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CITY OF KEENE
101 Mockingbird Lane
Keene, Texas

JOHNSON COUNTY

TARIFF FOR WATER SERVICE

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TARIFF FOR WATER SERVICE
City of Keene

I. DESCRIPTION OF SERVICE

The City of Keene provides water to customers and the services are maintained and operated by the Water and Sewer Department. The department is operated to assure that the water supplied meets the quality set forth by regulatory agencies. All facilities installed by the department are in accordance with the rules and regulations of applicable regulatory agencies. Employees of the Department in supervisory positions are licensed operators and participate in educational and training programs. The City of Keene currently has a Water System Improvement Program underway to insure a future water supply for the city and provide for improvements to the distribution system to permit the addition of new customers with community growth without an impairment of service.

II. SERVICE AREAS

The City of Keene is located wholly within Johnson County, Texas and provides water service to residents within the city limits, extra territorial jurisdiction and in some areas that are contiguous to but located outside these limits.

III. WATER CONNECTION FEES

Tap fee rates effective October 1, 1975 are as follows:

WATER TAPS for service within the City Limits:

3/4" Tap	\$ 250.00
1" Tap	\$ 300.00
1 1/4" Tap	\$ 400.00
2" Tap	\$ 550.00

WATER TAPS for service outside the City Limits:

3/4" Tap	\$ 500.00
1" Tap	\$ 600.00
1 1/4" Tap	\$ 800.00
2" Tap	\$1100.00

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IV. WATER RATE SCHEDULE

Water rates effective May 15, 1975, are as follows for all persons obtaining water service from the City's water system:

A. Rates for service within the City Limits:

- 1. First 2,000 gallons.....\$3.60 minimum
- 2. Next 8,000 gallons.....\$1.20 per thousand
- 3. Next 5,000 gallons.....\$1.08 per thousand
- 4. Next 5,000 gallons.....\$.96 per thousand
- 5. Next 5,000 gallons.....\$.84 per thousand
- 6. Over 25,000 gallons.....\$.72 per thousand

B. Rates for service outside the City Limits:

For all customers using water service of the City outside of the City Limits of Keene, Texas, the rates for such service shall be as follows:

- 1. First 2,000 gallons.....\$6.00 minimum
- 2. Next 8,000 gallons.....\$2.00 per thousand
- 3. Next 5,000 gallons.....\$1.80 per thousand
- 4. Next 5,000 gallons.....\$1.60 per thousand
- 5. Next 5,000 gallons.....\$1.40 per thousand
- 6. Over 25,000 gallons.....\$1.20 per thousand

All bills for services rendered by said Waterworks System shall be paid monthly on or before the 15th day of each month. If not paid by the 15th day of the month, a ten percent (10%) penalty will be added. If bills are not paid by the 20th day of the month, all service shall be discontinued. In the event of discontinuance of service, an additional sum of \$2.00 shall be charged for reconnection to the System.

(C)
(C)

V. SERVICE RULES AND REGULATIONS

A. GENERAL:

The City of Keene has adopted various ordinances to establish standards for both city owned facilities and private facilities connected to the city water system for the purpose of obtaining water. The ordinances that have been adopted to control the water distribution system are listed below.

Ordinance Fixing Water Rates and Water Service
Amended May 22, 1975

Ordinance for Water and Sewer Tap Fees
Amended September 11, 1975

Ordinance for Water Service Extension
Adopted August 26, 1976

Subdivision Ordinance - Currently Proposed

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(N)

B. POLICY: (N)

1. SERVICE COMPLIANCE BY APPLICANT (N)

The City of Keene may decline to serve an applicant until such applicant has complied with the City's regulations for the following reasons:

- (a) Applicant's facilities inadequate: If the applicant's installation or equipment is known to be hazardous or of such character that satisfactory service cannot be given, or the building fails to comply with building code, or service connections do not comply with plumbing code; or
- (b) For indebtedness: If the applicant is indebted to the City of Keene for the same kind of service as that applied for or to any other utility for the same type of service; or
- (c) Refusal to pay fees: For refusal to pay tapping fee, connection fees, fees for discontinuance of service and reconnection of service.

