

## ORDINANCE NUMBER 12

AN ORDINANCE OF THE BISTONE MUNICIPAL WATER SUPPLY DISTRICT AMENDING WATER RATES AND OTHER SECTIONS CONTAINED IN ORDINANCE 11, ADOPTED MAY 21, 2001; FIXING AND DETERMINING WATER RATES FOR ALL RETAIL CUSTOMERS, FEES, CHARGES, OTHER FEES, COSTS, EXPENSES, CHARGES, AND PENALTIES AND LIABILITY THEREFORE; REPEALING ALL PRIOR ORDINANCES AND PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HERewith; PROVIDING FOR ENFORCEMENT; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR THE PUBLICATION OF A SUBSTANTIVE STATEMENT OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE BISTONE MUNICIPAL WATER SUPPLY DISTRICT:

### SECTION 1. WATER RATES AND ACCOUNTS

Section 6. Water Rates and Accounts are hereby amended to read as follows:

(A) The amounts to be levied and collected from any person, business or entity using the District water system shall be computed in accordance with the following monthly water rate schedule:

1. Retail Customer water rates shall increase from:

- \$ 12.50 for the first one thousand gallons (minimum),
- \$ 4.40 per thousand for the next 24,000 gallons,
- \$ 4.65 per thousand for the next 25,000 gallons,
- \$ 4.90 per thousand for the next 25,000 gallons,
- \$ 5.15 per thousand for the next 25,000 gallons and
- \$ 5.40 per thousand for all over 100,000 gallons.

To:

- \$ 20.00 for the first one thousand gallons (minimum),
- \$ 7.30 per thousand for the next 24,000 gallons
- \$ 7.81 per thousand for the next 25,000 gallons
- \$ 8.23 per thousand for the next 25,000 gallons
- \$ 8.65 per thousand for the next 25,000 gallons and

\$ 9.07 per thousand for all over 100,000 gallons.

Provided however that where more than one residence is serviced from the same water meter, such customer shall pay a minimum monthly rate of \$ 20.00 per residence plus the amount of water provided through such meter as shown on the foregoing schedule, after an allowance for 1,000 gallons per residence serviced by said meter.

2. Raw (Non-potable) Customer water rates are as follows:

(a) Raw Water from Lake Mexia will be \$ 4.56 for the first one thousand gallons (minimum) and \$ 1.97 for all over; and

(b) Raw Water from the Personville Wells pipeline will be \$ 5.89 for the first one thousand gallons (minimum) \$ 1.92 for all over.

(B) SECTION 6 (B) (8) (a) is hereby amended to read as follows:

(1) Miscellaneous Charges and Provisions.

(a) Adjustment for Leaks. Any customer who requests an adjustment due to a water leak shall present to the General Manager such documents and verification as the General Manager may require to substantiate that a water leak has occurred. If the General Manager is satisfied that a leak has occurred, the General Manager may adjust one month's billing to that customer during the period of the leak to an amount equal to the full applicable base and usage rate for the first 10,000 gallons of water and to Two dollars and nineteen cents (\$ 2.19) per thousand gallons over 10,000 gallons for that month. The customer shall not be entitled to any further adjustment for that leak even though said leak may have extended into two or more monthly billing periods. Only one leak adjustment is allowed every twelve months on any account.

## SECTION 2. PARTIAL INVALIDITY.

That the invalidity of any part of this Ordinance shall not invalidate any other part thereof. That the terms and provision of this ordinance shall be deemed to be severable and that if the validity of any section, subsection, sentence, clause or phrase of this Ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this Ordinance.

SECTION 3. REPEALING CLAUSE.

That all ordinances and parts of ordinances, and resolutions and parts of resolutions in conflict herewith are, to the extent of such conflict, hereby repealed. This ordinance amends only the specific items listed.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall become effective with all bills produced on or after October 1, 2010 and be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

SECTION 5. PUBLICATION OF SUBSTANTIVE STATEMENT.

This Ordinance shall become effective five (5) days after the second publication of the Substantive Statement, once a week for two consecutive weeks, pursuant to Section 23 B, Article 8280-206, creating said Water District and such publication shall be in the form of the Substantive Statement hereof, which states in summary the purpose of this Ordinance and the penalty for violation of this Ordinance.

DULY PASSED on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

\_\_\_\_\_  
Carrie Ingle  
Secretary/Treasurer

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James H. Oliver  
President