

ORDINANCE NO. 13-2022

AN ORDINANCE AMENDING THE WATER AND SEWER RATE ORDINANCE OF THE CITY OF LINDALE 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 Lindale to customers in order to both provide reasonable compensation to the City of Lindale therefor and provide water and sewer service at reasonable rates to customers of the City of Lindale; and

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

NOW, THEREFOR, be it ordained by the City Council of the City of Lindale, Lindale, Texas:

ARTICLE 1 WATER AND SEWER RATES

Section 1-1 Water Rates Within the City

The following rates per month shall be the rates charged for water services furnished to customers within the corporate limits of the City of Lindale, until revised by the City Council of the City of Lindale by subsequent ordinance:

- (a) Residential
 - First 2,000 gallons 20.45 minimum (Base)
 - 2001 to 15,000 gallons 4.17 per 1,000 gallons or part thereof
 - All Over 15,000 gallons 4.53 per 1,000 gallons or part thereofApartment and shared meters
 - Note: Consumption divided by the numbers of units, with per unit charge.
 - First 2,000 gallons 20.45 minimum (Base)
 - 2001 to 15,000 gallons 4.17 per 1,000 gallons or partSprinkler
 - 0-15,000 gallons 4.17 per 1,000 gallons or part thereof
 - All over 15,000 gallons 4.53 per 1,000 gallons or part thereof
- (b) Commercial and Industrial
 - First 2,000 gallons Base 21.53 minimum
 - All Over 2,000 gallons 4.53 per 1,000 or part thereof
- (c) Bulk Water Rates
 - 21.59 per 1,000 gallons
 - 10.79 every 1,000 gallons thereof

Section 1-2 Water Rates Outside the City

The following rates per month shall be the rates charged for water services furnished to customers outside the corporate limits of the City of Lindale, until revised by the City Council of the City of Lindale by subsequent ordinance:

(a)	Residential	
	First 2,000 gallons Base	30.69 minimum
	2,001 to 15,000 gallons	6.26 per 1,000 gallons or part thereof
	All Over 15,000 gallons	6.89 per 1,000 gallons or part thereof

Apartments and shared meters

Note: consumption is divided by the number of units and a per unit charge.

First 2,000 gallons Base	30.69 minimum
2,001 to 15,000 gallons	6.26 per 1,000 gallons or part
15,001 or above	6.89 per 1,000 gallons or part

Sprinkler

0-15,000 gallons	6.25 per 1,000 gallons or part thereof
All over 15,000 gallons	6.89 per 1,000 gallons or part thereof

(b)	Commercial and Industrial	
	First 2,000 gallons Base	32.31 minimum
	All Over 2,000 gallons	6.89 per 1,000 gallons or part thereof

Section 1-3 Sewer Rates With in the City

The following rates per month shall be the rates charged for sewer services furnished to customers until revised by the City Council of the City of Lindale by subsequent ordinance, all such charges for sewer services to be based upon water usage, as follows:

(a)	Residential	
	First 2,000 gallons Base	20.46 minimum
	2,001 to 10,000 gallons	3.35 per 1,000 gallons or part thereof
	Sewer Cap 10,000	Sewer Cap 47.26
	Apartments use residential rate Per unit charge	

No cap

- (b) Commercial and Industrial
 - First 2,000 gallons Base 21.54 minimum
 - All Over 2,000 gallons 3.71 per 1,000 gallons or part thereof
- NO Cap

Section 1-4. Sewer Rates Outside the City

The following rates per month shall be the rates charged for sewer services furnished to customers until revised by the City Council of the City of Lindale by subsequent ordinance, all such charges for sewer services to be based upon water usage, as follows:

- (a) Residential
 - First 2,000 gallons Base 30.69 minimum
 - 2,001-to 10,000 gallons 5.02 per 1,000 gallons or part thereof
- Cap 70.85 Sewer Cap

Apartments use residential rate per unit charge

No cap

- (b) Commercial and Industrial
 - First 2,000 gallons Base 32.31 minimum
 - All Over 2,000 gallons 5.56 per 1,000 gallons or part thereof
- NO Cap

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 14th 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 \$30.00 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 Lindale 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 Lindale 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 24th 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 following 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 \$30.00 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 \$25.00 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.

Section 2-4 AMR Re-Read procedures

A customer may make a written request for us to run an AMR Report if they feel they have a problem at no charge once a year, any additional re-reads in the 12 month period will be charged \$25 per test/report. If the test/report shows it to be a city problem the fee will be waived.

Section 2-4-2-10. Reserved.

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.

Section 3-2 Sewer Tap Fee

A tapping fee of \$1,035.00 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 (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	\$100.00
New customers reside outside the City Limits	\$150.00
Addition Deposit inside or out see note below	\$200.00

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 to 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 inspection by the City.

Section 3-6-3-10 **Reserved**

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**

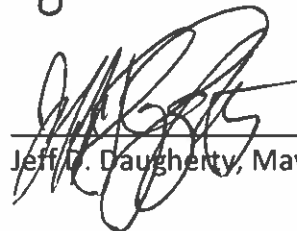
If any provision, section, subsection, paragraph, sentence, clause or phrase of this ordinance of the application of this ordinance shall be held unconstitutional, void or invalid, then the invalidity shall not affect the remaining provisions of this ordinance or its application to other persons or circumstances,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

Section 4-4-4-10 **Reserved**

PASSED AND APPROVED THIS 2 DAY OF Aug, 2022.



Jeff D. Daugherty, Mayor



Michelle Wiese, City Secretary