2. APPLICANT'S RECOURSE (N)

In the event that the City of Keene Water Department shall refuse to serve an applicant under the provisions of these rules, the water department must inform the applicant of the basis of its refusal and that the applicant may file a complaint with the City Council.

3. INSUFFICIENT GROUNDS FOR REFUSAL TO SERVE (N)

The following shall not constitute sufficient cause for refusal of service to a present customer or applicant:

- (a) Delinquency in payment for service by a previous occupant of the premises to be served;
- (b) Failure to pay for merchandise, or charges for nonutility service purchased from the utility;
- (c) Failure to pay a bill to correct previous under-billing due to misapplication of rates more than six months prior to the date of application;
- (d) Violation of the City's rules pertaining to operation of nonstandard equipment or unauthorized attachments which interfere with the service of others, or other services such as communication services, unless the customer has first been notified and been afforded reasonable opportunity to comply with said rules;

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- (e) Failure to pay a bill of another customer as guarantor thereof, unless the guarantee was made in writing to the City as a condition precedent to service; and
- (f) Failure to pay the bill of another customer at the same address except where the change of customer identity is made to avoid or evade payment of a utility bill.

4. DISCONTINUANCE OF SERVICE

(N)

Water service may be disconnected for any of the following reasons:

- (a) Failure to pay a delinquent account or failure to comply with the terms of a deferred payment agreement;
- (b) Violation of the utility's rules pertaining to the use of service in a manner which interferes with the service of others or the operation of nonstandard equipment, if a reasonable attempt has been made to notify the customer and the customer is provided with a reasonable opportunity to remedy the situation;
- (c) Without notice where a known dangerous condition exists for as long as the condition exists; and
- (d) Tampering with the utility company's meter or equipment or bypassing the same.

5. UTILITY SERVICE MAY NOT BE DISCONNECTED FOR ANY OF THE FOLLOWING REASONS:

(N)

- (a) Delinquency in payment for service by a previous occupant of the premises;
- (b) Failure to pay for merchandise, or charges for nonutility service provided by the utility;
- (c) Failure to pay for a different type or class of utility service unless fee for such service is included on the same bill;
- (d) Failure to pay the account of another customer as guarantor thereof, unless the utility has in writing the guarantee as a condition precedent to service;
- (e) Failure to pay charges arising from an underbilling occurring due to any misapplication of rates more than six months prior to the current billing;
- (f) Failure to pay charges arising from an underbilling due to any faulty metering, unless the meter has

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been tampered with;

- (g) Failure to pay an estimated bill when the City is unable to read the meter due to circumstances beyond its control.

6. METER TEST ON REQUEST OF CUSTOMER

(N)

The City shall, upon the request of a customer, and, if he so desires, in his presence or in that of his authorized representative, make without charge a test of the accuracy of the customer's meter. The test shall be made during the City's normal working hours at a time convenient to the customer if he desires to observe the test. The test shall be made preferably on the customer's premises, but may, at the City's discretion, be made at the City's test laboratory, or by an approved independent laboratory designated by the city. If the meter has been tested by the City, or by an authorized agency, at the customer's request, and within a period of four years, the customer requests a new test, the utility shall make the test, but if the meter is found to be within the accuracy standards established by the American WaterWorks Association, the utility may charge the customer a fee which reflects the total cost to test the meter. Following the completion of any requested test, the utility shall promptly advise the customer of the date of removal of the meter, the date of the test, the result of the test, and who made the test.

7. BILL ADJUSTMENT DUE TO METER ERROR

(N)

If any meter is found to be outside of the accuracy standards established by the American Water Works Association, proper correction shall be made of previous readings for the period of six months immediately preceding the removal of such meter from service for test, or from the time the meter was in service since last tested, but not exceeding six months, as the meter shall have been shown to be in error by such test, and adjusted bills shall be rendered. No refund is required from the City except to the customer last served by the meter prior to the testing. If a meter is found not to register for any period, unless bypassed or tampered with, the City shall make a charge for units used, but not metered, for a period not to exceed three months based on amounts used under similar conditions during period preceding or subsequent thereto, or during corresponding periods in previous years.

