

CITY OF WEST LAKE HILLS

AMENDMENT NO. 380

**UTILITIES WASTEWATER FEES**

AN ORDINANCE AMENDING APPENDIX A FEE SCHEDULE, ARTICLE A8.00, UTILITIES FEES, OF THE WEST LAKE HILLS CODE OF ORDINANCES; REVISING LATE PAYMENT CHARGES AND PLAN REVIEW CHARGES AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; EFFECTIVE DATE; CODIFICATION; PROPER NOTICE & MEETING

**WHEREAS,** the City Council of the City of West Lake Hills (“City Council”) seeks to operate a centralized municipal wastewater system in an effective, efficient manner; and

**WHEREAS,** the City Council finds that the revisions enacted by this Ordinance are characterized as reasonable under the circumstances; and

**WHEREAS,** pursuant to Chapter 552 of the Texas Local Government Code, the City is authorized to operate its utility systems to regulate the systems in a manner that protects the interests of the municipality; and

**WHEREAS,** the City Council finds that it is necessary and proper for the good government, peace or order of the City of West Lake Hills to adopt the following rules.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of West Lake Hills, Texas:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**2. ENACTMENT**

Chapter 18, Article 18.03, Division 4 of the City of West Lake Hills Code of Ordinances are hereby amended to read in accordance with *Attachment A*, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated on *Attachment A*.

**3. CODIFICATION**

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City’s Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

#### 4. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

#### 5. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

#### 6. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

#### 7. PROPER NOTICE & MEETING

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

**PASSED & APPROVED** this, the 11<sup>th</sup> day of December, 2019 by a vote of 5 (ayes) to 0 (nays) to (abstentions) of the City Council of West Lake Hills, Texas.

**CITY OF WEST LAKE HILLS, TEXAS:**

  
Linda Anthony, Mayor

**ATTEST:**

  
Stephanie Mills, City Secretary

City of West Lake Hills

**CODE OF ORDINANCES**

**APPENDIX A FEE SCHEDULE**

**ARTICLE A8.00 UTILITY FEES**

**Sec. A8.001 Wastewater fees**

(a) Application fee: \$100.00.

(b) Service deposit:

(1) 1" or smaller water meter: \$200.00.

(2) 1-1/2" water meter: \$375.00.

(3) 2" water meter: \$600.00.

(4) 3" water meter: \$1,200.00.

(c) Monthly rates:

(1) Single-family residential. For residential customers with individual water meters and a single residential grinder pump, the monthly wastewater rates shall be:

(A) Monthly customer charge, water meter size 1" or less:

\$69.18 (August 29, 2019–August 28, 2020)

\$76.22 (August 29, 2020–August 28, 2021)

\$79.27 (August 29, 2021–August 28, 2022)

\$82.44 (August 29, 2022–August 28, 2023)

\$85.74 (August 29, 2023–August 28, 2024)

\$87.45 (August 29, 2024–August 28, 2025)

\$89.20 (August 29, 2025–August 28, 2026)

\$90.98 (August 29, 2026–August 28, 2027)

(B) Consumption charge: The consumption charge for each 1,000 gallons, or part thereof, of the average winter water usage or based on actual sewage volume, measured on a basis acceptable to the city shall be calculated as:

\$8.93 (August 29, 2019–August 28, 2020)

\$9.84 (August 29, 2020–August 28, 2021)

\$10.23 (August 29, 2021–August 28, 2022)

\$10.64 (August 29, 2022–August 28, 2023)

\$11.07 (August 29, 2023–August 28, 2024)

\$11.29 (August 29, 2024–August 28, 2025)

\$11.52 (August 29, 2025–August 28, 2026)

\$11.75 (August 29, 2026–August 28, 2027)

(2) Single-family residential with additional pumps. For residential customers with individual water meters and a duplex grinder pump or two residential pumps, wastewater rates for the monthly customer charge shall be the same as a multifamily customer with two residential units; and wastewater rates for the consumption charge shall be the same as a single-family residential customer with a single water meter and a single residential grinder pump:

(A) Monthly customer charge will be based on two residential units:

\$110.03 (August 29, 2019–August 28, 2020)

\$121.24 (August 29, 2020–August 28, 2021)

\$126.08 (August 29, 2021–August 28, 2022)

\$131.12 (August 29, 2022–August 28, 2023)

\$136.36 (August 29, 2023–August 28, 2024)

\$139.08 (August 29, 2024–August 28, 2025)

\$141.86 (August 29, 2025–August 28, 2026)

\$144.70 (August 29, 2026–August 28, 2027)

(B) Consumption charge: The consumption charge for each 1,000 gallons, or part thereof, of the average winter water usage or based on actual sewage volume, measured on a basis acceptable to the city shall be calculated as:

\$8.93 (August 29, 2019–August 28, 2020)

\$9.84 (August 29, 2020–August 28, 2021)  
\$10.23 (August 29, 2021–August 28, 2022)  
\$10.64 (August 29, 2022–August 28, 2023)  
\$11.07 (August 29, 2023–August 28, 2024)  
\$11.29 (August 29, 2024–August 28, 2025)  
\$11.52 (August 29, 2025–August 28, 2026)  
\$11.75 (August 29, 2026–August 28, 2027)

(3) Unoccupied single-family residential with water service.

