Sec. 13.03.010 Emergency medical services charges

As of October 1, 2002, the city has relinquished all emergency medical services to Llano County Emergency Service District #1 and the Burnet County Emergency Service District #1. (Ordinance 12-09-17C, ex. A, sec. 9, adopted 9/17/12)

Sec. 13.03.011 No reduced rates or free service

All customers receiving service from the city shall be subject to the provisions of this article and shall be charged the rates established in this article. No reduced rates or free service shall be furnished to any such customer (profit or nonprofit) for any service of the city. (Ordinance 12-09-17C, ex. A, sec. 10, adopted 9/17/12)

Sec. 13.03.012 Discontinuing service for failure to pay bills when due

- (a) City shall have the right to discontinue service and cut off the supply of water to a customer in accordance with section 13.03.013 after any city charge becomes delinquent. In addition to payment of all delinquent charges a customer shall pay in advance for restoring water and sewer service where such service has been discontinued because of the customer's failure to pay a delinquent bill.
- (b) When a property has been determined by the city to be abandoned the water and sewer service connections will be inactivated. Reactivation requires that the individual or entity requesting service pay all city charges incurred against said property in addition to the appropriate reconnect fee if no change in service configuration is required. If service changes are requested, payment of tap fee(s) and any other related expenses will be required.

(Ordinance 12-09-17C, ex. A, sec. 11, adopted 9/17/12)

Sec. 13.03.013 Penalty for failure to pay bill before delinquent

- (a) Bills are mailed within the first ten days of each month. The city is not responsible for delays in delivery by the post office. A bill not paid in full by the due date shown on the bill will be considered delinquent.
- (b) A ten percent (10%) penalty is added to the unpaid balance of the bill on the day after the due date.
- (c) Delinquent accounts are subject to termination of services. The service termination date is approximately twenty (20) days after the due date. The termination notice will be included on the monthly billing statement. No other notice will be required.
- (d) A charge as provided for in the <u>fee schedule</u> found in the appendix of this code will be assessed to all accounts which are paid with a check charged back against the city's deposit

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account due to insufficient funds. Any customer who has more than two (2) checks returned due to insufficient funds in a twelve-month period will be placed on a cash only basis.

- (e) A charge as provided for in the <u>fee schedule</u> found in the appendix of this code will be assessed to all accounts on the automatic debit feature which have payments charged back against the city's deposit account due to insufficient funds. Any customer who has more than two (2) charge-backs in a twelve-month period will be removed from the automatic debit status and placed on a cash only basis.
- (f) Penalties for late payment of taxes are consistent with chapter 33 of the Texas Property Tax Code. Therefore, delinquent taxes incur a penalty of six percent (6%) of the amount of the base charge for the first calendar month they are delinquent plus one percent (1%) for each additional month or portion of a month the taxes remain unpaid prior to July 1 of the year in which it becomes delinquent. However, a tax delinquent on July 1 incurs a total penalty of twelve percent (12%) of the delinquent charge without regard to the number of months the charge has been delinquent. Further, a delinquent tax accrues interest at a rate of one percent (1%) for each month or portion of a month the charge remains unpaid. All persons receiving tax billings shall be notified that charges not paid within the time prescribed above shall bear the additional late payment charges for penalty and interest. When the city contracts with an attorney for the collection of delinquent taxes, fifteen percent (15%) of the total base charges, plus penalty, and interest will be added to defray costs of collection.
- (g) Pursuant to section 32.01 and section 32.05 of the Texas Property Tax Code and section 49.231 of the Texas Water Code the taxes, penalties and interest due for real property are secured by à lien against the property that attaches each January 1. This statutory lien on real property takes priority over a homestead interest in the property.
- (h) If taxes are not paid within six (6) months after the delinquent date action will be taken to restrict or terminate the provision of water service in accordance with section 17.152 of the Texas Utilities Code; provided, however that at least 45 days prior to the date service shall be restricted or terminated, the city shall mail a notice by certified or registered mail to the last known address of the customer notifying such party of the action to be taken and advising customer to contact the city's city manager who may cancel the termination if payment is received or if it is determined the customer's account is not delinquent.
- (i) The exercise of the city's right and power to sue to collect payment for charges and any late payment charge of penalty or interest due thereon shall be cumulative of all other rights of the city, including particularly, the right to refuse service to any lot or parcel until all such charges and any late payments due, have been paid in full.

(Ordinance 12-09-17C, ex. A, sec. 12, adopted 9/17/12)

Sec: 13.03.014 Inspection of rate schedule and open records law

(a) A correct/current copy of the schedule of service rates shall be kept in the city's office and made available during regular business hours for inspection by any person.

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- (b) Upon written request, the city manager, as custodian of public records of the city, will make requested material available under the terms and conditions of the Open Records Act. No original material may leave the office for any purpose.
- (c) In order to limit the interruption in regular work procedures, material requested for use in the office or copies of material will normally be available in 24 hours and not more than three (3) working days, if the amount of material requested is not excessive. The custodian will advise the person making the request, in writing, a day when the requested material will be available. Only items, which are completed, will be furnished.
- (d) If the custodian of public records questions whether or not the material requested is public in nature, he shall have a maximum of ten days after receiving the request in which to request a decision from the attorney general.

