

ORDINANCE 2007-O-8A

AN ORDINANCE AMENDING THE UTILITY RATE TABLES IN ARTICLE III OF SECTION 26 OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON; REVISING AND PROVIDING FOR AN INCREASE IN THE RATES TO BE CHARGED FOR WATER AND SEWER SERVICES BY THE CITY OF ANGLETON INCLUDING, BUT NOT LIMITED TO: DEPOSITS, PENALTIES, RATES AND TAPS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

- WHEREAS**, the City Council of the City of Angleton is legally empowered to regulate the water and sewer rates charged to customers of its municipal systems; and
- WHEREAS**, operating, maintenance and debt expenses have increased to the point that they are exceeding annual revenues; and
- WHEREAS**, the Council of Angleton, Texas deems it necessary to raise rates to maintain a fiscally sound enterprise fund; and
- WHEREAS**, **it is in the best interests of the public health, safety and welfare that this amendment to the utility rates be made;**
- WHEREAS**, the City Council of Angleton, Texas has conducted a public hearing providing adequate opportunity for interested residents and customers to be heard.

NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION I. THAT the matters and facts recited in the preamble hereof are hereby found and determined to be true and correct.

SECTION II. THAT utility rate tables contained in Sections 26-71 and 26-72 of the Code of Ordinances, City of Angleton, Texas, are hereby amended to read as follows:

Section 26-71. Water/Sewer Rates – Inside City Service - The charges for water and sewer service to customers living inside the city limits shall be as shown below.

Table I - Residential (ind. meter)	\$ 11.75	2000 gallons	\$ 3.55	\$ 3.80	\$ 4.05	\$ 4.50	n/a
Table II - Multi-Family (master meter)	\$ 11.00	**	\$ 3.55	\$ 3.80	\$ 4.05	\$ 4.50	n/a
Table III - Commercial (ind. meter)	\$ 11.75	2000 gallons	\$ 3.55	\$ 3.80	\$ 4.05	\$ 4.50	n/a
Table IV - Commercial (master meter)	\$ 11.00	**	\$ 3.55	\$ 3.80	\$ 4.05	\$ 4.50	n/a
Sewer (with water)							
Table I - Residential (ind. meter)	\$ 11.50	2000 gallons	\$ 2.50	\$ 2.75			\$ 46.25
Table II - Multi-Family (master meter)	\$ 10.75	**	\$ 2.75	\$ 2.90	\$ 3.10	\$ 3.30	n/a
Table III - Commercial (ind. meter)	\$ 11.50	2000 gallons	\$ 2.75	\$ 2.90	\$ 3.10	\$ 3.30	n/a
Table IV - Commercial (master meter)	\$10.75	**	\$ 2.75	\$ 2.90	\$ 3.10	\$ 3.30	n/a
Table V - Sewer Only Customer	same as appropriate table above based on metered well water usage						
	residential customers with unmetered well to be charged monthly maximum						
* - base rate to be charged for each residential or commercial unit.							
** - base allotment equals 2000 gallons times number of residential or commercial units.							

[Note: paragraphs (a) and (b) remain unchanged.]

Section 26-72. Water/Sewer Rates – Outside City Service – Customers living outside of the City of Angleton shall be charged at a rate equal to one and one quarter (1.25) times the Inside City Rates. Inasmuch as the cost of providing utility service to customers living outside the City is higher and as the utility system is supported by tax dollars coming from the residents of the City of Angleton, this charge is necessary for the health, safety and welfare of the residents of the City of Angleton and for the non-residents receiving utility services from the City.