(A) Monthly customer charge:

\$69.18 (August 29, 2019–August 28, 2020)  
\$76.22 (August 29, 2020–August 28, 2021)  
\$79.27 (August 29, 2021–August 28, 2022)  
\$82.44 (August 29, 2022–August 28, 2023)  
\$85.74 (August 29, 2023–August 28, 2024)  
\$87.45 (August 29, 2024–August 28, 2025)  
\$89.20 (August 29, 2025–August 28, 2026)  
\$90.98 (August 29, 2026–August 28, 2027)

(B) Consumption charge: The consumption charge for each 1,000 gallons, or part thereof, of the actual monthly water usage shall be calculated as:

\$8.93 (August 29, 2019–August 28, 2020)  
\$9.84 (August 29, 2020–August 28, 2021)  
\$10.23 (August 29, 2021–August 28, 2022)  
\$10.64 (August 29, 2022–August 28, 2023)  
\$11.07 (August 29, 2023–August 28, 2024)  
\$11.29 (August 29, 2024–August 28, 2025)  
\$11.52 (August 29, 2025–August 28, 2026)

\$11.75 (August 29, 2026–August 28, 2027)

(4) Multifamily residential. For residential customers with more than one unit per water meter the monthly wastewater rates will be:

(A) Monthly customer charge per unit:

\$55.03 (August 29, 2019–August 28, 2020)

\$60.62 (August 29, 2020–August 28, 2021)

\$63.04 (August 29, 2021–August 28, 2022)

\$65.56 (August 29, 2022–August 28, 2023)

\$68.18 (August 29, 2023–August 28, 2024)

\$69.54 (August 29, 2024–August 28, 2025)

\$70.93 (August 29, 2025–August 28, 2026)

\$72.35 (August 29, 2026–August 28, 2027)

(B) Consumption charge: The consumption charge for each 1,000 gallons, or part thereof, of the average winter water usage or based on actual sewage volume, measured on a basis acceptable to the city shall be calculated as:

\$8.14 (August 29, 2019–August 28, 2020)

\$8.96 (August 29, 2020–August 28, 2021)

\$9.32 (August 29, 2021–August 28, 2022)

\$9.69 (August 29, 2022–August 28, 2023)

\$10.08 (August 29, 2023–August 28, 2024)

\$10.28 (August 29, 2024–August 28, 2025)

\$10.49 (August 29, 2025–August 28, 2026)

\$10.70 (August 29, 2026–August 28, 2027)

(5) Nonresidential.

(A) Monthly customer charge, per LUE: The number of LUE's for the monthly customer charge for each customer will be established at the time of connection and updated annually in the city rate/fee schedule, and will be determined as defined in section 18.03.091(b).

(i) The monthly customer charge shall be calculated as:

\$175.98 (August 29, 2019–August 28, 2020)

\$193.91 (August 29, 2020–August 28, 2021)

\$201.67 (August 29, 2021–August 28, 2022)

\$209.74 (August 29, 2022–August 28, 2023)

\$218.13 (August 29, 2023–August 28, 2024)

\$222.49 (August 29, 2024–August 28, 2025)

\$226.94 (August 29, 2025–August 28, 2026)

\$231.48 (August 29, 2026–August 28, 2027)

(ii) For customers who do not have separate irrigation meters: After the customer’s initial year of wastewater service, the number of LUE’s for each customer will be updated annually (and reflected in the rate/fee schedule) in the following manner: City will base LUE’s on the customer’s updated three-year, rolling average winter water usage.

(iii) For customers with separate irrigation meters: After the customer’s initial year of wastewater service, the number of LUE’s for each customer will be updated annually (and reflected in the rate/fee schedule) in the following manner: City will base LUE’s on the customer’s updated three-year, rolling average of actual water usage.

(B) Consumption charge: The consumption charge for each 1,000 gallons, or part thereof, of water used shall be calculated as:

\$12.73 (August 29, 2019–August 28, 2020)

\$13.61 (August 29, 2020–August 28, 2021)

\$14.15 (August 29, 2021–August 28, 2022)

\$14.72 (August 29, 2022–August 28, 2023)

\$15.31 (August 29, 2023–August 28, 2024)

\$15.62 (August 29, 2024–August 28, 2025)

\$15.93 (August 29, 2025–August 28, 2026)

\$16.25 (August 29, 2026–August 28, 2027)

(C) City of Austin industrial waste surcharge: To the extent possible, the city will pass through the City of Austin surcharges for excess strength wastewater assessed to the city in accordance with article VIII of the First Agreement for the Provision of Wholesale Wastewater Service between the City of Austin and the city to the individual nonresidential customer identified by the City of Austin as producing the excess strength wastewater. Nonresidential customers will also pay a pro-rata share of any and all City

of Austin surcharges for excess strength wastewater assessed to the city that cannot be attributed to specific customers. If a nonresidential customer is metered, then they will be charged according to meter.

