

TOWN OF FAIRVIEW, TEXAS

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, AMENDING APPENDIX A, "FEE SCHEDULE," OF THE FAIRVIEW CODE OF ORDINANCES, BY AMENDING ARTICLE A4.000, "UTILITY RATES AND CHARGES", REGARDING WATER ADJUSTMENTS; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS:

Section 1. That Section A4.001, "Water service", in Appendix A, "Fee Schedule," of the Fairview Code of Ordinances, is hereby amended by repealing and replacing subsection (p); to hereafter read as follows:

"(p) Water adjustments. A leak adjustment will be considered after a customer submits a written application to Utility Billing within thirty (30) days of the repair. If the date of repair cannot be verified, an adjustment will not be made. The customer must provide evidence that the leak was repaired by a contractor or provide receipts for repair parts and an affidavit verifying that the customer repaired the leak themselves with purchased parts or parts on-hand. The customer must have six (6) months of consumption history—excluding months during which a leak occurred—to be considered for adjustment calculation. An adjustment may be made for a period of up to two consecutive months, including the month of repair, and only one leak adjustment per 18-month period shall be allowed. Any credit must exceed \$250 after leak calculation to qualify for an account adjustment. While request is under review, customer must continue to pay as billed (excluding leak month(s)), maintaining account in good standing. Exhibit "A" -attached hereto-provides an example of the leak adjustment calculation process.

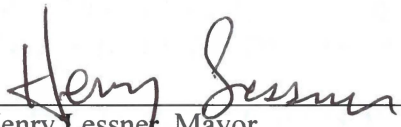
Section 2. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Fairview Code of Ordinances.

Section 3. That Appendix A, Article A4.000 of the Town of Fairview Code of Ordinances shall remain in full force and effect save and except as amended by this ordinance.

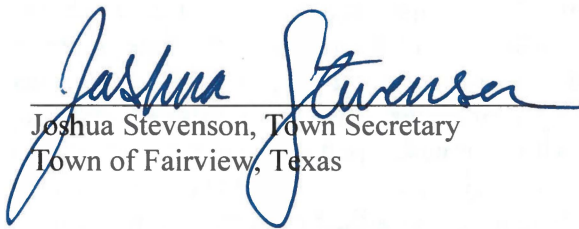
Section 4. That the sections, paragraphs, sentences, phrases, clauses and words of this ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this ordinance or application thereof to any person, firm or corporation, or to any circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the Town Council hereby declares that it would have adopted such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. That this ordinance shall take effect on January 10, 2024 and it is accordingly so ordained.

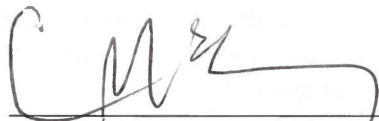
**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW,
TEXAS, the 10th day of January 2024.**


Henry Lessner, Mayor
Town of Fairview, Texas

ATTEST:


Joshua Stevenson, Town Secretary
Town of Fairview, Texas

APPROVED AS TO FORM:


Clark McCoy, Town Attorney

WATER LEAK ADJUSTMENT CALCULATION LEAKS 11/1/23 - 10/31/24

12-month avg for 2-month leak

Date: 11/30/2023
Name: RESIDENT NAME
Address: 372 TOWN PL

Acct #

01-0123-00

Repair Date: 11/15/23

	Billed	1,000 Gallons
	12-Month Actual	
9/15/22	169.63	25
10/15/22	280.89	38
11/15/22	254.28	35
12/15/22	129.33	20
1/15/23	492.20	53
2/15/23	38.44	4
3/15/23	38.44	4
4/15/23	38.44	4
5/15/23	26.76	2
6/15/23	26.76	2
7/15/23	164.62	22
8/15/23	755.72	71
	<u>\$ 2,245.88</u>	<u>280,000</u>

12-Month Average per Month		
	dollars	gallons
	<u>\$ 187.16</u>	<u>23,333</u>

	Billed	1,000 Gallons
	Leak Actual	
9/15/23	697.16	67
10/15/23	697.16	67
	<u>\$ 1,394.32</u>	<u>134,000</u>

Leak Totals		
	dollars	gallons
	<u>\$ 1,394.32</u>	<u>134,000</u>

Leak Adjustment Calculation:

Average Bill X 2

Avg x 2 because 2 months review was requested.
\$ 374.31

Leak gallons at NTMWD rate:

(Leak gallons / 1000) X (CY NTMWD water rate \$3.74 x 1.5)

5.610

Leak gallons x 1.5 the NTMWD rate as opposed to the normal tiered rate.
\$ 751.74

Adjusted Amount Due:

2-month Average Bill plus Leak gallons at NTMWD rate

Total of avg bill and leak gal calc from above added together
\$ 1,126.05

Leak Adjustment:

Leak dollars minus Adjusted Amount Due

(min \$250)

\$ 268.27
adjustment

Difference of total (\$1,126.05) subtracted from billed total (\$1,394.32) must be at least \$250 to qualify for adjustment.