

ORDINANCE NO. 2021-729

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, REPEALING ORDINANCE 2019-680 OF THE CITY OF CEDAR HILL, TEXAS, AND PROVIDING IN ITS PLACE AN ORDINANCE FIXING AND DETERMINING THE WATER AND WASTEWATER RATES TO BE CHARGED TO RESIDENTIAL AND NON-RESIDENTIAL CUSTOMERS OF THE CITY OF CEDAR HILL, TEXAS; PROVIDING A MAXIMUM WASTEWATER RATE FOR A RESIDENTIAL CUSTOMER IN THE CITY OF CEDAR HILL, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council of the City of Cedar Hill, Texas, finds and determines that it is in the best interest of the health, welfare and safety of the citizens of the City of Cedar Hill, Texas to provide an ordinance which fixes and determines the rates to be charged for water and wastewater service within the City of Cedar Hill, Texas to residential customers and non-residential customers;

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

SECTION 1. REPEAL OF ORDINANCE 2019-680

Ordinance 2019-680 of the City of Cedar Hill is hereby repealed in its entirety effective October 1, 2021. This ordinance repeals only ordinance No. 2019-680 and does not repeal any other ordinance of the City of Cedar Hill, Texas, except as such other ordinance or any provision thereof may be in direct conflict with any term or provision of this new ordinance.

The rates set forth herein are applicable to each customer for each month for which water is used at the same location. The total monthly fee for a customer shall be the sum of the fixed rate minimum charge plus the volumetric rate charge.

SECTION 2. DEFINITIONS

Residential customers: Customers that are single family or separately metered duplex dwelling units, or other premises containing dwelling units for which each unit is separately metered.

Non-Residential customers: Customers that do not qualify as a residential customer. This includes commercial and multi-family customers with two (2) or more dwelling units served by a single meter.

Fixed Rate Charge: Also called the "base charge", this component of the customer's monthly charge is associated with recapturing a portion of the fixed cost of providing the utility service. Fixed costs typically recover administrative costs, costs for maintenance of water and sewer service distribution infrastructure, water and sewer treatment costs and

debt service costs. Minimum base charges are scaled based on a percentage of the American Water Works Association capacity ratio relative to the account's meter size which correlates to assessing customers based on their relative demand placed on the system.

Volumetric Rate Charge: Also called the "consumption or variable rate", this charge per volume of water used reflects the customer's actual usage of the water or sewer service in excess of the amount included in the minimum charge.

SECTION 3. MULTIYEAR NATURE OF SPECIFIED RATES

RATE TARGETS: The city has established fiscal rate targets for recovering the cost of providing water and sewer utility services and fixed equipment and administrative costs. However, these targets are not realistically achievable in one fiscal year. Therefore, the targets will be achieved through incremental annual adjustments effective on October 1, 2021 (FY2022), October 1, 2022 (FY2023) and October 1, 2023 (FY2024).

Approval of this ordinance constitutes approval and authorization for all rates and effective dates specified herein to be implemented on the first day of each Fiscal Year indicated and no further City Council action is required to implement these annual adjustments on those dates.

The City Council may at any time at their discretion revoke, rescind or otherwise modify any provision of this ordinance through regular City Council action.

SECTION 4. WATER RATES

Section 4.a: Water Rates – Fiscal Year 2022 (OCT 1, 2021 – SEP 30, 2022)

Residential customers: That the fixed (base) rate charge established for each residential customer is \$13.80 per connection, except for those residents over the age of 65 who qualify for the senior discount. That the fixed (base) rate charge established for each residential customer who is 65 years of age or older and who averages 5,000 gallons or less of monthly consumption over 12 months is \$11.80 per connection. The fixed (base) rate charge includes the first 1,000 gallons of water.

The consumption (volumetric) rate charge is \$6.41 per 1,000 gallons for all usage in excess of the 1,000 gallons included in the minimum.

Non-Residential customers: That the fixed (base) rate charge established for each non-residential account will be assessed based on the account's meter size as shown in the following table. The fixed (base) rate charge includes the first 1,000 gallons of water.

