

ORDINANCE NO. 2023-12-07

AN ORDINANCE OF THE CITY OF GORMAN, TEXAS SETTING RATES FOR WATER SERVICE, SANITARY SEWER SERVICE, AND GARBAGE COLLECTION SERVICE; ESTABLISHING FEES FOR CERTAIN TEMPORARY RESIDENCES; PROVIDING FOR THE IMPOSITION OF A LIEN FOR DELINQUENT UTILITY ACCOUNTS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Gorman (the “City”) currently operates a utility system for the purpose of providing water and sewer services inside and outside the City limits, as authorized by Local Government Code Sec. 552.001 and Sec. 552.015, and currently engages a contractor to provide solid waste collection services inside and outside the City limits;

WHEREAS, the City Commission of the City of Gorman (the “City Commission”) wishes to formally ratify its rates for water, sewer, and trash service;

WHEREAS, the City Commission wishes to establish a new rate for temporary residences, such as recreational vehicles, who are connected to the sewer system at a property where a permanent residence is also connected to the sewer system;

WHEREAS, the City Commission wishes to require increased deposits for tenants renting property, due to the increased risk to the City of inability to collect from tenants; and

WHEREAS, as authorized by Section 552.0025 of the Texas Local Government Code, the City Commission desires to have the ability to impose a lien on real property for delinquent utility accounts for said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GORMAN, TEXAS, THAT:

Section I. Utility Rates, Charges, and Fees. The rates, charges, and fees for utility services provided by the City shall be as follows:

(a) General Account Charges:

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| (1) | Deposits: | |
| | (A) City residents | \$100.00 |
| | (B) Tenants Leasing Property in City Limits | \$175.00 |
| | (C) Outside of City limits | \$200.00 |
| (2) | Connection Fee | |

(Initial Connection or Re-Connection after Disconnection for Non-Payment):

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|-----|---|------------------------------------|
| (A) | City residents | \$25.00 |
| (B) | Outside of City limits | \$150.00 |
| (3) | Connection Fee (No non-payment issues): | \$50.00 |
| (4) | Late payment fee: | \$25.00 |
| (5) | Contribution to Volunteer Fire Department | \$1.00 per month <i>(optional)</i> |
| (6) | Contribution to Parks and Recreation Fund | \$1.00 per month <i>(optional)</i> |
| (7) | Contribution to Youth Program | \$1.00 per month <i>(optional)</i> |

(b) Water Charges:

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|-----|--|---------|
| (1) | Within City limits: | |
| (A) | Monthly minimum for up to 1,500 gallons: | \$42.00 |
| (B) | Additional water usage, per 1,000 gallons: | \$9.50 |
| (2) | Outside of City limits: | |
| (A) | Monthly minimum for up to 2,000 gallons: | \$49.00 |
| (B) | Additional water usage, per 1,000 gallons: | \$15.00 |
| (3) | Monthly fee for a recreational vehicle: | \$42.00 |
- Will be assessed on the utility account of a residential customer who connects a recreational vehicle to the City sewer system at the customer's residential property for more than 30 days.*

(c) Sewer Charges:

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|-----|--|----------|
| (1) | Monthly minimum for up to 1,500 gallons: | \$25.00 |
| (2) | Additional usage, per 1,000 gallons: | \$3.25 |
| (3) | Monthly maximum sewer charge: | |
| (A) | Residential customers: | \$60.00 |
| (B) | Commercial/Industrial customers: | \$114.00 |
| (4) | Monthly fee for a recreational vehicle: | \$25.00 |
- Will be assessed on the utility account of a residential customer who connects a recreational vehicle to the City sewer system at the customer's residential property for more than 30 days.*

(d) Solid Waste Charges:

(1) Monthly garbage collection fee: \$21.61

Section II. Lien. The City may impose a lien against a customer's property, unless it is homestead property protected by the Texas Constitution, for delinquent bills for City utility service to the property. The lien shall be perfected by recording in the Real Property Records of Eastland County, Texas a notice of lien containing a legal description of the property and the City's utility account number for the delinquent charges. The lien may include penalties, interest, and collection costs. The lien will be inferior only to a bona fide mortgage lien that is recorded before the City's lien is recorded. The lien will be superior to all other liens, including previously recorded judgment liens and any liens recorded after the City's lien.

Section III. 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 IV. Effective Date. This ordinance shall take effect immediately from and after its final passage.

PASSED upon first reading this the 2nd day of November, 2023.

PASSED, APPROVED, AND ADOPTED upon second and final reading this the 7th day of December, 2023.


David K. Perry, Mayor

ATTEST:


Tacy Warren, City Secretary



