

## ORDINANCE 11-5

**AN ORDINANCE AMENDING CITY OF COMMERCE CODE OF ORDINANCES;  
ESTABLISHING WASTEWATER RATES TO BE CHARGED BY THE CITY OF COMMERCE,  
TEXAS, FOR WATER TO PATRONS OF THE CITY OF COMMERCE WATER SYSTEM,  
PROVIDING A SAVINGS CLAUSE AND DECLARING AN EMERGENCY REPEALING ALL  
ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.**

**BE IT ORDAINED BY THE CITY OF COMMERCE, TEXAS**

### SECTION 1. AMENDMENT:

City of Commerce Code of Ordinances is hereby amended so that said section shall hereafter read as follows:

SECTION 2: That for the purposes provided in Section 1 and 2 above, there is hereby levied and charged on each lot, parcel of land or premises in the City having a connection with the system, or otherwise discharging wastewater, industrial wastes, water or other liquids, either directly or industrial wastes, water or other liquids, either directly or indirectly into the system, wastewater charges payable as hereinafter provided and in amounts to be determined as follows:

- (A) Wastewater rate: For residential, business, professional or commercial active connection with the system, rates are hereby fixed at the following rates using a demand charge based on meter size plus the gallon charges based on the water used, as registered by the users water meter:

#### METER SIZE

#### MONTHLY DEMAND RATE

|                        |          |
|------------------------|----------|
| Single unit residence: | 13.00    |
| Commercial:            |          |
| 5/8"                   | 13.00    |
| 1"                     | 32.50    |
| 1 1/2"                 | 65.00    |
| 2"                     | 104.00   |
| 3"                     | 208.00   |
| 4"                     | 325.00   |
| 6"                     | 650.00   |
| 8"                     | 1,040.00 |
| 10"                    | 1,495.00 |

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

|           |      |
|-----------|------|
| 9-999,999 | 3.88 |
|-----------|------|

- (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.

A wastewater average for each single family residential account has been calculated from the November through April Billing. For the May 10<sup>th</sup> through October 30<sup>th</sup> billing for single family residential units only, the following calculations will be used:

1. If the usage is below the average, the bill will be calculated on the usage.
2. If the usage is over the average, the bill will be calculated by the average.

SECTION 2. Ordinance or parts of ordinances inconsistent with or in conflict with the provisions of this ordinance shall be and the same are hereby expressly repealed.

SECTION 3.

In 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 4.

It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Texas law, and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 5.

Whereas an emergency is apparent for the immediate preservation of order, health, safety and general welfare of the public, all rules and regulations requiring the reading of ordinance more than one time or on more than one occasion are hereby suspended.

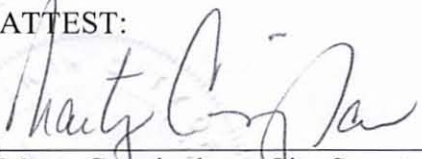
SECTION 6.

This Ordinance shall take effect and be in force April 20, 2011.

**PASSED AND APPROVED** on first reading at a regular meeting of the City Council of the City of Commerce, Texas on this the 15<sup>th</sup> day of March 2011.

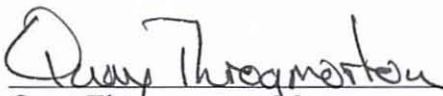
**PASSED AND APPROVED** on second reading at a regular meeting of the City Council of the City of Commerce, Texas on this the 19<sup>th</sup> day of April 2011.

ATTEST:

  
Marty Cunningham, City Secretary

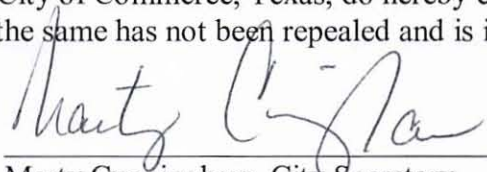
(seal)

CITY OF COMMERCE:

  
Quay Throgmorton, Mayor

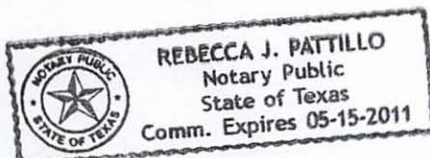
I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an Ordinance, and that the same has not been repealed and is in full force and effect.

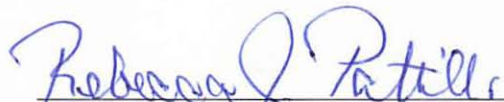
(seal)

  
Marty Cunningham, City Secretary  
City of Commerce

Sworn to and subscribed before me, on this the 20th - day of April, 2011, to certify which witness my hand and seal of office.

(seal)



  
Notary Public, State of Texas