

ORDINANCE NO. 1200-2018

AN ORDINANCE AMENDING ARTICLE 13.04 "SEWER SYSTEM", SECTION 13.04.013 "SEWER SERVICE RATES", OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED; ADOPTING AND RATIFYING SEWER RATES INCORPORATING A RATE INCREASE FOR RESIDENTIAL, COMMERCIAL AND APARTMENT CUSTOMERS INSIDE AND OUTSIDE THE CITY LIMITS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of River Oaks is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Secretary performed this year's rate study based on current allocated expenditures and revenue collections for providing sewer services inside and outside the city limits for the collection and treatment of all sanitary sewer as collected by the River Oaks Sanitary Sewer System; and

WHEREAS, the City of Fort Worth has contracted wastewater treatment services to the City of River Oaks and have calculated rates and charges to the test year billing units and are increasing sewer rates 13.64% to the City of River Oaks; and

WHEREAS, the River Oaks Sewer Rate is calculated taking into consideration both wastewater collection and treatment costs; and

WHEREAS, following the City Secretary's rate study it was recommended that the City Council increase sewer rates approximately 13.5 percent over all for residential, commercial and apartment customers within the City to be implemented in the 2018-2019 Fiscal Year Water Fund in order to offset the 13.64% rate increase for treatment; and

WHEREAS, the City Council has concluded after due and careful consideration to increase sewer rates based on the study performed by the City Secretary to be effective on November 1, 2018.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVER OAKS:

SECTION 1.

With the adoption of this Ordinance, Section 13.04.013 of Article 13.04 of the River Oaks Code of Ordinances (2006) will be amended to now read as follows:

"Section 13.04.013 Sewer Service Rates

(a) **Commercial Consumers.** The monthly charges to commercial and industrial class customers will be based on the total water use as measured by appropriate meters, with the provision that if a customer can show to the city's satisfaction and

within the scope of the contractual agreement between the City of Fort Worth and the City of River Oaks that a significant portion of the metered water usage does not enter the sanitary sewers, the customer will be charged only for that volume entering the sewers, as determined by a method approved by the City. **The commercial sewer customers will be charged the base rate amount of \$46.00 plus \$0.05200 per cubic feet of water consumption.**

(b) **Residential class customers.** The monthly volume charges for residential class customers will be based upon the individual customer average monthly water use during the preceding winter quarter months of December, January, and February, but in no event shall the volume used to compute this monthly charge exceed 1,500 cubic feet. The volumes used to compute these charges are based on the amount of water used by the residential class customer as measured by the water meter. Where no preceding winter quarter average is available from records, the utility manager shall estimate a volume to be used for this monthly volume charge, such estimated volume not to exceed 1,500 cubic feet. **The Residential sewer customers will be charged the base rate amount of \$31.00 plus \$1.75 per 100 cubic feet of water usage.**

Residential sewer rate schedule is as follows:

Cubic Foot Range	Current Rate (2015)	New Base Rate (2018-2019)	\$1.75 usage per 100 cu. Ft.	New Rate (11-01-2018)
0-99	\$29.50	\$31.00	\$ 1.75	\$32.75
100-199	\$31.00	\$31.00	\$ 3.50	\$34.50
200-299	\$32.50	\$31.00	\$ 5.25	\$36.25
300-399	\$34.00	\$31.00	\$ 7.00	\$38.00
400-499	\$35.50	\$31.00	\$ 8.75	\$39.75
500-599	\$37.00	\$31.00	\$10.50	\$41.50
600-699	\$38.50	\$31.00	\$12.25	\$43.25
700-799	\$40.00	\$31.00	\$14.00	\$45.00
800-899	\$41.50	\$31.00	\$15.75	\$46.75
900-999	\$43.00	\$31.00	\$17.50	\$48.50
1000-1099	\$44.50	\$31.00	\$19.25	\$50.25
1100-1199	\$46.00	\$31.00	\$21.00	\$52.00
1200-1299	\$47.50	\$31.00	\$22.75	\$53.75
1300-1399	\$49.00	\$31.00	\$24.50	\$55.50
1400-1499	\$50.50	\$31.00	\$26.25	\$57.25
1500	\$52.00	\$31.00	\$28.00	\$59.00
Wells	\$52.00	\$31.00	\$28.00	\$59.00

(C) **Apartment Class Customers.** The monthly charges to Apartment Class Customers will be based on the total water use on a per cubic foot basis as measured by appropriate meters similar to that of a commercial consumer. **The Apartment customers will be charged the base rate amount of \$32.00 plus \$0.05000 per cubic feet of water consumption.**

SECTION 2.

CUMULATIVE CLAUSE

This Ordinance shall be Cumulative of all provisions of Ordinances and of the River Oaks Code of Ordinance, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances or Code, in which case the conflicting provisions of such Ordinances or Code are hereby repealed.

SECTION 3.

SEVERABILITY CLAUSE

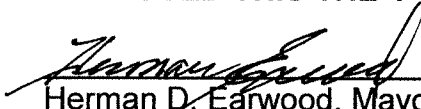
It is hereby declared to be the intentions of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4

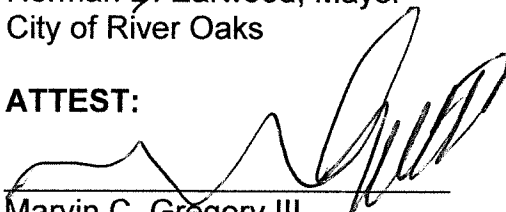
EFFECTIVE DATE

This Ordinance shall be in full force and effect on November 1, 2018 after its passage by a majority vote of the City Council of the City of River Oaks and the legal publication of this ordinance if any is required and it is so ordained.

APPROVED THIS THE 4th DAY OF SEPTEMBER 2018.


Herman D. Earwood, Mayor
City of River Oaks

ATTEST:


Marvin C. Gregory III
City Secretary