

ORDINANCE 0-2009-103

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE TYLER CITY CODE AMENDING CERTAIN CITY RELATED 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:

Part 1. That Tyler City Code Chapter 2, "Finance and Taxation", Article 1, "In General", Section 2-3. "Franchise & rate case reserve fund/account", is hereby deleted in its entirety.

Sec. 2-3. Reserved.

PART 2. That Tyler City Code Chapter 4, "Offenses and Miscellaneous Provisions", Article VI, "Miscellaneous Offenses", is hereby amended by adding a new section 4-74 to be entitled "Funeral Escorts" to read as follows:

Sec. 4-74. Funeral Escorts

There is hereby established a charge of *one hundred dollars (\$100.00)* per funeral escort to be paid by the funeral home with no maximum number of units used. (Ord. 0-2009-103, 9/23/09)

PART 3. That Tyler City Code Chapter 4, "Offenses and Miscellaneous Provisions", Article VI, "Miscellaneous Offenses", Section 4-83, "Alarm users permits required" and Section 4-86, "False alarms; permit suspension and revocation; false alarm fees", subsection d. are hereby amended to read as follows:

Sec. 4-83. Alarm users permits required.

a. It is unlawful to operate any burglary or robbery alarm system as defined herein without obtaining and maintaining an alarm user permit. The alarm user must apply for a permit within five (5) days of installation. An alarm user permit is obtained from the Police Department and entitles the holder to operate all burglary and robbery alarm systems at a specified location. A user that maintains alarm systems at more than one (1) location shall purchase an alarm user permit and a *thirty-dollar (\$30.00)* fee for each shall be filed with the Coordinator. Such application shall include a certification bearing the signature of the alarm business and alarm user representative that the training required by Sec. 4-82 has been provided. Each permit shall be for a two-year period, shall be physically upon the premises using the alarm system, and shall

be available for inspection. Two-year renewal permits may be acquired by filing a renewal application along with a *thirty-dollar (\$30.00)* renewal fee with the Coordinator on or prior to the first (1st) day of the anniversary month that the last permit was obtained. The user shall acknowledge in the renewal application that all information in the original application is current, or if not current, the applicant shall update all incorrect entries. The Coordinator may terminate an alarm user permit for non-renewal upon thirty (30) days notice. All past due fees must be paid prior to renewal (Ord. No. 0-98-52; 6/25/98) (Ord. No. 0-98-52, 6/24/98) (Ord. No. 0-2006-69; 7/26/06) (Ord. 0-2009-103, 9/23/09)

b. No changes...

c. No changes... (Ord. 0-98-27, 3/25/98) (Ord. No. 0-98-52, 6/24/98)

Sec. 4-84. No changes.

Sec. 4-85. No changes.

Sec. 4-86. False alarms; permit suspension and revocation; false alarm fees.

a. No changes...

b. No changes...

c. No changes...

d. Upon notice of six (6) or more false alarms within a one-year period for any alarm user:

1. The Coordinator shall notify the alarm user and the alarm business providing service or inspection to the user of such fact. The notice shall also state that the user must either request a hearing before the Police Chief or designee within ten (10) days of receipt of the notice or pay a *seventy-five dollar (\$75.00)* false alarm fee, otherwise the alarm user permit shall be suspended. Upon notice of eight (8) or more false alarms within a one-year period, the same procedure set forth in this section shall be followed, except that the notice set forth in this subsection shall state that the alarm user permit is subject to revocation.

2. No changes...

3. At the hearing, the alarm user may present written and oral evidence, subject to the right of cross-examination. If it is determined that six (6) false alarms have occurred in a one-year period, written findings to that effect are issued and a *seventy-five dollar (\$75.00)* false alarm fee for the sixth false alarm, and for each additional individual false alarm above six, shall be assessed in accordance with sub-section 7(b) of this section. Failure to pay the false alarm fee(s) may result in suspension of the alarm user permit. If it is determined at the hearing that the alarm user has had at least eight (8) false alarms in a one-year period, written findings to that effect are issued and the permit may be revoked, regardless of whether the false alarm fees are paid.

4. No changes...

- 5. No changes...
- 6. No changes...
- 7. No changes...

(a) Upon the sixth (6th) false alarm in the one-year period *seventy-five dollars (\$75.00)*.

(b) For any additional false alarms above six (6) in the one-year period *seventy-five dollars (\$75.00)*.

