

**CITY OF LOG CABIN
ORDINANCE 90-P**

AN ORDINANCE TO REVISE ORDINANCE 90-0, PROVIDING FOR A CHANGE IN THE RESPONSIBILITY OF THE GRINDER PUMP FROM THE CITY TO THE CUSTOMER WILL BE RESPONSIBLE FOR THEIR GRINDER PUMP. THE CITY WILL BE RESPONSIBLE FOR MAINTENANCE OF THE GRINDER PUMP WHILE IT IS UNDER WARRANTY IF THE CITY INSTALLED IT.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOG CABIN, TEXAS THAT ORDINANCE 90-O SHALL BE UPDATED AND ORDINANCE 90-P SHALL TAKE ITS PLACE AT THE DATE AND TIME AT WHICH IT WAS SIGNED BELOW AND THAT ORDINANCE 90-P SHALL READ AS FOLLOWS:

SECTION I

A. WATER TAP FEES

The one time tap fee for water service where adequate water mains exist shall be seven hundred fifty dollars (\$750.00) for $\frac{3}{4}$ "inch meter and tap and nine hundred dollars (\$900.00) for a 1" inch meter and tap for customers inside the city limits.

The one time water tap fee for customers outside the city limits will be nine hundred (\$950.00) for a $\frac{3}{4}$ ", and one thousand one hundred fifty dollars (\$1,150.00) for a 1" inch meter tap.

Where in the opinion of the water department, a larger water meter is required: the cost difference for a larger meter shall be borne by the customer in addition to the tap fee.

Each meter is considered a separate account and is treated as such in regard to tap fees, deposit requirements and monthly billing.

B. SEWER TAP FEES

1) The one time sewer tap fee, where adequate sewer mains exists, shall be a minimum of \$1,000.00 plus the cost of any additional materials and man hours needed for each individual family residence, business establishment or property.

2) The one time sewer tap fee where adequate sewer mains exists but a grinder pump is needed, shall be the initial cost of the grinder pump(\$2,500.00)and the combined cost of materials and man hours needed for each individual family residence, business establishment or property.

3) The customer will be responsible for their grinder pump. The city will be responsible for maintenance of the grinder pump while it is under warranty if the city installed it.

4) The property owner will be responsible for the maintenance of the sewer line from the individual family residence, business establishment or property to the property line. The City will connect owner's sewer line to the City main sewer.

C. DISCONNECTION FOR NON-PAYMENT

A water and sewer bill shall be delinquent on the 11th day of each month and thereafter shall automatically incur a late charge of 10% of the delinquent water and sewer amount. If a customer fails to make payment arrangements with the department by the 21st day of the month, the City's water department shall promptly disconnect services. If water is disconnected for non-payment, and if there is no deposit on the account, the deposit must be brought current, as well as, a reconnect fee of seventy-five (\$75.00) dollars plus the full amount of the water bill shall be paid prior to reconnection of services. If service is reconnected after 5:00pm or before 8:00am, or on the weekends or holidays, an additional \$100.00 will apply.

D. INSUFFICIENT FUNDS CHECK CHARGE

From the time, customers may render checks in payment of water and sewer service that the City is unable to collect from the customer's bank because of insufficient funds within the customer's account. The insufficient funds check charge that is returned from the bank of record due to insufficient funds shall be thirty-five (\$35.00) dollars for each check, each time the City attempts collection.. Any customer who renders more than three (3) insufficient funds checks for payment of service shall be required for all future services by cash, cashier's check or money orders.

SECTION II

All persons or business receiving treated water from the City of Log Cabin, Texas shall pay a charge to cover all costs for providing this service. The following rates and regulations are hereby established and shall be enforced by the City of Log Cabin.

A. IN CITY RESIDENTIAL

Water – Base (1,000 gallons)	\$18.00
Per 1,000 (1,001 to 3,000 gallons)	\$ 4.00
Per 1,000 (3,001 to 6,000 gallons)	\$ 5.00
Per 1,000 (6,001 and up)	\$ 6.00
Water 2	\$10.00
Sewer – Flat Rate per connection	\$44.00
Sewer - Rate for (2) sewers/grinder pumps	\$66.00

B. COMMERCIAL

Water – Base (1,000 gallons)	\$56.00
Per 1,000 (1,001 to 3,000 gallons)	\$ 4.00
Per 1,000 (3,001 to 6,000 gallons)	\$ 5.00
Per 1,000 (6,001 gallons and up)	\$ 6.00
Water 2	\$10.00
Sewer – Base Rate	\$44.00

C. OUT OF CITY RESIDENTIAL

Water – Base (1,000 gallons)	\$27.50
Per 1,000 (1,001 to 3,000 gallons)	\$ 4.00
Per 1,000 (3,001 to 6,000 gallons)	\$ 5.00
Per 1,000 (6,001 and up)	\$ 6.00
Water 2	\$10.00
Sewer – Base Rate	\$44.00
Sewer – Rate for (2) sewers/grinder pumps	\$66.00

D. MISCELLANEOUS RATES

DEPOSITS:

Water Residential	\$125.00	Sewer Residential	\$75.00
Commercial	\$200.00	Commercial	\$100.00
Renters	\$250.00	Renters	\$150.00

CONNECT FEES:

Connect Fee -	\$50.00
Reconnect Fee -	\$75.00

ADDITIONAL FEE: \$25.00 for a second trip to read meters
Because of a vicious dog or unable to access meter.

