

ORDINANCE 2025-003

AN ORDINANCE INCREASING THE MINIMUM WATER RATE AS PER PRIOR ORDINANCE TO BE CHARGED BY THE CITY OF ARP IN THE CITY OF ARP AND OUTSIDE THE CITY OF ARP FOR WATER SERVICE FURNISHED TO RESIDENTIAL AND COMMERCIAL CONSUMERS AND TO INCREASE THE MONTHLY SEWER CHARGE AND MONTHLY GARBAGE CHARGE TO BE CHARGED BY THE CITY OF ARP FOR GARBAGE AND SEWER FURNISHED TO RESIDENTIAL AND COMMERCIAL CONSUMERS, DEFINING RESIDENTIAL AND COMMERCIAL CONSUMER, MAKING A REQUIREMENT AS TO CONTAINERS FOR GARBAGE, FIXING THE EFFECTIVE DATES OF SAID INCREASES DESCRIBED IN THIS ORDINANCE.

WHEREAS, the City of Arp has by prior ordinance determined and fixed the water and sewer schedule of rates to be charged by the City of Arp for water and sewer service furnished to residential and commercial consumers, containing definitions fixing the effective dates of water and sewer rates prescribed in said Ordinance, making miscellaneous provisions, and repealing all ordinances in conflict; and

WHEREAS, by prior ordinance, the City of Arp has provided for the collection of garbage; regulating the type and weight of containers; requiring the keeping of containers; providing for the collection of garbage and brush and other waste material; requiring the disposal of industrial waste from building operations by owner; regulating the collection from business establishments; regulating the removal of dead animals and poultry; prohibiting accumulation of waste materials; regulating the removal of waste materials and their disposal and disinfecting; regulating dumping grounds; and enacting certain fees required to be paid by owners or occupants of premises where garbage services are rendered for same; providing for a method of billing and collecting of such fees; providing penalties; providing a savings clause; repealing all ordinances in conflict therewith; and declaring an emergency; and

WHEREAS, the existing ordinances of the City of Arp providing for the fees for garbage collection and providing for water rates, sewer rates, tap fees and building permit fees are insufficient to cover the cost of providing said services, and are in need of immediate revision;

NOW THEREFORE; BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARP, TEXAS:

SECTION 1: SCOPE OF THE ORDINANCE - The provisions of this ordinance shall apply to all territory within the corporate limits of the City of Arp as well as those areas where sewer, water and garbage pickup from the city are supplied by the city to consumers outside the city limits and all other ordinances shall be amended to change the rates currently charged by existing ordinances.

SECTION 2: RATE CHANGES - The City of Arp, Smith County, Texas, is hereby authorized to place in effect the following schedules of rates, within the corporate limits of the City of Arp, Texas (hereinafter called "city"), for the supply of water and sewer, for meter deposit and connection charges, for garbage collection and building permits:

WATER RATE SCHEDULE - per month

Residential (inside city limits)

Base Rate	\$50.00
0 – 3,000 gallons	\$ 6.00 per 1000 gallons
3,001 – 5,000 gallons	\$ 7.50 per 1000 gallons
5,001 – 7,000 gallons	\$ 8.50 per 1000 gallons
7,001 – 9,000 gallons	\$ 9.00 per 1000 gallons
9,001 – 14,000 gallons	\$ 9.50 per 1000 gallons
14,001 gallons and above	\$10.00 per 1000 gallons

Residential (outside city limits)

Base Rate	\$60.00
0 – 3,000 gallons	\$ 6.00 per 1000 gallons
3,001 – 5,000 gallons	\$ 7.50 per 1000 gallons
5,001 – 7,000 gallons	\$ 8.50 per 1000 gallons
7,001 – 9,000 gallons	\$ 9.00 per 1000 gallons
9,001 – 14,000 gallons	\$ 9.50 per 1000 gallons
14,001 gallons and above	\$10.00 per 1000 gallons

Commercial

Base Rate	\$55.00
0 – 3,000 gallons	\$ 6.00 per 1000 gallons
3,001 – 5,000 gallons	\$ 7.50 per 1000 gallons
5,001 – 7,000 gallons	\$ 8.50 per 1000 gallons
7,001 – 9,000 gallons	\$ 9.00 per 1000 gallons
9,001 – 14,000 gallons	\$ 9.50 per 1000 gallons
14,001 gallons and above	\$10.00 per 1000 gallons

