

ORDINANCE #09-2019

WATER AND SEWER RATES

AN ORDINANCE OF THE CITY OF COMANCHE, TEXAS, AMENDING ORDINANCE #13-2018, ESTABLISHING WATER RATES; PENALTY AND LATE CHARGES; DISCONNECTION FEES; RECHECKING OF METER FEE; TRANSFER FEES; INSUFFICIENT CHECK FEES; DAMAGE TO METER FEES; WATER RATE TO COMANCHE COUNTY WATER SUPPLY COOPERATION; FEES FOR SERVICE OUTSIDE THE CITY LIMITS; SEWER RATE; NON CITY WATER USERS OF SEWER; DISCONNECTION FEE; LIMITATION; REQUIREMENTS FOR WATER/SEWER SERVICE; WATER AND SEWER DEPOSIT FEES; WATER AND SEWER TAP INSTALLATION FEES; PROVIDING FOR THE REPEALING OF ORDINANCE NO 08-2017; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMANCHE, TEXAS:

SECTION 1 - WATER RATES

THE MONTHLY WATER RATES OR CHARGES TO BE CHARGED BY THE CITY FOR TREATED WATER FURNISHED BY THE CITY OF COMANCHE, TEXAS, TO ITS CUSTOMERS IN THE CITY SHALL BE AS FOLLOWS;

A. RESIDENTIAL

0 – 2,000	GALLONS	\$30.98 MINIMUM
2,000 – 10,000	GALLONS	\$9.35 PER ADDITIONAL THOUSAND
10,000 AND OVER	GALLONS	\$10.48 PER ADDITIONAL THOUSAND

B. COMMERCIAL

0 – 2,000	GALLONS	\$31.29 MINIMUM
2,000 – 10,000	GALLONS	\$9.44 PER ADDITIONAL THOUSAND
10,000 AND OVER	GALLONS	\$10.58 PER ADDITIONAL THOUSAND

C. COMANCHE COUNTY WATER DISTRICT

NO TIER	GALLONS	\$7.73 PER THOUSAND
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D. CONSTRUCTION

0 – 2,000	GALLONS	\$31.58 MINIMUM
2,000 – 10,000	GALLONS	\$9.53 PER ADDITIONAL THOUSAND
10,000 AND OVER	GALLONS	\$10.68 PER ADDITIONAL THOUSAND

E. PENALTY AND LATE CHARGES

1. A PENALTY OF 10% OF THE ACCOUNT BALANCE WILL BE ASSESSED A CUSTOMER OF THE CITY OF COMANCHE UTILITY DEPARTMENT, IF PAYMENT OF SAID CUSTOMER'S UTILITY BILL IS NOT RECEIVED BY THE 15TH OF EACH MONTH FOR THE CURRENT BILL. IF THE 15TH FALLS ON A WEEKEND OR A HOLIDAY, THE BILL WILL NEED TO BE PAID BY 5 P.M. OF THE NEXT WORKING DAY FOLLOWING THE WEEKEND OR HOLIDAY.

E. PENALTY AND LATE CHARGES-continued

2. ANY ELDERLY INDIVIDUAL (OVER 60 YRS OLD) MAY REQUEST A DEFERMENT OF BILL PAYMENT UNTIL THE 25th OF THE MONTH WITH NO PENALTY TO BE ASSESSED. THIS REQUEST MUST BE MADE BY THE ACCOUNTHOLDER WHO IS OVER 60 YRS OLD, AND IS JUST A DEFERRMENT OF PAYMENT, NOT A CHANGE IN DUE DATE OR ANY OTHER CHANGE TO THE REMAINDER OF THE ORDINANCE. THIS REQUEST DOES NOT INVALIDATE ANY DISCONNECTION FOR PAST DUE AMOUNTS FROM THE PREVIOUS MONTHS.