(Ordinance 12-09-17C, ex. A, sec. 13, adopted 9/17/12)

Sec. 13.03.015 Out of city service

It is the general policy of city council to provide any services to areas outside the current boundaries of the city only by annexation. Annexation will be at the discretion of the city council and no guarantee of annexation is implied. At the discretion of the city council, the city may enter into contracts with other political subdivisions of the state to provide services. (Ordinance 12-09-17C, ex. A, sec. 14, adopted 9/17/12)

- Sec. 13.03.016 Developer, subdivision and nonstandard service requirements
- (a) Generally.
- (1) City's limitations. All applicants shall recognize that the city must comply with local, state, and federal rules and regulations as promulgated from time to time, and with covenants of current indebtedness.
- (2) Purpose. It is the purpose of this section to define the process by which the specific terms and conditions for service to subdivisions and other kinds of nonstandard service are determined, including the nonstandard service applicant's and the city's respective costs. The applicant must be the same person or entity that is authorized to enter into a contract with the city setting forth terms and conditions pursuant to which nonstandard service will be furnished to a property or subdivision.
- (b) Application of rules.
- (1) This section is applicable to subdivisions, additions to subdivisions, developments, or whenever additional service facilities are required for a single tract of property. Examples of nonstandard services for a single tract of property include, but are not limited to, road bores, extensions to the city's water or sewer system, service lines exceeding 2" diameter and service lines exceeding 200 feet. For the purposes of this article, applications subject to this section shall

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be defined as nonstandard. The city manager shall interpret, on an individual basis, whether or not the applicant's service request shall be subject to all or part of the conditions of this section.

- (2) This section sets forth the general terms and conditions pursuant to which the city will process nonstandard service requests. The specific terms and conditions pursuant to which the city will provide nonstandard service in response to any request will depend upon the nature of such request and may be set forth in a legally enforceable, contractual agreement to be entered into by the city and the service applicant. The agreement may not contain any terms or conditions that conflict with this section.
- (c) Nonstandard service application. The applicant shall meet the following requirements prior to the initiation of a nonstandard service contract by the city:
- (1) The applicant shall provide the city a completed service application and agreement giving special attention to the item(s) on special service needs of the applicant.
- (2) A final plat approved by the city must accompany the application showing the applicant's requested service area. The plat must be approved by all governmental authorities exercising jurisdiction over lot sizes, sewage control, drainage, right-of-way, and other service facilities. Plans, specifications, and special requirements of such governmental authorities shall be submitted with the plat. Applicants for single taps involving extension or upsizing of facilities shall be required to submit maps or plans detailing the location of the requested extension and details of demand requirements.
- (3) Nonstandard service investigation fee shall be paid to the city in accordance with the requirements of section 13.03.004(c) for purposes of paying initial administrative, legal, and engineering fees. The city shall refund any balance that remains after it has completed its service investigation, and has completed all legal and engineering services associated with processing a request. In the event such a fee is not sufficient to pay all expenses incurred by the city, the applicant shall pay to the city all remaining expenses that have been, or will be incurred by the city and city shall have no obligation to complete processing of the request until all remaining expenses have been paid.
- (4) If after the service investigation has been completed, the city determines that the applicant's service request is for property located, in whole or in part, outside the area described in the city's defined service area, service may be extended provided that:
- (A) The service location is not in an area receiving similar service from another retail utility;
- (B) The service location is not within another retail utility's certificate of convenience and necessity; and
- (C) The city's defined service area shall be amended to include the entirety of applicant's property for which service is requested. Applicant shall pay all costs incurred by city for annexation or for amending its boundary, including but not limited to engineering and professional fees. The city may extend service prior to completing the amendment to its

boundary, but will do so only upon applicant's legally enforceable agreement to fully support such amendment (including but not limited to payment of all professional fees, including legal, surveying and engineering fees incurred by city in securing the amendment). If the city determines to annex the property, the applicant shall secure written requests for annexation from all ownership interests in the property to be annexed, and shall pay all costs, including engineering and professional fees for the annexation.

- (D) Annexation is not automatically implied and is subject to section 13.03.015.
- (d) Design. Upon receipt of the signed service application and investigation fee, the city shall study the design requirements of the applicant's required facilities prior to initiation of a nonstandard service contract by adopting the following schedule:
- (1) The city's consulting engineer shall design, or review and approve plans for, all on-site and off-site service facilities for the applicant's requested service within the city's specifications, incorporating any applicable municipal or other governmental codes and specifications.
- (2) The consulting engineer's fees shall be paid out of the nonstandard service investigation fee under section 13.03.004.
- (3) The consulting engineer shall submit to the city a set of detailed plans, specifications, and cost estimates for the project.
- (4) The development services manager, in conjunction with other departments as necessary, shall ensure all facilities for any applicant meet the demand for service as platted and/or requested in the plans or plat submitted in application for service. The city reserves the right to upgrade design of service facilities to meet future demands provided, however, that the city shall pay a predetermined pro-rata share of the expense of such upgrading in excess of the applicant's facility requirements, with the applicant charged an agreed-to pro-rata share of the cost.
- (e) Nonstandard service contract. Applicants requesting or requiring nonstandard service may be required to execute a written contract, drawn up by the city's attorney, in addition to submitting the city's service application and agreement. Said contract shall define the terms of service prior to construction of required service facilities. The service contract may include, but is not limited to:
- (1) All costs associated with required administration, design, construction, and inspection of facilities for water/sewer service to the applicant's service area and terms by which these costs are to be paid.
- (2) Procedures by which the applicant shall accept or deny a contractor's bid, thereby committing to continue or discontinue the project.
- (3) Terms by which the city shall administer the applicant's project with respect to:
- (A) Design of the applicant's service facilities;

