

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, TEXAS, AMENDING CHAPTER 21. WATER AND SEWERS, ARTICLE I, GENERAL, SECTION 21-1 WATER AND WASTEWATER RATES AND DELETING SECTION 21-11 RESIDENTIAL BRUSH, BULKY WASTE AND SPECIAL PICK-UP RATES OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE, TEXAS ADOPTING CURRENT RATES, FOR THE SUPPLYING OF WATER AND WASTEWATER SERVICES BY THE CITY OF JACKSONVILLE, TEXAS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville is a home rule municipality having full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution and its Home Rule Charter; and

WHEREAS, the City Council is authorized by its Charter and the Texas Constitution to provide for a sanitary sewer system and water system, and the City is authorized by law including, without limitation, Sections 551.001 and 552.017, Tex. Loc. Gov't. Code) to own, construct and operate a water and sewer system and the prescribe rates therefor; and

WHEREAS, Section 21-1 of Article I, Chapter 21 of the Code of Ordinances of the City of Jacksonville, Texas sets forth water and wastewater service rates; and

WHEREAS, Section 21-11 sets out certain rates for collection of residential brush, bulky waste and special pick-up; and

WHEREAS, collection of residential brush, bulky waste and special pick-up is also provided for in Chapter 9 of the Code of Ordinances thereby making Section 21-11 superfluous; and

WHEREAS, the City has engaged outside consultation to conduct a review and evaluation of the City's water and wastewater rates and has determined therefrom that the rates therefor need to be adjusted as set forth herein to support the operating, maintenance and capital needs of the City's water and sewer utility system.

WHEREAS, it has become necessary to modify the ordinance provided for in the Code of Ordinances of the City of Jacksonville, Texas pertaining to rates charged by the City of Jacksonville, Texas for the supplying of water and wastewater services; and

WHEREAS, the City of Jacksonville desires to protect the health, safety and welfare of its residents.

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

Section I.

The Code of Ordinances of the City of Jacksonville, Texas Chapter 21 (Water and Sewers) Article I (In General) Section 21-11 is hereby deleted. Additionally, Chapter 21, Article I Section 21-1 is hereby amended to read as follows:

ARTICLE I. – IN GENERAL

Sec. 21-1 – Water and wastewater rates.

(a) Effective January 1, 2023, the following rates shall apply for billing for water services:

(1) Water rates for residential customers within the corporate limits of the City of Jacksonville, Texas without any free service and without any discounts:

a. The minimum charge for administration, billing and collecting per month based on water meter size is as follows:

¾ inch or less	\$13.76
1 inch	\$18.35
1 1/2 inch	\$36.39
2 inch	\$58.71

b. For all water used the following rates apply:

0-2,000 gallons	\$1.94*
2,001-10,000 gallons	\$2.59*
10,001 + gallons	\$3.24*
*price per 1000 gallons	

(2) Contracted Water Sales – The City of Jacksonville reserves the right to enter into individual contracts/agreements between the City of Jacksonville and large volume customers who resell water and/or use water for commercial use and who may require a guaranteed volume of water. These contracts/agreements shall be developed after negotiations, but the rates charged shall adhere to and be consistent with established rates, fees, and penalties set forth in this ordinance.

(3) Water rates for commercial or industrial customers within the corporate limits of the City of Jacksonville, Texas, without any free service and without any discounts:

a. The minimum charge for administration, collecting and delivery based on water meter size:

¾ inch or less	\$19.67
1 inch	\$26.23
1½ inch	\$52.45
2 inch	\$83.93
3 inch	\$157.36
4 inch	\$262.27
6 inch	\$524.53
8 inch	\$839.25
10 inch	\$1,206.43

b. For all water used the following rates apply:

0-2,000 gallons	\$2.07*
2,001-10,000 gallons	\$2.76*
10,001 + gallons	\$3.45*
*price per 1000 gallons	

(4) Current water customers located outside the corporate limits, excluding rural water supply corporations, will be billed at one hundred fifty (150) per cent of the rates in subsection (a)(1) and (3) above. There will be no new water customers located outside the corporate limits, other than required by State or Federal agencies.

(5) Notwithstanding anything set forth above, after January 1, 2023, the following rates shall apply for billing for water services to rural water supply corporations:

a. The minimum for administration, collecting and delivery charge for rural water supply corporations is based on water meter size:

¾ inch or less	\$18.39
1 inch	\$24.52
1½ inch	\$49.04
2 inch	\$78.46
3 inch	\$147.12
4 inch	\$245.20
6 inch	\$490.40
8 inch	\$784.64
10 inch	\$1,127.92

b. For all water used by rural water supply corporations..... \$ 2.75 per thousand (1,000) gallons.

c. Any meter over 1” will be considered a commercial meter and charged in accordance with (a)(3)(a) and (b) above.

(Usage through more than one (1) water meter may be combined for billing purposes at customer’s request.)

(6) Notwithstanding anything set forth above, after June 1, 2019, the following rates shall apply for billing for water services to bulk customers:

a. For all water used.... \$8.55 per thousand (1,000) gallons.

(b) Effective with January 1, 2023 billings, the following wastewater rates for monthly usage, based on water consumption, shall apply within the corporate limits of the City of Jacksonville, Texas:

(1) Residential rates- meters smaller than one (1) inch:

a. Base charge of sixteen dollars and 47 cents \$16.47 per month per customer plus

b. A Volumetric Charge up to 10,000 gallons per month:

0-2,000	\$3.38*
2,001-10,000	\$3.38*
*per 1,000 gallons	

All multiple family residences or apartments having four (4) or fewer units, which are served by one (1) water meter will be billed a sixteen dollars and 47 cents \$16.47-minimum per month for each residential unit plus three dollars and thirty-eight cents (\$3.38) for each one thousand (1,000) gallons of water used.

- (2) Commercial, industrial sewer customers and/or multiple family residences having more than four (4) units which are served by one (1) water meter- water meters larger than one (1) inch:
- a. Base charge of twenty-five dollars and 88 cents \$25.88 per month per customer plus
 - b. A Volumetric Charge:

0-2,000	\$4.82*
2,001-300,000	\$4.82*
300,001 +	\$4.82*
*per 1,000 gallons	

- (3) Current wastewater service outside the corporate limits shall be provided at one hundred fifty (150) per cent of the rates for wastewater service within the corporate limits of the City of Jacksonville, Texas, as set forth in subsection (b)(1) and (2) above. There will be no new wastewater services installed outside all the corporate limits.

Section II.

Severability. It is the intention of the City Council of the City of Jacksonville that if any phrase, sentence, word, section or paragraph of this ordinance be declared unconstitutional or otherwise invalid by final judgement by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase.

Section III.

Compliance. A notice was posted and this ordinance was passed accordance with the Texas Open Meetings Act.

Section IV.

Effectiveness. The City Council by the City Jacksonville, Texas declares that this ordinance shall go into effect after its passage, approval and publication according to law, with rates effective January 1, 2023.

Passed and adopted the _____ day of December, 2022.

Randy Gorham, Mayor

ATTEST:

Greg Lowe, City Clerk

APPROVED AS TO FORM:

D. Brett Brewer, City Attorney