

ORDINANCE NO. 9

AN ORDINANCE PRESCRIBING RATES CHARGED CONSUMERS OF WATER SUPPLIED BY THE TOWN OF BEASLEY WATER WORKS, CONNECTION CHARGES; RULES AND REGULATIONS CONTROLLING THE DISTRIBUTION AND SALE OF WATER TO CONSUMERS BY THE TOWN OF BEASLEY WATER WORKS; REGULATING THE MAKING OF CONNECTIONS WITH THE CITY LINES; PROHIBITING THE OPENING AND CLOSING OF FIRE HYDRANTS AND VALVES; PROHIBITING PERSONS OTHER THAN EMPLOYEES FROM TURNING WATER SUPPLY ON AND OFF TO PREMISES; PROHIBITING THE USE OF FRAUDULENT DEVICES OR ARRANGEMENTS FOR THE PURPOSE OF PROCURING WATER; PROVIDING FOR THE RECORDING OF WELL LOCATIONS; REQUIRING THE OWNER OF WELLS TO PROVIDE SPECIFIED INFORMATION TO THE CITY; REQUIRING A PERMIT FOR CONSTRUCTION OF WELLS; REQUIRING THAT WELLS BE EITHER FITTED WITH AN OPERABLE PUMP OR PLUGGED; PROVIDING A PENALTY FOR THE VIOLATION THEREOF OF A FINE OF NOT MORE THAN TWO HUNDRED DOLLARS(200.00); PRESCRIBING A SAVING CLAUSE; PROVIDING THAT ALL OF THE PROVISIONS OF THIS ORDINANCE SHALL BE DEEMED TO BE INCORPORATED IN EVERY CONTRACT BETWEEN THE TOWN OF BEASLEY WATER WORKS AND EACH AND EVERY CONSUMER AND THAT SUCH CONSUMER SHALL BE CHARGED WITH KNOWLEDGE OF THE PROVISIONS OF THIS ORDINANCE; AND PROVIDING THAT THIS ORDINANCE BECOMES EFFECTIVE UPON PASSAGE.

WHEREAS, the Town of Beasley is installing a municipal water system within the town limits of the Town of Beasley; and

WHEREAS, the Town of Beasley has borrowed funds from the Farmers Home Administration for the installation of the municipal water system; and

WHEREAS, the Board of Aldermen of the Town of Beasley find that it is necessary and desirable to provide reasonable rules, regulations and charges for the municipal water system; and

WHEREAS, the succeeding provisions of this ordinance after investigation by the Board of Aldermen of the Town of Beasley, have been found to be reasonable rules and regulations for the conduct of such water system;

NOW THEREFORE

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF BEASLEY, TEXAS:

SECTION 1. All rates for water service shall be uniform and equal as they apply to the separate classes of service and no free service shall be granted.

SECTION 2. Initial connections, contracted for prior to the letting of the contract for the installation of the water system shall be made by the town. Meters will be set no more than five (5) feet inside the property line. After awarding of the initial construction contract, connections may be made on application to the town water department. All cost will be computed by the town and borne by the applicant. No connections will be authorized unless contracted for by the town.

At the time of applying for water service, an initial deposit of \$15.00 for a 3/4" tap, \$20.00 for a 1" and \$25.00 for a 1 1/4" tap will be required. In the event such service increases to a point where such deposit is not equal to the charges for an average two month period, the required deposit may be increased to conform thereto.

SECTION 3. Rates for water are based on water consumed as registered on each customers meter. The following rates per month shall be the rates charged for water furnished to water consumers within the corporate limits of the town of Beasley.

First 3000 Gallons	\$7.50 Minimum
All over 3000 Gallons	0.90 per 1000 Gallons or
	0.09 per 100 Gallons or
	fraction thereof

For all service in excess of fifteen (15) days in each calendar month, a full monthly minimum charge plus usage shall apply. For fifteen (15) days or less in each calendar month a charge of fifty (50) percent of the minimum or \$3.75 plus usage over 1500 gallons will be made.

In all cases where more than one living or business unit is supplied through one meter, a minimum charge will be made for each living unit or business unit supplied through such meter. Minimum gallonage applies to each meter and not to the individual living or business unit.

SECTION 4. The rates and charges described herein shall be due and payable to the Town of Beasley Water Department Treasurer on or before the 10th day of each month. In the event such payment is not made in full by such due date, a penalty of 10% of the amount due and payable shall be added to such rates and charges.

SECTION 5. All bills shall be considered rendered when sent to the customer. Failure to receive any such bill by any consumer shall in no manner relieve such consumer of the duty and necessity of paying for water service furnished under the terms herein specified.

SECTION 6. In the event, any consumer of water service furnished by the town does not pay the rates and charges plus the penalty on or before the end of the month the same are due, the town shall have the authority to disconnect or terminate or cause to be disconnected or terminated all water services furnished such consumer.