- (B) · Securing and qualifying bids;
- (C) Execution of the service agreement;
- (D) Selection of a qualified bidder for construction;
- (E) Dispensing advanced funds for construction of facilities required for the applicant's service;
- (F) Inspecting construction of facilities; and
- (G) Testing facilities and closing the project.
- (4) Terms by which the applicant shall indemnify the city from all third party claims or lawsuits in connection with the project.
- (5) Terms by which the applicant shall deed all constructed facilities to the city and by which the city shall assume operation and maintenance responsibility, including any enforcement of warranties in connection with construction of the applicant's project.
- (6) Terms by which the applicant shall grant title or easement for rights-of-way, constructed facilities, and facility sites and/or terms by which the applicant shall provide for the securing of required rights-of-way and sites.
- (7) Terms by which the city council shall review and approve the service contract pursuant to current rules, regulations, and bylaws.
- (8) Agreement to enforceable remedies in the event applicant fails to comply with all contract obligations, including specific performance.

The city and the applicant must execute a nonstandard service contract prior to the initiation of construction of facilities by the applicant. In the event that the applicant commences construction of any such facilities prior to execution of a contract with the city, then the city may refuse to provide service to the applicant (or require full costs of replacing/repairing any facilities constructed without prior execution of a contract from any person buying a lot or home from applicant), and/or require that all facilities be uncovered by the applicant for inspection by the city, and/or require that any facilities not approved by the city be replaced, or take any other lawful action determined appropriate by the city council.

(Ordinance 12-09-17C, ex. A, sec. 15, adopted 9/17/12)

Q APPENDIX A

FEE SCHEDULE

ARTICLE A1.00 GENERAL PROVISIONS

An official fee schedule, entitled "City of Horseshoe Bay Official Fee Schedule by Department" is included below, which fee schedule contains the current fees charged and collected by the different departments of the city which are authorized under state law to collect such fees.

ARTICLE A2.00 ADMINISTRATIVE FEES

<u>Copies of public information documents</u>. Charges for copies of public information documents are based on the charges allowed by the Texas Administrative Code and the Texas Local Government Code. (Ordinance 06-08-22A adopted 8/27/06 as amended by motion December 11, 2007 and September 16, 2008)

ARTICLE A3.00 BUILDING AND DEVELOPMENT FEES

- (a) Building permits and codes.
 - (1) Single-family residential.
 - (A) New: \$0.35 per square foot.
 - (B) Remodel: \$0.35 per square foot only for the following remodeling activities:
 - (i) Structural alterations that affect interior load bearing walls or the roof; and
 - (ii) Additions to the structure that increase the amount of covered living space.
 - (C) Manufactured housing: \$0.35 per square foot.

(Ordinance 10-04-20B adopted 4/20/10)

- Multifamily residential.
 - (A) New.

5,000 or less sq. ft. of living space: \$1,000.00/unit.

Over 5,000 sq. ft. of living space: Subject to review.

- (B) Remodel: \$500.00/unit.
- (3) Commercial or club facilities.

<10,000 ft² covered building space: \$2,500.00.

>10,000 ft² covered building space: Subject to review.

- (4) Marinas: Subject to review.
- (5) Other (Unless constructed at the same time with one of the above permits).
 - (A) Arbor: \$100.00.
 - (B) Boat dock/boat house: \$100.00.
 - (C) Deck: \$100.00.
 - (D) Driveway or parking area: \$100.00.
 - (E) Fence: \$100.00.
 - (F) Grade and fill: \$100.00.
 - (G) Infrastructure permit: N/C.
 - (H) Jet ski rámp: \$50.00.
 - (I) 'Retain wall: \$100.00.
 - (J) Roof: \$200.00.
 - (K) Spa: \$100.00.
 - (L) Storage unit: \$1,000.00.
 - (M) Swimming pools: \$100.00.
 - (N) Tennis courts: \$150.00.
 - (O) Any other permit not listed herein: \$100.00.
- (b) Platting and zoning.
 - (1) Plat/replat: \$100.00.
 - (2) Zoning variance: \$100.00.
 - (3) Zoning amendment: \$100.00.
 - (4) Conditional use permit: \$100.00.
- (c) Sign permits.
 - (1) Construction identification/construction control/exempt signs: \$25.00.
 - (2) Commercial/directional/wall/subdivision/multifamily/monument: \$50.00.
 - (3) Sign variance: \$100.00.