EXTENSION FEES: \$25.00

An extension fee, one (1) every quarter will be allowed if a resident is unable to pay their water bill by the 21st of the month and will only be for the month that is due. There must be a zero balance for the previous months. The extension will apply to the period between the 21st of the month to the 1st of the following month. If the bill has not been paid by the 1st of the following month, the water will be turned off and a turn on charge of \$75.00 will be added to the resident's bill. If a resident moves and leaves an outstanding bill and then moves back into the city, they will not be allowed to

have an extension on their water bill for one year from the date they move back into the city.

CSI INSPECTION FEE:

Where any person or persons who is in the progress of building a new home or remodeling shall require a CSI Inspection if their water is being charged or modified to any extent. The State requires a CSI Inspection be performed and the document be filed with the City of Log Cabin Water Department. If the CSI Inspection is performed by an outside source other than a Log Cabin Water Department Personnel, a copy of their plumber's license number and driver's license must accompany the form.

CERTIFICATE OF OCCUPANCY FEE: \$75.00

Every dwelling, house or building or similar structure (hereafter referred to as a building) within the City of Log Cabin, Texas which has been vacant for over ninety (90) days will require a Certificate of Occupancy before utilities are turned on.

E. DEPOSIT REFUND POLICY

Upon notification from a resident that they want water disconnected, there will be a final meter reading taken. After the amount due has been deducted from the reading taken, the remaining balance will be sent to the resident at the forwarding address provided within thirty (30) days of the disconnect date.

SECTION III

RENTAL PROPERTY

The property owner will be responsible for keeping the water service in their name and also be responsible for the payment of the monthly bill. **Should the owner of the property decide to sell, service at the residence will not be transferred to the new owner's name until such time as the bill for the previous owner is satisfied in full.**

SECTION IV

A. BILLING COMPLAINTS

In the event of a water billing complaint, the City's Water Department will arrange for a reread of the water meter within 24 hours. If the meter reading is registering correctly, the customer will be notified and the billing amount due shall be considered correct.

If the meter proves to be malfunctioning, the City's Water Department shall have the meter replaced and the billing department shall adjust the customer's bill. The

customer's bill shall be adjusted based on the annual computed average billed to the customer's account, less the disputed amount.

B. WATER BOARD HEARING

A customer may request a Water Board Hearing for any water billing complaint at any time prior to the 22nd of the month.

In the event the Water Clerk and customer cannot resolve the billing complaint the Water Clerk shall automatically contact the Mayor and/or City Councilperson to schedule a Water Board Hearing.

If the customer disputes the accuracy of the meter, the Board can request that the customer's meter be pulled and sent to the nearest licensed laboratory for calibration testing. If requested, fifty percent (50%) of the amount currently due and all past due amount shall be paid prior to pulling the meter. Additionally, should the results reflect that the meter is functioning properly; the customer shall bear all costs for the testing including shipping and handling. A reconnect fee of thirty-five (\$35.00) plus any amount due shall be received or service will be interrupted.

If the meter is defective, the City shall replace the customer's meter free of charge and the Board shall adjust the customer's account per Section III, Category A, Paragraph 2.

The Board shall consist of the Water/Sewer Superintendent/Field Representative, Water Clerk, two (2) citizens of Log Cabin, and a member of the Zoning and Building Standards Commission. If a majority decision cannot be reached or the customer wishes the issue will go to the City Council.

The Board shall meet the 2nd Tuesday of each month at 10:00am at the City Hall Council Chambers. The Water Clerk shall record the meeting. The Water Clerk provides all pertinent information regarding the customer's account. The customer shall provide any additional information for the Board to review.

The purpose of the Water Board shall be to review and cause to have investigated all of the facts related to the dispute and to render a decision based on the findings. After a thorough review of all evidence presented, the Board reserves the right to exercise discretion, waive any and all applicable fees in the best interest of the customer.

If the customer is not present during the hearing, the Water Clerk shall notify the customer of the Water Board's decision. The customer shall have the right to appeal to the City Council within 10 days of the Water Board's decision.

The City Council shall review the matters of the complaint and take action at the earliest scheduled Council meeting. The decision of the City Council shall be final.

SECTION V

WHO WILL HAVE WATER AND/OR SEWER?

Due to the welfare and safety concerns of this Council for the Citizens of Log Cabin, it will be required that every inhabited family dwelling or business establishment inside the corporate city limits of Log Cabin, regardless of ownership, have water and/or sewer service connected and turned on if services are available.

All water and sewer services shall be furnished on a metered basis and a separate water meter shall be installed for each family dwelling, business establishment or property served, i.e., there shall be no dual connection, or more than one user of water and sewer service on a single meter. No family dwelling, business establishment or property served will have gray water, (water from sinks, bathtubs, washing machines) disposed of on said property.

A water meter turned on or by-passed by any water customer after being turned off for non-payment, or for which an account has not been established, will constitute a violation of this ordinance and is punishable by a fine of five hundred (\$500.00). For the purpose of this ordinance, by passed will mean "causes to be diverted in whole, in part impairment or interruption of any public water supply, or causes to be diverted in whole, in part, or in manner, including installation or removal of any device for any such purpose of this ordinance, it shall be presumed that a person who is receiving the economic benefit of service being turned on or restored has knowingly turned on or by-passed the meter.

Any person found in violation of this ordinance will be issued a citation for each day that water service is not connected and turned on.

The violation for this Ordinance is a Class C Misdemeanor, punishable by a fine up to \$500.00 for each violation.

PASSED AND APPROVED THIS THE ____ DAY OF _____, 2016.

MAYOR

ATTEST:

**City Secretary
City of Log Cabin**