

ORDINANCE NO 324 - B

AN ORDINANCE AMENDING ORDINANCE NO 324-A FOR THE FURNISHING OF GAS, WATER, SEWER AND SANITATION SERVICES BY THE CITY OF STINNETT, TEXAS, PROVIDING FOR THE RATES TO BE CHARGED FOR SUCH SERVICES; PROVIDING FOR AND REGULATING DEPOSITS AND PAYMENTS FOR SUCH SERVICES; PROVIDING FOR CERTAIN ADMINISTRATIVE PROCEDURES AND SERVICE CHARGES; PROVIDING FOR THE EXTENSION OF UTILITY LINES TO CUSTOMERS AND FOR UTILITY TAP FEES; REVOKING ALL PRIOR ORDINANCES PERTAINING THERETO; AND PROVIDING THAT SHOULD ANY SECTION OF OR PART OF ANY SECTION OF THIS ORDINANCE BE HELD VOID, THE REMAINING PORTIONS SHALL NOT BE AFFECTED.

WHEREAS, the City Council of the City of Stinnett, Texas, finds it desirable to improve (1) the furnishing of gas, water, sewer and sanitation services to its customers; (2) the payments for such services and the deposits for utility services; (3) administrative procedures and service charges for these utility services; (4) the service areas for each of the services provided by the City of Stinnett; (5) the extension of such utility lines to its customers; and

WHEREAS, the City Council of said City has determined that it is in the best interest of the City and its customers to revoke all prior ordinances and establish one ordinance providing for and regulating such matters;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STINNETT, TEXAS;

I

SERVICES

1.01.

GAS SERVICE

The following schedule of monthly rates and charges for natural gas service furnished by the City shall be and such is hereby adopted and established:

- | | |
|------------------------|---------|
| 1) Minimum charge | |
| a) Inside City Limits | \$9.00 |
| b) Outside City Limits | \$12.00 |

- 2) First 1,000 cubic feet
 - a) Inside City Limits \$7.00 *
 - b) Outside City Limits \$12.00 *

*plus the cost of gas paid by the city
- 3) All over 1,000 cubic feet; per 1,000 cubic feet
 - a) Inside City Limits \$5.35 *
 - b) Outside City Limits \$5.75 *

*plus the cost of gas paid by the city

The cost of the gas as purchased by the City will be adjusted monthly as necessary.

1.02.

WATER SERVICE

The following schedule of monthly rates and charges for water service furnished by the City shall be and such is hereby adopted and established:

- 1) Minimum charge
 - a) Inside City Limits \$14.00
 - b) Outside City Limits \$17.00
- 2) Per 1,000 gallons
 - a) Inside City Limits \$4.00
 - b) Outside City Limits \$4.75
- 3) All over 12,000 and under 50,000 gallons; per 1,000 gallon
 - a) Inside City Limits \$4.25
 - b) Outside City Limits \$5.00
- 4) All over 50,000 gallons; per 1,000 gallon
 - a) Inside City Limits \$4.50
 - b) Outside City Limits \$5.25

1.03.

SEWER SERVICE

The following schedule of monthly rates and charges for sewer service furnished by the City shall be and such is hereby adopted and established:

1)	Residential Service	\$14.00
2)	Senior Citizens [as identified by the property tax office]	\$12.50
3)	Commercial Service [Based upon B.O.D. loading]	
	a) General and Churches	\$19.00
	b) Small Business	\$31.50
	c) Medium Business	\$36.50
	d) Large Business	\$41.50
	e) Motels and Trailer Parks	\$46.50
	f) Hutchinson County Contract	\$81.50
	g) PSPCISD Contract	\$106.50

1.04.

SANITATION SERVICES

The following schedule of monthly rates and charges for sanitation service furnished by the City shall be and such is hereby adopted and established:

1)	Monthly Residential Rate	
	a) Inside City Limits Single-Family	\$22.00
	b) Senior Citizens [as identified by the property tax office]	\$17.50
	c) Outside City Limits	\$32.50
2)	Commercial Service	
	a) Churches	\$23.75
	b) 1 container 1 time per week	\$46.00
	c) 1 container 2 times per week	\$90.00
	d) 1 container 3 times per week	\$131.00
	e) 2 containers 1 time per week	\$85.00
	f) 2 containers 2 times per week	\$170.00

- | | |
|----------------------------------|----------|
| g) 2 containers 3 times per week | \$230.00 |
| h) 3 containers 1 time per week | \$130.00 |
| i) 3 containers 2 times per week | \$250.00 |
| j) 3 containers 3 times per week | \$290.00 |

*There is no cost sharing for commercial dumpsters.

II

DEPOSITS

2.01.

