

ORDINANCE NO. 02-19

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF NASH, TEXAS AMENDING ORDINANCE NO. 09-16, PROVIDING FOR THE SALE OF WATER AND TREATMENT OF WASTEWATER BY THE CITY OF NASH; PROVIDING FOR WATER AND WASTEWATER RATES AND CHARGES; DECLARING ALL ORDINANCES IN CONFLICT AMENDED; PROVIDING FOR THE IMMEDIATE PASSAGE OF THIS ORDINANCE; DECLARING THAT SHOULD ANY PART OF THIS ORDINANCE BE INVALID SUCH INVALIDITY WILL NOT AFFECT THE REMAINDER OF THIS ORDINANCE; AND DECLARING AN EMERGENCY

WHEREAS, the City Council of the City of Nash, Texas has determined that certain rates for water and wastewater services provided by the City to its residents must be adequate to provide for the debt service of the City's water and sewer systems, for the operation and maintenance expenses of the water and wastewater systems, and for the upgrading of the water and wastewater systems; and

WHEREAS, it is the desire of the City Council to set forth water and wastewater rates which are sufficient to provide for payment of all outstanding indebtedness relating to the City's water and sewer systems, including certain certificates of obligation, for the operation and maintenance expenses of the water and wastewater systems, and to provide funds for upgrading the systems; and

WHEREAS, the customers of the water and wastewater systems of the City of Nash, shall be classified as residential or commercial/industrial and if a meter is set for customer there shall be a minimum charge billed monthly; and

WHEREAS, the City Council has reviewed Ordinance 09-16 passed by the City Council of Nash, Texas on September 26, 2016 and finds that the water and wastewater rates should be changed as prescribed below.

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

SECTION 1. The water rates to be charged for water furnished by the City of Nash, Texas shall be computed, as follows:

(A) The monthly water rate amount and its effective date to be charged by the City for water furnished to Residential Consumers within the Corporate City Limits of the City of Nash, Texas shall be established, as follows:

Water – Residential Inside	Effective March 1, 2019	Effective October 1, 2022
Minimum Charge (0-2,000 gallons)	\$18.90	\$20.90
Volumetric Charge (2,001-5,000 gallons)	\$5.75	\$6.75
Volumetric Charge (5,001-10,000 gallons)	\$6.25	\$7.25
Volumetric Charge (10,001+ gallons)	\$6.50	\$7.50

(B) The monthly water rate amount and its effective date to be charged by the City for water furnished to Residential Consumers outside of the Corporate City Limits of the City of Nash, Texas shall be established, as follows:

Water – Residential Outside	Effective March 1, 2019	Effective October 1, 2022
Minimum Charge (0-2,000 gallons)	\$34.85	\$36.85
Volumetric Charge (2,001+ gallons)	\$6.40	\$7.40

(C) The monthly water rate amount and its effective date to be charged by the City for water furnished to Commercial/Industrial Consumers inside of the Corporate City Limits of the City of Nash, Texas shall be established, as follows:

Water – Commercial Inside	Effective March 1, 2019	Effective October 1, 2022
Minimum Charge (0-2,000 gallons)	\$20.60	\$22.90
Volumetric Charge (2,001-5,000 gallons)	\$5.90	\$6.90
Volumetric Charge (5,001-10,000 gallons)	\$6.40	\$7.40
Volumetric Charge (10,001+ gallons)	\$6.55	\$7.55

(D) The monthly water rate amount and its effective date to be charged by the City for water furnished to Commercial/Industrial Consumers outside of the Corporate City Limits of the City of Nash, Texas shall be established, as follows:

Water – Commercial Outside	Effective March 1, 2019	Effective October 1, 2022
Minimum Charge (0-2,000 gallons)	\$34.85	\$36.85
Volumetric Charge (2,001+ gallons)	\$6.40	\$7.40

SECTION 2. The wastewater rates to be charged for water furnished by the City of Nash, Texas shall be computed, as follows:

(A) The monthly wastewater rate amount and its effective date to be charged by the City for wastewater services furnished to Residential Consumers within the Corporate City Limits of the City of Nash, Texas shall be established, as follows:

Wastewater – Residential Inside	Effective March 1, 2019	Effective October 1, 2022
Minimum Charge (0-2,000 gallons)	\$15.10	\$17.10
Volumetric Charge (2,001+ gallons)	\$3.50	\$4.00

Waggoner Creek Sewer Plant Refurbishment Fee	\$5.75
--	--------

(B) The monthly water rate amount and its effective date to be charged by the City for wastewater services furnished to Residential Consumers outside of the Corporate City Limits of the City of Nash, Texas shall be established, as follows:

Wastewater – Residential Outside	Effective April 1, 2019	Effective October 1, 2022
Minimum Charge (0-2,000 gallons)	\$41.90	\$42.40
Volumetric Charge (2,001+ gallons)	\$6.65	\$6.90

