

**ORDINANCE NO. 1881**

**AN ORDINANCE AMENDING CHAPTER 30 "FEES," SECTION 30-27 "RECREATION AREAS OR FACILITIES", SECTION 30-35 "WATER AND WASTEWATER SERVICE—MONTHLY RATES," SECTION 30-37 "MONITORED GROUP CLASS,"; CHAPTER 86 "UTILITIES," SECTION 86-32 "DELINQUENCY AND SERVICE DISCONTINUANCE PROCEDURE; IMPOSITION OF LIEN FOR DELINQUENT CHARGES," OF THE EULESS CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1**

**THAT** Chapter 30, "Fees", Section 30-27, "Recreation areas or facilities", Subsection (d), "Midway Recreation Center," be amended to hereafter be and read in its entirety as follows

**Sec. 30-27. Recreation areas or facilities.**

(d) Midway Recreation Center:

(1) Arts and Crafts Room; Classroom

- a. Resident/Nonprofit per hour .....30.00
- b. Nonresident/Nonprofit per hour .....60.00
- c. Deposit with food and beverages .....250.00
- d. Deposit without food and beverages ..... 50.00

(2) Midway Recreation Center Memberships

a. Residents

- 1. Regular Individual per year ... \$ 10.00  
Includes: gym use, walking/jogging track, game area, locker room, ID card.
- 2. Regular Family per year .....30.00  
Includes: same as Regular Individual.
- 3. Silver Individual per year.....75.00  
Includes: same as Regular Individual plus unlimited weight room visits and racquetball use.
- 4. Silver Family per year .....110.00  
Includes: same as Silver Individual.
- 5. Gold Individual per year .....125.00

- Includes: same as Silver Individual plus unlimited day care use.
  - 6. Gold Family per year .....175.00  
Includes: same as Gold Individual.
  - 7. Racquetball Only per year .....75.00  
Includes: same as Regular Individual plus unlimited racquetball courts.
  - 8. Daily Use Fees per visit.....5.00  
Includes: gym use, walking/jogging track, game area.
  - 9. Senior Citizens Membership.....5.00  
Minimum 60 years of age  
Includes: same as Silver Individual
  - 10. Youth (8-15 years of age) per year.....5.00
  - b. Non-residents: (Max of 200)
    - 1. Regular Individual per year.....50.00  
Includes: same as Resident Regular Individual
    - 2. Daily Use Fees per visit.....10.00  
Includes: gym use, walking/jogging track, game area.
    - 3. Senior Citizen Membership..... 50.00  
Includes same as Silver Individual
  - c. Corporate Memberships (Business must be located in Euless)  
Additional to any Individual Annual Membership Fee.....10.00  
No Family Memberships available
- (3) Racquetball courts (with paid daily use fee):
- a. Resident per visit.....3.00
  - b. Nonresident per visit .....3.00
- (4) Weight room (with paid daily use fee):
- a. Resident per visit.....3.00
  - b. Nonresident per visit .....3.00
- (5) Drop in Daycare (members only):  
Service provided based on availability. Parents may not leave facility while utilizing drop in daycare service. Maximum two hours per visit. Limit three children per household, per visit.
- a. Per visit .....5.00
  - b. 10 visit (coupon book) .....20.00
- (6) No rentals prior to, or after normal operating hours.

**SECTION 2**

**THAT** Chapter 30, “Fees”, Section 30-35, “Water and Wastewater Service----Monthly Rates”, be amended to hereafter be and read in its entirety as follows:

**Section 30-35. Water and Wastewater service – monthly rates.**

The schedule of monthly rates and charges for water and wastewater services furnished or caused to be furnished by the City is as follows:

*Water service – Meter Charge.* The monthly minimum charge shall be based on meter size as follows:

<u>METER SIZE (INCHES)</u>	<u>MONTHLY CHARGE</u>
5/8 – 3/4*	\$ 7.95
1	\$ 9.29
1 1/2	\$ 13.02
2	\$ 21.57
3	\$ 43.88
4	\$ 77.35
5	\$ 121.97
6	\$ 174.03

\*All residential living units and multi-family living units shall be billed a monthly base charge equivalent to the monthly charge for a 5/8-inch meter.

*Water service – Volume Charge per 1,000 gallons.* The monthly volume charge for water service is as follows:

	<u>Residential</u>	<u>Irrigation</u>
(1) 0 – 2,000 gallons	\$ 2.27 per 1,000/gallons	\$ 3.52 per 1,000/gallons
3,000 – 8,000 gallons	\$ 3.20 per 1,000/gallons	\$ 3.52 per 1,000/gallons
9,000 – 15,000 gallons	\$ 3.75 per 1,000/gallons	\$ 3.75 per 1,000/gallons
16,000 – 35,000 gallons	\$ 4.10 per 1,000/gallons	\$ 4.10 per 1,000/gallons
Over 35,000 gallons	\$ 4.66 per 1,000/gallons	\$ 4.66 per 1,000/gallons
(2) <i>Commercial, Industrial and Multi-family:</i> All consumption, \$3.52 per 1,000 gallons.		
(3) <i>Fire Hydrant and Gas Well Meters:</i> All consumption, \$6.00 per 1,000 gallons.		
(4) <i>Supplemental Irrigation:</i> All consumption, \$6.00 per 1,000 gallons.		

