

# ORDINANCE NO. 2022-23

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING APPENDIX A, ARTICLE A7.000, SECTION A7.003 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA; ESTABLISHING MONTHLY WATER AND WASTEWATER RATES FOR RESIDENTIAL AND NONRESIDENTIAL CUSTOMERS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR IMMEDIATE EFFECT; AND PROVIDING FOR PUBLICATION.

WHEREAS, because of fee increases imposed by the Trinity River Authority and Dallas Water Utilities, the City of Ovilla's cost for water and wastewater have been increased by almost \$35,000.00; and

WHEREAS, such increase is more than with City of Ovilla can absorb without increasing water and wastewater rates to residential and nonresidential customers in the city; and

WHEREAS, based on current costs of water and wastewater services purchased from the city's providers, the City Council finds and determines that it is necessary to increase the water rate tiers and the wastewater monthly flat fee rate as listed below in Section 1 (a) and (b) of this ordinance for both residential and nonresidential customers in the city; and

WHEREAS, based on the monthly water and wastewater rate increase it is necessary to amend the City's Code of Ordinances to reflect the new monthly rates.

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

## **SECTION 1. AMENDMENT OF APPENDIX A, ARTICLE A7.000, SECTION A7.003 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS**

Appendix A, Article A7.000, Section A7.003 of the Code of Ordinances of the City of Ovilla, Texas, is hereby amended to read as follows:

- (a) Monthly water rates. Monthly rates for water furnished by the city for residential and nonresidential:

Inside corporate limits:

\$11.26/minimum	0 to 1,000 gallons
\$13.58/1,000 gallons	1,001 to 2,000 gallons
\$4.89/1,000 gallons	2,001 to 20,000 gallons
\$6.35/1,000 gallons	20,001 to 40,000 gallons
\$7.83/1,000 gallons	40,001 to 60,000 gallons
\$9.30/1,000 gallons	60,001 to 80,000 gallons
\$10.76/1,000 gallons	80,001 to 100,000 gallons
\$12.25/1,000 gallons	100,001 and up

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(b) Monthly wastewater rates. Monthly rates for wastewater service furnished by the city:

- (1) Residential:
  - (A) Monthly flat fee: \$20.00.
  - (B) Base monthly rate (per 1,000 gallons): \$11.00.
  - (C) Sewer winter averaging determines the maximum charge.
- (2) Nonresidential:
  - (A) Monthly flat fee: \$20.00.
  - (B) Base monthly rate (per 1,000 gallons): \$11.00.
  - (C) Bill rate based on 100% of actual usage.

(c) Other charges.

- (1) Meter tampering: \$250.00 plus cost of repair.
- (2) Re-read: \$10.00 (no charge if error found).
- (3) Meter test: \$50.00 (no charge if error found).

### **SECTION 2. SAVINGS CLAUSE**

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

### **SECTION 3. SEVERANCE CLAUSE**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

### **SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES**

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered, if necessary, to conform to the uniform numbering system of the Code.

### **SECTION 5. EFFECTIVE DATE**

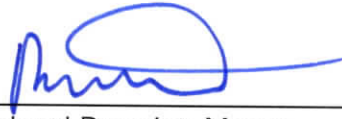
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This Ordinance shall take effect immediately, and the charges under the new rates established hereby shall be reflected in water customers' January 2023 water bills and thereafter until amended or revised by a future ordinance.

### SECTION 6. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

**PASSED, ADOPTED and APPROVED** by the City Council of Ovilla, Texas, on this the **14<sup>TH</sup>** day of **NOVEMBER**, 2022.



Richard Dormier, Mayor

ATTEST:



Bobbie Jo Taylor, City Secretary



APPROVED AS TO FORM:



Ron G. MacFarlane, Jr., City Attorney