

**ORDINANCE NUMBER 2008-15**

AN ORDINANCE PROVIDING FOR CHANGES IN RATES AND CHARGES FOR WATER AND SEWER SERVICES; PROVIDING FOR LATE CHARGES, PROVIDING FOR DEPOSITS FOR NEW AND REINSTATED UTILITY SERVICE; AND PROVIDING FOR DISCONTINUANCE OF SERVICE FOR NON-PAYMENT.

THIS ORDINANCE PROVIDES FOR THE MAXIMUM PENALTY ALLOWED BY LAW FOR VIOLATIONS; CONTAINS A SEVERABILITY CLAUSE AND REPEALS ORDINANCE NUMBERS 2006-10 AND 2007-08 IN THEIR ENTIRETY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SHOREACRES, STATE OF TEXAS:

**SECTION 1. WATER RATES.**

Effective October 1, 2008, water rates for the City of Shoreacres shall be as follows:

**RESIDENTIAL WATER RATES**

0 - 3,000 gallons	\$14.50 per month
3,001 - 5,000 gallons or portions thereof	\$6.00 per thousand gallons
5,001 - 12,000 gallons or portions thereof	\$6.25 per thousand gallons
12,001 gallons and up or portions thereof	\$6.50 per thousand gallons

**NON-RESIDENTIAL WATER RATES**

0 - 3,000 gallons	\$25.00 per month
3,001 – 5,000 gallons or portions thereof	\$6.00 per thousand gallons
5,001 – 12, 000 gallons or portions thereof	\$6.25 per thousand gallons
12,001 gallons and up or portions thereof	\$6.50 per thousand gallons

**SECTION 2. SEWER RATES.**

Monthly sewer rates for the City of Shoreacres for sewage service for residences within the City, and unless otherwise provided by contract, outside the city, are as follows and effective October 1, 2008.

## **RESIDENTIAL SEWER RATES**

Sewer Services \$17.50 per month (flat rate)

## **NON-RESIDENTIAL SEWER RATES**

Base of \$45.00 for each water meter and \$1.10 per each 1,000 gallons used.

Houston Yacht Club is exempt from sewer fees for those meters where sanitary sewer service is not provided (such as water meters serving docks).

### **SECTION 3. LATE PAYMENT CHARGES.**

Monthly water and sewer payments are due and payable to the City of Shoreacres on or before the last day of each month including holidays and weekends. Payments received by mail or by placement in the City Hall drop box before 7:30 a.m. of the first City business day following the due date shall be considered timely paid.

The City shall charge a \$10.00 late charge, per month, for all bills with an unpaid balance of \$10.00, or greater, on the first day of the month following the date due.

The Mayor or City Administrator may waive a late payment charge upon the determination that extenuating circumstances warrant such action. The utility billing clerk shall remove a late payment charge from an account only upon the written authorization of the Mayor or City Administrator. In no case shall more than one late payment charge be waived for an account during any nine month period without approval of the city council.

### **SECTION 4. DEPOSITS FOR WATER, SEWER & GARBAGE SERVICE.**

Builders will be required to pay a fifty dollar (\$50.00) deposit, as long as they are contractors and will not be living in the new home. Any other person, firm, company, corporation, receiver or trustee requesting initial service or reinstatement of water, sewer and garbage collection services or any combination thereof shall be required to post a deposit with the city in the amount of one hundred dollars (\$100.00) to secure timely payment of fees charged for the furnishing of such services. This deposit shall be retained by the city until termination of utility services by the customer, at which time the deposit shall be credited to the customers' final statement, with any remaining monies returned to the customer, provided that the customer gives notice of a forwarding mailing address to the City.

**SECTION 5. DISCONTINUATION OF SERVICE.**

The City of Shoreacres reserves the right to discontinue water and sewer service to any customer who is ten (10) days delinquent in payment of any charges set out in this ordinance. Notice of the City's right to discontinue service is printed on all water bills and on all applications for water service. The City shall not be required to serve any additional notice(s) to a customer before service is discontinued. After service has been disconnected, the customer shall pay all delinquent amounts, a reconnection fee of twenty-five dollars (\$25.00) and a utility deposit of one hundred dollars (\$100.00), if no such deposit exists or if a deposit in a lesser amount currently exists for the account before service will be reconnected by the City. Service shall be reconnected during the hours of 8:00 a.m. and 3:00 p.m., Monday through Friday, except for Holidays. Customers shall not be permitted to reconnect service on their own.

**SECTION 6. SEVERABILITY CLAUSE.**

The City Council of the City of Shoreacres hereby declares that if any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid by final judgment of a court of competent jurisdiction, it will not affect the remaining portions of this ordinance. The City Council declares it would have passed and ordained all the remaining portions of this ordinance without the inclusion of those portions found to be unconstitutional or invalid.


**SECTION 7. REPEAL OF PREVIOUS ORDINANCES.**

Ordinance Numbers 2006-10 and 2007-08 are hereby repealed and superseded by this Ordinance. Any other ordinance, in conflict herewith, shall be, and the same are, hereby expressly repealed to the extent of such conflict only.

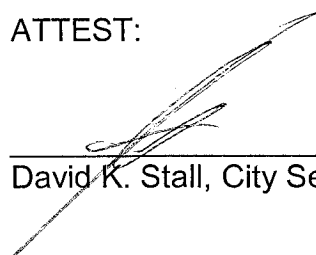
**SECTION 8. EFFECTIVE DATE OF ORDINANCE.**

This ordinance is effective upon passage, except that the new rates, as outlined in Section 1 above, shall be effective on October 1, 2008.

PASSED AND APPROVED ON THIS 8<sup>th</sup> DAY OF Septm, 2008.

  
Jayo Washington, Mayor

ATTEST:

  
David K. Stall, City Secretary