

ORDINANCE NO. 2009-00019

AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF LUBBOCK, TEXAS, BY AMENDING SUBSECTIONS 28-86(a) AND 28-86(b) OF THE CODE OF ORDINANCES OF THE CITY OF LUBBOCK BY REVISING RATES AS CONTAINED THEREIN; PROVIDING A SAVING CLAUSE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council of the City of Lubbock deems it to be in the best interest of the citizens of the City of Lubbock to adjust wastewater rates within the City of Lubbock to reflect cost of service; NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUBBOCK;

Section 1: THAT Subsections 28-86(a) and 28-86(b) of the Code of Ordinances, City of Lubbock, Texas are hereby amended to read as follows:

Section 28-86. Rates charged for wastewater service.

(a) The City, through the City Manager, shall charge and collect from every customer and every customer shall pay a monthly base charge for wastewater service which shall be billed to all customers based upon the water meter size as follows:

<u>Meter Size</u>	<u>Base Charge</u>
No meter	\$37.10
Three-quarter inch (3/4") meter	\$9.80
One inch (1") meter	\$11.94
One and a half inch (1.5") meter	\$17.26
Two inch (2") meter	\$23.67
Three inch (3") meter	\$38.63
Four inch (4") meter	\$59.98
Six inch (6") meter	\$113.36
Eight inch (8") meter	\$177.40
Ten inch (10") meter	\$252.15

(b) In addition to the base charge, the City, through the City Manager, shall determine the volume of wastewater flow produced by each customer as described herein and each customer shall pay the wastewater volume rate per one thousand (1,000) gallons, which shall be as follows:

Flow Rate: \$2.05

The volume of wastewater flow produced by a single family residential customer and customers not required to meter as provided in Section 28-88 of the Code of Ordinances of the City of Lubbock shall be determined by calculating the average water volume used as measured by the non-irrigation meter readings for the months of November, December, January and February. This volume shall be defined as the Average Winter Consumption (AWC), and it shall be updated for billing purposes in March of each year. In the event a residential customer or premises (i.e., a new premises) does not have a water consumption history for such months, a water volume of 7,000 gallons per month shall be utilized by default. The volume of wastewater flow produced by other customers shall be determined as provided for in Section 28-88 of the Code of Ordinances of the City of Lubbock.

SECTION 2: THAT the Wastewater Base Charge and Wastewater Flow Rate as set forth in this Ordinance shall be effective for all billings for such services dated on or after April 1, 2009. The Sewer Base Charge and Sewer Flow Rate currently in effect shall remain in effect until the effective date of the Wastewater Base Charge and Wastewater Flow Rate as set forth herein.

SECTION 3: THAT the City Council finds and declares that sufficient written notice of the date, hour, place, and subject of this meeting of the Council was posted at a designated place convenient to the public at the City Hall for the time required by law preceding this meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents of posting thereof.

SECTION 4: THAT should any paragraph, section, sentence, phrase, clause or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

SECTION 5: THAT the City Secretary is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative method of publication provided by law.

AND IT IS SO ORDERED.

Passed by the City Council on first reading this 26th day of February, 2009.

Passed by the City Council on second reading this 9th day of March, 2009.



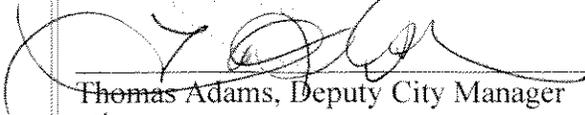
TOM MARTIN, MAYOR

ATTEST:



Rebecca Garza, City Secretary

APPROVED AS TO CONTENT:



Thomas Adams, Deputy City Manager



Andy Burcham, Chief Financial Officer

APPROVED AS TO FORM:



Mitchell Satterwhite, Assistant City Attorney