

ORDINANCE NO. 2024-006

AN ORDINANCE OF THE CITY OF AMES, TEXAS, ESTABLISHING AN INCREASE TO WASTEWATER RATES AND CHARGES; PROVIDING FOR: FINDINGS OF FACT, ENACTMENT, REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt ordinances or regulations that are for the good government, peace, or order of the City and that are necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council of the City of Ames, Texas, conducted a special workshop on water and wastewater on January 29, 2024, to review the findings of a Wastewater Rate Study conducted by NewGen Strategies and Solutions; and

WHEREAS, the rate study was to evaluate revenue requirements forecasted out over five (5) years and review current wastewater rate along with billing methodology; and

WHEREAS, the rate study recommended changes to standardize city wastewater rates for customers in order to increase revenues to cover wastewater treatment costs from Liberty and capital improvements for collection system & lift stations; and

WHEREAS, this ordinance establishes a fixed monthly customer charge at \$44.00 and a volumetric charge of \$3.75 per 1,000 gallons. The volumetric charge applies only when monthly consumption exceeds 4,000 gallons; and

WHEREAS, the City Council of the City of Ames, Texas, has determined that in order to properly bill wastewater charges to the customers, it is necessary to establish new Wastewater Rates and Charges.

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

SECTION 1. *Findings of Fact.* The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. *Enactment.* Appendix A, Wastewater Rates and Charges are hereby to read in accordance with Exhibit A which is attached hereto and incorporated into this Ordinance for all intents and purposes.

SECTION 3. *Repealer.* All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

SECTION 4. Severability. That if any section, provision, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the City of Ames, Texas, hereby declares it would have enacted such remaining portions, despite invalidity.

SECTION 5. Effective Date. This Ordinance shall become effective immediately and enforceable when published as required by law.

SECTION 6. Proper Notice & Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED, APPROVED, & ADOPTED this, the 20TH day of February 2024.



Barbara Domain, Mayor

ATTEST:



Wellona Godfrey, City Secretary

Exhibit "A"

Wastewater Rates and Charges

Wastewater service charge:

- (a) **Applicability.** The rates as provided for in the fee schedule found in appendix A of this Ordinance are applicable to residential, multi-family, commercial, and commercial multi-unit retail wastewater customers within the corporate limits of the city. These rates are not applicable to customers who receive water from Ames Water Supply Corporation but have septic system(s), other on-site wastewater/sewer systems, or irrigation system(s) and are not connected to the city's wastewater system. These rates also do not apply to irrigation-only water meters, which are not connected to the city's wastewater system.
- (b) **Customer charge.** Each active wastewater customer of the city shall have a monthly wastewater customer charge regardless of whether water is received during any specific billing cycle.
- (c) **Discount for Eligible Residents.** Senior Citizens (65 years and older) or disabled individuals may apply for a 10% discount on their residential wastewater rate. Refer to *Appendix A* for discounted rates. These discounts cannot be combined.
 - (1) **Senior Citizen Discount:** To qualify, a senior citizen must submit a written request and provide proof of age (65 or older), either through a government-issued ID, Texas driver's license, birth certificate, or another document verifying age. The residential account or lease must be in the name of the senior citizen.
 - (2) **Disabled Person Discount:** Disabled individuals can qualify by submitting a written request and proof of disability. Valid proof of disability includes a Social Security Disability Insurance (SSDI) documentation, VA disability letter, or any other official document confirming disability status. The residential account or lease must be in the name of the disabled person.

Billing; discontinuance of service:

- (a) All charges provided for in the above schedules shall be due and payable within ten (10) days from date of bill. After providing notice to the customer and an opportunity to make payment, service to any customer may be discontinued and a penalty of ten (10) percent assessed to the amount of the bill for failure to pay within ten (10) days. A service charge fee is to be added for reconnection. Any customer who reconnects his own meter after services have been discontinued for nonpayment will have his meter removed by the Ames Water Supply Corporation. A reset fee, as provided for in ORDINANCE NO. 2024-002, in addition to any other applicable charges, must be paid before service will be resumed.
- (b) Commercial Multi-Unit property owners, including, but not limited to, Recreational Vehicle Parks, are responsible for the water and/or sewer service to all units within the property. The utility accounts for these services will only be set in the name of the property owner or management company. All customer fees and usage/consumption will be billed to the property owner/management company account.

Appendix A – Fee Schedule

Wastewater service charge:

These rates are applicable to all residential, multifamily, commercial, and commercial multi-unit retail wastewater customers within the corporate limits of the city who have metered water connections and to whom city wastewater service has actually been connected, except for customers who a city-approved, on-site sewer system, septic system or other on-site wastewater system, and have not connected to the city’s wastewater system, or customers who have a water meter for irrigation use only, as long as the irrigation meter does not provided water to plumbing fixtures.

Wastewater Rates

Monthly charge:	\$44.00
<i>Plus the following volumetric charge(s) for consumption per 1,000 gallons:</i>	
0 – 4,000 gallons	\$0.00
4,001 gallons and Greater	\$3.75

Discounted Residential Wastewater Rates

Monthly charge:	\$39.60
<i>Plus the following volumetric charge(s) for consumption per 1,000 gallons:</i>	
0 – 4,000 gallons	\$0.00
4,001 gallons and Greater	\$3.40