F. OTHER FEES AND CHARGES

1. DISCONNECTION

ALL BILLS FOR WATER SERVICES RENDERED BY THE CITY OF COMANCHE, TEXAS, SHALL BE BILLED REGULARLY BY THE CITY OF COMANCHE. SUCH BILLS SHALL BE PAYABLE BETWEEN THE 1ST AND THE 15TH DAY OF EACH MONTH. ALL ACCOUNTS HAVING A BALANCE AT 5:00 P.M. ON THE 20TH DAY OF THE CURRENT MONTH SHALL BE DISCONNECTED, AND THE CUSTOMER SHALL PAY A LATE FEE OF FIFTY DOLLARS (\$50.00) BEFORE 5:00P.M. ON WEEKDAYS. IF A CUSTOMER HAS HAD THEIR SERVICE DISCONNECTED, A LATE FEE OF SEVENTY-FIVE DOLLARS (\$75.00) WILL BE CHARGED FOR SERVICE AFTER 5:00 P.M. ON WEEKDAYS, WEEKENDS, AND HOLIDAYS. IF THE 20TH FALLS ON A WEEKEND OR A HOLIDAY, THE BILL WILL NEED TO BE PAID BY 5:00 P.M. OF THE NEXT WORKING DAY FOLLOWING THE WEEKEND OR HOLIDAY, TO AVOID DISCONNECTION. IN THE EVENT OF SERVICE BEING DISCONNECTED, AND THE ACCOUNT BALANCE IS STILL NEGATIVE BY THE 25TH DAY OF THE MONTH, THE UTILITY DEPOSIT SHALL BE APPLIED TO THE FINAL BILL. IN ORDER TO REGAIN SERVICE, A NEW DEPOSIT AND ANY PAST DUE AMOUNT WILL HAVE TO BE PAID BEFORE SERVICE WILL BE RESTORED.

2. RECHECKING OF METERS

IF A CUSTOMER REQUESTS THAT HIS/HER METER BE RECHECKED TWO (2) MONTHS IN A ROW, THERE SHALL BE A CHARGE OF TWENTY-FIVE (\$25.00) DOLLARS CHARGED TO SAID CUSTOMER IF IT IS DETERMINED BY THE CITY THAT THE METER IS IN WORKING ORDER AND REGISTERING CORRECTLY.

3. TRANSFERS

EACH CONSUMER THAT DESIRES TO HAVE AN EXISTING WATER SERVICE ACCOUNT TRANSFERRED TO A NEW ADDRESS WILL BE REQUIRED TO PAY A NONREFUNDABLE WATER SERVICE SETUP CHARGE IN THE AMOUNT OF THIRTY (\$30.00) DOLLARS, PLUS ALL BILLS PAID UP TO DATE PRIOR TO TRANSFER.

4. INSUFFICIENT CHECKS, AUTO-DRAFT PAYMENTS, AND ELECTRONIC CHECKS

A FEE OF THIRTY-FIVE (\$35.00) DOLLARS WILL BE CHARGED FOR COLLECTION OF AN INSUFFICIENT CHECK, AUTO DRAFT OR ELECTRONIC (Hamer) CHECK PAYABLE TO THE CITY OF COMANCHE.

IN THE EVENT OF AN INSUFFICIENT CHECK, AUTO-DRAFT, OR ELECTRONIC CHECK, PAYMENT TO ANY OF THE CITY OF COMANCHE DEPARTMENTS, THE CITY OF COMANCHE WILL DISCONNECT SERVICES WITHOUT NOTICE DUE TO THE INSUFFICIENT CHECK, AUTO-DRAFT OR ELECTRONIC CHECK CONSTITUING NON-PAYMENT. IF THE CHECK, AUTO-DRAFT OR ELECTRONIC CHECK IS STILL OUTSTANDING AFTER TEN (10) DAYS, THE ACCOUNT WILL BE FINALIZED (CLOSED) AND YOUR UTILITY DEPOSIT WILL BE APPLIED TO PAY FOR THE INSUFFICIENT CHECK, AUTO-DRAFT, ELECTRONIC CHECK AND THE RETURNED PAYMENT CHARGES. ANY REMAINING FUNDS WILL BE APPLIED TO THE FINAL BILL OR REFUNDED TO THE CUSTOMER.

