

CITY OF HORSESHOE BAY

ORDINANCE NO. 2020-30

AMENDMENT OF ARTICLE A8.00 UTILITY FEES OF THE CITY CODE

AN ORDINANCE OF THE CITY OF HORSESHOE BAY AMENDING ARTICLE A8.00 UTILITY FEES OF THE CITY ESTABLISHING CHARGES AND FEES FOR: WATER SERVICE, SEWER SERVICE, WATER METERS AND SEWER CONNECTIONS, CITY TAP CHARGES, PAYMENT FOR SERVICE, DEPOSITS, PENALTIES FOR DELINQUENT BILLS, GARBAGE COLLECTION FEES AND CHARGES, AND OTHER ITEMS ASSOCIATED WITH THE RATE SCHEDULE OF THE CITY OF HORSESHOE BAY; AND MAKING OTHER PROVISIONS RELATED AND INCIDENTAL THERETO PROVIDING FOR REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, The Mayor and City Council of the City of Horseshoe Bay, Texas recognize the importance and necessity of establishing a Schedule of Rates and Charges that equitably applies to those Customers and Entities that receive Services from the City;

WHEREAS, as authorized under law, and in the best interest of the citizens of Horseshoe Bay, Texas, the Mayor and City Council deems it expedient and necessary to adopt an amended *Article A8.00 Utility Fees* as included under “Exhibit A” of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. SCHEDULE OF SERVICES AND RATES

The *Article A8.00 Utility Fees* attached hereto as “Exhibit A” is hereby adopted as effective and binding in and for the City of Horseshoe Bay and is incorporated herein for all purposes.

REPEAL OF CONFLICTING ORDINANCES

All Ordinances, or other Rate Schedules or Policies of the City, or portions of those Ordinances and/or Policies, that are in conflict with the Provisions of this Ordinance and the amendments to the “Article A8.00 Utility Fees” (Exhibit A) attached hereto, shall be repealed unto the conflict only and shall otherwise remain in full force and effect.

III. SEVERABILITY

Should any paragraph or part or section of this Ordinance or the “Article A8.00 Utility Fees” (Exhibit A) be adjudged or held to be illegal or invalid, such severability shall not affect the validity of the remainder of the Ordinance and the “Article A8.00 Utility Fees”.

IV. EFFECTIVE DATE

This Ordinance and the “Article A8.00 Utility Fees” (Exhibit A) shall be of full force and effect immediately upon the adoption by the City Council of the City of Horseshoe Bay.

ADOPTED AND APPROVED on this 15th day of September 2020, by the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS

Cynthia Clinesmith, Mayor

ATTEST:

Kerri Craig, City Secretary

EXHIBIT A

ARTICLE A8.00 UTILITY FEES

Sec. A8.01 Water Service Rates

(a) Monthly rates for each active meter or unit (residential, commercial, and/or irrigation).

(1) The monthly rate includes the base monthly charge - BMC (minimum monthly charge) and the volumetric charge (charge per 1,000 gallons). The BMCs are based on meter sizes, as listed in the following, with a higher charge for larger meters with a higher potential water supply capacity:

| | | |
|--------------------|----------|---------------------|
| 3/4" water meter | \$34.83 | base monthly charge |
| 1" water meter | \$39.75 | base monthly charge |
| 1-1/2" water meter | \$43.83 | base monthly charge |
| 2" water meter | \$58.04 | base monthly charge |
| 3" water meter | \$165.32 | base monthly charge |
| 4" water meter | \$207.53 | base monthly charge |
| 6" water meter | \$297.93 | base monthly charge |

The \$34.83 base monthly charge shall also apply to each residential unit within apartment complexes, condominiums, or other similar group of buildings utilized for residential living quarters, regardless of the actual meter size or existence of a master meter.

(2) Inside the city–Single-family residence.

(A) Base monthly charge (depending upon meter size), plus the volumetric charge.

(B) Volumetric charge.

| | |
|--------------------------|--|
| \$0.00 per 1,000 gallons | Up to 5,000 gallons used (included in BMC) |
| \$5.02 per 1,000 gallons | From 5,001 up to 10,000 gallons used |
| \$6.11 per 1,000 gallons | From 10,001 up to 25,000 gallons used |
| \$7.25 per 1,000 gallons | From 25,001 up to 50,000 gallons used |
| \$8.72 per 1,000 gallons | From 50,001 up to 100,000 gallons used |
| \$9.49 per 1,000 gallons | From 100,001 gallons and over used |

(C) Multifamily rates. For an apartment complex, condominium, or other similar group of buildings utilized for residential living quarters and billed by master meter, the volumetric charge will be based on the number of residential units and the corresponding amount of water allowed per tier. For example, a complex with six units will receive 30,000 gallons

with the BMC, and an additional 30,000 gallons at \$5.02 per 1,000 gallons, an additional 90,000 gallons at \$6.11 per 1,000 gallons, an additional 150,000 gallons at \$7.25 per 1,000 gallons, an additional 300,000 gallons at \$8.72 per thousand gallons and 300,001 gallons' usage and above at \$9.49 per 1,000 gallons.

