ORDINANCE NO. 8-2012

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 RATES; 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. 9-2008; PROVIDING FOR THE REPEALING OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY; 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 .......... $15.50 minimum
   2,000 – 10,000 gallons .... $ 7.75 per additional thousand
   10,000 - up ........ $ 8.75 per additional thousand

B. COMMERCIAL
   0 - 2,000 gallons .......... $15.50 minimum
   2,000 – 10,000 gallons .... $ 7.75 per additional thousand
   10,000 - up ........ $ 8.75 per additional thousand

C. PENALTY AND LATE CHARGES
   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 20TH OF EACH MONTH FOR THE CURRENT BILL.

D. 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 10TH DAY OF EACH MONTH AFTER THE BILLING DATE. ALL ACCOUNTS WHICH HAVING A BALANCE AT 5:00 P.M. ON THE 20TH DAY OF THE CURRENT MONTH SHALL BE DISCONNECTED. 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 DISCONNECTION OF WATER SERVICE, AN ADDITIONAL SUM OF FIFTY ($50.00) DOLLARS WILL BE CHARGED FOR RECONNECTION TO THE SYSTEM BEFORE 5:00 P.M. WEEKDAYS. A SUM OF SEVENTY-FIVE ($75.00) DOLLARS WILL BE CHARGED FOR RECONNECTION TO THE SYSTEM AFTER 5:00 P.M., WEEKDAYS, WEEKENDS AND HOLIDAYS.

IN THE EVENT OF SERVICE STILL BEING DISCONNECTED AS OF THE END OF THE CURRENT MONTH, THE UTILITY DEPOSIT THAT WAS PUT UP TO TURN SERVICE ON SHALL BE APPLIED TO THE FINAL BILL. IN ORDER TO REGAIN SERVICE, A NEW DEPOSIT AND ANY PAST DUE AMOUNT STILL REMAINING WILL HAVE TO BE PAID BEFORE SERVICE WILL BE RECONNECTED.

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.

   ONLY A TWO-WEEK LIMIT WILL BE ALLOWED ON ANY ACCOUNT THAT IS BEING TRANSFERRED TO ANOTHER LOCATION. IF THE OLD LOCATION HAS NOT BEEN DISCONNECTED, AFTER THE TWO WEEK TIME PERIOD, A NEW DEPOSIT AT THE CURRENT DEPOSIT RATE WILL BE REQUIRED AT THE NEW LOCATION.

4. 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 INSUFFICIENT CHECK CONSTITUTING NON PAYMENT.

IN THE EVENT THAT THE INSUFFICIENT CHECK IS STILL OUTSTANDING AFTER TEN (10) DAYS YOUR 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 TO YOU.

5. 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.

E. WATER RATES TO THE COMANCHE COUNTY WATER SUPPLY CORPORATION SHALL BE AT $5.65 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. ALL OTHER SECTIONS OF ORDINANCE 9-2008 REMAIN UNCHANGED.

SECTION 2 SEWER RATES

THE MONTHLY WASTEWASTER 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
   0 – 3,000 GALLONS ....$3.65 PER ADDITIONAL THOUSAND
   3,000 – 7,000 GALLONS ....$2.25 PER ADDITIONAL THOUSAND
   7,000 & UP .....$NO ADDITIONAL CHARGE
B. COMMERCIAL

0 – 3,000 GALLONS .... $3.65 PER ADDITIONAL THOUSAND
3,000 – 10,000 GALLONS ...$2.25 PER ADDITIONAL THOUSAND
10,000 – 20,000 GALLONS ...$2.40 PER ADDITIONAL THOUSAND
20,000 & UP ...$2.55 PER ADDITIONAL THOUSAND

C. OTHER FEES AND CHARGES

1. 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 TWENTY ($20.00) DOLLARS
   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 10TH DAY
   OF EACH MONTH AFTER THE BILLING DATE. 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 20TH OF EACH MONTH FOR THE CURRENT BILL.
   IN THE EVENT OF SERVICE STILL BEING
   DISCONNECTED AS OF THE END OF THE CURRENT
   MONTH, THE UTILITY DEPOSIT THAT WAS PUT UP TO
   TURN SERVICE ON SHALL BE APPLIED TO THE FINAL
   BILL. IN ORDER TO REGAIN SERVICE A NEW DEPOSIT
   AND ANY PAST DUE AMOUNT STILL REMAINING WILL
   HAVE TO BE PAID, BEFORE SERVICE WILL BE
   RECONNECTED.
   IN THE EVENT OF SEVERING OF SEWER SERVICE, AN
   ADDITIONAL SUM OF ONE HUNDRED FIFTY ($150.00)
   DOLLARS SHALL BE CHARGED FOR RECONNECTION
   TO THE SYSTEM.

3. 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
4. **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.

**SECTION 3**

**REQUIREMENTS FOR WATER/SEWER SERVICE**

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 SAID LOCATION REQUEST THE SERVICE TO BE PUT IN HIS NAME.

A 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:

A. **RESIDENTIAL**
   THE SUM OF ONE HUNDRED FIFTY ($150.00) DOLLARS.

B. **COMMERCIAL**
   THE SUM OF TWO HUNDRED ($200.00) DOLLARS.

C. **RESIDENTIAL FOR WELLS, SEWER, AND GARBAGE**
   THE SUM OF ONE HUNDRED FIFTY ($150.00) DOLLARS.

**SECTION 5**

**WATER/SEWER TAP CHARGES**

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

¼ INCH TAP - $600.00
1 INCH TAP - $650.00
2 INCH TAP - $2,250.00

SEWER TAP
4 INCH TAP - $350.00
6 INCH TAP - $375.00

SECTION 6 REPEALING CLAUSE

ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREBY ARE HEREBY REPEALED, INCLUDING ORDINANCE 8-2007 PASSED AUGUST 13, 2007.

SECTION 7 PENALTY CLAUSE

THAT A PERSON 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 INVALID OR UNENFORCEABLE, THE BALANCE OF SAID ORDINANCE NOT DECLARED INVALID OR UNENFORCEABLE, WILL REMAIN IN FULL FORCE AND EFFECT.

SECTION 9 PUBLICATION AND EFFECTIVE DATE

THAT THIS ORDINANCE SHALL TAKE EFFECT ON AUGUST 16th, 2012 AFTER ITS PASSAGE AND PUBLICATION AS REQUIRED BY LAW.


THE CITY OF COMANCHE, TEXAS

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RONNIE CLIFTON,
MAYOR

ATTEST: ____________________
WILLIAM A. FLANNERY, JR.
CITY SECRETARY