

**ORDINANCE 2015-09**

**AN ORDINANCE OF THE CITY OF LA FERIA AMENDING APPENDIX A: FEE SCHEDULE OF THE LA FERIA CODE OF ORDINANCES RELATING TO WATER AND SEWER RATES; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, the purpose of this ordinance is to establish reasonable rates for the provision of water and sewer services necessary to protect the health and welfare of the citizens of La Feria and the general public; and

**WHEREAS**, costs are incurred by the City of La Feria in providing such services and it is necessary to establish reasonable, fair and equitable charges for such services; and

**WHEREAS**, costs incurred by the City associated with the provision of such water and sewer services should be offset by assessing a reasonable monthly charge which offsets the costs for such services; and

**WHEREAS**, the City Commission of the City of La Feria has determined that the fee schedule for water and sewer services need to be modified to more accurately reflect the cost of providing services; and

**WHEREAS**, research and study of the Board of Directors of the La Feria Waterworks System and the City Commission of the City of La Feria has determined that in order to meet the bond obligations, debt service requirements, maintenance, operation, repair, replacement and reasonable reserve requirements of the water and sanitary sewer system require the establishment of a rate to be charged to the La Feria Waterworks System consumers of public water furnished by the La Feria Waterworks System and users of sanitary sewer system provided by the La Feria Waterworks System;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LA FERIA, TEXAS, THAT:**

1. Section A.13.03.036 of Appendix A: Fee Schedule of the La Feria Code of Ordinances is amended to read as follows:

**Sec. A.13.03.036 Water Rates**

Monthly charge for water:

- (1) Residential rates. Residential customer rates shall be based on the number of units serviced by the customer's water meter.

- (A) For residential customers inside the City limits the rates shall be:

- (i) For volume of water up to 3,000 gallons times the number of units: \$20.41; and
- (ii) All water over 3,000 gallons times the number of units: \$3.18 per 1,000 gallons.

(B) For residential customers outside the City limits the rates shall be:

- (i) For volume of water up to 3,000 gallons time the number of units: \$25.51; and
- (ii) All water over 3,000 gallons times the number of units: \$3.98 per 1,000 gallons.

(C) For residential customers inside the city limits which are serviced by a single meter for not more than one unit and have submitted a vacation plan application which has been approved by the city, for each billing month billed under the vacation plan, the rates shall be:

- (i) For volume of water up to 1,500 gallons: \$10.00, and
- (ii) All water over 1,500 gallons, per 1,000 gallons: \$10.07.

(2) Commercial Rates.

(A) Commercial category NC-1.

- (i) For commercial customers in this category and inside the city limits the rates shall be:
  - a. First 3,000 gallons: \$23.85, and
  - b. All water over 3,000 gallons, per 1,000 gallons: \$5.19.
- (ii) For commercial customers in this category and outside the city limits the rates shall be:
  - a. First 3,000 gallons: \$31.00, and
  - b. All water over 3,000 gallons, per 1,000 gallons: \$6.49.

(B) Commercial category NC-2.

- (i) For commercial customers in this category and inside the city limits the rates shall be:
  - a. First 10,000 gallons: \$56.66, and
  - b. All water over 10,000 gallons, per 1,000 gallons: \$5.19.

