

**ORDINANCE NO. 2009- 21**

**An ordinance amending Sections 24-121 and Section 24-122 of the Victoria City Code to revise water and wastewater charges, repealing all conflicting ordinances, providing for severability, providing for a savings clause, providing for codification, and declaring an effective date.**

The City Council finds that the fees and rates prescribed in this ordinance are in amounts that are reasonably necessary to cover the costs of providing the services specified herein.

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

1.

Chapter 24 "Fees," of the Victoria City Code is amended to amend Section 24-121 to read as follows:

**Sec. 24-121. Water Service Charges**

(a) Water Service Base Charge. The monthly water service base charge, based upon meter size and with allowed gallonage, is established as follows:

<u>Meter Size</u>	<u>Monthly Base Charge</u>	<u>Gallonage Allowance Included in Base Charge</u>
¾"	\$17.49	2,000
1"	\$43.73	2,000
1 ½"	\$87.45	2,000
2"	\$139.93	2,000
3"	\$279.85	2,000
4"	\$437.26	2,000
6"	\$874.51	2,000
8"	\$2,798.43	2,000
10"	\$4,372.55	2,000

(b) Water Service Consumption Charge. The monthly water service consumption charge shall be based on the amount of water consumed as registered on each user's water meter. The monthly consumption charge shall be assessed and billed to each water service user, in addition to the base charge, according to the following schedule, in 1,000 gallon increments, subject to the gallonage allowance included in the base rate:

First 2,000 gallons usage	included in base charge
3,000 through 7,000 gallons usage	\$1.67 per 1,000 gallons
8,000 through 18,000 gallons usage	\$1.83 per 1,000 gallons
19,000 through 50,000 gallons usage	\$2.15 per 1,000 gallons
51,000 through 75,000 gallons usage	\$2.40 per 1,000 gallons
76,000 through 100,000 gallons usage	\$2.55 per 1,000 gallons
Over 100,000 gallons usage	\$2.70 per 1,000 gallons

(c) The aforementioned rates for water service charges shall be multiplied by 1.5 for patrons receiving water outside the territorial limits of the City of Victoria.

2.

Chapter 24 "Fees," of the Victoria City Code is amended to amend Section 24-122 to read as follows:

**Sec. 24-122. Sewer service charges**

(a) Sewer service base charge. The monthly sewer service base charge, based upon water meter size and with allowed gallonage, is established as follows:

<b>Meter Size (inches)</b>	<b>Monthly Base Charge</b>	<b>Gallonge Allowance Included in Base Charge</b>
3/4	\$21.85	2,000
1	\$54.64	2,000
1½	\$109.30	2,000
2	\$174.86	2,000
3	\$349.73	2,000
4	\$546.45	2,000
6	\$1,092.89	2,000
8	\$3,497.26	2,000
10	\$5,464.47	2,000

(b) Sewer service consumption charge. A monthly sewer service consumption charge shall be assessed and billed to each sewer system user in addition to the base charge. The consumption charge shall be computed by averaging the metered monthly water consumption during the computation period. The computation period shall consist of the last complete three-month period of December, January, and February that preceded the billing date. The sum of 2,000 gallons shall be deducted from the average monthly consumption in order to compute the adjusted average. The adjusted average shall be multiplied by 90% to compute the net billing average. The net billing average charge shall be computed and billed to each customer, in addition to the base charge, according to the following schedule, in 1,000 gallon increments, subject to the gallonage included in the base rate.

First 2,000 gallons usage	included in base charge
3,000 through 7,000 gallons usage	\$2.22 per 1,000 gallons
8,000 through 18,000 gallons usage	\$2.27 per 1,000 gallons
19,000 through 50,000 gallons usage	\$2.32 per 1,000 gallons
51,000 through 75,000 gallons usage	\$2.37 per 1,000 gallons
76,000 through 100,000 gallons usage	\$2.52 per 1,000 gallons
Over 100,000 gallons usage	\$2.67 per 1,000 gallons

(c) The aforementioned rates for sewer service charges shall be multiplied by 1.5 for patrons receiving sewer services outside the territorial limits of the city.

3.

All parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

4.

It is the intention of the City Council that this ordinance shall become a part of the Code of the City of Victoria, Texas and it may be renumbered and codified therein accordingly. The Code of the City of Victoria, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

5.

If any provision of this ordinance, or the application thereof to any person or circumstances, shall be held invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the other provisions or application thereof of this ordinance which can be given effect without the invalid provision or application, and to this end the provision of this ordinance are declared to be severable.

Section 1 of this ordinance shall become effective on October 1, 2009. Section 2 of this ordinance shall become effective on April 1, 2010. The other provisions of this ordinance shall be effective immediately upon final passage and approval.

PASSED FIRST READING, this the 1<sup>st</sup> day of September, 2009.

AYES: 6

NAYS: 1

ABSTENTIONS: 0

PASSED SECOND READING, this the 8th day of September, 2009.

AYES: 5

NAYS: 2

ABSTENTIONS: 0

PASSED THIRD READING, this the 8th day of September, 2009.

AYES: 5

NAYS: 2


ABSTENTIONS: 0

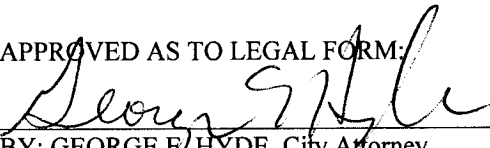
APPROVED AND ADOPTED, this the 8th day of September, 2009.



ATTEST:

  
SCARLET SWOBODA, City Secretary

  
WILL ARMSTRONG, Mayor of the  
City of Victoria, Texas

APPROVED AS TO LEGAL FORM:  
  
BY: GEORGE E. HYDE, City Attorney  
Denton, Navarro, Rocha & Bernal, P.C.

Distribution: Legal Department  
Public Works Department  
Finance Department

Copies Sent: September 9, 2009