

ORDINANCE NUMBER 2409-H-B

AN ORDINANCE AMENDING ORDINANCE 2409-H-A, SECTION 13.03.006, DEPOSITS AND FEES, AND ADOPTING AMENDED DEPOSITS AND FEES IN THE CITY OF SAN BENITO CODE OF ORDINANCES, SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, this ordinance is for the purpose of setting rates for deposits and fees by the City of San Benito.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS:

The City of San Benito Code of Ordinances is hereby amended to add a new Section 13.03.006, which states as follows:

Section 1. The City Commission of the City of San Benito hereby amends the City of San Benito Deposits and Fees and incorporates herein by reference.

Section 2. All ordinances or parts of ordinances inconsistent or in conflict with this ordinance, to the extent of such inconsistency or conflict, are hereby repealed.

Section 3. The City Commission finds that the fees established herein are reasonable fees for the services provided.

Section 4. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof, but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Repealing the following verbiage located under (a) Deposits, (d) Service fees, other fees (e) Tapping Fees within City limits:

Section 13.03.006. Deposits and fees.

(a) Deposits.

3/4"	Meter connection	\$125.00
1"	Meter connection	\$130.00
5/8" & 1"	(Rental property) meter con.	\$250.00
1-1/2"	Meter connection	\$200.00
2"	Meter connection	\$225.00
3"	Meter connection	\$250.00
4"	Meter connection	\$400.00
6"	Meter connection	\$425.00
8"	Meter connection	\$500.00
	Temporary meter connection	\$900.00

(b) Deposits (Sewer Service Only). Customers who do not subscribe to water service but subscribe to sewer service:

- (1) Residential: \$125.00.
- (2) Commercial: \$200.00.
- (3) Multi-unit: \$300.00.

(c) Deposits (Solid Waste Collection).

- (1) Commercial: Twice the monthly rate of service.
- (2) Multi-unit: Twice the monthly rate of service.
- (3) Residential*: \$50.00

**Applies only to customers who do not subscribe to water/sewer service but subscribe to solid waste collection.*

(d) Service Fees.

(1) Service connection fees:

¾"	Meter connection	\$50.00
1"	Meter connection	\$65.00
2"	Meter connection	\$70.00
3"	Meter connection	\$80.00
4"	Meter connection	\$90.00
6"	Meter connection	\$100.00

(2) Other fees:

- (A) Traveling meter daily rental charge: \$5.00.
- (B) Returned checks (i.e. NSF): \$30.00.

(3) Customers whose payments have been returned by the bank for insufficient funds will be charged \$30.00 per returned check and will be required to pay with cash or a certified check for six months from the date of the returned check. Customers, whose payments have been returned by the bank for insufficient funds or other on three or more occasions will be required to pay by cash or certified check only.

(4) In the event that the city is notified of the death of a subscriber, the city shall require that the heir, trustee, or administrator provide a death certificate, establish services in the heir's trustee or administrator name, and upgrade the deposit to comply with the city's ordinance.

(5) A surcharge of \$2.00 will be charged to residential utility service customers. A surcharge for commercial bins is as follows:

2 yard	\$4.42
3 yard	\$6.64
4 yard	\$8.85
6 yard	\$13.30
8 yard	\$17.70

(a) Tap Fees within City Limits.

- (1) The city's utilities shall install in streets or alleys where adequate mains exist abutting applicant's property a service from the main to the back of the curb or curblin in the street and to the edge of the alley or alley line at the property of the applicant. A tap shall be made for such service.

Water tap		Sewer tap	
Size service		Size	
3/4" or 5/8"	\$700.00	4"	\$1,500.00
1"	\$800.00	6"	\$2,500.00
1-1/2"	\$900.00	8"	\$3,500.00
2"	\$1,200.00	10"	\$4,500.00
4"	\$2,250.00	12"	\$5,500.00
6"	\$3,375.00		
8" subdivision	\$4,500.00		
10" subdivision	\$5,500.00		
12" subdivision	\$7,500.00		

- (2) Any tap made on a line larger than 12" shall be charged at actual cost and administrative fee and cost to repair street if street is cut. These costs are inclusive of all materials and labor for running and connection no more than 25' to customer's property line, all costs beyond 25' shall be at the expense of the customer.