Outside City Rates	Base Mthly Rate	Base Gallon Allotment	Price per 1000 gallons usage above base allotment				Max. Mthly Charge
			0K to 8K	8K to 23K	23K to 48K	over 48K	
Water							
Table I - Residential (ind. meter)	\$ 14.44	2000 gallons	\$ 4.44	\$ 4.75	\$ 5.06	\$ 5.63	n/a
Table II - Multi-Family (master meter)	\$ 13.50	**	\$ 4.44	\$ 4.75	\$ 5.06	\$ 5.63	n/a
Table III - Commercial (ind. meter)	\$ 14.44	2000 gallons	\$ 4.44	\$ 4.75	\$ 5.06	\$ 5.63	n/a
Table IV - Commercial (master meter)	\$ 13.50	**	\$ 4.44	\$ 4.75	\$ 5.06	\$ 5.63	n/a
Sewer (with water)							
Table I - Residential (ind. meter)	\$ 14.13	2000 gallons	\$ 3.13	\$ 3.44			\$ 57.31
Table II - Multi-Family (master meter)	\$ 13.18	**	\$ 3.44	\$ 3.63	\$ 3.88	\$ 4.13	n/a
Table III - Commercial (ind. meter)	\$ 14.13	2000 gallons	\$ 3.44	\$ 3.63	\$ 3.88	\$ 4.13	n/a
Table IV - Commercial (master meter)	13.18*	**	\$ 3.44	\$ 3.63	\$ 3.88	\$ 4.13	n/a
Table V - Sewer Only Customer	same as appropriate table above based on metered well water usage						
	residential customers with unmetered well to be charged monthly maximum						
* - base rate to be charged for each residential or commercial unit.							
** - base allotment equals 2000 gallons times number of residential or commercial units.							

[Note: paragraphs (a) and (b) remain unchanged.]

SECTION III. That “Section 26-73. DEPOSITS.” IS HEREBY ENACTED TO READ AS FOLLOWS: “ALL NEW WATER CUSTOMERS SHALL BE ASSESSED A DEPOSIT OF \$100.00 ON ANY WATER/SEWER ACCOUNT.

26.73.1. “All deposits shall be held in a separate account from the general fund of the city. From each account, upon receipt of the \$100.00 deposit, the city

shall be paid into the water/sewer fund, a connect fee of \$25.00 immediately upon the receipt of the \$100.00 deposit/connect fee. IT IS CLEARLY UNDERSTOOD AND AGREED THAT \$25.00 OF THE DEPOSIT/CONNECT FEE IS NOT REFUNDABLE UNDER ANY CIRCUMSTANCES.

26.73.2. CLOSING OF ACCOUNT. If the customer desires to close or terminate his/her/its account the customer shall be refunded the sum of \$75.00. The deposit account shall be held in a separate escrow account, so that the maximum of \$75.00 per account refund of the deposit shall remain in the separate account until such time as the refund is authorized; in the event the customer closes his/her/its account with the city, and he/she/it has a positive balance on his/her/its account at the time of closing of the account, then the deposit shall be reimbursed to the customer; in the event there is any sum due the city the city shall be reimbursed any past due amount from the deposit prior to any refund to the customer.

26.74. PENALTIES. ALL CUSTOMERS ARE BILLED ON OR ABOUT THE FIRST DAY OF EACH MONTH, IN THE EVENT THE CUSTOMER HAS NOT PAID THE BILL ON OR BEFORE THE 20TH DAY OF THAT MONTH, ON THE 21ST DAY OF THAT MONTH THE CITY SHALL ASSESS THE CUSTOMER A PENALTY OF 10%(TEN PERCENT) OF THE CURRENT BILL OR \$10.00, WHICHEVER IS GREATER, SO THAT THE MINIMUM PENALTY ON ANY UNPAID OR PAST DUE ACCOUNT IS \$10.00.

26.74.1. DISCONNECT. IN THE EVENT ANY ACCOUNT IS 30 DAYS PAST DUE, THEN THAT SERVICE FOR THAT ACCOUNT SHALL BE DISCONNECTED AND ASSESSED A \$25.00 DISCONNECT/RECONNECT FEE; OR IN THE EVENT THAT THE SERVICE HAS NOT PHYSICALLY BEEN DISCONNECTED, ON THE 30TH DAY AFTER THE DUE DATE, THESE ACCOUNTS WILL STILL BE ASSESSED A \$25.00 DISCONNECT/RECONNECT FEE.

SECTION IV. PROVIDING FOR SEVERABILITY. If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this Ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Angleton in adopting, and of the Mayor in approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

SECTION V. CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of said conflict.

SECTION VI. EFFECTIVE DATE. This Ordinance shall be in full force and effect with the utility bill due on OCTOBER 1, 2007.

READ, PASSED, AND APPROVED ON THIS THE 28th DAY OF AUGUST, 2007.

J. PATRICK HENRY., Mayor

ATTEST:

APPROVED AS TO FORM:

Amanda Davenport, City Secretary

Keith Vaughan, City Attorney