GAS SERVICE

Along with the application for gas service from the City, the applicant shall pay to the City a deposit in the amount of:

- | | |
|------------------------|----------|
| a) Residential Service | \$100.00 |
| b) Commercial Service | \$200.00 |

If more than one dwelling is receiving service through the same meter, each dwelling shall pay a deposit. Failure to pay such deposits may result in disconnection of service to all dwellings using the meter. Each dwelling shall be charged the minimum rate for any connection to a utility.

2.02.

WATER SERVICE

Along with the application for water service from the City, the applicant shall pay to the City a deposit in the amount of:

- | | |
|------------------------|----------|
| a) Residential Service | \$50.00 |
| b) Commercial Service | \$100.00 |

If more than one dwelling is receiving service through the same meter, each dwelling shall pay a deposit. Failure to pay such deposits may result in disconnection of service

to all dwellings using the meter. Each dwelling shall be charged the minimum rate for any connection to a utility.

2.03.

SANITATION SERVICE

Along with the application for sanitation service from the City, the applicant shall pay to the City a deposit in the amount of:

- | | |
|------------------------|---------|
| a) Outside City Limits | \$35.00 |
|------------------------|---------|

2.04.

REFUND OF DEPOSIT

Any deposit made to the City for utility or sanitation service shall be held by the City until the utility service for which the deposit was made is terminated. Upon termination of such service, the customer shall be entitled to a refund of such deposit, less any amount which is due to the City for providing the service.

2.05.

SECOND DISCONNECT

In the event that a City utility customer has utility services terminated and disconnected a second time for failure to pay charges, or administrative fees when due, an additional deposit shall be required prior to resumption of services.

- | | |
|-------------------|----------|
| a) Gas Services | \$125.00 |
| b) Water Services | \$75.00 |

*In the event of a third disconnect for failure to pay, additional monies shall be collected in the amount necessary for the held deposit to cover the customers highest bill, penalties, late fees, disconnect fees, reconnect fees, and any administrative fee prior to resumption of services.

2.06.

DEPOSIT REQUIREMENTS

The City of Stinnett, in agreement with Texas Revenue Recovery Association (TRRA) requires that any individual over the age of 18 years of age be identified as part of a household; two forms of identification shall be provided.* Failure to identify can result in disconnection of services. All new utility applications shall be verified through TRRA. All funds due to other municipalities shall be collected from applicant prior to connection of services. An invoice from TRRA will be provided to applicant.

*Acceptable forms of identification: Primary w/ photo = State ID, Driver's License, Military ID, Passport; Secondary = Social Security Card, Voter Registration Card

III

PAYMENT OF UTILITY CHARGES / BILLING CYCLE

[TO BE REPLACED BY SECTION III-A, attached, ON JANUARY 1, 2016]

3.01.

DUE DATE

The charges fixed and prescribed by this ordinance for the provision of utility services shall be due and payable in the City of Stinnett office on or before the fifteenth (15th) day of each month. A penalty of ten per cent (10%) of the amount due shall be added to all charges not paid in full by the 15th. In the event that charges are not paid in full by 1:00pm on the twenty-fifth (25th) day of the month a service charge of twenty dollars (\$20.00) shall be assessed and services shall be cut-off; unless a signed arrangement for payment has been accepted. In the event an arrangement for payment beyond the twenty-fifth (25th) day of the month is not kept, the services shall be disconnected at 8:00am on the following business day. Two failed arrangements in 12 months will prevent future arrangements. All deposits, tap fees, funds due to other

municipalities (per TRRA), and all other administrative fees assessed under the provisions of this ordinance shall be payable immediately.

Note: Cut-off of Service for Non-Payment

When the 25th day falls on a Friday, Saturday, Sunday, or Federal Holiday cut-offs shall not occur until the following business day at 1:00 p.m. All penalties / late fees are still applicable and in force.

3.02.

RETURNED CHECKS

In the event a customer tenders payment for service by check and the same is refused by the paying bank, the bill shall be declared delinquent and the City shall forthwith notify the customer, either in person or by written notice of the refused check. Each customer shall have 10 days to redeem the delinquent check. In the event the customer fails to make redemption, the City shall disconnect the services on the 11th day. The following fees shall apply:

a) NSF service charge	\$25.00
b) Certified Mail Fee	\$7.00
c) NSF Late Fee (if falls after the 25 th)	\$20.00
d) Reconnect fee during Office Hours	\$30.00
e) Reconnect fee after Office Hours	\$45.00

3.03.

CASH PAYMENTS

The City reserves the right to refuse payment by check, and require payment in cash for the following:

- (1) Any customer who has previously made any payment to the City of Stinnett by an insufficient check
 - a) If a second NSF occurs the customer shall pay in cash for 1 full year
- (2) Any customer whose utility account with the City is due beyond the 25th.

