

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS, AMENDING SECTION 13.04.140 TITLED "RATES AND CHARGES--SEWERS--SCHEDULE" OF THE CODE OF ORDINANCES OF THE CITY OF GEORGETOWN TEXAS; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND SETTING AN EFFECTIVE DATE.**

WHEREAS, the City of Georgetown, Texas (the "City") last modified its wastewater rates in January 2021; and

WHEREAS, the City has completed a cost of service study for the wastewater utility service; and

WHEREAS, the City wishes to modify its wastewater rates to recover the cost of wastewater service; and

WHEREAS, the City Council of the City of Georgetown wishes to adopt new wastewater rates, effective for all utility services provided on and after **October 1, 2022**.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS, THAT:**

SECTION 1. The meeting at which this ordinance was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 2. The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

SECTION 3. Section 13.04.140 of the City of Georgetown Code of Ordinances is hereby amended to read as set forth in **Exhibit A** attached hereto and incorporated herein.

SECTION 4. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect.

SECTION 5. If any provision of this ordinance or application thereof to any person or circumstance, shall be held invalid, such invalidity shall not affect the other provisions, or

Ordinance Number: \_\_\_\_\_  
Description: Sewer Utility Service Ordinance  
Date Approved: \_\_\_\_\_, 2022

application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

SECTION 6. The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest. This ordinance shall become effective and be in full force and effect on October 1, 2022.

PASSED AND APPROVED on First Reading on the \_\_\_\_\_ of \_\_\_\_\_, 2022.

PASSED AND APPROVED on Second Reading on the \_\_\_\_\_ of \_\_\_\_\_, 2022.

ATTEST:

THE CITY OF GEORGETOWN:

\_\_\_\_\_  
Robyn Densmore, City Secretary

\_\_\_\_\_  
Josh Schroeder, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Skye Masson, City Attorney

Ordinance Number: \_\_\_\_\_  
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## EXHIBIT A

### Section 13.04.140 of the Code of Ordinances, Effective as of October 1, 2022

#### Sec. 13.04.140. Rates and charges—Sewers—Schedule.

##### *Residential Service:*

- A. Availability. This schedule applies to residential customers in single-family residences, or to residential locations that have domestic use only and one individual dwelling unit per water meter. This schedule is not available to multi-family dwellings of more than one dwelling unit per water meter.
- B. Net Monthly Rates.
  - 1. Flat Rate Inside City Limits: \$38.85 per month
  - 2. Flat Rate Outside City Limits: \$44.70 per month
- C. Residential customers may request a low-income sewer discount that is 20 percent below the current Flat Rate for the Residential Service that is applicable.
  - 1. Request for low-income discount must be made in writing.
  - 2. To qualify for the discount, customer or a permanent resident in the household must participate in the Medicaid Program and provide verifiable proof of that participation, such as a Medicaid card or official documentation.
  - 3. Requests for the low-income discount must be renewed annually.
- D. Any customer connected to the City sewer must pay the sewer charges in this Section. Any customer whose home is both vacant and under contract to sell with a real estate agent may be exempt from paying for sewer service upon application for exemption with the Utility Customer Care Office. A copy of the Realtor Sales Contract must be provided to the Utility Customer Care Office. Homes for sale by owner do not qualify for this exemption.

##### *Small Commercial:*

- A. Availability. This schedule is available, by written request only, to non-residential consumers that have a single water line to their location that is no larger than  $\frac{3}{4}$ -inch and serves only one unit; a single sewer line, no larger than four inches; no more than ten plumbing fixtures; and whose function, processes or product does not utilize or require water.
- B. Net Monthly Rate.
  - 1. Flat Rate Inside City Limits: \$38.85 per month
  - 2. Flat Rate Outside City Limits: \$44.70 per month

##### *Commercial:*

- A. Availability. This schedule applies to non-residential customers at commercial or general service locations with a wastewater service line six inches or smaller.

- B. Net Monthly Rate.
  - a. Inside City Limits.
    - 1. Customer Charge: \$58.75 per month
    - 2. Volumetric Charge: \$3.35 per 1,000 gallons
  - b. Outside City Limits.
    - 1. Customer Charge: \$67.60 per month
    - 2. Volumetric Charge: \$3.85 per 1,000 gallons
- C. The volumetric charges in this Section are calculated using the actual water consumption billed per month.

*Large Commercial:*

- A. Availability. This schedule applies to non-residential customers at commercial or general service locations with a wastewater service line eight inches or larger. Multifamily locations do not qualify.
- B. Net Monthly Rate.
  - a. Inside City Limits.
    - 1. Customer Charge: \$104.35 per month
    - 2. Volumetric Charge: \$3.35 per 1,000 gallons
  - b. Outside City Limits.
    - 1. Customer Charge: \$120.05 per month
    - 2. Volumetric Charge: \$3.85 per 1,000 gallons
- C. The volumetric charges in this Section are calculated using the actual water consumption billed per month.

