

**ARTICLE 13.02 WATER AND SEWERS<sup>†</sup>****Division 1. Generally****Secs. 13.02.001–13.02.030 Reserved****Division 2. Rates and Charges****Part I. In General****Sec. 13.02.031 Water rates**

- (a) The water rates to be charged and collected by the city, from all customers obtaining service from the water system of said city, shall be hereby fixed as set forth in appendix A to this code.
- (b) The city council reserves the right to negotiate with large users of water a rate where it is deemed reasonable that a special rate apply.
- (c) Every permanent occupant of residential or commercial property shall obtain water directly from a water meter installed on said property and not from adjacent property. No person other than the city shall furnish water for residential and commercial use to any property within the city. The owner of an existing private well may use said well for irrigation purposes at their option; however, such well shall not be connected in any manner to the household system. No new private wells will be allowed within the city's water service area after October 1, 2007. The city reserves the right to exempt certain large nonhousehold water users from this restriction where it benefits the city water system.

**Sec. 13.02.032 Water tap fee**

There shall be an initial charge for each new water tap as provided in appendix A to this code. The final charge may be more than the initial charge based on additional consumption requirements. Any difference above the initial fee shall be paid prior to service connection. Developers will pay any capital recovery or impact fees assessed by the wholesale water suppliers. Water tap fees shall be nonrefundable.

**Sec. 13.02.033 Wastewater user charge**

- (a) The wastewater rates to be charged and collected by the city, from all customers obtaining service from the wastewater system of said city, shall be hereby fixed as set forth in appendix A to this code.
- (b) Where usage is based on winter averaging, charges for wastewater are based on three-month average water usage in December, January and February. New charges apply commencing in March and ending the following February. Where no winter average history is available for the customer at the account address, the flat rate charge will be assessed until a winter average history is established.

**Sec. 13.02.034 Wastewater tap fee**

There shall be an initial charge as provided in appendix A to this code for each wastewater tap. The

final charge may be more than the initial charge based on additional consumption requirements. Any difference above the initial charge shall be paid prior to service connection. Developers will pay any capital recovery fees assessed by the wholesale wastewater suppliers. Wastewater tap fees shall be nonrefundable.

#### **Sec. 13.02.035 Time and place of payment**

All accounts shall be payable on the fifteenth day after the billing date at the designated city office(s). Payment dates that fall on a weekend or legal city holiday will be due on the first business day following the due date. After the water and wastewater bill has been mailed to the address provided by the customer for that account, the customer is responsible for payment. If the customer has not received a bill, the customer is responsible for obtaining the amount of the bill from the city office and making timely payment.

#### **Sec. 13.02.036 Joint payment of accounts**

Bills for services rendered by the city water and wastewater departments shall be rendered and payable jointly, and failure to pay such charges, or either of them, by the 15th day after the billing date shall be cause for the water service to be discontinued.

#### **Sec. 13.02.037 Deposits**

(a) Residential. There shall be a deposit, as provided in appendix A to this code, per residential dwelling unit, paid in advance to the city for each water and wastewater connection, on or after the date of this section, unless otherwise specified by this section or if the customer can provide an original letter of good credit from another utility company for the most recent 12-month period preceding the connect date that has not late payments or insufficient checks.

(b) Nonresidential. Unless otherwise specified in this section or by the city council, nonresidential establishments are required to post a utility deposit equal to at least twice the average monthly bill of that establishment or a similar establishment of its kind. The minimum nonresidential deposit is equal to the residential deposit outlined in appendix A to this code. A bank letter of credit containing terms specified by the director of finance may be accepted in lieu of a cash deposit.

(c) Political subdivisions. Federal and state political subdivisions, as well as county and school district accounts, are not required to post a utility deposit.

(d) Deposit after satisfactory payment history. A utility deposit is not required from a former customer who has previously established a satisfactory payment history. Satisfactory payment history is defined as a payment history that does not include any charge of a ten-percent penalty for nonpayment by the due date.

