

ORDINANCE NO. 09- 19

AN ORDINANCE SETTING CHARGES, FEES, RATES AND DEPOSITS FOR CUSTOMERS ON THE BROWNWOOD WATER, SEWER, AND SANITATION SYSTEM; DESIGNATING AN EFFECTIVE DATE; REPEALING PRIOR ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROWNWOOD, TEXAS, that

SECTION I. All customers inside the City limits receiving services that are considered permanent in nature will be assessed charges for water, sewer, and sanitation.

Irrigation meters are excluded from being assessed the sewer and sanitation charge.

Effective with first bills rendered after September 30, 2009, fees, deposits, and the monthly rates for the sale of water, sewer and sanitation service shall be as follows:

1. WATER RATES

A. Single family residence, commercial, and industrial customers.

<u>Meter Size</u>		<u>Monthly Service Fee</u>
3/4	Inch Meter	23.95
1	" "	29.95
1 1/2	" "	59.90
2	" "	95.80
3	" "	191.45
4	" "	299.35
6	" "	598.70
8	" "	957.85
10	" "	1,376.90
12	" "	1,676.20

All consumption shall be charged at the rate of \$2.14 per 100 cubic feet.

- B. Multiple family residence with separate water meters for each unit - same as single family residence.
- C. Multiple family units on one water meter: Monthly service fee based on meter size as listed in Section I (1) (A).
Each family unit, per month \$11.40

Outside City limits rate shall be \$22.80.

All consumption shall be charged at the rate of \$2.14 per 100 cubic feet. Outside City limits consumption rate shall be \$2.78.

- D. Any water customers classified in Section A, B, or C, outside the City limits, shall be charged a Monthly Service as follows:

<u>Meter Size</u>		<u>Monthly Service Fee</u>
3/4	Inch Meter	47.90
1	" "	59.90
1 1/2	" "	119.80
2	" "	191.60
3	" "	382.90
4	" "	598.70
6	" "	1,197.40
8	" "	1,915.70
10	" "	2,753.80
12	" "	3,352.40

All consumption shall be charged at the rate of \$2.78 per 100 cubic feet.

E. Service Fees

A thirty-five dollar (\$35.00) service fee shall be charged once a work order list for disconnection has been issued.

A thirty-five dollar (\$35.00) service fee shall be charged for setting up a new account when the existing account has not been properly transferred or terminated.

A thirty-five dollar (\$35.00) service fee shall be charged for work orders involving staff time after normal operating hours. This will be defined as work orders issued after 4:00 pm on a regular business day.

F. Water Tap Fees

After an application is made in writing to the Utility Billing Department, it will be reviewed by the Public Works Division for approval. The water tap fees are as follows:

Size

3/4	Inch Tap	\$425.00
1	" "	\$500.00
1 1/2	" "	\$900.00

Outside City limits – add \$400 per tap.

The rate for taps larger than 1 1/2 inches will be determined by the Utility Director based on actual cost to the City at the time of application. Rates for ALL taps may be adjusted by the Utility Director if unusual circumstances are encountered or to include main line extensions.

G. Fire Hydrant Meters

Base fee: \$143.70 per month minimum for each use.

Consumption fee: \$2.14 per 100 cubic feet.

2. SEWER RATES

Sewer rates are based on average water consumption for the months of December, January, and February, unless usage is determined on a monthly basis.

A. Residential, Commercial and Industrial

Base Fee - \$22.56

All over 800 cubic feet shall be charged at the rate of \$2.82 for each 100 cubic feet.

B. Multi-family Residence

Multi I - Under Ten Units - Base Fee: \$38.12

Multi II - Ten Units and over – Base Fee: \$55.98

All over 800 cubic feet shall be charged at the rate of \$2.82 for each 100 cubic feet.

C. Any sewer customers, classified in Section A or B above, outside the City limits, shall be charged at a rate twice that for inside City limits.

D. Industrial

Sewer rates are based on actual volume as described in Section A. In addition, surcharges based on strength of wastewater discharge may apply as follows:

Surcharge Rates

0.7720 per pound of Biochemical Oxygen Demand (BOD) above 220 MG/L

0.4324 per pound of Total Suspended Solids (TSS) above 240 MG/L

In addition to the volume fee, industrial customers that are provided with a sewer meter shall be charged a monthly meter fee as follows:

<u>Meter Size</u>	<u>Monthly Meter Fee</u>
3 – 4 inch	160.00
6 inch	216.00

E. Sewer Tap Fees

After an application is made in writing to the Utility Collections Department, it will be reviewed by the Public Works Division for approval. The sewer tap fees are as follows:

Size		
4	Inch Tap	\$400.00
6	" "	\$500.00

Outside City limits – add \$400 per tap.

Rates for ALL taps may be adjusted by the Utility Director if unusual circumstances are encountered or to include main line extensions.