*Multifamily:*

- A. Availability. This schedule applies to multi-family residential customers with domestic use only and more than one individual dwelling unit per water meter.
- B. Net Monthly Rate. Multifamily Dwellings served by one master meter will be billed on a per unit basis. The minimum charge will be an amount equal to the applicable Residential Service rate multiplied by the number of dwelling units, multiplied by two-thirds (2/3).
- C. Any non-residential portion of a multifamily location with a separate meter shall be considered a small commercial, commercial, or large commercial consumer, depending upon the size of the line to said meter.

*Industrial:*

- A. Availability. This schedule applies to any non-residential customer with a wastewater service line six inches or smaller and whose Standard Industrial Classification (SIC) Code has the potential for discharges that exceed the limits of Domestic Sewage as defined in section

13.20.040 and is considered an Industrial User and is subject to industrial waste permitting and wastewater strength sampling.

- B. An annual wastewater sample and pretreatment permit renewal by the City is used to determine the Industrial Users wastewater strength factor. The wastewater strength factor remains in effect for a 12 month period following the sample results, or until replaced by a wastewater strength factor calculated as a result of a more recent sample.
- C. If a customer believes that the calculated wastewater strength factor is incorrect, the customer may request a follow-up sample whose strength factor will be averaged with results of the normally scheduled sample and the averaged results will remain in effect for the original 12 month period from the prior sample. The customer will be charged a resample fee of \$250.
- D. Net Monthly Rate.
  - a. Inside City Limits.
    - 1. Customer Charge: \$81.05 per month
    - 2. Volumetric Charge: \$3.35 per 1,000 gallons multiplied by the customer's wastewater strength factor.
  - b. Outside City Limits.
    - 1. Customer Charge: \$89.90 per month
    - 2. Volumetric Charge: \$3.85 per 1,000 gallons multiplied by the customer's wastewater strength factor.
- E. The volumetric charges in this Section are calculated using the actual water consumption billed per month.

*Large Industrial:*

- A. Availability. This surcharge applies to any non-residential customer with a wastewater service line eight inches or larger and whose Standard Industrial Classification (SIC) Code has the potential for discharges that exceed the limits of Domestic Sewage as defined in section 13.20.040 and is considered an Industrial User and is subject to industrial waste permitting and wastewater strength sampling.
- B. An annual wastewater sample and pretreatment permit renewal by the City is used to determine the Industrial Users wastewater strength factor. The wastewater strength factor remains in effect for a 12 month period following the sample results, or until replaced by a wastewater strength factor calculated as a result of a more recent sample.
- C. If a customer believes that the calculated wastewater strength factor is incorrect, the customer may request a follow-up sample whose strength factor will be averaged with results of the normally scheduled sample and the averaged results will remain in effect for the original 12 month period from the prior sample. The customer will be charged a resample fee of \$250.
- D. Net Monthly Rate.
  - a. Inside City Limits.
    - 1. Customer Charge: \$126.65 per month

2. Volumetric Charge: \$3.35 per 1,000 gallons multiplied by the customer's wastewater strength factor.
- b. Outside City Limits.
    1. Customer Charge: \$142.30 per month
    2. Volumetric Charge: \$3.85 per 1,000 gallons multiplied by the customer's wastewater strength factor.
- E. The volumetric charges in this Section are calculated using the actual water consumption billed per month.

*Evaporative Cooling or Wastewater Diversion Credit:*

- A. Availability. This schedule is available to non-residential locations, with the exception of those qualifying for a flat small commercial sewer rate, which have installed qualifying evaporative cooling equipment or whose product or process diverts water from the wastewater collection system.
- B. An evaporative cooling system or other qualifying water diversion is eligible for a reduced volumetric rate.
  1. The rate reduction is equal to the average system evaporation or diversion, documented by a calculation signed and sealed by a licensed professional engineer, less an amount equal to two percent for error.
- C. Volumetric Evaporative Cooling or Product Diversion Credit.
  - a. With Documented Engineering Calculation  
 Standard Rate x (100% - (diversion % - 2%))
- D. Customer may request that the City adjust their diversion percent by providing documentation of an updated engineering calculation, no more than once annually.
- E. City may require customer to provide documentation of an updated engineering calculation to maintain the existing credit if there have been changes to the equipment or location that may alter the evaporative cooling equipment or other water diversion process. City may also request documentation verifying compliance with industrial waste discharge regulations.