

ORDINANCE NO. 2019-05

AN ORDINANCE AMENDING SUBSECTION AMENDING OF SECTION 13.02.122 ENTITLED "MONTHLY RATES" OF DIVISION 5 ENTITLED SANITARY SEWERS OF ARTICLE 13.04 ENTITLED "CITY OPERATED UTILITIES", OF CHAPTER 13 ENTITLED "UTILITIES", OF THE CODE OF ORDINANCES, CITY OF TULIA, TEXAS, AS AMENDED, BY AMENDING THE CHARGES FOR SEWER SERVICE; CONTAINING A REPEALING CLAUSE, A SAVINGS CLAUSE AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. That Section 13.02.122 entitled "Monthly rates" of Division 5 entitled "Sanitary Sewers of Article 13.02 entitled "City Operated Utilities", of Chapter 13 entitled "Utilities", of the Code of Ordinances, City of Tulia, Texas, as amended, is hereby amended to read as follows:

Sec. 13.04.122 Monthly rates

The monthly rates for furnishing of sewer service and sewer connections of the city shall be as follows:

<u>Type of Service</u>	<u>Monthly Charge</u>
(1) <u>Rates inside City.</u>	
(A) Residential	
(i) Single family unit	\$23.53, plus 43 cents per 1000 gallons (with a maximum of 20,000 gallons per month used in the calculation) of water furnished by the city waterworks system, with the monthly charge per 1000 gallons to be made to the person or entity in whose name the metered water supply is furnished and shall be calculated on the basis of the water meter reading for the month for which the sewer service charge is made.
(ii) Multi-family dwellings and trailer parks, each unit	\$23.53, plus 43 cents per 1000 gallons of water furnished by the city waterworks system, with the monthly charge per 1000 gallons to be made to the person or entity in whose name the metered water supply is furnished and shall be calculated on the basis of the water meter reading for the month for which the sewer service charge is made.

Should a unit of a multiple family dwelling or a trailer park have a separate water and sewer connection, such unit shall have the same rate as a single family unit.

(B) Commercial

(i) Churches, offices and retail stores	\$26.22, plus 50 cents per 1000 gallons of water furnished by the City Water Works System, with the monthly charge per 1000 gallons being calculated on the basis of the water meter reading for the month for which the sewer service charge is made.
(ii) Schools, restaurants and motels	\$32.86, plus 74 cents per 1000 gallons of water furnished by the City Water Works System, with the monthly charge per 1000 gallons being calculated on the basis of the water meter reading for the month for which the sewer service charge is made.
(iii) Auto shops, car washes, hospitals and other commercial and industrial	\$39.52, plus 74 cents per 1000 gallons of water furnished by the City Water Works System, with the monthly charge per 1000 gallons being calculated on the basis of the water meter reading for the month for which the sewer service charge is made.
(iv) Septic Service Provider	\$63.51, minimum for the first 1000 gallons per discharge into the sewer system and \$45.87 per each 1000 gallons of sewage in excess of the minimum per discharge.

If a customer does not clearly fall into one of the service categories set forth herein, the City Manager shall determine the category in which said customer shall be placed for the purposes of sewer services charges.

(2) Rates outside the City.

(A) Residential

(i) Single family unit \$26.22, plus 50 cents per 1000 gallons (with a maximum of 20,000 gallons per month used in the calculation) of water furnished by the city waterworks system, with the monthly charge per 1000 gallons to be made to the person or entity in whose name the metered water supply is furnished and shall be calculated on the basis of the water meter reading for the month for which the sewer service charge is made.

(ii) Multi-family dwellings and trailer parks, each unit \$26.22, plus 50 cents per 1000 gallons of water furnished by the city waterworks system, with the monthly charge per 1000 gallons to be made to the person or entity in whose name the metered water supply is furnished and shall be calculated on the basis of the water meter reading for the month for which the sewer service charge is made.

Should a unit of a multiple family dwelling or a trailer park have a separate water and sewer connection, such unit shall have the same rate as a single family unit.

- (3) Persons or entities not using City water. Should there be a customer connected to the City sanitary sewer system who does not use the City water, or used the City water for only a portion of its total water usage, the sewer rate for such customer over the minimum monthly charge shall be calculated upon the estimated gallons of water used by said customer, said estimated gallons of water used to be determined by the Director of Public Works in a manner that is fair to both the City and the customer and approved by the City Treasurer.
- (4) Irrigation systems. Upon application by a customer, a sewer charge shall not be made for water used exclusively for yard watering or an irrigation system if the water for said exclusive purpose has a separate water meter. The Director of Public Works shall develop and administer an application procedure for exemption under this provision.
- (5) Sewer sampling and metering devices. Any customer who desires the installation of a sewer sampling and metering device may have one installed by the City for a fee to be determined by the Director of Public Works upon furnishing the City with such a device that meets specifications as may be determined by the Director of Public

Works. After installation, the sewer sampling and metering equipment shall become City property and shall be maintained by the City. Any such customer, after installation of the device, shall not be charged for sewer service under subparagraph (A) above, but shall instead be charged the basic fee per month for the service category applicable to said customer plus 50 cents per one thousand gallons of sewage passing through the metering device, plus additional charges for actual cost, if any, for chemicals or other treatment required for compliance with Art. 5 entitled "Industrial Water" of this Chapter 14 entitled "Public Utilities" of this Code.

- (6) Customers outside City limits. Except as set forth in Section 13.04.002 (1) (B) (iv) and Section 13.04.002 (2) above, the City of Tulia, Texas, shall collect for sewer service furnished to all customers connected outside the City limits of the City of Tulia, Texas, in addition to the charges for such sewer service as set out in subparagraphs (1) through (5) above, an additional charge equal to the basic rate for the category applicable to said customer.

(b) \$2.75 of the monthly minimum charge under subparagraphs (a) (1) - (6) shall be set aside and allocated for maintenance and repair of water storage facilities and other water and sewer infrastructure maintenance, repair, replacement, construction and installation.

Section 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be, and the same are hereby repealed.

Section 3. The invalidity of any section, subsection, paragraph, sentence, clause, phrase, word or words shall not invalidate any other part of this ordinance. It is the intention of the City Council in enacting this ordinance that the provisions are separable, and no provision hereof shall become inoperative or fail by reason of the invalidity of any other provision.


Section 4. Violations of this ordinance shall constitute an offense punishable in accordance with the general penalty provision found in Section 1.01.009 of this code. Each day any violation exists shall constitute a separate offense.

Section 5. This ordinance shall take effect and be in full force on passage and approval, with the rates herein set forth to be first utilized in calculation of the utility bills sent out during the October, 2019, billing cycle.

PASSED AND APPROVED this the 10th day of September, 2019.



Israel Ramirez, Mayor, City of Tulia, Texas



Kristina Solomon, City Secretary