

ORDINANCE NO. 411

AN ORDINANCE ESTABLISHING WATER, SEWER, GAS AND GARBAGE RATE INCREASES; ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR FUTURE UTILITY RATES; REPEALING CONFLICTING ORDINANCES; AND, PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS: The City of Lytle is a Type A General Law municipality that owns and operates water, sewer and gas utility systems; and,

WHEREAS: Texas Local Government Code Section 402.001 authorizes a municipality to regulate its water, sewer and gas systems in a manner that protects the interests of the municipality; and,

WHEREAS: Texas Health and Safety Code Chapters 363 and 364 authorizes a municipality to regulate the prices it charges to provide garbage collection (solid waste collection) services to its customers; and,

WHEREAS: The City of Lytle has been advised by its financial advisor that the city needs to increase its water, sewer, gas and garbage rates in order to provide financial stability for its utility systems; and,

WHEREAS: Texas Local Government Code Section 51.001 authorizes the governing body of any municipality to adopt, publish, amend, or repeal an ordinance, rule or police regulation that is for the good government, peace, or order of the municipality or for the trade and commerce of the municipality and is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality;

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

Section 1. Water Rates. The City of Lytle's monthly water rates shall be as follows, to-wit:

	<u>IN TOWN RATES</u>	<u>OUT OF TOWN RATES</u>
1st Tier - From 0 gallons to 3,000 gallons—	\$12.00	\$18.00
2nd Tier - From 3,000 gallons to 10,000 gallons—	\$1.50 per 1,000 gallons	\$2.25 per 1,000 gallons
3rd Tier - From 10,000 gallons to 25,000 gallons—	\$4.50 per 1,000 gallons	\$6.75 per 1,000 gallons
4th Tier - From 25,000 gallons to 50,000 gallons—	\$5.50 per 1,000 gallons	\$8.25 per 1,000 gallons
5th Tier - From 50,000 gallons to 75,000 gallons—	\$6.00 per 1,000 gallons	\$9.00 per 1,000 gallons
6th Tier - From 75,000 gallons to 100,000 gallons—	\$7.00 per 1,000 gallons	\$10.50 per 1,000 gallons
7th Tier - Over 100,000 gallons—	\$9.00 per 1,000 gallons	\$13.50 per 1,000 gallons

Section 2. Sewer Rates. The City of Lytle's monthly sewer rates shall be as follows, to-wit:

Base Rate—	\$18.00
From 0 gallons to 3,000 gallons—*	\$0.50 per 1,000 gallons
From 3,000 gallons to 10,000 gallons—*	\$1.00 per 1,000 gallons
From 10,000 gallons to 25,000 gallons—*	\$3.00 per 1,000 gallons
From 25,000 gallons to 50,000 gallons—*	\$4.00 per 1,000 gallons
From 50,000 gallons to 75,000 gallons—*	\$5.00 per 1,000 gallons
From 75,000 gallons to 100,000 gallons—*	\$6.00 per 1,000 gallons
Over 100,000 gallons—*	\$7.00 per 1,000 gallons
*DENOTES AVERAGE GALLONS OF WATER USED DURING THE MONTHS OF DECEMBER, JANUARY AND FEBRUARY	

Section 3. Gas Rates. The City of Lytle's monthly gas rates shall be as follows, to-wit:

1-1,000 cubic feet—	\$15.00
Over 1,000 cubic feet—	\$8.00 per 1,000 cubic feet
IF NECESSARY, GAS SURCHARGE (\$6.33 effective 11/05)	

Section 4. Garbage Rates. The City of Lytle's minimum monthly garbage rates shall be increased for all categories of users by \$1.00 per account beginning as herein provided.

Section 5. Future Utility Rates. Future utility rates, including, but not limited to, water, sewer, gas and the garbage rates, may be adjusted from time to time as determined by the Lytle City Council.

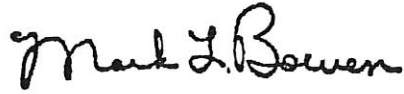
Section 6. Effective Date. The rate changes provided for herein shall not become effective until the City has complied with Article XI of the City of Lytle's Code of Ordinances. Pursuant to Article XI, the effective date for the increases herein provided is the billing cycle beginning October 17, 2018.

Section 7. Repeal. Any existing ordinance or portion of an existing ordinance in conflict with the terms of this ordinance is hereby repealed.

Section 8. Code of Ordinances. It is the intention of the City Council that this Ordinance shall become a part of the Code of Ordinances of the City of Lytle and may be renumbered and codified therein accordingly.

Section 9. Severability. If any section, provision, subdivision, clause, or part of this ordinance shall be adjudged or held unconstitutional or invalid, it shall not affect the validity of this ordinance as a whole or any other part or provision contained herein.

PASSED, APPROVED AND ADOPTED at the special meeting of the Lytle City Council held on the 17<sup>th</sup> day of September, 2018.



MARK L. BOWEN, MAYOR

ATTEST:



JOSIE CAMPA, CITY SECRETARY