

ORDINANCE NO. 2020-_____

AN ORDINANCE AMENDING CHAPTER 130, ARTICLE III, SECTIONS 130-56 AND 130-57, CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS, TEXAS TO PROVIDE FOR UPWARD ADJUSTMENTS OF ELECTRIC RATES AND CHARGES FOR FISCAL YEAR 2022 AND FISCAL YEAR 2023; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; CONTAINING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of New Braunfels, Texas (the "City"), owns and operates by and through New Braunfels Utilities its own electric system in accordance with the laws of the State of Texas and the charter of said City; and

WHEREAS, the Council of the City of New Braunfels has heretofore established an ordinance providing for assessment and collection of electric rates and which ordinance has been codified as Chapter 130, Article III, Code of Ordinances of the City; and

WHEREAS, Sections 130-56 and 130-57 of the Code of Ordinances of the City require an update when rates are changed; and

WHEREAS, the New Braunfels Utilities staff has recommended new electric rates and charges for fiscal year 2022 and fiscal year 2023; and

WHEREAS, the New Braunfels Utilities staff has presented the updated rates and rate design to City Council in a workshop held on October 5, 2020; and

WHEREAS, in order to change the electric rates, it is now necessary and advisable that Sections 130-56 and 130-57, Article III, Code of Ordinances, as heretofore established by ordinance, be amended; and

WHEREAS, the City Council of the City retains the power to consider an additional adjustment of NBU's rates at any time.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1.

THAT, the findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2.

THAT, Sections 130-56 and 130-57, Chapter 130, Article III, New Braunfels Code of Ordinances, as heretofore established by ordinance, be and hereby are amended to upwardly adjust the electric rates and charges noted below in Table 1 on the dates and in the amounts indicated in Table 2 with no further action by the City Council of New Braunfels, Texas or by New Braunfels Utilities:

Table 1: Rates and Charges		
Ordinance Section Reference	Customer Class	Charges Affected
130-56.(c)(4)a.	Residential	Customer charge, per month
130-56.(c)(4)b.	Residential	Delivery charge, per kWh
130-56.(d)(4)a.	Small general service (SGS)	Customer charge, per month
130-56.(d)(4)b.	Small general service (SGS)	Delivery charge, per kWh
130-56.(e)(4)a.	Large general service (LGS)	Customer charge, per month
130-56.(e)(4)b.	Large general service (LGS)	Delivery demand charge, per kW
130-56.(f)(4)a.	Very large power (VLP)	Customer charge, per month
130-56.(f)(4)b.	Very large power (VLP)	Delivery demand charge, per kW
130-56.(g)(4)c.	Transmission (TSR)	Power supply charges
130-56.(i)(3)a.	Lighting athletic fields (LAF)	Customer charge
130-56.(i)(3)b.	Lighting athletic fields (LAF)	Delivery demand charge, per kWh
130-56.(j)(4)a.	Area lighting (AL)	Monthly rates, per lamp per month
130-56.(k)(4)	Second feeder service (SFS)	Monthly rates, per contract kW per month
130-56.(l)(4)a.	Net metering service	Customer charge, per month
130-56.(l)(4)b.	Net metering service	Delivery charge, per kWh
130-56.(m)(2)a.	Interstate highway lighting (HL)	Customer charge, per month
130-57.(c)	Power factor penalty	Monthly rate, per kW

Table 2: Effective Date and Rate Adjustments	
Effective Date	Rate Adjustment
August 1, 2021	five percent (5%) upward adjustment of the rates in effect on July 31, 2021
August 1, 2022	ten percent (10%) upward adjustment of the rates in effect on July 31, 2022

SECTION 3.

THAT, Sections 130-56 and 130-57, Chapter 130, Article III, New Braunfels Code of Ordinances, as heretofore established by ordinance, be and hereby are amended in the following section with deleted language signified by strikethrough font and new language signified by underlined font below:

Sec. 130-56. - Electric rates.

