

ORDNANCE #2025-4

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS, AMENDING ORDINANCE #2021-6; AMENDING THE SCHEDULE OF FEES RELATED TO CONSTRUCTION OR SUBDIVISION; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, the City of Beasley is authorized to assess and collect reasonable fees for permits, application, and services sufficient to cover its actual costs in the processing of various types of paperwork; and

WHEREAS, Council last reviewed and updated fees in November, 2021 and has undertaken a review of the fees for water and sewer service connections, meter installations, taps and line extensions to ensure that residents are not, through the payment of taxes, obligated with subsidizing the various costs generated by projects requiring this work; and

WHEREAS, Council has reviewed the costs and finds that such costs are reasonable and reasonably cover the actual costs of services, now therefore,

Section 1. Water and Sewer Fees.

Section 3 of Ordinance #2021-6 is hereby replaced in its entirety and amended to read as follows:

“The City is authorized under the Texas Water Code Chapter 13, to establish reasonable rates and charges for water and sewer line extensions.

A. Residential and Commercial Tap and Meter Fees

a. Tap Fees

- i. A tap fee will be charged for the initiation of services, where no service existed previously.
- ii. Both residential and commercial tap fees must be paid in full to the City before the tap is installed.
 1. An additional fee may be charged to a residential applicant for a tap expense not normally incurred; for example, a road bore. The charge will be the additional cost actually incurred by the City.
- iii. Tap fees shall be the City’s actual costs for such parts and services, plus a 20% administrative fee for recouping of City staff time and overhead, currently anticipated to be as follows:
 1. Near water tap (basic, no bore): \$1500
 2. Far water tap (bore required): \$1,700
 3. Near sewer tap (basic, no bore): \$1500
 4. Far sewer tap (bore required): \$1,700

b. Meter Fees

- i. Applicants must provide the City with connection requests in writing. An application must be completed and provided to the City. Application for connections shall be made at Beasley City Hall by the occupant of the property for which the connection is being requested.

- ii. Meter fees shall be the City's actual costs for such parts and services, plus a 20% administrative fee for recouping of City staff time and overhead, currently anticipated to be as follows:
 - 1. Residential (3/4"): \$400
 - 2. Commercial (2"): \$1,250
- iii. The applicant shall be responsible for furnishing and laying the necessary applicant service lines from the City's tap to the service address. All connections must be in accordance with applicable City and State law, regulations and requirements.
- iv. All lines provided by the applicant outside of the boundaries of the applicant's property shall become the property of the City. The applicant must procure all necessary easements for the line in favor of the City at the property owner's sole expense.
- v. The applicant is responsible to maintain the service lines in the property in good operating condition. The applicant retains all obligations of repair and maintenance.
- vi. The applicant may be charged for moving a meter for the convenience of the applicant. The applicant may be charged should applicant request to replace a meter with a meter of another size or capacity. This included any necessary line enlargement. The charge will be the actual cost to the City of such work.
- vii. Fences must be placed behind meters and the City must have access to the meters at all times.
- viii. Water meters are specifically for the property upon which they are initially located. A applicant has no right to sell, barter, or exchange a water meter over to the owner of a different property, and any such purported sale, barter, or exchange will not be recognized by the City for purposes of municipal service.
- ix. Water meters may not be installed, repaired, or removed without the City's approval. Submetering shall not be allowed except in accordance with TCEQ requirements.
- x. Water meters are also required for sewer service, even if an applicant does not require water service from the City.

B. *Water Line and Sewer Line Extension Fees*

- a. An applicant shall submit a request to the City in writing for connection to the City's water or sewer service. The City will determine and notify the applicant if extension of a main line is required for the service requested.
- b. The extensions required to completely serve the property shall conform to the utility plan of the city and shall include the requirements for domestic service and fire protection service to the area through which the lines extend.
- c. If a main line extension is required for the City to provide the service requested (including if State law or regulations requires such extension), the City will determine whether extension of a main to serve the property is feasible technically and financially and provide an estimate to the applicant. The applicant is responsible for the full cost of the extension (materials, labor, and equipment time) except as set forth below. The applicant will be required to pay the estimated cost of the extension up front. If the actual cost is more, the applicant shall be responsible for the additional cost. If the actual cost is less, the City will refund the savings to the applicant. After installation,

the main becomes the property of the City. Paying for the installation does not entitle the applicant to sole use of the main.