(Ordinance 06-08-22A adopted 8/27/06 as amended by motion December 11, 2007 and September 16, 2008)

- (d) Nonrefundable compliance inspection application fee for any residential or commercial building or unit that has been vacant and had utilities turned off for 60 days or more: \$50.00. (Ordinance 08-06-17E, sec. III, adopted 6/17/08)
- (e) Blasting permits. Class A, B, and C permits: \$25.00. (Ordinance 07-03-20, sec. 2(D), adopted 3/20/07)

ARTICLE A4.00 BUSINESS FEES

- (a) Sexually oriented business license.
 - (1) Nonrefundable application and investigation fee: \$500.00.
 - (2) Annual nonrefundable license fee: \$250.00.
 - (3) Annual nonrefundable application, investigation, and license fee: \$250.00.

(Ordinance 07-07-10A, sec. II(e), adopted 7/10/07)

- (b) Peddlers, vendors, and itinerant merchants permit.
 - (1) Nonrefundable application fee: \$25.00.
 - (2) Permit fee: \$75.00.

(Ordinance 15-10-20A, sec. II(e)(1)–(3), adopted 10/20/15)

- (c) Wireless communications fees.
 - (1) Stealth wireless communications facility: \$100.00.
 - (2) Attached wireless communications facility: \$100.00.
 - (3) Replacement of existing antenna support structure: \$100.00.
 - (4) Collocation on existing antenna supporting structure: \$100.00.
 - (5) New antenna support structure: \$100.00.
 - (6) High speed internet provider: No fee.

(Ordinance 07-07-10B, sec. II(i), adopted 7/10/07)

- (7) Amateur wireless facility application fee: \$10.00. (Ordinance 07-07-10B, secs. II(i), (j), adopted 7/10/07)
- (d) Shooting gallery permit application or renewal: \$250.00. (Ordinance 07-02-20E, sec. 7, adopted 2/20/07)

ARTICLE A5.00 FIRE DEPARTMENT FEES

- (a) Fireworks ordinance standby fee, one truck and three firefighters per hour: \$150.00.
- (b) Unauthorized burning (Outdoor burning Ordinance 07-06-19A), extinguish an unsafe or unpermitted burn: \$150.00 charge per hour.

(Ordinance 06-08-22A adopted 8/27/06 as amended by motion December 11, 2007 and September 16, 2008)

ARTICLE A6.00 MUNICIPAL COURT FEES

- (a) Preparation of the clerk's record: \$25.00. (Ordinance 06-12-12A, sec. 2(M), adopted 12/12/06)
- (b) Technology fee: \$4.00. (Ordinance 06-12-12C, sec. 3, adopted 12/12/06)
- (c) Building security fee: \$3.00. (Ordinance 06-12-12D; sec. 3, adopted 12/12/06)

Q ARTICLE A7.00 TRAFFIC AND VEHICLE FEES

Helifacility fees.

- (1) Permanent helifacility.
 - (A) Initial application: \$200.00.
 - (B) Renewal application: \$100.00.
- (2) Temporary helistop.
 - (A) Initial application: \$100.00.
 - (B) Renewal application: \$50.00.

(Ordinance 07-06-19C, sec. III(d), adopted 6/19/07)



Sec. A8.01 Water service rates

- (a) Monthly rates for each active meter or unit (residential, commercial, and/or irrigation).
 - (1) The monthly rate includes the base monthly charge BMC (minimum monthly charge) and the volumetric charge (charge per 1,000 gallons). The BMCs are based on meter sizes, as listed in the following, with a higher charge for larger meters with a higher potential water supply capacity:

3/4" water meter	\$25.96 base monthly charge
1" water meter	\$29.63 base monthly charge
1-1/2" water meter	\$32.68 base monthly charge
2" water meter	\$43.27 base monthly charge
3" water meter	\$123.26 base monthly charge
4" water meter	\$154.73 base monthly charge
6" water meter	\$222.13 base monthly charge

The \$25.96 base monthly charge shall also apply to each residential unit within apartment complexes, condominiums, or other similar group of buildings utilized for residential living quarters, regardless of the actual meter size or existence of a master meter.

- (2) <u>Inside the city-single-family residence</u>.
 - (A) Base monthly charge (depending upon meter size), plus the volumetric charge.
 - (B) Volumetric charge.

\$0.00 per 1,000 gallons	Up to 5,000 gallons used (included in BMC)
\$3.74 per 1,000 gallons	From 5,001 up to 10,000 gallons used
\$4.56 per 1,000 gallons	From 10,001 up to 25,000 gallons used
\$5.40 per 1,000 gallons	From 25,001 up to 50,000 gallons used
\$6.50 per.1,000 gallons	From 50,001 up to 100,000 gallons used
\$7.08 per 1,000 gallons	From 100,001 gallons and over used

- (C) <u>Multifamily rates</u>. For an apartment complex, condominium, or other similar group of buildings utilized for residential living quarters and billed by master meter, the volumetric charge will be based on the number of residential units and the corresponding amount of water allowed per tier. For example, a complex with six units will receive 30,000 gallons with the BMC, and an additional 30,000 gallons at \$3.74 per 1,000 gallons, an additional 90,000 gallons at \$4.56 per 1,000 gallons, an additional 150,000 gallons at \$5.40 per 1,000 gallons, an additional 300,000 gallons at \$6.50 per thousand gallons and 300,001 gallons' usage and above at \$7.08 per 1,000 gallons.
- (3) Outside the city. Rates for all other Hills tracts, Quail Ridge and all other tracts outside the city (wholesale customer rates defined by contract):
 - (A) Base monthly charge (depending upon the meter size), plus outside service fee of \$25.18 and plus the volumetric charge.
 - (B) Volumetric charge.

