

ORD 99-12

AN ORDINANCE ESTABLISHING WATER RATES TO BE CHARGED BY THE CITY OF COMMERCE, TEXAS, FOR WATER TO PATRONS OF THE CITY OF COMMERCE WATER SYSTEM; PRESCRIBING RULES AND REGULATIONS IN CONNECTION WITH SERVICE; PRESCRIBING THE MANNER AND METHOD OF BILLING FOR SAME; PROVIDING FOR DEPOSIT AND REFUNDS; PROVIDING FOR A APPLICATION AND TRANSFER FEE; PROVIDING FOR DISCONNECTION OF SAID UTILITY SERVICES FOR NON-PAYMENT OF CHARGES FOR UTILITY SERVICES AND PROVIDING THE DISCONTINUANCE OF SAME UPON THE FAILURE TO PAY A UTILITY ACCOUNT WHEN DUE; PROVIDING FOR SCHEDULE CHANGES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCE IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY OF COMMERCE, TEXAS

SECTION 1. MONTHLY WATER RATES

- (A) Water rate: for residential, business, professional or commercial active connection with the system, rates are hereby fixed at the following rates with a monthly demand charge set according to meter size as follows, plus a charge for each 1,000 gallons of metered water.

<u>METER SIZE</u>	<u>MONTHLY DEMAND RATE</u>
Single unit residence:	7.18
Commercial:	
5/8"	7.18
1"	17.95
1 1/2"	35.90
2"	57.44
3"	114.88
4"	179.50
6"	359.00

Usage Fee (per 1,000 gallons of water):

0-999,999	2.40
-----------	------

- (B) Customers living and businesses outside the city limits shall be charged one and one-half (1 1/2) times the rate being charged to residents within the city limits.
- (C) Rates for water districts will be by established contract.

SECTION 2. BILLING PROCEDURE

Charges for utility service shall be due when rendered, and shall be chargeable as a lien or legal charge against the deposit made for the security of payment of the utility account.

SECTION 3. DEPOSITS:

A deposit shall be made with each application for utility service (water and/or sewer and/or garbage) as follows:

Owner occupied residential	\$50.00
Residential Rental Property	\$75.00
Residential Out-side City Limits	\$75.00
Commercial (low to normal usage)	\$60.00

Large commercial utility users such as apartments, restaurants, laundries, and industries will have the deposit calculated by using the charges of a similar user for a two (2) month period. The deposit can be by bank letter of credit, bond, or good credit history at another water provider.

Said sum to be retained by the City to insure payment of all utility bills; said deposit to be refunded without interest, upon the happening of either one of the following events:

- A. When service to the patron is discontinued permanently, the deposit, less any amount still due to the City of Commerce for utility service, will be refunded to the patron.
- B. When customer has been a patron for utility service for a period of one (1) year, during which time the customer has had no late charges or penalties with the City of Commerce, Texas, the full amount of the deposit may be applied to the current bill only upon written request by the customer.

SECTION 4. APPLICATION AND TRANSFER FEE

At the time of making application for a utility connection for service to be provided by the City of Commerce, Texas, applicant will be required to pay an application fee of \$20.00.

An Applicant requesting a transfer of service from one location to another location will be required at the time of making such request to pay a transfer fee of \$20.00.

SECTION 5. LATE CHARGES AND REQUESTS FOR RE-READ OF METER

A 10% late charge will be added to all past-due accounts 20 days after the billing date. A customer requesting a meter re-read will be allowed one free re-read annually. All additional requested re-reads will be charged at \$20.00 each.

SECTION 6. DISCONNECTION FOR DELINQUENCY

On a failure to pay a utility account within thirty (30) days of the billing date, the City Manager or his authorized representative, for and on behalf of the City, shall have the authority to order a \$20.00 processing fee applied to the account and such service discontinued until the processing fee has been paid to the City, together with all delinquent utility accounts and any late charges due from said delinquent user. An additional service charge for any reconnection made during any hours other than 8:00

a.m. to 4:45 p.m. of said days of the week Monday through Friday or on the days of the week Saturday or Sunday or during any holiday observed by the personnel and employees of such office shall be Twenty Dollars (\$20.00).

SECTION 6.5. WAIVING OF FEES

The City Manager and or his designee may waive the processing fee when in his or her discretion, it is justified.

SECTION 7. SCHEDULE

This established Schedule is subject to any change authorized by law, and changes in the City schedules.

SECTION 8.

All ordinances and parts of ordinances inconsistent with or in conflict with the provisions of this ordinance shall be and the same are hereby expressly repealed.

SECTION 9.

If any section, sub-section, word, sentence, or phrase of this ordinance is declared to be invalid, it shall not affect the validity of this ordinance.

SECTION 10.

All Ordinances or parts of Ordinances in conflict herewith are hereby expressly repealed. If any section, sub-section, word, sentence, or phrase of this Ordinance is declared to be invalid, it shall not effect the validity of this Ordinance. This Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED on **FIRST READING** at a regular meeting of the City Council of the City of Commerce, Texas, on this the 5th day of May, 1999.

PASSED AND APPROVED on **SECOND READING** at a regular meeting of the City Council of the City of Commerce, Texas, on this the 18th day of May, 1999.

ATTEST

Marty Morrison

Marty Morrison
City Secretary

CITY OF COMMERCE

John R. Sands

John R. Sands
Mayor

(seal)

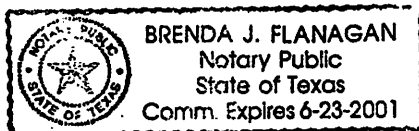
I, Marty Morrison, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an Ordinance, and that the same has not been repealed and is in full force and effect.

(seal)

Marty Morrison

Marty Morrison, City Secretary
City of Commerce

Sworn to and subscribed before me, on this the 18th day of May, 1999, to certify which witness my hand and seal of office.



Brenda J. Flanagan
Notary Public

Ordinance/Utilrate.499