

**CITY OF CORINTH, TEXAS
ORDINANCE NO. 22-06-02-24**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, REPEALING CHAPTER 50, "WATER AND SANITARY WASTEWATER SYSTEMS" OF TITLE V, "PUBLIC WORKS" OF THE CODE OF ORDINANCES OF THE CITY OF CORINTH AND ADOPTING A NEW CHAPTER 50, "WATER AND SANITARY WASTEWATER SYSTEMS"; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/CONFLICT CLAUSE; PROVIDING A PENALTY OF A FINE UP TO TWO THOUSAND DOLLARS (\$2,000) FOR EACH VIOLATION OF THIS CHAPTER EACH DAY THAT THE VIOLATION EXISTS OR CONTINUES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas ("City") is a home-rule municipality acting under its Charter adopted by the electorate pursuant to Article IX, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the State has delegated to each municipality the fiduciary duty, as a trustee, to manage water and sanitary wastewater systems within the City for the public health, safety, and welfare; and

WHEREAS, the City has authority to set water rates as provided in section 13.042 of the Texas Water Code and to operate and regulate its water services in a manner that protects the interests of the City as provided in section 552.001 of the Texas Local Government Code; and

WHEREAS, the City receives water and wastewater treatment services from the Upper Trinity Regional Water District (UTRWD) and the City Council desires to make certain changes to the rate structure charged by the City to customers in order to pass-through the rate changes enacted by UTRWD and to account for the operating and maintenance costs associated with the City's water system; and

WHEREAS, the City Council has reviewed the proposed fees and determined that the fees set forth herein reasonably compensate the City for the actual costs incurred by the City to provide the services set forth herein; and

WHEREAS, the City Council of the City of Corinth (the "City Council") previously adopted Chapter 50 "Water and Sanitary Wastewater Systems" of the City's Code of Ordinances in compliance with state law; and

WHEREAS, the City Council desires to repeal and readopt Chapter 50 "Water and Sanitary Wastewater Systems" of Title V, "Public Works" of the City's Code of Ordinances as set forth herein; and

WHEREAS, the City Council finds that the enactment and enforcement of such standards are in the best interest of the City of Corinth, Texas, and its citizens and that such enactment and enforcement furthers the health, safety and welfare of the citizens and their environs; and

WHEREAS, the City Council, having reviewed the changes contained herein, has determined that the adoption of this ordinance serves the public health, safety, and welfare.

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

SECTION 1
INCORPORATION OF PREMISES

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

SECTION 2
AMENDMENT

Chapter 50 "Water and Sanitary Wastewater Systems" of Article V, "Public Works" of the Code of Ordinances of the City of Corinth, Texas is hereby repealed in its entirety, and a new Chapter 50, "Water and Sanitary Wastewater Systems" of Article V is hereby adopted, and shall be and read in its entirety as set forth in **Exhibit "A,"** which is attached hereto and incorporated herein, and all other provisions of Article V. not expressly repealed hereby shall remain in full force and effect.

SECTION 3
CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances of the City of Corinth and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance or where expressly repealed hereby. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 4
SEVERABILITY

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void, or unconstitutional, the remaining sections, subsections, clauses, phrases, and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 5
SAVINGS/CONFLICT

In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by charter, another ordinance, resolution or other authorization of the City, the provisions of this ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion

thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

SECTION 6
PENALTY

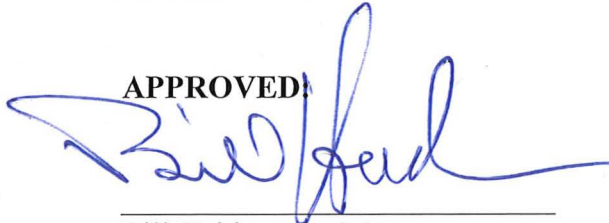
Any person, firm or corporation who violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving an intentional, knowing, reckless or criminally negligent violation of any provision of this ordinance or Code of Ordinances, as amended hereby, governing public health shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7
PUBLICATION/EFFECTIVE DATE

This Ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this Ordinance as required by the City Charter and state law.

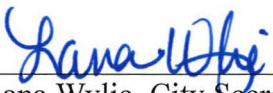
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS on this the 2nd day of June 2022.

APPROVED:



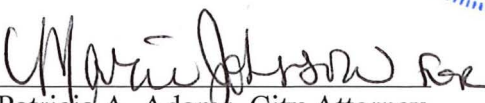
Bill Heidemann, Mayor

ATTEST:


Lana Wylie, City Secretary



APPROVED AS TO FORM:


Patricia A. Adams, City Attorney

CHAPTER 50: WATER AND SANITARY WASTEWATER SYSTEMS

General Provisions

- 50.00 Water and Wastewater Utility Fee Schedule
- 50.01 Billing and Collection for Services
- 50.02 Application for Service and Service Deposits
- 50.03 Residential Budget Billing Option
- 50.04 Theft of Services; Tampering with Meters or Connections
- 50.05 Municipal Utility Lien for Delinquent Accounts
- 50.06 Discontinuance of Service
- 50.07 Other Fees Definitions
- 50.08 Identity Theft Prevention