5. DAMAGE TO METERS AND/OR VALVES

FEES WILL BE CHARGED TO A CONSUMER OF THE CITY OF COMANCHE UTILITY DEPARTMENT WHEN IT HAS BEEN DETERMINED THAT SAID CONSUMER WAS RESPONSIBLE FOR DAMAGE TO THE METER AND/OR CUT-OFF VALVE OF SAID CONSUMER'S WATER METER. THE CUSTOMER WILL BE CHARGED THE COST OF THE REPLACEMENT METER AT THE MARKET RATE; SEVENTY-FIVE (\$75.00) FOR A VALVE REPLACEMENT; AND ACTUAL LABOR COSTS FOR INSTALLATION AND REPAIRS.

G. FEES FOR SERVICE OUTSIDE THE CITY LIMITS

ALL CUSTOMERS HAVING PHYSICAL PROPERTY OUTSIDE THE CITY LIMITS OF THE CITY OF COMANCHE, TEXAS, AS DETERMINED BY THE COMANCHE COUNTY APPRAISAL DISTRICT; AND WHO HAVE WATER OR SEWER SERVICE WITH THE CITY OF COMANCHE, TEXAS UTILITY DEPARTMENT, SHALL BE CHARGED A RATE THAT IS TWO (2) TIMES THE CURRENT AND EXISTING RATE. (THIS RATE IS SUBJECT TO ANY PRIOR WRITTEN AGREEMENTS WITH THE CITY OF COMANCHE, TEXAS.)

SECTION 2 - SEWER RATES

THE MONTHLY WASTEWATER RATES OR WASTEWATER CHARGES TO BE PAID BY THE USERS OF THE CITY SANITARY WASTEWATER SYSTEM TO THE CITY OF COMANCHE, TEXAS, SHALL BE COMPUTED UPON THE NUMBER OF GALLONS OF WATER METERED TO SUCH CONSUMER THROUGH THE WATER METER OF SUCH CONSUMER AND SHALL BE CALCULATED IN THE FOLLOWING MANNER:

A. RESIDENTIAL BASE RATE \$4.64; PLUS

0 - 3,000	GALLONS...\$4.10 PER ADDITIONAL THOUSAND
3,000 - 7,000	GALLONS...\$2.58 PER ADDITIONAL THOUSAND
7,000 & OVER	GALLONS...\$0.00 NO ADDITIONAL CHARGE

B. COMMERCIAL BASE RATE \$4.68; PLUS

0 - 3,000	GALLONS...\$4.14 PER ADDITIONAL THOUSAND
3,000 - 10,000	GALLONS...\$2.60 PER ADDITIONAL THOUSAND
10,000 - 20,000	GALLONS...\$2.76 PER ADDITIONAL THOUSAND
20,000 & OVER	GALLONS...\$2.87 PER ADDITIONAL THOUSAND

C. OTHER FEES AND CHARGES

1. CITY NON-WATER USERS OF SEWER

ALL RESIDENTIAL SEWER USERS WHO ARE NOT A REGULAR MONTHLY PURCHASER OF WATER FROM THE CITY OF COMANCHE, TEXAS, SHALL BE CHARGED A BASE FEE OF FORTY ONE DOLLARS AND FORTY NINE CENTS (\$41.49) PER MONTH.

2. DISCONNECTION

ALL BILLS FOR SEWER SERVICES RENDERED BY THE CITY OF COMANCHE, TEXAS, SHALL BE BILLED REGULARLY BY THE CITY OF COMANCHE, SUCH BILLS SHALL BE PAYABLE BETWEEN THE 1ST AND THE 15TH DAY OF EACH MONTH. ALL ACCOUNTS WHICH HAVING A BALANCE AT 5:00 P.M. ON THE 20TH DAY OF THE CURRENT MONTH SHALL BE DISCONNECTED.

SECTION 3 – REQUIREMENTS AND IRREVOCABILITY

ALL SERVICES FOR THE CITY OF COMANCHE MUST BE IN THE NAME OF THE PERSON OCCUPYING THE LOCATION REQUESTING REQUIRED SERVICE, UNLESS THE OWNER OF THE SAID LOCATION REQUESTS THE SERVICE BE PUT INTO HIS NAME.

PHOTO IDENTIFICATION (SUCH AS A DRIVER'S LICENSE) WILL BE REQUIRED OF THE OCCUPANT TO PROVE IDENTITY.

