

ORDINANCE NO. 20220920C

AN ORDINANCE AMENDING THE WATER AND SEWER RATE ORDINANCE OF THE CITY OF KRESS AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES:

WHEREAS, it has become necessary and desirable to revise the rates for water and sewer service supplied by the City of Kress to customers in order to both provide reasonable compensation to the City of Kress therefor and provide water and sewer service at reasonable rates to customers of the City of Kress; and

WHEREAS, the rates hereinafter set out have, after investigations by the City Council of the City of Kress, been found to be fair and reasonable.

**NOW, THEREFOR, be it ordained by the City Council of the City of Kress, Kress, Texas:
Water and sewer rates**

ARTICLE 1 WATER AND SEWER RATES

SECTION 1-1 Water rates

(1) Residential rate:

\$25.00 Senior Citizen age 65 with a 2000 gallon minimum. Plus an additional \$2.86 per thousand from 2,001-10,000 gallons.

\$41.74 for the first 3,000 gallons (minimum) plus an additional;

\$2.86 per thousand from 3,001-10,000 gallons; and

\$4.02 per thousand from 10,001-25,000 gallons; and

\$6.05 per thousand from 25,001-50,000 gallons; and

\$7.64 per thousand any over 50,001 gallons.

(2) Residential rate, city employee, Volunteer Fire Dept, City Council, Mayor

\$4.50 for the first 10,000 gallons (minimum) plus an additional;

\$2.08 per thousand from 10,001-25,000 gallons; and

\$2.91 per thousand from 25,001-50,000 gallons; and

\$4.38 per thousand any over 50,001 gallons.

(3) Commercial/industrial rate:

\$46.28 for the first 3,000 gallons (minimum) plus an additional;
\$2.86 per thousand from 3,001-10,000 gallons; and
\$4.02 per thousand from 10,001-25,000 gallons; and
\$6.05 per thousand from 25,001-50,000 gallons; and
\$7.64 per thousand any over 50,001 gallons.

(4) Fire hydrant/ BULK meter:

\$44.28 for the first 1,000 gallons; and
\$7.64 per thousand gallons.

(5) Multiple-family units: Multiple-family units served by one water meter shall be charged the residential rate above, multiplied by the number of residential units connected to the meter. An adjustment will be made to actual occupancy only if received by the city in writing prior to the 28th of the month.

(6) Outside the city: All water service sales outside of the city limits shall have \$22.50 per tap added to the minimum water rate.

SECTION 1-2 Sewer rates.

A monthly flat rate fee for sewer service shall be as follows:

(1) Residential rate (based on water consumption). \$22.81 (minimum) plus an additional:

\$0.15 per thousand from 7,001–20,000 gallons; and
\$0.30 per thousand any over 20,001.

(2) Commercial/ Industrial rate (based on water consumption). \$29.81 (minimum) plus an additional:

\$0.15 per thousand from 7,001–20,000 gallons; and
\$0.30 per thousand any over 20,001.

(3) Senior Citizen age 65 (based on water consumption).. \$16.00 (minimum) plus an additional:

\$0.25 per thousand from 7,001–20,000 gallons; and

\$0.40 per thousand any over 20,001.

(4) Residential rate for city employee, Volunteer Fire Dept, City Council, Mayor

\$4.50 (minimum) plus an additional:

\$0.25 per thousand from 7,001–20,000 gallons; and

\$0.40 per thousand any over 20,001

(4) Sewer connections outside of the city limits shall have \$6.50 added to the base sewer rate.

(5) Multiple-family units shall be charged the residential rate above, multiplied by the number of residential units connected to the associated water meter. An adjustment will be made to actual occupancy only if received by the city in writing prior to the 28th of the month.

SECTION 1-3 Sewer Tap Location Fees

(a) The sewer tap location fee shall be \$35.00.

(b) Sewer tap fee shall be \$750

(b) Rates for all taps may be adjusted by the utility director if unusual circumstances are encountered or to include main line extensions.

(c) Outside the city limits, add \$3,500.00 per tap.

