

ORDINANCE 26-23-43

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF REDWATER, TEXAS, ESTABLISHING THE RATES TO BE CHARGED FOR SERVICES FURNISHED BY THE WATER AND SEWER SYSTEM OWNED AND OPERATED BY SAID CITY; REPEALING ORDINANCE NO. 25-23-42 AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND DECLARING THAT SHOULD ANY PART OF THIS ORDINANCE BE INVALID SUCH INVALIDITY WILL NOT AFFECT THE REMAINDER OF THIS ORDINANCE

WHEREAS, the City Council of the City of Redwater, Texas ("City") has determined that certain rates for water and sewer services provided by the City to its residents must be adequate to provide for the debt service of the City's water and sewer system, for the operation and maintenance expenses of the water and sewer system, for the upgrading of the system, and for the contribution to support implementation of a regional system; and

WHEREAS, it is the desire of the City Council to set forth water and sewer rates which are sufficient to provide for payment of all outstanding indebtedness relating to the City's water and sewer system, including, but not limited to, the Certificates of Obligation owned by the FmHa and First Bank, to provide for the operation and maintenance expenses of the water and sewer system, to provide funds for upgrading the system, and to provide support for the implementation of a regional system; and

WHEREAS, the City Council desires to adopt this Ordinance as the City's complete and controlling ordinance governing water and sewer rates and related fees, and to repeal and supersede Ordinance No. 25-23-42 in its entirety and any other ordinance or part of an ordinance in conflict herewith; and

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

Section 1. That the above recitals are true and correct.

Section 2. That from and after the effective date of this ordinance the following rules and regulations shall apply and govern with respect to the adding of new or adding to existing water and sewer lines:

- (A) Persons desiring to connect new lines to the water or sewer systems must have written permission from the City and the site must be inspected for service by the City's licensed water operator before work begins. The City's licensed water operator will also inspect the work once it is completed but before it is covered up. This pre-construction and completion inspection shall satisfy the customer service inspection required by 30 TAC §290.46(j), and shall be performed by a person holding the

credentials required by that rule — a Plumbing Inspector or Water Supply Protection Specialist licensed by the Texas State Board of Plumbing Examiners, or a Customer Service Inspector licensed by the Texas Commission on Environmental Quality — with the completed inspection certificate retained on file by the City for at least ten (10) years, consistent with 30 TAC §290.46(f)(3)(E)(iv). The City will conduct the tap of the water or sewer main. Owners/developers of new housing subdivisions will be required to pay for the lines, valves, meters, fire hydrants, and line taps, including parts and labor. Owners/developers of new housing/subdivisions will enter into a written agreement with the City before water and sewer service is connected. This agreement will state explicitly the location, size, and specifications for all water and sewer lines, valves, meters, and fire hydrants to be installed (Texas Local Government Code 552.001)

(B) Persons desiring to add to their or the City's existing water and sewer lines must state their intentions and have written permission to conduct such work before work begins. The site must be inspected for service by the City's licensed water operator and the work must be inspected by the City's licensed water operator before the work is covered up. This inspection shall satisfy the customer service inspection required by 30 TAC §290.46(j), performed by a person holding the credentials required by that rule, with the completed inspection certificate retained on file by the City for at least ten (10) years, consistent with 30 TAC §290.46(f)(3)(E)(iv). The City will conduct the tap of the water or sewer main. Anyone wishing to add to or extend the lines will be required to pay for the lines, valves, meters, fire hydrants, and line taps, including parts and labor, and comply with the City's specifications (Texas Local Government Code 552.001).

(C) Dual water connections: There shall be no more than two water connections to one water meter allowed in the Redwater Water System and dual connection will only be allowed under the following conditions:

- (1) A temporary residence is connected to a water line serving a permanent residence.
- (2) A permanent residence is connected to a water line serving a temporary residence.
- (3) A temporary residence is connected to a water line serving a temporary residence.
- (4) A permanent residence is connected to a water line serving a permanent residence and the relationship between residents is parent/child.

In all situations, the owner of the account associated with each water meter shall be responsible for the entire billing. The billing shall be for two minimums plus water usage. The City shall not be responsible for low water pressure and will not accept complaints concerning the same. No

dual connections will be made without prior written approval of and inspection by Redwater Water and Sewer personnel. In keeping with good water management practices, two meters will be installed as soon as it is economically feasible and practicable.

