

**ORDINANCE NO. 2240**

**AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING APPENDIX 1, FEE SCHEDULE, SECTION 27: WATER SERVICE RATES, PARAGRAPHS (1) THROUGH (6) AND SECTION 28: SEWER SERVICE RATES AND CHARGES, OF THE REVISED CODE OF ORDINANCES OF THE CITY OF TERRELL, TEXAS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:**

THAT Appendix I, Fee Schedule, SECTION 27, WATER SERVICE RATES, PARAGRAPHS (1) THROUGH (6) AND SECTION 28, SEWER SERVICE RATES AND CHARGES, of the Revised Code of Ordinances of the City of Terrell, Texas, shall hereby be amended to read as follows:

**SECTION I.**

**SECTION 27: WATER SERVICE RATES**

The following schedule of monthly rates or charges for water services furnished by the City shall be and such is hereby adopted and established as follows:

- (1) Residential Rates. All residential units shall be charged on the following basis:

|   |                          |
|---|--------------------------|
| Minimum Bill                                | \$9.38 per month         |
| Volume Charge for all consumption per month | \$2.90 per 1,000 gallons |

Duplexes, apartments and mobile home parks not being metered on an individual living unit basis, shall be charged a monthly minimum bill per dwelling unit based on 80% occupancy of complex. (Example: 100 unit complex – 100 x 80% = 80 x \$9.38 = \$600.00 + 2.90 per 1,000 gallons)

Non-residential customers, other than the State Hospital, shall be classified as “Light Commercial”, “Heavy Commercial/Industrial” or “Pretreatment”. Light Commercial customers are those who use an average of 7,500 gallons of water per month, OR LESS, and are NOT in the food processing business. Pretreatment class customers are those firms which are required to comply with a local industrial wastewater discharge permit. The remaining customers in this group shall be classified as Heavy Commercial/Industrial.

- (2) Light Commercial Rates. All commercial customers shall be charged on the following basis:

|   |                          |
|---|--------------------------|
| Minimum bill                                | \$15.63 per month        |
| Volume Charge for all consumption per month | \$2.90 per 1,000 gallons |

Those businesses not being metered on an individual unit basis, shall be charged a minimum monthly bill per business.

- (3) Heavy Commercial/Industrial Rates: All heavy commercial and industrial class customers shall be charged on the following basis.

|              |                   |
|--------------|-------------------|
| Minimum bill | \$56.25 per month |
|--------------|-------------------|

Volume charge for all consumption per month \$2.90 per 1, 000 gallons

- (4) Pretreatment Rates: All customers that require pretreatment of wastewater shall be charged for water on the following basis:

Minimum bill \$56.25 per month

Volume charge for all consumption per month \$2.90 per 1,000 gallons

- (5) Terrell State Hospital shall be charged on the same basis and at the same rates as charged to heavy commercial, light commercial and residential customers dependent upon the type of facility using such services.

- (6) Rural Water Supply Rates. Customer rural water supply corporations will be charged \$2.20 per 1,000 gallons of metered water effective January 1, 2005.

**SECTION 28: SEWER SERVICE RATES AND CHARGES**

The following schedule of monthly rates or charges for sewer services furnished by the City shall be and such is hereby adopted and established as follows:

- (1) Residential Rates. All residential units shall be charged on the following basis:

Minimum bill \$14.38 per month

Volume Charge for all consumption per month\* \$2.31 per 1,000 gallons

\*Volume charges are based on winter-average (Dec., Jan., Feb.) water consumption.

Duplexes, apartments and mobile home parks not being metered on an individual living unit basis, shall be charged a monthly minimum bill per dwelling unit based on 80% occupancy of complex. (Example: 100 unit complex – 100 x 80% = 80 x \$14.38 = \$1,150.40 + 2.31 per 1,000 gallons).

- (2) Lt. Commercial Rates. All commercial customers shall be charged on the following basis:

Minimum bill \$31.25 per month

Volume charge \$2.31 per 1,000 gallons

Those businesses not being metered on an individual unit basis, shall be charged a minimum monthly bill per business.

- (3) Heavy Commercial/Industrial. All heavy commercial and industrial customers shall be charged on the following basis:

Minimum bill \$106.25 per month

Volume charge \$2.31 per 1,000 gallons

- (4) Pretreatment. All customers that require pretreatment of wastewater shall be charged on the following basis:

|               |                          |
|---------------|--------------------------|
| Minimum bill  | \$425.00 per month       |
| Volume charge | \$2.31 per 1,000 gallons |

- (5) Customer Review. Where the city manager determines that wastewater charges should be based directly on the customer's contribution to the wastewater system, volume charges for the discharge shall be made as follows:

|  |  |
|--|--|
| Volume charge for normal domestic wastewater per month | \$2.31 per 1,000 gallons of wastewater |
|--|--|

The customer shall pay for any required sampling in advance. The charge for sampling shall be as estimated by the pretreatment coordinator based upon the city's actual cost for similar services.

**SECTION II.**

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**SECTION III.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION IV.**

This ordinance will take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED THIS THE 7<sup>TH</sup> DAY OF SEPTEMBER, 2004.

PASSED AND ADOPTED THIS THE 21<sup>ST</sup> DAY OF SEPTEMBER, 2004.

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FRANCES ANDERSON, MAYOR

ATTEST:

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JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

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MARY GAYLE RAMSEY, CITY ATTORNEY