

ORDINANCE NO. 16-0622A

AN ORDINANCE OF THE CITY OF WILMER, TEXAS AMENDING THE CODE OF ORDINANCES BY AMENDING ARTICLE 13.03 “WATER AND SEWER”, SECTION 13.03.003 “RATES AND CHARGES”; PROVIDING FOR A PENALTY CLAUSE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF:

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

Section 1. Water Rates

That Chapter 13, Section 13.03.003 (a)(2) of the Code of Ordinances (Water Rates) be repealed and replaced to read as follows:

“...

2 Water usage in excess of two thousand (2,000) gallons shall be charged and collected at the following rate per one thousand (1,000) gallons:

Residential Water	Rate
2,001 - 5,000 gallons	\$4.61
5,001 - 10,000 gallons	\$5.08
10,001 - 100,000 gallons	\$5.30
Over 100,000 gallons	\$5.76

Apartment Water	Rate
2,001 - 5,000 gallons	\$5.08
5,001 - 10,000 gallons	\$5.76
10,001 - 100,000 gallons	\$6.00
Over 100,000 gallons	\$6.46

Commercial Water	Rate
2,001 - 5,000 gallons	5.08
5,001 - 10,000 gallons	\$5.76
10,001 - 100,000 gallons	\$6.00
Over 100,000 gallons	\$6.46

Mobile Homes Water	Rate
2,001 - 5,000 gallons	\$4.61
5,001 - 10,000 gallons	\$5.08
10,001 - 100,000 gallons	\$5.30
Over 100,000 gallons	\$5.76

...”

Section 2

That Chapter 13, Section 13.03.003 (c) of the Code of Ordinances be repealed and replaced to read as follows:

“ ...

(c) Out-of-City Charges Water and/or Sewer customers outside the city limit receiving water and/or sewer service from the city shall be charged the same rate as those water and/or sewer customers inside the city limit effective the first billing period thirty-five (35) days following the date of this ordinance.

...”

Section 3

That Chapter 13, Section 13.03.004 (c) of the Code of Ordinances be repealed and replaced to read as follows:

“ ...

(c) Billing water charges. On the first of each month, the city shall mail a monthly bill to all customers of the city's water and wastewater systems. Payment shall be due on the fifteenth (15th) of the month. A delinquent charge will be added to the total amount if payment is made after the fifteenth (15th) of the month. A delinquent notice will be mailed to all delinquent customers on the sixteenth of the month. If payment is not received by the twenty-fifth (25th) of the month, including penalties, the city may disconnect service to customer until all charges are paid.

“

Section 4.

That Chapter 13, Section 13.03.004 (e), Notice of disconnection be amended to read as follows:

“ ...

(e) Notice of disconnection. Notice of disconnection of water service shall consist of a mailing or hand delivery to the customer at least ten (10) days prior to the date of disconnection.

...”

Section 5.

That all ordinances of the City of Wilmer in conflict with this ordinance are hereby expressly repealed insofar as the same are in conflict therewith.

Section 6.

Each word, phrase, paragraph and section of this ordinance is hereby declared to be an individual section or provision, and the holding of any word, phrase, paragraph or section to be void, ineffective or unconstitutional, for any cause whatsoever, shall not be deemed to affect any other word, phrase, paragraph or section to circumstances for facts not connected with such holding.

Section 7.

Any ordinance, firm or corporation violating any of the provisions of this ordinance or of the Code of Ordinances, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Wilmer, Texas, shall be punished by a fine not to exceed the sum of five hundred (\$500.00) dollars for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 8.

This ordinance shall be in full force and affect for in-city customers after its passage and publication as required by law and beginning with the first cycle billed after June 30, 2016.

DULY PASSED by the City Council of the City of Wilmer, Texas, on the 22 day of June, 2016.

APPROVED:



Casey Burgess
Casey Burgess, Mayor

ATTEST:

Elizabeth Lopez
Elizabeth Lopez, City Secretary

APPROVED AS TO FORM:

Michael Halla
Michael Halla, City Attorney