

ORDINANCE NO. O-2017-77

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 6 "BUILDINGS AND STRUCTURES", CHAPTER 8, "PARKS", CHAPTER 10 "TYLER UNIFIED DEVELOPMENT CODE", CHAPTER 16 "SOLID WASTE DISPOSAL REGULATIONS", AND 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 6, "Buildings and Structures", Article VIII, "Fire Prevention", is hereby amended by amending Sections 6-127 and 6-128 to read as follows:

Sec. 6-127. Permits; Miscellaneous fees.

The following fees shall be charged by the Fire Department:	If work started before permit issued, double fee:	
a. Permit to install or modify Overhead fire sprinkler system	\$100.00 for first 25 heads. \$1.00 for each additional head	\$200.00 for first 25 heads. \$2.00 for each additional head.
b. NFPA automatic fire extinguishing system	100.00 per system	200.00 per system
c. Nursing home inspection	150.00	N/A
d. Day care center inspection	100.00	N/A
e. Hospital inspection (Overnight/Group I > 2 stories)	250.00 per building address	N/A
f. Reinspection (All permitted projects)	50.00	N/A
g. Reinspection (second and subsequent reinspections required to correct a Code violation)	50.00	N/A
h. Fireworks display	100.00 for each day	200.00 for each day
i. Group home inspection	100.00	N/A
j. Annual permit for mobile fuel dispensing	100.00	200.00
k. Permit for mall covered buildings (liquid- and gas-fired equipment; open flame and flame-producing equipment)	100.00	200.00

l. Permit for exhibit/trade shows	50.00	100.00
m. Permit to install or modify Underground fire sprinkler mains	<i>100.00 per riser</i>	<i>200.00 per riser</i>
n. Fire Alarm	<i>100.00 per building (First 10 devices) \$1.00 per device thereafter</i>	<i>200.00 per building (First 10 devices) \$2.00 per device thereafter</i>
o. Remove or Install Flammable/Combustible/ Chemical Storage Tanks	<i>100.00 per tank</i>	<i>200.00 per tank</i>
p. Visual Inspection (Fire Alarms/Underground Fire Mains/Overhead Sprinkler	50.00	N/A
q. Other Medical (Required State Inspections)	150.00	N/A
r. Foster Home/Adoption	No Charge	N/A
s. Home Fire Safety Inspection	No Charge	N/A
t. All Certificate of Occupancy Inspections, including reinspections	50.00	N/A
u. Apartment Buildings <= 4 stories	<i>10.00 per building; minimum 50.00, maximum 200.00</i>	N/A
v. Apartment Highrise > 4 stories	<i>10.00 per floor; minimum 50.00, maximum 200.00</i>	N/A
w. Hotels	75.00	N/A
x. Small Restaurants (ie: Coffee Shops, Donut Shops, Ice Cream Parlor)	50.00	N/A
y. Restaurants and Cafeterias	75.00	N/A
z. Bars and Nightclubs	100.00	N/A
Expedited Plans Review (as staffing permits)	<i>150.00 in addition to regular permit fee</i>	N/A
After Hours Inspections (as staffing permits, excluding holidays. Normal business hours are 8:00am to 5:00pm Monday – Friday)	<i>200.00 up to and including 4 hours. 25.00 each additional half hour</i>	N/A

Sec. 6-128. Automatic and manual fire alarm fees.

- a. through b. No changes...
- c. It is unlawful for any person to install or operate an automatic or manual fire alarm on property used for commercial purposes without first obtaining a permit from the Fire Official. The fee for said permit is *outlined in Section 6-127*. If work begins before a permit is issued the fee shall be *as outlined in Section 6-127*. (0-2006-79; 9-13-2006) (Ord. No. 0-2017-77; 9/13/17)
- d. through h. No changes...

PART 2: That Tyler City Code Chapter 8, "Parks", Article IV, "Cemeteries", is hereby amended by amending Section 8-61 to read as follows:

Sec. 8-61. Burial rights. Transfer fee established.

