

ORDINANCE NO. 007-98

AN ORDINANCE OF THE CITY OF DE LEON, TEXAS, AMENDING ORDINANCE NO. 010-94; PRESCRIBING RATES TO BE CHARGED FOR RESIDENTIAL AND COMMERCIAL WATER ACCOUNTS BY THE CITY OF DE LEON; PROVIDING A FINAL PAYMENT DATE FOR MONTHLY BILLING; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES.

WHEREAS, it is in the best interest of the City of De Leon to pass increased costs of water to the consumers of the water that the City of De Leon purchases;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DE LEON, TEXAS, THAT:

Section 1. Amendment of Water Rates Ordinance. Ordinance No. 010-94, as amended, is hereby modified and amended as set forth in this ordinance.

Section 2. Water Rates and Charges.

(a) *Minimum Charge Plus Usage Fee.* The rates and charges for services to be provided by the waterworks system of the City of De Leon shall consist of a minimum monthly fee (the "Customer Charge"), plus a charge based on the volume of metered water usage (the "Consumption Charge"). The Customer Charge and the Consumption Charge shall be charged and collected monthly for each connection to the water system.

(b) *Residential Rates.* The residential rate shall be charged and applied to each single family residence, each separate unit of a duplex or apartment, and each mobile home, used and occupied solely for residential purposes by one or more persons ("residential unit"). The residential rate shall not apply to boarding houses, hotels, motels, and similar establishments.

(i) *In-City Minimum.* The rates and charges for water provided by the waterworks system within the corporate limits of the City of De Leon shall consist of a minimum \$15.00 Customer Charge for the first 3,000 gallons of water, plus a Consumption Charge for additional water thereafter.

(ii) *In-City Consumption Charge.* The Consumption Charge shall be \$ 0.372 per each additional one hundred gallons of water usage, or part thereof.

(iii) *Outside City Minimum.* The rates and charges for water provided by the waterworks system outside the corporate limits of the City of De Leon shall consist of a minimum \$22.62 Customer Charge for the first 3,000 gallons of water, plus a

Consumption Charge for additional water thereafter.

(iv) *Outside City Consumption Charge.* The Consumption Charge shall be \$ 0.5445 per each additional one hundred gallons of water usage, or part thereof.

(c) *Commercial Rates.* The commercial rate shall be charged and applied to all customers, users and accounts other than "residential" units as hereinabove defined and shall be applicable to each business establishment including boarding houses, hotels, motels, and similar establishments.

(i) *In-City Minimum.* The rates and charges for water provided by the waterworks system within the corporate limits of the City of De Leon shall consist of a minimum \$ 17.50 Customer Charge for the first 3,000 gallons of water, plus a Consumption Charge for additional water thereafter.

(ii) *In-City Consumption Charge.* The Consumption Charge shall be \$ 0.639 per each additional one hundred gallons of water usage, or part thereof.

(iii) *Outside City Minimum.* The rates and charges for water provided by the waterworks system outside the corporate limits of the City of De Leon shall consist of a minimum \$26.83 Customer Charge for the first 3,000 gallons of water, plus a Consumption Charge for additional water thereafter.

(iv) *Outside City Consumption Charge.* The Consumption Charge shall be \$ 0.639 per each additional one hundred gallons of water usage, or part thereof.

(d) *Late Charges and Final Due Date.* All monthly charges are to be paid at the Water Department by the 10<sup>th</sup> of the month after the charges are incurred. If the 10<sup>th</sup> falls on a Saturday, Sunday or Holiday, the charges are due on the first business day after the 10<sup>th</sup>. All charges not paid by the due date shall be considered delinquent and a penalty of ten percent (10%) of the total amount of the bill shall be added as a late charge. The final due date shall be the 20<sup>th</sup> day of the month in which the charges are due. If the 20<sup>th</sup> falls on a Saturday, Sunday or Holiday, the final due date shall be the first business day after the 20<sup>th</sup>.

**Section 3. Severability.** If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**Section 4. Effective Date.** This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

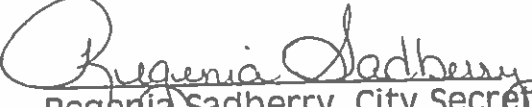
Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 511, Tex. Gov't. Code*.

PASSED AND APPROVED on this the 10 day of September 1998.

THE CITY OF DE LEON, TEXAS

  
Norma Jo Locke, Mayor

Attest:

  
Regenia Sadberry, City Secretary