

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2019-26

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS TEXAS (“CITY”), AMENDING THE CITY’S CODE OF ORDINANCES BY INCREASING THE RATE FOR WATER SERVICE; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; RATE; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING.

WHEREAS, the City provides water service to citizens both inside and outside the city limits; and

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) finds it to be in both the publics’ interest and the City’s financial welfare that the City increase the rate for retail water service; and

WHEREAS, the City has employed the services of an outside water rate expert in assisting the City Council in determining a fair rate for water service; and

WHEREAS, the City has original jurisdiction over all retail water rates, operations, and services provided by its utility, and is therefore authorized to increase the monthly water service rate; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council strives to be diligent and responsive, and to continue meeting the needs of its citizens.

NOW, THEREFORE, BE IT ORDAINED by the Dripping Springs City Council:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

Title I (General Ordinances), Chapter 20 (Utilities), Article 20.06 (Retail Water Service), Division 1 (Generally), Section 20.06.004 (Water rates and charges) of the City of Dripping Springs Code of Ordinances is hereby amended so to read in accordance with Attachment. “A”, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated on Attachment A.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

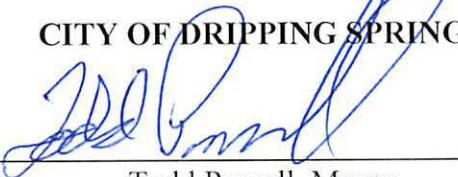
This Ordinance shall be effective immediately upon passage and publication.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, 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 & APPROVED this, the 20th day of August 2019, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS



Todd Purcell, Mayor

ATTEST:



Andrea Cunningham, City Secretary



City of Dripping Springs

CODE OF ORDINANCES

TITLE I. GENERAL ORDINANCES

CHAPTER 20. UTILITIES

ARTICLE 20.06. RETAIL WATER SERVICE

DIVISION 1 GENERALLY

SECTION 20.06.004

Sec. 22.06.004 Water rates and charges

- (a) Applicability. These rates and charges are applicable to all sales or service of water within and outside the corporate limits of the city.
- (b) Rates and charges. The city's rates and charges to customers for the sales or service of water shall consist of two parts: 1) base rates, 2) Special charges, and 23) administrative fee.
- (1) Base rates. The city shall charge as its base rates the same rates, fees, and charges (including, but not limited to, water impact fees, connection fees, minimum monthly charges, capital charges, and volumetric charges), (i) that are charged to imposed on the city by its wholesale water provider, WTCPUA pursuant to WTCPUA tariff and policies for water service and all contracts with the WTCPUA, and (ii) that are charged to the city by any service provider or contractor that is engaged by the city for to assist with the operation or maintenance of the city's retail water system. Except for Special Charges, Aall rates, charges, and fees imposed by the WTCPUA or by a city contractor providing services that allow the city to provide water service on the city will be passed through to each customer on a pro rata basis so that the city fully recoups from its retail customers the rates, fees, and charges that are billed to the city. The base rate and will be shown separately on customer's water bill. Costs associated with water loss in the city's retail water system shall be allocated to retail customers on a pro rata basis.
- (2) Special Charges. Each retail water customer shall be responsible to pay costs incurred that are attributable to a specific retail customer or retail customer account (such as, but not limited to, returned check fees, disconnect charges, and resumption of service charges).

- (23) Administrative fee. Except for wholesale water impact fees, the city shall charge an administrative fee calculated as a percentage of the sum of the base rates and Special Charges charged pursuant to subsection (b)(1) and (b)(2) above. The applicable percentage shall initially be six percent (6%) and periodically reviewed and revised, as appropriate. The administrative fee will be shown separately on customer's water bill.