

# Summary of proposed changes to Chapter 11 of the Code of Ordinances

Several changes were made throughout the document:

Names of several specific state commissions and agencies were replaced with "the state" or "State of Texas".

The term "City Manger" and "City" replaced most references to specific departments and positions.

References to documents were verified and changed where needed.

References to rates or fees being set by City Council through resolution were deleted and the rates or fees included in the ordinance.

In several areas the language was changed to enhance clarity.

## Section 1: General Provisions

### A. Definitions

All definitions containing the word "waste" were placed under "Waste" definition. Each term was left in the definition list with "see definition for Waste" as the description.

The following definitions were added

- 3 - Benefited Property
- 13 - City Manager
- 19 - Customer Service Line
- 25 - Excess Wastewater
- 27 - Grab Sample
- 37 - Instantaneous Maximum Allowable Discharge Limit
- 38 - Interference
- 43 - Municipal Drainage Utility System
- 45 - Non-Contact Cooling Water
- 48 - Pass Through
- 53 - Pretreatment
- 54 - Publicly Owned Treatment Works or POTW
- 62 - Returned Check
- 63 - Returned Check Fee
- 68 - Service Line
- 75 - Storm Water
- 76 - System Failure
- 77 - TCEQ
- 85 - Wastewater

The following definitions were modified

- 14 - Commercial Customer
- 17 - Curbside (was Curbline)
- 18 - Customer
- 41 - Litter
- 50 - Pollutant

- 51 - Pollution
- 60 - Residential
- 61 - Residential Unit
- 84 a) Bulky Waste

The following definitions were moved from various sections into the General Provisions Section:

- 15 - Conservation
- 24 - Drip Irrigation
- 46 - Non-Essential Water Use
- 49 - Person (also modified)
- 56 - Reclaimed Water
- 87 - Xeriscape

B. Deposits and Fees for Utility Service

Language was added to clarify the meaning of "a good payment record". Utility Customer Service has consistently used the criteria of "twelve consecutive months of service with no more than two late payments" as the standard for a good payment record for many years. **(POLICY)**

C. Residential Service

D. Commercial and Industrial Customers

Deposit requirements were spread throughout the chapter making it difficult for a citizen to find all required deposits when reading the Code of Ordinance. All deposits required have been gathered into these two paragraphs for ease of location.

This removes the requirement of deposits for initial service and requires deposits only when a customer fails to maintain a good payment record. This is the current business practice. **(POLICY)**

Language was added to clarify the calculation of commercial deposit amounts.

F. Certain Conduct Affecting Water Meters Prohibited

G. Certain Conduct Affecting Electrical Meters Prohibited

Language was added that makes the person who subscribed for the utility service responsible for specific unlawful acts associated with the meter for the service. **(POLICY)**

H. Fines and Penalties

This paragraph provides for a misdemeanor penalty for failure to comply with the provisions of this Chapter and requires the payment of fines and/or penalties as a result of the violation. The customer is responsible for all costs incurred by the City for the remediation caused by the violation, as well as fees to reconnect any utility service disconnected as a result of the violation. **(POLICY)**

J. Returned Check Fee

Provides for a return check fee of \$25.00. This is the amount currently charged for a return check. **(POLICY)**

- K. Disconnection and Reconnections  
Clarifying that customers must pay all past due amounts for reconnection. The current ordinance states that the reconnect fee is set by Administrative Policy which is not consistent with the City Charter.  
\$25.00 is currently charged as the reconnect fee. **(POLICY)**
- L. Utility Services to Illegally Subdivided Lots  
Provides the City the ability to deny utility services to illegally subdivided lots.  
**(POLICY)**

## **Section 2: Water and Sewer services**

- A. Water and Sewer Connections  
Two paragraphs were combined to state more clearly that all water and sewerage customers, both in and out of the City, will have connection, service and usage charges.
- C. Submetering  
Requires all structures containing multiple residential units, manufactured home rental communities and multiple use facilities constructed after January 1, 2003 to provide for the measurement of the quantity of water consumed by the occupants of each unit. Added to comply with requirements of §30 TAC 291.122.  
**(POLICY)**
- D. Water and Sewer Rates, Usage Charges and Fees  
Deposit information was moved to Section 1.
  - (2) (b) Clarifies the requirement for a City Council approved contract for the sale of water to wholesale customers outside the City. **(POLICY)**
  - (3) (f) Sets a sewer rate for residential retail sewer customers outside the City who do not receive water service from the City. **(POLICY)**
  - (3) (g) This paragraph was added. It requires City Council approval of contracts for the sale of sewer services to wholesale customers outside the City.  
**(POLICY)**
  - (4) States the requirement that the City either set-in or direct the set-in of all water meters and inspect all taps and connections to the City's water and sewer systems. **(POLICY)**

## **Section 3: Water and Sewer Main Extension Policies**

There are no significant changes to this section.

#### **Section 4: Electrical Service**

Deposits removed from this section and now listed in Section 1

##### A. Electric Schedule of Rates

(5) (I) Clarified the formula for the Off-peak Rider

(8) The various schedules for Security Lights have been moved into one paragraph so customers can see a list of the security lights in one spot, also to shorten the document with no loss of meaning.

(8) (a) Sets a minimum contract period of 3-years for security light contracts. **(POLICY)**

(8) (b) Requires the customer to pay for additional construction costs related to security lights. **(POLICY)**

#### **Section 5: Solid Waste collection regulations**

##### B. Collection of Municipal solid Waste

(1) (b) Clarified the requirement that all household waste be secured in plastic bags to prevent spillage in the automated collection process.

Removed the bag thickness and minimum size requirements in order to correct obsolete specifications that made the bags difficult to find in retail outlets. **(POLICY)**

##### E. Collection Rates

Removed language about council setting rates by resolution. **(POLICY)**

Clarified that rates are determined by "how service is provided".

#### **Section 6: Industrial Waste Regulations**

This Section has been reorganized for clarification.

##### I. Interceptors

This paragraph is a complete rewrite of the requirements for grease and grit waste interceptors. **(POLICY)**

(2) (g) This provides for a one year period of no enforcement following the passage of this ordinance. **(POLICY)**

(2) (a) (vi) and (3) (b) (iv) These require customers to maintain three (3) years of records and have those records available for review by the City. **(POLICY)**

##### K. Surcharge for Wastes of Abnormal Strength

The surcharge calculation has been changed to include the cost of cleaning fats, oil and grease (FOG) from the wastewater. **(POLICY)**

#### **Section 7: Municipal Drainage Utility System**

##### C. Rates

This paragraph was rewritten to include the rates in the ordinance instead of having them approved "when passed by resolution". The rates have not changed. **(POLICY)**

**Section 8: Water Conservation**

Removed text of Water Conservation Plan from Chapter 11. This Plan will be established by reference in the ordinance and maintained as a separate document entitled "Water Conservation Plan". Maintaining the Water Conservation language as a separate document will allow necessary changes to be made administratively.

**(POLICY)**

**Section 9: Drought Contingency and Water Emergency Plan**

The term "outdoor water use" has been replaced with "non-essential water use" throughout this section. This broader term includes failure to repair a controllable leak and use of water through a hydrant for purposes other than fighting fire. **(POLICY)**

**C. PUBLIC EDUCATION.**

This paragraph describes the program to regularly provide the public with information about the Drought Contingency Plan. Added to comply with requirements of §30 TAC 288.20 Drought Contingency Plans. **(POLICY)**

**Section 10: Cross-Connection Control and Backflow Prevention**

There are no significant changes to this section.