



**ORDINANCE NO. 07132021-01**

**AN ORDINANCE AMENDING CHAPTER 13 (UTILITIES) OF THE CODE OF ORDINANCES OF THE CITY OF MOULTON, TEXAS BY AMENDING SECTION 13.02.031 RELATING TO DUE DATES FOR UTILITY BILLS; ARTICLE 4.000 UTILITIES, SECTION 4.100 SEWER RATES AND SECTION 4.300 WATER RATES; AMENDING ARTICLE 13.01 GENERAL PROVISIONS RELATING TO CUSTOMER DEPOSITS; ADDING ARTICLE 13.05 SANITATION SERVICES.**

**WHEREAS**, the City of Moulton, Texas (“City”) is a municipality incorporated and operating under the Laws of the State of Texas; and

**WHEREAS**, pursuant to Texas Local Government Code §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 §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 Chapter 402 of the Texas Local Government Code and other laws, the City is authorized to operate its utility systems inside or outside its municipal boundaries, to regulate the systems in a manner that protects the interests of the municipality;

**WHEREAS** the City Council seeks to ensure that utility services are adequate and efficient for the citizens of the City; and

**WHEREAS** the City has determined that it is in the best interest of the public; for the purpose of promoting the health, safety and welfare of its citizens; and to ensure good government, peace, and order in the City to amend the dates by which bills are due; and

**WHEREAS** the City has determined that it is in the best interest of the public; for the purpose of promoting the health, safety and welfare of its citizens; and to ensure good government, peace, and order in the City to amend sewer and water rates; and

**WHEREAS** the City has determined that it is in the best interest of the public; for the purpose of promoting the health, safety and welfare of its citizens; and to ensure good government, peace, and order in the City to amend customer utility deposits; and

**WHEREAS** the City has determined that it is in the best interest of the public; for the purpose of promoting the health, safety and welfare of its citizens; and to ensure good government, peace, and order in the City to amend sanitation services and rates; and

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

**SECTION 1. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Moulton and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

**SECTION 2. AMENDMENTS**

Chapter 13 (Utilities) of the Code of Ordinances of the City of Moulton, Texas is hereby amended by amending Section 13.02.031 as follows:

- (a) Utility bill for services will be mailed on or about the 1<sup>st</sup> – 4<sup>th</sup> day of the month with payment due by close of business (COB) on the 15<sup>th</sup> day of the month, unless the 15<sup>th</sup> occurs on a weekend or holiday, in which case the payment is due by close of business on the next regular business day.
- (b) A utility bill is delinquent if not paid by the due date. If the customer fails to pay the utility bill by the close of business on the due date, the city staff shall:
  - (1) Assess a Late Penalty Fee in the amount of a ten percent (10%) of the total amount of the utility bill due;
- (c) Utility service shall be terminated if a customer fails to pay his/her utility bill(s) within five (5) calendar days after the due date, the 20<sup>th</sup> of the month unless the 20<sup>th</sup> occurs on a weekend or holiday, in which case the disconnection of services will occur on the next regular business day. Disconnection notices and disconnection phone contact will not occur.
- (d) Failure of the customer to receive a utility bill from the City shall in no way relieve the customer of the duty to pay for such service.
- (e) The City reserves the right to change its billing cycle if the workload or other factors requires such a change. After a billing period has been changed, the billings shall be sent on the new change date unless otherwise determined by the City.

Chapter 13 (Utilities) of the Code of Ordinances of the City of Moulton, Texas is hereby amended by amending Section 13.01 and amending Appendix A, Article 4.000, Section 4.100 Sewer Rates and Section 4.300 Water Rates, amending Appendix A as follows:

- (a) That Appendix A – Fee Schedule, Article 4.000 Utilities, of the Code of Ordinances of the City of Moulton, Texas, be amended to amend Section 4.100 Sewer Rates and Section 4.300 Water Rates with the fee schedule set out in Appendix A, attached hereto and made a part of this ordinance for all purposes.

Chapter 13 (Utilities) of the Code of Ordinances of the City of Moulton, Texas is hereby amended by amending Article 13.01 General Provisions relating to Customer Deposits as follows:

- (a) Water meter deposits are as follows:
  - \$50.00 per meter for property owners
  - \$100.00 per meter for renters or lessees
- (b) Electric meter deposits are as follows:
  - \$250.00 per meter for property owners
  - \$350.00 per meter for renters or lessees
- (c) A photo identification is required for new service accounts.

Chapter 13 (Utilities) of the Code of Ordinances of the City of Moulton, Texas is hereby amended by adding Article 14.00 Solid Waste Collections Regulations as follows:

#### Article 14.000 Solid Waste Collections Regulations

##### Section 14.001 Purpose

The accumulation of refuse, trash, garbage, and waste on the premises of private residence, businesses, public and private institutions, vacant lots and in the streets and alleys of the City, constitutes a public menace and nuisance and greatly increases the danger of the spread of infectious, contagious, and epidemic diseases. The regulations in this article are adopted for the purpose of preserving and protecting public health, safety, and general welfare by requiring property owners, tenants, occupants, and lessees to secure and maintain containers and receptacles of sufficient size and material for the deposit of refuse, trash, garbage, and waste for collection and removal at regular intervals. It shall be compulsory for each unit with an active electric or water meter located inside the city limits to pay the curbside pickup charges as provided herein. Units paying for the use of a dumpster shall be exempt from the curbside service charge.

