

**ORDINANCE NO. 2017 -1114-1**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BULLARD, TEXAS AMENDING THE BULLARD, TEXAS, CODE OF ORDINANCES, CHAPTER 34 - UTILITIES TO INCREASE WATER AND SEWER RATES BASED ON FINDINGS OF A PROFESSIONAL RATE STUDY AND ON REVIEW BY A CITIZEN COMMITTEE, AND INCREASE CERTAIN UTILITY FEES OF THE BULLARD CITY CODE BEGINNING JANUARY 1, 2018; PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, it was necessary to set and adopt a Water and Sewage Rate in order to allow the City of Bullard to carry out the maintenance and operation of the Water and Sewage System of the City of Bullard; and,

**WHEREAS**, it was, and is in the public interest and welfare of the Citizens of the City to adopt such Water and Sewage rates for the purposes of carrying out the maintenance and operation of the City of Bullard Water and Sewage System; and

**WHEREAS**, the City Council finds due to a professional rate study conducted by Steven Mindt, Texas Rural Water Association and reviewed by a citizen committee and staff, that in order to properly carry out the maintenance and operation of the City of Bullard Water and Sewage System for the benefit of the Citizens of the City that it is necessary to amend Sec. 34-Utilities of the Bullard City Code of Ordinances to increase water and sewer rates and certain fees;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BULLARD, SMITH COUNTY, TEXAS, THAT**

**SECTION I.**

**RATES AND FEES FOR WATER AND SEWER USERS SUPPLIED BY THE CITY OF BULLARD WATER UTILITY SYSTEM IS ADOPTED, COMMENCING WITH BILLING FOR WATER, SEWER AND FEES USED ON OR AFTER THE 1<sup>st</sup> DAY OF JANUARY, 2018, AND THE BULLARD, TEXAS, CODE OF ORDINANCES IS AMENDED AS FOLLOWS:**

**Sec. 34-40. General Provisions.**

(c) A deposit of \$100.00 for residential users and \$200.00 for commercial users shall be made with each such application, this sum to be retained by the City to insure payment of all bills. When service to the applicant is discontinued permanently this deposit, less any amount still due the City for services shall be refunded without interest.

(k) A fee of \$20.00 shall be charged for transfer of service.

(i) Upon application, bulk water may be obtained from the City of Bullard at a rate of \$10.00 per 1,000 gallons. When volume or extended use is necessary, a fire

hydrant meter lease is available from the City with a deposit of \$1,200 and at the rate of \$10.00 per 1,000 gallons used. Deposit will be refunded, less final amount owed for water.

Sec. 34-41. Meters and rates.

(d) A ten percent late charge shall be added to each unpaid bill after 15 days from the date the bill is rendered and mailed by the City to the customer. The minimum monthly rate shall be \$22.95 for water for residential and commercial customers and the minimum monthly rate shall be \$20.00 for residential sewer and \$18.00 for commercial sewer.

(f) The water supply may be shut off from any premises for which the utility bill remains unpaid for a period of 25 days after the bill is rendered and mailed. A bill shall include in addition to meter rates any other unpaid charges or fees provided for in this article. When shut off, the water shall not be turned on except upon the payment of the usual fee for turning on the service and all past due bills and fees. The reconnect for nonpayment is \$30.00. The after-hours reconnect for nonpayment is an additional \$30.00 (total of \$60.00).

Sec. 34-71. Authorization for adjustments in billing and water loss.

(a) Adjustments for the billing or billings for water consumption based upon a water loss resulting from a leak or leaks in any portion of the water distribution system or plumbing on or within the users property may be made no more than one time per calendar year.

(b) Any customer who receives a water bill for any given billing period that is unusually large and in excess of the amount of water usage for the same period in the calendar year next preceding the later loss, may request an adjustment of the bill in the manner provided in this section; provided, that for any given customer, only one such excessive bill may be adjusted under this section during one calendar year. In order to request such an adjustment, the customer shall file an application for the adjustment on a form furnished by the Utility Official. The application form shall contain a statement setting forth an understanding that the application is a government record subject to criminal prosecution for false statements under Chapter 37 of the Texas Penal Code (V.T.C.A., Penal Code Chapter 37), and the customer shall state that the application contains no false statements. The application shall identify the bill and briefly state:

Sec. 24-233 Water Rates.

Water rates for residential water users is set and charged according to the following schedule:

MINIMUM RATE 0-1,900 gallons consumption-----	\$22.95	
2000 TO 4,900 GALLONS	\$4.50 THOUSAND	PER
5000 TO 9,900 GALLONS	\$5.00 THOUSAND	PER
10,000 GALLONS PLUS	\$5.50 PER THOUSAND	

Water rates for commercial water users is set and charged according to the following schedule:

MINIMUM RATE BEFORE ANY WATER CONSUMPTION-----	\$22.95	
1000 TO 1,900 GALLONS	\$6.50 THOUSAND	PER
2000 TO 6,900 GALLONS	\$7.50 THOUSAND	PER
7,000 TO 9,900 GALLONS	\$8.00 THOUSAND	PER
10,000 TO 19,900 GALLONS	\$8.25 THOUSAND	PER
20,000 TO 29,000 GALLONS	\$8.50 THOUSAND	PER
OVER 30,000 GALLONS CONSUMPTION	\$9.00 THOUSAND	PER

#### **Sec. 34-234. - Sewer rates.**

The sewer rates are set and charged according to the following schedule:

- (1) Each City sewer system customer shall be charged a minimum rate of \$20.00 for residential customers and \$18.00 for commercial customers whether or not any water consumption is recorded;
- (2) The consumption as recorded;
- (3) The sewer rate for all usage over 1,000 gallons shall be charged at \$3.10 per 1,000 gallons for residential customers and \$6.50 per 1,000 gallons for commercial customers.

## **SECTION II.**

**SEVERABILITY CLAUSE:** That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

### **SECTION III.**

**PENALTY.** That any person, firm or corporation violating any of the provisions of this Ordinance shall be punished by a fine as set out in the City of Bullard Code of Ordinances.

This Ordinance shall take effect from and after its passage and publication as required by law.

Passed and approved this 14<sup>th</sup> day of November, 2017.

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**PAM FREDERICK, MAYOR**

**ATTEST:**

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**DORIS CROCKETT, CITY SECRETARY**