- (a) Service rate classifications. All electric service supplied by NBU shall be designated by the following classifications with descriptions, rates and conditions of sale as indicated further in this article:
 - (1) Residential (RE);
 - (2) Small general service (SGS);
 - (3) Large general service (LGS);
 - (4) Very large power-distribution (VLP-D);
 - (5) Transmission service rate (TSR);
 - (6) Experimental electric rate (EER);
 - (7) Lighting athletic fields (LAF);
 - (8) Area lighting rate (AL);
 - (9) Second feeder service (SFS);
 - (10) Net metering (NM); and
 - (11) Interstate highway lighting rate (HL).
- (b) Upon application for service, NBU shall make the initial determination of the customer's service rate classification, which classification is subject to change in accordance with the provisions of this article.
- (c) Residential service rate (RE).
 - (1) *Availability.* The residential rate (RE) is available in the electric service area of NBU under the rules, regulations, and policies as provided for in this article, at the rates set forth in this section.
 - (2) *Applicability.* The residential rate is applicable for electric service used solely for residential purposes, and related activities, consisting of service to single-family dwellings or individually metered multifamily dwellings. Where two residential units are billed through one meter, the customer charge shall be doubled. Where more than two residential units or apartments are billed through one meter, the applicable general service rate shall be used.

This rate shall not be applicable for service to a residence also used for nonresidential purposes, including but not limited to boardinghouses, barbershops, beauty shops, general contractors, storing equipment or building materials on the property, child care centers, retail businesses, restaurants, technical repair services, professional services offered to the public on the premises, and other similar nonresidential activities. If the wiring is so arranged that the service for residential purposes and that for commercial purposes are separately metered, this rate is applicable to the service supplied for residential purposes.
 - (3) *Service conditions.* The service furnished under this section shall be nominal 120/240 volt single-phase, 60-hertz, three-wire. Other service voltages may, under certain specific conditions, be furnished with the approval of the CEO.
 - (4) *Monthly rates.* Monthly residential service rates are as follows:

- a. Customer charge, per month\$14.77 (subject to subsection (n))
- b. Delivery charge, per kWh0.0129 (subject to subsection (n))
- c. Cost of power charge:
 - October—May billing period, per kWh0.0452
 - June—September billing period, per kWh0.0552
- d. Minimum monthly bill. The minimum monthly bill shall be the customer charge plus any special charges or adjustments.

(d) Small general service rate (SGS).

- (1) *Availability.* The small general service rate (SGS) is available in the electric service area of NBU under the rules, regulations, and policies as provided for in this article, at the rates set forth in this section.
- (2) *Applicability.* The small general service rate is applicable for electric service to all nonresidential establishments, or where a residence is also used for nonresidential purposes and billed through one meter, or where the nonresidential part of a residence is separately metered from the part solely residential, or where three or more residential units are billed through one meter, and use does not exceed 25 kilowatt demand.
- (3) *Service conditions.* The service furnished under this section shall be nominal 120/240 volt single-phase, 60-hertz, three-wire; or 120/208 volt three-phase, 60-hertz, four-wire; or 120/240 volt three-phase, 60-hertz, three-wire or four-wire; or 277/480 volt three-phase, 60-hertz, four-wire.
- (4) *Monthly rates.* Monthly rates for small general service are as follows:
 - a. Customer charge, per month\$20.00 (subject to subsection (n))
 - b. Delivery charge, per kWh0.008317 (subject to subsection (n))
 - c. Cost of power charge:
 - October—May billing period, per kWh0.0452
 - June—September billing period, per kWh0.0552
 - d. Minimum monthly bill. The minimum monthly bill shall be the customer charge plus any special charges or adjustments.
- (5) *Determination of metered kW demand.* The customer's kW demand may be measured when the customer's monthly energy consumption exceeds 3,000 kilowatt hours, and/or where customer's total connected load exceeds 25 kilowatts in motors and other inductive-type equipment. Measurement shall be by maximum 15-minute demand. If after measurement it is determined that the customer's monthly demand has exceeded 25 kilowatts, the customer shall be charged for kW billing demand under the appropriate rate class schedule.

(e) Large general service rate (LGS).

- (1) *Availability.* The large general service rate (LGS) is available in the electric service area of NBU under the rules, regulations, and policies as provided for in this article, at the rates set forth in this section.
- (2) *Applicability.* The large general service rate is applicable for electric service to all nonresidential establishments, or where a residence is also used for nonresidential purposes and billed through one meter, or where the part of a residence is separately metered from the part solely residential, or where three or more residential units are billed through one meter, and use exceeds a maximum 15-minute measured demand of 25 kilowatts during two billing periods for the June through September billing periods or for any four billing periods over a 12-month

period, but does not exceed an estimated or measured 1,000 kilowatt, maximum 15-minute measured demand during two billing periods.

