

**ORDINANCE NO. 20-07-16-23**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS AMENDING SECTIONS 50.16, "WATER RATES", AND 50.36, "WASTEWATER RATES", OF CHAPTER 50, "WATER AND SANITARY WASTEWATER SYSTEMS", OF TITLE V, "PUBLIC WORKS", OF THE CODE OF ORDINANCES OF THE CITY OF CORINTH TO INCREASE THE WATER AND WASTEWATER RATES CURRENTLY IN EFFECT; PROVIDING AUTHORIZATION FOR THE CITY MANAGER TO MAKE ANNUAL PASS-THROUGH ADJUSTMENTS TO RECOVER COSTS FOR WATER AND WASTEWATER SERVICE PROVIDED BY THE UPPER TRINITY REGIONAL WATER DISTRICT; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS; PROVIDING FOR A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the local Government Code; and

**WHEREAS**, the City commissioned a water and wastewater cost of service and financial plan study which was presented to the City Council on February 20, 2020 and July 2, 2020, and which recommends that increases in water and wastewater rates are necessary at this time due to increased water and wastewater service use and the City Council desires to adopt this ordinance to make such changes; and

**WHEREAS**, the City receives water and wastewater treatment services from the Upper Trinity Regional Water District (UTRWD) and the City Council desires to make certain changes to the rate structure charged by the City to customers in order to pass-through the rate changes enacted by UTRWD on June 12, 2020; and

**WHEREAS**, the City Council desires to formally act through adoption of this ordinance to amend the City's current water and wastewater rates and to authorize and direct the City Manager to annually adjust the passed-through rates the City's charges for UTRWD wholesale water and wastewater services as provided herein.

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

**SECTION 1.**  
**INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

**SECTION 2.**  
**AMENDMENTS**

A. That Section 50.16, "Water Rates", of Chapter 50, "Water and Sanitary Wastewater Systems" of Title V, "Public Works", of the Code of Ordinances of the City of Corinth, Texas is hereby amended to be read in its entirety as follows:

**§50.16 WATER RATES.**

The monthly rates or charges for service furnished by the City's waterworks system shall be as follows:

- (A) UTRWD pass-through wholesale water charges. The monthly rates for water service shall include all current charges for wholesale water billed to the city by the Upper Trinity Regional Water District (UTRWD) as a pass-through charge which will be maintained as a separate item in accordance with amounts actually billed to the city by UTRWD. In each fiscal year budget, a projected number of billings and projected total usage will be determined and used as the basis for distributing wholesale water treatment and delivery cost charged by UTRWD to the city as a monthly minimum based on meter size and a rate per 1,000 gallons. The pass-through charge shall consist of: (A) a minimum monthly billing charge related to wholesale costs other than volume charges charged by UTRWD to the city; and (B) a charge per gallon related to wholesale volume charges charged by UTRWD to the city. Each year, effective with October usage and the November billing, this rate will be updated by the City Manager or his or her designee to reflect increases or decreases in rates from the city's wholesale provider, UTRWD, adjusted by a reconciliation of billed amounts compared to actual charges incurred by the city in the previous fiscal year.
- (B) City water rates for residential customers. In addition to the UTRWD pass-through charge described in paragraph (A) of this Section, residential water customers shall pay the City a fee for the receipt of water service. The rates for the provision of water service for residential accounts are as follows:

- (1) Monthly minimum:

<i>Meter Size (in Inches)</i>	City Fee
5/8"	\$13.35
3/4"	14.68
1"	18.69
1 1/2"	24.02
2"	38.70
3"	146.80
4"	186.83
6"	280.25
10"	603.72

(2) Plus Volume charge (per 1,000 gallons):

	City Fee
0-5,000 Gallons	1.00
5,001-10,000 Gallons	1.00
10,001-25,000 Gallons	3.00
25,001-50,000 Gallons	6.00
50,001 and Up	9.00

(C) City water rates for commercial customers. In addition to the UTRWD pass-through charge described in paragraph (A) of this Section, commercial water customers shall pay the City a fee for the receipt of water service. The rates for the provision of water service for commercial accounts are as follows:

(1) Monthly minimum:

<i>Meter Size (in Inches)</i>	City Fee
5/8"	\$13.35
3/4"	14.68
1"	18.69
1 1/2"	24.02
2"	38.70
3"	146.80
4"	186.83
6"	280.25
10"	603.72

(2) Plus Volume charge (per 1,000 gallons):

	City Fee
0-50,000 Gallons	\$3.00
50,001-200,000 Gallons	5.00
200,001-500,000 Gallons	7.00
500,001 and Up	10.00

(D) City water rates for irrigation customers. In addition to the UTRWD pass-through charge described in paragraph (A) of this Section, irrigation water customers shall pay the City a fee for the receipt of water service. The rates for the provision of water service for irrigation accounts are as follows:

(3) Monthly minimum:

<i>Meter Size (in Inches)</i>	City Fee
5/8"	\$13.35
3/4"	14.68
1"	18.69
1 1/2"	24.02
2"	38.70
3"	146.80
4"	186.83
6"	280.25
10"	603.72

(4) Plus Volume charge (per 1,000 gallons):

	City Fee
0-50,000 Gallons	\$3.00
50,001-100,000 Gallons	5.00
100,001-500,000 Gallons	7.00
500,001 and Up	10.00

(E) Residential customers over the age of 65 years shall receive a credit of up to 5,000 gallons included in the monthly minimum, excluding irrigation rates.

