

Original

ORDINANCE # 004-75

AN ORDINANCE CREATING, AND SPECIFYING THE DUTIES OF, THE OFFICE OF MANAGER OF UTILITIES; REQUIRING PERMIT TO CONNECT TO THE CITY WATER SYSTEM, PROVIDING FOR INSPECTION, FEES AND CHARGES FOR WATER SERVICE, TIME OF PAYMENT, DISCONTINUANCE OF SERVICE AND RECONNECTION REQUIREMENTS; AND REQUIRING PERMIT TO CONNECT TO THE CITY SANITARY SEWER SYSTEM, PROVIDING FOR INSPECTION, FEES AND CHARGES FOR SEWER SERVICE, TIME OF PAYMENT, AND DISCONTINUANCE OF SERVICE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ORCHARD, TEXAS AS FOLLOWS:

ARTICLE ONE: UTILITIES IN GENERAL

Sec. 1 There is hereby created in and for the City of Orchard, Texas, the office of manager of utilities, which office shall be filled by appointment by the City Council of said City ("Council") and when appointed shall serve during the pleasure of the Council for such salary as may from time to time be set by the Council.

Sec. 2 The manager of utilities shall be the administrative officer of the City utilities system, including all buildings, engines, pumps, reservoirs, tanks, pipe lines, hydrants, meters, stop cocks, gate valves, fire plugs, testing equipment, and all other machinery and property of any nature used in, or connected with, the utilities system.

The manager of utilities shall make, or cause to be made, all repairs deemed necessary and consistent with his duties.

The manager of utilities shall maintain at least one complete set of plans (and more if required by Council) for the entirety of the City utilities system, accurately reflecting the complete water and sewer system as built and as may be later modified, including all taps and connections now or hereafter existing and shall further maintain a list of all subscribers to water and sewer service which list shall accurately reflect the name and address of the subscriber, the location and type of service and the dates of connection and/or discontinuance of service.

The manager of utilities shall read, or cause to be read, on a monthly basis all water meters and shall bill all subscribers for water and sewer service in the time and in accordance with the rates set out herein or by later ordinance or resolution.

The manager of utilities shall timely receipt and account for all fees, charges or other funds coming into his department and shall deposit the same into such account or accounts as the Council may from time to time direct and shall keep a complete and accurate set of records in the form required by Council detailing the receipt and deposit or expenditure of all monies, the number and type and class of all subscribers and such other matters as the Council may from time to time require.

The manager of utilities shall report all violations of the various provisions of this ordinance, or any other applicable ordinance, to the Council, and shall, unless directed otherwise by the Council, have all violations abated and all such violators prosecuted.

ARTICLE TWO: WATER

Sec. 1 From and after July 1, 1975, it shall be unlawful for any person to make any connection to the mains or pipes of the city water

works system or to use or take water directly therefrom without first obtaining a permit therefor from the manager of utilities.

Sec. 2 Any person desiring water service from the city water works system shall make application therefor to the manager of utilities on forms provided for such purposes. The following information shall be required:

- (a) The uses for which water is desired.
- (b) The full name and correct mailing address of the person to be served.
- (c) The full name and correct mailing address of the person owning the property.
- (d) The location of the premises to be served, including the number of the lot and block, name of the street and the house number, or such other accurate description as may be appropriate.
- (e) Such other information as may be reasonably required by the manager of utilities.

Sec. 3 All fees and charges for water service and connections shall be paid for at the times and in the amounts and in accordance with the rates as fixed by this ordinance or by later ordinance or resolution of the Council.

Sec. 4 Upon the approval for the application for water service and the payment of any tap or connection charge applicable, the manager of utilities shall issue a permit therefor.

Sec. 5 Any person wishing to discontinue the use of water supplied from the water works system must give notice thereof to the manager of utilities otherwise the charge will be entered until such notice has been given.

Sec. 6 Upon the issuance of the permit required by this ordinance and the payment of the tap or connection fee, the manager of utilities may make or cause to be made, the necessary connections for water service, or may require that the subscriber secure the services of a licensed plumber who shall at the expense of the subscriber make the necessary connections for water service. If the same be done by licensed plumber, it shall before backfill be inspected by the manager of utilities and such installation and connection shall be water tight and meet all requirements of the Texas Health Department, the City of Orchard, Texas and other governmental agency having jurisdiction, and in this regard every premises so connected shall have a separate connection and meter, curb stop box and curb cock.

Sec. 7 All charges for water service shall be on a calendar month basis, or as near thereto as is practicable. All meters shall be read and statements for water used shall be mailed by the 10th of the month following the calendar month for which the charge is made. In the event all rates and charges are not paid by the 20th of the month following the calendar month for which the charge is made, the City may cut off and discontinue water service to such subscriber without further notice. In such event, such service shall not be re-connected and no further water shall be furnished such subscriber until all past due rates and charges and re-connection fees have been paid in full.

Sec. 8 It shall be unlawful for any person to turn on the water supply to any building or to any supply pipe where the supply has been turned off for the nonpayment of the monthly water charge or for the violation of any applicable provision of this ordinance without first obtaining a permit from the manager of utilities for such re-connection.

Sec. 9 The Council may by resolution from time to time set an amount to be charged as a re-connection fee to be paid by any subscriber in the

event water service to that subscriber has been terminated under the provisions of this ordinance. Such fee to be in addition to all other rates and charges due and payable for water service.