- F. All liquid waste accepted for disposal (must be approved by Plant Manager) at the wastewater treatment plant will be charged at the rate of \$0.35 per gallon.

3. SANITATION RATES [Sales tax is applicable on any city sanitation collection services.]

A. Residential (pick up and disposal)

(1)	Single family residence	\$20.30
	Second roll-out cart	\$10.15
(2)	Multiple family residence - on single water meter:	
	First two units	\$40.60
	Each living unit over two	\$13.85

(Sanitation pick-up to be made at each central location on multiple family residence)

B. Commercial (pick up and disposal)

A commercial account is defined as any business establishment, schools, churches, county, state and federal agencies.

(1) Container Charge

The fees for the collection and disposal of solid waste for commercial accounts shall be based upon the number of pick ups required each week and the number of containers required to provide service.

Cubic Yard Container	Number of Wkly Pick ups	Monthly Charge Per Container
1 1/2	1	35.10
3	1	58.54
1 1/2	2	58.54
3	2	117.08
1 1/2	3	87.81
3	3	175.65
1 1/2	4	117.08
3	4	234.16
1 1/2	5	146.35
3	5	292.70
1 1/2	6	175.62
3	6	351.24
1 1/2	7	204.89
3	7	409.78

For those customers who share containers, the charge will be divided by the number of customers sharing, but the shared charge will be no less than \$35.10.

(2) Commercial Disposal at Landfill

Any commercial account, as defined above, shall be subject to the following:

- a) All commercial enterprises whose primary function includes the disposal of debris and/or waste at the landfill are required to register at the City's Utility Billing Office and provide all**

necessary information, which will include complete billing instructions and vehicle license numbers that will enter the landfill. No landfill access will be allowed to any commercial customer described above unless registration is on file.

b) Receipts will be printed at the landfill and signed by the customer's employee. The receipt shall indicate the tonnage disposed and will be the basis for determining billing.

c) The rates are as follows:

\$40.00 per ton

If scales are unavailable, cubic yard rates will be used as follows:

\$ 8.25 per loose cubic yard

\$17.75 per compacted cubic yard

Minimum tonnage charge \$10.00 (1/4 ton). Additional amounts will be in increments of 20 pounds, with readings rounded up to the next twenty pounds. The minimum cubic yard charge, if necessary, will be \$10.00.

All vehicles will be charged the per-ton rate.

d) A deposit equal to one month's billing amount shall be paid prior to setting up an account at the utility department.

e) **UNSECURED LOADS WILL BE CHARGED AT A DOUBLE RATE OR TEN DOLLARS (\$10.00) ABOVE THE NORMAL RATE, WHICHEVER IS GREATER. A LOAD IS CONSIDERED SECURE IF COMPLETELY COVERED BY A TARP AS DETERMINED BY LANDFILL STAFF.**

C. RESIDENTIAL DISPOSAL AT LANDFILL:

[Does not include construction or demolition debris which will be charged at the regular gate rate.]

- (1) Residential citizens of Brown County may be charged as follows:**

**\$5.00 per pickup load
\$7.00 per pickup and trailer load**

- (2) Residential customers residing outside of Brown County may be charged as follows:**

**\$12.00 per pickup load
\$24.00 per pickup and trailer load**

UNSECURED LOADS WILL BE CHARGED AT A DOUBLE RATE OR TEN DOLLARS (\$10.00) ABOVE THE NORMAL RATE, WHICHEVER IS GREATER. A LOAD IS CONSIDERED SECURED IF COMPLETELY COVERED BY A TARP AS DETERMINED BY LANDFILL STAFF.

D. OTHER SANITATION CHARGES

- (1) Roll-off Dumpsters or Truck Pick-up**

- a) City pick up:**

\$53.00 per ton

[Includes disposal rate at \$40.00 per ton and haul rate at \$13.00 per ton.]

If scales are unavailable, cubic yard rates will be used as follows:

**\$13.40 per loose cubic yard
\$24.00 per compacted cubic yard**

Minimum tonnage charge \$175.00. Additional amounts over 6,820 pounds will be in increments of 20 pounds with readings rounded up to the

next twenty pounds. The minimum cubic yard charge, if necessary, will be \$175.00.

b) Service Fees:

A thirty-five dollar (\$35.00) service fee shall be charged for placing roll-off containers at new locations.

A thirty-five dollar (\$35.00) service fee shall be charged for termination of sanitation accounts due to non-payment.

c) Fuel surcharge: Due to the high cost of fuel, a surcharge may be assessed per trip. A trip consists of a City truck and crew picking up the container, taking it to the Landfill for disposal and returning the container to the original site or to the Service Center. The surcharge will be based on fuel cost over \$3.78 per gallon of fuel (base amount) paid by the City for its most recent order of fuel. The percentage over the base amount will be multiplied against the current cost factor of \$15.60 (cost to the City for an average trip for fuel priced at the base amount) to arrive at the fuel surcharge per trip.