8. No changes... (Ord. 0-98-27, 3/25/98) (Ord. No. 0-98-52, 6/24/98) (Ord. No. 0-2006-69; 7/26/06) (Ord. 0-2009-103, 9/23/09)

PART 4. That Tyler City Code Chapter 6, “Buildings and Structures”, Article IV., “Plumbing Code”, is hereby amended by amending Section 6-72 related to Plumbing Fees to read as follows:

Sec. 6-72. Plumbing fees.

a. through o. No changes...

p. No changes... (Ord. 0-99-97, 12-22-99)

In the event work is started without a permit, the above fees will be increased one hundred (100) percent. No fees will be refunded or transferable. (Ord. No. 0-96-34, 6-1-96); (0-2006-79; 9-13-2006) (Ord. No. 0-2009-20; 3/11/09) (Ord. 0-2009-103, 9/23/09)

PART 5. That Tyler City Code Chapter 6, “Buildings and Structures”, Article VIII, “Fire Prevention”, Section 6-127. Permits; Miscellaneous fees” and Section. 6-128. “Automatic and manual fire alarms fees” are hereby amended to read as follows:

Sec. 6-127. Permits; Miscellaneous fees.

All permits issued by the Fire Department shall be valid for a period of six (6) months from the date of issuance, except as otherwise provided in this Article.

The following fees shall be charged by the Fire Department:	If work started before permit issued, double fee:	
a. Permit to install or modify fire sprinkler system	<i>\$100.00 for first 25 heads. \$0.25 for each additional head</i>	<i>\$200.00 for first 25 heads. \$0.50 for each additional head.</i>

b. NFPA automatic fire extinguishing system	60.00	120.00
c. Nursing home inspection	75.00	N/A
d. Day care center inspection	50.00	N/A
e. Hospital inspection	150.00	\$300.00
f. Reinspection (new construction)	50.00	N/A
g. Reinspection (second and subsequent reinspections required to correct a Code violation)	60.00	N/A
h. Fireworks display	50.00	100.00
i. Group home inspection	40.00	N/A
j. Annual permit for mobile fuel dispensing	30.00	60.00
k. Permit for mall covered buildings (liquid- and gas-fired equipment; open flame and flame-producing equipment)	30.00	60.00
l. Permit for exhibit/trade shows	50.00	100.00

(Ord. 0-97-29, 6/18/97) (Ord. 0-99-59, 8/18/99) (Ord. 0-2002-38, 9/11/02) (0-2006-79; 9-13-2006) (Ord. 0-2009-103, 9/23/09)

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

- a. No changes...
- 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 \$100.00. If work begins before a permit is issued the fee shall be \$200.00. (0-2006-79; 9-13-2006)
- d. No changes...
- e. No changes...
- f. No changes...
- g. Any occupancy that has at least six (6) chargeable false alarms in a calendar year shall be subject to a fine of *seventy-five dollars (\$75.00)* for each alarm in excess of five (5) .
- h. The Fire Department will notify any occupancy that has accrued five (5) chargeable false alarms during the calendar year advising them that they will be subject to a fine of *seventy-five dollars (\$75.00)* upon the sixth chargeable false alarm. (ORD 0-97-29, 6/18/97) (Ord. 0-2009-103, 9/23/09)

PART 6. That Tyler City Code Chapter 8, "Parks", Article V, "Fees", is hereby amended to read as follows:

ARTICLE V. FEES

Sec. 8-70. Special use permits for swimming pool and spray ground.

a. Fun Forest and Woldert Park Pools may be rented for a fee of one hundred dollars (\$100.00) per weekend for swim meets. Special use permits may be obtained for a fee of *thirty-five (\$35.00)* to reserve a pool for swimming practice for a specific period of time.

b. Special use permits may be obtained for a fee of *thirty-five (\$35.00)* to reserve, for a specific period of time, any park spray ground or the Dolphin Fountain at Bergfeld Park. (Ord. No. O-96-53, 6-26-96) (Ord. No. O-2007-80, 7/11/07) (Ord. 0-2009-103, 9/23/09)

Sec. 8-71. No changes.

Sec. 8-72. No changes.

Sec. 8-73. No changes.

Sec. 8-74. No changes.

Sec. 8-75. No changes...

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 *fifty dollars (\$50.00)* shall be charged for rental of park pavilions and restrooms. A fee of *one hundred dollars (\$100.00)* and a damage deposit of *one hundred fifty dollars (\$150.00)* 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)

Sec. 8-77. Soccer tournament field usage fee.

