

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, ESTABLISHING RATES TO BE CHARGED FOR WATER AND SEWER SERVICE IN THE CITY OF MANSFIELD; AMENDING CHAPTER 51 “SEWER AND WATER SERVICE” BY AMENDING SECTION 51.052 “WATER SERVICE RATES”; AMENDING SECTION 51.053 “WATER RECONNECTION CHARGE”; AMENDING SECTION 51.054 “SEWER SERVICE RATES”; INCORPORATING THE RECITALS INTO THE BODY OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Mansfield, Texas (“City”) 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 purchases raw water for treatment and resale to its water customers from the Tarrant Regional Water District (TRWD) who sets the rates for the water sold to the City at its sole discretion; and,

**WHEREAS**, the City purchases sewer transportation treatment, and disposal for resale to its water customers from the Trinity River Authority (TRA) who sets the rates for the sewage transportation, treatment, and disposal sold to the City at its sole discretion; and,

**WHEREAS**, the cost of the raw water purchased and the cost of sewage transportation, treatment, and disposal purchased is a cost which is appropriately and legally passed through to those purchasing it from the City independent of and without consideration of the other costs the City elects to charge in order to maintain its water and sewer system; and,

**WHEREAS**, such charges are not fees or rates of the City and should be adjusted up or down upon a change in the rate by both TRWD and/or TRA; and,

**WHEREAS**, the rates for water and sewer service to customers of the City may be amended from time to time to account for costs associated with maintaining the City’s water and sewer system; and,

**WHEREAS**, the City Council has determined that adopting the rates for water and sewer service as set forth herein is in the best interest of the City.

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

**SECTION 1.**

All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2.**

The water service rates to be charged to users of the City of Mansfield, Texas water system shall be as follows:

The minimum Rate per Billing Period for Residential water services using 2,000 gallons or less shall be \$7.62.

All water service connections using more than 2,000 gallons in a billing period will be charged the following monthly base rate dependent on the water meter size:

<b>Meter Sizes</b>	<b>Meter Base Rate</b>
5/8 or 3/4 – inch meter	\$22.86
1 - inch meter	\$56.72
1-1/2 - inch meter	\$113.14
2 – inch meter	\$180.85
3 – inch meter	\$361.41
4 – inch meter	\$620.97
6 – inch meter	\$1,264.21

The Base Rate per Billing Period for any water meter larger than six inches will be calculated based on the projected demand the meter could place on the water system and shall be proportionate to the costs listed above.

For all **Residential and Commercial** water service connections using more than 2,000 gallons per billing period the following volume rates will be added to the base rate:

0 to 2,000 gallons	included in the Base Rate
2,000 to 32,000 gallons	\$3.44 per 1,000 gallons or fraction thereof
32,000 gallons and above	\$4.30 per 1,000 gallons or fraction thereof

For all **Industrial** water service connections using more than 2,000 gallons per billing period the following volume rates will be added to the base rate:

0 to 2,000 gallons	included in the Base Rate
2,000 to 32,000 gallons	\$2.76 per 1,000 gallons or fraction thereof

32,000 gallons and above                      \$3.41 per 1,000 gallons or fraction thereof

Industrial water service connections are defined as a business that is primarily engaged in manufacturing, processing, or assembling any products or goods of any kind or description where materials of a lower value are converted to forms having greater usability or value.

Any water service connection or water delivery that is trucked or transported outside of the incorporated city limits, other than water sales defined by wholesale contracts, will be charged an additional 10% above the stated Base Rate and Volume Rate for each billing period.

**SECTION 3.**

The sewer service rates to be charged to users of the City of Mansfield, Texas sewer system shall be as follows:

**Residential Sewer Service Rates**

Residential Sewer Service	
Billing Period Base Minimum less than 2,000 gallons	\$12.21
Residential Sewer Service	
Billing Period Base Minimum more than 2,000 gallons	\$30.73

For all volumes in excess of the 2,000 gallon base minimum a Volume Charge of \$4.88 per 1,000 gallons (or fraction thereof) will be added to the base minimum up to a Maximum Residential Sewer Charge of \$89.29 per billing period.