Waggoner Creek Sewer Plant Refurbishment Fee	\$5.75
--	--------

(C) The monthly wastewater rate amount and its effective date to be charged by the City for wastewater services furnished to Commercial/Industrial Consumers within the Corporate City Limits of the City of Nash, Texas shall be established, as follows:

Wastewater – Commercial Inside	Effective March 1, 2019	Effective October 1, 2022
Minimum Charge (0-2,000 gallons)	\$18.95	\$19.95
Volumetric Charge (2,001+ gallons)	\$4.30	\$5.30

Waggoner Creek Sewer Plant Refurbishment Fee	\$5.75
--	--------

(D) The monthly water rate amount and its effective date to be charged by the City for wastewater services furnished to Commercial/Industrial Consumers outside of the Corporate City Limits of the City of Nash, Texas shall be established, as follows:

Wastewater – Commercial Outside	Effective March 1, 2019	Effective October 1, 2022
Minimum Charge (0-2,000 gallons)	\$41.90	\$42.40
Volumetric Charge (2,001+ gallons)	\$6.65	\$6.90

Waggoner Creek Sewer Plant Refurbishment Fee	\$5.75
--	--------

(E) All customers that reside within the Corporate City Limits of the City of Nash, Texas, that are not on City water service but are on the City wastewater service shall pay a flat monthly sewer service charge of \$35.00 per month.

(F) All customers that reside outside of the Corporate City Limits of Nash, Texas, that are not on City water service but are on the City wastewater service shall pay a flat monthly sewer service charge of \$55.00 per month.

SECTION 3. All customers that reside within the Corporate City Limits of the City of Nash, Texas, that are not on City water service but are on the city garbage service shall pay a flat monthly garbage charge of \$25.00 per month.

SECTION 4. All bills for services rendered by said system shall become due and payable monthly on the fifteenth (15th) day of each month after the service period. If not paid in full on or before the 15th day of each month, a penalty of ten percent (10%) will be added to the bill and paid in full prior to re-connection of water service.

- (a) Additional service charge will be enacted as follows: a fee of \$10.00 will be levied to each water and/or sewer customer requesting a re-read; in the event the City is in error, no charges will be collected.
- (b) A fee of \$20.00 will be charged to each water and/or sewer customer requesting temporary disconnect.
- (c) A transfer charge of \$40.00 will be collected for customers moving from one location to another within the Corporate City limits of Nash, Texas.
- (d) A \$30.00 handling charge will be assessed to the customer should his/her check for payment of water and/or sewer charges be returned to the City for reason of insufficient funds. If such check is not paid within ten (10) days, such account may be discontinued, and the collection charge will also apply. A \$30.00 handling charge will be assessed to the customer should his/her check for payment of water and/or sewer charge be returned to the City for reason of closed account. If such check is not paid within ten (10) days, such account may be discontinued, and the collection charge will

also apply. The closed account check will be processed thru the Bowie County District Attorney's office and all collection fees will apply.

SECTION 5. The City may provide a water and/or wastewater tap in the alley or street adjacent to the last or nearest corner of the Connector's property, within ten (10) feet of the surface of the ground. The house connection from the City lateral shall be installed at the expense of the Connector in accordance with the regulations of and subject to the inspection of the City.

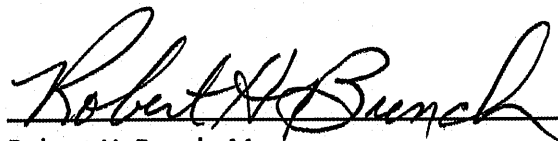
SECTION 6. This Ordinance and all of its sections and rates set above shall be effective with the billing for the month of April 2019 and shall continue until modified by the City Council of the City of Nash, Texas.

SECTION 7. All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed and amended to the extent of such conflict, and all parts not in conflict are to remain in full force and effect.

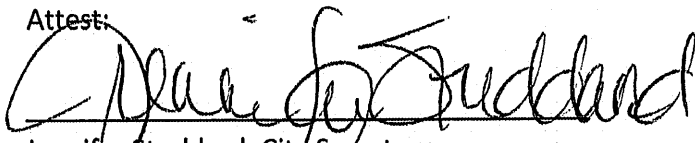
SECTION 8. In case a section, clause, sentence of part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not effect, impair or invalidate the remainder of this Ordinance.

SECTION 9. The fact that the City Council is in immediate need of relief ordered by the provision of this ordinance creates an emergency and an imperative public necessity, and this ordinance shall be in full force and effect from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED in Regular Council Meeting the 11th day of February, 2019.


Robert H. Bunch, Mayor

Attest:


Jennifer Studdard, City Secretary