

CITY OF GUNTER, TEXAS

ORDINANCE NO. 2019-08-15-3

AN ORDINANCE OF THE CITY OF GUNTER, TEXAS, ESTABLISHING TAP FEES FOR DIFFERENT SIZE METERS; DELETING REFERENCES TO IMPACT FEES; ADOPTING A SAVINGS/REPEALING CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OPEN MEETINGS ACT.

WHEREAS, the City of Gunter (City) has the Certificate of Convenience and Necessity (CCN) to provide water and sanitary service within its corporate limits; and

WHEREAS, the City owns the water and sanitary sewer system that provides water and wastewater collection and treatment within its CCN service area; and

WHEREAS, the City has authority to regulate water and sanitary sewer service to its customers within its CCN service area; and

WHEREAS, some customers desire or need larger meters than the standard three-quarter inch water meter; and

WHEREAS, the City does not currently have established rates for meters of different sizes; and

WHEREAS, the City Council recognizes the need for established rates for sprinkler meters and for rates for meters of different sizes; and

WHEREAS, some customers desire or need larger sanitary sewer connections larger than the standard four-inch tap, and

WHEREAS, the City Council recognizes the need to provide rates for sanitary sewer taps larger than the standard four-inch tap; and

WHEREAS, the Master Fee Schedule includes language that incorrectly states that the City of Gunter does not have water and sewer impact fees;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GUNTER, TEXAS, THAT

Section 1. Recitals. The foregoing recitals hereby are incorporated by reference and made a part hereof as if fully set forth.

Section 2. Addition and Amendment to the Code of Ordinances Section F1.011

Sec. F1.011 (k) shall be added to the Master Fee Schedule and shall read as follows:

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(k) **Water and sewer access fees**

Water

- (1) Three-fourths-inch tap: \$850.00.
- (2) One-inch tap: \$1,100.00.
- (3) One and one-half inch tap: \$1,250.00.
- (4) Two-inch tap: \$1,500.00.
- (5) All taps greater than two inches will be priced at time of installation and shall require a meter vault and shall meet the most current engineering design standards.
- (6) Standard fees referenced herein do not include extraordinary costs incurred by the city, including but not limited to the cost of labor and materials related to boring and repairs to streets and easements. The city will provide an itemized list detailing the actual costs of such labor and materials.

Sewer

- (1) Four-inch tap: \$1,000.00.
- (2) All taps greater than four inches will be priced at time of installation.
- (3) Standard fees referenced herein do not include extraordinary costs incurred by the city, including but not limited to the cost of labor and materials related to boring, manholes and repairs to streets and easements. The city will provide an itemized list detailing the actual costs of such labor and materials.

Impact fee references deleted - Sections F1.011 (b) (11), (c) (9), (d) (9) and (e) (9) of the Gunter Master Fee Schedule are hereby *deleted*.

Section 3. Savings/Repealing

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

Section 4. Severability

Should any section, subsection, sentence, clause, phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City of Gunter hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

Section 5. Effective date

This Ordinance shall take effect immediately upon and after its passage and publication as provided by law.


Section 6. Open meetings

It is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GUNTER, TEXAS on this 15th day of August, 2019, by the following vote:

AYES	<u>3</u>
NAYS	<u>0</u>
ABSTENTIONS	<u>0</u>

APPROVED:



Mark Millar, Mayor

ATTEST:



Detra Gaines, City Secretary

