

ORDINANCE NO. 2015-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS: REVISING THE CITY CODE OF ORDINANCES, CHAPTER 13, "UTILITIES," BY AMENDING SECTION 13.02.006, "RECONNECTS FEES AND SERVICE FEES FOR DELINQUENT ACCOUNTS"; AMENDING SECTIONS 13.07.001, "RESIDENTIAL SERVICE," 13.07.002, "COMMERCIAL SERVICE," AND 13.07.003, "KEY ACCOUNTS," AND ADDING SECTION 13.07.006, "DISCONNECT AND RECONNECT FEES FOR DELINQUENT ACCOUNTS"; AMENDING APPENDIX "A," "FEE SCHEDULES," SECTIONS 13.02, "WATER AND WASTEWATER RATES AND CHARGES," 13.07, "ELECTRICAL SERVICE," AND 13.09, "UTILITY FEES, RATES, AND DEPOSITS"; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop is a Home Rule municipality incorporated and operating under the Laws of the State of Texas; and

WHEREAS, the City Council of the City of Bastrop, Texas recognizes a need to revise its existing water and electrical rates to reflect and recover from the City's customers the current, actual operational cost to the City; and

WHEREAS, the City Council of the City of Bastrop, Texas has determined that it is necessary and fiscally prudent for the City to recover the City's operational costs of providing water and electrical utilities to the City's customers; and

WHEREAS, the City Council has further determined that providing for uniform procedures and fee structures regarding water and electrical service disconnects and utility bill due dates would it is necessary and would result in economic benefits and increased customer clarity; and

WHEREAS, the City Council of Bastrop determined that Sec. 13.02.006 "Reconnect fees for delinquent accounts", Sec. 13.07.001 "Residential Rates", 13.07.002 "Commercial Rates", Sec. 13.07.003 "Key Account Rates" and APPENDIX A, Secs. A13.02.006 "Disconnect Fee and

Reconnect fees for delinquent accounts”, A13.02.009 “Deposit”, A13.07.002 “Commercial service”, A13.07.003 “Key accounts”, and A13.09.008 “Meters and meter reading” should be revised and that new Section 13.07.006 should be added to reflect the revision in the operational costs to the City and to provide for uniform treatment delinquent payments and disconnect/reconnect service among water and electrical customers; and

WHEREAS, in order to enact these revisions it is necessary to amend the Bastrop Code of Ordinances and Appendix A as shown herein below.

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

PART 1: That Sec. 13.02.006 “Reconnect fees and service fees for delinquent accounts” of the Code of Ordinances of the City of Bastrop, Texas is hereby amended to read as follows:

Sec. 13.02.006 Disconnect and reconnect fees for delinquent accounts

(a) A disconnect fee and reconnect fee is due on each account for which a service call is made for disconnection/reconnection purposes, with regard to delinquent accounts.

(b) An account is determined to be delinquent when it is not paid on or before the 15th of the current month; if the 15th falls on a weekend, payment is due by close of business the next working business day following the 15th of the current month. A second notice is mailed to all delinquent accounts following the 15th day of the month (or the last day for current collections), giving notice of a ten-day grace period before the service is disconnected. A penalty of 10% is charged each delinquent account. When the utility office initiates the work order for disconnect, the disconnect fee is assessed. When a customer is present at the time that a city technician arrives to perform a disconnect, and the customer requests that service not be disconnected, the customer will be allowed fifteen (15) minutes for the purpose of paying the delinquent account at the customer service office, and a disconnect fee will be collected. A reconnect fee will be assessed on all accounts for which disconnection of service has occurred, will be due before service can be reconnected. The disconnect fee or reconnect fee within the city limits will be as provided for in section A13.02.006 of the fee schedule in Appendix A to this code.

PART 2: That Sections 13.07.001, Residential service,” 13.07.002, “Commercial service,” and 13.07.003, “Key accounts” of the Code of Ordinances of the City of Bastrop, Texas are hereby amended, and new Section 13.07.006 is added, to read as follows:

Sec. 13.07.001 Residential service

[subsections (a) through (d) no changes necessary]

(e) Payments; delinquency. Utility bills are due and payable in full by the 15th day of the month. If the 15th falls on a weekend or holiday, the bill is due the next working business day. An account

is determined to be delinquent when payment is not received by the city on or before the 15th day of the month. Failure to receive the utility bill does not excuse payments from being delinquent. A penalty of 10% is charged on each delinquent account. A second notice is mailed to all delinquent accounts following the 15th day of the month (or the last day for current collections), giving notice of a ten-day grace period before the service is disconnected. After the ten (10) day grace period, the account is subject to disconnection.

