

**ORDINANCE NO. 2010-1012  
RESTRUCTURING WATER AND WASTE WATER RATES**

**AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS RESTRUCTURING RATES CHARGED FOR WATER AND WASTE WATER SERVICES TO ENCOURAGE CONSERVATION EFFORTS AND ENSURE FISCAL RESPONSIBILITY FOR THE ENTERPRISE FUND; REVISING THE TIER SCHEDULE REDUCING THE BASE CHARGE FROM \$23.65 TO \$15.00 FOR COMMERCIAL ACCOUNTS AND \$13.00 FOR RESIDENTIAL ACCOUNTS; INCREASE TIER CHARGES OVER THE BASE USAGE TO \$2.75 PER THOUSAND FOR COMMERCIAL ACCOUNTS USING BETWEEN 5,001 AND 10,000 GALLONS AND \$2.00 PER THOUSAND FOR RESIDENTIAL ACCOUNTS USING THE SAME; IMPLEMENTING A \$3.00 PER THOUSAND RATE FOR COMMERCIAL ACCOUNTS USING BETWEEN 10,001 AND 20,000 GALLONS AND A \$2.50 PER THOUSAND RATE FOR RESIDENTIAL ACCOUNTS USING THE SAME; CREATING A \$3.25 PER THOUSAND RATE FOR COMMERCIAL ACCOUNTS USING MORE THAN 20,001 GALLONS AND A \$3.00 PER THOUSAND RATE FOR RESIDENTIAL ACCOUNTS USING THE SAME; CREATING A BASE RATE CHARGE OF \$20.00 FOR BUILDERS AND ADOPTING THE SAME TIER CHARGES FOR BUILDERS AS COMMERCIAL CUSTOMERS. FURTHER REVISING THE CHARGE FOR WASTE WATER SERVICES TO \$15.00 BASE CHARGE FOR COMMERCIAL ACCOUNTS AND \$13.00 FOR RESIDENTIAL ACCOUNTS USING BETWEEN 1 AND 5,000 GALLONS; AND CREATING A RATE OF \$2.50 PER THOUSAND OVER 5,001 GALLONS USED FOR COMMERCIAL CUSTOMERS AND A RATE OF \$2.00 PER THOUSAND FOR RESIDENTIAL ACCOUNT USING THE SAME; REPEALING ALL PREVIOUS ORDINANCES, PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, in the interest of Water Conservation and Fiscal Responsibility, it has been deemed in the best interest of the City of Fulshear, Texas to revise the method and rates charged for Water and Waste Water services; AND

**WHEREAS**, it is the desire of the City Council of the City of Fulshear to develop a rate structure that will allow the Enterprise Fund to rely on its own revenues for operations rather than requiring a subsidy from the General Fund, thus making the rates more equitable to property owners within the jurisdiction; AND

**WHEREAS**, the State of Texas has long encouraged rate models that promote conservation of water resources by creating tiered rates which reward lower consumption; AND

**WHEREAS**, the City Council of the City of Fulshear, Texas believes that these financial goals are best attained through the rate structure contained herein.

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

**SECTION 1.0**

**PURPOSE:** The purpose of this Ordinance is to create a rate structure that encourages water conservation, rate equity for property owners and fiscal responsibility for the Enterprise Fund while developing a structure conducive for future development.

**SECTION 2.0**

**Definitions:** The following terms are defined below for the purposes of this Ordinance.

Builder Account/ Customers: Any construction related enterprise requiring temporary water services during the course of construction prior to the completion of construction as denoted by the issuance of a Certificate of Occupancy by the City.

Commercial Account/ Customers: Any account which is not tied to residential usage, including but not limited to retail stores, restaurants, manufacturing facilities, service providers, non-profit organizations and churches.

Residential Accounts/ Customers: Any account which is tied strictly to residential usage.

**SECTION 3.0**

**CREATED:** The following rates and tiers for Water and Waste Water usage are hereby created:

- (a) The following charges shall be made and collected for water and waste water services used by the commercial customers of the water and waste water system of the City.

Water Rates for Commercial customers:

0 – 5,000 gallons.....\$15.00

5,001 - 10,000 gallons (for each additional  
Thousand gallons)..... \$2.75

10,001 – 20,000 gallons (for each additional  
Thousand gallons)..... \$3.00

20,001 gallons and over (for additional  
Thousand gallons)..... \$3.25

Waste water Rates for commercial customers:

0 – 5,000 gallons..... \$15.00

5,001 and over (for each additional  
Thousand gallons)..... \$2.50

- (b) The following charges shall be made and collected for water services used by builder customers of the water system of the City.

Water Rates for Builder customers:

0 – 5,000 gallons.....\$20.00

5,001 - 10,000 gallons (for each additional Thousand gallons).....	\$2.75
10,001 – 20,000 gallons (for each additional Thousand gallons).....	\$3.00
20,001 gallons and over (for additional Thousand gallons).....	\$3.25

(c) The following charges shall be made and collected for water and waste water services used by the residential customers of the water and waste water system of the City.

Water Rates for Residential customers:

0 – 5,000 gallons.....	\$13.00
5,001 - 10,000 gallons (for each additional Thousand gallons).....	\$2.00
10,001 – 20,000 gallons (for each additional Thousand gallons).....	\$2.50
20,001 gallons and over (for additional Thousand gallons).....	\$3.00

Waste water Rates for commercial customers:

0 – 5,000 gallons.....	\$13.00
5,001 and over (for each additional Thousand gallons).....	\$2.00

All monies collected under this Ordinance shall be credited to the Enterprise system fund of the City and shall become the property of said City.

**SECTION 4.0**

**SEVERABILITY CLAUSE:** That if any provision, word, sentence, paragraph, clause, phrase or section of this Ordinance or its application to any person or circumstances is adjudged or held invalid, void or unconstitutional, the invalid, void or unconstitutional portion shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

**SECTION 5.0**

**REPEALING CLAUSE:** All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

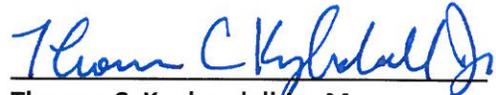
**SECTION 6.0**

**EFFECTIVE DATE:** This Ordinance shall be effective on October 1, 2010.

**SECTION 7.0**

**PUBLICATION:** The City Secretary is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

**DULY PASSED AND ADOPTED UPON MOTION OF COUNCILMEMBER Hill SECONDED BY COUNCILMEMBER Benning THAT THE ORDINANCE BE ADOPTED. AYES: 4 NAYES: 1 MOTION CARRIED THIS 21<sup>st</sup> DAY OF September, 2010.**

  
Thomas C. Kuykendall Jr., Mayor

**ATTEST:**

  
D. Gordon Offord, City Secretary