

ORDINANCE 22-23-38

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF REDWATER, TEXAS AMENDING ORDINANCE 18-23-36, SPECIFICALLY SECTION 3(A), 3(C), 3(D), SECTION 8, SECTION 9, AND SECTION 11; INCREASING CERTAIN FEES; PRESCRIBING THE RATES TO BE CHARGED FOR SERVICES FURNISHED BY THE WATER AND SEWER SYSTEM OWNED AND OPERATED BY SAID CITY; DECLARING ALL ORDINANCES IN CONFLICT AMENDED; PROVIDING FOR THE IMMEDIATE PASSAGE OF THIS ORDINANCE; AND DECLARING THAT SHOULD ANY PART OF THIS ORDINANCE BE INVALID SUCH INVALIDITY WILL NOT AFFECT THE REMAINDER OF THIS ORDINANCE

WHEREAS, the City Council of the City of Redwater, Texas ("City") has determined that certain rates for water and sewer services provided by the City to its residents must be adequate to provide for the debt service of the City's water and sewer system, for the operation and maintenance expenses of the water and sewer system, for the upgrading of the system, and for the contribution to support implementation of a regional system; and

WHEREAS, it is the desire of the City Council to set forth water and sewer rates which are sufficient to provide for payment of all outstanding indebtedness relating to the City's water and sewer system, including the Certificates of Obligation owned by the FmHa and First Bank, to provide for the operation and maintenance expenses of the water and sewer system, to provide funds for upgrading the system, and to provide support for the implementation of a regional system; and

WHEREAS, the City Council has reviewed Ordinance No. 18-23-36, passed and approved on February 11, 2019, and proposes that such ordinance should be updated increasing fees §3(A), 3(C), 3(D), §8, §9, and §11.

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

Section 1. That the above recitals are true and correct.

Section 2. That from and after the effective date of this ordinance the following rules and regulations shall apply and govern with respect to the adding of new or adding to existing water and sewer lines:

(A) Persons desiring to connect new lines to the water or sewer systems must have permission from the City and the site must be inspected for service by the Superintendent before work begins. The Superintendent will also inspect the work before it is covered up. The City will do the tap of the water or sewer main. Owners/developers of new housing subdivisions will be required to pay for the lines, valves, meters, fire hydrants, and line taps, including parts and labor. Owners/developers of new housing/subdivisions will enter into a written agreement with the City before water and sewer service is connected. This agreement will state explicitly the location, size, and specifications for all water and sewer lines, valves, meters, and fire hydrants to be installed (Texas Local Government Code 402.001)

(B) Persons desiring to add to their or the City's existing water and sewer lines must have permission from the City and must state their intentions before work begins. The site must be inspected

for service by the City's Public Works Director, and the work must be inspected by the City's Public Works Director before it is covered up. The City will do the tap of the water or sewer main. Anyone wishing to extend the lines will be required to pay for the lines, valves, meters, fire hydrants, and line taps, including parts and labor, and comply with the City's specifications (Texas Local Government Code 402.001).

(C) Dual water connections: There shall be no more than two water connections to one water meter allowed in the Redwater Water System and this situation will only be allowed under the following conditions:

- (1) A temporary residence is connected to a water line serving a permanent residence.
- (2) A permanent residence is connected to a water line serving a temporary residence.
- (3) A temporary residence is connected to a water line serving a temporary residence.
- (4) A permanent residence is connected to a water line serving a permanent residence and the relationship between residents is parent/child.

In all situations, the owner of the water meter shall be responsible for the entire billing. The billing shall be for two minimums plus water usage. The City shall not be responsible for low water pressure, and will not accept complaints concerning the same. No dual connections will be made without prior approval of and inspection by Redwater Water and Sewer personnel. In keeping with good water management practices, two meters will be installed as soon as it is economically feasible and practicable.

(D) Irrigation Systems. The following conditions apply to irrigation systems connected to the City's water system:

- (1) The City does not require a separate meter for installation of irrigation systems.
- (2) A one inch meter is recommended, but not required, if the same meter will be serving a residence AND an irrigation system. There is an additional charge for the one inch meter.
- (3) Customers must purchase backflow preventers - these are required on irrigation systems. Any irrigation system connected to the City's water supply that has no backflow preventer or an improperly functioning backflow preventer will have service disconnected immediately. Service will only be restored upon successful and proper installation of a fully functioning backflow preventer.
- (4) If the customer chooses to install a separate meter to supply the irrigation system, said meter will incur all fees that pertain to water taps, deposits, inspections, fees, and water usage stated in Section 3 of this Ordinance.
- (5) If the customer calls City Hall and requests that the meter be turned off during months of no usage, the meter will be locked and no minimum charge will be assessed during those months. If the customer doesn't alert the City to lock the meter, the minimum charge will be assessed monthly even if the irrigation system is not in use.
- (6) If only one meter is used to service the residence and the irrigation system, sewer charges will NOT be removed for water used for irrigation purposes. Charges for sewer will be based on the total amount of water usage, as stated in Section 3 of this Ordinance.

