

WATER SYSTEM ORDINANCE # 34
Bayside, Texas

SECTION 1: WATER SERVICE

There shall be appointed by the Council a Superintendent of Waterworks and such superintendent shall, at the direction of the Council, perform all duties placed upon him by the Town of Bayside and such duties as may be prescribed by the provisions of this Code and the State Statues.

A. WATER USER CLASSIFICATIONS:

1. There is hereby created the following classification for users of water supply services, both inside and outside the city limits:
 - a. Residential
 - b. Other
2. The various users of each such classification shall include, without necessarily being limited to, the following:
 - a. Residential: Any building, or portion thereof, occupied exclusively by one (1) family as a residence. Each consumer of water living in a separate house must have a separate connection and meter for each house; provided, that in cases of hardship or where a residence is not in reach of a city water main, arrangements may be made, at the option of the Council to secure water from another user of city water.
 - b. Other: Any use other than residential as defined herein-above.
 - c. Inside City Limits: The entire area within the city limits of this City as they now exist, or may be hereafter amended.

B. MONTHLY WATER RATES:

1. The following monthly rates, based on meter size used, shall be charged for, and collected by, the City of Bayside, Texas, for all services rendered by the water system of this City:

<u>METER SIZE</u>	<u>RESIDENTIAL INSIDE</u>	<u>OTHER INSIDE</u>	<u>RESIDENTIAL OUTSIDE</u>	<u>OTHER OUTSIDE</u>
3/4"	\$10.00		\$20.00	

B. MONTHLY WATER RATES: (cont'd.)

The final determination of the meter size, required for installation, will rest solely with the Town of Bayside.

The aforementioned fees shall be for the first two thousand (2,000) gallons, or any fractional part thereof, used as registered through the user's water meter.

2. The following monthly rates per thousand gallons shall be the rates for all water used in excess of two thousand (2,000) gallons, as registered through the user's water meter and read to the last full one hundred (100) gallons used:

<u>ALL USERS PER</u> <u>1,000 GALLONS</u>	<u>INSIDE CITY LIMITS</u>	<u>OUTSIDE CITY LIMITS</u>
Over 2,000	\$2.00 per 1,000	\$4.00 per 1,000

3. The Town Council shall review, on a annual basis, the adequacy of all fees and charges established herein and the sufficiency of the trust funds, and may, after public hearing, adopt a new schedule of fees and charges and/or transfer monies from one trust fund to the other in order to better carry out the purposes of this ordinance.

C. BULK WATER SALES:

1. Bulk water sales shall pay the standard water rate.

<u>ALL USERS PER</u> <u>1,000 GALLONS</u>	<u>INSIDE CITY LIMITS</u>	<u>OUTSIDE CITY LIMITS</u>
\$10.00 Min.	\$2.00 per 1,000	\$4.00 per 1,000

D. WATER LINE EXTENTIONS:

1. The City may extend water lines at its option depending on:
 - a. Availability of water.
 - b. Availability of funds.
 - c. Developer may be required to pay for new water lines. Application for service shall be in writing and will be reviewed by Council.

E. PAYMENT OF BILLS: DISCONTINUANCE OF SERVICE

1. All bills for service rendered by the water system shall be rendered on the first day of each month. All such bills shall be payable at the Water Office in Bayside, Texas, by the fifteenth (15th) day of each month. After such fifteenth (15th) day of each month the amount owed will become delinquent and a sum of money equal to twenty (20%) percent of the amount of such bill will be added as a penalty for late payment.
2. All accounts that are not paid by the final due date, as shown in the statement, shall have the water service disconnected. A re-connection charge of twenty (\$20.00) dollars will be collected plus payment of all amounts due on account before water service is restored. If, however, in the event it is after normal duty hours, the reconnection fee will be fifty (\$50.00) dollars.
3. Any person who, without proper authority, reconnects to the water service of the City shall have the water service disconnected. A Penalty re-connection charge of \$200.00 will be collected plus payment of all amounts due on account before water service is restored.
4. No free service shall be rendered by the water system unless authorized by the City Council, and if the City, or its agencies or instrumentalities from time to time elect to avail themselves of any water service, they shall pay for such service at the same rate charged other consumers.
5. For the purpose of partial month billings, the monthly minimum rate shall prevail.

F. WATER METER DEPOSITS:

1. Each water consumer shall make a meter deposit in at least the sum of fifty (\$50.00) dollars. Should such deposit be insufficient to pay an average monthly bill, or, if experience has proved that a customer does not pay water bills promptly, and as due, the City may require the meter deposit to be in any sum deemed necessary to protect the city. Such meter deposit may be applied to the payment of any water charges overdue to the city. Any unused portion of the deposit shall be refunded to the consumer at any time service is discontinued. The city shall not be under any obligation to pay any interest of any kind on such water meter deposits.

G. CONNECTION TO CITY WATER SYSTEM:

1. It shall be unlawful for any person to make any connection to the mains or pipes of the waterworks system without first making application to the city, stating fully the several and various uses for which water is wanted, giving the name of the property, the number of the lot and block, name of the street and house number. Upon the payment of the tapping fee, the Superintendent shall make, or cause to be made, the necessary connections and furnish a curb stop box and curb cock, the cost of which is included in the tap fee, and every premises not now equipped with the curb stop box and curb cock and connected with any water main, or being supplied with any water from the waterworks, shall have a separate service connection, curb stop box and curb cock installed by and at the expense of the City. If the application is approved by the Superintendent of Waterworks, a permit will be issued. All fees and charges shall be paid for at amounts and rates prescribed herein.
2. The tapping fee for connection with the waterworks system shall be:

<u>METER SIZE</u>	<u>TAP FEE</u>
3/4"	\$250.00
1"	\$350.00

Except in the case of apartment complexes, mobile home parks, motels, townhouses, multi-family dwellings, etc., and all other facilities other than single family residential dwellings served by one (1) master meter, in which case the charges shall be determined by Bayside Council.

H. ADDITIONAL WATER SERVICE REGULATIONS:

1. Meters: All meters shall be set by the employees of the City. If the meter fails to register, the consumer shall be charged at the average daily consumption as shown by the meter readings taken by the City when the meter was in order. All water that passes through the meter shall be charged for, whether used or not.
2. Temporary Termination of Service: The Water Division Superintendent may, at any time, with or without notice, order the water cut off for repairs, extension or other purpose.

H. ADDITIONAL WATER SERVICE REGULATIONS: (cont'd.)

3. Liability of City for Damage: The City shall not be liable for any damage to property of any consumer of any utility service furnished by the City.
4. Connection and Repair of Service:
 - a. City to Maintain Service Connections: The City shall install and maintain all service connections from water mains to the customer's meter within the City.

5. Responsibility for Leakage: All property owners, their agents, and/or tenants shall be held responsible as consumers for loss of water due to leakage in pipes or plumbing on the discharge side of the meter or on the property; and if this water is not paid for according to the rates provided herein, when it becomes due, the water shall be cut off by the City Water Division and not turned on again until all claims are paid or adjusted as provided for in this Section. In the event of any change during this time of payment of billing for past leakage, the landlord and/or property owner shall be held accountable for payment of this billing before service will be extended and water furnished to a second or other tenants.

It shall be the duty of all employees for the City to report to the Water Office any leaks or unnecessary waste of water that may come to their attention, as well as any violation of this Code, or any of its Sections.

6. Turning Water Service On or Off for Special Services: Any person wishing to discontinue the use of water supplied from the water-works system must give notice thereof to the City, otherwise the charges will be entered until such notice has been given. The charge for shutting off and turning on of such services shall be ten (\$10.00) dollars for turning on and ten (\$10.00) for turning off.
7. Extension of Service to Other Residences: After water is introduced into a building, or upon any premises, the same shall not be extended by any plumber or any other person to any other residence for additional fixtures without written permission of the City Water Division.
8. Emergency Shut-off Valve: Consumer shall install and have approved a "cut-off valve" inside of the service line at a location accessible in case of emergency, and shall not use the curb cock at the meter in lieu thereof.

H. ADDITIONAL WATER SERVICE REGULATIONS: (cont'd.)

9. Waste of Water Prohibited: It shall be unlawful for any person to willfully or negligently waste water in any manner whatsoever. Any person having knowledge of any condition whereby water is being wasted shall immediately notify the City Water Division.

The Mayor, or in his absence the Mayor Pro Tem of the City of Bayside, Texas, may when necessary to do so to protect the interests of the citizens of the City, order a rationing system suited to the emergency then existing, by declaring an emergency and implementing the water rationing system.

In the interest of water conservation, if at any time water lines and connection from the meter loop connection into the residence, house, barn, business, yard or similar places become rusted out, broken or in general deteriorated, it shall be the duty of the owner of the premises to place his lines in a good and serviceable condition. The replaced and repaired lines must meet specifications set forth in the City Code.

10. Fire Hydrant Use Restricted:

- a. Fire Hydrants to be Opened Only by City: Fire hydrants shall be provided for the sole purpose of use in extinguishing fires, and shall be used or opened only by the Water and Fire Departments or such persons as may be given authority by the Council.
- b. Unlawful to Obtain Water from Fire Hydrants: It shall be unlawful for any person to carry away water from a fire hydrant without written permission from the Water Superintendent, or to place upon or about any fire hydrant, gate valve, curb cock, meter, or meter box, any object, material, debris, or structure of any kind so as to prevent immediate access to same.

11. Unlawful Acts: It shall be unlawful for any person to do, commit, or assist in committing any of the following things or acts:

- a. To open or close any fire hydrant, meter box cover or stop cock connected with the waterworks system, or lift or remove the covers of any gate valve or shut-offs thereof, without the written permission of the Superintendent of Waterworks, except in the case of fire, and then under the direction of officers of the Fire Department.

H. ADDITIONAL WATER SERVICE REGULATIONS: (cont'd.)

- b. To interfere with, destroy, deface, injure or wantonly force open any gate or door, or in any way whatsoever destroy, injure or deface any part of any engine house, reservoir, stand pipe, elevated tank, building or buildings, or appurtenances, fences, trees, shrubs or fixtures or property appertaining to the waterworks system.
- c. To go upon or ascend the stairway or steps, on any elevated water storage tank or stand pipe of the waterworks system, except by written permission.
- d. To place any telegraph, telephone, electric light pole, or any obstruction whatsoever within three feet (3') of any fire hydrant.
- e. To restore to any fraudulent devise or arrangement for the purpose of procuring water for himself or others from private connections on premises contrary to the provisions of this Code.
- f. To place upon or about any fire hydrant, gate, valve, or curb cock connected with the waterworks system any object, material, debris or structure of any kind, or to interfere in any manner whatsoever with any of the waterworks, or to turn on the water after service has been discontinued.
- g. To park any vehicle within fifteen feet (15') of any fire hydrant.
- h. To make or permit to be made any connections with the main, or service pipes, or the waterworks system or to turn on or use the water of the system without first obtaining a permit therefor.
- i. To remove any water meter or water meter lid that has been placed by the city, or to in any manner change, interfere with or tamper with any water meter lid; providing that the provision of this Section shall not apply to the employees of the City when acting in their official capacity.
- j. To have in one's possession a key or master key that will unlock water meter lids. This subsection does not apply to city officials or employees when acting in their official capacity.
- k. To install or maintain any utility by-pass or connection between the utility meter and the main source of supply, except as may be installed upon written permission from the city and the utility company, if any, furnishing such utility through a franchise granted by the city.

H. ADDITIONAL WATER SERVICE REGULATIONS; (cont'd.)

1. To turn on any utility meter valve without first having obtained a permit to do so or to turn on such utility meter valve after the same has been turned off by the City or its agents without first having obtained a permit to do so, or to interfere with any water supplying equipment.
- m. To use any utility after the same had been cut off by the City, its agents or the utility company furnishing such utility under a franchise granted by the city, without first having secured a new permit therefor, upon new application for such utility service. The discovery of an unauthorized by-pass as above mentioned shall be prima facie evidence that such by-pass was installed by and maintained by the person or persons to whom the utility service is received through such unauthorized by-pass. Also, after a utility service has been turned off by the City, discovery that the utility meter valve has been turned on without authorization, shall be prima facie evidence that the person or persons to whom the utility service is being received, turned on such utility meter valve.

I. PIPING AND SERVICE MATERIALS/REQUIREMENTS:

1. All cuts through paved asphaltic streets or drives shall be back-filled and patched with 8" of caliche compacted to 90% modified proctor density, surfaced with 1½" Type D Hot Mix Asphalt. All cuts through caliche roads or drives shall be backfilled and covered with an 8" thick caliche for the width of the cut.
2. All 4", 6", and 8" waterlines shall be AWWA C-900, DR18 PVC; all 2" pipe shall be Class 200 PVC.
3. Joints for fittings shall be mechanical joint. Future fire hydrant units shall be completely mechanical joint with hydrant tee.
4. Ductile iron pipe, with flanged joints, shall be used for above-ground piping.
5. All water mains shall be installed with detector locator wire in accordance with Texas Department of Highways Specifications.

I. PIPING AND SERVICE MATERIALS/REQUIREMENTS: (cont'd.)

6. Each City supplied water service in Bayside shall include the following:
 - a. Service Saddle - Romac 101N or equal.
 - b. Corp Stop - McDonald 4704-22 or equal.
 - c. Curb Stop - McDonald 4601-B022 or equal.
 - d. Meter - AWWA C-700-71; Cold Water Meter - displacement type; Full 3/4" Rockwell 3/4" SR or equal.
 - e. Meter Box shall be 12" round, cast iron box with lid.
 - f. 3/4" Class 160 Polyethylene, SDR 7 PE 3408 tubing.
 - g. Compression fittings are required to be used on Bayside services, including stainless steel compression inserts.
7. Short body ductile cast iron fittings (A153) shall be permitted on Bayside water lines.
8. All new water lines and services installed in Bayside shall have a minimum of three feet of cover;

AND

shall be installed at least 18" below all ditch flow lines and drainage culverts;

THEREFORE

all water lines shall be installed at the lower elevations of either condition above.

9. Sand bedding for all water lines shall be required as follows:
 - a. 2" pipe, 2" sand all around pipe (below, top, and sides).
 - b. 4", 6", 8" pipe, 4" outside "bell" all around.
10. Yardlines shall be 12" cover and shall be 3/4" PVC Schedule 40 or better.

J. VIOLATION OF WATER ORDINANCE:

1. Any person violating any provision of this ordinance may be subject to termination of water service and a penalty re-connect fee of up to \$200.00 for each offense as determined by the Town Council.

WATER SYSTEM ORDINANCE
Bayside, Texas

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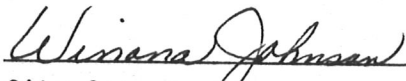
SEVERABILITY :

The sections, paragraphs, sentences, clauses and phrases of this ordinance are separable, and if any phrase, clause, sentence, paragraph or sentence shall be declared unconstitutional or invalid by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, paragraphs or sections of this ordinance.

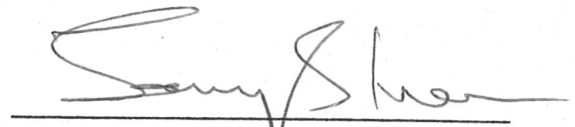
EMERGENCY CLAUSE :

This ordinance shall become effective upon its passage due to the urgent nature of, and the need for prompt action on the matter, as so declared by the Mayor and found by the Town Council, thus justifying suspension of the rules, IT IS ACCORDINGLY SO ORDAINED, this 11th day, of March, 1986.

ATTEST :



City Secretary



Mayor

AMENDMENT TO ORDINANCE # 34

SECTION 1: WATER SERVICE

E. PAYMENT OF BILLS; DISCONTINUANCE OF SERVICE;

2. All accounts that are not paid by the final due date, as shown on the statement, shall have the water service disconnected and garbage/trash pick-up suspended. A reconnection charge of twenty (\$20.00) dollars will be collected plus payment of all amounts due on account before water service is restored. If, however, in the event it is after normal duty hours, the reconnection fee will be fifty (\$50.00) dollars.

G. CONNECTION TO CITY WATER SYSTEM:

1. The last sentence shall be changed to read; All fees and charges shall be paid for by the applicant.
2. The tapping fee amounts for connection with the waterworks system shall be deleted from the ordinance and the last paragraph becomes item number 2 in this section.

All other sections of said ordinance shall remain intact.

Dated this the 13 day of MAY, 1986.

ATTEST:


Wenona Johnson
City Secretary

Charles M. Myers
Mayor

AMENDMENT TO ORDINANCE #34

PAYMENT OF TAP CHARGES

In Council action on September 30, 1986 the motion was made by Councilman Joe Bluemel to have the tap fees set at \$425.00 to be paid in advance of the service connection, second by Councilwoman Nell Meier and approved.



City Secretary