(D) Irrigation Systems. The following conditions apply to irrigation systems connected to the City's water system:

- (1) The City does not require a separate meter for installation of irrigation systems.
- (2) A one-inch meter is recommended, but not required, if the same meter will be serving a residence AND an irrigation system. There is an additional charge for the one-inch meter.
- (3) Customers with irrigation systems must purchase and have installed backflow preventers. A missing backflow preventer, or an improperly functioning backflow preventer, on any irrigation system connected to the City's water supply constitutes a known and dangerous condition related to the type of service provided, and the City may disconnect service immediately and without prior notice on that basis. Where reasonable, the City shall post written notice of the disconnection and the reason for it at the customer's property entrance, common entry, or front door as soon as possible following disconnection. Service will be restored within thirty-six (36) hours of the successful and proper installation of a fully functioning backflow preventer.
- (4) If the customer chooses to install a separate meter to supply the irrigation system, said meter will incur all fees that pertain to water taps, deposits, inspections, fees, and water usage stated in Section 3 of this Ordinance.
- (5) If the customer calls City Hall and requests that the meter be turned off during months of no usage, the meter will be locked and no minimum charge will be assessed monthly even if the irrigation system is not in use.
- (6) If only one meter is used to service the residence and the irrigation system, sewer charges will NOT be removed for water used for irrigation purposes. Charges for sewer will be based on the total amount of water usage, as stated in Section 3 of this Ordinance.
- (7) Each backflow preventer required under this subsection shall be tested upon installation, before being placed in service, and annually thereafter, by a licensed backflow prevention assembly tester, at the customer's expense, consistent with 30 TAC §290.44(h)(4) and §344.52(c). Proof of a passing test shall be submitted to the City within ten (10) business days of the test, consistent with 30 TAC §344.52(c). The City shall retain backflow prevention program records, including test reports, for at least three (3) years, consistent with 30 TAC §290.46(f)(3)(B)(v). An annual

backflow preventer inspection/certification fee of \$30.00 shall apply where the test is coordinated or performed by the City.

(E) Customer Service Inspections — Existing Service. In addition to the inspections required under subsections (A) and (B) of this Section, the City shall require a customer service inspection, performed by a person holding the credentials required by 30 TAC §290.46(j)(1), on any existing service connection where the City has reason to believe a cross-connection or other potential contaminant hazard exists, or after any material improvement, correction, or addition to the customer's private water distribution facilities. If the inspection reveals a health hazard, as defined by 30 TAC §290.47(f), the City may immediately terminate water service to the affected connection, consistent with 30 TAC §290.46(j)(2). Service may be restored only when the hazard no longer exists or has been isolated from the public water system in accordance with 30 TAC §290.44(h). The completed inspection certificate shall be retained on file by the City for at least ten (10) years, consistent with 30 TAC §290.46(f)(3)(E)(iv).

Section 3. The rates to be charged for water and sewer service by the City of Redwater, Texas shall be computed as follows:

(A) Tapping fees:

Water – Residential or Commercial, Inside or Outside City Limits	\$1,450.00
Sewer – Residential or Commercial, Inside or Outside City Limits	\$600.00

(B) Customer water tap fees will be waived if:

- (1) A developer is installing main water lines, AND
- (2) A developer has contracted to have multiple meters installed as a part of the main water line installation. The contractor must be approved by the City. Tap fees for the original tap into the existing main line is NOT waived, and is to be performed by city personnel only. The water taps performed by the contractor must be inspected by the City's licensed water operator prior to the initiation of water and sewer service. An inspection fee of Fifty (\$50.00) shall be charged for the services of the City's licensed water operator for each inspection. The inspections may be done all at one time or by sections. The tapping fee for sewer is NOT waived.

