

ORDINANCE NO. 2016-O-14

AN ORDINANCE AMENDING APPENDIX "A" ARTICLE A13.02 "WATER AND SEWERS", DIVISION 2. "RATES AND CHARGES", OF THE CODE OF ORDINANCES OF THE CITY OF PALACIOS, TEXAS TO CHANGE THE RATES FOR WATER AND SEWER USAGE; CONTAINING A SAVINGS CLAUSE; REPEALING INCONSISTENT ORDINANCES; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the City Council of the City of Palacios has determined that the need to adjust water and sewer rates to recover the cost of providing these services; NOW THEREFORE,

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

SECTION 1: That Section A13.02.031 Water Rates, Appendix "A", Article A13.02 Water and Sewers, Division 2. Rates and Charges, of the Code of Ordinances of the City of Palacios, Texas is hereby amended to read as follows:

Sec. A13.02.031 Water Rates

(a) Each residential customer with a five-eighths (5/8) inch by three-quarter (3/4) inch meter shall pay a monthly fixed charge of sixteen dollars (\$16.00) for water service, which includes a base usage of two thousand (2,000) gallons, plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next three thousand (3,000) gallons over the base usage amount up to five thousand (5,000) gallons, then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons, then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons, then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons, then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(b) Each residential customer with a one (1) inch meter shall pay a monthly fixed charge of twenty dollars (\$20.00) for water service, which includes a base usage of two thousand (2,000) gallons, plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next three thousand (3,000) gallons over the base usage amount up to five thousand (5,000) gallons, then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons, then six (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons, then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons, then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(c) Each residential sprinkler system customer with a five-eighths (5/8) inch by three-quarter (3/4) inch meter shall pay a monthly fixed charge of twenty dollars (\$20.00) for water service, which includes a base usage of two thousand (2,000) gallons, plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next three thousand (3,000) gallons over the base usage amount up to five thousand (5,000) gallons, then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons, then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons, then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons, then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(d) Each residential sprinkler system customer with a one (1) inch meter shall pay a monthly fixed charge of thirty dollars (\$30.00) for water service, which includes a base usage of two thousand (2,000) gallons,

plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next three thousand (3,000) gallons over the base usage amount up to five thousand (5,000) gallons,
then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons,
then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons,
then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons,
then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(e) Each commercial customer with a five-eighths ($5/8$) inch by three-quarter ($3/4$) inch meter shall pay a monthly fixed charge of sixteen dollars (\$16.00) for water service, which includes a base usage of one thousand (1,000) gallons,
plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next four thousand (4,000) gallons over the base usage amount up to five thousand (5,000) gallons,
then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons,
then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons,
then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons,
then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(f) Each commercial customer with a one (1) inch meter shall pay a monthly fixed charge of twenty dollars (\$20.00) for water service, which includes a base usage of one thousand (1,000) gallons,
plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next four thousand (4,000) gallons over the base usage amount up to five thousand (5,000) gallons,
then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons,
then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons,
then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons,
then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(g) Each commercial customer with a one and one-half (1.5) inch meter shall pay a monthly fixed charge of forty dollars (\$40.00) for water service, which includes a base usage of one thousand (1,000) gallons,
plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next four thousand (4,000) gallons over the base usage amount up to five thousand (5,000) gallons,
then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons,
then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons,
then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons,
then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(h) Each commercial customer with a two (2) inch meter shall pay a monthly fixed charge of sixty-five (\$65.00) for water service, which includes a base usage of one thousand (1,000) gallons,
plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next four thousand (4,000) gallons over the base usage amount up to five thousand (5,000) gallons,
then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons,
then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons,
then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons,
then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(i) Each commercial customer with a three (3) inch meter shall pay a monthly fixed charge of one hundred and twenty dollars (\$120.00) for water service, which includes a base usage of one thousand (1,000) gallons, plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next four thousand (4,000) gallons over the base usage amount up to five thousand (5,000) gallons, then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons, then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons, then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons, then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(j) Each commercial customer with a four (4) inch meter shall pay a monthly fixed charge of two hundred dollars (\$200.00) for water service, which includes a base usage of one thousand (1,000) gallons, plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next four thousand (4,000) gallons over the base usage amount up to five thousand (5,000) gallons, then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons, then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons, then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons, then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(k) Each commercial customer with a six (6) inch meter shall pay a monthly fixed charge of four hundred dollars (\$400.00) for water service, which includes a base usage of one thousand (1,000) gallons, plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next four thousand (4,000) gallons over the base usage amount up to five thousand (5,000) gallons, then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons, then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons, then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons, then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(l) Each commercial sprinkler system customer with a five-eighths (5/8) inch by three-quarter (3/4) inch meter shall pay a monthly fixed charge of twenty dollars (\$20.00) for water service, which includes a base usage of one thousand (1,000) gallons, plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next four thousand (4,000) gallons over the base usage amount up to five thousand (5,000) gallons, then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons, then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons, then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons, then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(m) Each commercial sprinkler system customer with a one (1) inch meter shall pay a monthly fixed charge of thirty dollars (\$30.00) for water service, which includes a base usage of one thousand (1,000) gallons, plus a usage charge of four dollars (\$4.00) per 1,000 gallons of the next four thousand (4,000) gallons over the base usage amount up to five thousand (5,000) gallons, then five dollars (\$5.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 10,000 gallons, then six dollars (\$6.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 15,000 gallons,

then seven dollars (\$7.00) per 1,000 gallons of the next five thousand (5,000) gallons up to 20,000 gallons,
then seven dollars and seventy-five cents (\$7.75) per thousand gallons per every thousand gallons over twenty thousand (20,000) gallons.