The City Manager or designee is authorized to execute, on behalf of the City, documents transferring burial rights in all City cemeteries, conveying to purchasers the right of sepulcher with the restrictions and covenants established by the City Council. Burial rights are issued for the use of the family of the purchaser and not for resale or speculation. The City Manager may sell the rights only to individuals and not businesses or business entities. The intent of this restriction is to prevent the reselling of burial rights as a business. No more than eight (8) burial rights may be sold to any individual. Transfer of a burial right from the family of the purchaser is restricted to sales to individuals and not corporations or business entities.

The transfer of burial rights must be initiated through the City of Tyler Parks Cemetery office who will verify ownership. The transfer of burial rights requires authorization by the City Manager or designee. A transfer fee of \$250.00 per burial space shall be collected by the City of Tyler at the time of transfer.

(Ord. No. O-96-53, 6-26-96). (Ord. No. 0-2000-15, 3/15/00) (Ord. No. 0-2017-77; 9/13/17)

PART 3: That Tyler City Code Chapter 8, "Parks", Article V, "Fees", is hereby amended by amending Sections 8-76, 8-78 and 8-80, and adopting a new Section 8-83, to read as follows:

Sec. 8-76. Special event permit fee; park pavilions and restrooms.

The fee for a special event permit shall be *thirty-five dollars (\$35.00)*. A fee of *forty dollars (\$50.00)* shall be charged for rental of park pavilions and restrooms. A fee of *three hundred dollars (\$300.00) per day* and a damage deposit of *one hundred fifty to five hundred dollars (\$150.00 - \$500.00)* shall be charged for rental of the amphitheater at Bergfeld Park. (Ord. No. O-96-53, 6-26-96) (Ord. 0-2009-103, 9/23/09) (Ord. No. 0-2017-77; 9/13/17)

Sec. 8-78. Athletic field maintenance fees.

- a. A maintenance fee of *one-thousand dollars (\$1,000)* per field per season shall be charged for Junior Football League games.
- b. A maintenance fee of *seven-hundred dollars (\$700)* per field per season shall be charged for youth sports organizations for soccer games at Lindsey Park or any other City owned facility. This rate will increase to *one thousand dollars (\$1,000)* per field per season beginning with the Fall 2018 season. A maintenance fee of *one-thousand dollars (\$1,000)* per field per

season shall be charged for adult sports organizations for soccer games at Lindsey Park or any other City owned facility. (Ord. No. 0-2017-77; 9/13/17)

c. Season rental fees for baseball and softball games. A season rental fee of *one thousand dollars (\$1,000)* per field per season shall be charged to youth sports organizations for baseball and softball games at Golden Road Park, Fun Forest Park, and Faulkner Park, or any other City owned facility. (Ord. No. 0-2017-77; 9/13/17)

d. Season rental fees for Adult City-Sponsored Recreation Softball Leagues. A season rental fee of *one-thousand dollars (\$1,000)* per field per season shall be charged. - (Ord. 0-2009-103, 9/23/09) (Ord. No. 0-2017-77; 9/13/17)

Sec. 8-80. Glass Recreation Center facilities charges.

The rates and charges for the use of the Glass Recreation Center facilities are as provided in this section. All such rates and charges shall be paid in advance. The rates shall be determined in accordance with the following:

<u>Proposed Park Facility Rental Rates for:</u>		
Glass Recreation Center		
Room		Current Rate
<i>Multi-Purpose #1 & #2</i>		
50-100 people	Weekdays	\$35/hr; 2hr min; \$20 ea.add. hour
200 people	Weekdays	\$40/hr; 2hr min; \$25 ea.add. hour
50-100 people	Weekends	\$40/hr; 2hr min; \$25 ea.add. hour
200 people	Weekends	\$40/hr; 2hr min; \$25 ea.add. hour
<i>Gym</i>		\$50/hr; 2hr min
Half Court		\$25/hr; 2hr min
<i>Arts & Crafts</i>		\$20/hr; 2 hr min
		\$50 Damage Deposit
Equipment:		
TV/DVD		\$35/Event
PA System/Podium		\$35/Event
Ice Machine		\$25/Event
<i>Damage Deposit</i>		\$150 to \$500
<i>Catering Fee</i>		\$50/Event
<i>Pavilion</i>		\$50/day
		\$35 Special use permit (Ord. No. 0-2013-90; 9/25/13)
		\$100 Damage Deposit
<i>Amphitheater</i>		\$50/day
		\$35 Special use permit (Ord. No. 0-2013-90; 9/25/13)
		\$100 Damage Deposit
<i>Outside Basketball Court</i>		\$50/Day/Court
		\$35 Special use permit (Ord. No. 0-2013-

	90; 9/25/13)
	\$100 Damage Deposit
Membership Fees	
Adult	\$30.00/person per year
Adult (Non-Resident)	\$40.00/person per year
Youth	\$10.00/person
Day pass	\$5.00/person
	\$10 per week/\$20 monthly

(Ord. 0-2005-78, 9/28/05) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2017-77; 9/13/17)

Sec. 8-83. City-Owned, Free-Standing Columbaria Fees and Regulations at Rose Hill Cemetery.

a. Prices and regulations for the purchase of burial rights in the City-owned, free-standing, columbaria niches at Rose Hill Cemetery are set by Tyler City Council. Costs to purchase cremation niches shall be paid in full at the time of purchase.

Current cremation niche prices and regulations are:

1. Cremation niches shall sell for \$2,000 per niche, to be paid in full at time of purchase.
2. Cremation niches shall contain cremains of only one individual per niche.
3. Each entombment shall be subject to an entombment fee of \$250. Entombment fees must be paid in full before interment of cremains.
4. Individuals purchasing niche(s) are responsible for niche engraving costs. Niche engraving is subject to City approval prior to engraving. Purchasers will receive a form describing the exact dimensions of area. The purchaser will submit plans by use of the form to an engraver, like a local monument company, who and then will provide rendered design proof to Cemetery Staff for approval. Engraving may be performed as a pre-need, with date of death added later or submitted by the family of the deceased.

b. Revenues collected from City-owned, free-standing, columbaria niches shall be placed solely in the City's Cemetery Fund 204. (Ord. No. 0-2017-77; 9/13/17)

PART 4: That Tyler City Code Chapter 10, "Tyler Unified Development Code", Article VII, "Environmental Regulations", Division D, "Public and Private Utilities", is hereby amended by amending Section 10-513 to read as follows:

Sec. 10-513. Construction Permit & Inspection Procedures.

It shall be the responsibility of the contractor to pay to the City of Tyler an amount of money specified in Article X., Division B., Fees, for Quality Control Testing and Review to the beginning of construction. The cost of construction shall include, but not be limited to, the cost of the following items: clearing, excavation, embankment, subgrade preparation, base, surfacing, curb and gutter, valley gutters, retaining walls, water and sanitary sewer improvements, under-drains and storm sewer facilities. (Ord. No. 0-2010-20; 3/10/10) (Ord. No. 0-2017-77; 9/13/17)

PART 5: That Tyler City Code Chapter 10, "Tyler Unified Development Code", Article X, "Administration and Enforcement", Division B, "Fees", is hereby amended by amending

Section 10-776 to read as follows:

Sec. 10-776. Fees.