- (ii) For commercial customers in this category and outside the city limits the rates shall be:
        - a. First 10,000 gallons: \$73.65, and
        - b. All water over 10,000 gallons, per 1,000 gallons: \$6.49.
  - (C) Commercial category NC-3.
    - (i) For commercial customers in this category and inside the city limits the rates shall be:
      - a. First 40,000 gallons: \$210.15, and
      - b. All water over 40,000 gallons, per 1,000 gallons: \$5.19.
    - (ii) For commercial customers in this category and outside the city limits the rates shall be:
      - a. First 40,000 gallons: \$262.72, and
      - b. All water over 40,000 gallons, per 1,000 gallons: \$6.49.
- (3) Master meter/retail rates. Master meter/retail rates shall be based on the total number of occupancy spaces contained within the parcel of land serviced by the retail customer's meter. A 1,100 gallon minimum consumption per space is assumed. A volume/peak demand and fire protection demand (fire protection cost) increase is included.
- (A) For master meter/retail customers inside the city limits, the rates shall be calculated using the following formula:
    - (i) For volume of water up to 1,100 gallons times the number of occupancy spaces: \$9.28 per occupancy space; and
    - (ii) For all water over 1,100 gallons time the number of occupancy spaces: \$5.09 per 1,000 gallons.
  - (B) For master meter/retail customers outside the city limits, the rates shall be calculated using the following formula:
    - (i) For volume of water up to 1,100 gallons times the number of occupancy spaces: \$11.60 per occupancy space; and
    - (ii) For all water over 1,100 gallons time the number of occupancy spaces: \$6.35 per 1,000 gallons.
  - (C) A master meter/retail customer which is a mobile home park shall, for billing purposes, be considered to have 80% of its total occupancy spaces,

rounded up to the next whole occupancy space, during the billing months of January, February, November and December.

- (D) For the months of March, April, May, June, July, August, September and October, a master meter/retail customer that is a mobile home park may, for billing purposes, be considered to have a number of occupancy spaces equal to the number occupancy spaces actually occupied on September 15 of the prior year. A retail customer must submit not later than September 30 a statement showing the number of spaces actually occupied on September 15. The adjustment to the number of spaces considered for billing purposes provided by this section shall only apply in the year following the submission of such a statement. If a master meter/retail customer fails to provide this statement, the City will assume full occupancy and the retail customer will be billed accordingly. A master meter/retail customer that is a mobile home park shall not, under any circumstances, be considered to have fewer than 10 occupancy spaces.

- (4) Institutional rates. Institutional rates are based on the number of students enrolled and the number of faculty and staff employed. A 100 gallon minimum consumption per person is assumed. A volume/peak demand and fire protection demand (fire protection cost) increase is included. A minimum of 75 persons per campus is incorporated. For institutional customers, the rates shall be calculated using the following formula:

- (A) For volume of water up to 100 gallons times the number of persons: \$2.12 per person; and
- (B) For all water over 100 gallons time the number of persons: \$5.09 per 1,000 gallons.

- 2. Section A.13.03.037 of Appendix A: Fee Schedule of the La Feria Code of Ordinances is amended to read as follows:

**Sec. A.13.03.037 Sewer Rates**

Monthly sewer charges:

- (1) Residential rates. Residential customer rates shall be based on the number of units serviced by the customer's water meter.
  - (A) For residential customers inside the City limits the rates shall be:
    - (i) For volume of water up to 3,000 gallons of water usage times the number of units: \$18.29; and
    - (ii) For volume of water over 3,000 gallons times the number of units: \$3.76 per 1,000 gallons.

- (B) For residential customers outside the City limits the rates shall be:
  - (i) For volume of water up to 3,000 gallons of water usage times the number of units: \$22.86; and
  - (ii) For volume of water over 3,000 gallons times the number of units: \$4.70 per 1,000 gallons.
  
- (C) For residential customers inside the city limits which are serviced by a single meter for not more than one unit and have submitted a vacation plan application which has been approved by the city, for each billing month billed under the vacation plan, the rates shall be:
  - (i) First 1,500 gallons of water usage: \$12.72, and
  - (ii) All water over 1,500 gallons, per 1,000 gallons: \$9.01.

(2) Commercial Rates.

(A) Commercial category NC-1.

- (i) For commercial customers in this category and inside the city limits the rates shall be:
  - a. First 3,000 gallons of water usage: \$21.73, and
  - b. All water usage over 3,000 gallons, per 1,000 gallons: \$3.82.
  
- (ii) For commercial customers in this category and outside the city limits the rates shall be:
  - a. First 3,000 gallons of water usage: \$28.25, and
  - b. All water usage over 3,000 gallons, per 1,000 gallons: \$4.97.

