**ORDINANCE NO 8-2016**

**WATER AND SEWER RATES**

AN ORDINANCE OF THE CITY OF COMANCHE, TEXAS, 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; FEES FOR RECREATIONAL WATER, SEWER AND ELECTRICITY AT THE CITY PARK CAMP SITE; RECREATIONAL LIMITATION; REQUIREMENTS FOR WATER/SEWER SERVICE; WATER AND SEWER DEPOSIT FEES; WATER AND SEWER TAP INSTALLATION FEES; PROVIDING FOR THE REPEALING OF ORDINANCE NO 8-2015; 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;

1. RESIDENTIAL

0-2000 GALLONS 28.00 MINIMUM

2000-10,000 GALLONS 8.25 PER ADDITIONAL THOUSAND

10,000 – UP GALLONS 9.25 PER ADDITIONAL THOUSAND

1. COMMERCIAL

0-2000 GALLONS 28.00 MINIMUM

2000-10,000 GALLONS 8.25 PER ADDITIONAL THOUSAND

10,000 – UP GALLONS 9.25 PER ADDITIONAL THOUSAND

1. **PENALTY AND LATE CHARGES**

A PENALTY OF 10% OF THE ACCOUNT BALANCE WILL BE ASSESSD 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.

1. **OTHER FEES AND CHARGES**
2. **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 WHICH HAVING A BALANCE AT 5:00 P.M. ON THE 20TH DAY OF THE CURRENT MONTH SHALL BE DISCONNECTED AND PAY A SECOND LATE FEE OF $25.00. IF A CUSTOMER HAS HAD THEIR SERVICE DISCONNECTED IN THREE CONSECTIVE MONTHS THERE WILL BE AN ADDITIONAL $50.00 LATE FEE. THERE WILL BE NO FEE FOR DISCONNECTION OR RECONNECTION. 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 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.

1. **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.

1. **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.

1. **INSUFFICIENT CHECKS**

A FEE OF THIRTY-FIVE ($35.00) DOLLARS WILL BE CHARGED FOR COLLECTION OF AN INSUFFICIENT CHECK MADE PAYABLE TO THE CITY OF COMANCHE. THIS CHARGE SHALL APPLY TO ALL AREAS OF THE CITY, SUCH AS THE UTILITY DEPARTMENT, MUNICIPAL COURT, POLICE DEPARTMENT, PARK DEPARTMENT, SWIMMING POOL AND ANY OTHER MISCELLANEOUS DEPARTMENTS DEEMED NECESSARY.

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

1. **DAMAGE TO METER**

A FEE OF SEVENTY – FIVE ($75.00) DOLLARS 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 CUT OFF VALVE OF SAID CONSUMER’S WATER METER.

1. **WATER RATES TO THE COMANCHE COUNTY WATER SUPPLY CORPORATION SHALL BE AT 6.75 PER ONE THOUSAND (1,000) GALLONS.**

F**. 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:

1. RESIDENTIAL

BASE RATE $3.50; PLUS

0 – 3,000 GALLONS…$3.75 PER ADDITIONAL THOUSAND

3,000 – 7,000 GALLONS…$2.35 PER ADDITIONAL THOUSAND

7,000 & UP GALLONS…$NO ADDITIONAL CHARGE

1. COMMERCIAL

BASE RATE $3.50; PLUS

1. – 3,000 GALLONS…$3.75 PER ADDITIONAL THOUSAND

3,000 – 10,000 GALLONS…$2.35 PER ADDITIONAL THOUSAND

10,000-20,000 GALLONS…$2.50 PER ADDITIONAL THOUSAND

20,000 & UP GALLONS…$2.60 PER ADDITIONAL THOUSAND

1. **OTHER FEES AND CHARGES**
2. **CITY NON WATER USERS OF SEWER**

ALL RESIDENTIAL SEWER USERS WHO SHALL NOT BE A REGULARLY MONTHLY PURCHASER OF WATER FROM THE CITY OF COMANCHE, TEXAS, SHALL BE CHARGED A BASE FEE OF THIRTY EIGHT($38.00) DOLLARS PER MONTH.

1. **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.

1. **FEES FOR RECREATIONAL WATER, SEWER AND ELECTRICITY AT THE CITY PARK CAMP SITES.**
   1. A FEE OF TWENTY ($20.00) DOLLARS WILL BE ASSESSED FOR A 24-HOUR PERIOD OR ANY PORTION THEREOF. THIS FEE IS FOR ONE OR ALL SERVICES THAT ARE OFFERED.
2. **RECREATIONAL LIMITATIONS**
   1. A LIMITATION OF A TWO (2) WEEK PERIOD SHALL BE ENFORCED AT THE CITY OF COMANCHE, TEXAS, RECREATIONAL PARKING AREA AT THE CITY PARK.

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.

**SECTION 4 WATER/SEWER DEPOSITS**

ALONG WITH THE APPLICATION FOR WATER SERVICE, THE APPLICANT SHALL PAY TO THE CITY OF COMANCHE, TEXAS, A DEPOSIT IN SUCH AMOUNT AS INDICATED BELOW:

1. **RESIDENTIAL**

THE SUM OF ONE HUNDRED FIFTY ($150.00) DOLLARS

1. **COMMERCIAL**

THE SUM OF TWO HUNDRED ($200.00) DOLLARS

1. **RESIDENTIAL FOR WELL, SEWER, AND GARBAGE**

THE SUM OF ONE HUNDRED FIFTY ($150.00) DOLLARS

**SECTION 5 WATER/SEWER TAP CHARGES**

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

WATER TAP SEWER TAP

¾ INCH TAP - $700.00 4 INCH TAP - $400.00

1 INCH TAP- $850.00 6 INCH TAP - $450.00

2 INCH TAP- $3,000.00

**SECTION 6** **REPEALING CLAUSE**

ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED, INCLUDING ORDINANCE 7-2013 PASSED SEPTEMBER 9,2013, ORDINANCE 2-2015, AND ORDINANCE 8-2015 PASSED 6 JUNE, 2015.

**SECTION 7 PENALTY CLAUSE**

THAT A PERSONS VIOLATING A PROVISION OF THIS ORDINANCE UPON CONVICTION, IS PUNISHABLE BY A FINE NOT TO EXCEED TWO HUNDRED FIFTY SEVEN ($257.00) DOLLARS. EACH AND EVERY DAY THAT A VIOLATION OF THIS ORDINANCE OCCURS CONSTITUTES A SEPARATE AND DISTINCT OFFENSE.

**SECTION 8 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 9 PUBLICATION AND EFFECTIVE DATE**

THAT THIS ORDINANCE SHALL TAKE EFFECT ON *OCTOBER 1, 2016* AFTER ITS PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

**PASSED , APPROVED, AND ADOPTED** AT THE REGULAR MEETING OF THE COMANCHE CITY COUNCIL, ON THIS THE *29TH* DAY OF *August, 2016*.

THE CITY OF COMANCHE, TEXAS

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RONNIE CLIFTON ROBERT EVANS

MAYOR CITY ADMINISTRATOR