

**CITY OF HACKBERRY
ORDINANCE NUMBER 156-07**

AN ORDINANCE AMENDING ORDINANCE NUMBER 125-03, MONTHLY WATER/SEWER RATES FOR THE CITY OF HACKBERRY; ESTABLISHING WATER/SEWER RATES FOR INDIVIDUAL SIZE METERS; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Hackberry, Texas (the “City”) is a General Law City located in Denton County, Texas and is a Type A Municipality organized under the laws of the State of Texas; and

WHEREAS, the City Council of the City of Hackberry, Texas (“City Council”) has investigated and determined that to establish and/or update the water and sewer rates relative to meter size is necessary to adequately maintain and operate the water and wastewater systems, and to improve the health, safety and welfare of the City and its citizens.

NOW, THEREFORE, be it ordained by the City Council of the City of Hackberry, Denton, Texas

ARTICLE 1 – Utility Connections

- (a) In every case where any person desires connection with the City’s water system, the City will, upon written application accompanied by proper payment, furnish to the customer a connection with the City water system. The fee established by the City Council will be based on the actual cost of materials and labor supplied by the City plus a reasonable administrative expense.
- (b) All customers shall be supplied with water only when the amount supplied is measured through a meter. Meters for service with the City shall be furnished and installed by the City at the customer’s expense. The location, size, installation, type and number of meters shall be at the direction of the City.
- (c) In the event that a customer requests a meter location other than that prescribed by the City, and if the water department gives its approval, the customer shall bear the entire expense of any excavation or extension of existing lines necessary to make the requested connection.
- (d) All meters, curb stops, valves, meter boxes, and fixtures, appurtenant thereto, connected, installed or used by the City as provided herein, including those furnished at the customer’s expense, shall remain the property of the City, under direct control of the City.

- (e) All meters that through normal wear and tear become inaccurate shall be maintained, repaired and renewed as necessary exclusively by the City. When such maintenance, including adjustments, repair, or replacement of any meter becomes necessary by the act, neglect, negligence or carelessness of the owner or occupant of the premises, or their invitee, any expense thereby incurred by the City shall be charged to the customer.
- (f) Whenever separate metering is required by state law or TCEQ regulations, the City will require, as a prerequisite for receiving water and sewer service, a customer to have two separate meters, one of which will measure the amount of water supplied to the customer for uses which would ordinarily result in creation of sewage and one to measure the amount of water supplied for uses which will not result in the creation of sewage.
- (g) In the event that a person in any manner secures water from the City of Hackberry without complying with the City's or State's rules and regulations, then the City may prosecute that person in a court of law.

ARTICLE II – Billing Procedures and Fees

- (a) All utility bills for service rendered by said system shall be paid monthly on the fifteenth (15th) day of each month. The bill, including the late penalty, must be paid by the twenty-fifth (25th) of each month in order to prevent water being disconnected. If the twenty-fifth (25th) falls on a weekend or holiday, the customer will be given until the next business day to pay their account. In the event of discontinuance of utility service, an additional sum of fifty dollars (\$50.00) shall be charged for turning the water back on, in addition to any water and sewer service bills and any other fees or amounts which the customer is delinquent.
- (b) In the event that, after having been disconnected for non-payment, a customer turns the water on himself, without having paid any and all delinquent charges and additional penalties, the City will remove the customer's water meter. In the event of the meter removal, an additional penalty of One Hundred Dollars (\$100.00) will be charged to have the meter replaced after the customer has paid all delinquent bills and reconnection fees due to the water and sewer department.
- (c) Service deposits as follows: (1) One Hundred and Ten Dollars (\$110.00) water and Seventy Dollars (\$70.00) sewer for residential connections, (2) One Hundred and Seventy Dollars (\$170.00) water and One Hundred Dollars (\$100.00) sewer for commercial connections, (3) plus a twenty dollar (\$20.00) deposit for garbage pickup. Each customer, before being connected to 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 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.

- (d) All calls after the close of normal business day, on weekends and/or holidays for re-connection or for service calls, or for non-emergency services will be at the rate of \$30.00 per hour with a one hour minimum in addition to any re-connection fees named herein.
- (e) Charges for insufficient funds checks will be at the rate of \$35.00

ARTICLE III – Monthly Water and Sewer Rates

The following monthly water and sewer rates shall be charged by the City of Hackberry, Texas for residential and commercial water services.

WATER			SEWER		
Water Meter Size	Type	Rate (First 3,000 Gallons)	Sewer Meter Size	Type	Rate (First 10,000 Gallons)
5/8 inch	Res./Com.	38.95	5/8 inch	Res./Com.	43.00
3/4 inch	Res./Com.	38.95	3/4 inch	Res./Com.	43.00
1 inch	Com.	43.00	1 inch	Com.	47.00
1 ½ inch	Com.	78.00	1 ½ inch	Com.	62.00
2 inch	Com.	113.00	2 inch	Com.	80.00
3 inch	Com.	160.00	3 inch	Com.	122.00
4 inch	Com.	235.00	4 inch	Com.	182.00
5 inch	Com.	340.00	5 inch	Com.	276.00
6 inch	Com.	497.00	6 inch	Com.	427.00
7 inch	Com.	733.00	7 inch	Com.	668.00
8 inch	Com.	1,087.00	8 inch	Com.	1,054.00
9 inch	Com.	1,617.50	9 inch	Com.	1,672.00
10 inch	Com.	2,413.50	10 inch	Com.	2,661.00

Commodity Rate (per 1,000 gallons over first 3,000 gallons)

Residential		Commercial	
Usage/Gallons	Rate Per 1,000 Gallons	Usage/Gallons	Rate Per 1,000 Gallons
3,001 – 10,000	2.91	-----	
10,001 – 20,000	5.20	10,001 – 20,000	2.00
20,001 - All	7.20	20,001 - All	3.00

ARTICLE IV – Tap Fees, Connect and Reconnect Fees

The following fees shall be charged for services provided:

- (a) Tap Fees
 - Water Tap Fee - \$2,000.00 plus labor and material
 - Sewer Tap Fee - \$2,000.00 plus labor and material

- (b) Failed Piping-Reinstall Water/Sewer Tap
 - (Failed piping on private property requiring the plugging of a tap and installation of a new tap.)
 - Fee - Cost

- (c) Connection/Reconnection Fees
 - Connect Fee - \$25.00
 - Reconnect Fee / Remove Lock - \$50.00
 - Reconnect Fee / Reinstall Meter - \$100.00

ARTICLE V – Penalty

Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Hackberry, Texas, shall be subject to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, and each and every day said violation is continued shall constitute a separate offense.

ARTICLE VI – Severability

The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word or provision in this Ordinance or the application thereof to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Ordinance without the invalid parts and to this end the provisions of this Ordinance shall remain in full force and effect

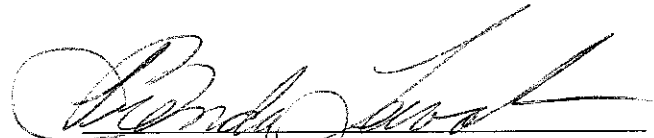
ARTICLE VII - Savings

This Ordinance is cumulative of all other ordinances of the City affecting the fees and or permit costs and does not repeal any of the provisions of other ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

ARTICLE VII - Effective Date


This Ordinance shall take effect immediately from and after its passage and publication of the caption, as the law in such cases provide.

PASSED AND APPROVED BY THE CITY OF HACKBERRY, DENTON COUNTY, TEXAS, this 13 day of February 2007.



Mayor, City of Hackberry, Texas

ATTEST:



City Secretary, City of Hackberry, Texas