

ORDINANCE NO. 2015-04-001
CITY OF CUMBY

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUMBY, TEXAS FOR PROVIDING BILLING PROCEDURES FOR THE WATER, WASTEWATER SERVICE AND GARBAGE SERVICE FOR THE CUSTOMERS OF THE CITY OF CUMBY AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Cumby, Texas has determined the need to approve procedures for service and billing for the water and wastewater services; and

WHEREAS, it is the intention of the City Council of the City of Cumby, Texas that the procedures be approved and approval is in the best interest of the City; and

WHEREAS, the following sections include the policies and procedures for the billing of service, the disconnection and reconnection of service and the associated fees for the City of Cumby.

SECTION 1. Bills will be mailed on or before the last business day of each month based on the City of Cumby rate schedule (Appendix A). Any and all adjustments to a utility bill must be approved by the Mayor and/or City Council.

Payments must be received in the City of Cumby's office by the close of business on the 10th of the month. The close of business will be the City's office hours. A late fee (Appendix A) will assess on the 10th of each month immediately at the close of business. If the 10th of the month is on a weekend or holiday late fees will assess the first business day at the close of business. A late fee will assess on any remaining balance on late fee assessment date.

A returned check fee (Appendix A) will be assessed to all returned checks. The returned check and fees must be paid in full by cash, cashier's check or money order.

Existing services as of the adoption of this ordinance that do not have a deposit will not require a deposit unless service is terminated either by non-payment of services, returned check, change in ownership or change of customer. All new services at locations with an existing connection will require a deposit and a completed service application prior to connection of service. Deposit shall be waived when the transfer in customer name is due to spousal survivorship. Transfer of service from one service address to another service address will require a transfer fee (Appendix A) and full payment for current service prior to the connection of service at the second location. Transfer of service locations will also require a new application for service at the new location and all other required documentation prior to the connection of service.

A service applicant with an outstanding bill from a previous service with the City of Cumby will be required to pay that outstanding bill before new service will be connected and complete all documentation and payment of deposit and other required fees prior to the establishment of service with the City.

All new services will require a connect fee (Appendix A), deposit, service application, and proof of identification (i.e., driver's license, identification card) must be provided prior to service activation. A copy of proof of ownership, lease agreement or proof of business ownership shall be provided at time of application before service can be established. All customers shall abide by all city, county and state regulations. The deposit rates are listed in Appendix A.

Notice of disconnect for non-payment will be mailed on the fifteenth (15th) or the first business day following the fifteenth (15th) day of the month if it is a weekend or a holiday observed by the City allowing ten (10) days notification to customer before disconnection of service. Notice of disconnect is sent to all customers with past due bills which are bills not paid from service for the previous month and that amount past due is equal to or greater than the minimum monthly charge. A disconnect notice fee (Appendix A) shall be assessed to an account when a disconnect notice is mailed. When the disconnect order is dispatched to the Maintenance Department for disconnection of service, there will be a disconnect fee assessed. All fees and past due bill must be paid when service is disconnected before service is reconnected. No service will be disconnected on a Friday, weekend or a holiday observed by the City except by written customer request. Payments for reconnections after 3:00 p.m. shall be reconnected the next business day. Customers shall not reconnect service; all reconnections of service shall be performed by City employee.

When payment is made by check for customer's service to prohibit disconnection for which notice has been mailed and that check is returned to the City by the customer's bank for non-payment the customer's service will be terminated immediately upon receipt of returned check. Disconnection will be without notification to the customer.

When service is disconnected for non-payment or a returned check and payment is not made within fifteen (15) days the deposit may be applied to the outstanding bill and fees and a new deposit will be required which will include the deposit established by this ordinance plus the amount of the past due bill or the amount of the returned check and all associated fees before service is restored.

All services disconnected for non-payment will require payment of a disconnect fee and a reconnect fee, past due bill and a refundable deposit (if no deposit is on account) prior to the reconnection of service. When the deposit on the account is not at the current deposit rate, customer shall be required to pay the deposit difference, past due amount and disconnect and reconnect fees before service is restored.

The refund of remaining deposit will be mailed within thirty (30) days of discontinuance of service. All voluntary discontinuances of service will require written notice to the City allowing three (3) business days for disconnection of service. All refunds will be mailed to the address on file with the City when a new mailing address is not provided by the customer. Customer requests for disconnection of service will require payment of a disconnection fee and the outstanding bill. Reconnection of the service will require a reconnection fee at the time of request for service.

