

ORDINANCE 11-19-10

CITY SECRETARY
ORIGINAL COPY

AN ORDINANCE OF THE CITY OF SANGER, TEXAS, AMENDING ARTICLE 4.000 OF APPENDIX A "FEE SCHEDULE" OF THE CODE OF ORDINANCES OF THE CITY OF SANGER, TEXAS, AMENDING ARTICLE 4.000 UTILITY RELATED FEES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. That Article 4.000, Appendix A "Fee Schedule" of the Code of Ordinances, City of Sanger, Texas, is hereby amended to read as follows:

ARTICLE 4.000 UTILITY RELATED FEES

Division 4.100 Generally

Sec. 4.101 Utility Reconnection Fees

Service may be discontinued, upon ten days written notice to customers having past due bills on the twenty-seventh day of the month of billing. In addition, a thirty dollar (\$30.00) service fee will be assessed to all water [customers] and a thirty dollar (\$30.00) service fee will be assessed to all electric customers whose service bill has not been paid by the twenty-seventh of the month of billing, whether the service has been disconnected or not.

Sec. 4.102 Tampering Fee

In the event the user or customer or his agent restores water services or electric services after service has been disconnected by the city, or the user or customer or his agent tampers with the water meter or the electric meter or service line appurtenances in any manner, based on the best estimated time that tampering occurred, an average kwh usage fee will be charged. All vehicle, man-hours and equipment replacement costs will also be charged. A tampering fee of two hundred dollars (\$200.00) shall be collected in addition to the reconnect fees.

Sec. 4.103 Utility Service Fees

(a) **Utility Service Fee.** To a customer that has requested water service be connected and are not present at time of connect, and there is an issue not allowing services to be left on, thus causing an additional service trip for reconnect: \$20.00.

(b) **After-Hours Utility Service Fee.** To a customer who request a utility service connection or disconnection after 4:30 p.m where the connection or disconnection is due to no fault of the city, will be charged a service fee of \$50.00 in addition to the \$30.00 reconnect fee on each service.

Division 4.200 Solid Waste

Sec. 4.201 Reserved

Sec. 4.202 Collection Fees

- (a) Residential Customers. Two pickups per week: Actual cost plus \$2.00 administrative fee.
- (b) Commercial Customers. One pickup per week, maximum one 96-gal. container: Actual cost plus \$2.00 administrative fee.
- (c) Container Services.
 - (1) Three-yd. containers.
 - (A) One pickup per week: Actual cost plus \$2.00 administrative fee.
 - (B) Two pickups per week: Actual cost plus \$2.00 administrative fee.
 - (C) Extra pickup: Actual cost plus \$2.00 administrative fee.
 - (2) Four-yd. containers.
 - (A) One pickup per week: Actual cost plus \$2.00 administrative fee.
 - (B) Two pickups per week: Actual cost plus \$2.00 administrative fee.
 - (C) Extra pickup: Actual cost plus \$2.00 administrative fee.
 - (3) Six-yd. containers.
 - (A) One pickup per week: Actual cost plus \$2.00 administrative fee.
 - (B) Two pickups per week: Actual cost plus \$2.00 administrative fee.
 - (C) Extra pickup: Actual cost plus \$2.00 administrative fee.
 - (4) Eight-yd. containers.
 - (A) One pickup per week: Actual cost plus \$2.00 administrative fee.
 - (B) Two pickups per week: Actual cost plus \$2.00 administrative fee.
 - (C) Three pickups per week: Actual cost plus \$2.00 administrative fee.
 - (D) Extra pickup: Actual cost plus \$2.00 administrative fee.

- (5) Thirty-yd. containers.
- (A) Commercial user.
- (i) Rent: Actual cost plus \$2.00 administrative fee.
- (ii) Delivery: Actual cost plus \$2.00 administrative fee.
- (iii) Each pickup: Actual cost plus \$2.00 administrative fee.