Application, Permit, Test, or Deposit	Fee
Annexation (Voluntary)	\$420.00 [a] [b] + [c] + [e]
Billboard Annual Registration	\$85.00 per billboard initially and annually thereafter
Master Sign Plan	\$80.00
Plats	
Minor Plat (four lots or less with no street or utility extensions)	\$300.00 + \$5 per lot + [a] (when applicable) + [c]
Major Plat	\$400.00 + \$5 per lot + [c] + [e]
Preliminary Plat (Residential or Commercial)	\$300 + \$5 per lot + [e]
Vacation (Plat Vacation or Vacating Plat)	\$100.00 + [c]
Variance/Waiver Request	\$100.00
Predevelopment Meeting (site >1 acre)	\$100.00
Pre Plat Agreement	\$200.00
Quality Control Testing and Review (Ord. 0-2006-79, 9/13/2006)	1% (inside City limits) 3% (outside City limits) Plus \$500 per each submitted plan review
Right-of-way Closure	\$350.00 [a] + [e]
Sexually Oriented Business License	\$600.00 Initially and annually thereafter
Street Name Change	\$200.00 [a] + [e]
Temporary Sign Permit	\$10.00
Temporary Use Permit	\$35.00
Outdoor Transient Vendor Permit	\$150.00 [d]
Variance	\$386.00 [a] + [c] + [e]
Zoning Change /Special Use Permit/ Beer and Wine Site Inspection Verification / Zoning Site Inspection Verification	\$550.00 [a] [b] + [e]
Zoning Change Planned Development	\$\$1,050.00 [a] [b] + [e]
Zoning Site Plan Amendment (Administrative)	\$80.00
Zoning Verification Letter Request	\$25.00

Notes:

- a. through d. No changes...
- e. Late submittal convenience fee equals 50% of total application fee added to application fee. (Ord. No. 0-2017-77; 9/13/17)

PART 6: That Tyler City Code Chapter 16, "Solid Waste Disposal Regulations", Article I, "Solid Waste Disposal Regulations", is hereby amended by amending Sections 16-4 and 16-13 to read as follows:

Sec. 16-4. Residential collection.

- a. through g. No changes...
- h. Recycling Collection. All recycling must be in the recycle cart or carts. Any recycling items outside the carts must have a special pickup request or will have an automatic charge assessed in accordance with the fee schedule in this Article. (Ord. No. 0-2017-77; 9/13/17)

Sec. 16-13. Fees.

All fees listed in this section are subject to street use fees and sales tax. The following are the fees for collection of solid waste:

a.

Automated Service for Residential	Container Size	Number of Containers	Trips Per Week	Monthly Charge
1. Units	96 gallon wheeled cart included (For household waste only—not for brush or yard waste)	1	2	\$16.07 + tax
2. More than three (3) residential units at one location may be considered commercial.				
3. Additional carts are \$9.50 per month – (Optional)				
4. Subscription Curbside Recycling - \$ 4.50 per month for collection every two weeks. – (Optional)				
5. Additional Curbside Recycling Carts - \$2.00 per month for collection every two weeks. (Optional)				
6. Packout Service				
Packout Service (up to 150 feet) - \$14.50 per month				
Packout Driveout Service (over 150 feet) - 20.50 per month (0-2006-14, 1/25/06; Ord. No. 0-2006-51, 5/24/06) (Ord. 0-2007-111, 9/26/07) (Ord. 0-2009-103, 9/23/09) (Ord. No. 0-2010-99, 9/22/10)				
7. For Solid Waste customers who do not receive Automated Service for Residential (i.e., do not have carts) -\$5.00 per month. This surcharge shall not apply to Packout or Driveout customers. (Ord. No. 0-2008-92; 6/23/08)				
7. Duplex = 2 units, requires 2 carts (2 x #1 above)				\$32.14

(Ord. 0-2011-74, 9/14-11) (Ord. No. 0-2017-77; 9/13/17)

b. Commercial, Residential, Public, Education and Religious Institutions: The Director may adjust such rates upward or downward as necessary based on market conditions. Landfill fees, gate rates, and other costs resulting from local, state or federal solid waste regulations charged to the City shall be passed through and added to the following rate schedules on the effective date of such regulations. Effective January 1, each year, the maximum rate will be adjusted by the Consumer Price Index for all Urban Consumers (CPI-U) for all goods and all services. CPI adjustments will be based upon the National average at the close of each September of each year and the affective rate will be established at January 1st of each year.

b. 1. through 2 No Changes...