Water Regulations

- 50.15 Connection to Water System Required - Application
- 50.16 Fire Hydrant Meters
- 50.17 Water Tap/Meter Fees
- 50.18 Extension of Water Mains to Subdivisions and Within Subdivision, or to Individuals; Pro Rata
- 50.19 Well Water
- 50.20 Water System New Connection Fee

Sanitary Wastewater Regulations

- 50.35 Connection to Sanitary Wastewater System
- 50.36 Connecting to City Wastewater Mains Fee Schedule
- 50.37 Extension of Wastewater Mains to Subdivisions and Within Subdivisions, or to Individuals; Pro Rata
- 50.38 Backflow Prevention Device Tests and Customer Service Inspections
- 50.99 Penalty

Cross-reference:

Inspection fees for water and wastewater line construction, see § 38.16

GENERAL PROVISIONS

§ 50.00 WATER AND WASTEWATER UTILITY FEE SCHEDULE.

The rates, charges, fees, deposits, billings, and procedures for providing water and wastewater service by the City to its customers shall be established and be in accordance with this Chapter and may be amended from time-to-time by the City Council. All water and wastewater fees are consolidated in this fee schedule. The fee schedule related to new development are found in § 50.17, § 50.36, § 50.38, and § 38.16.

A. Water Rates and Billing Basis.

1. Water rates consist of a base rate and a volumetric rate designed to ensure the water utility operates on a self-sustaining basis. The base rate is the minimum bill that a residential or commercial customer would receive to equally share in providing the availability of service. Minimum base rates are based on meter size. The rates also include a senior citizen discount where senior citizens receive 5,000 gallons of water in their monthly minimum bill. The volumetric rate is the amount charged to a customer per thousand gallons used and uses a tiered structure.
2. There are two cost components associated with the City's water system. The first component is charges from the Upper Trinity Regional Water District (UTRWD) for the purchase of wholesale water and the maintenance of their water system. The second

component is City expenditure for the maintenance of City water lines, capital improvement projects, debt service, mandatory testing, personnel, and repairs to the system.

WATER MINIMUM BASE RATE

Meter Size	UTRWD Rate	CITY Rate	TOTAL RATE
5/8 x 3/4	\$ 31.27	\$ 13.35	\$ 44.62
Full 3/4"	34.40	14.68	49.08
1"	43.78	18.69	62.47
1 1/2"	56.29	24.02	80.31
2"	90.69	38.70	129.39
3"	344.01	146.80	490.81
4"	437.83	186.83	624.66
6"	656.74	280.25	936.99
10"	\$906.93	\$603.72	\$1,510.65

RESIDENTIAL WATER VOLUMETRIC RATES

Rate Tiers (gallons)	UTRWD Rate	CITY Rate	TOTAL RATE
0-5,000	\$1.15	\$1.00	\$ 2.15
5,001-10,000	2.15	1.00	3.15
10,001-25,000	3.15	3.00	6.15
25,001-50,000	3.15	6.00	9.15
50,001+	\$3.15	\$9.00	\$12.15

COMMERCIAL WATER VOLUMETRIC RATES

Rate Tiers (gallons)	UTRWD Rate	CITY Rate	TOTAL RATE
0-50,000	\$2.15	\$ 3.00	\$ 5.15
50,001-200,000	2.15	5.00	7.15
200,001-500,000	2.15	7.00	9.15
500,000 +	\$2.15	\$10.00	\$12.15

IRRIGATION WATER VOLUMETRIC RATES

Rate Tiers (gallons)	UTRWD Rate	CITY Rate	TOTAL RATE
0-50,000	\$2.15	\$ 3.00	\$ 5.15
50,001-100,000	2.15	5.00	7.15
100,001-500,000	2.15	7.00	9.15
500,000 +	\$2.15	\$10.00	\$12.15

B. Wastewater Rates and Billing Basis.

1. *UTRWD pass-through wholesale sanitary wastewater system charges.* The monthly rates for sanitary wastewater service shall include all current charges for wholesale sanitary sewer services billed to the City by the Upper Trinity Regional Water District (UTRWD) as a pass-through charge which will be maintained as a separate item in accordance with amounts actually billed to the City by UTRWD. In each fiscal year budget, a projected number of billings and projected total usage will be determined and used as the basis for distributing wholesale sanitary sewer cost charged by UTRWD to the City as a monthly minimum based on a rate per 1,000 gallons. The pass-through charge shall consist of: (A) a minimum monthly billing charge related to wholesale costs other than volume charges charged by UTRWD to the City; and (B) a charge per gallon related to wholesale volume charges charged by UTRWD to the City. Each year, effective with October usage and the November billing, this rate will be updated by the City Manager or his or her designee to reflect increases or decreases in rates from the City's wholesale provider, UTRWD, adjusted by a reconciliation of billed amounts compared to actual charges incurred by the City in the previous fiscal year.
2. *Single family dwelling:* Each year, residential monthly water consumption is measured and averaged to establish the monthly wastewater charge for each customer for the upcoming year. The average will be calculated by taking the prior November, December, January, and February metered water consumption, subtracting out the highest month's usage, and averaging the consumption to be known as the "winter quarter average." Each March, the billable flows for each residential customer will be readjusted based on the previous winter quarter average. The rates include a senior citizen discount where senior citizens receive 1,000 gallons of wastewater included in their monthly minimum bill. Residential gallons billed are capped at 25,000 gallons.
3. *New customers averaging:* The City will accept submission of previous consumption history from a new customer to establish the winter average. The information submitted must reflect the winter quarter average months used by City, as the basis for customer's wastewater rate. Where no prior winter quarter average exists, the City's standard winter quarter average for all residential customers will be used.
4. *Non-single-family dwellings:* Rates shall be based upon each month's water consumption.
5. *Commercial customers:* The volume of flow used in computing wastewater charges for commercial customers will be based on metered water consumption as shown in the meter reading records retained by the City.