Sec. 4.203 Reserved

Sec. 4.204 Fee for Removal of Illegally Dumped Refuse on Private Property

A charge of twenty-five dollars (\$25.00), over and above the actual cost of removal, for each collection and removal of solid waste materials shall be levied, assessed and collected against such property each time such collection and removal of solid waste materials shall be performed, provided that an additional charge can be levied, assessed and collected against such premises for the actual additional cost for said collection and removal. The charges provided for herein shall be levied, assessed and collected by the city, and if any person shall fail to pay such charges so assessed within thirty (30) days after proper notice, the city will file with the county clerk a statement setting out the expenses that the city has incurred pursuant to the provisions of this section, and the city shall thereby perfect a privileged lien on the property involved, second only to tax liens and liens for street improvements, to secure the expense to the city, together with ten (10) percent interest from the date such payment is due.

Division 4.300 Water and Sewer

Sec. 4.301 Residential Water Service Connections

(a) The city shall install, or cause to be installed and maintain all water service connections in the streets, alleys and easements. All interruptions of water service to any and all customers shall be made under the direct supervision of the city water department before such interruption is made. Any person, firm or corporation found interrupting water service without city supervision shall be in violation of this section and shall be subject to fines and penalties in accordance with the general penalty provision set forth in Section 1.109 of this code.

(b) The city shall charge for the installation and maintenance of all such connections a sum sufficient to cover the average cost thereof. Such sum is to be determined and collected by the utility department and shall be at the following rates:

Tap charges for sizes up to 1"	\$2,000.00
Additional meter for sprinkler system	\$350.00
Charge for meter, box and connections damage during construction	Actual cost + \$500.00 refundable deposit against
Charge for water connect fees (user fee)	\$30.00
Charge for service interruption supervision	\$35.00

(c) All water services for construction purposes shall be metered and subject to the same regulations and billings as permanent water accounts.

Editor's note-The charge for the water connect fees was changed at the request of the city.

Sec. 4.302 Residential Sanitary Sewer Service Connections

The city shall install all sanitary sewer service connections in the streets, alleys and easements both inside and outside the city limits. Said service connections shall be installed from the main to the property line when the sewer main is located in an alley or a street right-of-way; if the sewer main is in an easement, the service connection shall be installed from the sewer main to the easement boundary line. The city shall charge two thousand dollars (\$2,000.00) for each connection.

Sec. 4.303 Commercial Water Service Connections

(a) The city shall install, or cause to be installed and maintain all water service connections in the streets, alleys and easements. All interruptions of water service to any and all customers shall be made under the direct supervision of the city water department before such interruption is made. Any person, firm or corporation found interrupting water service without city supervision shall be in violation of this section and shall be subject to fines and penalties in accordance with the general penalty provision set forth in Section 1.109 of this code.

(b) The city shall charge for the installation and maintenance of all such connections a sum sufficient to cover the average cost thereof Such sum is to be determined and collected by the utility department and shall be at the following rates:

(1) Duplexes.

Tap charges for all sizes up to 2" \$350.00
Plus \$1,650.00 for each habitable unit

Tap charges for each additional inch over 2" \$100.00
Plus \$1,650.00 for each habitable unit

(2) Apartments.

Tap charges for all sizes up to 2" \$350.00
Plus \$1,650.00 for each habitable unit

Tap charges for each additional inch over 2" \$100.00
Plus \$1,650.00 for each habitable unit

(3) Motels.

Tap charges for all sizes up to 2" \$350.00
Plus \$300.00 for each habitable unit

Tap charges for each additional inch over 2" \$100.00
Plus \$300.00 for each habitable unit

- (4) All Other Commercial. The following list shall apply to all other commercial taps:

Up to 1" line \$2,000.00
1-1/2" \$2,500.00
2" line \$3,000.00
3" line \$3,600.00
4" line \$4,300.00
6" line \$5,700.00
8" line \$6,900.00

Charge for meter, box and connections is Actual cost + \$500.00 refundable deposit
against damage during construction

Charge for water connect fees (user fee) \$30.00
Charge for service interruption supervision \$35.00

- (c) All water services for construction purposes shall be metered and subject to the same regulations and billings as permanent water accounts.

- (d) All meters and meter boxes shall be supplied by the city. In the event that a meter and meter box is installed by the developer, the meter and box charge will be reduced ten dollars (\$10.00).