(F) For water consumed for irrigation by the City Parks Department, the charges shall be equivalent to the wholesale cost paid by the city for the water.

B. That Section 50.36, “Wastewater Rates”, of Chapter 50, “Water and Sanitary Wastewater Systems” of Title V, “Public Works”, of the Code of Ordinances of the City of Corinth, Texas is hereby amended to be read in its entirety as follows:

**§50.36 WASTEWATER RATES.**

The monthly rates or charges for services furnished by the sanitary wastewater system of the City shall be as follows:

(A) UTRWD pass-through wholesale sanitary wastewater system charges. The monthly rates for sanitary wastewater service shall include all current charges for wholesale sanitary sewer services billed to the city by the Upper Trinity Regional Water District (UTRWD) as a pass-through charge which will be maintained as a separate item in accordance with amounts actually billed to the city by UTRWD. In each fiscal year budget, a projected number of billings and projected total usage will be determined and used as the basis for distributing wholesale sanitary sewer cost charged by UTRWD to the city as a monthly minimum based on a rate per 1,000 gallons. The pass-through charge shall consist of: (A) a minimum monthly billing charge related to wholesale costs other than volume charges charged by UTRWD to the city; and (B) a charge per gallon related to wholesale volume charges charged by UTRWD to the city. Each year, effective with October usage and the November billing, this rate will be updated by the City Manager or his or her designee to reflect increases or decreases in rates from the city’s wholesale provider, UTRWD, adjusted by a reconciliation of billed amounts compared to actual charges incurred by the city in the previous fiscal year.

(B) Rates for Residential sanitary sewer service. In addition to the UTRWD pass-through charge described in paragraph (A) of this Section, sanitary sewer service customers shall pay the City a fee for the receipt of sanitary sewer service. The rates for the provision of water service for residential accounts are as follows:

	City Fee
Wastewater Rates Monthly Minimum	\$16.00
Plus Volume Charge (for each 1,000 gallons)	1.40

- (1) Customers over the age of 65 years shall receive a credit of up to 1,000 gallons included in the monthly minimum.
- (2) Basis for wastewater billing. The volume of flow used in computing wastewater charges for residential customers shall be calculated by taking the prior November, December, January and February metered water consumptions,

subtracting out the highest month's usage, and averaging the remaining consumptions to be known as the "Winter Quarter Average." Each March, the billable flows for each residential customer shall be readjusted based on the previous Winter Quarter Average. Where no prior Winter Quarter Average exists, the Winter Quarter Average consumption for all residential customers shall be used.

(C) Rates for Commercial sanitary sewer service. In addition to the UTRWD pass-through charge described in paragraph (A) of this Section, sanitary sewer service customers shall pay the City a fee for the receipt of sanitary sewer service. The rates for the provision of water service for commercial accounts are as follows:

	City Fee
Wastewater Rates Monthly Minimum	\$19.00
Plus Volume Charge (for each 1,000 gallons)	1.40

- (1) Basis for wastewater billing. The volume of flow used in computing wastewater charges for commercial customers shall be based on metered water consumption as shown in the meter reading records retained by the city.

**SECTION 3.**  
**CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 4.**  
**SAVINGS**

All rights and remedies of the City of Corinth, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting fees which have secured at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 5.**  
**SEVERABILITY**

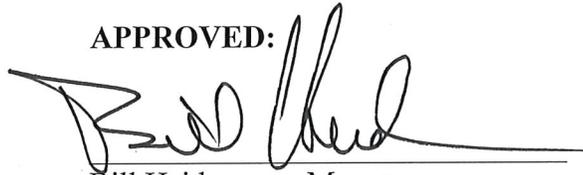
The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

**SECTION 6.**  
**EFFECTIVE DATE**

This Ordinance shall take effect upon its passage and publication as required by law. The City Secretary is directed to publish the caption of this Ordinance as required by the City Charter and state law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS on this 16 day of JULY 2020.**

APPROVED:



Bill Heidemann, Mayor

ATTEST:



Lana Wylie, Interim City Secretary

APPROVED AS TO FORM:



Patricia Adams, City Attorney