- d. Extensions of main lines shall be charged to the applicant at the City's actual cost, plus an administrative fee of \$200 per main line extension for recouping of City staff time and overhead, such extension charges estimated to be:
 - i. Main water line (2") extensions of less than 1500 feet: \$12/foot of line
 - ii. Main water line (6") extensions of less than 1500 feet: \$20/foot of line
 - iii. Main sewer line (2") extensions of less than 1500 feet: \$18/foot of line
 - iv. Main sewer line (8") extensions of less than 1500 feet: \$36.50/foot of line

e. *Long Extensions*

- i. When a main line extension of longer than 1500 feet is required, the City may enter into a contract to refund the applicant requesting the extension. The amount of the refund, if any, shall depend upon the number of adjacent property owners that choose to connect to the line and pay the determined pro rata or adjacent main fee during the term of the contract. The City shall hold adjacent main fees received during the term of the contract in trust, and periodically make payments to the applicant that requested the extension, and that is entitled to the refund payment by contract. The City provides no guarantee as to the amount of refund that might occur during the term of the contract, and the City is under no obligation to pay, from its own funds, any portion of the refund. The contract shall document the total footage of water and/or sewer line extensions, and shall provide for a refund based upon the current unit price list in effect at the time the request for a connection is processed.
- ii. The term of the contract shall be [fifteen (15) years], the City shall not be liable for refunds after the term of the contract, and no interest shall be paid by the City for any money for which refunds are due.
- iii. Refunds shall be earned when pro rata payments have been made for property on which the refund is based.
- iv. The unit price list shall be reviewed and adjusted annually to document current prices and costs for water and sanitary sewer mains, appurtenances and related construction labor and shall be considered by the City Council annually in conjunction with the city's operating budget, for the purpose of determining the total cost of the extension.
- v. For each service connection made to such extension by an owner of an addition, the party making such connection shall pay to the city a connection fee based on one-half of the cost per foot of such extension multiplied by the number of feet of such owner's property fronting on such extended main. Or one-half of the cost per foot of such extension multiplied by the length of one side of a square equal in area to such owner's property, whichever is greater.
- vi. When the property to be served is further than [one hundred fifty (150)] feet from an existing water main for water service, or further than [one hundred fifty (150)] feet from an existing sewer main for sewer service, the person requesting service shall pay the total cost of the extension. The total cost of the extension is defined as the combined total of:
 - 1. The total construction cost as determined by the total footage of the project and the unit price list; and

2. The total cost of professional services including engineering, surveying, inspection and related costs.
- vii. Payment of the full cost of the line extension by the requesting party shall be deemed to satisfy the applicable pro rata charge for the property to be served. Additionally, the party funding the entire extension may be entitled to seek reimbursement from the owners of adjacent properties who subsequently connect to and receive service from the extension.
- viii. The pro rata charge to connect to an existing water and/or sewer main shall be the determined pro rata or adjacent main fee, which shall be paid prior to connection to an existing water or sewer main. The fee for a project may be divided into sections as necessary so that the adjacent main fee for each section is appropriate for the size and the depth of the water or sewer line and other improvements installed. Unless otherwise determined by the City Council, the adjacent main fee will not be assessed on sewer mains and that are installed by the city. The adjacent main fee shall be calculated by:
 - ix. Water:
 1. Utilizing the aggregated, citywide cost per linear foot value for water line sizes [6 inch–12 inch] including appurtenances (which includes a 20% fee for engineering, testing, inspection, and surveying), which shall be reviewed annually by the City Council; then
 2. Multiplying the number of feet of water lines adjacent to the proposed development by the value in subsection (1) above, excluding any water and sewer taps; then
 3. Dividing the current value of the improvements by two (2); then
 4. Adding the current value of any water taps as previously approved by the city; then
 5. Adding an engineering, testing, inspection, and surveying fee equal to twenty percent (20%) of the total calculated value for the final value of the refund.
 - x. Sewer:
 1. Totaling the number of improvements adjacent to the proposed development; then
 2. Multiplying the number of improvements by the current unit price value, excluding any sewer taps; then
 3. Dividing the current value of the improvements by two (2); then
 4. Adding the current value as previously approved by the city; then
 5. Adding an engineering, testing, inspection, and surveying fee equal to twenty percent (20%) of the total calculated value for the final value of the refund.

Section 2. Repeal. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 3. Severability. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part

declared to be invalid or unconstitutional; and the City Council of the City of Beasley, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. Publication and effective date. This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with Section 52.011 of the Local Government Code.

PASSED, APPROVED and ADOPTED on this 15 day of April ____, 2025.

CITY OF BEASLEY, TEXAS


Kenneth Reid, Mayor

ATTEST:


Misty Tiemann, City Secretary