RESIDENTIAL WASTEWATER ADOPTED RATES

Meter Size	UTRWD Rate	CITY Rate	TOTAL RATE
Base Rate	\$ 19.00	\$ 16.00	\$ 35.00
Volumetric Rate	2.60	1.40	4.00

COMMERCIAL WASTEWATER ADOPTED RATES

Meter Size	UTRWD Rate	CITY Rate	TOTAL RATE
Base Rate	\$ 26.00	\$ 19.00	\$ 45.00
Volumetric Rate	2.60	1.40	4.00

C. Other Utility Service Fees. Fees are designed to cover the costs of providing services to residents and commercial customer. These fees are as follows:

UTILITY SERVICE FEES

Fee	Related Section	Amount
<u>Administrative and Billing Service Fees</u>		
Service Fee (New Customer)	§ 50.07(A)	\$28.00
Late Payment Fee	§ 50.07(D)	10%
Nonpayment Service Fee	§ 50.07(E)	\$50.00
After hours Reconnect Fee	§ 50.07(F)	\$75.00
Returned Payment Fee	§ 50.07(C)	\$25.00
Meter Testing Fee with No problem	§ 50.07(B)	\$50.00
Connect/Disconnect Change Order	§ 50.07(G)	\$25.00

<u>Residential Water Meter Deposits - Based on Soft Credit Check Level</u>		
Green (Low Risk)	§ 50.02(B)	\$100.00
Yellow (Medium Risk)	§ 50.02(B)	\$200.00
Red (High Risk)	§ 50.02(B)	\$300.00

Commercial/Irrigation Water Meter Deposits - Based on Soft Credit Check Level and Meter Size (§ 50.02(B))

<i>Size</i>	<i>Green</i>	<i>Yellow & Red</i>
5/8 x 3/4"	\$150.00	\$300.00
3/4"	\$150.00	\$300.00
1"	\$150.00	\$300.00
1 1/2" domestic	\$375.00	\$750.00
1 1/2" turbo	\$375.00	\$750.00
1 1/2" turbo	\$375.00	\$750.00
3"	\$375.00	\$750.00
4"	\$375.00	\$750.00

<u>Fire Hydrant Meters</u>	<u>Related Section</u>	<u>Amount</u>
Meter Deposit	§ 5016(c) and 50.20(A)	\$2,500.00
Minimum Monthly Base Rate (Commercial 3" Water Minimum Base Rate)	§ 50.20(A)	\$490.81
Billing per 1,000 Gallons	§ 50.00(A)	See Commercial Volumetric Rates

<u>Meter Tampering</u>	<u>Related Section</u>	<u>Amount</u>
Theft of Service Penalty	§ 50.04	\$200.00 Plus, estimated cost of service
Tampering Charges - Damage to meter or other City Property	§ 50.04	Greater of, \$1000.00 or cost to replace/repair

§ 50.01 BILLING AND COLLECTION FOR SERVICES.

- A. ***Due date for payment of statements.*** The due date for the payment of the bill for utility services shall not be less than ten (10) business days after issuance. Payment must be received in the established City customer service locations by close of business on the due date.
- B. ***To avoid assessment of a late payment fee and disconnection of service.*** Payments made through the mail or alternative sources such as, telephone, drop box or electronically will be accepted through the close of business on the due date. All form of payment received by the City after the due date are subject to the late payment fee and subsequent disconnection of services. The postmark date will not be considered in the assessment of a late payment fee.
- C. ***Disconnection.*** Each customer of the City's utility system who has not paid by the due date as noted on the billing statement, or according to a current payment agreement, will be assessed a late payment fee. Within two (2) days after the due date, the City will attempt to provide notice to the customer outlining the date the account must be paid, to avoid termination of services and additional charges for non-payment. Once terminated, services to the customer shall not be restored until the past due amount, applicable nonpayment service fees, additional deposit requirements, and/or tampering charges are paid in full and received by the City. Service to the customer shall only be restored during normal City business hours unless the customer pays the

additional afterhours service charge.