\$0.00 per 1,000 gallons	Up to 5,000 gallons used (included in BMC)
\$7.50 per 1,000 gallons	From 5,001 up to 10,000 gallons used
\$8.86 per 1,000 gallons	From 10,001 up to 25,000 gallons used
\$10.23 per 1,000 gallons	From 25,001 up to 50,000 gallons used
\$11.85 per 1,000 gallons	From 50,001 up to 100,000 gallons used
\$12.96 per 1,000 gallons	From 100,001 gallons and over used

- (b) <u>Irrigation rates</u>. Inside irrigation rates, apply to meters utilized for irrigation purposes inside the city:
 - (1) Base monthly charge (depending upon the meter size), plus the volumetric charge.
 - (2) <u>Volumetric charge</u>.

\$4.56 per 1,000 gallons	From 0–5,000 gallons used
\$5.14 per 1,000 gallons	From 5,001–10,000 gallons used

\$5.98 per 1,000 gallons	From 10,001–25,000 gallons used
\$6.82 per 1,000 gallons	From 25,001–50,000 gallons used
\$8.50 per 1,000 gallons	From 50,001–100,000 gallons used
\$8.81 per 1,000 gallons	From 100,001 gallons and over used

- (c) <u>Commercial</u>. A single meter (less than 2" in size) serving a commercial facility or a master meter (less than 2" in size) serving a commercial complex shall be within the "commercial classification" and be charged as follows:
 - (1) Base monthly charge (depending upon the meter size), plus the volumetric charge.
 - (2) Volumetric charge.

\$5.30 per 1,000 gallons	From 0–5,000 gallons used
\$6.14 per 1,000 gallons	From 5,001–10,000 gallons used
\$7.24 per 1,000 gallons	From 10,001–25,000 gallons used
\$8.60 per 1,000 gallons	From 25,001–50,000 gallons used
\$10.23 per 1,000 gallons	From 50,001–100,000 gallons used
\$11.33 per 1,000 gallons	From 100,001 gallons and above used

- (d) <u>Large commercial</u>. A single meter (2" and larger) serving a commercial facility or a master meter (2" or larger) serving a commercial complex shall be within the "large commercial classification" and be charged as follows:
 - (1) Base monthly charge, depending on the meter size and including the 5,000 gallons per residential unit (if applicable), plus the volumetric charge.
 - (2) Volumetric charge.

\$4.77 per 1,000 gallons	From 5,001–10,000 gallons used
\$5.59 per 1,000 gallons	From 10,001–25,000 gallons used ·
\$6.40 per 1,000 gallons	From 25,001–50,000 gallons used
\$7.50 per 1,000 gallons	From 50,001–100,000 gallons used
\$8.08 per 1,000 gallons	From 100,001 gallons and above used

All five (5) buildings of the Resort Hotel Complex shall be billed in the same manner as the multifamily units, for the water billing, as outlined in subsections (a)(1) and (a)(2).

- (e) <u>Inactive meter and nonmetered charges</u>. A special "as needed" charge for tank lots of water for road contractors, builders, etc., will be \$7.50 per 1,000 gallons of usage, as metered by the city.
- (f) Reconnection charges.
 - (1) All meters or units: \$50.00 for standard working hours.

- (2) All meters or units: \$100.00 for nonstandard working hours.
- (3) A reconnect charge shall be paid in full prior to reactivation of city services.
- (4) A charge of one-half of the applicable reconnect charge may be made for the temporary cutoff and/or cut-on of water service by the city due to extenuating circumstances such as adverse weather or circumstances beyond the reasonable control of the customer or the city.
- (g) Flow test charges.
 - (1) First test: No charge.
 - (2) Additional requested test within two years of the first test if the additional test shows the meter to be accurate: Not to exceed \$30.00.
- (h) Water tap charges.
 - (1) Residential units will be charged the following for each specific meter connection size (size of the meter will be determined by the city, based on the plumbing code and irrigation water demands (fixture units, landscape area, etc.)).

3/4" connection	\$1,450.00	
1" connection	\$1,550.00	
1-1/2" connection	\$1,850.00	
2" connection	\$2,150.00	

- (2) <u>Temporary service water meters.</u>
 - (A) Setup fee: \$75.00.
 - (B) Deposit: \$250.00.
- Sec. A8.02 Sewer service rates and conditions
- (a) Monthly rates for residential customers.
 - (1) All residential service inside city and multifamily: \$44.32 per month per unit.
 - (2) The residential rate will prevail for builders prior to initial occupancy.
- (b) Monthly rates for commercial customers. Meters smaller than 2" in size:
 - (1) All commercial service inside city. \$44.32 per month per water meter, which includes 5,000 gallons of water usage, and the applicable volumetric charge.
 - (2) Meter usage over 5,000 gallons: \$6.56 per 1,000 gallons.
 - (3) Each commercial (tenant) having dedicated wastewater facilities connected to a common grinder pump system will be charged a factor (multiplier) to determine the total monthly sewer charges. For example, for inside the city customers six units (tenants) will be charged six fees, i.e., six (6) units x \$44.32 per month, and will be entitled to 30,000 gallons of usage, before being charged an additional rate of \$6.56 per 1,000 gallons.