8. WATER EXTENSION POLICY

(N)

The City of Keene will provide water service to customers beyond the existing water mains and within the City's service area subject to the following:

- (a) Receipt of an application giving complete details as to type of service required, that is, single or multi-family, commercial, industrial or other, anticipated water use and wastewater return flows, characteristics of wastewater and complete information relative

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to the point of delivery; and

- (b) All taps, construction, and other work required for the extension of service from the existing City service to the property line or desired point of delivery shall be subject to the following:
- (1) All facilities to be installed in compliance with all City Ordinances and applicable rules, regulations and standards of applicable state agencies;
 - (2) The City shall pay for the first one hundred (100) feet of service line;
 - (3) Cost of providing the service will be based upon the type of service requested by the customer;
 - (4) Where more than one customer is requesting service from the same facility, each will pay a proportionate share of the cost of providing service to point of delivery;
 - (5) Where the City installs facilities with a capacity in excess of the level of service requested, the City shall pay for the excess capacity on a pro-rated basis;
 - (6) Where additional customers connect to a line extension within a five year period, the customer shall pay a pro-rated share of the cost of construction and such charges to be divided equally between the City and all of the previous customers that participated in the construction cost during the five year period but in no instance shall a customer receive more than 75% of his original cost, less the tapping fee.
- (c) Cost to Customer for Extension: The cost of new water service to points beyond the existing service of the City shall be the sum of the following costs:
- (1) Tapping fee
 - (2) Cost of materials
 - (3) Cost of labor
 - (4) Cost of equipment

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CITY OF KEENE
101 Mockingbird Lane
Keene, Texas

JOHNSON COUNTY

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TARIFF FOR SEWERAGE SERVICE
City of Keene

I. DESCRIPTION OF UTILITY OPERATION

The City of Keene provides sewerage service, which includes the collection and treatment of sewage, for customers in the service area. The sewerage system is owned and operated by the Water and Sewer Department of the City of Keene. The City has a permit from the Texas Water Quality Board, No. 10611, to discharge the treatment plant effluent into Turkey Creek. The city has also been issued a permit from the Environmental Protection Agency, NPDES Permit Number TX 0022560.

All new facilities installed by the Sewer Department are in accordance with rules and regulations of applicable regulatory agencies. The treatment plant is operated to conform with the permitted effluent requirements. The plant is not producing an effluent in complete compliance with existing permits and a program is underway to correct existing deficiencies. An application has been filed to amend the existing permits to provide for the increased flow resulting from increased population and make additional modifications to other water quality parameters. The existing sewage treatment plant will be expanded to provide for the projected population for a 10 year period with plans for future modifications.

The department supervisor has a wastewater license and personnel are encouraged to become licensed and continue their training. The department makes all taps, operates and maintains the sewage treatment plant.

II. SERVICE AREA

The City of Keene provides sewerage service at the present time to customers located within the city limits.

III. SEWER CONNECTION FEE

SEWER TAPS for service within the City Limits:

The sewer tap fees of a 4 inch sewer tap shall be \$250.00

IV. SEWER RATE SCHEDULE

The charges for sewerage service as provided for by the City of Keene are given below:

For each Domestic Service Connection, serving a single family - - \$3.00 per month;

For each additional family served on the same Domestic Service Connection - - \$2.00 per month;

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For barber shops, beauty parlors and any other business and profession being operated in private residences or on residential property using water and sewer facilities in pursuit of said business or profession--\$3.50 per month for four fixtures or outlets;

For each hotel, tourist court, laundry or washateria, locker or food processing plant, a minimum charge of \$6.00 for up to four connections and \$1.00 for each additional connection over four;

For each trailer court, a minimum charge of \$6.00 for up to two connections and \$2.00 for each additional connection over two;

For each apartment house, barber shop, beauty parlor, restaurant, cafe, garage and filling station without wash rack or other commercial establishments, a minimum charge of \$3.50 for up to four connections, and a charge of 50¢ for each connection over four;

For each filling station or garage with wash rack, a monthly charge of \$6.00;

Schools with multiple connections, and industries with large quantities or unusual waste, rates to be contracted.

All accounts for sewer services rendered shall be payable each month in advance at the office of the City Secretary in the City of Keene, Texas, upon the date as provided in invoice for such service.

