

**CITY OF AUBREY  
ORDINANCE NUMBER 653-18**

**AN ORDINANCE OF THE CITY OF AUBREY, TEXAS, AMENDING ORDINANCE NUMBER 631-17 WATER / WASTEWATER SERVICES - BILLING, SECTION II –MONTHLY WATER/SEWER RATES FOR THE CITY OF AUBREY, TEXAS; SECTION IV – RESIDENTIAL WATER DEPOSIT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND AMENDMENTS THERETO; REGULATING AND ESTABLISHING SUCH RATES AND RELATED REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR A PENALTY; PROVIDING AN EFFECTIVE DATE AND PUBLICATION CLAUSE.**

**WHEREAS**, the City Council of the City of Aubrey, Texas (“City Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Aubrey, Texas (“Aubrey” or “City”) to increase the charges made to customers to recover the costs associated with providing potable water service and wastewater services now and in the future for the City; and

**WHEREAS**, the City has experienced a steady increase in the cost to provide an acceptable level of service to its customers; and

**WHEREAS**, the City wishes to not only continue, but to improve its level of service to all its citizens and customers now and in the future; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUBREY, TEXAS:**

**SECTION I**

That certain ordinances, as noted above, which were approved and passed by the City Council of the City of Aubrey, Texas are hereby amended and shall herein after read as follows:

- A. That all bills for water and wastewater treatment services (herein the “Bill”) rendered by the City shall be paid monthly on the **fifth** day of each month after billing date. A 10% penalty on the total current amount due will be assessed on the **sixth** day of each month. The Bill, including the late penalty, must be paid by the **fifteenth** of each month in order to prevent water being disconnected. If the fifteenth falls on a weekend or holiday, the customer will be given until the next business day to pay the Bill. In the event of discontinuance of service, an additional sum of **\$40.00** (forty dollars) shall be charged for a reconnect under the procedures set forth under paragraph C, below, in addition to any water and sewer service bills and any appendages thereto in which the customer was delinquent. After hours calls for re-connection or for service calls, or for non-emergency services will be at the rate of **\$45.00 (forty five dollars)** in addition to any re-connection fees named herein.
- B. Extension of Service (Arrangement) - Notwithstanding any other provision of this ordinance, a Customer can defer current monthly payment until the 25th of the month.

1. Two (2) arrangements are provided within a calendar year.
  2. If arrangement is not paid in full by the 25<sup>th</sup> day of the month, including any incurred fees, customer's service will be cutoff and a \$40.00 reconnect fee will be assessed. The account will then be handled as a reconnect as set forth in paragraph D, below.
- C. Disconnection and Reconnection. If a customer's current monthly payment is not received timely as required in Section I A (or I B in the case of an arrangement):
1. A reconnect fee of \$40.00 is added to customer's account.
  2. At approximately 1:00 PM on the 16th day of the current billing month (or 26<sup>th</sup> day of the current billing month in the case of an arrangement), disconnection list is provided to Public Works technician and disconnections are performed.
  3. Reconnection is made within approximately two hours if payment of bill and all assessed fees is made in full before 5:30 PM.
  4. Reconnection may occur if payment is not made in full before 5:30 PM if customer contacts on-duty technician and agrees to pay an after-hour fee of \$45. If such reconnection is made, the after hour fee shall be assessed to the customer account. If there is a failure to pay current amount due including all fees assessed by 10:00 AM the next morning, service will be subject to disconnection, assessment of an additional reconnection fee, and locking of the customer's water meter until the full amount of the bill and all assessed fees are paid.
  5. If a customer does not agree to pay the after-hour fee of \$45.00, then the customer must contact the Aubrey City Hall to make full payment of bill amount and all assessed fees before water can be reconnected.
- D. In the event that a customer, without having paid all delinquent charges and additional penalties, turns on the water service after said service has been disconnected by the City as provided in Section I A. the City shall lock said customer's water meter. In the event that the meter has been locked as provided herein, the customer shall pay penalty of **\$50.00** (fifty dollars) to have the meter unlocked, in addition to all delinquent bills and re-connection fees.
- E. In the event that a customer shall in some manner tie into or contrive by any means or device to secure water from the City's water lines illegally, then the City shall remove the meter and file a report with the Aubrey Police Department.

## SECTION II

That the following monthly water rates shall be charged by the City for residential and commercial water services as set out as follows:

### **WATER / SEWER RATES**

#### **RESIDENTIAL RATES**

##### **WATER**

|                              |             |
|------------------------------|-------------|
| 1 <sup>ST</sup> 1500 GALLONS | 31.68       |
| 1501 TO 3000                 | 5.58 / 1000 |
| 3001 TO 10000                | 5.98 / 1000 |
| 10001 TO 15000               | 6.38 / 1000 |
| 15001 TO 25000               | 6.77 / 1000 |
| 25001 and UP                 | 7.17 / 1000 |

##### **SEWER**

|                              |       |
|------------------------------|-------|
| 1 <sup>ST</sup> 2500 GALLONS | 29.26 |
| 2501 – 8000                  | 37.76 |
| 8001 and up                  | 50.12 |

