

TOWN OF FAIRVIEW, TEXAS

ORDINANCE NO. 2018-28

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", AS HERETOFORE AMENDED; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council has determined that certain development fees require adjustment to more closely reflect expended resources:

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

**Section 1.** That Section A4.001 "Water service" needs to define a new water service category for A4.001(b) as "Special" - a subdivision of individually platted detached single-family lots and attached singly family patio homes where a homeowners association (HOA) manages irrigation and maintenance of all individual exterior lots.

**Section 2.** That Section A4.001, "Water service", out of Appendix A, "Fee Schedule," of the Fairview Code of Ordinances, is hereby amended in subsections a, b, c, and n; to hereafter read as follows:

"(a) Residential.

|   |                           |
|---|---------------------------|
| First 2,000 gallons                             | \$23.10                   |
| 2,001-10,000 gallons                            | \$5.04 per 1,000 gallons  |
| 10,001-20,000 gallons                           | \$6.29 per 1,000 gallons  |
| 20,001-30,000 gallons                           | \$7.87 per 1,000 gallons  |
| 30,001-40,000 gallons                           | \$8.66 per 1,000 gallons  |
| 40,001-50,000 gallons                           | \$9.52 per 1,000 gallons  |
| Over 50,000 gallons (previous rate + surcharge) | \$12.64 per 1,000 gallons |

(b) Special.

|                       |                          |
|-----------------------|--------------------------|
| First 2,000 gallons   | \$23.10                  |
| 2,001-10,000 gallons  | \$5.04 per 1,000 gallons |
| 10,001-20,000 gallons | \$6.29 per 1,000 gallons |
| 20,001-30,000 gallons | \$7.87 per 1,000 gallons |
| 30,001-40,000 gallons | \$8.66 per 1,000 gallons |
| Over 40,000 gallons   | \$9.52 per 1,000 gallons |

(c) Commercial.

|   |                           |
|---|---------------------------|
| First 1,000 gallons                             | \$27.71                   |
| 1,001-30,000 gallons                            | \$6.30 per 1,000 gallons  |
| 30,001-40,000 gallons                           | \$8.00 per 1,000 gallons  |
| Over 40,000 gallons (previous rate + surcharge) | \$12.63 per 1,000 gallons |

(n) High use water conservation surcharge. Residential water connections that use more than 50,000 gallons of water in any one month shall be assessed a surcharge of \$3.12 for every 1,000 gallons over 50,000, which has been included in the rates identified above, except for Special class (no surcharge applied). Commercial water connections that use more than 40,000 gallons of water in any one month shall be assessed a surcharge of \$4.63 for every 1,000 gallons over 40,000, which has been included in the rates identified above.

**Section 3.** That Section A4.002, “Sanitary sewer rates”, out of Appendix A, “Fee Schedule,” of the Fairview Code of Ordinances, is hereby amended in subsections a and b as follows:

“(a) Residential users.

(1) Single family: \$25.19 per month for up to 1,000 gallons of water, plus \$4.21 for each 1,000 gallons of water used, up to a maximum of 12,000 gallons. Water usage shall be based on the average number of gallons of water used per month during the three months from the previous December 15 to March 15, or other appropriate billing period that most closely coincides with the previous three winter months. Customers who do not have a three-month winter average upon which to base an estimated sanitary usage shall be assessed on the actual number of gallons of water metered monthly.

(2) Without town water service: \$72.53 per month.

(b) Commercial users. \$37.47 per month for up to 1,000 gallons of water metered plus \$4.21 for each 1,000 gallons of water used.”

**Section 4.** 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 5.** That Appendix A, “Fee Schedule,” of the Town of Fairview Code of Ordinances shall remain in full force and effect save and except as amended by this ordinance.

**Section 6.** 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 7.** That this ordinance shall take effect on December 4, 2018, and it is accordingly so ordained.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, this 4th day of December 2018.**



Darion Culbertson, Mayor  
Town of Fairview, Texas

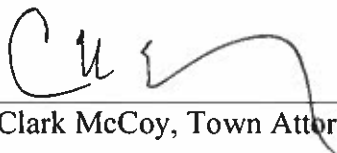
ATTEST:



Adam Wilhourn, Alternate Town Secretary  
Town of Fairview, Texas



APPROVED AS TO FORM:



Clark McCoy, Town Attorney