3.04.

DISCONNECTION OF SERVICE

In the event that a City utility customer does not pay all applicable utility charges on or before the twenty-fifth (25th) day of the month or fails to pay any administrative fees or charges upon demand, the City Secretary or the Utility Billing Clerk are authorized by the City Council of the City of Stinnett to disconnect or terminate or cause to be disconnected all utility services furnished to such customer.

3.05.

RESUMPTION OF SERVICE

Any utility customer, whose utility services have been disconnected or terminated for nonpayment, may have such utility services resumed by paying all charges and fees due by him to the City. In addition, all deposits or second deposits must be paid in full.

For Sanitation services, dumpster reset fee	\$35.00
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3.06.

THEFT OF SERVICES

The following individuals shall be charged with theft of services through the Stinnett Police Department:

- (1) Any utility customer, whose utility services have been disconnected or terminated for nonpayment, who intentionally or knowingly secures performance of the service.
- (2) Any person who intentionally or knowingly secures performance of the utility services without application or deposit for such service.

IV

SERVICE CHARGES

4.01.

WATER TAP FEES

The following schedule of fees shall apply and such is hereby adopted and established:

- | | | |
|-----|--|-----------|
| (1) | 5/8" x 3/4" meter | \$350.00* |
| (2) | 1" meter | \$600.00* |
| (3) | 1 1/2" and over meter – Cost to be determined by the City upon current costs to the City at the time the tap connection is made. The size of the line and whether the line can be tapped by the City will determine the cost.* | |

*The fee shall apply to each and every water tap connection made to the City's water mains.

4.02.

GAS TAP FEE

The following schedule of fees shall apply and such is hereby adopted and established:

- | | | |
|-----|--|-----------|
| (1) | 1" Meter | \$350.00* |
| (2) | Larger than 5 Lt. Meter – Cost to be determined by the City upon current costs to the City at the time the tap connection is made. The size of the line and whether the line can be tapped by the City will determine the cost.* | |

*The fee shall apply to each and every gas tap connection made to the City's gas mains.

4.03.

METER READING

In the event a customer requests that the City reread the utility meter, the City shall perform the service free of charge once in a calendar year; except that, the following schedule of fees shall apply and such is hereby adopted and established:

- | | | |
|-----|--|---------|
| (1) | If the meter has been read twice by the City during the billing cycle, or prior to the request | \$5.00* |
| (2) | Each additional reading made at the customer's request during the same billing cycle | \$5.00* |

*If, upon reading, the City's previous reading is determined to have been incorrect, the fee shall be waived.

4.04.

RECONNECT FEES

The following schedule of fees shall apply to each service call to turn utilities on or off and such is hereby adopted and established:

- | | | |
|-----|----------------------------|---------|
| (1) | For the purpose of repairs | |
| | a) During Office Hours | \$25.00 |
| | b) After Office Hours | \$40.00 |
| (2) | For resumption of service | |
| | a) During Office Hours | \$30.00 |
| | b) After Office Hours | \$45.00 |

For gas service reconnects, which must include a gas pressure test, customers must contact City Hall before noon Monday thru Friday, in order for said test to be conducted during staff work hours. A certified plumber must perform all 1 hour pressure tests. The same arrangements must be made to ensure city staff is available for said test.

4.05.

SEWER CALL FEES

The following schedule of fees shall apply to each service call to run the sewer line within a 6 month period and such is hereby adopted and established:

- (1) 1st & 2nd call in which the City's sewer line is found clear free
- (2) 3rd & 4th call in which the City's sewer line is found clear \$25.00
- (3) Additional calls in which the City's sewer line is found clear \$35.00

V

SERVICE AREA

5.01.

GAS SERVICE

The area to be serviced by the gas system of the City of Stinnett is the area within the City limits of the City of Stinnett. Any service provided outside this area must be approved by the City Council of the City of Stinnett.

5.02.

WATER SERVICE

The area to be serviced by the water system of the City of Stinnett is the area within the City limits of the City of Stinnett and will include the areas known as Uptergrove Acres and Spradlin Acres. Any service provided outside this area must be approved by the City Council of the City of Stinnett.

5.03.

SEWER SERVICE

The area to be serviced by the sewer system of the City of Stinnett is the area within the City limits of the City of Stinnett where sewer is available. Any service provided outside this area must be approved by the City Council of the City of Stinnett.

5.04.

SANITATION SERVICE

The area to be serviced by the sanitation system of the City of Stinnett is the area within the City limits of the City of Stinnett. Any service provided outside of this area must be approved by the City Council of the City of Stinnett.

VI

EXTENSIONS

6.01.