b. 3. Commercial Hand Pickup:

- (a) Thirty-two (32) gallon garbage cans and/or bags picked up two (2) times each week.
- (b) 96-gallon wheeled carts included in base rate and picked up two (2) times each week:

Commercial Hand Pickup Automated Service Number of Carts	Base Cost
1	\$19.81 + tax

2	\$39.62 + tax
3	\$59.43 + tax
4	\$79.24 + tax
Packout Service (up to 150 feet): \$14.50 per month	
Packout Driveout Service (over 150 feet) - \$20.50 per month	
(0-2006-14, 1/25/06) (Ord. 0-2007-111, 9/26/07) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord No. 0-2011-74, 9/14/2011) (Ord. No. 0-2017-77; 9/13/17)	

b. 4. No Changes...

c. Residential Brush Pickup:

	Effective January 1, 2013
Size of Load	Cost
Minimum	\$10.00

d. No changes...

e. Fuel Recovery Fee.

To recover the increase in fuel costs associated with solid waste collection by Solid Waste Department vehicles, a fuel recovery fee is hereby established. Said fee shall be adjusted monthly, and shall be based upon adding .05 percent (.05%) for every cent that the average price of diesel fuel rises above \$2.50 per gallon, or decreasing by .05 percent (.05%) for every cent that the average price of diesel fuel decreases but remains above \$2.50 per gallon.
 (Ord. 0-2001-43, 9-5-2001) (Ord. No. 0-2003-55, 10/22/03) (Ord. No. 0-2006-92, 10-24-2006)
 (Ord. 0-2007-111, 9/26/07) (Ord. No. 0-2008-92; 6/23/08) (Ord. No. 0-2017-77; 9/13/17)

PART 7: That Tyler City Code Chapter 19, "Utilities", Article III., "Water & Sewer Service", Division C., "Rates", is hereby amended by amending Sections 19-60, 19-64, 19-65 and 19-68, and adopting a new Section 19-69, 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:

MIMIMUM MONTHLY RATES – INSIDE CITY

<i>Meter size (in.)</i>	<i>October 1, 2017</i>
5/8	<u>12.16</u>
1	<u>12.16</u>
1 1/2	<u>12.16</u>
2	<u>14.73</u>
3	<u>17.46</u>
4	<u>28.02</u>
6	<u>42.81</u>
8	<u>58.67</u>
10	<u>84.03</u>

12	<u>109.38</u>
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MINIMUM MONTHLY RATES – OUTSIDE CITY

Meter size (in.)	October 1, 2017
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5/8	18.24
1	18.24
1 1/2	18.24
2	22.10
3	26.19
4	42.03
6	64.22
8	88.01
10	126.05
12	164.07

(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)

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

Volume Charge – Inside City (per 1k gal)

Volume	October 1, 2017
First 2k	Min
Next 23k	3.24
Next 975k	2.15
Next 4mil	1.78
Over 5mil	1.72

Volume

Volume Charge – Outside City (per 1k gal)

Volume	October 1, 2017
First 2k	Min
Next 23k	4.86
Next 975k	3.23
Next 4mil	2.67
Over 5mil	2.58

(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. 0-2014-86; 9/24/14) (Ord. No. O-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17)

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

FIRE LINE FEE	
Size (in)	October 1, 2017
4 A	8.36
6 B	19.47
8 C	37.41
10 D	91.91
12 E	98.86

(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. O-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17)

Water used through a fire protection service for purposes other than testing of system shall be at a rate equal to three (3) times the applicable regular rate for service in City. (Ord 0-2003-42, 9-10-2003)

d. Rates for service outside City are based upon contract price between City and the individual customer which shall be one hundred fifty (150) percent of the rates for service within City.

e. *A charge shall be made by the Division for each new tapping of the water mains for a connection, said charge to be determined by the size of the connection and the size of the meter. The fee for making taps and furnishing and installing meters and boxes shall be determined from the following schedule and shall be payable in advance. If a branch were requested with the tap installation on a one-inch tap or larger, a branch charge would be made including the tap charge plus the activation meter charge for each branch tap.*

