

**ORDINANCE NO. O-2021-37**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 19 "UTILITIES", OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, AMENDING AND UPDATING VARIOUS FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, various fees for services are established in the City Code; and

**WHEREAS**, it is important for the City Council to update and revise various fees in the City Code;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS;**

**PART 1:** That Tyler City Code Chapter 19, "Utilities", of the Code of Ordinances", is hereby amended to read as follows:

**Sec. 19-60. Water service rates.**

a. There is hereby established a minimum monthly water use charge based upon the size of the water meter installed as follows:

<b>MIMUM MONTHLY RATES—Effective 10-1-2020</b>		
<b>Monthly Minimum</b>		
<b>Meter Size(in.)</b>	<b>Inside City</b>	<b>Outside City</b>
<i>5/8</i>	<i>15.80</i>	<i>23.70</i>
<i>1</i>	<i>15.80</i>	<i>23.70</i>
<i>1 1/2</i>	<i>15.80</i>	<i>23.70</i>
<i>2</i>	<i>18.50</i>	<i>27.75</i>
<i>3</i>	<i>21.40</i>	<i>32.10</i>
<i>4</i>	<i>32.50</i>	<i>48.75</i>
<i>6</i>	<i>48.00</i>	<i>72.00</i>
<i>8</i>	<i>64.60</i>	<i>96.90</i>
<i>10</i>	<i>91.30</i>	<i>136.95</i>
<i>12</i>	<i>117.90</i>	<i>176.85</i>

(Ord 0-2003-42, 9-10-2003)(0-2005-77, 9-28-05)(0-2006-79; 9-13-2006)(0-2008-128; 9/24/08)(0-2008-155, 12/10/08)(Ord. 0-2009-103; 9/23/09)(Ord. No. 0-2010-99, 9/22/10)(Ord. 0-2012-69, 9/12/12)(Ord. No. 0-2014-86; 9/24/14)(Ord. No. 0-2015-91; 9/22/15)(Ord. No. 0-2016-78; 9/14/2016)(Ord. No. 0-2017-77; 9/13/17)(Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

b. Subject to the minimum monthly charges as provided in subsection a. above, the following rates per month shall be charged for water furnished:  
**CHARGE (per 1,000 gallons):**

Volume
<b>Volume Charge – Inside City (per 1k gal)</b>

Volume	October 1, 2019
First 2k	Min
Next 23k	3.40
Next 975k	2.29
Next 4mil	1.90
Over 5mil	1.83

Volume
<b>Volume Charge – Outside City (per 1k gal)</b>

Volume	October 1, 2019
First 2k	Min
Next 23k	5.10
Next 975k	3.4
Next 4mil	2.85
Over 5mil	2.75

(Ord 0-2003-42, 9-10-2003)(0-2005-77, 9-28-05)(0-2006-79; 9-13-2006)(0-2008-128; 9/24/08)(0-2008-155, 12/10/08)(Ord. 0-2009-103; 9/23/09)(Ord. No. 0-2010-99, 9/22/10)(Ord. 0-2012-69, 9/12/12)(Ord. No. 0-2014-86; 9/24/14)(Ord. No. 0-2015-91; 9/22/15)(Ord. No. 0-2016-78; 9/14/2016)(Ord. No. 0-2017-77; 9/13/17)(Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-37; 4/28/21)

c. The monthly charge for private fire protection service shall be as follows:

<b>Fire Line Fee—Effective 10-1-2020</b>		
<b>Fire Line Fee</b>		
Size		Fee
Inches		
4	A	12.00
6	B	23.50
8	C	43.00
10	D	99.50
12	E	107.00

(0-2005-77, 9-28-2005)(0-2006-79; 9-13-2006)(Ord. 0-2009-103; 9/23/09)(Ord. No. 0-2010-99, 9/22/10)(Ord. 0-2012-69, 9/12/12)(Ord. No. 0-2014-86; 9/24/14)(Ord. No. 0-2016-78; 9/14/2016)(Ord. No. 0-2017-77; 9/13/17)(Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

d. through h. No change

**Sec. 19-64. Sewer service rates.**

a. The following rates per month shall be charged for sanitary sewer service furnished to the users or customers receiving City sanitary sewer services. In calculating the monthly service

charge, the rates shall be applied to the volume of water used as measured by the consumer's water meter, except that water usage subject to charges for sanitary sewer service to single-family residences, duplexes, apartment houses, townhouses, condominiums, and mobile home parks shall not exceed ten thousand (10,000) gallons per single-family residential unit monthly. Rates to commercial, governmental and institutional customers will be based on monthly water use subject to customer proof of lower sewage discharged. If the customer is not supplied water by City, the volume of water used shall be determined by metering or measuring devices acceptable to the Division.

