

ORDINANCE NO. 767

AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS AMENDING THE CODE OF ORDINANCES BY REVISING THE WATER RATES, AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; PUBLICATION; EFFECTIVE DATE; PROPER NOTICE AND HEARING.

WHEREAS, the City of Everman, Texas is a Home Rule municipality located in Tarrant County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City of Everman has authority to adopt an ordinance that is for the good government, peace, or order of the municipality or for the trade and commerce of the municipality, and is necessary or proper for the carrying out of a power granted to the City by law; and

WHEREAS, the City Council has previously adopted Ordinance No. 758 of the Code of Ordinances of the City of Everman, Texas, setting forth the water rates of the City where required by ordinance, resolution or order; and

WHEREAS, pursuant to Section 10.06 A of the City Charter, the City Council has power to fix and regulate the rates and charges of all utilities and public services; and

WHEREAS, the City Council has received a recommendation to change the rates charged for water services, and a public hearing has been held for consideration of those charges as required by Section 10.06B of the City Charter; and

WHEREAS, the City Council hereby finds and determines that the necessity for the recommended changes has been demonstrated, and that the rate schedule being adopted by this Ordinance is reasonable, necessary, and proper.

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

SECTION 1. FINDINGS OF FACT

The statements made in the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ENACTMENT

The Water and Sewer Services and Rates Schedule attached hereto as **Attachment A** and incorporated into this Ordinance for all intents and purposes, is hereby adopted.

SECTION 3. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein. The provisions in Chapter 20 ("Utilities"), at Article III ("Water"), Section 20-187 ("Rates; Tapping Charges") of the Everman Code, and the provisions in any other section of the Code affected by this Ordinance, are hereby modified to reflect the services and rates schedule provided for in **Attachment A** hereto.

SECTION 4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

SECTION 5. PUBLICATION

Following its adoption, the City Secretary is hereby directed to publish a caption of this ordinance that summarized its purpose, as provided in Section 52.013 of the Texas Local Government Code. The City Secretary is further directed to cause the relevant language of Chapter 20 ("Utilities") and of any other section of the Everman Code affected and amended by this Ordinance, to be published in the appropriate location in said Code.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be effective for the first billing cycle following the adoption of this ordinance, as provided in Section 3.10 D of the City Charter.

SECTION 7. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by law.

PASSED & APPROVED this, the 29th day of April, 2021, by a vote of 5 (ayes) to 1 (nays) to 0 (abstentions) of the City Council of the City of Everman, Texas.

CITY OF EVERMAN

By: Ray Richardson
Mayor Ray Richardson

ATTEST:

Mindi Parks
Mindi Parks, City Secretary

Ordinance #767 Attachment A

City of Everman
Services and Rate Schedule

Service	Service Code	Account Type	Rate Code	Inside/ Outside City	Base Rate by Meter Size (Includes First 1000 Gal)								Step Rate per 1000 Gallons Consumption			
					3/4"	1"	1.5"	2"	3"	4"	6"	8"	2000 - 5000	6000- 10000	11000- 25000	25000+
WATER	WT	Residential	1	Inside	\$ 26.78	\$ 39.66	\$ 66.35	\$ 106.53	\$ 219.43	\$ 366.00	-	-	\$ 4.26	\$ 4.59	\$ 4.98	\$ 5.20
			1	Outside	\$ 42.00	\$ 54.88	-	-	-	-	-	-	\$ 4.88	\$ 5.26	\$ 5.70	\$ 5.96
		Commercial	2	Inside	\$ 36.73	\$ 51.24	\$ 84.12	\$ 122.08	\$ 214.51	\$ 415.21	\$ 739.32	\$ 1434.64	\$ 4.26	\$ 4.59	\$ 4.98	\$ 5.20
			2	Outside	\$ 50.00	\$ 64.51	\$ 97.39	\$ 135.35	\$ 227.78	\$ 428.48	\$ 752.59	\$ 1447.91	\$ 4.88	\$ 5.26	\$ 5.70	\$ 5.96
		Senior	3	Inside	\$ 18.23	\$ 22.53	\$ 35.43	\$ 50.91	\$ 87.03	\$ 130.03	\$ 267.63	\$ 429.31	\$ 4.26	\$ 4.59	\$ 4.98	\$ 5.20
		Citizen	3	Outside	\$ 19.73	\$ 24.03	\$ 36.93	\$ 52.41	\$ 88.53	\$ 131.53	\$ 269.13	\$ 430.81	\$ 4.88	\$ 5.26	\$ 5.70	\$ 5.96
		Multi-Unit	9	Inside	\$ 26.78	\$ 39.66	\$ 66.35	\$ 106.53	\$ 219.43	\$ 366.00	-	-	\$ 4.26	\$ 4.59	\$ 4.98	\$ 5.20
			9	Outside	\$ 42.00	\$ 54.88	-	-	-	-	-	-	\$ 4.88	\$ 5.26	\$ 5.70	\$ 5.96

Service	Service Code	Account Type	Rate Code	Base Rate	Step Rate per 1000	Consumption Basis
SEWER	SW	Residential	1	\$ 30.68	\$ 2.28	Actual Water Use
		Commercial	2	\$ 53.65	\$ 3.85	Actual Water Use
		Senior Cit	3	\$ 21.77	\$ 2.28	Actual Water Use

Service	Service Code	Account Type	Rate Code	Base Rate
Refuse	RF	Residential	1	\$ 10.60
		Commercial	2	NONE
		Senior Cit	3	\$ 9.23

Sales TAX	TX	All	8.25% of RF
Recycle	RCY	All	\$4.00
Penalty	PN	All	10.00% of Past Due Balances
Service Charge	SC	All	\$50
NSF Check Fee	NSF	All	Involuntary Cutoff
			\$34 each Insufficient Funds Check or Draft
Transfer Fee	TF	All	\$15 transfer service to new address
Water Dep	WTD	All	Based on the amount of the new Water Deposit
Any other charge	OT	All	Variable amounts