Section 3. The rates to be charged for water and sewer service by the City of Redwater, Texas shall be computed as follows:

(A) Tapping fees:

Water – Residential or Commercial, Inside or Outside City Limits	\$1,450.00
Sewer – Residential or Commercial, Inside or Outside City Limits	\$600.00

(B) Customer water tap fees will be waived if:

- (1) A developer is installing main water lines, AND
- (2) A developer has contracted to have multiple meters installed as a part of the main water line installation. The contractor must be approved by the City. Tap fee for the original tap into the existing main line is NOT waived, and is to be performed by city personnel only. The water taps performed by the contractor must be inspected by the Public Works Director. An inspection fee of Fifty (\$50.00) shall be charged for the services of the Public Works Director for each inspection. The inspections may be done all at one time or by sections. The tapping fee for sewer is NOT waived.

(C) Connection fees:

Existing tap and/or meter already in place	\$40.00
Site of new building or renovation has taken place	\$75.00

- (D) Utility (water & sewer) deposits will be required on all accounts. Said deposit shall be retained by the City until such time as service is disconnected; after which time, such deposit shall be refunded to the customer. In the event that the customer has an outstanding balance owed to the City, the City shall apply the deposit to the amount owed and refund the amount of the deposit remaining. No interest shall be paid on such deposits. Deposit amounts are as follows:

Residential – Customer owns home	\$150.00
Residential – Customer rents home	\$300.00
Commercial	\$400.00

- (E) The monthly water rate amount and its effective date to be charged by the City for water furnished to Residential users within the City Limits shall be established, as follows:

Water – Residential Inside	Effective Feb. 1, 2019	Effective Feb. 1, 2022
Minimum Charge (0-2,000 gallons)	\$35.50	37.50
Volumetric Charge (2,001-5,000 gallons)	\$5.40 per 1,000 gal	\$6.40 per 1,000 gal
Volumetric Charge (5,001-10,000 gallons)	\$5.90 per 1,000 gal	\$6.90 per 1,000 gal
Volumetric Charge (10,001+ gallons)	\$6.40 per 1,000 gal	\$7.40 per 1,000 gal

- (F) The monthly water rate amount and its effective date to be charged by the City for water furnished to Residential users outside the City Limits shall be established, as follows:

Water – Residential Outside	Effective Feb. 1, 2019	Effective Feb. 1, 2022
Minimum Charge (0-2,000 gallons)	\$35.50	37.50
Volumetric Charge (2,001-5,000 gallons)	\$5.40 per 1,000 gal	\$6.40 per 1,000 gal
Volumetric Charge (5,001-10,000 gallons)	\$5.90 per 1,000 gal	\$6.90 per 1,000 gal
Volumetric Charge (10,001+ gallons)	\$6.40 per 1,000 gal	\$7.40 per 1,000 gal

(G) The monthly sewer rate amount and its effective date to be charged by the City for furnishing sewer service to Residential users inside the City Limits, based upon the quantity of water used, up to a maximum of 15,000 gallons per connection per month, shall be established, as follows:

Sewer – Residential Inside	Effective Feb. 1, 2019	Effective Feb. 1, 2022
Minimum Charge (0-2,000 gallons)	\$16.50	\$18.50
Volumetric Charge (2,001-15,000 gallons)	\$4.50 per 1,000 gal	\$5.50 per 1,000 gal

(H) The monthly sewer rate amount and its effective date to be charged by the City for furnishing sewer service to Residential users outside the City Limits, based upon the quantity of water used, up to a maximum of 15,000 gallons per connection per month, shall be established, as follows:

Sewer – Residential Outside	Effective Feb. 1, 2019	Effective Feb. 1, 2022
Minimum Charge (0-2,000 gallons)	\$19.00	\$21.00
Volumetric Charge (2,001-15,000 gallons)	\$5.00 per 1,000 gal	\$6.00 per 1,000 gal

(I) The monthly water rate amount and its effective date to be charged by the City for water furnished to Commercial users shall be established, as follows:

Water – Commercial	Effective Feb. 1, 2019	Effective Feb. 1, 2022
Minimum Charge (0-2,000 gallons)	\$38.00	40.00
Volumetric Charge (2,001-5,000 gallons)	\$5.80 per 1,000 gal	\$6.80 per 1,000 gal
Volumetric Charge (5,001-10,000 gallons)	\$6.20 per 1,000 gal	\$7.20 per 1,000 gal
Volumetric Charge (10,001+ gallons)	\$6.60 per 1,000 gal	\$7.60 per 1,000 gal