- D. **Alternative to disconnection of service.** A customer with a past due or delinquent balance may avoid disconnection of utility service by:
1. **Paying the total amount due.** The customer can pay the total delinquent amount and the late payment fee prior to the termination date.
 2. **Requesting and qualifying for a short-term payment arrangement.** The customer may request to qualify for a short-term payment arrangement. If an account has a failed payment arrangement on file, no payment arrangements will be allowed for a period of one (1) year from that date. Failure to meet the terms of the payment arrangement will result in disconnection of services.
- E. **Disputed charges.** Should a customer dispute any charges on a bill, the customer must pay any undisputed amounts by the due date, contact the customer service department in writing within three (3) billing cycles of the disputed charges, and outline the reason for the dispute. The customer service department will review the charges to verify accuracy. If there is an error in the billing it will be corrected, and the customer service department will notify the customer of the correction. If there are no errors in the billing, the customer will be notified. Should the customer dispute the charges further the customer service department will present an adjustment request to the review committee, which consists of the City Manager, the Public Works Director, and the Finance Director, for their consideration. The committee will render a final determination within ten (10) business days and notify the customer. The customer may appeal the committee decision within thirty (30) days of the determination.
- F. **Prohibited adjustments.** No adjustment will be made to any monthly bill due to a water leak, loss, or filling of a pool, unless otherwise stated in this Chapter. No allowance shall be made on utility bills due to use of less service than set as the basis for the minimum charge.
- G. **No free service permitted.** No free service of the City's waterworks system shall be allowed to any person, firm, corporation, or association whatsoever.
- H. **Billing adjustment corrections** – adjustments correcting errors in billing for services (charges or refunds) are limited to the preceding 24 months.
- I. **Estimated Charges:** The quantity of water delivered to a premise may be estimated under any of the following circumstances:
1. The meter reader is unable to procure a reading of the meter because access to the meter is obstructed.
 2. The meter or the equipment used to read the meter does not properly function.
 3. Adverse weather or an act of God prevents the reading of the meter.
 4. For some other reason, a meter reading is not available to the customer service department at the time of preparing a bill for the customer.
- J. **Basis for estimates:** Consumption estimates that are favorable to the resident will be determined by using the lower of the following:
1. Average of the last three years' consumption for the month at the premises; or
 2. The average for the same customer class for the month.
 3. Should the historical consumption for the month at the premise be unavailable, then the estimate will be based on the average for the same customer class for the month.

§ 50.02 APPLICATION FOR SERVICE AND SERVICE DEPOSITS.

Any customer desiring water service shall make application to the City. A deposit must be paid at the time the application is submitted. The deposit shall be held by the City so long as the customer is using the service. Upon termination of service, the deposit will be applied against any unpaid balance owed for City services. Any remaining credit balance will be refunded.

A. Deposits assessment basis.

1. Residential deposit assessment – Residential deposits will be based on a soft credit check. The level of credit risk will determine the amount of the deposit due at the time of application for service.
2. Commercial and irrigation meter deposit assessment - Commercial deposits will be assessed based on a soft credit check and the size of the meter.
3. Fire hydrant meter deposits – will be assessed at the rate found in § 50.00.

B. Soft credit check – definition and application.

1. *Soft credit check* is a credit rating based on criteria available through the Online Utility Exchange. The credit check returns one of three (3) credit levels: Green (low risk), Yellow (medium risk), Red (high risk). The Green credit level deposit can be reduced to \$0 with a letter of credit from a previous utility company indicating no more than two (2) late payments, no returned checks, and no disconnects for non-payments within the last year of service at the location.
2. Soft credit checks will be performed:
 - a. On each applicant or responsible party authorized on the account,
 - b. Annually, to determine required deposits are sufficient according to current credit activity.

- C. Additional deposit.** The City may require a customer to make an additional deposit if the customer has had utility service terminated due to non-payment, the City has determined there is evidence a customer has stolen services or tampered with City equipment, a negative change occurs on the customer's annual soft credit rating review, or payment history indicates an additional deposit is required. The City may disconnect service if the customer does not remit the additional deposit within fourteen (14) days of the City's request, provided a disconnect notice has been issued. Such disconnect notice may be issued concurrently with the notification requesting the additional deposit.

§ 50.03 RESIDENTIAL BUDGET BILLING OPTION.

Any residential utility customer of the City may request to be billed for water, wastewater and/or sanitation services based upon an average billing amount. The eligibility and calculation criteria are as follows:

- A. The customer shall request budget billing in accordance with the provisions of this section. The customer must have established residence and have a good credit history within the past 12 months with the City. Budget billing will be open for enrollment between December 1st and February 11th. The budget billing program begins in March.
- B. The City may accept or deny the request based on the customer's credit history and circumstances as presented by the customer. Upon acceptance of the request, the City will compute the budget billing amount based on the average of the previous 12 months' billing history. Each month the average monthly payment will change as the oldest month is removed from the average to be replaced by the most recent month's billed consumption and adjusted for any rate changes that would affect the budget billing calculation as described in this subsection. The customer shall be billed the average amount each month after approval of the application. On the settlement month, the City will credit the customer's account for any accumulated credit amount. If the amount remaining represents an amount owed by the customer to the City, the customer shall have until the due date of the current billing to pay the additional amount due.
- C. The budget billing averages can be adjusted to reflect any approved rate changes.
- D. The City may provide budget billing for utility services based upon the customer's length of residence, credit history, and upon information provided by the customer. Upon approval, the customer's written or oral consent shall constitute a legal agreement between the customer and

the City. The customer must comply with the terms of this section, the terms of the agreement, and the budget billing policies of the City.