When a customer is reclassified to the LGS rate from another rate schedule, the customer may not change to another rate within a 12-month period unless there is a substantial change in the character or conditions of service. A customer may request reclassification to another rate only after fulfilling all obligations of this rate.

- (3) *Service conditions.* The service furnished under this section shall be nominal 120/240 volt single-phase, 60-hertz, three-wire; or 120/208 volt three-phase, 60-hertz, four-wire; 120/240 volt three-phase, 60-hertz, three-wire or four-wire; or 277/480 volt, three-phase, 60-hertz, four-wire; or 7200/12470 volt, three-phase, 60-hertz, four-wire.
 - (4) *Monthly rate.* The monthly rates for large general service are as follows:
 - a. Customer charge: \$30.00—3,937.50 per month determined by installed kVA aggregated per customer as follows, subject to subsection (n):
 - Greater than 12,999 kVA, per month\$3,937.50
 - Less than 13,000 kVA and greater than 7,999 kVA, per month3,150.00
 - Less than 8,000 kVA and greater than 3,999 kVA, per month2,362.50
 - Less than 4,000 kVA and greater than 2,999 kVA, per month1,575.00
 - Less than 3,000 kVA and greater than 1,999 kVA, per month1,050.00
 - Less than 2,000 kVA and greater than 1,499 kVA, per month525.00
 - Less than 1,500 kVA and greater than 750 kVA, per month315.00
 - Less than 751 kVA and greater than 500 kVA, per month236.25
 - Less than 501 kVA and greater than 300 kVA, per month183.75
 - Less than 301 kVA and greater than 150 kVA, per month105.00
 - Less than 151 kVA, per month31.50
 - b. Delivery demand charge: \$4.62 per kW billing demand per month (subject to subsection (n))
 - c. Cost of power charge:
 - October—May billing period, per kWh0.0400
 - June—September billing period, per kWh0.0500
 - Power supply demand charge, per kW billing demand per month1.15
 - d. Minimum monthly bill. The minimum monthly bill shall be the customer charge plus any special charges or adjustments.
 - (5) *Determination of billing kW demand.* The billing kW demand shall be the highest measured kW demand established in any 15-minute demand interval during the current month.
- (f) Very large power distribution rate (VLP-D).
- (1) *Availability.* Very large power-distribution service (VLP-D) shall be available, as approved by the board of trustees, in the electric service area of NBU under the rules, regulations, and policies as provided for in this article, at the rates set forth in this section.

- (2) *Applicability.* The very large power-distribution rate is applicable for electric service when the measured kW demand exceeds 1,000 kilowatts during a 15-minute demand interval during two billing periods over a 12-month period.
- (3) *Service conditions.* The service furnished under this section shall be nominal 277/480 volt, three-phase, 60-hertz, four-wire; or 7200/12470 volt, three-phase, 60-hertz, four-wire.
- (4) *Monthly rate.* The monthly rates for very large power-distribution service are as follows:
- a. Customer charge: \$30.00—3,871.88 per month determined by installed kVA aggregated per customer as follows, subject to subsection (n):
 - Greater than 12,999 kVA, per month\$3,871.88
 - Less than 13,000 kVA and greater than 7,999 kVA, per month3,097.50
 - Less than 8,000 kVA and greater than 3,999 kVA, per month2,323.13
 - Less than 4,000 kVA and greater than 2,999 kVA, per month1,548.75
 - Less than 3,000 kVA and greater than 1,999 kVA, per month1,032.50
 - Less than 2,000 kVA and greater than 1,499 kVA, per month516.25
 - Less than 1,500 kVA and greater than 750 kVA, per month309.75
 - Less than 751 kVA and greater than 500 kVA, per month232.31
 - Less than 501 kVA and greater than 300 kVA, per month180.69
 - Less than 301 kVA and greater than 150 kVA, per month103.25
 - Less than 151 kVA, per month30.98
 - b. Delivery demand charge: \$2.79 per kW billing demand per month (subject to subsection (n))
 - c. Cost of power charge:
 - October—May billing period, per kWh0.0400
 - June—September billing period, per kWh0.0500
 - Power supply demand charge per KW billing demand, per month1.15
 - d. Minimum monthly bill. The minimum monthly bill shall be the customer charge plus any special charges or adjustments. The minimum monthly bill will not include the power factor penalty for the first six months to any new customer to this rate class.
- (5) *Determination of billing kW demand.* The kW billing demand shall be the highest measured kW demand established in any 15-minute period during the current month or 75 percent of the highest 15-minute kW demand in any of the preceding 11 months, but not less than 1,000 kW.
- (g) Transmission service rate (TSR).
- (1) *Availability.* Transmission service rate (TSR) shall be available, as approved by the board of trustees, in the electric service area of the New Braunfels Utilities under the rules, regulations, and policies as established by New Braunfels Utilities, which are subject to change from time to time, and as provided for in this article, at the rates set forth in this section.
 - (2) *Applicability.* The transmission service rate is applicable only for electric service to customers which require transmission level service (operated at 60 kilovolts, or above) at each specifically