- (4) Each commercial facility where there are not individual tenants nondedicated wastewater facilities will be charged based on seven fixtures as one unit set. Seven fixtures are defined as a set. Any number of fixtures, more than three, remaining after the total number of fixtures has been divided by seven, will be considered another set. For example, seventeen fixtures would be considered two sets, but eighteen fixtures would be considered three sets. Each set will be charged a basic monthly charge (BMC) of \$44.32.
- (5) Each commercial account having more than one set of fixtures served by a single water meter will be charged a factor (multiplier) based on the number of sets to determine the total monthly sewer charges. For example, six sets equals 6 x \$44.32 per month, and will be entitled to 30,000 gallons of wastewater, before being charged an additional rate of \$6.56 per 1,000 gallons.
- (6) Irrigation meters are available and encouraged for commercial applications to reduce sewer expenses to actual sewer usage.
- (c) <u>Monthly rates for large commercial customers</u>. Meters 2" and larger:
 - (1) All large commercial inside city. \$44.32 per month per meter, which includes 5,000 gallons of water usage, and the applicable volumetric charge.
 - (2) Meter usage over 5,000 gallons: \$6.03 per 1,000 gallons.
- (d) RV's. Each tank dumped and rinsed:
 - (1) City sewer customers: No charge.
 - (2) All others: \$20.00.
- (e) Sewer tap charges.
 - (1) 'Residential units will be charged a \$1,300.00 tap fee for each standard 1-1/2" sewer grinder connection required where the collection line is immediately adjacent to the property to be served.
 - (2) Commercial units will be charged the greater of a minimum of \$1,300.00 tap fee for each standard 1-1/2" sewer grinder connection or total costs computed on the basis of actual costs of labor, materials, and equipment usage, plus overhead.
- (f) <u>Sewer grinders</u>. There are several types of sewer grinder pump systems serviced by the city. Depending on the capacity and pressure requirements as determined by the city, they are as follows:
 - (1) <u>Single-family residence</u>.
 - (A) Single grinder pump systems required by each single-family residence and each living unit of a duplex family residence servicing four full baths or less, low pressure unit: Price: \$2,400.00.
 - (B) Single grinder pump systems required by each single-family residence and each living unit of a duplex family residence servicing more than two full baths, high pressure unit: Price: \$3,300.00.
 - (C) Custom designed sewer grinder systems may be required at the discretion of the city based on requirements not adaptable to subsections (A) and (B) above. Installations larger than those listed above will be charged additional costs for specialized materials and equipment required for customized system.
 - (2) Duplex grinder system required by multifamily complexes and commercial units as follows:

- (A) Multifamily complexes require one (1) duplex system for each group of eight (8) living units or part thereof.
- (B) Commercial units or complexes require a minimum of one (1) duplex system and a duplex system for each group of forty (40) internal sewer drain connections or part thereof, prices:

(i) Low pressure: \$4,450.00.

(ii) High pressure: \$5,800.00.

(C) Custom designed sewer grinder systems and/or grease traps and pretreatment systems may be required at the discretion of the city based on requirements not adaptable to subsections (A) and (B) above. Installations larger than those listed above will be charged additional costs for specialized materials and equipment required for customized system.

Sec. A8.03 Water and sewer service deposits

(a) Residential units: \$200.00.

(b) Commercial connections: \$200.00.

(c) Temporary meter: \$250.00.

Sec. A8.04 Garbage collection rates

- (a) State and city sales tax is applicable to garbage collection services. This tax will be added to the charges shown following.
- (b) Residential service. All living units with one pickup per week: \$21.30 per month.
- (c) <u>Commercial service</u>.

(1) Dumpster size.

	1 Time per wk	2 Time per wk	3 Time per wk	4 Time per wk
1st 2 cubic yards	\$158.00	\$241.00	\$325.00	\$408.00
Each additional	\$133.00	\$200.00	\$265.00	\$333.00
1st 3 cubic yards	\$179.00	\$274.00	\$369.00	\$465.00
Each additional	\$149.00	\$226.00	\$302.00	\$378.00
1st 4 cubic yards	\$198.00	\$305.00	\$412.00	\$519.00
Each additional	\$164.00	\$250.00	\$336.00	\$421.00
1st 6 cubic yards	\$205.00	\$367.00	\$498.00	\$629.00
Each additional	\$171.00	\$300.00	\$405.00	\$510.00
1st 8 cubic yards	\$211.00	\$379.00	\$515.00	\$648.00
Each additional	\$177.00	\$312.00	\$420.00	\$530.00
6 yard compactor	\$519.00	\$783.00	\$1,034.00	\$1,284.00

(2) <u>Minimum monthly charge per unit</u>. Polycart service (90 gallons):

At 1 x per week	\$30.38
Each additional	\$29.87
At 2 x per week	\$57.75
Each additional	\$53.56

Sec. A8.05 Grounds maintenance waste service (commercial customers)

Residents are allowed up to 100 cubic yards for a 12-month period without any costs and only is transported by resident themselves. If residents exceed 100 cubic yards' allotment the fees below are applied to additional volumes disposed at the site.

