

ORDINANCE NO. 02-09-18

AN ORDINANCE AMENDING SECTION I - GENERAL, SUBSECTION 2 APPLICATION AND FEE FOR WATER AND SEWER TAPS, (a) STANDARD TAP FEE AND SECTION II - SERVICE CHARGES, SUBSECTION 2 WATER RATES, (a), (b), AND SECTION III - SEWER RATES FOR CUSTOMERS USING CITY WATER, (a 1), WHICH REGULATES WATER AND SEWER CHARGES AND ESTABLISHES WATER AND SEWER SERVICE CHARGES; PROVIDING FOR PENALTIES AND VIOLATIONS; PROVIDING A SEVERANCE CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Cooper, Texas, has provided facilities for the collection and treatment of wastewater to promote the health, safety, and convenience of its people; and

WHEREAS, to insure the proper use, control and operation of the water and sewerage works the City shall levy fees for the use thereof and provide for the enforcement thereof;

WHEREAS, the City Council of the City of Cooper, Texas, adopted Ordinance No. 02-02-2008, which has been incorporated into the Code of Ordinances for the City of Cooper, Texas, regulating water and sewer charges and establishing water and sewer service charges, which sections need updating;

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

SECTION 1. Section I, Subsection 2 is amended to read as follows:

Subsection 2. Application and Fee for Water and Sewer Taps.

- (a) Standard Tap Fee
Each Tap - Water: \$750.00
Each Tap - Sewer: \$750.00
- (b) The fees prescribed by subsection (a) shall apply to a 5/8" x 3/4" water tap and a four (4) inch sewer tap within the right-of-way and streets of which the City is responsible for maintenance. The fee for larger water and sewer taps shall be determined by the City based on the actual cost. A deposit based on estimated construction cost will be required in advance for such larger taps.

SECTION 2. Section II, Subsection 2 is amended to read as follows:

Subsection 2. Water Rates.

(a) Charges for water furnished by the City are hereby fixed at the following rates per gallon per month, for all classes of users, as registered by the user's water meter:

<u>Usage</u>	<u>Cost</u>
0 to 2,000 gallons	\$23.35 minimum
Next 3,000 gallons	\$5.00 per 1,000 gallons
Next 5,000 gallons	\$5.00 per 1,000 gallons
Next 5,000 gallons	\$5.00 per 1,000 gallons
Next 35,000 gallons	\$5.00 per 1,000 gallons
Over 50,000 gallons	\$5.00 per 1,000 gallons

(b) The following minimum monthly charges for water furnished by the City, based on the size meter or tap, are hereby fixed:

<u>Meter or Tap Size</u>	<u>Minimum Bill</u>
5/8" (2,000 gallons allowed) Standard	\$23.35

(c) Where a water tap is used solely for standby fire protection from an approved water sprinkler system having an audible alarm, and where no water is used or consumed from such tap for purposes other than fire protection, no minimum fee shall be charged under subsection (b), nor shall water used for fire fighting be charged for.

SECTION 3. Section II, Subsection 3 is amended to read as follows:

Subsection 3. Sewer Rates - for Customers using City Water.

(a) Charges for sewer services furnished by the City to customers who are also users of city water are hereby fixed at the following rates for all classes of users, based on the water used, as registered by the users water meter:

(1) The amount of water used for the purpose of computing sewer charges are to be determined by averaging the amount of water used during the months of December, January, and February. This average shall be to the following rate structure. Customers shall be billed on this average usage beginning with the month of February of each year.

Usage

Cost

0 to 2,000 Gallons	\$18.00
over 2,000 Gallons	\$6.00

(b) Users desiring to discharge sewage into the City's sewerage system, the strength of which sewerage exceeds 300 mg/1 BOD and/or 300 mg/1 suspended solids, which is acceptable under the City's Sewer Use Ordinance, may do so upon written permission of the City and by paying the monthly users charge and the excessive strength surcharge.

(1) Surcharge - Attachment 1. The user's surcharge shall recover the pro-rata share of all of the annual cost incurred by the City in the operation and maintenance of its sewer treatment facility. These costs shall include, but not limited to, all operations cost, maintenance cost, replacement cost of existing facilities, and annual revenue bond debt service requirements. Should the City not separate its sewer collection and sewer treatment cost, then the cost of the sewer treatment is set at fifty percent (50%) of the total cost of the operation all City sewerage facilities.

The charge shall be based on the unit volume discharge of the user at the user's discharge strength and suspended solid content of the user's wastewater, but not less than "normal." The surcharge is to be multiplied times the operating and maintenance unit volume cost (user's charge), times the user's volume of discharge based on the following formula:

Separate collection and treatment cost not maintained.

$$\text{Surcharge} = (\text{user's charge} \times 50\%) \frac{\text{BOD}-300 + \text{SS}-300}{300 + 300}$$

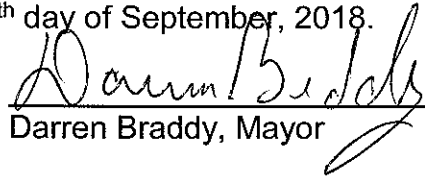
Where BOD is the discharge strength (not less than 300 mg/1), SS is the discharge concentration (not less than 300 in mg/1). An example calculation is shown in Attachment #1 hereto.

SECTION 4. That this ordinance supersedes and replaces coordinating sections in Ordinance No. 02-02-2008.

SECTION 5. 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 Cooper, Texas, hereby declares it would have enacted such remaining portions, despite such invalidity.

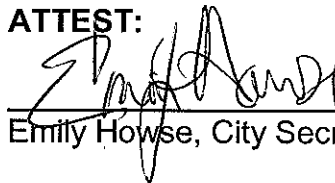
SECTION 6. This Ordinance shall be in full force and effect immediately upon its passage and approval.

PASSED AND APPROVED, this the 10th day of September, 2018.



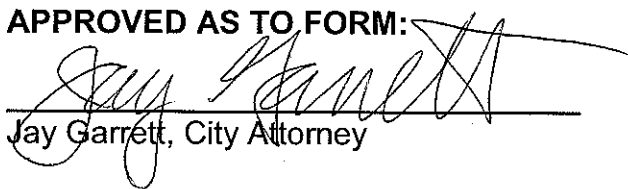
Darren Braddy, Mayor

ATTEST:



Emily Howse, City Secretary

APPROVED AS TO FORM:



Jay Garrett, City Attorney