

ORDINANCE NO. 2022-02-02

**AN ORDINANCE OF THE CITY OF GREGORY, TEXAS
ESTABLISHING AN AMENDED RATE SCHEDULE RELATED TO
SEWER SERVICES AND ESTABLISHING CHARGES FOR
RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL CUSTOMERS
BOTH INSIDE AND OUTSIDE THE CITY LIMITS OF THE CITY OF
GREGORY, TEXAS**

WHEREAS, the City owns and operates the Gregory Wastewater System; and

WHEREAS, the City Council seeks to ensure that wastewater utility service is adequate and efficient for the citizens of the City; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City Council is authorized to adopt an ordinance that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Texas Local Government Code Section 51.012, the City Council is authorized to adopt an ordinance, not inconsistent with state law, that the Council considers proper for the government, interest, welfare or good order of the City; and

WHEREAS, pursuant to Texas Local Government Code Section 402.001, the City is authorized to purchase, construct and operate utility systems, including wastewater systems; and

WHEREAS, pursuant to Chapter 13, Texas Water Code and the City Sewer Certificate of Convenience and Necessity ("CCN"), the City has the authority and responsibility to provide wastewater services to its customers; and

WHEREAS, the City Council desires to amend the rates for sewer service, based on a sewer rate study performed for such purpose, and

WHEREAS, the City Council finds that the rates provided for herein and necessary to adequately operate and maintain the wastewater system.

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

Section 1. Sewer Rates Established. The City Council hereby adopts the rates as shown on the exhibits attached hereto and incorporated for all purposes:

Exhibit A - Residential Sewer Rates Inside City Limits

Exhibit B – Sewer Rates Outside City Limits

Exhibit C – Commercial Rates – C-1 and C-2

Section 2. Findings. The City Council finds the above recitations to be true and correct and adopts said findings as if set forth in full herein.

Section 3. Incorporation Of Ordinance. All provisions of this article pertaining to the Ordinance shall be deemed to be incorporated in every contract between the City of Gregory and its customers, and each customer shall be charged with the knowledge of such provisions, and, by applying for and accepting water from City of Gregory, to have assented to the provisions hereof.

Section 4. Repealer. That all ordinances or provisions of ordinances in conflict herewith are hereby repealed. That all provisions of the other ordinances of the City of Gregory not herein amended or repealed shall remain in full force and effect.

Section 5. Savings Clause. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering a penalty accruing or to accrue or as affecting any rights of the City of Gregory under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

Section 6. Cumulative. The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

Section 7. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

Section 8. Proper Notice and Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

Exhibit A

Inside City Limits

Single family

\$20.74 2,000 gallons base; All gallons over 2,000 gallons \$2.21

Multi-family households

\$50.00 1,000 gallons base; All gallons over 1,000 gallons \$2.46

Exhibit B

Outside City Limits

Single Family

\$40.10 - 1,000 gallons base; All gallons over 1,000 gallons \$2.46

Multi-family households

\$65.88 - 1,000 gallons' base; All gallons over 1,000 gallons \$2.66

Exhibit C

Commercial Rates – C-1 and C-2

C-1 Inside City Limits

1" meter	\$50.00 base; all gallons over 1,000 gallons \$2.46
2" meter	\$151.41 base; all gallons over 1,000 gallons \$2.46
3" meter	\$588.75 base; all gallons over 1,000 gallons \$2.46
4" meter	\$443.27 base; all gallons over 1,000 gallons \$2.46
6" meter	\$871.67 base; all gallons over 1,000 gallons \$2.46
8" meter	\$1,270.82 base; all gallons over 1,000 gallons \$2.46
10" meter	\$1,825.55 base; all gallons over 1,000 gallons \$2.46

C-1 Outside City Limits

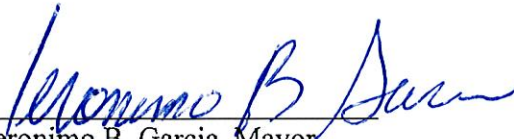
1" meter	\$43.35 base; all gallons over 1,000 gallons \$2.66
2" meter	\$160.40 base; all gallons over 1,000 gallons \$2.66
3" meter	\$297.74 base; all gallons over 1,000 gallons \$2.66
4" meter	\$452.30 base; all gallons over 1,000 gallons \$2.66
6" meter	\$886.65 base; all gallons over 1000 gallons \$2.66
8" meter	\$1,279.80 base; all gallons over 1000 gallons \$2.66
10" meter	\$1,834.53 base; all gallons over 1,000 gallons \$2.66

C-2 Account

\$1,500.00 1,000-gallon base; All gallons over 1,000 gallons \$2.46

Section 9. Effective Date. This Ordinance shall become effective from and after its passage and any publication requirements as provided by law.

PASSED AND APPROVED, this the 21st day of February 2022.



Jeronimo B. Garcia, Mayor

ATTEST:



Norma Garcia, City Secretary