

ORDINANCE NO. 2015- 15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UVALDE, TEXAS, AMENDING CHAPTER 3.05.010 PAYMENT BY CREDIT CARD; CHAPTER 13.16.020 D. CONNECTION/DISCONNECTION AND RECONNECTION FEE; CHAPTER 13.16.020 H. DEPOSITS; CHAPTER 13.16.060 BILLS – DUE AND PAYABLE WHEN; CHAPTER 13.16.110 PENALTIES; AND PROVIDING AN EFFECTIVE DATE FOR THE CHANGES.

WHEREAS, the City Council of the City of Uvalde, Texas (the "City"), finds and determines that it is appropriate, advisable, and in the best interests of the citizens of the City;

WHEREAS, the City Council for the City of Uvalde, Texas finds it is for the welfare of the City as a whole and the utility systems to make adjustments to the City's utility regulations.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UVALDE THAT CERTAIN CHAPTERS AND SECTIONS OF THE OF THE CITY OF UVALDE CODE OF ORDINANCES ARE AMENDED AS FOLLOWS:

CHAPTER 3.05.010. Payment by credit card; processing fees and service charges.

The departments of the city which collect fees, fines, court costs and other charges, including but not limited to municipal court, the office of city secretary, office of the city manager, the utility department, and any other department authorized to collect such payments are hereby authorized to collect such payments are hereby authorized to collect such payment by. City departments may collect a processing fee for payments made by credit card. The processing fee may be no more than three percent of the amount of the fee, fine, court cost or other charge being paid. The finance director shall deposit all processing fees and service charges in the general fund of the city.

CHAPTER 13.16.020 D. CONNECTION/DISCONNECTION AND RECONNECTION FEE.

D. Connection/Disconnection and Reconnection Fee. Reconnection Fees

Residential and commercial consumers restoring service after being disconnected for nonpayment of bill may be charged a trip fee for restoring services of \$20.00.

CHAPTER 13.16.020 H. DEPOSITS

H. Deposits: An applicant for city water service shall deposit with the city the sum of \$100.00 as security for the payment of charges for residential, and \$200.00 for commercial. Every individual account is required to have a deposit. For commercial applicants whose water consumption is expected to be higher than average (such as restaurants, etc.) the deposit will be a minimum of \$300.00. Commercial applicants who will have multiple users (apartments, motel, etc.) will be charged a deposit. If a consumer who has deposited security with the city requests termination of service, the charges due, if any, from the date of last billing to the date of termination shall be deducted from the security, and the balance refunded to the consumer.

13.16.060 - Bills—Due and payable when—Procedures for termination of services for nonpayment of charges.

A. Payment Due Upon Receipt: All utility charges as established by this code shall be determined on a monthly service basis and shall be due and payable upon receipt. However, payments are not considered late if paid within fourteen (14) days of the mailing of a utility bill, which is referred to in this chapter as the fourteen (14) day payment period. After fourteen (14) days the bill becomes delinquent.

B. Delinquent Bills: When a utility bill becomes delinquent, the city shall mail a "Final Past Due Notice" to the consumer. The notice shall be mailed to the address shown in the city records and shall state the amount due, including the late payment charge, the scheduled turn-off date, which shall be not less than ten (10) calendar days after the notice is mailed.

EXCEPTIONS FOR SENIORS. Residents that are 65 years old or older may be exempted from penalties and reconnection fees. This does not exclude any account from actual disconnection for non-payment.

D. Complaint: If a consumer believes that the amount billed for utilities services is erroneous, or if a consumer believes he or she has been billed for services not actually rendered, the consumer may file a written complaint with the Utility Office before the end of the fourteen (14) day payment period. The consumer's complaint may be thoroughly investigated by city staff and the results will be reported back to the consumer. Corrections to the bill will be made whenever justified.

E. Deferred Payment Plan: If a consumer anticipates a problem paying a utility bill due to sickness, injury or like cause, he or she should request a "deferred payment plan" agreement.. Temporary extensions may be granted at the discretion of the utility office manager

G. Delinquent Accounts: Service shall be discontinued to customers with accounts that have been delinquent thirty-five (35) days. In order to reestablish service the consumer must pay an administrative reconnection fee of twenty dollars (\$20.00) the outstanding utility bill balance (or execute a "deferred payment plan" agreement), and any adjustments to the deposit that are required by this code.

- I. **Double Deposits:** Any consumer of the utility services furnished by the city which has discontinued such services through either nonpayment of the utility bills or through relocation of residence with a delinquent account shall be required to furnish a double deposit for city services requested and such consumer shall also be required to pay all past due utility bills and penalties due.

13.16.110 –THEFT OF SERVICE

A. **Unlawful connection with water main:** It shall be unlawful for anyone without the written consent of the manager or owner of the water supply to bore or drill into any water main or make attachments to or connections with any service pipe or turn on water from street cocks.

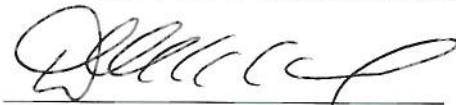
A. **Maintenance of service pipes and penalties:**

1. The City's responsibility for maintenance extends only to the city's service box on the street side. Service pipes on the property owner's side are the responsibility of the property owner. All persons using water furnished by the city shall keep their service pipes from the city's service box in good repair, so as to prevent leakage on the streets. No free maintenance of the service pipes on the property owner's side of the service box is permitted.
2. It is unlawful for any person to intentionally or knowingly attempt to solicit, obtain, or accept either free repair of service pipes on the property owner's side of the service box or free water. A violation of this provision is a class C misdemeanor punishable by a fine not to exceed \$2,000 for each day a violation exists.

- B. **Unlawful taking of water:** It shall be unlawful for any person without the written consent of the owner or manager of the water supply to make an attachment to, or to use water from, any private hydrant or service box for purposes other than those specified in the original application for water. A violation of this provision is a class C misdemeanor punishable by a fine not to exceed \$2,000 for each day a violation exists.

PASSED, APPROVED AND ADOPTED THIS 27th DAY OF OCTOBER 2015.

CITY OF UVALDE TEXAS



Don McLaughlin Jr. Mayor

Attest:



Susan Stewart, City Secretary