(J) The monthly sewer rate amount and its effective date to be charged by the City for furnishing sewer service to a Commercial user, based upon quantity of water used per month, shall be established, as follows:

Sewer – Commercial	Effective Feb. 1, 2019	Effective Feb. 1, 2022
Minimum Charge (0-2,000 gallons)	\$18.50	\$20.50
Volumetric Charge (2,001+ gallons)	\$4.75 per 1,000 gal	\$5.75 per 1,000 gal

(K) The monthly rate for water and sewer services furnished by the City to all apartment complexes, mobile home parks, and other multi-family dwellings served by a single water meter shall be the same rate for each dwelling unit occupied during that month that is used to calculate residential water and sewer charges for a single family dwelling.

Section 4. The City of Redwater water system shall be operated on a fully metered system and charges shall be based on monthly readings. Should any meter fail to register correctly, the amount of water used by a customer since the previous reading, the City of Redwater shall have the right to determine the amount due by the moving average of previous usage and shall bill the customer accordingly.

Section 5. The City shall render a bill for water and sewer on or about the 22nd day of each month. Said bill shall be rendered following the automatic or manual reading of the meters by an employee or other person acting on behalf of the City. Meter readings will take place on or about the 15th of each month.

Section 6. The City shall charge all customers the full and normal fee for water and sewer services received from the City. The City shall not allow any free service from its water and sewer system.

Section 7. All bills for water and sewer services rendered by the City shall be due and payable from the date on which mailed.

Section 8. If any bill for water and sewer service rendered by the City is not paid by the due date stated on said bill (the 7th of the month, or the following day if the 7th falls on a weekend or holiday), a late fee will be added thereto. In the event any bill for water and sewer service is not paid by the monthly established shut-off day (the 21st of the month, or the following day if the 21st falls on a weekend or holiday), a shut-off fee shall be added and the water supply to such customer shall be turned off and shall not be turned on again until all fees, in addition to the entire balance owed, have been paid. The shut-off fee will be assessed whether or not service is actually, physically turned off before payment is received. Penalties for untimely payments or non-payment are as follows:

Late Fee	10% of billed balance
Shut-Off Fee	\$40.00

Section 9. Tampering. After a water meter has been turned off for non-payment of water and sewer bill, if the City finds that the lock has been removed or service has been reconnected to the customer without the City's approval and without payment of the overdue bill, the City may charge a tampering fee for endangering public health and safety (Texas Health and Safety Code 341.033-b), and the meter may be removed. If the meter is removed, before the meter will be reinstalled, the customer will be required to pay:

- Any and all unpaid bills
- The late fee
- The shut-off fee
- A lock charge
- Meter reinstallation fee
- The tampering fee
- And the cost of damages caused by the customer, plus any other costs incurred in removing or reinstalling the meter

Fees related to meter tampering are as follows:

Late Fee	10% of billed balance
Shut-Off Fee	\$40.00
Lock Charge	\$10.00
Meter Reinstallation Fee	\$50.00
Tampering Fee	\$50.00 / \$250.00

Section 10. Anyone who turns on the water service or takes water from the City water supply, without the approval of the City, may be turned over to the proper authority for prosecution.

Section 11. Other fees:

Manually re-reading a meter if original reading was NOT in error	\$5.00
Manually re-reading a meter if original reading WAS in error	No Charge
Fee for returned check or returned auto draft	\$45.00

Section 12. Anyone who wishes to be connected to City sewer service must also be hooked to the City water service. This does not apply to anyone who, before March 2006, was already on City sewer but not on City water.

Section 13. The City shall charge the water customer the cost of supplies when the City must replace a damaged or missing node, meter box, or lid more than once for the same customer.

Section 14. This Ordinance and all of its sections and rates set above shall be effective from and after October 19, 2022, as ordered by Ordinance No. 22-23-38, and by which process is prescribed by Ordinance No. 22-23-38, and shall continue until modified by the City Council of the City of Redwater, Texas.

Section 15. All ordinances or parts of Ordinances in conflict herewith are hereby expressly repealed to the extent of such conflict.

Section 16. In case a section, clause, sentence of part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not effect, impair, or invalidate the remainder of this Ordinance.

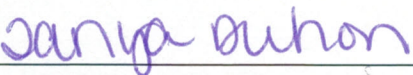
Section 17. This Ordinance shall be in full force and effect from and after its passage and approval, and it is so ordained.

Increasing fees in Section 3(A), 3(C), 3(D), Section 8, Section 9, and Section 11 only, were passed and approved this the 10th day of October, 2022. The remainder of the contents of this Ordinance remain the same as the previous version of this ordinance, Ord. No. 18-23-36.



Clay Parker, Mayor

Attest:



Tanya Duhon, City Secretary

