

ORDINANCE NO. 2011-O-9J

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; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS 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 City 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; and

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 1. That the matters and facts recited in the preamble hereof are hereby found and determined to be true and correct.

SECTION 2. 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:

Inside City Rates Water	Base Mthly Rate	Base Gallon Allotment	Price per 1000 gallons usage above base allotment 0K to 8K 8K – 23K 23K-48K over 48K	Max. Mthly Charge
Table I-Residential (ind. meter)	\$13.56 *	2000 gals	\$4.12 \$4.41 \$4.69 \$5.20	n/a
Table II-Multi-family (master meter)	\$12.72 *	**	\$4.12 \$4.41 \$4.69 \$5.20	n/a
Table III-Commercial (ind. meter)	\$13.56 *	2000 gals	\$4.12 \$4.41 \$4.69 \$5.20	n/a
Table IV-Commercial (master meter)	\$12.72 *	**	\$4.12 \$4.41 \$4.69 \$5.20	n/a

Inside City Rates Sewer (with water)	Base Mthly Rate	Base Gallon Allotment	Prices per 1000 Gallons	Usage	Max mthly Charge
Table I-Residential (ind. meter)	\$7.25 *	0 gals	\$2.50		*** \$39.75
Table II-Multi-family (master meter)	\$8.50 *	0 gals	\$3.25		n/a
Table III-Commercial (ind. meter)	\$8.50 *	0 gals	\$3.25		n/a
Table IV-Commercial (master meter)	\$8.50 *	0 gals	\$4.06		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.
 *** Residential bill is capped at 13,000 gallons

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 – 23K 23K-48K over 48K	
Water					
Table I-Residential (ind. meter)	\$16.60	2000 gallons	\$5.13	\$5.48	\$6.47
Table II-Multi-family (master meter)	\$15.54	**	\$5.13	\$5.48	\$6.47
Table III-Commercial (ind. meter)	\$16.60	2000 gallons	\$5.13	\$5.48	\$6.47
Table IV-Commercial (master meter)	\$15.54	**	\$5.13	\$5.48	\$6.47

Outside City Rates	Base Mthly Rate	Base Gallon Allotment			
Sewer (with water)					
Table I-Residential (ind. meter)	\$9.06 *	0 gals	\$3.13		***\$49.75
Table II-Multi-family (master meter)	\$10.63 *	0 gals	\$4.06		n/a
Table III-Commercial (ind. meter)	\$10.63 *	0 gals	\$4.06		n/a
Table IV-Commercial (master meter)	\$10.63 *	0 gals	\$4.06		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.

*** Residential bill is capped at 13,000 gallons

SECTION 3. That 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 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 5. That the City Council has found and determined that the meeting at which this Ordinance is considered is open to the public and that notice thereof was given in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code, Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 6. That this Ordinance shall become effective immediately upon its passage and approval, with new rates reflected in the utility bill due on October 20, 2011.

PASSED AND APPROVED on this the 27th day of September, 2011.

ATTEST:


SHELLY DEISHER, City Secretary


RANDY RHYNE, Mayor

APPROVED AS TO FORM:


MARY KAY FISCHER, City Attorney