

ORDINANCE NO. 16-09-01-04

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING APPENDIX A, SECTION 6.200, UTILITY RATES, LAGO VISTA CODE OF ORDINANCES AND PRESCRIBING CHANGES IN RATES; PROVIDING FOR SEVERABILITY, AN OPEN MEETING CLAUSE, AN EFFECTIVE DATE; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the public health, safety and welfare, require the adoption and enforcement of codes governing the provision of public utilities and services within the City of Lago Vista, Texas;

WHEREAS, it is necessary to establish fees and charges for the purpose of recovering the cost and expense of providing utility services to customers of the City of Lago Vista;

WHEREAS, rapid growth requires the City to expend public funds to serve such growth;

WHEREAS, the City Council held a public hearing at which the public was given an opportunity to comment on this ordinance and the fees adopted herein; and

WHEREAS, it is appropriate for the costs and expenses for providing utility services to be funded by user fees collected from persons and entities receiving the benefit of such services;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings of Fact. The findings and recitations set out in the preamble of this Ordinance are found to be true and correct, and that they are hereby adopted by the City Council and made a part hereof for all purposes. It is further found that collection of the fees provided herein is necessary to fund water services and provide for the public health and safety.

Section 2. Amendment of Appendix A, Sec. 6.200, Utility Rates and Fees, Lago Vista Code of Ordinances. Appendix A, Sec. 6.200, Utility Rates and Fees, Lago Vista Code of Ordinances is hereby amended as to the rates set forth in the attachment hereto entitled "Appendix A, Sec. 6.200 Utility Rates" attached to and incorporated in this ordinance as though fully transcribed herein for all purposes.

Section 3. Amendment of Conflicting Ordinances. The above-referenced sections of the Code are hereby amended as provided in this Ordinance. All parts of ordinances in conflict herewith are hereby amended to the extent of such conflict only. To the extent of a conflict between this Ordinance and another ordinance of the City, this Ordinance shall control.

Section 4. Savings Clause. All rights and remedies of the City of Lago Vista are expressly saved as to any and all violations of the provisions of any ordinances affecting utilities and utility fees which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under

violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 5 Effective Dates. This Ordinance shall be in full force and effect as to the new **water rates** with bills due **December 15, 2016** after final passage and publication in the manner required by the Texas Local Government Code and the Charter. This Ordinance shall be in full force and effect as to the new **wastewater (sewer) rates** with bills due **May 15, 2017** after final passage and publication in the manner required by the Texas Local Government Code and the Charter.

Section 6. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any section, paragraph, sentence, clause or phrase of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid section, paragraph, sentence, clause or phrase. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 7. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED on this 1st day of September, 2016.

ATTEST:

CITY OF LAGO VISTA, TEXAS



Sandra Barton, City Secretary



Ron Smith, Mayor Pro Tem



APPENDIX A
SECTION 6.200 UTILITY RATES

Water Rates - Residential:

Base Rate **plus** Volumetric Rate (actual usage) by customer class.

Effective: New rate effective with water sold beginning October 1, 2016, billed November 1, 2016 and bills due December 15, 2016.

a. **FY16/17 Residential Rates:**

Base Rate: \$ 35.23

Volumetric Rate:

0-2,000 Gallons	-0-
2,001 – 5,000 Gallons	5.04 per 1000/gallons
5,001 – 10,000 Gallons	6.29 per 1000/gallons
10,001 – 15,000 Gallons	8.29 per 1000/gallons
15,001 – 25,000 Gallons	10.79 per 1000/gallons
25,001 – 50,000 Gallons	13.79 per 1000/gallons
50,001 – above	17.29 per 1000/gallons

APPENDIX A
SECTION 6.200 UTILITY RATES

Water Rates - Commercial:

Base Rate **plus** Volumetric Rate (actual usage) by customer class.

Effective: New rate effective with water sold beginning October 1, 2016, billed November 1, 2016 and bills due December 15, 2016.

b. **FY16/17 Commercial Rates:**

Base Rate: \$ 35.23
Volumetric Rate:

0-2,000 Gallons	3.95 per 1000/gallons
2,001-5,000 Gallons	4.95 per 1000/gallons
5,001 – 10,000 Gallons	6.20 per 1000/gallons
10,001 – 15,000 Gallons	8.20 per 1000/gallons
15,001 – 25,000 Gallons	10.70 per 1000/gallons
25,001 – 50,000 Gallons	13.70 per 1000/gallons
50,001 – above	17.20 per 1000/gallons

APPENDIX A
SECTION 6.200 UTILITY RATES

Water Rates - Irrigation:

Base Fee **plus** Volumetric Rate (actual usage) by customer class.

Effective: New rate effective with water sold beginning October 1, 2016, billed November 1, 2016 and bills due December 15, 2016.

c. **FY16/17 Irrigation Rates:**

Base Rate: \$ 35.23

Volumetric Rate:

0 – 2,000 Gallons	4.65 per 1000/gallons
2,001 – 5,000 Gallons	5.65 per 1000/gallons
5,001 – 10,000 Gallons	6.90 per 1000/gallons
10,001 – 15,000 Gallons	8.90 per 1000/gallons
15,001 – 25,000 Gallons	11.90 per 1000/gallons
25,001 – 50,000 Gallons	14.90 per 1000/gallons
50,001 – above	17.90 per1000/gallons

APPENDIX A
SECTION 6.200 UTILITY RATES

Water Rates - Industrial:

Base Fee **plus** Volumetric Rate (actual usage) by customer class.

Effective: New rate effective with water sold beginning October 1, 2016, billed November 1, 2016 and bills due December 15, 2016.

a. **FY16/17 Industrial Rates:**

Base Rate:	\$ 35.23
Flat Volumetric Rate:	\$ 4.17 per 1000/gallons

APPENDIX A
SECTION 6.200 UTILITY RATES

Wastewater (Sewer) Rates - Residential:

Base rate **plus** Volumetric Rate. Volumetric Rate will be determined by “Winter Averaging” a residential customer’s water usage for the months of November, 2016; January and February, 2017.

Effective: New rate effective with bills due May 15, 2017.

a. FY16/17 Residential Rates:

Base Rate: \$ 15.90

Volumetric Rate: 10.75 per 1000/gallons

APPENDIX A
SECTION 6.200 UTILITY RATES

Wastewater (Sewer) Rates – Commercial/Industrial:

Base Rate **plus** Volumetric Rate. Volumetric Rate will be determined based on water usage.

Effective: New rate effective with bills due May 15, 2017.

b. FY16/17 Commercial Rates:

Base Rate: \$ 15.90

Volumetric Rate: 10.75 per 1000/gallons

APPENDIX A
SECTION 6.200 UTILITY RATES

Wastewater (Sewer) Rates – Sewer Only or Limited

History:

City-wide average takes into account all water usage for the months of November, January and February.

Effective: New rate effective with bills due May 15, 2017.

Rates are the City-Wide Average