

ORDINANCE NO. 2016-01-25C

(Repeals and Replaces Ordinance 2016-01-25)

AN ORDINANCE OF THE CITY OF ROSEBUD, TEXAS, PROVIDING FOR AN INCREASE IN TAP FEES; AN INCREASE IN WATER AND SEWER SERVICE AND USAGE RATES; AND PROVIDING FOR LIMITED RELATED WATER AND SEWER SERVICE UTILITY POLICIES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the provision of water services for the residents of the City of Rosebud, Texas (the "City") is necessary for the public health of the citizens and the protection of the environment and natural resources of the City;

WHEREAS, the City provides, or causes to be provided, water and sewer services to all residences and businesses within and to some customers located outside the City;

WHEREAS, the City recognizes a need to increase water and sewer service rates to users of the City of Rosebud municipal water and wastewater system in order to enhance, protect, preserve, and maintain the City's water and wastewater facilities and system in order to maintain the same quality of service; to establish reasonable and necessary rates considering the size and amount of water and wastewater services provided by the City to its water and wastewater service customers; and to mitigate loss of budgeted revenues; and

WHEREAS, it is reasonable and necessary that the City increase tap fees, water utility rates and sewer service rates related to the provision of water and wastewater service to defray the costs of providing such services;

WHEREAS, the City Council considered and adopted Ordinance No. 2016-01-25 on January 25, 2016, the City Council intends to repeal Ordinance No. 2016-01-25 in its entirety and to approve and adopt this Ordinance,

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

Section 1. Authority. This ordinance is adopted pursuant to the police powers and authority given general law cities by the constitution, codes and general laws of the State of Texas, including but not limited to Chaps. 51 and 552, Tex. Loc. Gov't. Code, and Chapter 13 of the Texas Water Code.

Section 2. Purpose. The purpose of this ordinance is to provide for public health and general welfare, the efficient and effective provision of City services and the protection of the environment and natural resources of the community. From and after the passage of this ordinance all residential, business, commercial and industrial occupancies and uses within the City and to areas outside the City within its service area shall conform to the following rules and regulations.

Section 3. Findings of Fact. The foregoing findings and recitations set out in the preamble of this Ordinance are found to be true and correct and that they are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 4. Tap Fees; Miscellaneous Fees. The following fees shall be collected from each applicant for water service:

(a) The following tap fees shall be collected as applicable from the applicant before the water system tap or connection to the City's water system is made:

Tap Fees

Standard "Residential" Connection	
3/4" by 5/8" water tap	\$375.00
Nonstandard 1" water tap	\$450.00
Nonstandard 2" water tap	\$550.00
Other Nonstandard water tap	\$550.00 plus cost of materials

(b) Transfer of Service and Reconnection Fees.

- (i) Transfer of service fee is \$25.00
- (ii) Reconnection of Service fee is \$50.00

Section 5. Rates For Water Service. The following rates, fees and charges shall be charged and paid for water services within the City:

(a) Minimum Monthly Water Service Delivery Rate Within the City. Residential and business or commercial water service customers located within the City limits shall be charged the applicable minimum monthly rate per meter established herein as long as such meter is active, whether the customer actually uses the services or not; provided that, if the meter is removed or locked at customer's request, no minimum charge for service shall be assessed. In addition to other fees, a minimum monthly fee shall be assessed for meters of the following size at the rate indicated:

Minimum Monthly Charge - Water:

5/8" and 3/4" Meter Connection	\$24.00
1" Meter Connection	\$60.00
1 1/2" Meter Connection	\$120.00
2" Meter Connection	\$192.00
2 1/2" Meter Connection	\$289.00

3" Meter Connection	\$361.00
4" Meter Connection	\$602.00
6" Meter Connection	\$1,205.00
8" Meter Connection	\$1,928.00
10" Meter Connection	\$2,772.00

(b) Minimum Monthly Water Service Delivery Rate Outside the City Limits. Residential and business or commercial water service customers located outside the City limits shall be charged the applicable minimum monthly rate per meter established herein as long as such meter is active, whether the customer actually uses the services or not; provided that, if meter is removed or locked at customer's request, no minimum charge for service shall be assessed. In addition to other fees, a minimum monthly fee shall be assessed for meters of the following size at the rate indicated:

Minimum Monthly Charge – Water (Outside the City Limits):

5/8" and 3/4" Meter Connection	\$34.00
1" Meter Connection	\$70.00
1 1/2" Meter Connection	\$130.00
2" Meter Connection	\$202.00
2 1/2" Meter Connection	\$299.00
3" Meter Connection	\$371.00
4" Meter Connection	\$612.00
6" Meter Connection	\$1,215.00
8" Meter Connection	\$1,938.00
10" Meter Connection	\$2,782.00

(c) Water Usage Rate. The following monthly water usage rates will be charged for all residential water service customers and business or commercial water service customers for water service provided by the City.

Water Usage Rate:

First 1,000 gallons to 3,999 gallons	\$2.00 per 1000 gallons
4,000 gallons to 5,999 gallons	\$2.25 per 1000 gallons
6,000 gallons to 9,999 gallons	\$2.50 per 1000 gallons
10,000 gallons to 14,999 gallons	\$4.00 per 1000 gallons
15,000 gallons and above	\$5.50 per 1000 gallons

(d) Bulk Treated Water Usage Rates. The following rates apply to the usage of bulk treated water.

0-50,000 gallons	\$5.50 per gallon
50,000 to 100,000 gallons	\$4.75 per gallon
100,001 and over	\$4.25 per gallon

Section 6. Rates For Sewer/Wastewater Service. The following rates, fees and charges shall be charged and paid for sewer services provided to all customers located within the City and to all customers located outside the City limits:

(a) Sewer Tap fees: Sewer tap fees are \$500.00 plus the cost of materials.

(b) Minimum Monthly Sewer/Wastewater Service Charge. All wastewater and sewer service customers, to include residential customers, business or commercial customers both within and outside the City limits, shall be charged a minimum monthly rate based upon the size of the customer's water service meter as established herein as long as such water service meter is active, whether the customer actually uses the services or not; provided that, if the meter is removed or locked at customer's request, no minimum charge for service shall be assessed. In addition to other fees, the minimum monthly sewer and wastewater service charge shall be at the rate indicated:

Minimum Monthly Charge – Sewer:

5/8" and 3/4" Meter Connection	\$24.00
1" Meter Connection	\$60.00
1 1/2" Meter Connection	\$120.00
2" Meter Connection	\$192.00
2 1/2" Meter Connection	\$289.00
3" Meter Connection	\$361.00
4" Meter Connection	\$602.00
6" Meter Connection	\$1,205.00
8" Meter Connection	\$1,928.00
10" Meter Connection	\$2,772.00

(c) Minimum Monthly Sewer/Wastewater Service Delivery Rate. The following monthly wastewater usage rates, shall apply to all sewer service customers, to include residential customers, business or commercial customers both within and outside the City limits; wastewater or sewer service usage rates shall be based upon water usage as determined by averaging as set forth in subsection (d) of this section. The rates set forth in this subsection below shall be based upon each 1,000 gallons of water metered and the proportionate amount of any part thereof (divided equally by number of users on tap):

Wastewater Usage Rate:

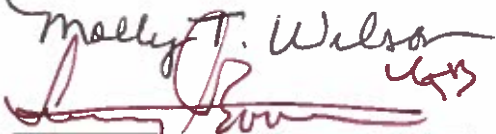
First 1000 gallons to 3,999 gallons	\$2.00 Per 1,000 gallons
4000 gallons to 5,999 gallons	\$2.25 Per 1,000 gallons
6,000 gallons to 9,999 gallons	\$2.50 Per 1,000 gallons
10,000 gallons to 14,999 gallons	\$3.00 Per 1,000 gallons
15,000 gallons to 19,999 gallons	\$4.00 Per 1,000 gallons
20,000 gallons and up	\$5.50 Per 1,000 gallons

(d) Basis of Wastewater or Sewer Service Billing. Usage rates for wastewater service shall be based upon average water use per customer connection by averaging water usage.


Section 12. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED on this the 11th day of April 2016.

ATTEST:


Molly Trezise Wilson, City Secretary

CITY OF ROSEBUD, TEXAS


Larry G. Boone, Mayor
City of Rosebud, Texas

