

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS**

**ORDINANCE NO. 2022-1586**

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, BY AMENDING THE CODE OF ORDINANCES, AS HERETOFORE AMENDING CHAPTER 3 ‘CITY DEPARTMENTS’ ARTICLE 3-2 ‘SEWER DEPARTMENT’, BY AMENDING SECTION 3-3-2 ‘SEWER RATES (MONTHLY)’ BY ADDING WINTER AVERAGING; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Coppel has previously enacted water and sewer rates for both residential and non-residential for delivery and use of the municipal water and wastewater systems; and

**WHEREAS**, the City Council has adopted winter averaging as the method to bill customers for wastewater service throughout the year.

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

**SECTION 1.** That the Code of Ordinances of the City of Coppel, Texas, be, and the same is hereby amended by amending Article 3-2, Sewer Department, Section 3-2-2, Sewer Rates (Monthly), to read as follows:

**“CHAPTER 3 – CITY DEPARTMENTS**

**ARTICLE 3-1. – WATER DEPARTMENT**

**.....**

**ARTICLE 3-2. – SEWER DEPARTMENT**

**Sec. 3-2-1. - Connection to sewer required. . . . .**

**Sec. 3-2-2. - Sewer rates (monthly).**

A. The monthly rates charged for services furnished by the Sanitary Sewer System of the City shall be based upon the amount of metered water which is furnished during the month as follows:

(a) *Residential*: \$22.40 for the first 1,000 gallons (minimum). All over 1,000 gallons

1. \$2.24 per 1,000 gallons and will be classified as the following:

2. \$2.24 per 1,000 in excess of the first 1,000 gallons total charged of sewer consumption shall be based on winter averaging.

(b) Winter Averaging shall mean the average water usage for the months of November, December, January, February, and March proceeding April of each year. This five-month period shall be used as the basis for calculating a residential customer's monthly volume consumption after removing the highest use month and lowest use month from the calculation. The remaining three months shall be averaged to determine a monthly volume consumption for sewer services billing purposes. This calculation will be added to the first 1,000 gallon minimum to determine total sewer service billing.

(c) New Customers shall be assigned the city-wide sewer volume average until a winter average is established for the account during the months stated above.

B. Commercial, Industrial, and Non-Single-Family . . . . .

C. Sewer Service Only.....”

**SECTION 2.** That all provisions of the Code of Ordinances of the City of Coppell, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** That should any word, phrase, paragraph, section or portion of this ordinance or of the Code of Ordinances, as amended hereby, be held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or of the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

**SECTION 4.** That this ordinance shall become effective from and after its passage and the rates established herein shall be effective on April 1, 2023.

**DULY PASSED** by the City Council of the City of Coppell, Texas, this the \_\_\_\_ day of \_\_\_\_\_, 2022.

**APPROVED:**

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**WES MAYS, MAYOR**

**ATTEST:**

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**ASHLEY OWENS, CITY SECRETARY**

**APPROVED AS TO FORM:**

**ROBERT E. HAGER, City Attorney**