identified individual service location and which meet all of the service conditions provided in this article.

- (3) *Service conditions.* The transmission service rate is available in accordance with terms, conditions and rates established by NBU and reviewed by the board of trustees of NBU.
 - (4) *Monthly rates.* The monthly charge for transmission service shall be the sum of the following:
 - a. ERCOT charges: The actual fees and rates for ERCOT transmission service as approved by the Public Utility Commission of Texas.
 - b. Local transformation, metering and miscellaneous charges.
 - c. Power supply charges: The monthly power supply charge shall be the total power supply costs as they are incurred by New Braunfels Utilities. Such costs shall include, but are not limited to, costs for purchasing, scheduling, coordinating, and providing capacity and energy to the customer, subject to subsection (n). Such power supply charges and power supply costs are subject to New Braunfels Utilities Board of Trustees Competitive Matters Resolution.
- (h) Experimental electric rate (EER).
- (1) *Applicability.* The experimental rate shall be applicable to customers in any rate class groups at times selected by NBU. The time period for which the experimental rate may apply shall not exceed two years. At any time, the number of customers affected by the experimental rate shall not exceed one percent of the total number of customers served by NBU.
 - (2) *Purpose.* The purpose of the experimental rate is to aid in design of new rates. NBU shall have the authority to initiate or discontinue the experimental rate at NBU's discretion.
 - (3) *Selection.* The methods and criteria for selection for rate class groups to be used for the experimental rate shall be chosen and defined by NBU. Participation in the experimental rate by customers shall be on a voluntary basis.
- (i) Lighting athletic fields (LAF).
- (1) *Applicability.* Service will be supplied through a single point of delivery and shall be used for lighting of outdoor athletic fields and facilities used exclusively in conjunction with athletic events on these fields.
 - (2) *Service.* Single or three-phase service at the voltage of the available primary distribution lines of NBU (primary), or at the secondary voltage of transformation facilities supplied from NBU's distribution system (secondary).
 - (3) *Monthly rate.* Monthly athletic field rates are as follows:
 - a. Customer charge. (Customer charge is) \$30.00—3,750.00 per month determined by installed kVA aggregated per customer as follows, subject to subsection (n):
 - Greater than 12,999 kVA, per month\$3,750.00
 - Less than 13,000 kVA and greater than 7,999 kVA, per month3,000.00
 - Less than 8,000 kVA and greater than 3,999 kVA, per month2,250.00
 - Less than 4,000 kVA and greater than 2,999 kVA, per month1,500.00
 - Less than 3,000 kVA and greater than 1,999 kVA, per month1,000.00
 - Less than 2,000 kVA and greater than 1,499 kVA, per month500.00
 - Less than 1,500 kVA and greater than 750 kVA, per month300.00
 - Less than 751 kVA and greater than 500 kVA, per month225.00

Less than 501 kVA and greater than 300 kVA, per month175.00

Less than 301 kVA and greater than 150 kVA, per month100.00

Less than 151 kVA, per month30.00

b. Delivery demand charge: \$0.0415 per kWh (subject to subsection (n))

c. Cost of power charge:

October—May billing period, per kWh0.0452

June—September billing period, per kWh0.0552

d. Minimum monthly bill. The minimum monthly bill shall be the customer charge plus any special charges or adjustments.