#### **COMMERCIAL RATES**

##### **WATER**

|                              |             |
|------------------------------|-------------|
| 1 <sup>ST</sup> 1500 GALLONS | 37.74       |
| 1501 TO 3000                 | 6.62 / 1000 |
| 3001 TO 10000                | 7.04 / 1000 |
| 10001 TO 15000               | 7.45 / 1000 |
| 15001 TO 25000               | 7.87 / 1000 |
| 25000 and UP                 | 8.28 / 1000 |

##### **SEWER**

|                              |             |
|------------------------------|-------------|
| 1 <sup>ST</sup> 2500 GALLONS | 36.61       |
| 2501 TO 5000                 | 5.56 / 1000 |
| 5001 TO 10000                | 6.01 / 1000 |
| 10001 TO 15000               | 6.42 / 1000 |
| 15001 TO 25000               | 6.86 / 1000 |
| 25000 and UP                 | 7.26 / 1000 |

### BULK WATER RATES

The following rates will be charged for bulk and/or construction water secured thru the use of the portable bulk meters:

|                              |             |
|------------------------------|-------------|
| 1 <sup>st</sup> 1500 GALLONS | 40.29       |
| ALL over 1501 Gallons        | 7.86 / 1000 |

A security deposit of \$1,800 is required for the use of any/all bulk water meters. Should the meter be lost or damaged, the customer will be responsible for paying to the City the then cost to replace said bulk meter. The City may require any additional security fees in connection with bulk meters necessary to preserve the meters for future use. Bulk water service will be provided to the customer on a basis consistent with levels of consumption City-wide. The City may require a bulk user to draw water only during periods of non-peak use, in order to properly service the City's customers with pressure and volume.

### SECTION III

All new water and / or sewer connection / taps to be constructed will be assessed the following:

#### WATER CONNECTION / TAPPING FEES:

|          |         |
|----------|---------|
| ¾ INCH   | 1050.00 |
| 1 INCH   | 1150.00 |
| 1 ½ INCH | 1450.00 |
| 2 INCH   | 1650.00 |
| 3 INCH   | 2650.00 |

#### SEWER CONNECTION / TAPPING FEES

|         |         |
|---------|---------|
| 4 INCH  | 1700.00 |
| 6 INCH  | 1850.00 |
| 8 INCH  | 1950.00 |
| 10 INCH | 2050.00 |

### SECTION IV

- A. Service deposits for **residential** will be **\$80.00** and **\$250.00** for **commercial**. Each customer shall, before being connected or tied into the Municipal water system shall render a deposit to the City; and the same deposits shall apply respectively to the Municipal sewer system for customers who have only sewer connections and no water connections. Such deposit is, as aforesaid, a service deposit, and may be applied by the City on or against any loss sustained by it through the failure

of a customer to pay its water or sewer account, or other lawful charges in connection with the water or sewer billing. Such deposit shall be returned only to the person depositing same, upon his/her permanent discontinuance of City water or sewer service, less other charges in connection with the water or sewer bill. No interest shall be paid on said deposits.

B. Charges for insufficient funds checks will be at the rate of **\$30.00** each.

#### **SECTION V**

All provisions of any ordinances in conflict with this Ordinance are hereby repealed, shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance.

#### **SECTION VI**

Should any section subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this ordinance shall remain in full force and effect. The City Council for the City of Aubrey hereby declares that it would have passed this Ordinance and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

#### **SECTION VII**

The City Secretary of the City of Aubrey is hereby directed to engross and enroll this Ordinance by copying the caption, publication clause, penalty clause, and affective date clause in the minutes of the City Council of the City of Aubrey and by filing this Ordinance in the ordinance records of the City.

#### **SECTION VIII**

Any person, firm, or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction therefore shall be fined not less than One-Hundred (\$100.00) and not more than Two-Hundred Dollars (\$200.00), each and every day that such violation shall be construed to be a separate offense; provided, however, that nothing contained herein shall preclude the municipality of bringing suit for injunction for the prevention of any threatened violation of the removal of any structure in violation of this Ordinance.

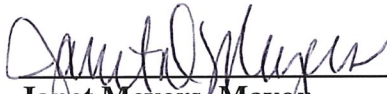
#### **SECTION IX**

This Ordinance shall be effective upon its passage and publication of caption in the official newspaper of the City of Aubrey as provided by State Law and shall be effective with the January 2019 monthly billing for the January 15, 2019 through February 15, 2019 usage. The fact that the City is in immediate need of the relief afforded by this Ordinance creates an emergency and any and all rules requiring ordinances to be read and re-passed at more than one meeting is suspended.

**SECTION X**

The City Secretary of the City of Aubrey, Texas, is hereby directed to publish in the Official Newspaper of the City of Aubrey, the Caption, and Effective Date clause of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

**PASSED AND APPROVED, by the City Council of the City of Aubrey, this the 18th day of December, 2018.**

  
\_\_\_\_\_  
Janet Meyers, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Jenny Huckabee, City Secretary