<u>Account Meter Size</u>	<u>Monthly Base Rate</u>
≤ 1 inch	\$13.80
1.5 inch	\$26.00
2 inch	\$40.00
3 inch	\$80.00
4 inch	\$140.00
6 inch	\$225.00
8 inch	\$400.00

The consumption (volumetric) rate charge is \$6.41 per 1,000 gallons for all usage in excess of the 1,000 gallons included in the minimum charge.

Section 4.b: Water Rates – Fiscal Year 2023 (OCT 1, 2022 – SEP 30, 2023)

Residential customers: That the fixed (base) rate charge established for each residential customer is \$17.40 per connection, except for those residents over the age of 65 who qualify for the senior discount. That the fixed (base) rate charge established for each residential customer who is 65 years of age or older and who averages 5,000 gallons or less of monthly consumption over 12 months is \$15.40 per connection. The fixed (base) rate charge includes the first 1,000 gallons of water.

The consumption (volumetric) rate charge is \$6.79 per 1,000 gallons for all usage in excess of the 1,000 gallons included in the minimum.

Non-Residential customers: That the fixed (base) rate charge established for each non-residential account will be assessed based on the account's meter size as shown in the following table. The fixed (base) rate charge includes the first 1,000 gallons of water.

<u>Account Meter Size</u>	<u>Monthly Base Rate</u>
≤ 1 inch	\$17.40
1.5 inch	\$32.00
2 inch	\$50.00
3 inch	\$95.00
4 inch	\$170.00
6 inch	\$315.00
8 inch	\$550.00

The consumption (volumetric) rate charge is \$6.79 per 1,000 gallons for all usage in excess of the 1,000 gallons included in the minimum charge.

Section 4.c: Water Rates – Fiscal Year 2024 (OCT 1, 2023 – SEP 30, 2024)

Residential customers: That the fixed (base) rate charge established for each residential customer is \$20.50 per connection, except for those residents over the age of 65 who qualify for the senior discount. That the fixed (base) rate charge established for each residential customer who is 65 years of age or older and who averages 5,000 gallons or less of monthly consumption over 12 months is \$18.50 per connection. The fixed (base) rate charge includes the first 1,000 gallons of water.

The consumption (volumetric) rate charge is \$7.20 per 1,000 gallons for all usage in excess of the 1,000 gallons included in the minimum.

Non-Residential customers: That the fixed (base) rate charge established for each non-residential account will be assessed based on the account's meter size as shown in the following table. The fixed (base) rate charge includes the first 1,000 gallons of water.

<u>Account Meter Size</u>	<u>Monthly Base Rate</u>
≤ 1 inch	\$20.50
1.5 inch	\$36.00
2 inch	\$60.00
3 inch	\$110.00
4 inch	\$200.00
6 inch	\$400.00
8 inch	\$675.00

The consumption (volumetric) rate charge is \$7.20 per 1,000 gallons for all usage in excess of the 1,000 gallons included in the minimum charge.

SECTION 5. WASTEWATER RATES

The rates set forth herein are applicable to each customer for each month for which water is used at the same location. The total monthly fee for a customer shall be the sum of the fixed (base) rate charge plus the usage (volumetric) rate charge.

Notwithstanding the rates established in this Section, the maximum quantity of water usage for which any residential customer located in the City of Cedar Hill, Texas may be assessed a wastewater consumption charge, shall not exceed 10,000 gallons per monthly billing cycle.

Section 5.a: Wastewater Rates – Fiscal Year 2022 (OCT 1, 2021 – SEP 30, 2022)

Residential customers: That the fixed (base) rate charge established for each residential customer is \$10.60 per connection, except for those residents over the age of 65 who qualify for the senior discount. That the fixed (base) rate charge established for each residential customer who is 65 years of age or older and who averages 5,000 gallons or less in monthly water consumption over 12 months is \$8.60 per connection. The fixed (base) rate charge includes the first 1,000 gallons of wastewater service. The usage (volumetric) rate charge is \$8.75 per 1,000 gallons in excess of 1,000 gallons. The monthly volume of wastewater generated by a customer shall be assumed to be equivalent to 90% of the average monthly water consumption for the customer for the preceding November, December, January, and February, exclusive of the month of highest volume of water for the four months. If water consumption records are not available for a customer for these months, the monthly volume of wastewater shall be assumed to be 7,000 gallons. At the customer's request, the assumption of 7,000 gallons of wastewater volume may be reviewed by the department and the assumption revised to ninety (90) percent of three months' average water volume.