*Wastewater Service – Residential.* The wastewater service charge for residential customers shall be based on 90 percent of metered water. Wastewater service charges on 90 percent metered water shall not exceed 12,000 gallons per billing period per living unit. The monthly minimum per living unit shall be as follows:

- (1) *Within corporate limits,* \$6.75, plus \$2.66 per 1,000 gallons of 90 percent of metered water.

- (2) *Outside corporate limits*, \$11.25, plus \$2.66 per 1,000 gallons of 90 percent of metered water.

*Wastewater Service – Commercial and Industrial.* Commercial and industrial wastewater charges shall be based on 100 percent of metered water. The monthly minimum shall be as follows:

- (1) *Within corporate limits*, \$6.75, plus \$2.66 per 1,000 gallons of metered water.
- (2) *Outside corporate limits*, \$11.25, plus \$2.66 per 1,000 gallons of metered water.

The following provisions apply to all commercial and industrial customers:

- (1) Customers who show proof that a significant portion of metered water does not enter the wastewater system shall not be billed for that portion that does not enter the wastewater system.
- (2) Monitored group class customers shall be billed according to section 86-51 of this Code.
- (3) Industrial cost recovery group customers shall be billed according to section 86-51 of this code plus the additional charges in section 86-52 as required.

*Water service – Other:* Water service for municipally owned property and buildings that are part of or connected to form a parcel of at least a minimum of 50 acres shall be \$1.50 per 1,000 gallons.

*Water service – Reclaimed,*

Non-boosted, per 1,000 gallons.....	\$1.50
Boosted, per 1,000 gallons.....	2.90

*Wastewater service – Other:* Wastewater service for all club houses, convention facilities, and restaurants on municipally owned property of a minimum of 50 acres shall be billed at the current city rate of \$6.75 plus \$2.66 per 1,000 gallons of metered water.

The above rates are based upon total costs to the City to operate the system including, but not limited to, cost to purchase treated water from the Trinity River Authority of Texas, cost of wastewater treatment by the Trinity River Authority of Texas, and cost of distribution of water and collection of wastewater by the City. The minimum charge and/or volume charge may be adjusted by the City Council from time to time.

*Master deposit.* Customers may place a master deposit with the city in the amount of twice the current residential deposit. This deposit will be held on the file until the customer request it to be refunded. Customers must request service starts and

disconnects in writing. All accounts will be charged the current service initiation fees plus sanitation fees in advance on the first billing. No master deposits are allowed on commercial accounts.

### SECTION 3

**THAT** Chapter 30, "Fees", Section 30-37, "Monitored Group Class", be amended to hereafter be and read in its entirety as follows:

#### **Section 30-37. Monitored group class.**

Customer monthly service charge .....	\$ 6.75
Volume charge per 1,000 gallons BOD .....	\$ 2.66
Strength charge, per pound of BOD .....	\$ 0.06954
TSS per pound of suspended solids.....	\$ 0.05748
Monitoring charge.....	100 percent of cost to city

### SECTION 4

**THAT** Chapter 86, "Utilities," Section 86-32, "Delinquency and service discontinuance procedure; imposition of lien for delinquent charges;" (a), be hereby amended to hereafter be and read in its entirety as follows:

#### **Sec. 86-32. Delinquency and service discontinuance procedure; imposition of lien for delinquent charges.**

(a) If any portion of a month's charges remain unpaid 36 days after the billing date, a tag will be delivered to the service address notifying the customer of delinquent charges. If the charges are not paid prior to 12:00 noon the following day, service at the delinquent address will be discontinued. A service charge will be assessed as established in chapter 30, section 30-34 for delivery of the delinquent tag. An additional deposit will be required for those accounts that have had service terminated for nonpayment as established in chapter 30, section 30-34. Service shall not be continued or reconnected until all current and delinquent charges have been paid.

**SAVING CLAUSE.** That applicable chapters of the Code of Ordinances, City of Euless, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

**SEVERABILITY CLAUSE.** That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance

shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

**EFFECTIVE DATE.** This ordinance shall be in full force and in effect on October 1, 2010, from and after its passage, and publication as provided by the Euless City Charter and the laws of the State of Texas.

**PRESENTED AND GIVEN FIRST AND FINAL READING AND APPROVED** at a regular meeting of the Euless City Council on the 31<sup>st</sup> day of August 2010 by a vote of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, and \_\_\_\_\_ abstentions.

**APPROVED:**

\_\_\_\_\_  
Mary Lib Saleh  
Mayor

**ATTEST:**

\_\_\_\_\_  
Susan Crim, TRMC  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
William M. McKamie  
Interim City Attorney