SECTION 1-4 Water Tap Fees

(a) Fees:

3/4-inch tap \$1,000.00

1-inch tap \$1,600.00

1.5-inch tap \$2,800.00

2-inch tap \$3,450.00

- (b) The rate for taps larger than 2 inches will be determined by the utility director based on the actual cost to the city at the time of application.
- (c) Rates for all taps may be adjusted by the utility director if unusual circumstances are encountered or to include main line extensions.
- (d) Outside the city limits, add \$6,000.00 per tap.

ARTICLE 2 BILLING AND PAYMENT PROCEDURES

Section 2-1. Billing and Collection Procedures for Residential Accounts

(a) All bills for water and sewer service shall be mailed to residential customers on the last business day of each month (the "Billing Date"). Payment on all residential accounts shall be due on the 15th day of the month following the Billing Date (the "Due Date").

(b) All bills for which payment has not been received by the City on or before the Due Date shall be assessed a late charge penalty of \$10.00 or 10% of the amount due, whichever is greater.

(c) On the 18th day of each month, the City will send a courtesy notice on each residential account that is past due. However, the City shall not be obligated to send a courtesy notice on a delinquent account and the failure of the City to send a courtesy notice or the failure of a customer to receive a courtesy notice shall not alter the City's right to disconnect service for nonpayment as provided herein.

(d) If payment on a residential account is not received by the City on or before midnight on the twenty-fourth (24) day of the month, then all water and sewer service shall be immediately scheduled to be disconnected and shall be disconnected if payment is not received before the service is disconnected. When a customer's water and/or sewer service is scheduled to be disconnected for non-payment, an administrative fee of \$50.00 shall be charged to the customer's account each time the water and/or sewer service is scheduled to be disconnected for non-payment. The administrative fee shall be charged regardless whether service is disconnected.

(e) If service is disconnected for nonpayment then service shall be re-connected on the same business day that the payment is received in full by the City, provided payment is received by the City no later than 3:00 p.m. If payment is received by the City after 3:00 p.m. then service will be reconnected on the next business day.

(f) If a customer wants their water turned back on after being disconnected for non-pay after hours the fee will be \$75.

(g) Meter Tampering: Water Meter Tampering includes, but no limited to, reconnecting meter (turning on), removing/cutting locks, and removing tags, Attempting to use water supplied by City of Kress without that water being measured and tracked through your meter is also considered tampering. Tampering is subject to criminal charges Class B Misdemeanor. The city will prosecute to the full extent of the law under Texas Penal Code

Sec. 28.03 & Sec. 31.01 and may be subject to criminal prosecution. Tampering is punishable by both fines and prosecution. When a customer's meter has been tampered with, a 1ST time fee of \$100, 2nd time fee of \$250 and 3rd time fee of \$500 tampering fee shall be charged to the customer's account, a \$25.00 lock cut fee may also be charged. If a lock is cut the meter will be pulled and a \$100.00 fee will be charged to the customer's account. The customer will be charged for the cost of meter if the meter is damaged during tampering. The customer will be required to add an additional \$200.00 water deposit to any account that has had tampering fee assessed on it and all future accounts with the city. If meter valve is broken the fee is \$200.

(h) Fire Hydrant Tampering: Water Meter Tampering includes, turning on, removing/cutting locks, and removing tags, Attempting to use water supplied by City of Kress without that water being measured and tracked through your meter is also considered tampering. Tampering is subject to criminal charges Class B Misdemeanor. The city will prosecute to the full extent of the law under Texas Penal Code Sec. 28.03 & Sec. 31.01 and may be subject to criminal prosecution. Tampering is punishable by both fines and prosecution. When a fire hydrant has been tampered with, a \$200 fee will be assessed.

SECTION 2-2 Billing procedures for Commercial Accounts

(a) All bills for water and sewer services shall be sent to commercial customers on the last business day of each month (the "Billing Date"). Payment on all commercial accounts shall be due on the 15th day of each month after the Billing Date (the "due Date"). All bills for which payment is received by the City after the Due Date shall be assessed a late charge penalty of \$10.00 or 10% of the amount due, whichever is greater.