Sec. 4.304 Commercial Sanitary Sewer Service Connections

- (a) The city shall install all sanitary sewer service connections in the streets, alleys and easements both inside and outside the city limits. Said service connections shall be installed from the main to the property line when the sewer main is located in an alley or a street right-of-way; if the sewer main is in an easement, the service connection shall be installed from the sewer main to the easement boundary line.

- (1) Duplexes.

Tap charges for all sizes up to 4" \$400.00
Plus \$1,600.00 for each habitable unit

Tap charges for each additional inch over 4" \$100.00
Plus \$1,600.00 for each habitable unit

- (2) Apartments.

Tap charges for all sizes up to 4" \$400.00

Plus \$1,600.00 for each habitable unit

Tap charges for each additional inch over 4" \$100.00
Plus \$1,600.00 for each habitable unit

(3) Motels.

Tap charges for all sizes up to 2" \$400.00
Plus \$400.00 for each habitable unit

Tap charges for each additional inch over 2" \$100.00
Plus \$400.00 for each habitable unit

(4) All Other Commercial. The following list shall apply to all other commercial taps:

4" line	\$ 2,000.00
6" line	\$ 3,500.00
8" line	\$ 6,500.00
10" line	\$ 8,750.00
12" Line	\$10,000.00

(b) Service lines that require the cutting or boring of paved streets or alleys will be subject to an additional charge based on the actual cost for such bores or cuts necessary for installation.

(c) The property owner shall install a service line, with clean-out fitting at his or her expense to the city's lateral, in accordance with city regulations and subject to the inspection of the city and shall hereafter be responsible for normal maintenance of said service line from the structure to the property line.

Sec. 4.305 Crediting of Collections

(a) All water funds collected in excess of established costs shall be deposited in a separate account for new storage facilities, new pump stations, purchase of easements or main trunk lines and disbursed only after specific approval by the city council.

(b) All sewer funds collected in excess of established costs shall be deposited in a separate account for the new sewer plant, additions to sewer plant, purchase of easements or main trunk lines to plant and disbursed only after specific approval by the city council.

Sec. 4.306 Water Service Rates

(a) The rates to be charged by the city for water services for residential customers are hereby established as set forth below:

\$17.00 minimum per unit served for 0–1,000 gallons

\$2.85 per thousand gallons	1,001–4,999 gallons
\$3.15 per thousand gallons	5,000–14,999 gallons
\$3.70 per thousand gallons	15,000–29,999 gallons
\$4.75 per thousand gallons	30,000+ gallons

(b) The rates to be charged by the city for water services for commercial customers are hereby established as set forth below:

\$21.00 minimum per unit served for	0–1,000 gallons
\$3.35 per thousand gallons	1,001–4,999 gallons
\$3.65 per thousand gallons	5,000–14,999 gallons
\$3.95 per thousand gallons	15,000–29,999 gallons
\$4.85 per thousand gallons	30,000+ gallons

(c) Multifamily Dwellings. Where multifamily dwellings are served by a single water service line, the total water usage will be divided by the number of occupied units. The bill calculated from the per unit usage derived therefrom shall be multiplied by the number of occupied units to determine the amount due. It shall be the responsibility of the owner or manager to notify the city by the 20th of each month on what the occupied count is for the month. If the City is not notified by the 20th of the month, then the highest count in the last twelve months will be used to calculate the bill.

(d) Multiunit Commercial Structures. Where existing commercial tenants are served by a single water meter, the total water usage will be divided by the number of tenants, the bill calculated from the per tenant usage derived therefrom shall be multiplied by the number of tenants to determine the amount due. The minimum per unit charge will be \$14.50 for 0–1,000 gallons. No new multi-unit connections will be allowed. In all new or newly divided commercial buildings each tenant space shall be required to have its own water meter.

(e) Manufactured Home Parks. Where manufactured home parks are served by a single water service line, the total water usage will be billed to the owner of the park based on the number of occupied units. The bill calculated from the per unit usage derived therefrom shall be multiplied by the number of occupied units to determine the amount due. It shall be the responsibility of the park owner or manager to notify the city by the 20th of each month on what the occupied count is for the month. If the City is not notified by the 20th of the month, then the highest count in the last twelve months will be used to calculate the bill.