(C) Connection fees:

Existing tap and/or meter already in place	\$40.00
Site of new building or renovation has taken place	\$75.00

(D) Utility (water & sewer) deposits will be required on all accounts, except that no deposit shall be required of a residential service applicant who is sixty-five (65) years of age or older if the applicant does not have a delinquent account balance with the City or another water or sewer utility, consistent with 16 TAC §24.159(c). Said deposit shall be retained by the City until such time as service is disconnected; after which time, such deposit, plus accrued interest, shall be promptly and automatically refunded to the customer. In the event that the customer has an outstanding balance owed to the City, the City shall apply the deposit to the amount owed and refund the amount of the deposit remaining. Notwithstanding the foregoing, the City shall promptly refund a residential customer's deposit, plus accrued interest, once the customer has paid eighteen (18) consecutive billings without being delinquent, consistent with 16 TAC §24.159. The City shall pay interest on all customer deposits at not less than the minimum annual rate set by the Public Utility Commission of Texas, consistent with 16 TAC §24.159(d); interest shall be paid annually if requested by the customer, or at the time the deposit is returned or credited to the customer's account. A record of each unclaimed deposit shall be maintained for at least seven (7) years, during which time the City shall make a reasonable effort to return the deposit; unclaimed deposits not returned within that period shall be transferred to the Texas Comptroller of Public Accounts, consistent with 16 TAC §24.159. Deposit amounts are as follows:

Residential – Customer owns home	\$150.00
Residential – Customer rents home	\$300.00
Commercial	\$400.00

(E) The monthly water rate amount and its effective date to be charged by the City for water furnished to Residential users within the City Limits shall be established, as follows:

Water – Residential Inside	Effective October 2026 Billing
Minimum Charge (0-2,000 gallons)	\$53.80
Volumetric Charge (2,001-5,000 gallons)	\$8.75 per 1,000 gal
Volumetric Charge (5,001-10,000 gallons)	\$9.45 per 1,000 gal
Volumetric Charge (10,001-25,000 gallons)	\$10.16 per 1,000 gal
Volumetric Charge (25,001+ gallons)	\$11.68 per 1,000 gal

(F) The monthly water rate amount and its effective date to be charged by the City for water furnished to Residential users outside the City Limits shall be established, as follows:

Water – Residential Outside	Effective October 2026 Billing
Minimum Charge (0-2,000 gallons)	\$53.80
Volumetric Charge (2,001-5,000 gallons)	\$8.75 per 1,000 gal
Volumetric Charge (5,001-10,000 gallons)	\$9.45 per 1,000 gal
Volumetric Charge (10,001-25,000 gallons)	\$10.16 per 1,000 gal

Volumetric Charge (25,001+ gallons)	\$11.68 per 1,000 gal
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- (G) The monthly sewer rate amount and its effective date to be charged by the City for furnishing sewer service to Residential users inside the City Limits, based upon the quantity of water used, up to a maximum of 15,000 gallons per connection per month, shall be established, as follows:

Sewer – Residential Inside	Effective October 2026 Billing
Minimum Charge (0-2,000 gallons)	\$23.70
Volumetric Charge (2,001-15,000 gallons)	\$6.70 per 1,000 gal

- (H) The monthly sewer rate amount and its effective date to be charged by the City for furnishing sewer service to Residential users outside the City Limits, based upon the quantity of water used, up to a maximum of 15,000 gallons per connection per month, shall be established, as follows:

Sewer – Residential Outside	Effective October 2026 Billing
Minimum Charge (0-2,000 gallons)	\$26.90
Volumetric Charge (2,001-15,000 gallons)	\$7.30 per 1,000 gal

- (I) The monthly water rate amount and its effective date to be charged by the City for water furnished to Commercial users shall be established, as follows:

Water – Commercial	Effective October 2026 Billing
Minimum Charge (0-2,000 gallons)	\$58.15
Volumetric Charge (2,001-5,000 gallons)	\$9.41 per 1,000 gal
Volumetric Charge (5,001-10,000 gallons)	\$10.01 per 1,000 gal
Volumetric Charge (10,001-25,000 gallons)	\$10.56 per 1,000 gal
Volumetric Charge (25,001+ gallons)	\$12.67 per 1,000 gal

- (J) The monthly sewer rate amount and its effective date to be charged by the City for furnishing sewer service to a Commercial user, based upon quantity of water used per month, shall be established, as follows:

Sewer – Commercial	Effective October 2026 Billing
Minimum Charge (0-2,000 gallons)	\$27.00
Volumetric Charge (2,001+ gallons)	\$7.35 per 1,000 gal

- (K) The monthly rate for water and sewer services furnished by the City to all apartment complexes, mobile home parks, and other multi-family dwellings served by a single water meter shall be the same rate for *each dwelling unit occupied* during that month that is used to calculate residential water and sewer charges for a single-family dwelling.

