

## ORDINANCE NO. 521

**AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS, REVISING THE RATE FOR WATER SERVICE AND SANITARY SEWER SERVICE; PROVIDING A DISCOUNT FOR QUALIFYING SENIOR CITIZENS AND DISABLED PERSONS; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING AN EFFECTIVE DATE FOR THE RATES CONTAINED HEREIN; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kennedale, 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 of Kennedale has adopted ordinances establishing rates for water service and sanitary sewer service within and outside the city limits of Kennedale in compliance with Sections 23-52 and 23-79 of the Code of Ordinances of the City of Kennedale; and

**WHEREAS**, the City Council has determined that it is in the best interests of the City of Kennedale to adopt a revised rate schedule in accordance with the provisions of Section 23-52 and 23-79 of the Code of Ordinances of the City of Kennedale.

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

### SECTION 1. WATER RATES

In accordance with the provisions of Section 23-52 of the Code of Ordinances of the City of Kennedale, the following rate schedule is hereby adopted for monthly residential and commercial water usage. The total monthly charge shall be based on a base rate plus a volume charge.

**A. For service within the city limits:**

1. Base Rate:

METER SIZE	BASE RATE RESIDENTIAL	BASE RATE COMMERCIAL	BASE RATE SENIOR/ DISABLED*	MULTIPLE RESIDENTIAL UNITS ON SINGLE METER
3/4"	\$13.87	\$13.87	\$13.87	\$13.87/Per Unit
1"	\$23.17	\$23.17	\$23.17	\$13.87/Per Unit
1.5"	\$46.19	\$46.19	\$46.19	\$13.87/Per Unit
2"	\$73.92	\$73.92	\$73.92	\$13.87/Per Unit
3"	\$161.87	\$161.87	\$161.87	\$13.87/Per Unit
4"	\$291.29	\$291.29	\$291.29	\$13.87/Per Unit

\*For senior/disabled rate, a credit of \$7.50 per month/billing cycle will apply towards the applicable meter size for water service.

2. Volume Charge:

VOLUME	RESIDENTIAL RATE	COMMERCIAL RATE	SENIOR/ DISABLED RATE
First 5000 Gallons	\$2.79 Per 1000 Gallons	\$2.79 Per 1000 Gallons	\$2.79 Per 1000 Gallons
5001 - 50,000 Gallons	\$5.27 Per 1000 Gallons	\$5.27 Per 1000 Gallons*	\$5.27 Per 1000 Gallons
Over 50,000 Gallons	\$6.19 Per 1000 Gallons	\$5.27 Per 1000 Gallons*	\$6.19 Per 1000 Gallons

\*For commercial rate, 2<sup>nd</sup> and 3<sup>rd</sup> tier volume charge is the same.

**Note:** For multiple residential units on a single water meter, the volume charge shall be calculated on a per unit basis by dividing the total volume of water used by the number of residential units.

**B. For service outside the city limits:**

1. Base Rate:

METER SIZE	BASE RATE RESIDENTIAL	BASE RATE COMMERCIAL	BASE RATE SENIOR/ DISABLED	MULTIPLE RESIDENTIAL UNITS ON SINGLE METER
3/4"	\$27.75	\$27.75	N/A	\$27.75/Per Unit
1"	\$46.33	\$46.33	N/A	\$27.75/Per Unit
1.5"	\$92.38	\$92.38	N/A	\$27.75/Per Unit
2"	\$147.85	\$147.85	N/A	\$27.75/Per Unit
3"	\$323.75	\$323.75	N/A	\$27.75/Per Unit
4"	\$582.58	\$582.58	N/A	\$27.75/Per Unit

**Note:** Senior/disabled credit does not apply to service outside the city limits.

2. Volume Charge:

VOLUME	RESIDENTIAL RATE	COMMERCIAL RATE	SENIOR/ DISABLED RATE
First 5000 Gallons	\$5.58 Per 1000 Gallons	\$5.58 Per 1000 Gallons	N/A
5001 - 50,000 Gallons	\$10.54 Per 1000 Gallons	\$10.54 Per 1000 Gallons*	N/A
Over 50,000 Gallons	\$12.38 Per 1000 Gallons	\$10.54 Per 1000 Gallons*	N/A

\*For commercial rate, 2<sup>nd</sup> and 3<sup>rd</sup> tier volume charge is the same.