- E. **Termination of budget billing services.** Any returned check will also constitute a reason for termination of this service. Such customer may not re-qualify for such program until the customer re-establishes at least six (6) months of qualifying payment history. After a second removal from the program, a customer may not re-qualify for such program until after the expiration of one (1) year and a consecutive six (6) months of qualifying payment history.

§ 50.04 THEFT OF SERVICES; TAMPERING WITH METERS OR CONNECTIONS.

- A. It is theft of service to turn on water that has been cut off by the City or to tamper with the meter, meter connections, or City property in any way. Such civil offenses will be prosecuted in accordance with state law.
- B. In addition, or as an alternative to other remedies, the City may impose a civil penalty against any person or entity for actions constituting theft of service, and tampering charges may be assessed to any person for the following offenses:
1. Tampering with or damaging the water system, wastewater system, City fire hydrants or other City equipment.
 2. Illegally connecting to the water or wastewater system.
 3. Discharging wastewater or other effluent from the customer's service address into the City's wastewater system through un-metered bypass piping or other means.
 4. Continued obstruction of City access to a meter for the purpose of reading, maintenance, repair, or removal.
- C. The civil penalty for violation of this section is set forth in § 50.00.

§ 50.05 MUNICIPAL UTILITY LIEN FOR DELINQUENT ACCOUNTS.

- A. Pursuant to Texas Local Government Code, Section 552.0025, as amended, and state law, the City is authorized to impose a lien on real property owned by any customer of the City's water, wastewater, and drainage utilities when such customer has failed to pay for the utility service provided.
- B. The City Manager or his designee shall have the authority to release any lien imposed in accordance with this section when all delinquent charges for utility service, penalties, and collection costs have been fully paid. The release shall be in a form approved by the City Attorney and shall be duly executed by the City Manager or his designee and recorded in the real property records of Denton County, Texas.
- C. The authority and the rights granted in this section are cumulative to all legal rights and remedies, methods of collection and/or security available to the City under common law, statutory law, the City's Charter, or the City's Code of Ordinances.

§ 50.06 DISCONTINUANCE OF SERVICE.

- A. Any person wishing to discontinue the use of water supplied from the waterworks system must give notice thereof to the City; otherwise, the charge for service will continue until such notice has been given. Should a customer fail to provide notification of discontinuance of service the final amount due on account will be the responsibility of the account holder through the date of disconnection.
- B. The following shall be considered grounds for involuntary discontinuance of services:
1. Any person violating any provision of this chapter or any published rule or regulation of the utilities department, or of the City, until such violation has been corrected.
 2. Any person's account becomes delinquent. The City may terminate services at any time upon delinquent status of an account. Once services are terminated, any deposit held by the City will be applied to the delinquent account when the final bill is generated. If the customer

wishes to reconnect services, the customer will be required to pay a nonpayment fee and the remaining balance of the delinquent amount. For continued service, the City may require an additional deposit amount as described in § 50.02(C).

3. Any person found defrauding the utilities department by tampering with any water line or meter. Service disconnected for any such reason shall not be restored until the City is satisfied that all loss to the utilities department has been repaid.

§ 50.07 OTHER FEES.

- A. **SERVICE FEE.** A connection charge in an amount established by the City Council will be charged to customers requesting water service.
- B. **METER TESTING CHARGE.** If a utility customer requests the testing of a City meter and the meter is found to be within accuracy levels, the customer will be charged a meter testing charge. The meter is defined as within accuracy standards when found to be plus or minus two (2) percent or less.
- C. **RETURNED PAYMENT FEE.** If a customer has a check, money order, or bank draft that has been dishonored by the maker's bank and returned to the City as unpaid, the customer will be required to pay a returned payment charge. The City will notify the customer by placing a door tag at the address and request payment in full by close of business the following Monday. If the following Monday is a holiday and/or City offices are closed, the payment must be received by close of business on the subsequent business day. If customer fails to pay for the returned check and applicable fees in the allotted time, the utility services will be disconnected, and a nonpayment service fee will be assessed. Services will be restored once payment has been received for the returned payment and all applicable fees. No partial payments will be accepted. If the City receives two (2) returned checks/bank drafts in a six (6) month period, the customer will be placed on a cash only status for the following twelve (12) months. Under no circumstances will a check be accepted as payment for a dishonored payment.
- D. **LATE PAYMENT FEE.** A late payment charge will be assessed if payment in full is not received by 5:00 p.m. on the due date.
- E. **NONPAYMENT SERVICE FEE AND ADDITIONAL DEPOSIT.** If a utility account is processed for nonpayment, then the customer will be required to pay a nonpayment service fee. Disconnection of service due to nonpayment can result in an increase in the deposit required to maintain services with the City.
- F. **AFTER-HOURS RECONNECT FEE.** If customer requires reconnection of service outside normal business hours, an after-hours reconnect fee shall be assessed.
- G. **CONNECT OR DISCONNECT CHANGE ORDER.** If a customer changes a previously scheduled account connect or disconnect the account will be subject to a change order fee.

