

AN ORDINANCE AMENDING CHAPTER 30 WATER, SEWERS, AND SEWAGE DISPOSAL, ARTICLE IV, OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, BY AMENDING RESIDENTIAL AND COMMERCIAL WATER AND SEWER RATES; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Killeen, Texas is a home-rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the City Council of the City of Killeen deems the continued operation and functionality of the City's water and sewer infrastructure to be of vital importance to the protection of the public health, safety, and welfare of its citizens; and

WHEREAS, a Water and Sewer rate study has determined that in order to provide continued water and sewer service, it is necessary and in the best interest of the public health and safety to amend the commercial water rates;

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

SECTION I. That Chapter 30, Article IV of the City of Killeen Code of Ordinances is hereby amended by adding the following sections to read as follows:

ARTICLE IV. RATES AND CHARGES

DIVISION 1. – GENERALLY

Sec. 30-105. Deposit for water meters.

- (a) Charges shall be made for water meter deposits as provided in the adopted fee schedule.
- (b) Any deposits that are not claimed within two (2) years after the final disconnection of water shall be handled in a manner consistent with state law for unclaimed monies.

- (c) All residential customers who maintain their utility account without incurring a penalty for late payment for a period of ~~twenty-four~~twelve (~~24~~12) months shall receive a refund of their deposit. Such refund shall be credited to the customer's utility account. ~~If the customer incurs more than one (1) late charge during any subsequent twelve month period, a deposit in the amount of the water meter deposit charge in effect at the time the penalty is incurred will be billed to the customer's account.~~

(Code 1963, Ch. 14, art. 1, § 16; Ord. No. 88-53, § I, 6-28-88; Ord. No. 98-45; § I, 6-23-98; Ord. No. 00-67, § I, 8-29-00; Ord. No. 04-08, § I, 2-24-04; Ord. No. 19-047 , § XIV, 9-17-19)

ARTICLE IV. RATES AND CHARGES

DIVISION 2. – RATES

Sec. 30-136. Assessed.

- (a) The following water charges shall apply to all residential users for the consumption of water inside the city limits:

0 to 2,000 gallons - Meter size:

5/8" and 3/4" ~~_\$13.54_~~\$15.04

1" ~~_\$14.99_~~\$16.49

1-1/2" ~~_\$18.63_~~\$20.13

2" ~~_\$22.98_~~\$24.48

3" ~~_\$33.15_~~\$34.65

4" ~~_\$47.70_~~\$49.20

6" ~~_\$85.11_~~\$86.61

8" ~~_\$127.60_~~\$129.10

Applicable to all meter sizes:

2,001 to 15,000 gallons, per 1,000 gallons: \$3.38

15,001 to 30,000 gallons per 1,000 gallons: \$4.03

Over 30,000 gallons, per 1,000 gallons: \$4.81

- (b) The following water charges shall apply to all commercial users for the consumption of water inside the city limits:

0 to 2,000 gallons - Meter size:

5/8" and 3/4" ~~_\$14.02_~~\$15.52

1" ~~_\$15.89_~~\$17.76

1-1/2" ~~_\$20.56_~~\$27.11

2" ~~\$26.17~~38.32
3" ~~\$39.26~~64.49
4" ~~\$57.95~~101.88
6" ~~\$104.68~~195.35
8" ~~\$160.76~~307.51

Applicable to all meter sizes:

All over 2,000 gallons, per 1,000 gallons: \$3.50

(c) The following water charges shall apply to all apartment, small apartment, and mobile home park users for the consumption of water inside the city limits:

0 to 2,000 gallons - Meter size:

5/8" and 3/4" ~~\$13.54~~15.04
1" ~~\$14.99~~16.49
1-1/2" ~~\$18.63~~20.13
2" ~~\$22.98~~24.48
3" ~~\$33.15~~34.65
4" ~~\$47.70~~49.20
6" ~~\$85.11~~86.61
8" ~~\$127.60~~129.10

Applicable to all meter sizes:

All over 2,000 gallons, per 1,000 gallons: \$3.38

(d) The water rates for all residential users outside the city limits shall be equal to the rates for residential users inside the city limits plus fifty percent (50%):

0 to 2,000 gallons - Meter size:

5/8" and 3/4" ~~\$20.31~~22.56
1" ~~\$22.49~~24.74
1-1/2" ~~\$27.95~~30.20
2" ~~\$34.47~~36.72
3" ~~\$49.73~~51.98
4" ~~\$71.55~~73.80
6" ~~\$127.67~~129.92
8" ~~\$191.40~~193.65

Applicable to all meter sizes:

2,001 to 15,000 gallons, per 1,000 gallons: \$5.07

15,001 to 30,000 gallons per 1,000 gallons: \$6.05

Over 30,000 gallons, per 1,000 gallons: \$7.22

(e) The water rates for all commercial users outside the city limits shall be equal to the water rates for commercial users inside the city limits plus fifty percent (50%):

0 to 2,000 gallons - Meter size:

5/8" and 3/4" ~~\$21.03~~ 23.28

1" ~~\$23.84~~ 26.64

1-1/2" ~~\$30.84~~ 40.67

2" ~~\$39.26~~ 57.48

3" ~~\$58.89~~ 96.74

4" ~~\$86.93~~ 152.82

6" ~~\$157.02~~ 293.03

8" ~~\$241.14~~ 461.27

Applicable to all meter sizes:

All over 2,000 gallons, per 1,000 gallons: \$5.25

(f) The water rates for all apartment, small apartment, and mobile home park users outside the city limits shall be equal to the water rates for apartment, small apartment and mobile home park users inside the city limits plus fifty percent (50%):

0 to 2,000 gallons - Meter size:

5/8" and 3/4" ~~\$20.31~~ 22.56

1" ~~\$22.49~~ 24.74

1-1/2" ~~\$27.95~~ 30.20

2" ~~\$34.47~~ 36.72

3" ~~\$49.73~~ 51.98

4" ~~\$71.55~~ 73.80

6" ~~\$127.67~~ 129.92

8" ~~\$191.40~~ 193.65

Applicable to all meter sizes:

All over 2,000 gallons, per 1,000 gallons: \$5.07

(g) The meter rates for ~~city-owned fireplugs~~ fire hydrant construction meters are as follows:

0 to 2,000 gallons: ~~\$32.02~~ 64.49

All over 2,000 gallons, per 1,000 gallons: \$3.50

- (h) The meter rates for Stonetree Golf Course irrigation shall be equal to the M&O rate for potable water or reuse water rate per 1,000 gallons charged to the City of Killeen by Bell County Water Control and Improvement District No. 1.

(Code 1963, Ch. 14, art. 1, § 17(II); Ord. No. 89-69, § IV, 9-19-89; Ord. No. 90-81, § I, 9-18-90; Ord. No. 91-56, § I, 9-17-91; Ord. No. 92-62, § I, 9-8-92; Ord. No. 93-77, § II, 9-14-93; Ord. No. 98-59, § II, 9-15-98; Ord. No. 99-74, § II, 9-14-99; Ord. No. 00-67, § IV, 8-29-00; Ord. No. 01-42, § II, 8-28-01; Ord. No. 03-42, § I, 8-26-03; Ord. No. 04-71, § I, 8-24-04; Ord. No. 06-101, § I, 9-12-06; Ord. No. 09-058, § I, 9-15-09; Ord. No. 10-047, § I, 9-14-10; Ord. No. 11-082, § I, 9-13-11; Ord. No. 14-066, § I, 9-9-14; Ord. No. 15-043, § V, 9-8-15; Ord. No. 21-053, § I, 9-14-21; Ord. No. 22-075, § I, 10-18-22)

Sec. 30-151. Rates.

- (a) The wastewater use rates for all users shall be based on and calculated by the water meter consumption less three thousand (3,000) gallons minimum times the appropriate return flow factor times the cost for each unit of discharge plus the minimum charge shown below for each account category. (Example: Commercial account: Usage 10,000 gallons minus 3,000 gallons = 7,000 gallons: 7,000 gallons x 90% flow factor = 6,300 gallons; 6,300 gallons x 3.80 per 1,000 gallons = \$~~23.95~~23.94 + \$~~19.15~~20.65 (minimum charge) = \$~~43.10~~44.59 (total charge))

The wastewater rate shall be per one thousand (1,000) gallons and the minimum monthly fee:

- (1) *Rate for single-family residential.* ~~Nineteen-Twenty~~ dollars and ~~twentyseventy~~-six cents (\$~~19.26~~20.76) minimum charge for the first three thousand (3,000) gallons, plus three dollars and eighty cents (\$3.80) per one thousand (1,000) gallons thereafter, not to exceed ten thousand (10,000) gallons.
- (2) *Rate for two-family and multifamily (three and four unit) residential.* ~~Nineteen-Twenty-one~~ dollars and ~~sixty-five~~fifteen cents (\$~~19.65~~21.15) minimum charge for the first three thousand (3,000) gallons, plus three dollars and eighty cents (\$3.80) per one thousand (1,000) gallons in excess of minimum thereafter.
- (3) *Rate for commercial and apartment customers.* ~~Nineteen-Twenty~~ dollars and ~~fifteen sixty-five~~ cents (\$~~19.15~~20.65) minimum charge for the first three thousand (3,000) gallons, plus three dollars and eighty cents (\$3.80) per one thousand (1,000) gallons in excess of minimum.
- (3) *Rates for motels.* ~~Nineteen-Twenty~~ dollars and ~~fifteen-sixty-five~~ cents (\$~~19.15~~20.65) minimum charge for the first three thousand (3,000) gallons, plus three dollars and eighty cents (\$3.80) per one thousand (1,000) gallons in excess of minimum thereafter.
- (4) *Rate for mobile home parks.* ~~Nineteen-Twenty-one~~ dollars and ~~sixty-five~~fifteen cents (\$~~19.65~~21.15) per unit minimum charge for the first three thousand (3,000) gallons per unit, plus three dollars and eighty cents (\$3.80) per one thousand (1,000) gallons in excess of minimum, not to exceed ten thousand (10,000) gallons per unit.
- (5) Rate for residential outside city limits - the wastewater rates for all users outside the city limits shall be equal to the rates for residential inside the city limits plus fifty percent (50%).

(6) Rate for commercial outside city limits - the wastewater rates for all users outside the city limits shall be equal to the rates for commercial inside the city limits plus fifty percent (50%).

(b) The following return flow factors will be applied for each class of sewer customer:

- (1) Residential - 100%
- (2) Commercial - 90%
- (3) Outside city residential - ~~150~~100%
- (4) Apartments, motels, etc. - 90%
- (5) Laundries and car wash - 90%
- (6) Industrial - 90%
- (7) Mobile home parks - 100%
- (8) Outside city commercial - ~~150~~100%

(c) The return flow in gallons is determined by multiplying the water meter consumption, less three thousand (3,000) gallons minimum, times the return flow factor for each specific classification (i.e., usage 10,000 gallons minus 3,000 gallons minimum = 7,000 gallons; 7,000 gallons x 90% flow factor = 6,300 gallons).

- (1) *Residential*. One hundred (100) percent of metered water up to ten thousand (10,000) gallons per month.
 - (2) *Commercial*. Ninety (90) percent of metered water.
 - (3) *Outside city residential*. One hundred ~~fifty~~ (~~150~~100) percent of metered water up to ten thousand (10,000) gallons per month.
 - (4) *Apartments, motels, etc.* Ninety (90) percent of metered water.
 - (5) *Laundries and car wash*. Ninety (90) percent of metered water.
 - (6) *Industrial*. Ninety (90) percent of metered water.
 - (7) *Mobile home parks*. One hundred (100) percent of metered water up to ten thousand (10,000) gallons per unit.
 - (8) *Outside city commercial*. One hundred ~~fifty~~ (~~150~~100) percent of metered ~~wastewater~~.
- (d) A seventy-five dollar (\$75.00) fee will be assessed per call-out if a leak/blockage is determined to be on the private sewer service lateral or portion thereof that is not maintained by the city.

(Code 1963, Ch. 14, art. 1, § 17(I)(B); Ord. No. 89-69, § II, 9-19-89; Ord. No. 90-81, § I, 9-18-90; Ord. No. 91-56, § II, 9-17-91; Ord. No. 92-62, § II, 9-8-92; Ord. No. 93-77, § III, 9-14-93; Ord. No. 98-59, § III, 9-15-98; Ord. No. 99-74, § III, 9-14-99; Ord. No. 00-67, § V, 8-29-00; Ord. No. 01-42, § III, 8-28-01; Ord. No. 03-42, § II, 8-26-03; Ord. No. 04-71, § I, 8-24-04; Ord. No. 05-73, § I, 9-13-05; Ord. No. 06-101, § I, 9-12-06; Ord. No.

10-047, § I, 9-14-10; Ord. No. 11-082, § I, 9-13-11; Ord. No. 14-066 , § I, 9-9-14; Ord. No. 19-009 , § I, 3-26-19; Ord. No. 21-053 , § I, 9-14-21)

Sec. 30-154. Charges for users outside city limits.

All persons connected to and using the sewer systems of the city which are located outside the city limits shall be charged rates to be determined by the city council.

(Code 1963, Ch. 14, art. 1, § 17(E))

SECTION II. That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION III. That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION IV. That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION V. That this ordinance shall be effective on October 1, 2023.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this _____ day of _____, 2023, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED

Debbie Nash-King, MAYOR

ATTEST:

APPROVED AS TO FORM:

Laura Calcote, CITY SECRETARY

Holli Clements, CITY ATTORNEY

ORD _____

Date: _____