

**ORDINANCE # 11-2017**

**AN ORDINANCE OF THE CITY OF MARION, TEXAS ESTABLISHING NEW WATER RATES FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS IN THE CITY OF MARION, TEXAS CERTIFICATE OF CONVIENENCE AND NECESSITY (CCN); PROVIDING WATER RATES FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS OUTSIDE THE CITY LIMITS OF THE CITY OF MARION, TEXAS; IMPLEMENTING FEES FOR SERVICES PERTAINING TO CUSTOMER SERVICE INSPECTION AS OUTLINED IN THE CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION PROGRAM; IMPLEMENTING FEES FOR NONPAYMENT; IMPLEMENTING FEES FOR WATER CONNECTION TO PUBLIC WATER SYSTEM; PROVIDING REPEALER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Texas Water Code, Chapter 13, Subchapter D, the Marion City Council has regulatory authority with original jurisdiction over the rates, operations and services of its water utility; and

**WHEREAS**, the Marion City Council has determined that new water rates are needed from time to time in order to provide needed services to City water customers; and

**WHEREAS**, the Marion City Council wishes to revise the City's schedule of rates and tariffs based upon the provisions of this ordinance.

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

**1. FINDINGS OF FACT:** The foregoing recitals are incorporated into this Ordinance by reference as findings of fact.

**2. WATER RATES:** The following revised water rates are hereby adopted:

(a) Residential Customers.

(1) There is a Base Rate of \$33.50 per month for residential water customers in the City.

(2) There are, in addition to the Base Rate, cumulative monthly charges for residential water customers as follows:

(i) a charge of \$4.85 for each 1,000 gallons, or portion thereof, of water consumption from 0 - 3,000 gallons; or

(ii) a charge of \$5.10 for each 1,000 gallons, or portion thereof, of water consumption from 3001 – 10,000 gallons; or

(iii) a \$5.60 charge for each 1,000 gallons, or portion thereof, of water consumption from 10,001 – 15,000 gallons; or

(iv) a \$5.85 charge for each 1,000 gallons, or portion thereof, of water consumption from 15,001 – 20,000 gallons; or

(v) a \$6.80 charge for each 1,000 gallons, or portion thereof, of water consumption from 20,001 – 50,000 gallons; or

(vi) a \$7.05 charge for each 1,000 gallons, or portion thereof, of water consumption above 50,000 gallons.

(b) Commercial Customers.

(1) There is a Base Rate of \$40.00 per month for commercial water customers in the City.

(2) There are, in addition to the Base Rate, cumulative monthly charges for commercial water customers as follows:

(i) a charge of \$5.60 for each 1,000 gallons, or portion thereof, of water consumption from 0 - 3,000 gallons; or

(ii) a charge of \$5.85 for each 1,000 gallons, or portion thereof, of water consumption from 3,001 – 10,000 gallons; or

(iii) a charge of \$6.35 for each 1,000 gallons, or portion thereof, of water consumption from 10,001 – 15,000 gallons; or

(iv) a charge of \$6.60 for each 1,000 gallons, or portion thereof, of water consumption from 15,001 – 20,000 gallons; or

(v) a charge of \$7.55 per 1,000 gallons, or portion thereof, of water consumption from 20,001 – 50,000 gallons; or

(vi) a charge of \$7.80 per 1,000 gallons, or portion thereof, of water consumption above 50,000 gallons.

**3. SERVICE INSPECTION, DISCONNECTION, AND CONNECTION FEES:**

(a) Fees for Customer Water Service Inspection: Fees for customer water service inspections for inside and outside the city limits of Marion shall be \$100.00 for residential and \$150.00 for commercial customers, due at the time of issuance of a building permit or tap fee payment.

(b) Disconnection and Reconnection Fees: If a water customer has been disconnected for non-compliance with the Cross Connection Program Guidelines, or disconnected due to non-payment, a fee of \$50.00 for residential and \$75.00 for commercial customers to disconnect the customer water service, and \$50.00 for residential and \$75.00 for commercial customers to reconnect water service, will be charged.

**4. FEES FOR WATER CONNECTION TO PROPERTY:** These fees are to connect water services to property from either side of a public right of way, such as a road, highway, or thoroughfare.

(a) If the property to be connected is on the same side of the right of way as the City's Public Water System, then a fee of \$1,250.00 will be charged to connect to the Public Water System.

(b) If the property to be connected is on the opposite side of the right of way from the City's Public Water System such that the connection to the Public Water System requires a water line to cross the right of way, then a fee of \$2,250.00 will be charged at the time of acquiring a building permit for property within the city limits; and at the time of payment of the tap fee for property outside the city limits.

(c) If additional water line is required for service connection, the customer shall pay for the additional costs. All costs associated with connecting to the Public Water System on private property shall be borne by the property owner/developer.

**5. REPEALER:** All other ordinances, sections, or parts of ordinances heretofore adopted by the City of Marion in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

**6. PUBLICATION:** The City Secretary is directed to cause this ordinance caption to be published in a newspaper of general circulation according to law.

**7. EFFECTIVE DATE:** This ordinance shall become effective ten (10) days after passage.

**PASSED, APPROVED and ADOPTED** this the 21 day of AUGUST, 2017.

**CITY OF MARION**



**Bill Seiler**  
**Mayor**

**ATTEST:**

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke, positioned above a solid black horizontal line.

**Christina Averill**  
**City Secretary**