WATER TAPPING FEE \$1300.00

WATER METER DEPOSIT \$150.00 residential and commercial

RECONNECTION CHARGE \$50.00

SEWER RATE SCHEDULE - per month

Residential

Base Rate	\$28.30
0 – 3,000 gallons	\$ 3.00 per 1000 gallons
3,001 – 5,000 gallons	\$ 4.50 per 1000 gallons
5,001 – 7,000 gallons	\$ 5.50 per 1000 gallons
7,001 – 9,000 gallons	\$ 6.00 per 1000 gallons
9,001 – 14,000 gallons	\$ 6.50 per 1000 gallons
14,001 – 18,000 gallons	\$ 7.00 per 1000 gallons

Commercial

Base Rate	\$30.80
0 – 3,000 gallons	\$ 3.00 per 1000 gallons
3,001 – 5,000 gallons	\$ 4.50 per 1000 gallons
5,001 – 7,000 gallons	\$ 5.50 per 1000 gallons
7,001 – 9,000 gallons	\$ 6.00 per 1000 gallons
9,001 – 14,000 gallons	\$ 6.50 per 1000 gallons
14,001 – 18,000 gallons	\$ 7.00 per 1000 gallons

SEWER TAPPING FEE \$1300.00

GARBAGE RATE SCHEDULE - per month

RESIDENTIAL INSIDE CITY LIMITS	\$17.00 Includes one container
EXTRA CONTAINER INSIDE CITY LIMITS	\$ 7.00
RESIDENTIAL OUTSIDE CITY LIMITS	\$24.00 Includes one container
EXTRA CONTAINER OUTSIDE LIMITS	\$ 8.00
COMMERCIAL	\$25.00 Includes one container
EXTRA CONTAINER COMMERCIAL	\$ 8.00

OTHER FEES:

BUILDING PERMIT	\$50.00
SPECIFIC USE PERMIT	\$250.00

LATE CHARGE:

The City of Arp shall mail to any Arp City customer of water, sewer and garbage a statement on the last business day of the month in which the meter is read, charging the customer for the thirty days preceding the reading of the meter. Said statement for water, sewer and garbage services provided by the city to the customer shall be addressed to the address at which the service is provided, or upon notification in writing at least thirty days prior to the billing date by the city, such other address as provided by the customer. Such a statement for water, sewer and garbage services by the City of Arp shall be payable to the City of Arp by the city customer on or before the 10th day of the next month following the month in which the meter is read (hereinafter called the due date) and the statement mailed as above provided. If the statement is not paid by the customer on or before the due date, a late charge of ten percent of said billed amount shall be added to the customer's bill at the time of such late payment. If the bill (statement) of said delinquent customer is not paid after the 20th of said month (including late charges), the City of Arp may, at its sole discretion, turn off the water provided to the city customer at the meter, and require in addition to the ten percent late charge, a \$25 charge for restoring water service.

On the first day of the following month, if the account of the customer is still delinquent, the City of Arp may, at its sole discretion, pull the water meter and charge the city customer a \$50 reconnect fee in addition to all other fees, charges and late charges to restore water service to said customer.

SECTION 3: GARBAGE IN CONTAINERS - All garbage to be picked up from City of Arp customers must be in plastic garbage bags, securely closed and in a thirty gallon container with the lid on. Failure to place garbage in such secured plastic bags in a thirty gallon container shall result in the garbage not being picked up.

SECTION 4: DEFINING COMMERCIAL AND RESIDENTIAL CONSUMER RATES The commercial rates shall be assessed against all non-residential consumers. A residential consumer is one who occupies a premises as his, her or their residence only and for no other purpose. If said consumer is not a residential consumer, then such consumer is a nonresidential consumer.

SECTION 5: REPEALING OTHER CONFLICTING ORDINANCES - This ordinance shall and does hereby amend every prior ordinance in conflict herewith, but as to all other ordinances or section of ordinances not in conflict herewith this ordinance shall be and is hereby made cumulative.

SECTION 6: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or final decree of court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections hereof, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 7: EFFECTIVE DATE - The above garbage rates became effective as of the 1st day of November, 2024 and the above water rates became effective as of the 1st day of January, 2025. The above sewer rates became effective as of the 1st day of April, 2025.

SECTION 8: EMERGENCY DECLARED - The ordinance requiring the reading of an ordinance on three separate days shall be, and the same is hereby suspended, on account of an emergency which is created in behalf of the public peace, health, safety and general welfare, necessitating that this ordinance become effective at once, and it is accordingly ordained that this ordinance shall become effective immediately upon its passage as in such cases as provided by the Charter of the City of Arp.

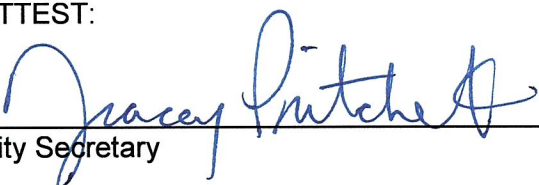
PASSED on this 7th day of April, 2025

APPROVED:



Mayor

ATTEST:



City Secretary