Any service call made by the City for a customer and determined to be the customer's service line will be invoiced to the customer and payable within fifteen (15) days from the date of the invoice. The customer will be billed for employee labor and/or time, material cost and vehicle and/or equipment expense. The Maintenance Supervisor will report to the office all amounts for billing to the customer.

When a potential hazard to health, environment or the community exists with a customer's service the City of Cumby retains the right to disconnect service immediately until corrective action is completed, inspected and approved by the state licensed Water/Wastewater Operator. All fees associated with disconnection and reconnection will apply.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are repealed to the extent of conflict only.

SECTION 3. That if any section, provision, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this

Ordinance, and the City Council of the City of Cumby, Texas hereby declares it would have enacted such remaining portions, despite such invalidity.

SECTION 4. This Ordinance shall be in full force and effect immediately upon its passage and approval by the City Council.

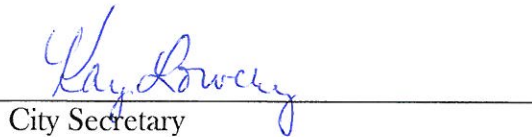
BE IT FURTHER RESOLVED that the City Secretary is hereby authorized to attest to the signature of the Mayor to this Ordinance and to any instruments requisite to implementing this Ordinance.

PASSED BY THE GOVERNING BODY of the City Council of the City of Cumby, Texas, on the 14th day of April, 2015.

Attest:



Mayor



City Secretary



Deposit - Residential/Owner	100.00	
Deposit - Residential/Renter	175.00	
Deposit - Commercial	300.00	
Late Fee	15.00	
Disconnect Notice Fee	3.00	
Disconnect Fee	25.00	
Connect/Reconnect Fee	25.00	
Returned Check Fee	30.00	
Transfer Fee	25.00	
Water Tap Fee - Residential	750.00	Standard Installation
Water Tap Fee - Commercial	1,000.00	Standard Installation
Wastewater Tap Fee - Residential	1,000.00	Standard Installation
Wastewater Tap Fee - Commercial	1,500.00	Standard Installation

Monthly Base Rates - Customers within the corporate limits of the City:

¾" Meter	\$ 21.00	Includes 2,000 Gallons
1" Meter	\$ 50.00	Includes 2,000 Gallons
2" Meter	\$ 90.00	Includes 2,000 Gallons
Water Rate Usage:		
2,001 - 5,000 Gallons:	\$ 4.30	Per 1,000 gallons or part thereof
5,001 - 10,000 Gallons:	\$ 4.50	Per 1,000 gallons or part thereof
10,001 Gallons or over:	\$ 6.00	Per 1,000 gallons or part thereof

Monthly Base Rates - Customers outside the corporate limits of the City:

¾" Meter	\$ 40.00	Includes 2,000 Gallons
1" Meter	\$ 50.00	Includes 2,000 Gallons
2" Meter	\$100.00	Includes 2,000 Gallons
Water Rate Usage:		
2,001 - 5,000 Gallons:	\$ 4.50	Per 1,000 gallons or part thereof
5,001 - 10,000 Gallons:	\$ 4.78	Per 1,000 gallons or part thereof
10,001 Gallons or over:	\$ 6.25	Per 1,000 gallons or part thereof

Monthly Base Rates - Commercial water rates inside and outside the corporate limits of the City:

¾" Meter	\$ 40.00	Includes 2,000 Gallons
1" Meter	\$ 50.00	Includes 2,000 Gallons
2" Meter	\$100.00	Includes 2,000 Gallons
Water Rate Usage Inside City:		
2,001 - 5,000 Gallons:	\$ 4.30	Per 1,000 gallons or part thereof
5,001 - 10,000 Gallons:	\$ 4.50	Per 1,000 gallons or part thereof
10,001 Gallons or over:	\$ 6.00	Per 1,000 gallons or part thereof
Water Rate Usage Outside City:		
2,001 - 5,000 Gallons:	\$ 4.50	Per 1,000 gallons or part thereof
5,001 - 10,000 Gallons:	\$ 4.78	Per 1,000 gallons or part thereof
10,001 Gallons or over:	\$ 6.25	Per 1,000 gallons or part thereof

Bulk Water Rate: \$ 35.00 per load - Maximum 3,000 gallons per load

Wastewater Rates:

Monthly Base Rate	\$ 21.25	Includes up to 5,000 Gallons
Wastewater Rate Usage:		
5,001 gallons and over:	\$ 3.50	Per 1,000 gallons or part thereof

Domestic Garbage Service Monthly Rates:

Residential/within City	\$ 12.00	Plus applicable sales tax
Residential/outside City	\$ 14.50	Plus applicable sales tax
Multiple Unit	\$ 50.00	Plus applicable sales tax