§ 50.08 IDENTITY THEFT PROVISION.

Customer service considers the types of accounts that it offers and maintains, the methods it provides to open and access its accounts, and its previous experiences with identity theft and the protection of customers' identity.

- A. **Definitions related to identity theft.** The following are terms and definitions used in identity theft prevention.
 1. **Identifying Information.** Any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including name, address, telephone number, social security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer's internet protocol address, or routing code.
 2. **Identity Theft.** Fraud committed using the identifying information of another person.

3. *Red Flag.* A pattern, practice, or specific activity that indicates the possible existence of identity theft.
- B. ***Prevention and risk mitigation activities.*** The following activities will be engaged to prevent or mitigate customer identity theft.
 1. *Identify and detect red flags.* Steps will be taken to identify and detect activity from irregularities, documentation, and external and internal sources.
 2. *Prevention, mitigation, resolution measures.* Measures will be taken to prevent and mitigate identity theft when requiring and maintaining customer information necessary for providing service.
 - a. New Customer – To protect customers' information associated with the opening of a new customer account, customer service personnel will take steps to obtain and verify the identity of the person opening the account.
 - b. Existing Customer - To protect customers' information on existing accounts, customer service will restrict electronic and physical access, maintain strict protocol to prevent unauthorized access, and monitor account transactions for irregularities. This will include obtaining and verifying identification of the customer requesting information or changes to an account.
 - c. Identify Theft Resolution – Steps taken when red flag activity is discovered may include contacting the customer, changing physical and electronic access to the information, and notifying law enforcement.

Water Regulations

§ 50.15 CONNECTION TO WATER SYSTEM REQUIRED - APPLICATION.

- A. ***Connection Requirement.*** All owners or occupants of buildings, or agents for the owners situated in any section of the City where a water line exists and where the property line of the land on which such building is situated, approaches, or extends to within 100 feet of any such water line, are hereby required to connect the same with the City water system under the supervision of the City Inspectors, or designee.
- B. ***Application and approval for connections is required.***
 1. It shall be considered illegal tampering with a meter under § 50.04, for any person or entity to intentionally or knowingly make a connection to the mains or pipes of the waterworks system without first making application to the City stating fully the several and various uses for which water is wanted, giving the name of the property, the number of the lot, and block name of the street and house number.
 2. Upon the payment of the tapping fee set forth in § 50.17, the Director of Public Works, or designee shall make or have made the necessary connections and furnish a curb stop, box and curb cock, the cost of which is included in the tapping fee and every premises not now equipped with the curb stop, box and curb cock and connected with any water main or being supplied with any water from the waterworks system shall have separate service connection curb stop box and curb cock installed by and at the expense of the owner of the premises.
 3. If application is approved by the Director of Public Works or designee, a permit will be issued. All fees and charges shall be paid for at amounts and rates fixed by applicable sections of this chapter.

§ 50.16 FIRE HYDRANT METERS.

A. **Permission to use.** Fire hydrants are used in extinguishing fires and are to be opened only by authorized employees of the public works department and the City's fire department. The City issues fire hydrant meters for water usage on projects to customers on a short-term basis subject to the following requirements:

1. Meters may not be used for any reason outside the approved application, or for long term irrigation or any other uses where a permanently installed meter would be appropriate.
2. The Director of Public Works may refuse to approve an application or a connection to a fire hydrant if approval of the application would potentially increase the City's obligations under its contract with Upper Trinity Regional Water Authority or if the City has implemented stage one of the City's drought contingency plans.
3. A person requesting use of a fire hydrant must make a written application and must pay applicable fees and a deposit in accordance with this Chapter and as defined in the fee schedule (§ 50.00).
4. The applicant shall provide the reason for the meter, location of project where meter is to be used, and an approximate time frame the meter will be in service. Should additional time be required, the customer shall notify the customer service department with a request for an extension.
5. Meters shall be issued to registered contractors for construction purposes including roadway, home, or business construction.
6. Meters will be securely connected and disconnected by City personnel only.
7. The applicant will contact customer service to arrange for inspection and return of the fire hydrant meter immediately after finishing use of the hydrant.
8. Meters may not be issued for personal use by customers, including but not limited to repair and refill of a pool.