(Ordinance 2409H adopted 10/21/15)

Replacing with the following:

§ 13.03.006. Deposits and Fees.

- (a) **Water Service Deposits.** Residential, Commercial Water Service Connections and Multi-unit Water Service Connection:

Meter Size	Property	Rental	Commercial	Multi-Unit
3/4" or 5/8"	\$125.00	\$250.00	N/A	N/A
1"	\$130.00	\$250.00	N/A	N/A
1-1/2"	\$200.00	\$250.00	\$250.00	\$300.00
2"	\$225.00	\$500.00	\$500.00	\$500.00
3"	\$250.00	\$500.00	\$500.00	\$500.00
4"	\$400.00	\$500.00	\$500.00	\$500.00
6"	\$425.00	\$500.00	\$500.00	\$500.00
8"	\$500.00	\$500.00	\$500.00	\$500.00

(b) **Deposits (Sewer Service Only).** Customers who do not subscribe to water service but subscribe to sewer service:

- (1) Residential: \$125.00.
- (2) Commercial: \$200.00.
- (3) Multi-Unit: \$300.00.

(c) **Deposits (Solid Waste Collection).**

- (4) Commercial: Twice the monthly rate of service.
- (5) Multi-unit: Twice the monthly rate of service.
- (6) Residential*: \$50.00

** Applies only to customers who do not subscribe to water/sewer service but subscribe to solid waste collection.*

(d) **Meter Service Fees.**

(1) Water Meter Fees:

Meter Size	Meter Fee
3/4" or 5/8"	\$100.00
1"	\$100.00
2"	\$150.00
3"	\$150.00
4"	\$150.00
6"	\$150.00

(2) Other Fees:

(A) Traveling/Temporary water meter

Charge Deposit: \$900.00

Meter Fee: \$150.00

Daily Rental Fee: \$10.00 daily plus water consumption.

(B) Transfer Fee: \$50.00 (Additional deposit may apply)

(C) Returned checks (i.e. NSF and others): \$30.00

(3) Customers whose payments have been returned by the bank for insufficient funds will be charged \$30.00 per returned check and will be required to pay with cash or certified check for three months from the date of the returned check. Customers whose payments have been returned by the bank for insufficient funds on three or more occasions will be required to pay by cash or certified check only. (Restrictions and accommodations may apply).

- (4) In the event that the city is notified of the death of a subscriber, the city shall require that the heir, trustee or administrator provide a death certificate, establish services in the heir's trustee or administrator name and upgrade the deposit to comply with the city's ordinance.
- (5) A surcharge of \$2.00 will be charged to residential utility service customers. A surcharge for commercial bins is as follows:

2 yard	\$4.42
3 yard	\$6.64
4 yard	\$8.85
6 yard	\$13.30
8 yard	\$17.70

(e) **Tap Fees within City Limits.**

- (1) A tap must be installed in streets or alleys where there are suitable mains adjacent to the applicant's property. This tap shall extend from the main to the back of the curb or curb line in the street and to the edge of the alley or alley line at the applicant's property. The city's utilities must be installed. The responsibility for installing the tap lies with either the developer or the City. Developers are required to pay all associated fees before recording plats during the construction phase.
- (2) Boring permits must be obtained by a registered contractor at the permitting office. The permit and inspection fee for residential is \$65.00 inside city limits and \$81.00 outside city limits; for multi-family, the fee is \$90.00 inside city limits and \$112.00 outside city limits.
- (3) A cut-off valve shall be installed within 18" of the water meter.
- (4) Any tap made on a line larger than 12" shall require a permit and must comply with City of San Benito standards.

