

**ORDINANCE NO. 2010-3**

**AN ORDINANCE AMENDING CITY OF BASTROP CODE OF ORDINANCES  
“APPENDIX A: FEE SCHEDULE” TO ADD ARTICLE A13.08 “UTILITY FEES, RATES  
AND DEPOSITS”; PROVIDING A SEVERABILITY CLAUSE, AND; PROVIDING AN  
EFFECTIVE DATE.**

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WHEREAS, the City of Bastrop (“City”) had adopted a Utility Policy to govern the provision of electric, water and wastewater services to customers and applicants of the City; and

WHEREAS, as a necessary portion of the Utility Policy, certain Fees, Rates and Deposits have been established by the City which relate to the provision of utility services, including but not limited to water, electric, sewer, lighting fees, and solid waste (garbage). In addition, the City reserves the right to approve other Fees, Rates, and Deposits, as required; and

WHEREAS, the City Council has determined that the Fees, Rates, and Deposits set forth in the Utility Policy are reasonable and, to be readily accessible to the public, should be included in Appendix A of the City of Bastrop Code of Ordinances.

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

PART 1: That Article A13.08, “Utility Fees, Rates and Deposits,” shall be added to “Appendix A Fee Schedule” of the Bastrop Code of Ordinances, attached hereto as *Exhibit “A,”* which exhibit is incorporated herein as reference as if set forth in full.

PART 2: That all ordinances, resolutions and orders heretofore passed, adopted and made, or any part of the same, affecting rates and charges for residential and commercial utility rates, fees or deposits of the City, which are in conflict with this Ordinance, shall be, and the same are hereby, in all things repealed to the extent that the same conflict with this Ordinance, or with the laws of the State of Texas.

PART 3: This Ordinance shall take effect upon the date of final passage noted below 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 12<sup>th</sup> day of January 2010.

PASSED AND APPROVED on SECOND READING on the 26<sup>th</sup> day January 2010.

**APPROVED:**

  
Terry Orr, Mayor

**ATTEST:**

  
Teresa Valdez, City Secretary

APPROVED AS TO FORM:  
Jo-Christy Brown, City Attorney

**EXHIBIT "A"**  
**APPENDIX**  
**Schedule I**

**201.        APPLICATION OF RATES**

Rates shall be applied in accordance with the City of Bastrop Fee Schedule set forth in the City Ordinance.

**301.2      Applicant Pays City Fees, Deposit, Etc.**

The Applicant shall pay City Fees, Deposits, and other necessary costs, as required by the rules, regulations or ordinances of the City.

**301.10    Presence of Responsible Person for Connection**

Failure to have a Responsible Person at a location where utility service is to be provided will result in a return trip by the City and a charge of \$25.00 for the return trip and any subsequent trip thereafter.

**305.3      Credit Check**

Any charges incurred by the City to perform a credit check, whether conducted by the City or an outside agency, will be passed through to the Customer.

**306.        DEPOSITS**

**306.1      Amount of Deposit for Residential Service**

The amount of deposit for Residential Services shall be one of the following:

- A. None. A Deposit for Residential Services may be waived if the Applicant is in good standing with the City of Bastrop or another qualifying utility company.
- B. Electric Deposit: \$200.00  
Water Deposit: \$75.00
- C. At the discretion of the City and as above, if the account or Customer is not in good standing.

**306.2      Amount of Deposit for Commercial Service**

The amount of deposit for Commercial Service shall be one of the following:

- A. None. A deposit for Commercial Services may be waived if the Customer is in good standing with the City or another qualifying utility company.
- B. Equivalent to twelve (12) months billing average, times two (2), plus fifteen percent (15%).
- C. At the discretion of the City and as stated above if the account becomes not in good standing.
- D. A Reevaluation of deposit amounts shall occur after each 12 month period to determine if the deposit amount must be decreased or increased.

**306.3      Amount of Deposit for Temporary Service**

Involving Temporary Meter Loop or location of service:

Deposit requirements are as set in 306.1 or 306.2 and a non-refundable fee of \$50.00.

**306.4      Amount of Deposit after Disconnection for Nonpayment**

Residential and Commercial Accounts:

New or additional deposit required. Twelve (12) month billing average, times two (2), plus fifteen percent (15%).

Solid Waste (Garbage) ONLY accounts: \$50.00 deposit.

**306.5      Amount of Deposit after Delinquencies**

Residential and Commercial Accounts:

- A. Equivalent to twelve (12) months billing average, times two (2), plus fifteen percent (15%) due at the time of application and/ or prior to connection due within 10 days of written notice.

**309.      DEFERRED PAYMENT PLAN**

The submission of a Deferred Payment Plan shall cost an Administration fee of \$25.00.

**400.      SERVICE FEES**

**400.1      New Application for Service**

\$50.00 billed to first bill.

**400.2      Disconnection & Reconnection Fees**

Disconnect fee: \$50.00.Reconnect fee: \$50.00.

After Hours Reconnection fee: \$75.00.

**400.3      Trip Fees**

- A. Investigation fee regular business hours: \$50.00.
- B. After Hours Investigation: \$100.00.
- C. Miscellaneous Service fee: \$50.00.
- D. Meter Re-reading fee: \$25.00.
- E. Meter Inaccessible fee: \$25.00.

**400.4      Transfer of Service Fee**

\$20.00 charge per account

**400.5      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.

**400.6      Meter Test Fee**

Customer will be charged the actual cost of the meter test plus a \$25.00 fee. However, if any meter is found to be outside of the accuracy standards, or the City initiates the meter test, no charge will be made to the Customer for the testing or associated costs.

**400.7      Reproduction of Utility Account Information, Rules and Regulations**

- A. Utility Rules and Regulations/Policy/Ordinance  
All or Part: the reasonable cost of reproduction as per State Law.
- B. Open Records Request: the reasonable cost of reproduction as per State Law.

**400.9      Temporary Service Connection**

A one time, non-refundable charge of \$50.00 will be charged per service location.

**400.10      Tampering With City's Meters, Equipment or Other Property, and Unauthorized Use or Consumption of Utility Service**

Any one or more of the following charges may apply to an individual who tampers with City meters, equipment or other property or, without authorization, uses or consumes utility service:

- A. Minimum charge of \$500.00 or actual damages or both.
- B. Actual Cost of repairs and/or replacement of any damaged meters, equipment or other property, and the cost of installing protective facilities or relocation the meter, equipment or other property.
- C. The cost of the estimated or actual amounts of service used without City authorization.
- D. Trip fee of \$25.00 per City personnel to investigate, evaluate and correct the tampering or diversion.
- E. All other costs associated with the investigation, evaluation and correction of the meter tampering or diversion, including personnel time, travel expenses, engineering expenses and legal expenses.
- F. All fees must be paid in full prior to the reconnection of service.

**400.11      Miscellaneous Customer Billings**

Other Miscellaneous fees may apply as determined by the appropriate City department and payable in advance by the Customer.

**501.4      Solid Waste (Garbage)**

The Customer shall be charged for each receptacle provided by the Solid Waste collection provider. This costs is subject to change on a yearly basis.

**502.            METERS AND METER READING**

Customer will be notified if their meter(s) become obstructed. If the Customer fails to correct the problem, after notification by the City, the Customer will be charged the cost incurred by the City in correcting the obstruction and a \$25.00 trip charge.

Each time the City has to return to a location to attempt a meter reading, the customer will be charged \$25.00.