

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

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

SECTION I

A. WATER TAP FEES

The one time tap fee for water service (in-side or out-side city limits) where adequate water mains exist shall be one thousand seven hundred dollars (\$1700.00) for ¾" inch meter and tap and two thousand dollars (\$2,000.00) for a 1" inch meter and tap plus cost of any additional materials and man hours needed for each individual family residence, business establishment.

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 exist, shall be a minimum of Two thousand dollars (\$2,000.00) plus the cost of any additional materials and man hours needed for each individual family residence, business establishment or property.
- 2) 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.
- 3) If a property requires a grinder pump, the property owner will be responsible for the installation and maintenance of the pump and all parts that are associated with it.
- 4) The city will be responsible for maintenance of the grinder pump while it is under warranty if the city installed it.

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 twenty five dollars (\$25.00) 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 and fifty dollars (\$50.00) will be added to the deposit amount. A reconnect fee of one hundred (\$100.00) 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 one hundred and twenty five dollars (\$125.00) will apply.

D. INSUFFICIENT FUNDS CHECK CHARGE

Any customer who pays his/her utility bill with a check which is returned from the financial institution due to, but not limited to, insufficient funds and /or closed account shall be assessed a thirty five dollars (\$35.00) fee.

If a check is returned unpaid due to the financial institution error, the financial institution shall submit written verification of such error. In this situation, the fee shall be waived.

Any customer who renders more than three (3) insufficient funds checks for payment of service shall be required for all future services by cashier's check or money order.

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 is required in order to obtain service: Valid Driver's License, deed of ownership of the property, required deposit, and if renting, a rental agreement with the owner's name, address and phone number.

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)	\$20.00
Per 1,000 (1,001 to 3,000 gallons)	\$ 5.00
Per 1,000 (3,001 to 6,000 gallons)	\$ 6.00
Per 1,000 (6,001 and up)	\$ 7.00
Road \$8.00 – Infrastructure \$2.00	\$10.00
Sewer – Flat Rate per connection	\$45.00
Sewer - Rate for (2) sewers/grinder pumps	\$67.00

B. COMMERCIAL

Water – Base (1,000 gallons)	\$58.00
Per 1,000 (1,001 to 3,000 gallons)	\$ 6.00
Per 1,000 (3,001 to 6,000 gallons)	\$ 7.00
Per 1,000 (6,001 gallons and up)	\$ 8.00
Infrastructure	\$10.00
Sewer – Base Rate (1,000 gallons)	\$48.00
Per 1,000 (2,000 to 2,999 gallons)	\$3.00
Per 1,000 (3,000 to 3,999 gallons)	\$4.00
Per 1,000 (4,000 and up)	\$5.00
Sewer Rate for (2) sewer/grinder pumps	\$67.00

C. OUT OF CITY RESIDENTIAL

Water – Base (1,000 gallons)	\$29.50
Per 1,000 (1,001 to 3,000 gallons)	\$ 6.00
Per 1,000 (3,003 to 6,000 gallons)	\$ 7.00
Per 1,000 (6,001 and up)	\$ 8.00
Infrastructure	\$10.00
Sewer – Base Rate	\$48.00
Sewer – Rate for (2) sewer/grinder pumps	\$67.00

D. Water Tap	\$1700.00 for ¾ inch	\$2000.00 for 1 inch
Sewer Tap		\$2000.00

E. MISCELLANEOUS RATES

DEPOSITS:

Water Residential	\$200.00	Sewer Residential	\$150.00
Commercial	\$275.00	Commercial	\$175.00
Renters	\$325.00	Renters	\$225.00

CONNECT FEES:

Connect Fee -	\$50.00
Reconnect Fee -	\$100.00

ADDITIONAL FEE: \$35.00 for a second trip to read meters
Because of a vicious dog or unable to access meter.

EXTENSION FEES: \$35.00

An extension fee, 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 on or before the 1st of the following month, the water will be turned off and a turn on charge of one hundred dollars (\$100.00) must be paid. 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.

AFTER HOURS CALLED OUT (Leak on customer's side) seventy five dollars (\$75.00) per hour will be charged with a minimum fee of one hundred and fifty dollars (\$150.00).

CSI INSPECTION FEE: \$100.00

Any person or persons who is in the process of building a new home or remodeling shall require a CSI Inspection if their water is being changed 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 Log Cabin Water Department Personnel, a copy of that source's 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 changes ownership or new renters, will require a Certificate of Occupancy before utilities are turned on.

Temporary Service: \$50.00 (NON REFUNDABLE)

The User shall hold the District harmless from any and all claims or demands for damage to real or personal property occurring upstream from the point the User ties on to the sewer line and downstream from the water meter. The District will cooperate with the User's Insurance agency or company regarding such claims. Such assistance shall, in no manner, imply that the District has any liability or responsibility for damage to the Customer's property. **The User agrees to grant** to the District an easement of right-of-way for the purpose of installing, maintaining and operating such pipe lines, meters, valves, and any other equipment which may be deemed necessary by the District, and to not construct within said easement any structures, buildings, or other facilities that would interfere with the operation, repair, replacement, or removal of said pipe lines, meters, valves and other

equipment. The User shall be responsible for protection from damage of all lines and equipment owned by the District and installed on the property of the User. This will include, but is not limited to, meters, valves, water lines, grinder pumps and sewer lines. Damage will include stoppage caused by User flushing items into the sewer that cannot be conveyed by the system. Examples of these items are plastic bags, wash rags, towels, cat litter, saw dust, excess grease and any other type of solid waste that normally would be disposed of through garbage collection. Should User damage District equipment or fail to provide adequate protection all cost of repair will be at the expense of the User.