(B) Commercial category NC-2.

- (i) For commercial customers in this category and inside the city limits the rates shall be:
  - a. First 10,000 gallons of water usage: \$49.61, and
  - b. All water usage over 10,000 gallons, per 1,000 gallons: \$3.82.
  
- (ii) For commercial customers in this category and outside the city limits the rates shall be:

- a. First 10,000 gallons of water usage: \$64.49, and
- b. All water usage over 10,000 gallons, per 1,000 gallons: \$4.97.

(C) Commercial category NC-3.

(i) For commercial customers in this category and inside the city limits the rates shall be:

- a. First 40,000 gallons of water usage: \$173.05, and
- b. All water usage over 40,000 gallons, per 1,000 gallons: \$3.82.

(ii) For commercial customers in this category and outside the city limits the rates shall be:

- a. First 40,000 gallons of water usage: \$224.80, and
- b. All water usage over 40,000 gallons, per 1,000 gallons: \$4.97.

(3) Master meter/retail rates. Master meter/retail rates shall be based on the total number of occupancy spaces contained within the parcel of land serviced by the retail customer's meter. A 900 gallon minimum consumption per space is assumed.

(A) For master meter/retail customers inside the city limits, the rates shall be calculated using the following formula:

- (i) For volume of water up to 900 gallons times the number of occupancy spaces: \$10.60 per occupancy space; and
- (ii) For all water over 900 gallons time the number of occupancy spaces: \$3.66 per 1,000 gallons.

(B) For master meter/retail customers outside the city limits, the rates shall be calculated using the following formula:

- (i) For volume of water up to 900 gallons times the number of occupancy spaces: \$11.66 per occupancy space; and
- (ii) For all water over 900 gallons time the number of occupancy spaces: \$4.57 per 1,000 gallons.

(C) A master meter/retail customer which is a mobile home park shall, for billing purposes, be considered to have 80% of its total occupancy spaces, rounded up to the next whole occupancy space, during the billing months of January, February, November and December.

(D) For the months of March, April, May, June, July, August, September and October, a master meter/retail customer that is a mobile home park may, for billing purposes, be considered to have a number of occupancy spaces equal to the number occupancy spaces actually occupied on September 15 of the prior year. A retail customer must submit not later than September 30 a statement showing the number of spaces actually occupied on September 15. The adjustment to the number of spaces considered for billing purposes provided by this section shall only apply in the year following the submission of such a statement. If a master meter/retail customer fails to provide this statement, the City will assume full occupancy and the retail customer will be billed accordingly. A master meter/retail customer that is a mobile home park shall not, under any circumstances, be considered to have fewer than 10 occupancy spaces.

(4) Institutional rates. Institutional rates are based on the number of students enrolled and the number of faculty and staff employed. A 100 gallon minimum consumption per person is assumed. A minimum of 75 persons per campus is incorporated. For institutional customers, the rates shall be calculated using the following formula:

- (A) For volume of water up to 100 gallons times the number of persons: \$3.18 per person; and
- (B) For all water over 100 gallons time the number of persons: \$3.66 per 1,000 gallons.

3. If any section, phrase or clause of this ordinance is for any reason held invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or amendments thereto.
4. The City Manager of the City of La Feria, Texas is hereby authorized and directed to cause a true and correct copy of the caption of this Ordinance to be published in a newspaper having general circulation in the City of La Feria,
5. This ordinance shall become effective on the later of September 21, 2015, or ten (10) days from the date of publication of the caption in a newspaper of general circulation.

**PASSED AND APPROVED THE 8<sup>th</sup> DAY OF SEPTEMBER 2015, LA FERIA, TEXAS**

**APPROVED:**



---

**VICTOR GONZALEZ, JR., Mayor**

**ATTEST:**



---

**ESMERALDA R. SÁNCHEZ,  
City Secretary**

**APPROVED AS TO FORM;**



---

**RICHARD S. TALBERT, City Attorney**