Section 4. The City of Redwater water system shall be operated on a fully metered system and charges shall be based on monthly readings. Should any meter fail to register correctly, the amount of water used by a customer since the previous reading, the City of Redwater shall have the right to determine the amount due by the moving average of previous usage and shall bill the customer accordingly.

It is the policy of the City to periodically test and, as funding allows, replace water meters in order to maintain billing accuracy and minimize revenue loss from meter under-registration. This Section does not create a mandatory testing or replacement schedule.

Section 5. The City shall render a bill for water and sewer on or about the 1st day of each month. Said bill shall be rendered following the automatic or manual reading of the meters by an employee or other person acting on behalf of the City, except should a meter fail to register usage correctly, in which situation usage shall be determined pursuant to the provisions of Section 4 above. Meter readings will take place on or about the 15th of each month.

Section 6. The City shall charge all customers the full and normal fee for water and sewer services received from the City. The City shall not allow any theft of service from its water and sewer system.

Section 7. All bills for water and sewer services rendered by the City shall be due and payable from the date on which bills are posted to customer accounts in the utility billing software.

Section 8. Termination Notice; Late Payment; Disconnection; Reconnection.

(A) Late Fee. If any bill for water and sewer service rendered by the City is not paid by the due date stated on said bill (the 15th of the month, or the following business day if the 15th falls on a weekend or holiday), a late fee of 10% of the billed balance will be added thereto.

(B) Termination Notice. Before water or sewer service may be disconnected for nonpayment, the City shall mail or hand-deliver to the customer a separate written termination notice, provided in English and, if necessary to adequately inform the customer, in Spanish. To ensure not less than ten (10) days' notice before the City's shut-off day under subsection (C), the City shall mail or hand-deliver the termination notice no later than the seventeenth (17th) day of the month, or the preceding business day if the 17th falls on a weekend or City holiday. The notice shall include:

- the words "TERMINATION NOTICE" or similar language, set apart from other information on the notice;

- the action required to avoid disconnection;
- the total amount of past-due charges;
- the date by which the required action must be completed to avoid disconnection, which shall be no less than ten (10) days from the date the notice is provided;
- the intended date of disconnection;
- the office hours, telephone number, and address of the City's utility office; and
- the reconnect fee(s) that will apply if service is disconnected.

(C) Shut-Off Day. Consistent with the notice required under subsection (B), the City's established monthly shut-off day is the 28th of the month, or the following business day if the 28th falls on a weekend or holiday. Water service to a customer whose account remains unpaid as of the close of business on the shut-off day, and for whom proper termination notice has been given under subsection (B), shall be disconnected. Service shall not be restored until the customer has paid all past-due water and sewer service charges and the applicable reconnect fee required under this Section, or has corrected the condition resulting in disconnection. Restoration of service under this subsection may not be conditioned on payment of any disputed amount pending resolution of the dispute, or on payment of any charge unrelated to water or sewer service.

(D) Reconnect Fee. A reconnect fee shall be charged for restoring service following disconnection for nonpayment, as follows:

- If the customer pays all past-due charges and applicable fees and requests reconnection within forty-five (45) days of the date of disconnection, the reconnect fee shall not exceed \$25.00.
- If the customer does not request reconnection within forty-five (45) days of the date of disconnection, the City may charge its standard reconnect fee of \$40.00.

(E) Restoration of Service. City personnel shall be available during normal business hours to accept payment on the day service is disconnected and on the following business day. Once past-due charges and applicable fees have been paid, or the condition resulting in disconnection has been corrected, the City shall restore service within thirty-six (36) hours.

(F) Disconnection at Customer's Request. Upon receiving a written request from a customer to disconnect service, the City shall disconnect service no later than the end of the next working day. No disconnection fee or reconnect fee shall apply to a disconnection made solely at the customer's request, other than fees associated with a subsequent reconnection.