B. **Use Requirements.** The customer using a fire hydrant to supply water must:

1. Use only a fire hydrant meter furnished by Corinth public works department.
2. Notify City customer service immediately if the meter is damaged or removed from the premise and NOT returned to the City.
3. The meter shall remain secured and available for City personnel reading and inspection.
4. A person authorized to open a fire hydrant must only use an approved spanner wrench and must replace the caps on the outlets when not in use.
5. A person authorized to open a fire hydrant must completely close the fire hydrant valve, when not in use, to prevent water leakage from weep holes.

C. **Charges.** The deposit and charges for a fire hydrant meter are defined in the fee schedule in § 50.00.

D. **Improper use.** Failure to abide by the conditions of Subsection (B) or set forth in the application is sufficient cause to confiscate the meter, prohibit further use of the fire hydrant and to refuse to grant subsequent application for use of a fire hydrant.

E. **Offense.** A person commits an offense if he knowingly:

1. Uses water from a fire hydrant without having followed procedures listed in this section to obtain a fire hydrant meter from the City.
2. Violates § 50.16(A)(2), (A)(3), or (B) of this section or any of the terms and conditions of an application granted under this section.
3. The penalty for violation of this § 50.16 is set forth in § 50.99.

F. **Exceptions.** This section does not apply to a City employee engaged in work in an official

capacity.

- G. **Cessation of Service.** After the customer discontinues service, an inspection will be required. The costs and expenses related to any damages or missing parts shall be withheld from the customer's deposit. The deposit for the meter will be credited to the customer's account when service is discontinued less any charges for the damaged meters or any pending or past due accounts.

§ 50.17 WATER TAP/METER FEES.

- A. The fees for connection to the City waterworks system for each single-family dwelling, detached or attached, served by one master meter shall be:

Connection (in inches)	Fee
3/4 x 5/8	\$1,500.00
3/4	\$1,600.00
1	\$1,725.00
1 1/2	\$1,850.00
2	\$2,200.00
Larger than 2-inch connection	Total cost of materials and labor

- B. When a paved road must be bored, \$500 will be added to the fees listed above.

§ 50.18 EXTENSION OF WATER MAINS TO SUBDIVISIONS AND WITHIN SUBDIVISION, OR TO INDIVIDUALS; PRO RATA.

- A. Developers of subdivisions shall bear the entire costs of water systems within the boundary of their subdivisions; the adequate size of such water mains shall be determined by the City. On any mains larger than 12 inches in diameter, the City will refund the difference between the cost of the oversized main and a 12-inch diameter main or the largest size of main required for the subdivision, whichever is greater.
- B. Where extension of water mains is required to serve property which has been subdivided or platted for development and resale, the costs of approach or off-site boundary mains fronting on property not owned by the developer, but required and necessary to connect property to be developed, shall be borne solely by the developer. The sizes of all mains shall be determined by the City. Upon approval and acceptance of the system by the City, on any main that is an approach, or off-site or boundary main the City will pay, upon acceptance, if funds are available, or will enter into a profit agreement with the developer, an amount being the cost of the oversize of any main larger than 12 inches in diameter or the largest size of main required for the subdivision, whichever is greater in size.
- C. A pro rata charge of the actual cost per line foot of lot or tract of land shall be paid by the developer or individual applicant if water lines have been extended by the City to serve the connections.
- D. The City shall refund to the developer or individual pro rata charges received from applicants for water and wastewater who wish to connect to the boundary mains. However, the total amount of the refund shall not exceed the amount of the developer individual's cost of the improvements. The maximum period for the pro rata reimbursement to the developer or individual shall not exceed five years.

§ 50.19 WELL WATER.

- A. It shall be illegal for an individual or company to intentionally, knowingly or recklessly commingle well water and City water or to attach water lines from water wells to City water lines. This shall not preclude the City from incorporating water wells into the main water supply for the City.
- B. The penalty for violation of § 50.19 is set forth in § 50.99.

§ 50.20 WATER SYSTEM NEW CONNECTION FEE.

Fees and charges pertaining to new service where no previous service has existed include:

- A. **Fire Hydrant Deposit and Fee.** Upon application for use of fire hydrant meter, a deposit and monthly fees will be charged.
- B. **Installation Charge.** A first service connection charge in an amount established by the City Council shall be charged to customers requesting service, where no permanent service previously existed and where a new account number is established.
- C. **Meter box replacement fee.** Builders and businesses are given the first meter box free of cost. Subsequent meter box replacements will be at builder/business expense.
- D. **Water Tap and Meter Fees.** Fees assessed for connection to the City waterworks system for each single-family dwelling, detached or attached, served by one master meter. Water tap and meter fees are approved by City Council.
- E. **Liability for materials.** Each property owner or developer shall furnish materials and shall install all water service lines and sanitary wastewater laterals from the mains to the structure at his own cost and expense to meet the standard details and specifications and the approval of the City. However, the City will furnish the meters, necessary fittings, and meter boxes for the water service lines and will complete the meter installations and connections.

Sanitary Wastewater Regulations

§ 50.35 CONNECTION TO SANITARY WASTEWATER SYSTEM.