Sec. 4.307 Sewer Service Rates

The rates to be charged by the city for sanitary sewer service are hereby established as follows:

(1) Residential-Class A. Class A customers shall include all residential type users including, but not limited to, single-family residences, apartment units, trailer court units, duplexes, or any other service primarily intended for domestic or residential use. The city may include similar low volume users such as churches and small business offices or stores in Class A.

All Class A customers of municipal wastewater facilities will be charged a minimum of eighteen dollars (\$18.00) per monthly cycle and two dollars and fifty cents (\$2.50) per thousand gallons of metered water in excess of the first one thousand (1,000) gallons and two dollars and seventy-five cents (\$2.75) for water in excess of 10,000 gallons, but in no case to exceed fifty dollars (\$50.00) per month.

(2) Commercial-Class B. Class B customers shall include commercial users such as, but not limited to, restaurants, cafes, carwashes, schools, hospitals, nursing homes, offices, hotels, motels, laundries, grocery stores, department stores, and other commercial business operations as may be identified as not a Class A type user.

All Class B customers of municipal wastewater facilities shall be charged the following rates for the monthly facilities charge and two dollars twenty five cents(\$2.25) per thousand gallons of metered water in excess of the first one thousand (1,000) gallons and two dollars and fifty cents (\$2.50) for water in excess of 10,000 gallons.

3/4"-meter	\$26.50
1"-meter	\$29.15
1-1/2"-meter	\$33.00
2"-meter	\$40.15
3"-meter	\$49.50
4"-meter	\$91.85
6"-meter	\$122.10
8"-meter	\$161.15

(3) Multifamily Dwellings. The amount due for multifamily dwellings shall be the Class A rate multiplied by the number of occupied dwelling units as computed for water that month.

(4) Manufactured Home Parks. The amount due for manufactured home parks shall be the Class A rate multiplied by the number of occupied dwelling units as computed for water that month.

(5) Multiunit Commercial Structures. Where commercial tenants are served by a single water meter, the total water usage will be divided by the number of tenants, the bill calculated from the per tenant usage derived therefrom shall be multiplied by the number of tenants to determine the amount due. The minimum per unit charge will be \$18.00.

(6) Customers without city water service will be charged \$45.00 per month.

Sec. 4.308 Water and Sewer Deposit

(a) Each individual, person, business, firm or corporation making application for a connection to provide service by the city waterworks and sanitary sewer system shall provide a deposit prior to receiving service in the applicable amount as follows:

Residential deposit	\$100.00
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Multi-property residential deposit*	\$100.00
Large volume user deposit (including but not limited to restaurants, hair salons, pet groomers, etc.)	\$200.00
Commercial deposit	\$100.00
Mobile water meter deposit	1,000.00

*To qualify, the individual or company must not have been late on any payments for any properties within the last twelve (12) months.

(b) Upon termination of service, the amount of deposit will be credited to the customer's final bill except for multi-property residential deposits which will only be credited when the final account is closed.

Division 4.400 Electric

Sec. 4.401 Electric Deposits

(a) Each individual, person, business, firm or corporation making application for a connection to provide electric service shall provide a deposit prior to receiving service in the applicable amount as follows:

*Residential deposit	\$200.00
**Multi-property residential deposit	\$200.00
Small commercial deposit	\$200.00
Large commercial deposit	\$500.00

(b) Upon termination of service, the amount of deposit will be credited to the customer's final bill.

(c) **Electric Deposit Refunds.** When a residential or commercial customer has paid twelve (12) consecutive billings without having service disconnected for nonpayment and without having any delinquent bills and is not currently delinquent on their bill, Sanger Electric will refund the electric deposit by applying the amount of deposit on electric service to the customer's first billing following the twelve-month period.

* Residential Deposits. An acceptable letter of credit from a recognized utility company for the current previous twelve (12) months shall be accepted in lieu of a deposit. Such letter must state that the customer has an acceptable payment record. Temporary service for cleanup or a remodel will be subject to a thirty-day maximum and will not require a deposit.

** To qualify for the multi-property residential deposit, the individual or company must not have been late on any payments for any properties within the last twelve (12) months. Multi-property residential deposits will only be credited when the final account is closed.

