

ORDINANCE NO. 1094

AN ORDINANCE AMENDING THE CODE OF ORDINANCES; REDUCING THE RATES CHARGED FOR WATER SERVICE; INCREASING THE RATES CHARGED FOR WASTEWATER SERVICES; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

Whereas, the City of Portland operates a water and wastewater utility system to provide essential services to the residents of Portland and certain areas of our extraterritorial jurisdiction; and

Whereas, the City Council must maintain and expand the utility system from time to time; and

Whereas, the cost of operation, maintenance and expansion of the system is the basis for fees assessed for the services provided; and

Whereas, these costs go up over time and must be passed to the customers of the system to insure financial health and integrity of the system; and

Whereas, the costs provided for each distinct service must be reflected in the rates charged to customers for that service,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND:

Section 1. Chapter 23, Article II, Division 2, Section 23-41, Subsection (a) is hereby amended to read

- (1) The minimum monthly charge for water will be based on the class of customer and the size of the meter providing connection for the customer to the City's system. There will not be any amount of usage included in the minimum monthly bill.

Section 2. Chapter 23, Article II, Division 2, Section 23-41, Subsection (a), Paragraph (4) is hereby amended to read

Table 1. Water and Wastewater Minimum Base Charges

Residential	<u>Water</u>	<u>Wastewater</u>
Meter Size		
0.625 inch to 2.0 inch	\$ 7.59	\$14.36
Commercial		
Meter Size		
0.625 inch	\$ 9.38	\$ 18.91
0.75 inch	\$ 9.38	\$ 18.91
1.0 inch	\$ 12.97	\$ 28.01
1.5 inch	\$ 21.93	\$ 50.76
2.0 inch	\$ 32.68	\$ 78.06
3.0 inch	\$ 57.78	\$141.76
4.0 inch	\$ 93.63	\$232.77
6.0 inch	\$183.25	\$460.28

Raw Water accounts, any meter size, will have a minimum monthly charge of \$130.

Section 3. Chapter 23, Article II, Division 2, Section 23-42, Subsection (b) is hereby amended to read:

- (b) New "master meter" systems (where many entities or units are served through one meter) shall only be allowed with prior written approval of the city manager and utility billing director. All "master meter" systems for apartments, multi-family units and

commercial entities shall be charged a monthly minimum rate of \$15.90 for water (plus usage as outlined in Table 3). Apartment complexes (5 units and up) and commercial accounts on master meters will be charged a per-unit charge of \$7.00 for wastewater (plus usage as outlined in Section 23-42). Multi-family units of 2 to 4 units will be charged \$14.36 per unit for wastewater (plus usage as outlined in Section 23-42). There will not be any amount of usage included in the minimum monthly bill. The per-unit charges will not vary based on occupancy of the unit. Minimum solid waste service for master metered units shall be established by the city, based on a projected volume of waste.

Section 4. Chapter 23, Article II, Division 2, Section 23-42 is hereby amended to read

(a) *Water*. Water usage (per metered connection) for each thousand gallons or part thereof shall be billed as stated in Table 3.

Table 3. Water Usage Charges per Thousand Gallons

	<u>Potable Water</u>	<u>Raw Water</u>
0 to 13,000	\$2.19	\$2.55
13,001 to 25,000	2.24	\$2.55
25,001 to 40,000	2.43	\$2.55
40,001 and up	2.68	\$2.55

(b) *Wastewater*. All residential customers shall be charged a wastewater discharge usage fee of eighty-six cents (\$0.86) per thousand gallons of average monthly consumption. The average monthly consumption is defined as either the system-wide single-family residential average or the specific single-family residential location average for the previous months of December, January and February. Commercial customers shall be charged a wastewater discharge usage fee of eighty-six cents (0.86) per thousand gallons of actual usage each month.

(The remaining text in 23-42(b) is unchanged)

Section 5. Chapter 23, Article II, Division 2, Section 23-43 is hereby amended to read

When city utility services beyond the city limits are allowed by the city council, users shall pay 125% of the rate of applicable water, wastewater and solid waste fees. A city plumbing permit shall be required, and all work shall meet city codes for plumbing, whenever the city is supplying water to any part of a facility or location.

Section 6. All previously adopted rules, regulations, policies and ordinances in conflict with this Ordinance are hereby repealed.

Section 7. If for any reason any part of this ordinance shall be held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, it shall not affect any other part of this ordinance.

Section 8. This ordinance shall be in full force and effect after all necessary publication requirements have been met.

Approved on the first reading March 16, 2004.

Duly passed and approved on the second reading, April 6, 2004.

Attest:


City Secretary

City of Portland

By: 
Joe Burke, Mayor

ORDINANCE NO. 1110

**AN ORDINANCE AMENDING ORDINANCE
NO. 1078 ESTABLISHING NEW PASS THROUGH RATES
FROM BFI FOR THE PROVISION OF SOLID WASTE SERVICE;
PROVIDING FOR AN EFFECTIVE DATE AND FOR PUBLICATION**

WHEREAS, an exclusive 5 year franchise for the collection and disposal of all solid waste generated within the corporate limits of the City of Portland had been granted to BFI on September 3, 2002, and

WHEREAS, the franchise agreement between the City and BFI authorizes a rate increase based on the Consumer Price Index (CPI) reflecting a 3.3% increase,

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

SECTION 1: Chapter,23,Article II,Division 2, Section 23-41,Subsection (a), **TABLE TWO SOLID WASTE CHARGES** is hereby amended to read as follows:

RESIDENTIAL HAND COLLECTION RATE

Collection fee	11.56
Administrative/billing fee	2.50
Total	14.06

COMMERCIAL HAND COLLECTION RATE

Collection fee	16.35
Administrative/billing fee	3.06
Total	19.41

COMMERCIAL HAND RECYCLING RATE

Collection fee	50.39
Administrative/billing fee	8.55
Total	58.94

A 19.5% administrative/billing fee will be charged every commercial dumpster account per month.

ROLL-OFF (OPEN TOP) DUMPSTER RATES

Delivery	\$ 50.40
Monthly Rental	\$ 33.59
Haul Rate	\$136.89 + disposal @ \$26.50 per ton

A 19.5% franchise fee will be charged on every roll-off (open top) dumpster account.

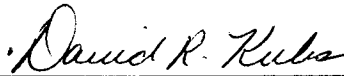
SECTION 2: All previously adopted rules, regulations, policies and ordinances in conflict with this Ordinance are hereby repealed.

SECTION 3: If for any reason any part of this ordinance shall be held to be invalid or unconstitutional by a final judgement of a court of competent jurisdiction, it shall not affect any other part of this ordinance.

SECTION 3: This Ordinance shall be in full force and effect after all necessary publication requirements have been met.

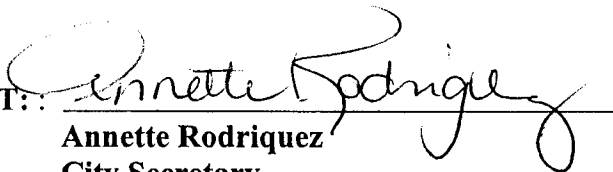
PASSED and **APPROVED** this 7th day of September 2004.

CITY OF PORTLAND



David Krebs
Mayor

ATTEST:


Annette Rodriguez
City Secretary