Bills for sewer service shall be rendered monthly, and any person, firm or corporation who shall fail to pay the sewer rental and charge due by him as herein stipulated, within fifteen (15) days after same shall have become due, shall be subject to having service for his or its building, house or other structure discontinued by the City. Whenever sewer service has been discontinued and the sewer line disconnected from the property due to failure to pay said charges, no reconnection shall be made until the owner or occupant pays all rental charges past due together with a \$10.00 charge for resuming the service, together with all costs of disconnection and reconnecting such sewer line with the City sewer system; provided in case of non-payment of sewer charge where users' property is connected with the City water system, the City shall have the right to discontinue water service as well as sewer service. (C)

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V. SERVICE RULES AND REGULATIONS

A. GENERAL:

The City of Keene has adopted various ordinances to establish standards for both city owned facilities and private facilities connected to the city sewerage system. The ordinances that have been adopted to control the sewerage system are listed below:

Ordinance Establishing a Sewer Department
Amended April, 1974

Ordinance for Water and Sewer Tap Fees
Amended September 11, 1975

Ordinance for Sewer Service Extension (N)
Adopted August 26, 1976

Subdivision Ordinance - Currently Proposed

B. POLICY: (N)

1. SERVICE COMPLIANCE BY APPLICANT (N)

The City of Keene may decline to serve an applicant until such applicant has complied with the City's regulations for the following reasons:

(a) Applicant's facilities inadequate: If the applicant's installation or equipment is known to be hazardous or of such character that satisfactory service cannot be given, or the building fails to comply with building code, or service connections do not comply with plumbing code; or

(b) For indebtedness: If the applicant is indebted to the City of Keene for the same kind of service as that applied for or to any other utility for the same type of service; or

(c) Refusal to pay fees: For refusal to pay tapping fee, connection fees, fees for discontinuance of service and reconnection of service.

2. APPLICANT'S RECOURSE (N)

In the event that the City of Keene Sewer Department shall refuse to serve an applicant under the provisions of these rules, the sewer department must inform the applicant of the basis of its refusal and that the applicant may file a complaint with the City Council.

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3. INSUFFICIENT GROUNDS FOR REFUSAL TO SERVE

(N)

The following shall not constitute sufficient cause for refusal of service to a present customer or applicant:

- (a) Delinquency in payment for service by a previous occupant of the premises to be served;
- (b) Failure to pay for merchandise, or charges for nonutility service purchased from the utility;
- (c) Failure to pay a bill to correct previous under-billing due to misapplication of rates more than six months prior to the date of application;
- (d) Violation of the City's rules pertaining to operation of nonstandard equipment or unauthorized attachments which interfere with the service of others, or other services such as communication services, unless the customer has first been notified and been afforded reasonable opportunity to comply with said rules;
- (e) Failure to pay a bill of another customer as guarantor thereof, unless the guarantee was made in writing to the City as a condition precedent to service; and
- (f) Failure to pay the bill of another customer at the same address except where the change of customer identity is made to avoid or evade payment of a utility bill.

4. DISCONTINUANCE OF SERVICE

(N)

Sewer service may be disconnected for any of the following reasons:

- (a) Failure to pay a delinquent account or failure to comply with the terms of a deferred payment agreement;
- (b) Violation of the utility's rules pertaining to the use of service in a manner which interferes with the service of others or the operation of non-standard equipment, if a reasonable attempt has been made to notify the customer and the customer is provided with a reasonable opportunity to remedy the situation;
- (c) Without notice where a known dangerous condition exists for as long as the condition exists; and

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- (d) Tampering with the utility company's equipment or bypassing the same.
5. UTILITY SERVICE MAY NOT BE DISCONNECTED FOR ANY OF THE FOLLOWING REASONS:
- (a) Delinquency in payment for service by a previous occupant of the premises;
 - (b) Failure to pay for merchandise, or charges for nonutility service provided by the utility;
 - (c) Failure to pay for a different type or class of utility service unless fee for such service is included on the same bill;
 - (d) Failure to pay the account of another customer as guarantor thereof, unless the utility has in writing the guarantee as a condition precedent to service;
 - (e) Failure to pay charges arising from an under-billing occurring due to any misapplication of rates more than six months prior to the current billing;

6. SEWER EXTENSION POLICY

(N)

The City of Keene will provide sewer service to customers beyond the existing sewer mains and within the City's service area subject to the following:

- (a) Receipt of an application giving complete details as to type of service required, that is single, multi-family, commercial industrial, or other, anticipated water use and wastewater return flows, characteristics of wastewater and complete information relative to the point of delivery; and
- (b) All taps, construction and other work required for the extension of service from the existing City service to the property line or desired point of delivery shall be subject to the following:
 - (1) All facilities to be installed in compliance with all City Ordinances and applicable rules, regulations, and standards of applicable state agencies;
 - (2) The City shall pay for the first one hundred (100) feet of service line;

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- (3) Cost of providing the service will be based upon the type of service requested by the customer;
- (4) Where more than one customer is requesting service from the same facility, each will pay a proportionate share of the cost of providing service to point of delivery;
- (5) Where the City installs facilities with a capacity in excess of the level of service requested, the City shall pay for the excess capacity on a pro-rated basis;
- (6) Where additional customers connect to a line extension within a five-year period, the customer shall pay a pro-rated share of the cost of construction and such charges to be divided equally between the City and all of the previous customers that participated in the construction cost during the five-year period but in no instance shall a customer receive more than 75% of his original cost, less the tapping fee.

(c) Cost to Customer for Extension

The cost of new sewer service to point beyond the existing service of the City shall be the sum of the following costs:

- (1) Tapping fee
- (2) Cost of materials
- (3) Cost of labor
- (4) Cost of equipment

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KEENE, TEXAS, AMENDING CERTAIN EXISTING ORDINANCES OF THE CITY REGULATING THE WATER AND SEWER OPERATIONS AS REQUIRED BY THE PROMULGATED RULES, REGULATIONS, AND GUIDELINES OF THE TEXAS PUBLIC UTILITY COMMISSION UNDER THE "TEXAS PUBLIC UTILITY REGULATORY ACT OF 1975."

WHEREAS, the Texas Public Utility Commission having adopted rules, regulations, and guidelines in accordance with Article 6252-13a of Vernon's Annotated Civil Statutes (Administrative Procedure and Texas Register Act) that require changes in specific ordinances of the City of Keene, Texas so that the City may comply with the regulations of the Texas Public Utility Commission, and

WHEREAS, the City of Keene, Texas desires to be in conformity with the regulations of the Texas Public Utility Commission,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEENE, TEXAS:

SECTION 1. That the ordinance creating the sewer department and other items relating thereto, dated March 26, 1964, be amended to include the following, and hereby repealing any section, phrase, or wording of the March 26, 1964 ordinance that is in conflict with statement being adopted and included below.

(a) Service Compliance by Applicant

The City of Keene may decline to serve an applicant until such applicant has complied with the City's regulations for the following reasons:

- (1) Applicant's facilities inadequate: If the applicant's installation or equipment is known to be hazardous or of such character that satisfactory service cannot be given, or the building fails to comply with building code, or service connections do not comply with plumbing code; or
- (2) For indebtedness: If the applicant is indebted to the City of Keene for the same kind of service as that applied for or to any other utility for the same type of service; or
- (3) Refusal to pay fees: For refusal to pay tapping fee, connection fees, fees for discontinuance of service and reconnection of service.

(b) Applicant's Recourse

In the event that the City of Keene Water and Sewer Department shall refuse to serve an applicant under the provisions of these

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rules, the water and sewer department must inform the applicant of the basis of its refusal and that the applicant may file a complaint with the City Council.

(c) Insufficient Grounds for Refusal to Serve

The following shall not constitute sufficient cause for refusal of service to a present customer or applicant:

- (1) Delinquency in payment for service by a previous occupant of the premises to be served;
- (2) Failure to pay for merchandise, or charges for nonutility service purchased from the utility;
- (3) Failure to pay a bill to correct previous underbilling due to misapplication of rates more than six months prior to the date of application;
- (4) Violation of the City's rules pertaining to operation of nonstandard equipment or unauthorized attachments which interfere with the service of others, or other services such as communication services, unless the customer has first been notified and been afforded reasonable opportunity to comply with said rules;
- (5) Failure to pay a bill of another customer as guarantor thereof, unless the guarantee was made in writing to the City as a condition precedent to service; and
- (6) Failure to pay the bill of another customer at the same address except where the change of customer identity is made to avoid or evade payment of a utility bill.