- (1) Annual permit fee: \$75.00.
- (2) 0-200 cubic yards: \$1.50 per cubic yard.
- (3) 201 to 400 cubic yards: \$2.50 per cubic yard.
- (4) Over 400 cubic yards: \$3.50 per cubic yard.

Sec. A8.06 Insufficient funds fees

- (a) A \$35.00 charge will be assessed to all accounts which are paid with a check charged back against the city's deposit account due to insufficient funds.
- (b) A \$35.00 charge will be assessed to all accounts on the automatic debit feature which have payments charged back against the city's deposit account due to insufficient funds.

(Ordinance 16-09-20F adopted 9/20/16)

Sec. A8.07 Rainwater harvesting systems

It shall be the duty of the city's utilities department to inspect all rainwater harvesting systems which require a permit to determine that they are in compliance with this article. For such inspection and the issuance of the permit, a \$50.00 fee shall be paid to the city's utilities department prior to the issuance of such permit. Registration of a system under 400 gallons is at no cost to the applicant. (Ordinance 14-07-08B adopted 7/8/14)

ARTICLE A9.00 MISCELLANEOUS FEES

Sec. A9.01 Special event fees

(a) A nonrefundable fee to cover administrative costs of processing the permit shall be paid to the city by the applicant when the application is filed. The type and amount of the applicable fees are:

Processing of permit: \$50.00.

- (b) If the event impacts the emergency services or if any city services shall be required for the event, the applicant shall pay, at the moment the permit is issued, the fees for such services:
 - (1) Engine, one captain and two firefighters: \$400.00/hr.
 - (2) Brush truck, two firefighters: \$150.00/hr.
 - (3) Police, one officer and vehicle: \$100.00/hr.

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(c) All fees are subject to periodic revision by the city.

(Ordinance 14-12-16A, sec. III, adopted 12/9/14)

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Section 7 Notice Requirements

- should correlate to the projected growth in connections, shown on the projected profit and loss *statement.
- iii. Attach a proposed rate schedule or tariff. Describe the procedure for determining the rates and fees and indicate the date of last change, if applicable. Attach copies of any cost of service studies or rate analysis worksheets.
- B. For existing water and/or sewer systems:
 - Attach a profit and loss statement and current balance sheet for existing businesses (end of last fiscal year is acceptable). Describe sources and terms for borrowed capital such as loans, bonds, or notes (profit and loss and balance sheet worksheets are attached, if needed).
 - ii. Attach a proposed rate schedule or tariff.
- Note: An existing water and/or sewer system may be required to provide the information in 6.A.i. above during the technical review phase if necessary for staff to completely evaluate the application
- C. Identify any funds you are required to accumulate and restrict by lenders or capital providers.
- D. In lieu of the information in #6.A. thru #6.C., you may provide information concerning loan approvals within the last three (3) years from lending institutions or agencies including the most recent financial audit of the applicant.
- Note: Failure to provide adequate financial information may result in the delay or possible denial of your application.

7. Notice Requirements

- A. All proposed notice forms must be completed and submitted with the application. Do not mail or publish the notices until you receive written approval from the commission to do so.
- B. The commission cannot grant a CCN until proper notice of the application has been given. <u>Commission rules</u>
 do not allow a waiver of notice requirements for CCN applicants.
- C. <u>It is the applicant's responsibility to ensure that proper notice is given to all entities that are required to receive notice.</u>
- D. Recommended notice forms for publication, neighboring cities and systems, landowners with 25 acres or more,
 and customers are included with this application for use in preparing proposed notices. (Notice forms are available in Spanish upon request.)
- E. After reviewing and, if necessary, modifying the proposed notice, the commission will send the notice to the applicant after the application is accepted for filing along with instructions for publication and/or mailing. Please review the notice carefully before providing the notice.
- F. Notice For Publication:
 - The applicant shall publish the notice in a newspaper with general circulation in the county(ies) where a CCN is being requested. The notice must be published once each week for two consecutive weeks beginning with the week after the notice is received from the commission. Proof of publication in the form of a publisher's affidavit shall be submitted to the commission within 30 days of the last publication date. The affidavit shall state with specificity each county in which the newspaper is of general circulation.
- G. Notice To Neighboring Utilities:
 - i. List all neighboring retail public utilities and cities providing the same utility service within the following vicinities of the applicant's proposed certificate area.
 - ii. For applications for the issuance of a NEW CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within five (5) miles of the requested service area.

Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity, 9/1/14 (formerly TCEQ form 10362)
Page 10 of 25

- iii. For applications for the AMENDMENT of a CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within two (2) miles of the requested service area.
- H. Notice to Customers:

Investor Owned Utilities (IOUs) that are currently providing service without a CCN must provide individual mailed notice to all current customers. The notice must contain the current rates, the date those rates were instituted and any other information required in the application.

The commission may require the applicant to deliver notice to other affected persons or agencies.

Do not publish or send copies of the proposed notices to anyone at the time you submit the application to the commission. Wait until you receive written authorization to do so. Authorization poccurs after the commission has reviewed the notices for completeness; and your application has been accepted for filing. Once the application is accepted for filing, you will receive written authorization to provide notice. Please check the notices for accuracy before providing them to the public it is the graphicant's burden to ensure that correct and accurate notice is provided.