(D) Nonresidential customers. For nonresidential customers, where available, city will calculate retail wastewater flow based on actual sewage volume, measured on a basis acceptable to the city. In the absence of acceptable actual sewage volume measurements, the city will calculate retail wastewater flow for each customer based on the average monthly water usage calculated from the customer's meter readings in January, February and March, herein called the average winter water usage, or as amended by the City of Austin.

(6) Phase 3 project.

(A) Monthly surcharge. An additional fee for phase 3 customers will be assessed monthly based on the number of property owners who have connected to the system and the program costs including final construction costs. The monthly surcharge will be adjusted annually based on the total number of customers and program costs at that time.

(B) Subsequent user fee. The subsequent user fee will be assessed to phase 3 area property owners who connect to the system after construction is completed. The subsequent user fee will be calculated to include the sum of all previous monthly surcharges. The subsequent user fee will be in addition to other new connection fees and conditions as provided in section 18.03.114 and this section.

(d) Administrative service fee: \$35.00.

**(e) Late payment fee: Ten percent of the past due charges for total wastewater service charges or \$5.00, whichever is greater. \$25.00 Residential, \$35.00 Non-Residential**

(f) Returned instrument fee: \$35.00.

(g) Door tag fee: \$25.00.

(h) Disconnect fee: \$100.00.

(i) Reconnect fees: \$25.00.

(j) Collections fee: The collections fee will be based on the total amount of past due connection fees and/or wastewater bills owed and will be charged regardless of whether the delinquent balance is collected directly by city staff or by a collections agency. The city will charge a 10% fee in addition to the total amount of past due fees and/or bills owed to compensate the city for staff administrative effort to collect the past due charges. This collections fee reflects the cost of collecting delinquent balances other than the cost of attorneys' fees related to collection. Attorneys' fees incurred will be charged separately based on actual cost to the city. If an account is sent to a collections agency the 10% city administrative fee plus any attorneys' fees will be added to the total amount due by the customer prior to sending the account to the collections agency. The collections agency charge to the city will be added to the collections fee.

(k) Force final fee: \$35.00.



- (l) Testing of wastewater for quality standards: Actual cost to city.
- (m) Grinder pump and control panel replacement fee: 50% of the cost to replace the equipment.
- (n) New connection fees and conditions:
  - (1) Residential connections.
    - (A) Application fee (nonrefundable per application): \$100.00.
    - (B) Inspection fee (per inspection): \$50.00 or as amended by city.
    - (C) Impact fee (per single-family connection): \$7,661.00.
    - (D) Austin wastewater capital recovery fee: Pay all fees as set by the City of Austin, as may be amended from time to time (irrigation meters exempted).
    - (E) Grinder pump fee: Fee is equal to the price of a grinder pump (as specified by the city or its representatives).
    - (F) Building permit fee: As set by city.
    - (G) Wastewater plan review fee: ~~\$200.00.~~ \$300.00
    - (H) Preliminary engineering assessment fee: Up to \$500.00, dependent upon size and complexity of the proposed project or as determined by the city wastewater engineer. This fee is nonrefundable.
    - (I) Engineering information request fee: \$100.00.
  - (2) Nonresidential connections.
    - (A) Application fee (nonrefundable, per application): \$100.00.
    - (B) Inspection fee (per inspection): \$50.00 or as amended by city.
    - (C) Impact fee (per LUE): \$7,661.00 per nonresidential connection. The number of LUEs to be paid will be calculated by multiplying the number of LUEs by the impact fee per LUE.
    - (D) Austin wastewater capital recovery fee: Pay fees based on meter size and number of meters, as may be amended from time to time, (irrigation meters exempted).
    - (E) Grinder pump fee: Fee is equal to the price of a grinder pump (as specified by the city or its representatives).
    - (F) Wastewater connection permit fee: \$50.00 or as amended by city.
    - (G) Wastewater plan review fee: ~~\$200.00.~~ \$300.00

(H) Preliminary engineering assessment fee: Up to \$500.00, dependent upon size and complexity of the proposed project or as determined by the city wastewater engineer. This fee is nonrefundable.

(I) Engineering information request fee: \$100.00.

(Ordinance 136 adopted 10/22/08; Ordinance 174 adopted 8/26/09; Ordinance 183 adopted 2/10/10; Ordinance 207 adopted 8/25/10; Ordinance adopting Code; Ordinance 212 adopted 12/8/10; Ordinance 221 adopted 8/24/11; Ordinance 234 adopted 12/14/11; Ordinance 248 adopted 6/6/12; Ordinance 276 adopted 5/22/13; Ordinance 282 adopted 12/11/13; Ordinance 304 adopted 12/10/14; Ordinance 319 adopted 11/23/15; Ordinance 331 adopted 8/24/16; Ordinance 336 adopted 12/14/16; Ordinance 338 adopted 1/25/17; Ordinance 364 adopted 4/11/18; Ordinance 370 adopted 8/28/19)