**Note:** For multiple residential units on a single water meter, the volume charge shall be calculated on a per unit basis by dividing the total volume of water used by the number of residential units.

**SECTION 2. SEWER RATES**

In accordance with the provisions of Section 23-79 of the Code of Ordinances of the City of Kennedale, the following rate schedule is hereby adopted for monthly residential and commercial sewer charges:

**A. For service within the city limits:**

	RESIDENTIAL	COMMERCIAL	SENIOR/ DISABLED RATE
Minimum Base Rate	\$17.19	\$28.64	\$17.19*
Volume	\$4.09 Per 1000 Gallons	\$4.48 Per 1000 Gallons	\$4.09 Per 1000 Gallons

\*For senior/disabled rate, a credit of \$7.50 per month/billing cycle will apply towards the applicable base for sewer service.

**B. For service outside the city limits:**

	RESIDENTIAL	COMMERCIAL	SENIOR/ DISABLED RATE
Minimum Base Rate	\$34.37	\$57.28	N/A
Volume	\$8.17 Per 1000 Gallons	\$8.95 Per 1000 Gallons	N/A

**Note:** Senior/disabled credit does not apply to service outside the city limits.

**SECTION 3. CREDIT**

Qualifying senior citizens and disabled individuals are eligible to receive a credit on the residential water rates and sewer charges as set forth in this ordinance.

- A. A qualifying senior citizen is defined as an individual **60 years of age and older**, verified by a photo identification and/or birth certificate, who applies for the discount and meets the following criteria:
  - 1. Must reside on property located within the corporate city limits of the City of Kennedale and present proof of residency, photo identification, and a current electric bill; and
  - 2. Must provide proof of annual household income, inclusive of all household residents, by submitting a Federal income tax return and/or benefit letter from the Social Security Administration. **The annual household income must not exceed \$32,000;** and
  - 3. Must sign an affidavit verifying the accuracy of all information provided to the City to obtain the discount and agree to reimburse the City if any of the submitted information is found to be false.
  
- B. A qualifying disabled individual is defined as anyone whose disability is subject to verification by Tarrant County Appraisal District and/or Social Security Administration or Veterans Administration, who applies for the credit and meets the following criteria:
  - 1. Must reside on property located within the corporate city limits of the City of Kennedale and present proof of residency, photo identification, and a current electric bill; and
  - 2. Must sign an affidavit verifying the accuracy of all information provided to the City to obtain the discount and agree to reimburse the City if any of the submitted information is found to be false.
  
- C. Qualifying senior citizens or disabled individuals **may only apply the credit on water rates and sewer charges to one residence in the City of Kennedale.** All recipients of the discount must apply and complete an affidavit for the discount. **Should a qualifying spouse become deceased, the surviving spouse will continue to receive the discount until the end of the fiscal year, which spans from October to the following September.**
  
- D. If any of the submitted information in an application for a credit on the residential water rates and sewer charges established by this ordinance is found to be false, the individual who received the discount shall be required to reimburse the City for the amount of discount wrongfully received.

**SECTION 4. PENALTY**

Providing and/or verifying false information presented to the City for purposes of obtaining a discount pursuant to this ordinance is hereby declared a misdemeanor. A person convicted of verifying and/or providing false information to obtain a discount on water rates and sewer charges shall be punished by a fine not exceeding two hundred dollars (\$200.00).

**SECTION 5. RATE EFFECTIVE DATE**

The rates established in this ordinance shall become effective July 1, 2013.

**SECTION 6. CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all other ordinances of the City of Kennedale, and shall not repeal any of the provision of such ordinances except in those instances when provisions of such ordinances are in direct conflict with the provisions of this ordinance, in which the event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 7. SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council 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 shall 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 and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 8. EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Kennedale, Texas, this the 9th day of May 2013



APPROVED:

*John Clark*  
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Mayor, John Clark

ATTEST:

*Amethyst A. Cirno*  
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Amethyst Cirno, City Secretary