OATH

STATE OF TEXAS COUNTY OF LLAND
I, JEFFREY A KOSKA, being duly sworn, file this application as DIRECTOR OF COMMUNITY SERVICES (indicate relationship to Applicant, that is, owner, member of partnership, title as officer of corporation, or other authorized representative of Applicant); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the maps and financial information filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Public Utility Commission of Texas.
I further represent that the application form has not been changed, altered or amended from its original form. I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated
service area.
AFFIANT (Vitility's Authorized Representative)
If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.
SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas, This day 26th 20 20 20 20 20 20 20 20 20 20 20 20 20
SEAL REYNA MARTIN NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Notary ID 10487653
PRINT OR TYPE NAME OF NOTARY

Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity, 9/1/14 (formerly TCEQ form 10362) Page 12 of 25

MY COMMISSION EXPIRES 09-05-205-0

Notice for Publication

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVEY PROVIDE WATER/SEWER UTILITY SERVICE IN	NIENCE AND NECESSITY (CCN) TO
Elano; and Burnet	COUNTY(IES), TEXAS
Name of Applicant City of Horseshoe Bay, CCN to obtain or amend CCN No. (s) decertify a portion(s) of Horseshoe Bay. WCD No. 16. Horseshoe Bay.	has filed an application for a and to with the
Public Utility commission of Texas to provide	wātēt & sewer
	(specify 1) water or 2) sewer or 3) water & sewer)
utility service in <u>Clangand Burner</u> .	¿Çōuntý, "(ies).
The proposed utility service area is located approximate [direction] of downtown City of Horseshoe Bay corporate limits generally bounded on the north by Lake Lyngon Bay Longon ; on the south by City of Horseshoe Bay ET]; and	,[City or Town] Texas, and is ;on the east by
4	
The total area being requested includes approximately current customers.	18,053 acres and 3,457,
A copy of the proposed service area map is available at	
Number): It Community Drive Horseshoe Bay, Texas (78657 (830) 598 8747	المت مليك بالله على الما الما الما الما الما الما الما ال

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should file with the PUC at the following address:

Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-888-782-8477

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR PROVIDE WATER/SEWER UTILI		CONVENIENCE ANI	D NECESSITY (CCN) TO
Lilano and Burnet		3	COUNTY(IES); TEXAS
To: (Neighboring System, Land	· · · · · · · · · · · · · · · · · · ·	Date Notice Mailed	20 17
(Address) City St	ate Zip		
Name of Applicant City of Horsesh CCN to obtain or amend CCN N decertify a portion(s) of Horsesh	oe Bay O. (s) hoe Bay WelDiNo: ที่ใช้ F		an application for a and to
Public Utility Commission of Textutility service in Liano and Burnet	<u>'</u>	water & sewe (specify 1) wa	ter or 2) sewer or 3) water & sewer) H County(ies).
The proposed utility service are [direction] of downtown [Horses generally bounded on the north city[Horseshoe Bay, ETJ]; on the south	hoe Bay, 1 by Lake Lyndon B.,	,[City	miles west, south and east or Town] Texas, and is ; on the east by st by City; Horseshoe Bay, E.T.
See enclosed map of the pro	posed service	area.	•
The total area being requested current customers.	includes approxi	mately [18:053] acr	res and 3:457: 13 5
A request for a public hearing naddress, and daytime telephone another recognizable reference public hearing"; (4) a brief description	e number; (2) th to this applicatio	e applicant's name, on; (3) the statemer	application number or nt, "I/we request a

adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to

withdraw your request for a hearing.

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Public Utility Commission of Texas
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P.O. Box 13326
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If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

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Si desea informacion en Espanol, puede llamar al 1-888-782-8477

Notice to Customers of IOUs in Proposed Area

ļ	PROVIDE WATER/SEWER UTILITY SERVIC		
. -	,	Date Notice Mailed	
*		has filed an applic	and to
	Public Utility commission of Texas to provi	de (specify 1) water or 2) sewel	r or 3) water & sewer) County(ies).
r I	The proposed utility service area is located [direction] of downtown	d approximately miles [Texas.
↓ ↓	A copy of the proposed service area map i Number):	s available at (Utility Address and	Phone
i	The current utility rates which were first e	ffective on	20
•	Flat Rate of \$ OR-	Miscellaneous Fees Regulatory Assessment	1%
onnection Other\$ Gallonag	5/8" meter \$,	Tap Fee (Average Actual Cost) Reconnecting fee: - Non Payment (\$25.00 max) - Transfer - Customer's request Late fee Returned Check charge Customer Deposit (\$50.00 max) Meter test fee (Actual Cost not Exceed \$25.00)	\$
Gallona	2" meter \$	Late fee Returned Check charge Customer Deposit (\$50.00 max) Meter test fee	152

Your utility service rates and fees cannot be changed by this application. If you are currently paying rates, those rates must remain in effect unchanged. Rates may only be increased if the utility files and gives notice of a separate rate change application.

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A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

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If a public hearing is requested, the Commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

IF A HEARING IS HELD, it is important that you or your representative attend to present your concerns. Your request serves only to cause a hearing to be held and is not used during the hearing.

If you are a landowner with a tract of land at least 25 acres or more, and is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

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Austin, Texas 78711-3326

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