(4) Outside the city. Rates for all other Hills tracts, Quail Ridge and all other tracts outside the city (wholesale customer rates defined by contract):

(A) Base monthly charge (depending upon the meter size), plus outside service fee of \$33.77 and plus the volumetric charge.

(B) Volumetric charge.

| | |
|---------------------------|--|
| \$0.00 per 1,000 gallons | Up to 5,000 gallons used (included in BMC) |
| \$10.07 per 1,000 gallons | From 5,001 up to 10,000 gallons used |
| \$11.89 per 1,000 gallons | From 10,001 up to 25,000 gallons used |
| \$13.73 per 1,000 gallons | From 25,001 up to 50,000 gallons used |
| \$15.09 per 1,000 gallons | From 50,001 up to 100,000 gallons used |
| \$17.39 per 1,000 gallons | From 100,001 gallons and over used |

(b) Irrigation rates. Inside irrigation rates, apply to meters utilized for irrigation purposes inside the city:

(1) Base monthly charge (depending upon the meter size), plus the volumetric charge.

(2) Volumetric charge.

| | |
|---------------------------|------------------------------------|
| \$6.11 per 1,000 gallons | From 0–5,000 gallons used |
| \$6.89 per 1,000 gallons | From 5,001–10,000 gallons used |
| \$8.02 per 1,000 gallons | From 10,001–25,000 gallons used |
| \$9.15 per 1,000 gallons | From 25,001–50,000 gallons used |
| \$11.40 per 1,000 gallons | From 50,001–100,000 gallons used |
| \$11.82 per 1,000 gallons | From 100,001 gallons and over used |

(c) Commercial. A single meter (less than 2" in size) serving a commercial facility or a master meter (less than 2" in size) serving a commercial complex shall be within the "commercial classification" and be charged as follows:

(1) Base monthly charge (depending upon the meter size), plus the volumetric charge.

(2) Volumetric charge.

| | |
|--------------------------|---------------------------------|
| \$7.11 per 1,000 gallons | From 0–5,000 gallons used |
| \$8.23 per 1,000 gallons | From 5,001–10,000 gallons used |
| \$9.71 per 1,000 gallons | From 10,001–25,000 gallons used |

| | |
|---------------------------|-------------------------------------|
| \$11.53 per 1,000 gallons | From 25,001–50,000 gallons used |
| \$13.72 per 1,000 gallons | From 50,001–100,000 gallons used |
| \$15.19 per 1,000 gallons | From 100,001 gallons and above used |

(d) Large commercial. A single meter (2" and larger) serving a commercial facility or a master meter (2" or larger) serving a commercial complex shall be within the "large commercial classification" and be charged as follows:

- (1) Base monthly charge, depending on the meter size and including the 5,000 gallons per residential unit (if applicable), plus the volumetric charge.
- (2) Volumetric charge.

| | |
|---------------------------|-------------------------------------|
| \$6.40 per 1,000 gallons | From 5,001–10,000 gallons used |
| \$7.50 per 1,000 gallons | From 10,001–25,000 gallons used |
| \$8.58 per 1,000 gallons | From 25,001–50,000 gallons used |
| \$10.06 per 1,000 gallons | From 50,001–100,000 gallons used |
| \$10.83 per 1,000 gallons | From 100,001 gallons and above used |

All five (5) buildings of the Resort Hotel Complex shall be billed in the same manner as the multifamily units, for the water billing, as outlined in subsections (a)(1) and (a)(2).

(e) Inactive meter and non-metered charges. A special "as needed" charge for tank lots of water for road contractors, builders, etc., will be \$10.07 per 1,000 gallons of usage, as metered by the city.

(h) Water tap charges. ▲

| | |
|-------------------|------------|
| 3/4" connection | \$3,690.00 |
| 1" connection | \$3,890.00 |
| 1-1/2" connection | \$4,090.00 |
| 2" connection | \$4,190.00 |

Sec. A8.02 Sewer service rates and conditions

(a) Monthly rates for residential customers.

- (1) All residential service inside city and multifamily: **\$59.45** per month per unit.
- (2) The residential rate will prevail for builders prior to initial occupancy.

(b) Monthly rates for commercial customers. Meters smaller than 2" in size:

- (1) All commercial service inside city. **\$59.45** per month per water meter, which includes 5,000 gallons of water usage, and the applicable volumetric charge.