(n) Each existing service connection account, outside the city limits (O.C.L.), shall pay a rate equal to 1.5 times the base and usage charges. No new account, outside the city limits, shall be established without prior approval of a petition for annexation or other action by the city council.

SECTION 2: That Section A13.02.032 Sewer Rates, Appendix "A", Article A13.02 Water and Sewers, Division 2. Rates and Charges, of the Code of Ordinances of the City of Palacios, Texas is hereby amended to read as follows:

Sec. A13.02.032 Sewer Rates

(a) Each residential customer with a five-eighths (5/8) inch by three-quarter (3/4) inch meter shall pay a monthly fixed charge of sixteen dollars (\$16.00) for sewer service, which includes a base usage of two thousand (2,000) gallons of metered water use, plus a usage charge of five dollars and ninety-two cents (\$5.92) per 1,000 gallons of metered water use over the base usage amount up to twelve thousand (12,000) gallons. No sewer charge will be applied for additional metered water over 12,000 gallons above the base charge.

(b) Each residential customer with a one (1) inch meter shall pay a monthly fixed charge of forty dollars (\$20.00) for sewer service, which includes a base usage of two thousand (2,000) gallons of metered water use, plus a usage charge of five dollars and ninety-two cents (\$5.92) per 1,000 gallons of metered water use over the base usage amount up to twelve thousand (12,000) gallons. No sewer charge will be applied for additional metered water over 12,000 gallons above the base charge.

(c) Each commercial customer with a five-eighths (5/8) inch by three-quarter (3/4) inch meter shall pay a monthly fixed charge of sixteen dollars (\$16.00) for sewer service, which includes a base usage of one thousand (1,000) gallons of metered water use, plus a usage charge of five dollars and ninety-two cents (\$5.92) per 1,000 gallons of metered water use over the base usage amount.

(d) Each commercial customer with a one (1) inch meter shall pay a monthly fixed charge of twenty dollars (\$20.00) for sewer service, which includes a base usage of one thousand (1,000) gallons of metered water use, plus a usage charge of five dollars and ninety-two cents (\$5.92) per 1,000 gallons of metered water use over the base usage amount.

(e) Each commercial customer with a one and one-half (1.5) inch meter shall pay a monthly fixed charge of forty dollars (\$40.00) for sewer service, which includes a base usage of one thousand (1,000) gallons of metered water use, plus a usage charge of five dollars and ninety-two cents (\$5.92) per 1,000 gallons of metered water use over the base usage amount.

(f) Each commercial customer with a two (2) inch meter shall pay a monthly fixed charge of one hundred and sixty-five dollars (\$65.00) for sewer service, which includes a base usage of one thousand (1,000) gallons of metered water use, plus a usage charge of five dollars and ninety-two cents (\$5.92) per 1,000 gallons of metered water use over the base usage amount.

(g) Each commercial customer with a three (3) inch meter shall pay a monthly fixed charge of one hundred and twenty dollars (\$120.00) for sewer service, which includes a base usage of one thousand (1,000) gallons of metered water use, plus a usage charge of five dollars and ninety-two cents (\$5.92) per 1,000 gallons of metered water use over the base usage amount.

(h) Each commercial customer with a four (4) inch meter shall pay a monthly fixed charge of two hundred dollars (\$200.00) for sewer service, which includes a base usage of one thousand (1,000) gallons of metered water use,

plus a usage charge of five dollars and ninety-two cents (\$5.92) per 1,000 gallons of metered water use over the base usage amount.

(i) Each commercial customer with a six (6) inch meter shall pay a monthly fixed charge of four hundred dollars (\$400.00) for sewer service, which includes a base usage of one thousand (1,000) gallons of metered water use, plus a usage charge of five dollars and ninety-two cents (\$5.92) per 1,000 gallons of metered water use over the base usage amount.

(j) Each existing service connection account, outside the city limits (O.C.L.), shall pay a rate equal to 1.5 times the base and usage charges. No new account, outside the city limits, shall be established without prior approval of a petition for annexation or other action by the city council.

SECTION 3: If any provisions, section, exception, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and to this end all provisions of this ordinance are declared to be severable.

SECTION 4: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 5: This Ordinance shall become effective after its approval and adoption upon second and final reading.

PASSED AND APPROVED on first reading this 13th day of December, 2016.

PASSED, APPROVED AND ADOPTED on second and final reading this 10th day of January, 2017.



CITY OF PALACIOS, TEXAS



GLEN SMITH, Mayor

ATTEST:



ANGELA FLORES, City Secretary

APPROVED AS TO FORM:

RANDALL B. STRONG, City Attorney