SECTION 7. Any consumer of the water services furnished by the town, who's water services have been disconnected or terminated for non-payment of the rates and charges therefore, may have such water services resumed, by paying all rates, charges and penalty due by him to the town. In addition a reconnection fee equal to the initial connection fee as set forth in Section 2 will be made.

SECTION 8. Water will not be disconnected from occupied premises except under the provisions of Section 6 or upon approval by the Board of Aldermen.

SECTION 9. All extensions to the water system shall be determined by the Board of Aldermen, and all lines constructed and meters installed shall become the property of the Town of Beasley.

SECTION 10. The Town water system will not be connected to any premise until such premises have been disconnected from other sources of supply.

SECTION 11. Every patron of the town water system agrees by requesting town water service, that the town water department superintendent, or any one acting under the direction of the Board of Aldermen, shall at all reasonable times be permitted to enter any premises or building in which water is used. It is expressly agreed and must be understood that the town reserves the right at any time to shut off the water in the mains for the purpose of repairing same, making connections or extensions to same and for cleaning same, and in so doing, the town shall not be liable in any manner for damages.

SECTION 12. It shall hereafter be unlawful for any person or persons to do, commit or assist in committing any of the following things or acts in the Town of Beasley, Texas:

(a) To open or close any fire hydrant or stopcock connected with the Water Works System of the Town of Beasley, or lift or remove the covers of any valves or shut offs thereof, without the permission of the Superintendent of the Water Works, except in case of fire, and then under the direction of officers of the Fire Department.

(b) To resort to any fraudulent device or arrangement for the purpose of procuring water for himself or others from private connections on premises contrary to the Town regulations or ordinances.

(c) To turn on the water supply to any building or to any supply pipe where the supply has been turned off for the non-payment of the monthly water charge.

(d) To cover over or conceal from view any water valve box, service or meter box or to remove any water meter that has been placed by the Town or to in any manner change, interfere with or tamper with any water meter; providing that the provisions of this section shall not apply to the employees of the Town when acting in their official capacity.

(e) To wilfully break, injure or tamper with any part of the Water Works system for any purposes whatsoever, or in any other manner to maliciously interfere with or prevent the running and operation of such system and the water supply therein.

SECTION 13. The Superintendent of the town water department shall have the power (a) to make examinations of all wells within the city, whether privately owned or otherwise; (b) to go upon the land and property of the owner of wells for that purpose;

(c) to require the owner to furnish all the information requested concerning the well; (d) to supervise the construction, repair, abandonment or plugging of wells and the operation of the same. The superintendent shall keep an accurate register of all wells within the city, which shall show the name of the owner, the location and date of construction of each well, its depth and diameter, the purpose for which the well was constructed, and if abandoned, the date of such abandonment. At such intervals as may be considered necessary by the Board of Aldermen, but not exceeding two years, there shall be entered in the register the then condition of each well registered, together with an analysis of the water from each such well.

SECTION 14. The owner of any well now in existence shall register the location of such well with the superintendent of the town water department and for such registration, there will be no charge.

SECTION 15. Application for a permit to construct a new well shall be made to the Board of Aldermen for approval or disapproval.

SECTION 16. No open wells will be permitted. All wells within the town limits must be plugged or fitted with an operable pump. Plugging is to be supervised by the town water superintendent.

SECTION 17. A violation of any of the above rules and regulations of the Town Water Works as set out in the preceding sections, or a doing or causing to be done by any person or persons, firm or association, of any of the things or acts forbidden or made unlawful in any of the preceding sections, shall be deemed to constitute a violation under the terms of this ordinance and an offense, and shall be punishable as such; and for each and every violation of the terms of this ordinance, the person, firm, association or corporation shall upon conviction thereof in the Municipal Court, be subject to a fine of not more than Two Hundred Dollars (\$200.00), and each violation and each day there is a failure to comply with the terms of this ordinance shall constitute a separate offense.

SECTION 18. If any section, part of section or provision of any section of this ordinance shall be held to be void, ineffective or unconstitutional for any cause whatsoever, it shall not effect the validity of the remaining parts of this Ordinance. The Board of Aldermen hereby declares that it would have passed the remaining parts of this Ordinance if it had known that such part or parts thereof would be declared invalid.

SECTION 19. All of the provisions of this ordinance shall be deemed to be incorporated in every contract between the Town

water works and its consumers, and each consumer shall be charged with knowledge of the provisions of this ordinance and, by applying and accepting water from the Town Water Works, to have assented to the provisions hereof.

SECTION 20. This ordinance shall take effect and be in full force and effect from and after its passage and publication as required by law.

Passed and approved this 19th day of Sept., 1972.

Marvin Hartman
Mayor

ATTEST:

Evelyn Hardin
Town Secretary