[subsection (f) is removed]

Sec. 13.07.002 Commercial service

[subsections (a) through (d) no changes necessary]

(e) Payments; delinquency. Utility bills are due and payable in full by the 15th day of the month. If the 15th falls on a weekend or holiday, the bill is due the next working business day. An account is determined to be delinquent when it is not paid by the 15th day of the month. Failure to receive the utility bill does not excuse payments from being delinquent. A penalty of 10% is charged on each delinquent account. A second notice is mailed to all delinquent accounts following the 15th day of the month (or the last day for current collections), giving notice of a ten-day grace period before the service is disconnected. After the ten (10) day grace period, the account is subject to disconnection. *[subsection (f) is removed]*

Sec. 13.07.003 Key accounts

(e) Payments; delinquency. Utility bills are due and payable in full by the 15th day of the month. If the 15th falls on a weekend or holiday, the bill is due the next working business day. An account is determined to be delinquent when it is not paid by the 15th day of the month. Failure to receive the utility bill does not excuse payments from being delinquent. A penalty of 10% is charged on each delinquent account. A second notice is mailed to all delinquent accounts following the 15th day of the month (or the last day for current collections), giving notice of a ten-day grace period before the service is disconnected. After the ten (10) day grace period, the account is subject to disconnection. *[subsection (f) is removed]*

Sec. 13.07.006 Disconnect and reconnect fees for delinquent accounts.

(a) A disconnect fee and reconnect fee is due on each account for which a service call is made for disconnection/reconnection purposes, with regard to delinquent accounts.

(b) An account is determined to be delinquent when it is not paid on or before the 15th of the current month; if the 15th falls on a weekend, payment is due by close of business the next working business day following the 15th of the current month. A second notice is mailed to all delinquent accounts following the 15th day of the month (or the last day for current collections), giving notice of a ten-day grace period before the service is disconnected. A penalty of 10% is charged each delinquent account. When the utility office initiates the work order for disconnect, the disconnect

fee is assessed. When a customer is present at the time that a city technician arrives to perform a disconnect, and the customer requests that service not be disconnected, the customer will be allowed fifteen (15) minutes for the purpose of paying the delinquent account at the customer service office, and a disconnect fee will be collected. A reconnect fee will be assessed on all accounts for which disconnection of service has occurred will be due before service can be reconnected. The disconnect fee or reconnect fee within the city limits will be as provided for in section A13.07 of the fee schedule in Appendix A to this code.

PART 3: That Appendix A, “Fee Schedule” of the Code of Ordinances of the City of Bastrop, Texas is hereby amended by revising sections A13.02.006, “Disconnect fees and service fees for delinquent accounts,” and A13.02.009, “Deposit,” and by adding new subsection (f) to sections A13.07.002 , “Commercial service,” and A13.07.003, “Key accounts,” to read as follows:

Sec. A13.02.006 Disconnect and reconnect fees for delinquent accounts

(b) Disconnect Fee and Reconnect Fee:

- (1) Disconnect fee: \$50.00.
- (2) Reconnect fee: \$50.00.
- (3) After hours reconnection fee: \$75.00.

Returned check fee. Applicable amount determined by the district attorney plus any charges assessed against the city by any financial institution for each payment instrument dishonored or returned to the city by the customers bank or financial institution. Administration fee for all utility transfer requests: \$20.00.

Sec. A13.02.009 Deposit

Customer deposit: \$75.00.

Sec. A13.07.001 Residential service

- (c) Customer deposit. \$200.00.
- (f) Disconnect Fees and Reconnect fees

- (1) Disconnect fee: \$50.00.
- (2) Reconnect fee: \$50.00.
- (3) After hours reconnection fee: \$75.00.

Sec. A13.07.002 Commercial service

(f)

- (1) Disconnect fee: \$50.00.
- (2) Reconnect fee: \$50.00.
- (3) After hours reconnection fee: \$75.00.

Sec. A13.07.003 Key accounts

(f) Disconnect Fees and Reconnect fees

- (1) Disconnect fee: \$50.00.
- (2) Reconnect fee: \$50.00.
- (3) After hours reconnection fee: \$75.00.

PART 4: That Appendix A, “Fee Schedule” of the Code of Ordinances of the City of Bastrop, Texas is hereby amended by adding new subsection (c) to Sec. A13.09.008, “Meters and meter reading,” to read as follows:

Sec. A13.09.008 Meters and meter reading

[subsections (a) and (b) no changes necessary] (c) Customers will receive one written warning if their meter or any component of the automated meter is damaged due to negligence from the customer and no longer is communicating with the City’s network. The second occurrence will result in a charge equal to the cost to repair damaged components and a trip charge.

PART 5: That all ordinances, resolutions and orders heretofore passed, adopted and made, or any part of the same, affecting water and/or electrical rates and charges of the City of Bastrop that are in conflict with this Ordinance shall be, and the same are hereby, in all things repealed to extent that the same conflict with this Ordinance, or with the laws of the State of Texas.

PART 6: This Ordinance shall take effect as of October 1, 2015 in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ AND ACKNOWLEDGED on FIRST READING on the 8th day of September 2015.

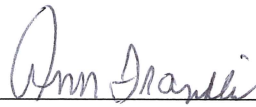
READ AND APPROVED on SECOND READING on the 22nd day of September 2015.

APPROVED:



Kenneth W. Kesselus, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney