

ORDINANCE NO. 2023-3

ORDINANCE SETTING RATES FOR WATER, SEWER, AND TRASH SERVICES WITHIN THE CITY OF WELLS, TEXAS, PROVIDING FOR AN EFFECTIVE DATE AND REPEAL OF ALL INCONSISTENT ORDINANCES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WELLS, TEXAS, DUE TO COST OF MAINTENANCE & OPERATIONS OF THE WATER AND SEWER SYSTEM FOR THE CITY, IMPROVEMENTS TO THE SYSTEMS TO MAINTAIN COMPLIANCE WITH T.C.E.Q. RULES AND REGULATIONS, THE WATER AND SEWER RATES WILL BE INCREASED HERE AFTER AND WILL BE ESTABLISHED AS FOLLOWS:

Section 1: From and after the effective date of November 1, 2023, the following rates shall be set for Water Services.

- a. A residential water customer within the corporate limits of the City of Wells shall pay for monthly water services at the base rate of \$39.46.

All usage after the base rate for both residential and commercial customers; inside and outside city limits:

1 – 2,000 Gallons	-	\$3.50 per thousand gallons
2,001 – 4,000 Gallons	-	\$4.00 per thousand gallons
4,001 – 6,000 Gallons	-	\$4.50 per thousand gallons
6,001 – 10,000 Gallons	-	\$5.00 per thousand gallons
10,001 – 50,000 Gallons	-	\$5.50 per thousand gallons
All over 50,000 Gallons	-	\$6.00 per thousand gallons

- b. A residential water customer **outside** the corporate limits of the City of Wells shall pay for monthly water services at the base rate of $\$39.46 + 1/2 = \59.19 ; All usage after the base rate will be the same as residential customers inside the city limits.

NOTE: Base rate customers will only pay a water rate unless there is usage on the monthly meter reading; then, sewer rates will be applied.

Customers that use their water for livestock, gardens, or other vegetation will be charged a flat rate for sewer equivalent to an average usage during the months of December, January, and February usage as these are the rainy months in the area. Customers must report this type of usage to city hall for an adjustment to be given. Reported usage will start from the day reported and will not be retroactive.

- c. A commercial and industrial water customer within the corporate limits of the City of Wells shall pay for monthly water services at the base rate determined by meter size based on meter equivalent to $5/8 \times 3/4$ " will pay a base rate of \$39.46; those with a meter equivalent to $3/4$ " will pay a base rate of \$49.46; and those with a meter equivalent of 1" & above will pay a base rate of \$59.46.
- d. A commercial and industrial sewer customer **outside** the corporate limits of the City of Wells shall pay for monthly water services at the base rate determined by meter size+ 1/2 based on meter equivalent to $5/8 \times 3/4$ " will pay a base rate of $\$39.46 + 1/2 = \59.19 ; $3/4$ " will pay a base rate of $\$49.46 + 1/2 = \74.19 ; 1" & above will pay a base rate of $\$59.46 + 1/2 = \89.19 .

Section 2: From and after the effective date of November 1, 2023, the following rates shall be set for Sewer Services.

- a. A residential sewer customer within the corporate limits of the City of Wells shall pay for monthly water services at the base rate of \$22.04.

All usage after the base rate for both residential and commercial customers; inside and outside city limits:

1 – 2,000 Gallons	-	\$3.50 per thousand gallons
2,001 – 4,000 Gallons	-	\$4.00 per thousand gallons
4,001 – 6,000 Gallons	-	\$4.50 per thousand gallons
6,001 – 10,000 Gallons	-	\$5.00 per thousand gallons
10,001 – 50,000 Gallons	-	\$5.50 per thousand gallons
All over 50,000 Gallons	-	\$6.00 per thousand gallons

- b. A residential sewer customer **outside** the corporate limits of the City of Wells shall pay for monthly water services at the base rate of $\$22.04 + 1/2 = \33.06 ; All usage after the base rate will be the same as residential customers inside the city limits.
- c. A commercial and industrial **sewer** customer within the corporate limits of the City of Wells shall pay for monthly services at the base rate determined by meter size based on meter size: $5/8 \times 3/4$ " meter base rate of \$24.04; $3/4$ " meter base rate of \$34.04; 1" & above will pay a base rate of \$44.04.
- d. A commercial and industrial **sewer** customer **outside** the corporate limits of the City of Well shall pay for monthly services at the base rate determined by meter size + $1/2$ based on meter. size: $5/8 \times 3/4$ " will pay a base rate of $\$24.04 + 1/2 = \36.06 ; $3/4$ " will pay a base rate of $\$34.04 + 1/2 = \51.06 ; 1" & above will pay a base rate of $\$44.04 + 1/2 = \66.06 .

Section 3: From and after the effective date of November 1, 2023, the following rates shall be set for Trash Services.

Each water customer is provided with a trash cart by the City of Wells; below are the trash collection rules.

1. Trash service is mandatory inside the city limits.
2. Trash service is billed one month in advance. Failure to pay for trash service with your bill will result in the termination of the account.
3. Trash collection runs every Wednesday morning; the Dumpster collection runs Monday and Friday.
4. All trash cans must be out on the road by 6:00 am during the months of June, July, and August and at 7:00 am all other months.; trash cans not out by the road will not be collected; the city right of way is not a trash collection location. Republic Services employees will not cross the ditch line to collect trash containers.
5. Only Republic Services trash containers will be collected; no personal cans may be used.
6. All trash must be bagged before being placed in the trash container; loose trash will not be collected; trash bags must be in the cart and not sitting on the ground. If the cart is full, place them on top of the cart.

7. All trash bags must be tied so that the trash stays in the bag.
8. Loose trash must be removed from the cart by the customer and placed in a bag.
9. No loose trash will be collected from the bottom of the trash cart; lift trash trucks are rarely used to collect trash.
10. No yard debris will be collected from the cart.
11. No heavy or metal materials should be placed in the trash cart.
12. Sharps such as medical needles should be placed inside an aluminum can or milk jug and then placed into your trash bags to prevent accidental needle sticks.
13. Trash carts with large amounts of trash at the bottom of the cart will not be collected until the cart is cleaned out.
14. Cardboard boxes should be flattened before being placed in the container.
15. Additional trash carts can be obtained from the City with a \$2.00 + tax per month charge; limit two.
16. Senior citizens and disabled customers can request trash pick-up without the placement of a can on the street. Contact the city hall for this service.
17. Rinsing your trash cart on occasion will keep insect larvae from living in your trash cart.
18. All trash carts must be removed from the roadway and placed behind the city right-of-way 48 hours after trash collection. Any violations will be reported to the city hall by Republic Services. The City will mail out a letter explaining the violation(s) and how to prevent them from occurring. The City will charge a \$10.00 fee for each trash cart left in the city ROW; the utility department will check each Friday morning an report violators to city hall. (Established 9/1/2020; Revised 10/1/2023)
19. The City only provides free bulk trash service in the spring and fall. Bulk items are not allowed on regular Wednesday trash pick-up, and customers should not place these oversized items out on the roadway. This service will consist of two large roll-off dumpsters located behind city hall for the citizens of Wells to dump their bulk trash. Any other times the customers will need to dispose of their bulk trash at the county dump located at Cherokee County Solid Waste, Airport Rd, Rusk, TX 75785 (903) 683-6455

If a cart becomes broken or unusable, customers will contact city hall for a new cart. If a customer has trouble rolling the cart out to the road, they can contact city hall to be placed on the city's special pick-up list for elderly and handicapped customers.

Section 4: The City Right-of-Way (ROW)

The city ROW is located from the center of the city street 25 feet towards the residential property. Highway 69 (aka Rusk Ave) the ROW is from the asphalt to street lights and an additional five foot behind the light poles. At no time can this area be obstructed preventing the city utility department access to the water and sewer lines that are in this area. This includes permanent parking of vehicles, parking non-operational vehicles in the ROW, storage of junk and debris in the ROW, building of a fence, building of any permanent structure in the ROW is prohibited. The city council will mail a letter to anyone that is in violation of ROW section, allowing 30-days for the property owner correct the violation. If the property owner does not comply with the request the city will remove the problem at the cost of the property owner.

Section 5:

Vacant City streets and alleyways are the property of the City of Wells; these areas are not maintained by the city for public use but if the area has any dead trees or vegetation that needs to be removed to prevent damage to the private property around the vacant streets and alleyways the city will take care of it. Adjoining properties may use the vacant streets if other community members are not blocked from accessing the area, the property owner will be required to maintain any portion that they use for personal use with approval of the city council. Trees may only be removed from vacant streets and alleyways at the approval of the city council. No permanent structure may be built on vacant city

streets or alleyways. If a fence is built it must be able to be removed if a request is made by the city council.

Section 6:

This Ordinance shall become effective as of the 1st day of November 2023.

Section 7: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

Section 8: If any section, subsection, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining portions of the Ordinance and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity.


Section 9: Penalty

Any person who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500. Each violation shall constitute a separate offense.



Mayor

ATTEST:



Secretary

AMENDMENT TO ORDINANCE # 2023-3

ON THIS 31st DAY OF AUGUST 2024,

THE CITY COUNCIL VOTED TO AMEND ORDINANCE # 2023-3 BY INCREASING THE FOLLOWING:

Section 1:

- a) A residential water customer within the corporate limits of the City of Wells shall pay for monthly water services at the base rate of \$39.46.
- b) A residential water customer outside the corporate limits of the City of Wells shall pay for monthly water services at the base rate of $\$39.46 + 1/2 = \59.19 ; All usage after the base rate will be the same as residential customers inside the city limits.

Changes made: Effective October 1, 2024, the Water Service base rate will increase to \$41.46 for customers inside the city limits and $\$41.46 + 1/2 = \62.19 .

Section 2:

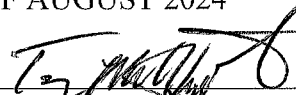
- a) A residential sewer customer within the corporate limits of the City of Wells shall pay for monthly water services at the base rate of \$22.04.
- b) A residential water customer outside the corporate limits of the City of Wells shall pay for monthly water services at the base rate of $\$39.46 + 1/2 = \59.19 ; All usage after the base rate will be the same as residential customers inside the city limits.

Changes made: Effective October 1, 2024, the Sewer Service base rate will increase to \$24.04 for customers inside the city limits and $\$24.02 + 1/2 = \36.06 .

THE STATE OF TEXAS
COUNTY OF CHEROKEE
CITY OF WELLS

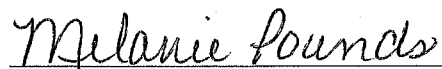
BE IT HEREBY ORDAINED BY THE CITY COUNCIL, IN AND FOR THE CITY WELLS,
CHEROKEE COUNTY, TEXAS.

PASSED AND APPROVED THIS THE 31st DAY OF AUGUST 2024



Mayor

ATTEST:



City Secretary