#### **SECTION 3. SAVINGS**

The repeal 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 a discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

#### **SECTION 4. SEVERABILITY**

If any provisions, section, sentence, clause or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Moulton is adopting, and of the Mayor in approving this ordinance, that no portion thereof or provision or regulation contained herein shall become

inoperative or fail by reason of any unconstitutionality or invalidity of any portions, provision or regulation.

**SECTION 5. REPEALER**

The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however; that all prior ordinance or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This ordinance shall not be construed to require or allow any act which is prohibited y any other ordinance.

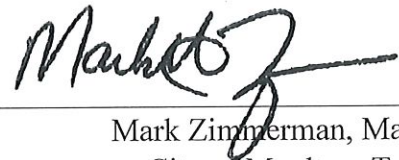
**SECTION 6. EFFECTIVE DATE**

This ordinance shall take effect immediately from and after its passage and publication as may be required by law.

**SECTION 7. NOTICE AND MEETING**

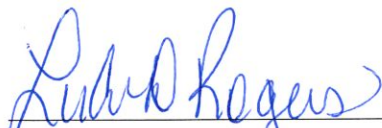
It is hereby officially found and determined that the meeting at which this ordinance as adopted and passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED, ADOPTED AND APPROVED THIS 13<sup>TH</sup> DAY OF JULY, 2021.**



Mark Zimmerman, Mayor  
City of Moulton, Texas

ATTEST:



LuAnn D. Rogers, TRMC  
City Administrator, Secretary  
City of Moulton, Texas



## APPENDIX A

### Water Rates

### Effective Rate

*Effective Date: November 2019*

#### **Residential: Inside**

Minimum Water Bill	17.83
1-5000 gallons Per 1000 Gallons	2.28
5001-10000 Gallons Per 1000 Gallons	2.78
10001-20000 Gallons Per 1000 Gallons	3.05
Over 20000 Gallons Per 1000 Gallons	3.32

#### **Residential: Outside**

Minimum Water Bill	21.12
1-5000 gallons Per 1000 Gallons	4.59
5001-10000 Gallons Per 1000 Gallons	4.87
10001-20000 Gallons Per 1000 Gallons	5.09
Over 20000 Gallons Per 1000 Gallons	5.4

#### **Residential/Commercial: Inside**

Minimum Water Bill	19.64
1-5000 gallons Per 1000 Gallons	2.49
5001-10000 Gallons Per 1000 Gallons	2.86
10001-20000 Gallons Per 1000 Gallons	3.13
Over 20000 Gallons Per 1000 Gallons	3.4

#### **Commercial: Inside**

Minimum Water Bill	23.31
1-5000 gallons Per 1000 Gallons	2.78
5001-10000 Gallons Per 1000 Gallons	3.05
10001-20000 Gallons Per 1000 Gallons	3.32
Over 20000 Gallons Per 1000 Gallons	3.59

#### **Commercial: Outside**

Minimum Water Bill	26.06
1-5000 gallons Per 1000 Gallons	7.01
5001-10000 Gallons Per 1000 Gallons	7.27
10001-20000 Gallons Per 1000 Gallons	7.54
Over 20000 Gallons Per 1000 Gallons	7.8

Customer Meter Change- out

37.49

Bulk Water Sales Rate

\$50.00 per 1k gallons

Sewer Rates

Effective Rate

**Effective Date: November 2019**

Residential: Inside	
First 2000 Gallons (minimum)	\$17.83
Over 2000 Gallons Per 1000 Gallons	\$3.73
Maximum	\$48.26

Residential: Outside	
First 2000 Gallons (minimum)	\$20.43
Over 2000 Gallons Per 1000 Gallons	\$5.99
Maximum	

Residential / Commercial: Inside	
First 2000 Gallons (minimum)	\$22.87
Over 2000 Gallons Per 1000 Gallons	\$22.87
Maximum	

Commercial: Inside	
First 2000 Gallons (minimum)	\$22.87
Over 2000 Gallons Per 1000 Gallons	\$3.81
Maximum	

Commercial: Outside	
First 2000 Gallons (minimum)	\$25.10
Over 2000 Gallons Per 1000 Gallons	\$8.17
Maximum	

Bulk Wastewater Rate	\$25.00 per 1k gallons
----------------------	------------------------

**Trash Rates**

**Effective Rate**

*Effective Date: March 2021*

Residential: Inside	
Cart	\$24.78
Cart 2	\$36.91

Commerical: Inside	
Cart	\$28.78
2 yard dumpster	\$81.00
3 yard dumpster	\$95.00
4 yard dumpster	\$124.00
6 yard dumpster	\$146.00

Residential: Outside	
Cart	\$38.01
Cart 2	\$50.14