Non-Residential customers: That the fixed (base) rate charge established for each commercial customer is \$10.60 per connection. The fixed (base) rate charge includes the first 1,000 gallons of wastewater service. The usage (volumetric) rate charge is \$8.75 per 1,000 gallons in excess of the 1,000 gallons included in the minimum.

Section 5.b: Wastewater Rates – Fiscal Year 2023 (OCT 1, 2022 – SEP 30, 2023)

Residential customers: That the fixed (base) rate charge established for each residential customer is \$14.20 per connection, except for those residents over the age of 65 who qualify for the senior discount. That the fixed (base) rate charge established for each residential customer who is 65 years of age or older and who averages 5,000 gallons or less in monthly water consumption over 12 months is \$12.20 per connection. The fixed (base) rate charge includes the first 1,000 gallons of wastewater service. The usage (volumetric) rate charge is \$9.35 per 1,000 gallons in excess of the 1,000 gallons included in the minimum. The monthly volume of wastewater generated by a customer shall be assumed to be equivalent to 90% of the average monthly water consumption for the customer for the preceding November, December, January, and February, exclusive of the month of highest volume of water for the four months. If water consumption records are not available for a customer for these months, the monthly volume of wastewater shall be assumed to be 7,000 gallons. At the customer's request, the assumption of 7,000 gallons of wastewater volume may be reviewed by the department and the assumption revised to ninety (90) percent of three months' average water volume.

Non-Residential customers: That the fixed (base) rate charge established for each commercial customer is \$14.20 per connection. The fixed (base) rate charge includes the first 1,000 gallons of wastewater service. The usage (volumetric) rate charge is \$9.35 per 1,000 gallons in excess of the 1,000 gallons included in the minimum.

Section 5.c: Wastewater Rates – Fiscal Year 2024 (OCT 1, 2023 – SEP 30, 2024)

Residential customers: That the fixed (base) rate charge established for each residential customer is \$17.30 per connection, except for those residents over the age of 65 who qualify for the senior discount. That the fixed (base) rate charge established for each residential customer who is 65 years of age or older and who averages 5,000 gallons or less in monthly water consumption over 12 months is \$15.30 per connection. The fixed (base) rate charge includes the first 1,000 gallons of wastewater service. The usage (volumetric) rate charge is \$10.00 per 1,000 gallons in excess of the 1,000 gallons included in the minimum. The monthly volume of wastewater generated by a customer shall be assumed to be equivalent to 90% of the average monthly water consumption for the customer for the preceding November, December, January, and February, exclusive of the month of highest volume of water for the four months. If water consumption records are not available for a customer for these months, the monthly volume of wastewater shall be assumed to be 7,000 gallons. At the customer's request, the assumption of 7,000 gallons of wastewater volume may be reviewed by the department and the assumption revised to ninety (90) percent of three months' average water volume.

Non-Residential customers: That the fixed (base) rate charge established for each commercial customer is \$17.30 per connection. The fixed (base) rate charge will include the first 1,000 gallons of wastewater service. The consumption (volumetric) rate charge is \$10.00 per 1,000 gallons in excess of the 1,000 gallons included in the minimum.

SECTION 6. LATE CHARGES

A late charge will be assessed at the rate of five percent (5%) of the total balance due for accounts 30 days or more past due and shall be applied to the account on the second business day after the account's due date.

