

ORDINANCE NO. 2024-05-58

AN ORDINANCE OF THE CITY OF GREY FOREST, TEXAS (CITY) AMENDING SECTION 13.04.006 “RATE SETTING; BILLING” AND SECTION A5.002 “WATER RATES” OF APPENDIX A “FEE SCHEDULE” OF THE CITY CODE TO REVISE RATES AND FEES FOR RETAIL WATER SERVICES; DECLARING A PUBLIC PURPOSE; INCORPORATING RECITALS; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City of Grey Forest (“City”) previously adopted Ordinance 81C on August 26, 2008, which revised the rates and fees charged by the City’s municipally-owned utility, known as Grey Forest Utilities (“GFU”), for retail water service for residential and commercial customers; and

WHEREAS, the current rates and fees for water services provided by GFU are set forth in Appendix A of the City Code, specifically Sec. A5.002; and

WHEREAS, the City Council has reviewed the current rates for retail water service and the costs of providing such service, including operational and investment expenses, and engaged an independent consultant to provide additional information regarding adequacy of current rates relative to actual cost of service; and

WHEREAS, the City Council has determined that the rates and fees set forth in Sec. A5.002 of the City Code must be increased to recover the actual cost of providing retail water service and provide a reasonable rate of return for the City and its water utility; and

WHEREAS, the City Council also finds it necessary and appropriate to amend Sec. 13.04.006 of the City Code to require retail water customers to pay any convenience fees or other charges incurred as a result of processing online payments for water utility bills using credit or debit cards, as authorized by Sec. 132.002(b), Tex. Loc. Gov’t Code; and

WHEREAS, the City Council finds that the revised rates and fees for retail water service as set forth in Exhibit “A” herein are necessary and appropriate, and in compliance with all applicable state and local laws, including notice requirements;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREY FOREST, TEXAS:

SECTION 1. AMENDMENT. Upon adoption of this Ordinance, Section 13.04.006 of Chapter 13 – Utilities of the City’s Code of Ordinances shall be amended to add a new subsection 13.04.006(e)(3), which shall hereinafter read as follows:

Chapter 13 – Utilities

§13.04.006 Rate setting; billing.

(e) Payment for water and related services.

...

(3) If a customer chooses to pay a bill for retail water service using a credit or debit card, the customer shall be responsible for reimbursing GFU in an amount equal to any convenience fee or other charge incurred by GFU as a result of processing the credit card or debit card payment through a third-party vendor. Customers shall not be charged any additional convenience or processing fees for payments made using the Automated Clearing House (“ACH System”).

SECTION 2. UPDATED FEE SCHEDULE. The City Council hereby adopts the rates and fees set forth in Exhibit “A” hereto, which shall hereafter replace in its entirety the current fee schedule set forth in §A5.002 and be applied to utility bills beginning on July 1, 2024. Prior to any rate increase becoming effective, the City shall notify in writing each retail water customer regarding any service or capital expenditure that is not water-related and is funded in whole or in part by customer revenue, if applicable.

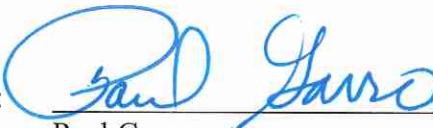
SECTION 3. PUBLIC PURPOSE. The City Council finds that all amendments set forth herein are necessary and appropriate to serve the public interest, and that the rates and fees for retail water services are reasonable and just as required by applicable law.

SECTION 4. REPEALER. All ordinances, resolutions, and municipal orders in conflict herewith are repealed to the extent of such conflict.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and that in lieu of each clause or provision of this Ordinance that is invalid, illegal, or unenforceable there be added by the Mayor as necessary with the approval of the City Attorney as to form, and as a part of the Ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect immediately upon adoption by City Council, and the City shall promptly publish notice of the rate changes in the official newspaper of the City, as well as provide written notice by mail or email, if applicable, to each ratepayer who resides outside the corporate boundaries of the City within 60 days of the effective date of this Ordinance. The rates set forth herein and described more fully in Exhibit “A” hereto shall become effective for the water utility billing cycle that begins on July 1, 2024, i.e. the first full billing period that will occur at least 30 days after the billing period (May 2024).in which the rate schedule was approved.

PASSED, ORDERED AND APPROVED THIS 28th DAY OF MAY 2024.

By: 
Paul Garro
Mayor

ATTEST:



Miguel Cantu
City Secretary



EXHIBIT "A"
APPENDIX "A" FEE SCHEDULE
ARTICLE §A5.002 WATER RATES

**APPENDIX "A" FEE SCHEDULE
 ARTICLE §A5.002 WATER RATES
 (Adopted by Ord. No. 2024-05-58 on May 28, 2024)**

(a) Rates for retail water services per billing period:

Total Amount of Water Provided	Rates for Retail Water Service
Minimum Bill (0 gallons used)	\$25.00
First 5,000 gallons	\$25.00 + \$3.25/1,000 gallons
5,001 to 10,000 gallons	\$25.00 + \$3.60/1,000 gallons over 5,000 gal.
10,001 to 15,000 gallons	\$25.00 + \$4.00/1,000 gallons over 10,000 gal.
Over 15,000 gallons	\$25.00 + \$9.20/1,000 gallons over 15,000 gal.

(b) Rates for temporary retail water service:

Temporary service is only available for contractors working within the city limits.

- (1) Water supplied to contractors must be metered and drawn from a fire hydrant.
- (2) A one-hundred dollar (\$100.00) refundable deposit will be required for the meter.
- (3) A one-time administrative fee of \$200.00 will be charged for each new customer.

Minimum Bill -----	\$37.50
For the first 5,000 gallons of water per billing period -----	\$37.50
For each additional 1,000 gallons of water per billing period -----	\$5.00

(c) Other customer charges:

- (1) New water connection charge (nonrefundable).
 - (A) Single-family residence 3/4" tap: \$2,800.00*.
 - (B) Single-family residence 1" tap: \$3,000.00*.
 - (C) Commercial: \$3,800.00*.

*Plus actual cost to cut and repair streets.
- (2) Disconnection charge. For disconnection due to nonpayment of water service bills: \$40.00.
- (3) Turn on/reconnection charges.
 - (A) When the turn-on is for a normal resumption of water service: \$30.00.
 - (B) When the turn-on follows disconnection due to nonpayment of water bills: \$50.00 minimum plus any legal cost associated with collection of amount due.
- (4) Miscellaneous charges.
 - (A) Replace a damaged meter box (for 3/4" or 1" meter): The greater of \$70.00 or actual cost of placement.
 - (B) Replace a damaged meter: The greater of \$70.00 or actual cost of replacement.

- (C) Excavate, install and/or replace a damaged curb stop: Actual cost + 15%.
- (D) Relocate a water meter at the request of or for the benefit of the customer: Actual cost + 15%.
- (E) On-site meter test when the meter is not in error: \$20.00.
- (F) Meter test when meter is shop tested and the meter is not in error: Actual cost + \$20.00.
- (G) Check returned for insufficient funds: \$35.00.
- (H) Water deposit after a delinquent bill is paid: \$150.00 minimum.
- (I) After-hours non-emergency calls: \$60.00.
- (J) Water deposit after account suspended for nonpayment: Amount sufficient to cover the water charges which the user incurred for the highest two months of prior service, or one hundred dollars (\$100.00), whichever amount is greater.