- (2) Meter usage over 5,000 gallons: **\$9.15** per 1,000 gallons.
- (3) Each commercial (tenant) having dedicated wastewater facilities connected to a common grinder pump system will be charged a factor (multiplier) to determine the total monthly sewer charges. For example, for inside the city customers six units (tenants) will be charged six fees, i.e., six (6) units x **\$59.45** per month, and will be entitled to 30,000 gallons of usage, before being charged an additional rate of **\$9.15** per 1,000 gallons.
- (4) Each commercial facility where there are not individual tenants - non-dedicated wastewater facilities will be charged based on seven fixtures as one-unit set. Seven fixtures are defined as a set. Any number of fixtures, more than three, remaining after the total number of fixtures has been divided by seven, will be considered another set. For example, seventeen fixtures would be considered two sets, but eighteen fixtures would be considered three sets. Each set will be charged a basic monthly charge (BMC) of **\$59.45**.
- (5) Each commercial account having more than one set of fixtures served by a single water meter will be charged a factor (multiplier) based on the number of sets to determine the total monthly sewer charges. For example, six sets equal 6 x **\$59.45** per month, and will be entitled to 30,000 gallons of wastewater, before being charged an additional rate of **\$9.15** per 1,000 gallons.
- (6) Irrigation meters are available and encouraged for commercial applications to reduce sewer expenses to actual sewer usage.

(c) Monthly rates for large commercial customers—Meters 2" and larger.

- (1) All large commercial inside city. **\$59.45** per month per meter, which includes 5,000 gallons of water usage, and the applicable volumetric charge.
- (2) Meter usage over 5,000 gallons: **\$8.09per** 1,000 gallons.

(ci) Sewer tap charges.

- (1) Residential units will be charged a **\$3,690.00** tap fee for each standard 1-1/2" sewer grinder connection required where the collection line is immediately adjacent to the property to be served.
- (2) Commercial units will be charged the greater of a minimum of **\$3,690.00** tap fee for each standard 1-1/2" sewer grinder connection or total costs computed on the basis of actual costs of labor, materials, and equipment usage, plus overhead.

(f) Sewer grinders. There are several types of sewer grinder pump systems serviced by the city. Depending on the capacity and pressure requirements as determined by the city, they are as follows:

(1) Single-family residence.

- (A) Single grinder pump systems required by each single-family residence and each living unit of a duplex family residence servicing four full baths or less, low pressure unit: Price: **\$2,525.00**.

(B) Single grinder pump systems required by each single-family residence and each living unit of a duplex family residence servicing more than two full baths, high pressure unit: Price: **\$3,425.00.**

(2) Duplex grinder system required by multifamily complexes and commercial units as follows:

(B) Commercial units or complexes require a minimum of one (1) duplex system and a duplex system for each group of forty (40) internal sewer drain connections or part thereof, prices:

(i) Low pressure: **\$4,575.00.**

(ii) High pressure: **\$5,975.00.**

Sec. A8.04 Garbage collection rates

(a) State and city sales tax is applicable to garbage collection services. This tax will be added to the charges shown following.

(b) Residential service. All living units with one pickup per week: \$23.28 per month. Additional carts are \$7.79 per month.

(c) Commercial service.

(1) Dumpster size.

| | 1 Time per wk | 2 Time per wk | 3 Time per wk | 4 Time per wk |
|-------------------|---------------|---------------|---------------|---------------|
| 1st 2 cubic yards | \$164.44 | \$271.59 | \$378.75 | \$488.02 |
| Extra Pickup Fee | \$135.00 | \$135.00 | \$135.00 | \$135.00 |
| 1st 3 cubic yards | \$190.97 | \$314.03 | \$438.16 | \$561.22 |
| Extra Pickup Fee | \$135.00 | \$135.00 | \$135.00 | \$135.00 |
| 1st 4 cubic yards | \$214.31 | \$354.34 | \$493.32 | \$631.24 |
| Extra Pickup Fee | \$135.00 | \$135.00 | \$135.00 | \$135.00 |
| 1st 6 cubic yards | \$224.91 | \$434.97 | \$604.72 | \$774.46 |
| Extra Pickup Fee | \$135.00 | \$135.00 | \$135.00 | \$135.00 |
| 1st 8 cubic yards | \$233.40 | \$451.95 | \$622.75 | \$806.29 |
| Extra Pickup Fee | \$135.00 | \$135.00 | \$135.00 | \$135.00 |

(2) Minimum monthly charge per unit. Poly-cart service (95 gallons) – *Maximum of 3:*

| | |
|-----------------|---------|
| At 1 x per week | \$33.14 |
| Each additional | \$33.14 |
| At 2 x per week | \$46.89 |
| Each additional | \$46.89 |

Sec. A8.05 Grounds maintenance waste service (commercial customers)

Residents are allowed up to 100 cubic yards for a 12-month period without any costs and only is transported by resident themselves. If residents exceed 100 cubic yards' allotment the fees below are applied to additional volumes disposed at the site.

- (1) Annual permit fee: \$81.75
- (2) 0–200 cubic yards: \$1.72 per cubic yard.
- (3) 201 to 400 cubic yards: \$2.87 per cubic yard.
- (4) Over 400 cubic yards: \$4.00 per cubic yard.