ANY OCCUPANT HAVING A CURRENT OR PAST DUE BALANCE FOR SERVICES RENDERED, OR A CHARGE FOR DAMAGE TO THE METER, SHALL CLEAR ALL OUTSTANDING BALANCES BEFORE SERVICES WILL BE CONNECTED.

IF IT IS FOUND THAT A PERSON RESIDING AT THE REQUESTED LOCATION WITH THE OCCUPANT HAS AN OUTSTANDING BALANCE WITH THE CITY OF COMANCHE, SERVICE WILL BE DISCONTINUED UNTIL SAID BALANCE IS CLEARED.

BILLING CUSTOMERS MUST PRESENT BILLING DISCREPANCIES, QUESTIONS, AND REQUESTS FOR REFUNDS WITHIN THREE BILLING CYCLES. IF NOT SO PRESENTED AND PROPERLY PLACED ON A CITY COUNCIL AGENDA, SUCH BILLING SHALL BECOME IRREVOCABLE

SECTION 4 – WATER AND SEWER DEPOSITS

IN ADDITION TO COMPLETION OF AN APPLICATION FOR WATER AND SEWER SERVICE, THE APPLICANT SHALL PAY TO THE CITY OF COMANCHE, TEXAS, A DEPOSIT IN SUCH AMOUNT AS INDICATED BELOW:

- A. RESIDENTIAL:** THE SUM OF ONE HUNDRED FIFTY (\$150.00) DOLLARS
- B. COMMERCIAL:** THE SUM OF TWO HUNDRED (\$200.00) DOLLARS
- C. RESIDENTIAL WELL, SEWER, AND GARBAGE:** THE SUM OF ONE HUNDRED FIFTY (\$150.00) DOLLARS
- D. CONSTRUCTION:** THE SUM OF ONE THOUSAND (\$1,000.00) DOLLARS
MONTHLY RENTAL RATE: \$150.00
REPLACEMENT OF DAMAGED METER: \$800.00

SECTION 5 – WATER AND SEWER TAP CHARGES

THE FOLLOWING CHARGES SHALL BE ASSESSED AND COLLECTED FROM THE CUSTOMER FOR THE INTALLATION OF A WATER AND/OR SEWER TAP:

WATER TAP

SEWER TAP

¾ INCH TAP - \$700.00
1 INCH TAP - \$850.00
2 INCH TAP - \$3,000.00

4 INCH TAP - \$400.00
6 INCH TAP - \$450.00

SECTION 6 – REPEALING CLAUSE

ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED, INCLUDING ORDINANCE # 07-2013; ORDINANCE #2-2015; #08-2015; AND ORDINANCE #13-2018.

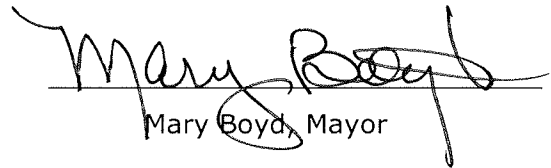
SECTION 7 – SEVERABILITY

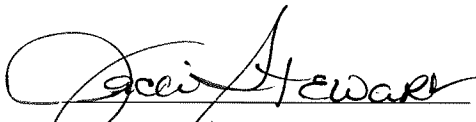
THAT THE TERMS AND PROVISIONS OF THIS ORDINANCE ARE SEVERABLE. IF ANY PORTION OF THIS ORDINANCE BE DECLARED INVAILD OR UNENFORCEABLE, THE BALANCE OF SAID ORDINANCE NOT DECLARED INVAILD OR UNENFORCEABLE, WILL REMAIN IN FULL FORCE AND EFFECT.

SECTION 8 – PUBLICATION AND EFFECTIVE DATE

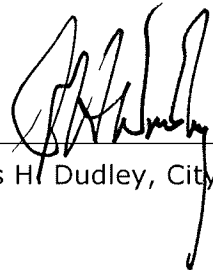
THIS ORDINANCE SHALL TAKE EFFECT ON NOVEMBER 1, 2019 AFTER ITS PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

PASSED, APPROVED, AND ADOPTED AT A MEETING OF THE COMANCHE CITY COUNCIL ON THIS 26th SETEMBER, 2019.


Mary Boyd, Mayor


Jacqui Stewart, CCD, ICS
Interim City Secretary

APPROVED AS TO FORM


James H. Dudley, City Attorney