(b) If payment on a commercial account is not received by the City on or before midnight on the twenty-fourth (24) day of the month, then all water and sewer service shall be immediately scheduled to be disconnected. When a customer's water and/or sewer service is scheduled to be disconnected for non-payment, an administrative fee of \$50.00 shall be charged to the customer's account each time the water and/or sewer service is scheduled to be disconnected for non-payment. The administrative fee shall be charged regardless whether service is disconnected.

(c) Apartments or shared meters are billed per the number of units for water and sewer. Divided consumption by the number of units. (Example: 50,000 consumption divided by 12 apartments, consumption per unit 4,166 billed at residential rates per unit.

(d) Residential Section 2-1 (e)-(h) also applies to commercial accounts.

Section 2-3 Returned Payments and Charges

(a) Any payment that is subsequently returned does not constitute a payment.

(b) A \$35.00 fee shall be charged to a customer's account for each returned check or returned bank draft. Customers with returned checks or bank draft will no longer be able to pay their bill with check or draft for one year from date of last returned check.

ARTICLE 3 TAP FEES, DEPOSITS, LINE EXTENSIONS AND CONNECTIONS

SECTION 3-1 Water Tap Fee - Standard Residential 5/8 – Meter

A tapping fee of \$725.00 (+) plus cost of the Meter for connection with the water system shall be paid by each resident customer, and a tapping fee of \$1240 (+) plus cost of the Meter for each connection with the water system shall be paid by each non-resident customer. For residential water meters larger than standard 5/8-3/4 size, fees will be based on cost plus administrative fee. In a new development (cross connection inspection fees may apply)

SECTION 3-2 Sewer Tap Fee

A tapping fee of \$750 each connection with the sewer system shall be paid by each resident customer, and a tapping fee of \$1,650.00 for each connection with the sewer system shall be paid by each non-resident customer for a depth less than 8 feet. For taps greater than 8 feet in depth and 4 inches in diameter, charges will be based on cost plus administration fee. No tapping sewer fee shall be paid by the developer who is installing new wastewater infrastructure, in a new development (cross connection inspection fees may apply)

SECTION 3-3 Deposit Required for New Customers

A Deposit shall be required at the time of connection with the water systems as follows:

- (a) New customers who reside inside the City Limits \$200
- (b) New customers reside outside the City Limits \$250
- (c) Addition Deposit inside or out see note below \$250

NOTE: Any customer that has tampered with their meter at any address will be required to put up an additional \$200 deposit. (See Section 2-1 (g))

SECTION 3-4 Line Extension

The City shall pay all expenses to extend the existing water and sewer line to the customer's property, not to exceed a distance of 100 feet. City shall not bear the cost of extending the water and sewer line on the customer's property. Customer shall pay all expenses to extend the water and sewer line more than 100 feet in order to reach the customer's property line. Customer shall pay all expenses to extend the water and sewer line on the customer's property.

SECTION 3-5 House Connection

The House connection from the City lateral shall be installed at the expense of the customer accordance with the regulations of the City and subject to a cross connection inspection by the City.

ARTICLE 4 ADMINISTRATIVE PROVISIONS

SECTION 4-1 REPEAL OF PRIOR INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent with the terms of this Ordinance are repealed; provided however, the repeal shall be only to the extent of the inconsistency and, in all other respects, prior ordinances remain effective.

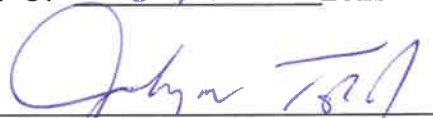
SECTION 4-2 CLAUSES SEVERABLE

If any provision, section, subsection, paragraph, sentence, clause or phrase of this ordinance of the application of this ordinance shall be held unconstitutional, void or invalid, then the invalidity shall not affect the remaining provisions of this ordinance or its application to other persons or circumstances, and to this end, all provisions of this ordinance are severable.

SECTION 4-3 EFFECTIVE DATE


This Ordinance shall take effect from and after its passage and publication as required by law.

PASSED AND APPROVED THIS 21 DAY OF Sept 2022.



Johnny M Taylor JR., Mayor


Attest:



Deelane Buske



Glenda Davis



Galen Owen



Dina Vuittonet



Sara Vuittonet