New Water Tap		Service	Sewer Tap		Service
Tap Size	Fee (1)	Fee	Tap Size	Fee	Fee
3/4" or 5/8"	\$700.00	\$100.00	4"	\$1,500.00	\$100.00
1"	\$800.00	\$100.00	6"	\$2,500.00	\$200.00
1-1/2"	\$900.00	\$300.00	8"	\$3,500.00	\$500.00
2"	\$1,200.00(2)	\$400.00	10"	\$4,500.00	\$600.00
4"	\$2,250.00(2)	\$500.00	12"	\$5,500.00	\$800.00
6"	\$3,375.00(2)	\$600.00			
8" subdivision	\$4,500.00(2)	\$700.00			
10" subdivision	\$5,500.00(2)	\$800.00			
12" subdivision	\$7,500.00(2)	\$900.00			

- (1) Cost of street crossing shall be charged in addition to the tap fees.
- (2) Estimated Fee; final cost shall be based on actual cost of the materials and labor.

(f) **Tap Fees Outside City Limits.**

- (1) A tap must be installed in streets or alleys where there are suitable mains adjacent to the applicant's property. This tap shall extend from the main to the back of the curb or curb line in the street and to the edge of the alley or alley line at the applicant's property. The city's utilities should be installed. The responsibility for installing the tap lies with either the developer or the City. Developers are required to pay all associated fees before recording plats during the construction phase.
- (2) Boring permit must be obtained by a registered contractor at the permitting office. The permit and inspection fee for residential is \$65.00 inside city limits and \$81.00 outside city limits; for multi-family, the fee is \$90.00 inside city limits and \$112.00 outside city limits.
- (3) A cut-off valve shall be installed within 18" of the water meter.
- (4) Any tap made on a line larger than 12" shall require a permit and must comply with City of San Benito standards.

New Water Tap		Service Connection Existing Water Tap	Sewer Tap		Service Connection Existing Sewer Tap
Tap Size	Fee (1)	Fee	Tap Size	Fee	Fee
3/4" or 5/8"	\$800.00	\$200.00	4"	\$1,700.00	\$200.00
1"	\$900.00	\$200.00	6"	\$2,700.00	\$300.00
1-1/2"	\$1,000.00	\$400.00	8"	\$3,800.00	\$600.00
2"	\$1,400.00(2)	\$500.00	10"	\$4,700.00	\$700.00
4"	\$2,450.00(2)	\$600.00	12"	\$5,700.00	\$900.00
6"	\$3,575.00(2)	\$700.00			
8" subdivision	\$4,700.00(2)	\$800.00			
10" subdivision	\$5,700.00(2)	\$900.00			
12" subdivision	\$7,700.00(2)	\$1,000.00			

- (1) Cost of street crossing shall be charged in addition to the tap fees.
- (2) Estimated Fee: final cost shall be based on actual cost of the materials and lab


(Ordinance 2409-H-A-B)

Section 5. Effective Date. This ordinance shall take effect immediately from and after its passage.

FIRST READING before the City Commission of the City of San Benito, Texas, at a Regular City Commission Meeting on the **19th** day of **December, 2023**.

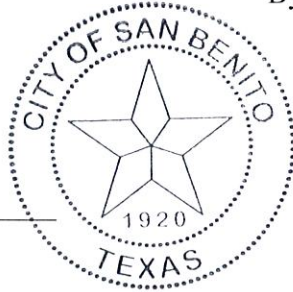
PASSED, APPROVED, AND ADOPTED, after the Second and Final Reading at a Regular City Commission Meeting of the City of San Benito, Texas on this the **20th** day of **February, 2024**.

CITY OF SAN BENITO, TEXAS

By: 
Honorable Ricardo Guerra
Mayor

ATTEST:

By: 
Ruth A. McGinnis
City Secretary



APPROVED AS TO FORM:

By: _____
Javier Villalobos
City Attorney