(G) Deferral for Serious Illness. The City may not discontinue service to a delinquent residential customer if the customer establishes, by a written statement from a physician provided to the City before the stated disconnection date, that a person residing at the residence will become seriously ill, or more seriously ill, if service is discontinued. Service may nonetheless be disconnected under this Section if the next month's bill and the past-due bill remain unpaid by the due date of the next month's bill, unless the customer has entered into a deferred payment agreement with the City.

(H) Extreme Weather Emergency.

(1) Definition. An "extreme weather emergency" is a period beginning when the previous day's highest temperature in the City's service area did not exceed twenty-eight (28) degrees Fahrenheit and the temperature is predicted to remain at or below that level for the next twenty-four (24) hours, according to the nearest National Weather Service reports for the area. An extreme weather emergency is over on the second business day the temperature exceeds twenty-eight (28) degrees Fahrenheit.

(2) Prohibited actions. The City shall not assess a late fee on, or disconnect water or sewer service for nonpayment of, a bill that became due during an extreme weather emergency, until the emergency is over.

(3) Payment schedule. A customer whose bill became due during an extreme weather emergency shall be offered a payment schedule allowing the resulting past-due balance to be paid in one or more installments. This subsection defers, but does not excuse, payment of amounts owed.

This subsection is consistent with 16 TAC §24.173.

Penalties and fees under this Section are summarized as follows:

Late Fee	10% of billed balance
Reconnect Fee (restored within 45 days of disconnection)	\$25.00
Reconnect Fee (restored after 45 days of disconnection)	\$40.00

Section 9. Tampering. After a water meter has been disconnected for non-payment of a water and sewer bill, if the City finds that the lock has been removed or service has been reconnected to the customer without the City's approval and without payment of the overdue bill, the City may disconnect service without prior notice and charge a tampering fee, consistent with 16 TAC §24.167(b)(4) and §24.169 (relating to meter tampering, bypass, and diversion), and reflecting

the public health and safety concern addressed by Texas Health and Safety Code §341.033(b), and the meter may be removed. If the meter is removed, before the meter will be reinstalled, the customer will be required to pay:

- Any and all unpaid bills
- The late fee
- A lock charge
- A meter reinstallation fee
- The tampering fee
- And the cost of any damages caused by the customer, plus any other costs incurred in removing or reinstalling the meter

Fees related to meter tampering are as follows:

Late Fee	10% of billed balance
Lock Charge	\$10.00
Meter Reinstallation Fee	\$50.00
Tampering Fee	\$50.00 for a first offense; \$250.00 for each subsequent offense

Section 10. Anyone who turns on the water service or takes water from the City water supply without the approval of the City may be turned over to the proper authority for prosecution and charged for all water used as determined by metering or estimated usage per Section 4 above.

Section 11. Other fees:

Manually re-reading a meter if original was NOT in error	\$5.00
Manually re-reading a meter if original reading WAS in error	No charge
Fee for returned check or returned auto draft	\$45.00
Private Fire Line/Fire Hydrant Standby Fee (per connection, per month — 2-inch line or smaller)	\$15.00
Private Fire Line/Fire Hydrant Standby Fee (per connection, per month — larger than 2-inch line)	\$25.00

Section 12. Anyone who wishes to be connected to City sewer service must also be connected to the City water service. This does not apply to anyone who, before March 2006, was already on City sewer but not on City water.

Section 13. The City shall charge the water customer the cost of supplies when the City must replace a damaged or missing node, meter box, or lid more than once for the same customer.

Section 14. This Ordinance and all of its sections and rates set above shall be effective from and after the October 2026 billing and shall continue until modified by the City Council of the City of Redwater, Texas.

Beginning with the October 2027 billing, and each October thereafter, the rates set forth in Section 3 of this Ordinance shall be automatically adjusted by a percentage equal to the annual percentage change in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, as published by the U.S. Bureau of Labor Statistics for the preceding twelve-month period, not to exceed three percent (3%) in any single year, unless the City Council affirmatively sets a different rate by ordinance.

Section 15. Ordinance No. 25-23-42, and all other ordinances or parts of ordinances, in conflict herewith are hereby expressed repealed to the extent of such conflict.

Section 16. In case a section, clause, sentence of part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

Section 17. This Ordinance shall be in full force and effect from and after its passage and approval, and it is so ordained.


Clay Parker, Mayor

Attest:


Anita Griffith, City Secretary