(d) Discontinuance of Service

Water and/or sewer service may be disconnected for any of the following reasons:

- (1) Failure to pay a delinquent account or failure to comply with the terms of a deferred payment agreement;
- (2) Violation of the utility's rules pertaining to the use of service in a manner which interferes with the service of others or the operation of nonstandard equipment, if a reasonable attempt has been made to notify the customer and the customer is provided with a reasonable opportunity to remedy the situation;
- (3) Without notice where a known dangerous condition exists for as long as the condition exists; and
- (4) Tampering with the utility company's meter or equipment or bypassing the same.

(e) Utility service may not be disconnected for any of the following reasons:

- (1) Delinquency in payment for service by a previous occupant of the premises;
- (2) Failure to pay for merchandise, or charges for nonutility service provided by the utility;
- (3) Failure to pay for a different type or class of utility service unless fee for such service is included on the same bill;
- (4) Failure to pay the account of another customer as guarantor thereof, unless the utility has in writing the guarantee as a condition precedent to service;

- (5) Failure to pay charges arising from an underbilling occurring due to any misapplication of rates more than six months prior to the current billing;
- (6) Failure to pay charges arising from an underbilling due to any faulty metering, unless the meter has been tampered with;
- (7) Failure to pay an estimated bill when the City is unable to read the meter due to circumstances beyond its control.

SECTION 2. That the ordinance fixing water rates for water service, dated February 28, 1974, be amended to include the same statement, as set forth in SECTION 1 above.

SECTION 3. That the ordinance, dated February 28, 1974, amending the March 26, 1964 ordinance, Section 5, creating a sewer department, be amended as follows and hereby repealing any sections, phrases or wording of the above mentioned ordinances that are in conflict with the statement being adopted and included below.

Section 5 (c). Strike the word and number "ten (10)" and insert the word and number "fifteen (15)."

SECTION 4. That the ordinance fixing water rates for water service, dated February 28, 1974, be amended as follows and hereby repealing any sections, phrases, or wording of the above mentioned ordinance that are in conflict with the statement being adopted and included below.

"Section Two: That all bills for services rendered by said Waterworks System shall be paid monthly on or before the 15th day of each month. If not paid by the 15th day of the month, a ten percent (10%) penalty will be added. If bills are not paid by the 20th day of the month, all services shall be discontinued. In the event of discontinuance of service, an additional sum of \$2.00 shall be charged for reconnection to the System."

SECTION 5. That the ordinance fixing water rates for water service dated February 28, 1974, be amended to include a new Section 7 as follows and hereby repealing any sections, phrases, or wording of the said ordinance that are in conflict with the section being adopted.

Section Seven: Meter Test on Request of Customer

The City shall, upon the request of a customer, and, if he so desires, in his presence or in that of his authorized representative, make without charge a test of the accuracy of the customer's meter. The test shall be made during the City's normal working hours at a time convenient to the customer if he desires to observe the test. The test shall be made preferably on the customer's premises, but may, at the City's discretion, be made at the City's test laboratory, or by an approved independent laboratory designated by the city. If the meter has been tested by the City, or by an authorized agency, at the customer's request, and within a period of four years, the customer requests a new test, the utility shall make the test, but if the meter is found to be within the accuracy standards established by the American Water Works Association, the utility may charge the customer a fee which reflects the total cost to test the meter. Following the completion of any requested test, the utility shall promptly advise the customer of the date of removal of the meter, the date of the test, the result of the test, and who made the test.

SECTION 6. That the ordinance fixing water rates for water services, dated February 28, 1974, be amended to include a new section 8 as follows and hereby repealing any sections, phrases, or wording of the said ordinance that are in conflict with the section being adopted.

Section Eight: Bill Adjustment Due to Meter Error

If any meter is found to be outside of the accuracy standards established by the American Water Works Association, proper correction shall be made of previous readings for the period of six months immediately preceding the removal of such meter from service for test, or from the time the meter

was in service since last tested, but not exceeding six months, as the meter shall have been shown to be in error by such test, and adjusted bills shall be rendered. No refund is required from the City except to the customer last served by the meter prior to the testing. If a meter is found not to register for any period, unless bypassed or tampered with, the City shall make a charge for units used, but not metered, for a period not to exceed three months based on amounts used under similar conditions during period preceding or subsequent thereto, or during corresponding periods in previous years.