(j) Area lighting rate (AL).

(1) *Availability.* The area lighting rate (AL) is available in the electric service area of NBU under the rules, regulations, and policies as provided for in this article, at the rates set forth in this section. Service under this tariff is subject to connection charges contained in the NBU Electrical Connection Policy.

(2) *Applicability.* The area lighting rate is applicable for electric service for pole mounted area security lighting near NBU's electric distribution lines.

(3) *Service conditions.* The service furnished under this section shall be nominal 120/240 volt single phase, 60-hertz, three wire. Other service voltages may, under certain specific conditions, be furnished with the approval of the CEO.

(4) *Monthly rates.* Monthly area lighting rates are as follows:

a. \$10.00 per lamp per month (subject to subsection (n)).

b. Minimum monthly bill. The minimum monthly bill shall be the charge per lamp plus any special charges or adjustments.

(k) Second feeder service rate (SFS).

(1) *Availability.* The second feeder service rate (SFS) is available in the electric service area of NBU under the rules, regulations, and policies as provided for in this article, at the rates set forth in this section, provided NBU agrees that such service can be feasibly and economically provided by NBU. Service under this tariff is subject to connection charges and specifications contained in New Braunfels Utilities Electrical Connection Policy.

(2) *Applicability.* The second feeder service rate is applicable only for electric service to customers in LGS and VLP rate classes which require reserve capacity on a second distribution feeder at a specifically identified individual service location and which meet all of the service conditions provided in this article.

(3) *Service conditions.* Second feeder service is the reservation of capacity on a second feeder in order to provide redundant feeder capacity and provide the capability to automatically transfer the customer's total load from a primary feeder to an alternate second feeder.

a. Service will be provided only by long-term contract approved by the board of trustees of New Braunfels Utilities. This long-term contract will establish, in addition to other terms and conditions, the amount of capacity reserved on a second feeder for a customer and the adjustment of minimum reserve capacity permitted under this rate.

b. Second feeder service does not guarantee continuous service availability and may be interrupted for maintenance activities or when necessary for operational or emergency reasons.

- c. Where appropriate, the customer will be required to maintain appropriate load balancing as determined by NBU.

- (4) *Monthly rates.* Capacity reservation charge, per contract kW per month\$3.18 (subject to subsection (n))

(l) Net metering service rate.

- (1) *Availability.* The net metering service rate is available in the electric service area of NBU under the rules, regulations, and policies as provided for in this article, at the rates set forth in this section. Service under this rate may be subject to additional connection charges and specifications contained in New Braunfels Utilities Electrical Connection Policy.

- (2) *Applicability.* The net metering service rate is available to residential customers and small general service customers with grid connected solar or wind generation of ten kilowatts or less where the customer's load profile exceeds the generating capacity.

- (3) *Service conditions.* Service will be provided only by contract approved by the board of trustees of New Braunfels Utilities. Any power generated by the customer may be used to offset the amount of power purchased from NBU. NBU will not purchase excess generation.

- (4) *Monthly rates.* Monthly net metering service rates are as follows:

- a. *Customer charge, per month.* As specified in the appropriate RE or SGS rate (subject to subsection (n)).

- b. *Delivery charge, per kWh.* As specified in the appropriate RE or SGS rate (subject to subsection (n)) plus a fixed cost per type of installed kW as shown below:

Residential (RE) solar\$1.37

Residential (RE) wind0.64

Small general service (SGS) solar0.75

Small general service (SGS) wind0.35

- c. *Cost of power charge.*

October—May billing period, per kWh. As defined in the appropriate RE or SGS rate.

June—September billing period, per kWh. As defined in the appropriate RE or SGS rate.

- d. *Minimum monthly bill.* The minimum monthly bill shall be the customer charge plus the delivery charge per installed kW of generation, and any special charges or adjustments.

- (5) *Determination of delivery charge kWh.* Customer's monthly delivery charge kWh shall equal the customer's kWh purchased from NBU less any kWh generated into the NBU delivery system, but never less than zero.

- (6) *Determination of power charge kWh.* Customer's monthly power charge kWh shall equal the actual kWh purchased from NBU.

(m) Interstate highway lighting rate (HL).