<b>Minimum Sewer Rates for All Non-Industrial Classes—Effective 10-1-2020</b>		
<b>Monthly Minimum</b>		
<b>Meter Size(in.)</b>	<b>Inside City</b>	<b>Outside City</b>
5/8	19.10	28.65
1	19.10	28.65
1 1/2	19.10	28.65
2	22.90	34.35
3	26.60	39.90
4	41.90	62.85
6	64.60	96.90
8	87.50	131.25
10	125.50	188.25
12	161.00	241.50

Ord 0-2003-42, 9-10-2003) (0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2015-91; 9/22/15) (Ord. No. 0-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

b. Subject to the minimum monthly charges as provided in subsection a. above, the following rates per month shall be charged for sewer service based on water consumption below:

**VOLUME**

**Volume Charge – Inside City (per 1k gal)**

<b>Volume</b>	<b>October 1, 2019</b>
First 2k	Min.
Next 23k	2.80
Next 975k	2.69
Next 4mil	1.98
Over 5mil	1.51

**VOLUME**

**Volume Charge – Outside City (per 1k gal)**

<b>Volume</b>	<b>October 1, 2019</b>
First 2k	Min.

Next 23k	4.21
Next 975k	4.03
Next 4mil	2.97
Over 5mil	2.27

*In calculating the monthly rates and charges hereunder for apartment houses, townhouses, condominiums, mobile home parks under single ownership and other buildings designed for or occupied by three (3) or more families, every separate living unit therein shall be considered a separate user or customer receiving services rendered by the City's sanitary sewer system. (Ord 0-2003-42, 9-10-2003) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. O-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18)(Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-37; 4/28/21)*

*c. through d. No changes.*

**Sec. 19-66. Sewer utility industrial rates.**

a. Calculation based on water used. The City sewer utility industrial rate is calculated by adding the minimum bill, which is based on the size of water meter, plus the volume of water used over the minimum, plus a surcharge calculated for any extra strength waste discharged into the system.

TABLE (A1)

<b>MINIMUM MONTHLY INDUSTRIAL RATES—Effective 10-1-2020</b>		
<b>Monthly Minimum</b>		
<b>Meter Size(in.)</b>	<b>Inside City</b>	<b>Outside City</b>
5/8	84.00	126.00
1	84.00	126.00
1 1/2	84.00	126.00
2	84.00	126.00
3	84.00	126.00
4	84.00	126.00
6	84.00	126.00
8	89.00	133.50
10	128.00	192.00
12	161.00	241.50

(Ord 0-2003-42, 9-10-2003) (0-2005-77,9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2015-91; 9/22/15) (Ord. No. O-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20)

**TABLE (A2)**

**VOLUME CHARGE FOR WATER USED<sup>1</sup> (per 1,000 gallons):**

**Volume Charge – Inside City (per 1k gal)**

Volume	October 1, 2019
First 2k	Min
Next 998k	2.04
Next 4mil	1.69
Over 5mil	1.51

**Volume Charge – Outside City (per 1k gal)**

Volume	October 1, 2019
First 2k	Min.
Next 998k	3.06
Next 4mil	2.55
Over 5mil	2.27

**SURCHARGE FOR EXTRA STRENGTH DISCHARGE**

Based on water used at \$ per mg/1 per 1,000 gallons

	October 1, 2019
BOD5	0.002660663
COD	0.001286306
TSS	0.001491758

(Ord 0-2003-42, 9-10-2003) (Ord. 0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-37; 4/28/21)

b. Calculation based on sewage disposal. The City sewer utility industrial rate is calculated by adding the minimum bill which is based on the size of the water meter [see TABLE (A1) above, plus the volume of sewage discharged over the minimum, plus a surcharge calculated for any extra strength waste discharged into the system.

**TABLE A3**

**VOLUME CHARGE FOR SEWAGE DISCHARGED<sup>2</sup> (PER 1,000 GALLONS)  
October 1, 2019**

Gallons	Inside City	Outside City
First 2,000	Minimum	Minimum
Next 998,000	2.48	3.73
Next 4,000,000	2.12	3.17
Over 5,000,000	1.91	2.86

**SURCHARGE FOR EXTRA STRENGTH DISCHARGE**  
**Based on sewage discharged \$ per mg/l per 1,000 gallons**

	<b>October 1, 2019</b>
BOD5	0.003927484
COD	0.001838857
TSS	0.002132359

(Ord 0-2003-42, 9-10-2003) (Ord. 0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. 0-2012-69, 9/12/12) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2014-86; 9/24/14) (Ord. No. 0-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17) (Ord. No. 0-2018-69; 9/12/18) (Ord. No. 0-2019-80; 9/25/19) (Ord. No. 0-2020-85; 9/9/20) (Ord. No. 0-2021-37; 4/28/21)

*c. through f. No changes*

**PART 5:** That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

**PART 6:** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, or later. The effective date of this Ordinance shall be April 30, 2021.

**PASSED AND APPROVED** this 28th day of April, A. D., 2021.




DONALD P WARREN, MAYOR  
 OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

  
 CASSANDRA BRAGER, CITY CLERK



  
 DEBORAH G. PULLUM,  
 CITY ATTORNEY