SECTION 7. That the ordinance fixing water rates for water service, dated February 28, 1974, be amended by adding a new section 9 as follows and hereby repealing any sections, phrases, or wording of said ordinance in conflict with the new section as adopted.

Section Nine: Water Extension Policy

The City of Keene will provide water service to customers beyond the existing water mains and within the City's service area subject to the following:

1. Receipt of an application giving complete details as to type of service required, that is, single or multi-family, commercial, industrial or other, anticipated water use and wastewater return flows, characteristics of wastewater and complete information relative to the point of delivery; and
2. All taps, construction, and other work required for the extension of service from the existing City service to the property line or desired point of delivery shall be subject to the following:
 - a. All facilities to be installed in compliance with all City Ordinances and applicable rules, regulations and standards of applicable state agencies;
 - b. The City shall pay for the first one hundred (100) feet of service line;
 - c. Cost of providing the service will be based upon the type of service requested by the customer;
 - d. Where more than one customer is requesting service from the same facility, each will pay a proportionate share of the cost of providing service to point of delivery;
 - e. Where the City installs facilities with a capacity in excess of the level of service requested, the City shall pay for the excess capacity on a pro-rated basis;
 - f. Where additional customers connect to a line extension within a five year period, the customer shall pay a pro-rated share of the cost of construction and such charges to be divided equally between the City and all of the previous customers that participated in the construction cost during the five year period but in no instance shall a customer receive more than 75% of his original cost, less the tapping fee.
3. Cost to Customer for Extension

The cost of new water service to points beyond the existing service of the City shall be the sum of the following costs:

 - a. Tapping fee
 - b. Cost of materials
 - c. Cost of labor
 - d. Cost of equipment

SECTION 8. That the ordinance creating a sewer department dated March 26, 1964, be amended by adding a new section as follows and hereby repeals any sections, phrases, or wording, of said ordinance in conflict with the new section as adopted.

Section. Sewer Extension Policy

The City of Keene will provide sewer service to customers beyond the existing sewer mains and within the City's service area subject to the following:

1. Receipt of an application giving complete details as to type of service required, that is single, multi-family, commercial, industrial, or other, anticipated water use and wastewater return flows, characteristics of wastewater and complete information relative to the point of delivery; and
2. All taps, construction and other work required for the extension of service from the existing City service to the property line or desired point of delivery shall be subject to the following:
 - a. All facilities to be installed in compliance with all City Ordinances and applicable rules, regulations, and standards of applicable state agencies;
 - b. The City shall pay for the first one hundred (100) feet of service line;
 - c. Cost of providing the service will be based upon the type of service requested by the customer;
 - d. Where more than one customer is requesting service from the same facility, each will pay a proportionate share of the cost of providing service to point of delivery;
 - e. Where the City installs facilities with a capacity in excess of the level of service requested, the City shall pay for the excess capacity on a pro-rated basis;
 - f. Where additional customers connect to a line extension within a five year period, the customer shall pay a pro-rated share of the cost of construction and such charges to be divided equally between the City and all of the previous customers that participated in the construction cost during the five year period but in no instance shall a customer receive more than 75% of his original cost, less the tapping fee.

3. Cost to Customer for Extension

The cost of new sewer service to point beyond the existing service of the City shall be the sum of the following costs:

- a. Tapping fee
- b. Cost of materials
- c. Cost of labor
- d. Cost of equipment

SECTION 9. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council, in adopting this Ordinance, that no portion thereof, or provision or regulation contained herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase, or provisions of this Ordinance.

SECTION 10. This Ordinance is deemed necessary for the immediate preservation of the public peace, property, health and safety of the citizens of the City of Keene. This Ordinance is hereby declared an emergency measure and shall, therefore, be in full force and effect effective with its passage and publication of the notice thereof by publishing the Caption herein.

PASSED AND APPROVED, the 26th day of August, 1976,

CITY OF KEENE, TEXAS

By *Dan E Roberts*
Dan E. Roberts, Mayor

ATTEST:

Beverly Barton
Beverly Barton, City Secretary