SCHEDULE OF WATER TAP AND METER ACTIVATION FEES

Size	Tap and Meter Activation	Branch
1" tap x 5/8" meter	1417.00	340.00
1" tap x 1" meter	1478.00	375.00
1½" tap x 1½" meter	2168.00	688.00
2" tap x 2" meter	2765.00	785.00

The tap fee shall include the cost of a tap and service connection from the main line to the meter location when the total length is fifty (50) feet or less and when installation is not by boring or tunneling under a street or other structure. In such cases, the cost of tap and meter shall be the actual cost of furnishing and installing the tap and meter plus a factor of 1.25 to cover overhead and administrative cost. This cost includes all labor, materials and equipment necessary to make the tap, run the service line and set the meter. Where the water tap has been installed according to Division standards by an approved water and sewer contractor, the following schedule shall determine the fee for furnishing the box and meter and installing the meter, said fee being payable in advance.

Size of Existing Tap	Meter Size	Meter Activation Fee
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3/4"	5/8"	467.00
1"	5/8"	467.00
1"	1"	528.00
1½"	1½"	968.00
2"	2"	1165.00

Ord 0-2003-42, 9-10-2003) (0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. No. 0-2017-77; 9/13/17)

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.

RESIDENTIAL AND COMMERCIAL SEWER RATES
MINIMUM MONTHLY RATES – INSIDE CITY

<i>Meter size (in.)</i>	<i>October 1, 2017</i>
5/8	15.28
1	15.28
1 1/2	15.28
2	18.91
3	22.39
4	37.01
6	58.64
8	80.40
10	116.63
12	150.44

MINIMUM MONTHLY RATES – OUTSIDE CITY

<i>Meter size (in.)</i>	<i>October 1, 2017</i>
5/8	22.92
1	22.92
1 1/2	22.92
2	28.37
3	33.59
4	55.52
6	87.96
8	120.60

10	174.95
12	225.66

(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)

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)

Volume	October 1, 2017
First 2k	<i>Min.</i>
Next 23k	2.67
Next 975k	2.52
Next 4mil	1.86
Over 5mil	<u>1.42</u>

VOLUME

Volume Charge – Outside City (per 1k gal)

Volume	October 1, 2017
First 2k	<i>Min.</i>
Next 23k	4.01
Next 975k	3.78
Next 4mil	2.79
Over 5mil	2.13

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. 0-2016-78; 9/14/2016) (Ord. No. 0-2017-77; 9/13/17)

c. For commercial and residential structures not supplied with water from the City of Tyler, the following rules apply for sewer service.

For commercial structures not supplied water from the City of Tyler, sewer service shall be metered in a manner approved by the Director.

For residential structures not supplied water from the City of Tyler, sewer service will be based on established rates and 10,000 gallons water consumed (maximum residential sewer charge). (Ord 0-2003-42, 9-10-2003) (0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006)

d. The foregoing rates shall apply to service except industrial waste service, rendered within the City. Rates for service outside the City shall be based upon contract price between City and the individual customer which shall be one hundred fifty (150) percent of the rates for service within the City. (Ord. No. O-96-54, 6-26-96) (Ord No. O-98-74, 9-2-98) (Ord. No. 0-99- 70, 10-1-99) (Ord. No. 2009-7, 2/11/09) (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2017-77; 9/13/17)

Sec. 19-65. Sewer tap and activation fees.

a. Sewer tap fee. Installation of sewer connections (taps) and service connections from the main to the property line or point of user connection shall be performed only by Division employees or a contractor approved by the Director. The following charge shall be made for sewer connections, payable in advance:

Sewer Tap Fee

Size of Service	Charge
4-inch	\$ 950.00

(0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. No. 2009-7, 2/11/09) (Ord. No. 0-2017-77; 9/13/17)

b. Activation fee. The tap fee shall include the cost of a tap and service connection from the main to the property line when the total length is fifty (50) feet or less and when installation is not by boring or tunneling under a street or other structure. In such cases the cost of tap and service shall be the actual cost of furnishing and installing the tap and service line plus a factor of 1.25 to cover overhead and administrative cost. Sewer services six (6) inches and larger will require an approved manhole at the junction with the main. The charge for six (6) inch and larger service connection will be the actual cost of construction including labor, equipment, materials and street restoration, times a factor of 1.25 to cover overhead and administrative costs. By permission of the Director, sewer services six (6) inches and larger may be constructed by an approved contractor. It is the responsibility of the property owner to maintain the sewer service from the sewer main to and on owners' property, including the connection to the sewer main. In addition to the sewer tap fee, there shall be payable in advance a sewer activation fee. The following fees shall be charged:

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)

MINIMUM MONTHLY RATES – INSIDE CITY

Meter size (in.)	October 1, 2017
5/8	76.87
1	76.87

1 1/2	76.87
2	76.87
3	76.87
4	76.87
6	76.87
8	81.43
10	118.66
12	150.14

MINIMUM MONTHLY RATES – OUTSIDE CITY

Meter size (in.)	October 1, 2017
5/8	115.31
1	115.31
1 1/2	115.31
2	115.31
3	115.31
4	115.31
6	115.31
8	122.15
10	177.99
12	225.21

(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)

TABLE (A2)

VOLUME CHARGE FOR WATER USED¹ (per 1,000 gallons):

Volume Charge – Inside City (per 1k gal)

Volume	October 1, 2017
First 2k	Min
Next 998k	1.91
Next 4mil	1.59
Over 5mil	1.42

Volume Charge – Outside City (per 1k gal)

Volume	October 1, 2017
First 2k	Min.
Next 998k	2.87
Next 4mil	2.39

Over 5mil	2.13
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SURCHARGE FOR EXTRA STRENGTH DISCHARGE Based on water used at \$ per mg/1 per 1,000 gallons

	October 1, 2017
BOD5	0.002496517
COD	0.001206949
TSS	0.001399726

(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)

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 DISCHARGED² (PER 1,000 GALLONS) October 1, 2017

Gallons	Inside City	Outside City
First 2,000	Minimum	Minimum
Next 998,000	2.33	3.50
Next 4,000,000	1.99	2.98
Over 5,000,000	1.79	2.68

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

October 1, 2017

BOD5	0.003685183
COD	0.001725411
TSS	0.002000806

(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)

c. through f. No changes...

Sec. 19-68. Reclaimed irrigation water.

Where infrastructure is available and upon authorization by the Director, customers may contract with the utility for the purchase of reclaimed water for irrigation purposes only.

a. Monthly minimum

Meter Size	Inside City	Outside City
1-inch	1.28	16.92

b. Rate per 1000 gallons.

Gallons	Inside City	Outside City
First 2k	Min.	Min.
Over 2k	1.47	2.21

(0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. No. 2009-7, 2/11/09) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (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)

Sec. 19-69. Regulatory Compliance Fee Surcharge.

Upon each active water and sewer account there is imposed a monthly Regulatory Compliance Fee surcharge. Revenues from this surcharge shall be used to assist in paying debt service resulting from the issuance of new debt to fulfill regulatory compliance from unfunded mandates. This surcharge shall be based on the pro-rated cost of said debt applicable to each account. The initial fee and any adjustments to the fee shall be approved by City Council.

Effective Date	Inside City	Outside City
October 1, 2017	\$1.28	\$1.28

(Ord. No. 0-2017-77; 9/13/17)

PART 7: 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 8: 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 October 1, 2017.

PASSED AND APPROVED this 13th day of September, A. D., 2017.

Martin Heines
MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

Cassandra Brager
CASSANDRA BRAGER, CITY CLERK

APPROVED:

Deborah G. Pullum
DEBORAH G. PULLUM,
CITY ATTORNEY

