to extend the cessation for an additional period of time as provided herein; and

WHEREAS, the City Council finds that the enactment of this Ordinance to extend Ordinance No. 2024-12-107 is directly related to the immediate preservation of the public peace, health, safety, and welfare.

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

Section 1. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this Ordinance as if set forth in their entirety.

Section 2. AMENDMENT TO SECTION 5 OF ORDINANCE NO. 2024-12-107

From and after the effective date of this Ordinance, Section 5, entitled “Duration,” is hereby deleted in its entirety and replaced with a new Section 5 also entitled “Duration” to read as follows:

“Section 5. DURATION

The duration of this temporary cessation shall be valid until the earlier of a final, non-appealable decision by the PUC or December 31, 2026.”

Section 3. NO OTHER CHANGES

Except as specifically amended herein, all provisions of Ordinance No. 2024-12-107 shall remain unchanged and in full force and effect and exist as if set forth herein in their entirety.

Section 4. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary cessation is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City’s right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

Section 5. REPEALER CLAUSE

All ordinances, orders, or resolutions heretofore passed and adopted by the City Council of the City of McKinney, Texas, are hereby repealed to the extent that said ordinances, orders, or resolutions, or parts thereof, conflict with this Ordinance.

Section 6. SAVINGS CLAUSE

All rights and remedies of the City of McKinney, Texas are expressly saved as to any and all violations of the provisions of any ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 7. PUBLICATION OF CAPTION

The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney.

Section 8. SEVERABILITY CLAUSE

The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and this Ordinance shall become effective from and after the date of its final passage and provided by law.

Section 9. EFFECTIVE DATE

This Ordinance shall become effective immediately upon passage by the City Council.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 21ST DAY OF APRIL 2026.

CITY OF MCKINNEY, TEXAS

BILL COX, Mayor
GERÉ FELTUS, Mayor Pro Tem

CORRECTLY ENROLLED:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL PARCHMAN, Deputy City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER, City Attorney
BENJAMIN SAMPLES, First Assistant City Attorney
ALAN LATHROM, Assistant City Attorney