Sec. 10 The following rates shall be charged to all domestic subscribers for water from the city water works system for the preceding calendar month unless other rates are determined by resolution or other special action of the Council:

The first 3,000 gallons or any part thereof\$8.00.
3,001 to 6,000 gallons...\$0.90/thousand or any part thereof.
6,001 to 10,000 gallons..\$0.80/thousand or any part thereof.
10,001 to 14,000 gallons.\$0.70/thousand or any part thereof.
14,001 gallons or more..\$0.65/thousand or any part thereof.

The above domestic rates shall apply to all commercial businesses excepting that the Council may set a special rate each for trailer parks, apartment houses, hospitals, industrial plants, schools, office building complexes and the like.

ARTICLE THREE: SEWER

Sec. 1 It shall be unlawful for any person to connect any open gutter, cesspool, privy vault or private water well with any sanitary sewer or drain in the City.

Sec. 2 From and after July 1, 1975, it shall be unlawful for any person to make any connection to the sewer mains or system of this City without first obtaining a permit therefor from the manager of utilities.

Sec. 3 Any person desiring sewer service from the City sewer system shall make application therefor to the manager of utilities on forms provided for such purpose. The following information shall be required:

- (a) The full name and correct mailing address of subscriber.
- (b) The name and address of the person owning the property.
- (c) The location of the premises to be served, including the number of the lot and block, name of the street and house number, or such other accurate description as may be appropriate.
- (d) The number of standard fixtures (water closets, tubs, showers, sinks, etc.) within the building to be connected.
- (e) Such other information as may be reasonably required by the manager of utilities.

Sec. 4 All fees and charges for sewer service shall be paid for at the times and in the amounts as fixed by this ordinance or by later ordinance or resolution of the Council.

Sec. 5 Upon the approval of the application for sewer service and the payment of any tap or connection charge applicable, the manager of utilities shall issue a permit for such connection.

Sec. 6 Any person wishing to discontinue sewer service must give notice thereof to the manager of utilities otherwise the charge will be entered monthly until such notice has been given.

Sec. 7 Upon the issuance of the permit required by this ordinance and the payment of any tap or connection fee, the manager of utilities may make or cause to be made, the necessary connection for sewer service, or may require that the subscriber secure the services of a licensed plumber who shall at the

expense of the subscriber make the necessary connection. All sewer lines between the City sewer system and any building must be a minimum of _____ inches in diameter, must be water tight and must be inspected by the manager of utilities prior to backfill. Should the connection to the City sewer system be made by a licensed plumber, the same shall be inspected by the manager of utilities prior to backfill. The connection and all lines must meet all requirements of the Texas Health Department, the City of Orchard, Texas and any other governing agency having jurisdiction, and must at all times be maintained in a water tight condition.

Sec. 8 All charges for sewer service shall be on a calendar month basis, and statements for sewer charges shall be mailed by the ~~10th~~^{16th} of the month following the calendar month for which the charge is made. In the event all rates and charges are not paid by the ~~20th~~^{26th} of the month following the calendar month for which the charge is made, the City may cut off and discontinue sewer service to such subscriber without further notice. In such event, such service shall not be re-connected until all past due rates and charges and re-connection fees have been paid in full.

Sec. 9 It shall be unlawful for any person to re-connect to the City sewer system where sewer service has been discontinued for nonpayment of the monthly sewer charge or for the violation of any applicable provision of this ordinance without first obtaining a permit from the manager of utilities for such re-connection.

Sec. 10 The Council may by resolution from time to time set an amount to be charged as a re-connection fee to be paid by any subscriber in the event sewer service to that subscriber has been terminated under this provision of this ordinance. Such fee to be in addition to all other rates and charges due and payable for sewer service.

Sec. 11 The following monthly charges are hereby fixed to be paid by all subscribers for sewer service:

- (a) Private residences under one billing, the sum of Four and No/100 Dollars (\$4.00) per month.
- (b) Trailer parks, apartment houses, hospitals, industrial plants, schools, office building complexes and the like in an amount to be determined by the Council.

PASSED and APPROVED on this the 14 day of May, 1975.

Jess P. Lisack
Mayor

Thomas Shier
Commissioner

Robert E. Craft
Commissioner

ATTEST:

La Vene Crommas
Town Clerk



THE STATE OF TEXAS X

COUNTY OF FORT BEND X

LaVerne Crommons

I, JO ANN DEMNY, the duly appointed, qualified and acting Clerk of the Town of Orchard, Texas, hereby certify that the above and foregoing ordinance of the Town of Orchard was passed at a regular meeting of the Board of Commissioners of the Town of Orchard held on the 14 day of May, 1975; that written notice of the date, place and subject of said meeting was posted on a bulletin board located at a place convenient to the public in the city hall for at least the three days preceding the day of said meeting; that the Mayor and both Commissioners were present at said meeting and acted as the Board throughout; that said ordinance has been approved by the Mayor and is duly attested by the Town Clerk; and that the same has been duly engrossed and enrolled in the records of the Town of Orchard, Texas.

Executed under my hand and the official seal of the Town of Orchard, Texas, this 14 day of May, 1975.

La Verne Crommons
Clerk of the Town of Orchard, Texas

