

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 35-56 (b), (c) and (d) OF CHAPTER 35, "WATER AND SEWERS", OF THE CODE OF THE CITY OF FORT WORTH (2015), AS AMENDED, BY REVISING AND ADDING CERTAIN VOLUME RATES AND CHARGES; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; REPEALING ALL ORDINANCES AND PROVISIONS OF THE FORT WORTH CITY CODE IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:**

**SECTION 1.**

That Section 35-56(b) of Chapter 35 of the Code of the City of Fort Worth (2015), as amended, is hereby amended to read as follows:

- (b) (1) The following schedule of rates per month, or fraction thereof, shall be the charges to all residential and nonresidential customers for furnishing water to such customers located within the city. The residential monthly volume charge for water service shall be the charges to the residential class, as defined in this chapter, for furnishing water to residential water customers located within the city. The nonresidential monthly volume charge for water service shall be the charges to the nonresidential customer classes, as defined in this chapter, for furnishing water to nonresidential water customers located within the city.

**RETAIL WATER RATES**

**Monthly Service Charge for Water**

Meter Size (inches)	Monthly charge
5/8 X 3/4	\$12.90
3/4 X 3/4	\$13.15
1	\$27.25
1-1/2	\$51.15
2	\$79.90
3	\$211.35
4	\$362.00
6	\$768.50
8	\$1,342.40
10	\$2,012.00

(2) The monthly volume charge for water service is as follows:

**Residential Customer Class**

Cubic Feet	Rate
First 600 or less cubic feet of water used per month, per 100 cubic feet	\$2.27
For the next 1,200 cubic feet of water used per month, per 100 cubic feet	\$3.18
For the next 1,200 cubic feet of water used per month, per 100 cubic feet	\$4.07
For all in excess of 3,000 cubic feet of water used per month, per 100 cubic feet	\$4.95

**Non-Residential Customer Class**

Cubic Feet	Rate
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**Commercial Customer Class**

All usage of water used per month, per 100 cubic feet	\$2.70
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**Industrial Customer Class**

All usage of water used per month, per 100 cubic feet	\$2.67
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**Irrigation Meters**

First 10,000 or less cubic feet of water used per month, per 100 cubic feet	\$3.01
For all in excess of 10,000 cubic feet of water used per month, per 100 cubic feet	\$3.90

**Gas Well Drillers**

All usage of water used per month, per 100 cubic feet per month	\$5.85
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- (3) The service charges set out in the foregoing schedules are based upon the amount of water used as measured by meters.

### **SECTION 3.**

That the monthly wastewater rates as described in Section 35-56(c) of Chapter 35 of the Code of the City of Fort Worth (2015), as amended, is hereby amended to read as follows:

(1) Monthly Service Charge for Sewerage Service Only

Meter Size (inches)	Monthly charge
5/8 X 3/4	\$7.15
3/4 X 3/4	\$7.44
1	\$13.16
1-1/2	\$35.75
2	\$57.20
3	\$107.25
4	\$178.75
6	\$357.50
8	\$572.00
10	\$822.25
12	\$1,537.25

- (2) a. A monthly volume charge shall also be charged to residential customers in the amount of four dollars and nineteen cents (\$4.19) per one hundred (100) cubic feet of water used, and to nonresidential/non-monitored customers in the amount of four dollars and seventeen cents (\$4.17) per one hundred (100) cubic feet of water used, or wastewater produced, as more specifically set forth hereinafter.
- b. The monthly volume charges for residential class customers will be based on the individual customer's average monthly water use during the preceding winter quarter months of December, January and February. The volumes used to compute these charges are based on the amount of water used by the residential class customer as measured by a meter. Where no preceding winter quarter average is available from records, the director shall estimate a volume to be used for this monthly volume charge.
- c. The monthly charges to the nonresidential/non-monitored customers will be based on total water use as measured by appropriate meters, with the provision that if a customer can prove, to the satisfaction of the director, that a significant portion of the metered water usage does not enter the sanitary sewers, the customer will be charged for only that volume entering the sewers, as determined by a method approved by the director.

#### **SECTION 4.**

That the monthly volume rates for the monitored class as described in Section 35-56(d) of Chapter 35 of the Code of the City of Fort Worth (2015), as amended, is hereby amended to read as follows:

(1) The director shall establish a monitored group class, consisting of those customers whose wastewater strength is, in his or her judgment, abnormally high or whose wastewater contains limited substances or materials, and charges to customers in this class shall be computed in accord with the following five-part rate schedule:

Monitored Group	
Volume charge, per 100 cubic feet	\$2.49
BOD strength charge, per pound of BOD	\$0.2593
Suspended solids strength charge per pound of suspended solids	\$0.1871
Dissolved solids strength charge, per pound of dissolved solids (applicable to gas well drillers)	\$0.0420

Monitoring and pretreatment charge = Total actual cost

- (2) The monitoring charge shall consist of all cost for personnel, material and equipment used to collect and analyze samples from the customer's wastewater to determine the strength of the wastewater produced and, when appropriate, to inspect pretreatment facilities, to administer pretreatment permit systems and to enforce ordinance requirements. Pretreatment requirements primarily affect industries that are subject to 40 CFR, Part 403, General Pretreatment Regulations.
- (3) This schedule shall replace all other charges previously made for industrial waste strength.

#### **SECTION 5.**

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

#### **SECTION 6.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the

valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 7.**

This ordinance shall take effect on January 1, 2024.

APPROVED AS TO FORM AND LEGALITY:

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Douglas W. Black  
Sr. Assistant City Attorney

ATTEST:

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Jannette Goodall  
City Secretary

ADOPTED: \_\_\_\_\_