SCOPE OF PROVISIONS

The provisions of this article shall be applicable only to and for those extensions of gas, water and sewer lines in the right-of-way on the City side of the meter which will be designated by the City Council. This section shall not be construed to exclude the payment of the standard tapping charges or deposits which may be required.

6.02.

COSTS

The cost of extending any existing water line will be designated by the City Council.

6.03.

LOCATION AND GRADE OF PIPE

The location and size of pipe to be used in any water, sewer, or gas extension, as well as the grade thereof, shall be determined by the City Council.

6.04.

CONSTRUCTION

The City reserves the right to do and perform all the work and construction required in gas, water and sewer extension, and to inspect any such construction performed by others. All material used and work performed shall be approved and in conformity with City standards and specifications.

VII

EFFECTIVE DATE

THIS ORDINANCE, THE RATES, FEES, CHARGES AND ADMINISTRATIVE PROCEDURES PROVIDED HEREIN, SHALL BE EFFECTIVE AS OF ITS PUBLICATION PURSUANT TO THE TEXAS LOCAL GOVERNMENT CODE. SECTION III REGARDING PAYMENT OF UTILITY CHARGES AND BILLING CYCLE SHALL BE REPLACED BY SECTION III-A, below, EFFECTIVE JANUARY 1, 2016.

PASSED AND APPROVED AND ENACTED ON THIS THE 11th DAY OF SEPTEMBER 2015.

CITY OF STINNETT, TEXAS



COLIN LOCKE, MAYOR

ATTEST:



LYNETTE SLOAN, CITY SECRETARY

III-A

PAYMENT OF UTILITY CHARGES / BILLING CYCLE

[REPLACING SECTION III, above, ON JANUARY 1, 2016]

3.01.

DUE DATE

The charges fixed and prescribed by this ordinance for the provision of utility services shall be due and payable in the City of Stinnett office on or before the FIRST (1ST) day of each month. A penalty of ten per cent (10%) of the amount due shall be added to all charges not paid in full by the 1ST. In the event that charges are not paid in full by 1:00pm on the TENTH (10th) day of the month a service charge of twenty dollars (\$20.00) shall be assessed and services shall be cut-off; unless a signed arrangement for payment has been accepted. In the event an arrangement for payment beyond the TENTH (10th) day of the month is not kept, the services shall be disconnected at 8:00am on the following business day. Two failed arrangements in 12 months will prevent future arrangements. All deposits, tap fees, funds due to other municipalities (per TRRA), and all other administrative fees assessed under the provisions of this ordinance shall be payable immediately.

Note: Cut-off of Service for Non-Payment

When the 10th day falls on a Friday, Saturday, Sunday, or Federal Holiday cut-offs shall not occur until the following business day at 1:00 p.m. All penalties / late fees are still applicable and in force.

3.02.

RETURNED CHECKS

In the event a customer tenders payment for service by check and the same is refused by the paying bank, the bill shall be declared delinquent and the City shall forthwith notify the customer, either in person or by written notice of the refused

check. Each customer shall have 10 days to redeem the delinquent check. In the event the customer fails to make redemption, the City shall disconnect the services on the 11th day. The following fees shall apply:

a) NSF service charge	\$25.00
b) Certified Mail Fee	\$7.00
c) NSF Late Fee (if falls after the 10 th)	\$20.00
d) Reconnect fee during Office Hours	\$30.00
e) Reconnect fee after Office Hours	\$45.00

3.03.

CASH PAYMENTS

The City reserves the right to refuse payment by check, and require payment in cash for the following:

- (3) Any customer who has previously made any payment to the City of Stinnett by an insufficient check
 - a) If a second NSF occurs the customer shall pay in cash for 1 full year
- (4) Any customer whose utility account with the City is due beyond the 10th.

3.04.

DISCONNECTION OF SERVICE

In the event that a City utility customer does not pay all applicable utility charges on or before the TENTH (10th) day of the month or fails to pay any administrative fees or charges upon demand, the City Secretary or the Utility Billing Clerk are authorized by the City Council of the City of Stinnett to disconnect or terminate or cause to be disconnected all utility services furnished to such customer.

3.05.

RESUMPTION OF SERVICE

Any utility customer, whose utility services have been disconnected or terminated for nonpayment, may have such utility services resumed by paying all charges and fees due by him to the City. In addition, all deposits or second deposits must be paid in full.

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3.06.

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The following individuals shall be charged with theft of services through the Stinnett Police Department:

- (3) Any utility customer, whose utility services have been disconnected or terminated for nonpayment, who intentionally or knowingly secures performance of the service.
- (4) Any person who intentionally or knowingly secures performance of the utility services without application or deposit for such service.