

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2023-

AN ORDINANCE AMENDING CHAPTER 20, ARTICLE 20.06, SECTION 20.06.004 OF THE DRIPPING SPRINGS CODE OF ORDINANCES; AMENDING THE GENERAL PROVISIONS RELATED TO WATER RATES INCLUDING ADDING A RATE FOR RECLAIMED WATER; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Dripping Springs owns and operates its municipal wastewater collection and treatment facilities and water facilities (hereinafter, the “system”); and

WHEREAS, the City of Dripping Springs provides water service to citizens both inside and outside the city limits; and

WHEREAS, the City has adopted ordinances regarding construction, operation, extension and regulation of the wastewater system and water system services; and

WHEREAS, the City of Dripping Springs recognizes the need for additional sources of water for irrigation, construction, and other activities for which non-potable water is appropriate; and

WHEREAS, the City of Dripping Springs has a 210 Reclaimed Water Authorization Permit (Reuse Authorization R14488-001) and has Reclaimed Water to sell; and

WHEREAS, the City Council finds that the amendment imposed by this Ordinance add a reclaimed water rate such that it is fair, just, and reasonable and so that the services are adequate and efficient; and

WHEREAS, the City Council finds that the amendment imposed by this Ordinance are characterized as reasonable, necessary, and proper for the good government of the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Dripping Springs, 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 20, Article 20, Sections 20.06.004 of the City of Dripping Springs Code of Ordinances is hereby amended so 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. 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resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. 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.

5. 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.

6. 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 5th day of September 2023, by a vote of __ (ayes) to __ (nays) to __ (abstentions) of the City Council of Dripping Springs, Texas as amended on September 5, 2023.

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary

ATTACHMENT “A”

Sec. 20.06.004. – Water rates and charges

(a) Applicability. These rates and charges are applicable to all sales or service of water within and outside the corporate limits of the city.

(b) Rates and charges. The city’s rates and charges to customers for the sales or service of water shall consist of two parts: (i) base rates, (ii) Special charges, and (iii) administrative fee.

(1) Base rates. For customers who live within the city limits of the City of Dripping Springs, the city shall charge as its base rates the same rates, fees, and charges (including, but not limited to, water impact fees, connection fees, minimum monthly charges, capital charges, and volumetric charges), the same as what is charged by the Dripping Springs Water Supply Corporation.

(2) Base rates. For customers who live outside the city limits of the City of Dripping Springs, the city shall charge as its base rates the same rates, fees, and charges (including, but not limited to, water impact fees, connection fees, minimum monthly charges, capital charges, and volumetric charges), the same as what is charged by the Dripping Springs Water Supply Corporation plus an additional 20 percent for the rates, fees, and charges.

(3) Special charges. Each retail water customer shall be responsible to pay costs incurred that are attributable to a specific retail customer or retail customer account (such as, but not limited to, returned check fees, disconnect charges, and resumption of service charges).

(4) Administrative fee. Except for wholesale water impact fees, the city shall charge an administrative fee calculated as a percentage of the sum of the base rates and special charges charged pursuant to subsections (b)(1), (b)(2), and (b)(3) above. The applicable percentage shall initially be six percent and periodically reviewed and revised, as appropriate. The administrative fee will be shown separately on customer's water bill.

(5) Reclaimed water fee. The reclaimed water fee is five dollars (\$5.00) per 1,000 gallons. In order to obtain reclaimed water, each customer must complete a reclaimed water use agreement form and be approved by the City.