- A. All owners or occupants of buildings, or agents for the owners, situated in any section of the City where a sanitary wastewater system now exists, or where it may hereafter exist, and where the property line of land on which any such building is situated approaches or extends to within 100 feet of any such wastewater system, are hereby required to construct, or cause to be constructed, suitable water closets on their property, and connect the same with the City sanitary wastewater system, under the supervision of the City Inspector. However, where there now exists a septic tank in proper sanitary working condition, it may be permitted to remain in use until such time as it may be found to be unsanitary. In this event, the septic tank may be ordered removed by the City Inspector upon thirty days' notice to the owner thereof, and all facilities shall be connected to the City sanitary wastewater system within 90 days after service is available. It shall be the duty of any such property owners or occupants of such property to keep and maintain the water closet and connection thereof in satisfactory working condition and free from any obstruction.
- B. It shall be unlawful for any person to knowingly build or use any privy vault above or below the ground in the City or on any lot or parcel of land. All persons now having such privy vaults in such locations are hereby required to abate the same within 30 days after notice by the City Inspector to do so, and to construct and install water closets and connect the same to the City sanitary wastewater system. The civil penalty for violations of this § 50.35 is set forth in § 50.99.

§ 50.36 CONNECTING TO CITY WASTEWATER MAINS FEE SCHEDULE.

Fees related to connection to the sanitary wastewater system will be included but are not limited to:

A. **Wastewater taps.**

Connection Size (in inches)	Fee
4-6	\$1,210.00
Larger than 6-inch	Total cost of material and labor

- B. **Mobile home parks.** \$100 per each mobile home space and total cost of labor and materials.
- C. **Apartment complexes, motels, townhouses, office buildings, multi-family dwellings and other facilities** served by one master water meter.
1. \$100 per each unit of two bedrooms or more as shown on the plans submitted for a building permit.
 2. \$50 per each one-bedroom unit as shown on the plans submitted for a building permit.
 3. \$50 per each separate place of business shown on the plans submitted for building permit.
- D. **Boring costs** - When a paved road must be bored, the builder, developer or individual will be liable for all additional boring costs associated with the wastewater connections.
- E. **Infiltration prevention costs** - Wastewater ditches, manhole covers, or cleanout covers containing main wastewater lines or service lines to residences or any other building or structure shall not be left exposed or uncovered overnight or during bad weather for any reason whatsoever, thereby permitting infiltration to enter into the sanitary wastewater system. The City shall automatically be due \$1,000 for failure to observe this requirement.

§ 50.37 EXTENSION OF WASTEWATER MAINS TO SUBDIVISIONS AND WITHIN SUBDIVISIONS, OR TO INDIVIDUALS; PRO RATA.

- A. Developers of subdivisions shall bear the entire costs of wastewater systems within the boundary of their subdivisions. Adequate size of such wastewater mains shall be determined by the City. On any main larger than 12 inches in diameter, the City will refund the difference between the cost of the oversized main and a 12-inch diameter main, or the largest size of main required for the subdivision, whichever is greater in size.
- B. Where extensions or wastewater mains are required to serve property which has been subdivided or platted for development and resale, the costs of approach of off-site or boundary mains fronting on property not owned by the developer, but required and necessary to connect property to be developed, shall be borne solely by the developer. The sizes of mains shall be determined by the City.
- C. Upon approval and acceptance of the system by the City, on any main that is an approach or off-site or boundary main, the City will pay, upon acceptance and if funds are available, or will enter into pro rata agreement with the developer, an amount being the cost of the oversize of any main larger than 12 inches diameter or the largest size of main required for the subdivision, whichever is greater in size.
- D. A pro rata charge of the actual cost per line foot of lot or tract of land shall be paid by the developers or individual applicant if wastewater lines have been extended by the City to serve the connection.
- E. The City will refund to the developer or individual pro rata charges received from applicants who desire to connect to the wastewater mains. The total amount of refund shall not exceed the amount of the developer or individual's cost of the improvements.
- F. The maximum period for the pro rata reimbursements to the developer or individual shall not exceed five years.

§ 50.38 BACKFLOW PREVENTION DEVICE TESTS AND CUSTOMER SERVICE INSPECTIONS.

The rates, charges, fees, deposits and billing for backflow devices and customer service inspections (CSIs) provided by the City to its customers shall be established and be in accordance with ordinances adopted and as from time-to-time amended by the City Council, and are as follows:

Test/Activity	Fee
Registration fee for nonresidential backflow devices	\$ 50.00
Backflow assembly test	\$100.00
Re-test backflow assembly	\$ 50.00
Annual registration fee for testers	\$ 50.00
Testing from booklets	\$ 25.00
CSI	\$ 40.00
CSI re-inspection	\$ 25.00
Cross-connection fee	\$ 50.00

§ 50.99 PENALTY.

Any person, firm or corporation intentionally, knowingly or recklessly violating any of the provisions of this chapter shall be deemed guilty of a Class C misdemeanor and, upon conviction, shall be punished by a penalty or fine not to exceed the sum of \$2,000 for each offense. Each day such offense is continued shall constitute a new and separate offense.