(e) Deposit required after termination. A standard utility deposit is required of any utility customer, regardless of payment history, if utility service has been disconnected for nonpayment.

(f) Said deposit shall be refundable (without interest) upon discontinuance of service providing the monthly charge for services of all kinds indicated on the monthly billing card has been paid in full.

#### **Sec. 13.02.038 Special charges**

(a) New account or transfer accounts.

- (1) New and transferred accounts. A new account administration charge shall be applied to each new customer as well as transferred accounts to fund the administrative cost in accordance with appendix A of this code.
- (2) New residential accounts are to be established in the name of the person requesting the service, as it reads on his or her driver's license, social security card or identification deemed acceptable by the city.
- (3) A married couple moving to a location and requesting utility service must provide the names of both parties in the marriage for the account, with both equally responsible for management and payment of the account.
- (4) Nonresidential accounts, established in a company or business name, will not be activated without the name, identification and contact information of the manager or a responsible party, for the purpose of account management.
- (5) In order to transfer utilities from one location to another, the final bill for the original account will be transferred to and be payable on the due date of the new account.
- (6) False information given to the city in order to establish a utility account, or transfer an existing account may result in the delay or disconnection of utility service.
- (7) Past due balances from a customer's inactive utility account will be transferred to the customer's current, active utility account, and are payable on the next due date of the active account. The past due balance, with authorization from the utility billing supervisor, may be set up on a payment plan that allows the customer to pay out the transferred balance in monthly installments. The payment plan time period may not exceed six months without authorization from the city manager or director of finance.

(b) After-hours connection/reconnection. Any service that is reconnected after hours, weekends, or holidays will be charged as provided in appendix A to this code. This service will be done upon the customer's request and is in addition to any other charges already accrued. This charge is applicable to any utility meter connections and reconnections taking place any other time other than regular business hours (Monday through Friday 8:00 a.m. to 6:00 p.m., excluding holidays). An exception to this practice will be made if the disconnection is due to the city's error.

(c) Reread charges. The city will reread any customer's water meter at the customer's request. If the reread meter was correctly read and there was no error on the part of the city, the customer shall be charged as provided in appendix A to this code after the second reread each year. If the reread meter was read incorrectly, there shall be no charge to the customer.

(d) Meter tests. A customer requesting his meter be tested must pay for the actual costs of testing if the meter is found to be working properly. If the meter is found to be malfunctioning, the city will pay for the test and correct the estimated charges on the account with a credit to the account. The charge must be paid by the due date of the bill.

(e) Exemption to the rates provided in the appendix A to this code may be requested by a customer,

in writing, from the city manager, or his assigned agent, for leaks that occur on the customer side of the meter.

### **Sec. 13.02.039 Penalties**

There shall be added to each account which is paid after the close of business on the 15th day after the billing date a ten-percent late payment penalty on any and all outstanding balances as of that time; also, any unauthorized persons resuming water service after such service has been discontinued by the city shall be deemed guilty of a misdemeanor and upon conviction shall be fined in accordance with the general penalty in section 1.01.009 of this code, and each day a violation is permitted to continue shall constitute a separate offense.

### **Sec. 13.02.040 Customer class definitions**

Customer classes are defined as follows:

- (1) Single-family residential. All residential dwellings with four or fewer units per meter with utility services for domestic use only. Multifamily units with more than four units are classified as nonresidential.
- (2) Nonresidential. All commercial, industrial and multifamily units not meeting the definition in section 13.02.040(1).
- (3) Irrigation. All nonresidential metered accounts set up solely for landscape watering or other outdoor use.
- (4) Construction. For water use from fire hydrant meters, other temporary meters and all other miscellaneous water usage not regularly billed.
- (5) Flat rate. All customers that receive wastewater services from the city, but are not connected to the city's water system.