Example: Fuel cost currently \$4.00 per gallon. Amount over base = $\$0.22 / \$3.78 = 5.8\%$. Cost factor $\$15.60 \times .058 = \0.90 fuel surcharge per trip.

d) In addition to the disposal rate charged for disposal, there will be a roll-off container rental fee assessed:

OPEN TOP:

Per Day	\$ 15.60
Per Week	\$ 62.40
Per Month	\$187.20

WITH COMPACTOR (Contract required):

Per Month	\$362.00
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(2) Hotshots

Special pickup of dumpsters upon request. The fee is based on a prorated charge for dumpster pickup or forty seven dollars (\$47.00) whichever is greater.

(3) Tires

16" or less	\$ 3.00
Truck	\$ 9.00
Large equipment	\$15.00

(4) Deodorize (Commercial)

Each dumpster	\$35.00
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(5) Special Waste Materials

(As determined by TCEQ TAC 330 and EPA CFR Part 40)

If written Texas Commission on Environmental Quality approval is required:

Base	\$250.00	or the actual tonnage disposed at the gate rate, whichever is greater. for the first ton, then gate rate for each ton thereafter, PLUS:
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Per hour	\$150.00	over one hour.
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If no written Texas Commission on Environmental Quality approval is required:

Base	\$150.00	or the actual tonnage disposed at the gate rate, whichever is greater. for the first ton, then gate rate for each ton thereafter, PLUS:
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Per hour	\$150.00	over one hour.
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4. OTHER CHARGES

A. LATE PAYMENT CHARGE

All utility accounts become delinquent after the tenth (10th) day of each month. A late payment charge of fifteen dollars (\$15.00) or ten percent (10%) [whichever is greater] of the delinquent amount may be assessed against any utility account that has become delinquent.

B. RETURNED CHECK FEE

Should any check for payment of utility services herein above set out be returned for any reason by the bank such check is written on, then, in such event, a thirty-five dollars (\$35.00) returned check fee shall be assessed the customer for whose account such returned check was applied.

SECTION II.

UTILITY SERVICES DEPOSIT

A deposit for utility services will be required at the time of requested service. The amount of the deposit will be as follows:

(1) Residential and Commercial (inside city limits)

3/4	"	Water Meter	100.00
1	"	"	120.00
1 1/2	"	"	185.00
2	"	"	250.00
3	"	"	410.00
4	"	"	585.00
6	"	"	1,015.00
8	"	"	1,515.00
10	"	"	2,085.00
12	"	"	2,530.00

The deposit amount will be adjusted if a larger than standard sanitation container is requested, a larger than standard sewer discharge is anticipated or, at the discretion of the Division Director of Public Works, an unusual circumstance requires a larger deposit.

In these instances, the deposit amount will be adjusted to reflect the anticipated normal monthly bill using an annual average.

(2) Multi Unit

Same as Residential and Commercial rates above.

(3) Irrigation Meter

Three times the base monthly service fee for the meter size as described in Section I. 1. A.

(4) Residential and Commercial (outside city limits)

3/4	"	Water Meter	155.00
1	"	"	195.00
1 1/2	"	"	310.00
2	"	"	435.00
3	"	"	740.00
4	"	"	1,065.00
6	"	"	1,890.00
8	"	"	2,845.00
10	"	"	3,935.00
12	"	"	4,785.00

The deposit amount will be adjusted if a larger than standard sanitation container is requested, a larger than standard sewer discharge is anticipated or, at the discretion of the Division Director of Public Works, an unusual circumstance requires a larger deposit.

In these instances, the deposit amount will be adjusted to reflect the anticipated normal monthly bill using an annual average.

(5) Fire Hydrant Meter

Replacement cost of the meter.

SECTION III.

For the intent and purposes of this Water, Sewer, and Sanitation Rate Ordinance, mobile home parks shall be classified as multiple family residences.

SECTION IV.

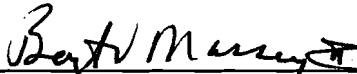
It is the intent that this Ordinance will not amend any existing rate ordinance or regulation except as herein specifically set out, and all such existing ordinances or regulations shall continue in full force and effect except as herein specifically changed.

PASSED AND APPROVED on *First reading* this the 15th day of September, 2009.

PASSED AND APPROVED on *Second reading* this the 22nd day of September, 2009.

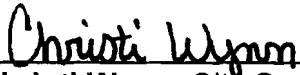
PASSED AND APPROVED on *Third/Final reading* this the 22nd day of September, 2009.





BERT V. MASSEY, II, Mayor

ATTEST:

APPROVED AS TO FORM:


Christi Wynn, City Secretary


William P. Chesser, City Attorney