

ORDINANCE NO. 004-2023

UTILITY RATE ORDINANCE

**AN ORDINANCE OF THE TOWN OF BUFFALO GAP, TEXAS
REPEALING AND REPLACING ORDINANCE NO. 003-2023; SETTING
RATES AND FEES FOR WATER SERVICE, SANITARY SEWER
SERVICE, AND GARBAGE COLLECTION SERVICE; INCREASING
RATES FOR GARBAGE COLLECTION SERVICE; PROVIDING A
SEVERABILITY CLAUSE AND AN OPEN MEETINGS CLAUSE; AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Town of Buffalo Gap (the “Town”) currently operates a utility system for the purpose of providing water and sewer services within the Town, as authorized by Local Government Code Sec. 552.001 and Sec. 552.015;

WHEREAS, the Town also provides solid waste collection services through a contractor pursuant to Section 363.116 of the Texas Health and Safety Code;

WHEREAS, the Town Council of the Town of Buffalo Gap (the “Town Council”) adopts a utility rate ordinance annually during the budget process to establish rates and fees for utility services provided by the City; and

WHEREAS, the Town Council finds it necessary to establish, set and confirm current utility rates and fees for Town services for the purpose of ensuring adequate annual utility revenue to meet the obligations of the Town as it proceeds in the development, operation and maintenance of a Town utility system for the provision of services to its citizens and to increase water and sewer rates due to an increase from the Town’s water supplier, the City of Abilene.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BUFFALO GAP, TEXAS, THAT: Ordinance No. 003-2023, adopted on August 10, 2023 is hereby repealed and replaced by this Ordinance No. 004-2023, which is hereby adopted as the Utility Rate Ordinance of the Town of Buffalo Gap.

Section 1. Utility Rates, Charges, and Fees. The rates, charges, and fees for utility services provided by the Town shall be as follows, effective beginning immediately upon passage of this Ordinance by the Town Council:

(a) Water Charges:

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|-----|---|---------|
| (1) | Monthly charge for water usage per 1,000 gallons: | \$13.85 |
| (2) | Monthly base rate: | \$34.60 |
| (3) | Non-potable bulk water per 1,000 gallons: | \$7.00 |

(4) Other Charges:

- (A) Water reconnect fee following disconnect for nonpayment: \$25.00
- (B) Deposit for Water Service:
 - (i) Own or purchasing property \$100.00
 - (ii) Renting property \$200.00
- (C) Water meter tap fee: \$1,500.00
- (D) Testing fee: \$100.00

(b) Sewer Charges:

- (1) Monthly residential sewer system usage fee up to 5,000 gallons: \$28.40
(\$1.00 per 1,000 gallons over 5,000 gallons.)
- (2) Monthly commercial sewer system usage fee up to 5,000 gallons: \$29.90
(\$1.00 per 1,000 gallons over 5,000 gallons.)
- (3) Sewer tap fee: \$2,500.00*
and up
(Actual cost based on depth, distance, soil conditions and street repairs.)

(c) Solid Waste Charges:

- (1) Monthly garbage collection fee:
 - (A) Polycart \$19.11
 - (B) 1 ½ yard dumpster \$36.14
 - (C) 3 yard dumpster \$75.85

(d) Miscellaneous Charges:

- (2) Late payment fee: \$5.00

Section 2. Severability. If any provision of this ordinance or the application of any provision to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 3. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the *Open Meetings Act, Texas Govt. Code*,

Chapt. 551.

Section 4. Effective Date. This ordinance shall take effect immediately from and after its passage. The increased solid waste collection charges adopted by this Ordinance shall go into effect October 1, 2023.

PASSED AND ADOPTED by the Town Council of the Town of Buffalo Gap, Texas, on this the 29th day of August, 2023.



David L. Perry, Mayor

ATTEST:



Mackenzie Swanzy, City Secretary