- (1) *Applicability.* The interstate highway lighting rate (HL) is applicable for electric service for pole mounted interstate highway lighting located in the electric service area of New Braunfels Utilities, but within the corporate limits or extra-territorial jurisdiction of another municipality, pursuant to the terms and conditions of a contract between that municipality and New Braunfels Utilities and at the rates set forth in this section.

- (2) *Monthly rate.* Monthly interstate highway lighting rates are as follows:

- a. Customer charge, per month\$15.00 (subject to subsection (n))

- b. Cost of power charge.

October—May billing period, per kWh0.0452

June—September billing period, per kWh0.0552

- (3) *Minimum monthly bill.* The minimum monthly bill shall be the customer charge plus any special charges or adjustments.
- (n) *Electric rate escalation.* The rates and charges for electric services noted below in Table 1 shall increase on the dates and in the amounts indicated in Table 2:

Table 1: Rates and Charges		
Ordinance Section Reference	Customer Class	Charges Affected
130-56.(c)(4)a.	Residential	Customer charge, per month
130-56.(c)(4)b.	Residential	Delivery charge, per kWh
130-56.(d)(4)a.	Small general service (SGS)	Customer charge, per month
130-56.(d)(4)b.	Small general service (SGS)	Delivery charge, per kWh
130-56.(e)(4)a.	Large general service (LGS)	Customer charge, per month
130-56.(e)(4)b.	Large general service (LGS)	Delivery demand charge, per kW
130-56.(f)(4)a.	Very large power (VLP)	Customer charge, per month
130-56.(f)(4)b.	Very large power (VLP)	Delivery demand charge, per kW
130-56.(g)(4)c.	Transmission (TSR)	Power supply charges
130-56.(i)(3)a.	Lighting athletic fields (LAF)	Customer charge
130-56.(i)(3)b.	Lighting athletic fields (LAF)	Delivery demand charge, per kWh
130-56.(j)(4)a.	Area lighting (AL)	Monthly rates, per lamp per month
130-56.(k)(4)	Second feeder service (SFS)	Monthly rates, per contract kW per month
130-56.(l)(4)a.	Net metering service	Customer charge, per month
130-56.(l)(4)b.	Net metering service	Delivery charge, per kWh
130-56.(m)(2)a.	Interstate highway lighting (HL)	Customer charge, per month
130-57.(c)	Power factor penalty	Monthly rate, per kW

Table 2: Effective Date and Rate Adjustments	
Effective Date	Rate Adjustment
August 1, 2021	five percent (5%) upward adjustment of the rates in effect on July 31, 2021
August 1, 2022	ten percent (10%) upward adjustment of the rates in effect on July 31, 2022

NBU is directed to provide updates to City Council and the NBU Board on NBU's financial status. City Council retains the power to consider a review of NBU's rates at any time.

Sec. 130-57. - Power factor penalty.

- (a) NBU shall assess a power factor penalty on all customers if the necessary equipment for determining power factor is installed and operational and if the measured power factor during the non-coincident peak kW demand is less than 0.95.
- (b) The power factor penalty shall be calculated by increasing the measured billing demand such that the adjusted billing demand and measured kVAR yield a calculated power factor of 0.95. If the measured power factor is 0.95 or greater, the billing kW demand shall be the kW demand in accordance with the appropriate rate schedule. Any additional metering equipment necessary to measure or compute kVAR or power factor may be installed at any demand metered customer, without notice, at the discretion of NBU.
- (c) *Monthly rate.* Power factor penalty, per kW: \$2.065, subject to Section 130-56, subsection (n).

SECTION 4.

THAT, this ordinance shall be and is hereby declared to be cumulative to all other ordinances of the City of New Braunfels relating to electric rates, and same shall not operate to repeal or affect any such ordinance or ordinances except insofar as the provisions of such ordinance or ordinances are inconsistent or in conflict with the provisions of this ordinance, in which instance or instances those provisions shall be and they are hereby repealed.

SECTION 5.

THAT, if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6.

THAT, this ordinance shall be effective on November 1, 2020.

SECTION 7.

PASSED AND APPROVED: First Reading this 12th day of October 2020.

PASSED AND APPROVED: Second Reading this 26th day of October 2020.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

ANDREW A. LYONS III, Assistant City Secretary

APPROVED AS TO FORM:

VALERIA ACEVEDO, City Attorney