SECTION 7. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Cedar Hill, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 8. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, instinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 9. INCORPORATION INTO CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the City of Cedar Hill, Texas, as an addition and amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

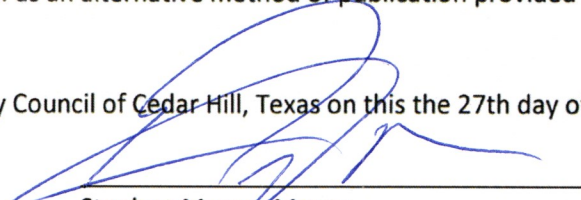
SECTION 10. EFFECTIVE DATE

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of health, safety and welfare of the citizens of the City of Cedar Hill, Texas, this Ordinance shall take effect on October 1, 2021, after approval and publication as required by law.

SECTION 11. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, APPROVED and ADOPTED by the City Council of Cedar Hill, Texas on this the 27th day of July, 2021.



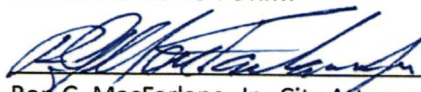
Stephen Mason, Mayor
City of Cedar Hill, Texas

ATTEST:



Belinda Berg, City Secretary

APPROVED AS TO FORM:



Ron G. MacFarlane, Jr., City Attorney

ORDINANCE NO. 2021-741

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, AMENDING ORDINANCE 2021-729 OF THE CITY OF CEDAR HILL, TEXAS, ADDING SECTIONS 4D AND 5D FIXING AND DETERMINING THE WATER AND WASTERWATER RATES TO BE CHARGED TO GOVERNMENT AND PUBLIC INSTITUTIONS OF EDUCATION OF THE CITY OF CEDAR HILL, TEXAS; AMENDING SECTION 6 LATE CHARGES IN THE CITY OF CEDAR HILL, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Cedar Hill, Texas, finds and determines that it is in the best interest of the health, welfare, and safety of the citizens of the City of Cedar Hill, Texas to provide an ordinance which fixes and determines the rates to be charged for water and wastewater service within the City of Cedar Hill, Texas to residential customers and non-residential customers, government and public institutions of education customers; and

WHEREAS, on July 27, 2021, the City Council passed Ordinance No. 2021-729 thereby establishing new water and wastewater charges for residential and non-residential customers in the City of Cedar Hill; and

WHEREAS, the City Council finds and determines that the imposition of the rates established under Ordinance No. 2021-729 would cause an undue hardship on government entities and public institutions of education and their customers.

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

SECTION 1. AMENDMENT OF ORDINANCE 2021-729

Sections 4, 5 and 6 of Ordinance 2021-729 of the City of Cedar Hill is hereby amended to provide as follows:

SECTION 4. WATER RATES

* * *

Section 4.d: Government and Public Institutions of Education: Customers that are City, State, County, Federal agencies, or Public Institutions of Education will be charged the same water rates as residential customers.

SECTION 5. WASTEWATER RATES

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Section 5.d: Government and Public Institutions of Education: Customers that are City, State, County, Federal agencies, or Public Institutions of Education will be charged the same wastewater rates as commercial customers.

SECTION 6. LATE CHARGES

Section 6: A late charge will be assessed at the rate of five percent (5%) of the total balance due and shall be applied to the account on the next business day after the account's due date.

SECTION 2. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Cedar Hill, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 3. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, instinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.


SECTION 4. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

SECTION 5. EFFECTIVE DATE

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of health, safety, and welfare of the citizens of the City of Cedar Hill, Texas, this Ordinance shall take effect immediately upon passage, approval, and adoption of same.

PASSED, APPROVED and ADOPTED by the City Council of Cedar Hill, Texas on this the 26th day of October, 2021.



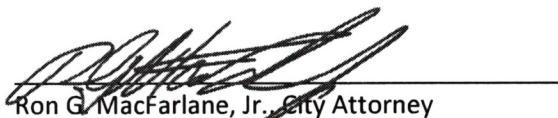
Stephen Mason, Mayor
City of Cedar Hill, Texas

ATTEST:



Belinda Berg, City Secretary

APPROVED AS TO FORM:



Ron G. MacFarlane, Jr., City Attorney