Residential Sewer Service only (No Water Service) will be charged a flat rate of \$79.53 per billing period for an estimated flow of 10,000 gallons.

**Commercial and Industrial Sewer Service Rates**

Billing Period Base Minimum for all volumes	\$30.73
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For all volumes in excess of the 2,000 gallon base minimum a Volume Charge of \$4.88 per 1,000 gallons (or fraction thereof) will be added to the base minimum. (There is no Maximum Volume Charge for Non-residential, Commercial or Industrial Sewer Service.)

**SECTION 4.**

Raw Water Rate means the raw water rate charges to the City by TRWD, as adjusted annually by TRWD. The Raw Water Rate shall be passed through to the customer of the City's water utility and shall be applied to the Residential, Commercial, and Industrial customers' volumetric and base rates, which include 2,000 gallons of water.

**SECTION 5.**

Sewer Treatment Rate means the sewer treatment rate charged to the City by TRA, as adjusted annually by TRA. The Sewer Treatment Rate shall be passed through to the customers of the City's water utility and shall be applied to the Residential, Commercial, and Industrial customers' volumetric and base rates, which include 2,000 gallons of sewer treatment.

#### **SECTION 6.**

Section 51.052 "Water Service Rates", of Chapter 51 "Sewer and Water Service" of the Code of Mansfield, Texas is hereby amended to read as follows:

#### **"§51.052 WATER SERVICE RATES**

The water service rates to be charged to users of the City's water system shall be as established by the City Council from time to time. Said rates are on file in the City Secretary's Office."

#### **SECTION 7.**

Section 51.053 "Water Reconnection Charge", of Chapter 51 "Sewer and Water Service" of the Code of Mansfield, Texas is hereby amended to read as follows:

#### **"§51.053 WATER DISCONNECTION AND RECONNECTION CHARGE**

The City hereby assess a disconnection charge and a charge to reconnect water service to any of its customers to whom such service has previously been disconnected as established in the City's Master Fee Schedule adopted by the City Council, amended from time to time. Said Master Fee Schedule is on file in the City Secretary's Office."

#### **SECTION 8.**

Section 51.054 "Sewer Service Rates", of Chapter 51 "Sewer and Water Service" of the Code of Mansfield, Texas is hereby amended to read as follows:

#### **"§51.054 SEWER SERVICE RATES**

The sewer service rates to be charged to users of the City's sewer system shall be as established by the City Council from time to time. Said rates are on file in the City Secretary's Office."

#### **SECTION 9.**

A true and correct copy of these water and sewer rates shall be on file with the City Secretary of the City of Mansfield and available on the City's website.

#### **SECTION 10.**

It is hereby declared to be the intention of the City Council of the City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 11.**

This Ordinance shall be cumulative of all provisions of ordinances of the City of Mansfield, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 12.**

All rights and remedies of the City are expressly saved as to any and all provisions of any ordinance affecting water and sewer fees and rates of the City and to any and all violations of the provisions of any prior ordinance pertaining to water and sewer fees and rates and regulations within the City which have accrued as of the effective date of this ordinance; as to such accrued fees and rates, collection activity, violations, and any pending litigation, both civil and criminal, whether pending in court or not, under such prior ordinances, same shall not be affected by this Ordinance but may be prosecuted and pursued until final disposition by the courts

**SECTION 13.**

The City Secretary of the City is hereby directed to publish this Ordinance to the extent required by law.

**SECTION 14.**

This Ordinance shall be in full force and effect from and after its passage on the first and final reading and the publication of the caption, as the law and Charter in such cases provide, and it is so ordained.

**DULY PASSED ON THE FIRST AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 9<sup>TH</sup> DAY OF SEPTEMBER, 2024.**

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**Michael Evans, Mayor**

**ATTEST:**

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**Susan Marin**, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

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**Ashley Dierker**, City Attorney