### **Secs. 13.02.041–13.02.060 Reserved**

## **Part II. Collection of Water and Wastewater Bills**

### **Sec. 13.02.061 Water and wastewater bills**

All water and wastewater bills will be mailed on pre-established monthly billing cycles. Each water and wastewater bill will be due within fifteen days of the billing date, with no second notice required. A late fee will automatically be added on the 16th day after billing date. Water service will be turned off for nonpayment after 25 days after the billing date. Questions regarding the payment of bills and turn off for nonpayment should be directed to the utility office.

### **Sec. 13.02.062 Late fees**

Late fees will be assessed on the outstanding balance at the rate provided in appendix A to this code and shall be applied to each unpaid water and wastewater bill automatically in accordance with section 13.02.061.

**Sec. 13.02.063 Turnoff list**

25 days after each billing date, or the first working day thereafter, a list will be printed of each address with an unpaid water or wastewater bill for that billing cycle. This list will be known as the turnoff list, and all addresses listed shall be turned off for nonpayment on or after 25 days after the billing date for that account. All turnoffs will be accomplished between the hours of 8:00 a.m. and 12:00 noon.

**Sec. 13.02.064 Service fee**

A service fee as provided in appendix A to this code will be added to the water bill automatically for each meter that is to be turned off. At that time, a meter reading will be taken for each meter that is taken out of service. Reconnections are completed during normal business hours, unless specifically requested by the customer, in accordance with section 13.02.038.

**Sec. 13.02.065 Water meter to remain turned off until bill is paid**

On the day after turnoffs have been completed, all unpaid accounts will be inspected to insure that the water is still off. If it is found that the water meter is on or the water meter reading has changed, indicating water has been used, the water meter will again be turned off and a locking device will be employed to insure the water meter remains turned off. In such an event, another service fee as provided in appendix A to this code will automatically be added to the balance of the bill.

**Sec. 13.02.066 Removal of locking device**

On the day after the water meters have been locked out, all unpaid accounts will again be inspected to insure that the water meter is still locked out. If it is found that the locking device has been removed, then the following actions shall occur:

- (1) A fee as provided in appendix A to this code will be added to the water bill for the damage and removal of the locking device; and
- (2) The water meter cutoff valve will again be locked out and the water meter will be removed from the service connection. A fee as provided in appendix A to this code will be charged for resetting the water meter.

**Sec. 13.02.067 Use of jumpers**

(a) On the day after the water meters have been removed from service, all unpaid accounts will be inspected again to insure that the water is still off. If it is found that a jumper of any kind (another meter, piece of pipe, a hose) has been installed to allow water to be obtained by the residence with an unpaid water bill, the local police will be notified to come to the address as soon as possible so they can take appropriate legal action.

(b) Once the jumper has been removed, the water supply for this service will be discontinued at the main line connection, and a fee as provided in appendix A to this code will be added to the outstanding water bill.

**Sec. 13.02.068 Fines, fees, etc., to be paid in full**

All fines, fees, penalties and service charges are added to an account and as such must be paid in full by the owner or resident prior to water service being resumed for that property.

(Ordinance 07-032-00, ex. 1, adopted 9/20/07)

### **Division 3. Private Sewage Disposal\***

#### **Sec. 13.02.101 Code adopted**

Certain documents, one (1) copy of which is on file in the office of the city secretary, being marked and designated as the 2006 edition of the International Private Sewage Disposal Code, including appendix chapters, as published by the International Code Council, be and are hereby adopted as the code of the city for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of private sewage disposal systems in the city, as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Private Sewage Disposal Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this division, with the additions, insertions, deletions and changes as set forth below.

#### **Sec. 13.02.102 Code amendments**

The International Private Sewage Disposal Code is amended as follows:

Section 101.1. Insert: City of Hutto, Texas.

Section 106.4.2. Insert: All fees are governed by the city's fee schedule for city services.

Section 106.4.3. Deleted.

Section 108.4. Amend to read:

“Violations of any provision of this code shall be punished by a fine of up to \$2,000.00. Each day that a violation continues after due notice has been given shall be deemed a separate offense.”

Section 108.5. Insert: \$2,000.00.

(Ordinance 06-010-00 adopted 10/2/06)

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