If there is not a cut-off value at the residence, one will need to be installed before the City of Log Cabin Water Department will turn water service on. If there are no vacuum breakers on the outside faucets, they will need to be installed before the City of Log Cabin Water Department will turn water service on.

THESE ARE STATE REGULATIONS – NO EXCEPTIONS ARE ALLOWED.

F. 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.**

Renters will need a valid ID to start an account. Renters will also need a copy of their lease agreement, and property owners shall provide a copy of their deed for the property.

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 Public Works Superintendent, 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 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 dollars (\$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.

SECTION VI

RETAIL SERVICE AGREEMENT

- I. PURPOSE. The City of Log Cabin Water Department is responsible for protecting the drinking water supply from contamination or pollution which could result from improper system construction or configuration on the retail connection owner's side of the meter. The purpose of this service agreement is to notify each customer of the restrictions which are in place to provide this protection. The public water system enforces these restrictions to ensure the public health and welfare. Each retail customer must sign this agreement before the City of Log Cabin Water Department will begin service. In addition, when service to an existing retail connection has been suspended or terminated, the water system will not re-establish service unless it has a signed copy of this agreement.

- II. RESTRICTIONS. The following unacceptable practices are prohibited by State regulations.
 - A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.

 - B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.

 - C. No connection which allows water to be returned to the public drinking water supply is permitted.

 - D. No pipe or pipe fitting which contains more than 0.25% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.

 - E. No solder or flux which contains more than 0.2% lead can be used for the installation or repair of plumbing at any connection which provides water for human use.

- III. SERVICE AGREEMENT. The following are the terms of the service agreement between the City of Log Cabin Water Department and _____ (the customer)

- A. The Water/Wastewater System will maintain a copy of this agreement as long as the Customer and/or the premises is connected to the System.
- B. The Customer shall allow his property to be inspected for possible cross-connections and other potential contamination hazards. These inspections shall be conducted by the Water System or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other potential contamination hazards exist; or after any major changes to the private water distribution facilities. The inspections shall be conducted during the Water System's normal business hours.
- C. The Water System shall notify the Customer in writing of any cross-connection or other potential contamination hazard which has been identified during the initial inspection or the periodic re-inspection.
- D. The Customer shall immediately remove or adequately isolate any potential cross-connections or other potential contamination hazards on his premises.
- E. The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the Water System. Copies of all testing and maintenance records shall be provided to the Water System.

IV. ENFORCEMENT. If the Customer fails to comply with the terms of the Service Agreement, the Water System shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this agreement shall be billed to the Customer.

CUSTOMER'S
SIGNATURE: _____

DATE: _____

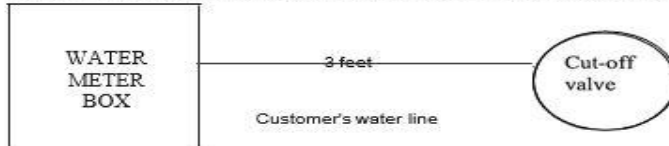
PLEASE READ THIS IMPORTANT INFORMATION ABOUT BEING IN COMPLIANCE. YOU DO NOT HAVE TO PRINT AND RETURN THIS PAGE

If you do not have ALL the items listed below you will not be able to get water turned on.
THERE WILL BE NO EXCEPTIONS TO THESE RULES!!!

Make sure that you are in compliance with the following:

CUSTOMER'S ARE REQUIRED TO HAVE THEIR OWN CUT OFF VALVE LOCATED OUTSIDE OF THE METER BOX ON THE CUSTOMER'S WATER LINE.

1. The policy of the City of Log Cabin Utility Department requires all customers to have their own water out-off valve. If there is not a customer cut-off valve at your residence on your side of the lines, you will need to have one installed. This policy has been in place for over 15 years. If you have a cut-off valve you must maintain it and make sure that it is available for you to use in case you have a need to turn the water off for an emergency or repair. The District recommends that you install a cut off approximately 3 feet from the meter box on your water line.



2. The angle stop (cut-off) located in the water meter box is the property of East Cedar Creek Fresh Water Supply District and the only person(s) allowed to turn water off and on in the meter box is a District employee. No exceptions.

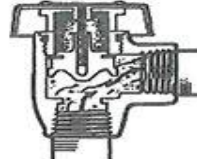
THE STATE REQUIRES ATMOSPHERIC VACUUM BREAKERS ON ALL OUTSIDE FAUCETS.

1. State regulations require Atmospheric Vacuum Breakers on all outside faucets and irrigation taps. These devices can be purchased at any hardware store.

Hose Bibb Vacuum Breaker



Sprinkler System Vacuum Breaker



NOTE: If the district makes multiple service calls to establish water service, there will be a \$35.00 service charge for each additional call.

PASSED AND APPROVED THIS THE _____ DAY OF _____, 20__.

MAYOR ATTEST:

City Secretary
City of Log Cabin