Sec. 4.402 Electric Service Connections

Electrical service connection fees shall be as follows:

- (1) Service Fee. For all new customers and any customer moving within the system: \$30.00.
- (2) Temporary Service Fee. Paid upon request for service by a contractor for a remodel or landlord: \$30.00 each service. Temporary service is only good for thirty (30) days.
- (3) Service Fee. To customer who is disconnected for nonpayment or who has not paid by the end of business on the 27th and reconnected, or customer requesting disconnect and reconnect for remodeling or upgrading electrical wiring: \$30.00 each service.
- (4) Three Phase Service Fee. For new installation upgrading of existing service, or reconnect: \$90.00.

Sec. 4.403 Residential Electric Rate

- (a) Availability. To any customer for electric service used for residential purposes in individual, private dwellings and in individually-metered apartments supplied at one point of delivery and measured through one meter.
- (b) Type of Service. Service shall be single phase at 60 cycles and standard secondary voltages.
- (c) Rate.
 - (1) Facilities Charge: \$10.00 per month.
 - (2) Energy Charge: \$0.1175 per kwh.
 - (3) Minimum Bill: \$10.00 per month.

Sec. 4.404 Commercial Electric Rate

- (a) Availability. To commercial customers for all uses when service is taken through one meter at a single point of delivery. Not applicable to resale or breakdown service.
- (b) Type of Service. Service shall be single or three phase at 60 cycles and any standard voltages available from the distribution system and through one standard transformation. When entire service cannot be measured at one utilization voltage with one standard type meter, it will be measured at primary voltage.
- (c) Rate.
 - (1) Facilities Charge: \$16.00 per month.
 - (2) Energy Charge: \$0.12 per kwh.
 - (3) Minimum Bill: \$16.00 per month.

Sec. 4.405 Large Industrial Electric Rate

(a) Availability. To any customer for electric service supplied at one point of delivery and measured through one meter. This applies to all customers with usage of 10,000,000 KWH or more per year.

(b) Rate.

(1) Facilities charge: \$35.00.

(2) Energy charge: \$0.105.

Sec. 4.406 Security/Guard Light Rates

(a) 150W H.P.S.: \$15.00 per month.

(b) 400W H.P.S. directional floodlight: \$35.00 per month

(c) 1,000W metal halide floodlight: \$70 per month

Sec. 4.407 ERCOT Mandated Charges

(a) Various charges imposed by the Energy Reliance Council of Texas (ERCOT) and adjusted periodically shall be added or deducted from the above rates at the actual cost to the City.

Sec. 4.408 Electric Service Switchover

(a) Disconnection Fee for Transfer of Service. Disconnection fee for transfer of service is made when customer who is receiving permanent electric service from either electric utility company request in writing transfer of such service to the other electric utility. Prior to disconnecting electric service to transfer such service to another electric utility, the customer must pay the company for all amounts owed to that company. That company must issue a receipt to customer upon payment of all amounts owed company which includes:

(1) A disconnect charge of one hundred dollars (\$100.00) to residential customers to remove meter and service based upon the average direct labor and vehicle costs of disconnecting customer. The charge to nonresidential customers for normal installations is also one hundred dollars (\$100.00), but if special metering facilities are to be removed, the charge is increased to cover this additional cost.

(2) The total cost of any distribution facilities rendered idle and not usable elsewhere on company's system, based upon the original cost of such facilities less depreciation and net salvage.

(3) Charges for electric service through the date of disconnection.

(4) Any other charges applicable under company's tariff or ordinance for electric service or agreement for electric service.

(5) Any other applicable charges.

(b) Total Disconnection Fee. One hundred dollars (\$100.00), plus applicable charges under subsections (a)(2), (3), (4) and (5).

Sec. 4.409 Installation and upgrading of electrical service.

(a) Installation of new services or the upgrading of an existing service shall be at the expense of the owner less the following allowances:

Section 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are severable and, if any word, 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 portions of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph, or section.

Section 4. This ordinance will take effect immediately from and after its passage, as the law and Charter in such cases provide.

PASSED AND APPROVED this 15th day of November 2010 by the City Council of the City of Sanger, Texas.

APPROVED:

Thomas E. Muir

Thomas Muir, Mayor

ATTEST:

Tami Taber

Tami Taber, City Secretary