A fee of *one hundred twenty-five dollars (\$125.00)* per field shall be charged as a field usage fee for soccer tournaments, in addition to the *thirty-five dollars (\$35.00)* special event permit fee described in section 8-76 above. (Ord. No. O-96-53, 6-26-96) (Ord. 0-2009-103, 9/23/09)

Sec. 8-78. Athletic field maintenance fees.

a. A fee of *three hundred fifty dollars (\$350.00)* per field per season shall be charged as a maintenance fee for Junior Football League games. In the event of tournament play, a *thirty-five dollar (\$35.00)* special event permit fee will be charged in accordance with section 8-76 above.

b. A fee of *three hundred fifty dollars (\$350.00)* per field per season shall be charged as a maintenance fee for soccer games at Lindsey Park or any other City owned facility. In the event of tournament play, a *thirty-five dollar (\$35.00)* special event permit fee will be charged in accordance with section 8-76 above.

c. Season rental fees for baseball games. A fee of *one thousand one hundred twenty dollars (\$1,120.00)* per field per season shall be charged as a maintenance fee to youth sports organizations for baseball games at Golden Road Park, Fun Forest Park, and Faulkner Park, or any other City owned facility, except those youth sports organizations with one (1) or more but less than 499 participants, in which case the youth sports organization shall be charged a prorata

fee of *eight hundred forty dollars (\$840.00)* for use at any City owned facility. In the event of tournament play, a *thirty-five dollar (\$35.00)* special event permit will be charged in accordance with section 8-76 above. (Ord. O-96-53, 6-26-96) (Ord. No. 0-2005-41; 6/8/05)

d. Season rental fees for Adult City-Sponsored Recreation Softball Leagues. A fee of *thirty-five dollars (\$35.00)* per field per game shall be charged. In the event of tournament play, a *thirty-five dollar (\$35.00)* special event permit fee will be charged in accordance with section 8-76 above. (Ord. 0-2009-103, 9/23/09)

Sec. 8-79. No changes.

Sec. 8-80. No changes.

Sec. 8-81. Senior Citizen's Center Facilities Charges

The rates and charges for the use of the Senior Citizen's 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:

Senior Citizen's Center (Rentals on 1st and 3rd Saturdays only. Facility hours are from 8:00 a.m. to 10:00 p.m.)

	Regular Rate	Add. Hour
Building	\$120 for first 4 hours with minimum of 4 hours	\$50 per hour or \$120 per 4 hour block
Damage Deposit	\$150	

(Ord. 0-2005-78, 9/28/05) (Ord. 0-2009-103, 9/23/09)

Sec. 8-82. No changes.

PART 7. That Tyler City Code Chapter 9, "Library", Section 9-1. "Nonresident fees" is hereby amended to read as follows:

Sec. 9-1. Nonresident fees.

a. Non-resident fees.

1. In the interest of equity, nonresidents of the City wishing to borrow materials from the library shall pay fees to borrow items and for each session on the Library's computer workstations.

2. Nonresidents shall pay either a transaction fee for each item borrowed and for each computer session or an alternate membership fee that permits borrowing and computer use under the same conditions as residents.

3. No changes... (Ord. No. O-96-22, 4-3-96)

4. The rate of charge for a membership fee shall be \$25 per person for a six month time period.

b. Late Return Fees. No changes...

(0-2006-79; 9-13-2006) (Ord. 0-2009-103, 9/23/09)

PART 8. That Tyler City Code Chapter 12, "Airport and Transit", Article III, "Airport Commercial Activities", Section 12-31. Fees and rentals", subsection d. is hereby amended to read as follows

Sec. 12-31. Fees and rentals.

d. Fuel flowage fee. A fuel flowage fee of six cents (\$0.06) per gallon of delivered fuel minus one (1) percent for shrinkage shall be levied upon all fuel delivered to anyone at the Airport. Anyone receiving such delivery must provide the Airport Manager a copy of the delivery ticket for all fuel and oil obtained at the time of such delivery. A report of fuel sales is required on a form provided by the Airport, which report will be due on or before the fourth (4th) working day, with payment due on or before the tenth (10th) working day of each month. This report will be for the preceding month.

This City flowage fee shall not be charged to the fuel used by the government of the United States, State of Texas, and certified scheduled passenger airlines operating by contract with the City. To claim this exemption, the fuel seller must supply to the Airport Manager a copy of the delivery tickets for such users. These tickets must be provided by the tenth (10th) of the month for the preceding month, or will be waived. (Ord. 0-2009-103, 9/23/09)

PART 9. That Tyler City Code Chapter 16, "Solid Waste", Article I, "Solid Waste Disposal Regulations", Section 16-13, "Fees", is hereby amended to read as follows:

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	\$12.57 + tax
2. More than three (3) residential units at one location may be considered commercial.				
3. Additional carts are \$5 per month – (Optional)				
4. Subscription Curbside Recycling - \$2.50 per month for collection twice a month – (Optional) – effective January 1, 2006				
5. Packout Service –				

Packout Service (up to 150 feet) - \$8.50 per month – effective January 1, 2010

Packout Driveout Service (over 150 feet) - \$13.00 per month – effective January 1, 2010

(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)

6. For Solid Waste customers who do not receive Automated Service for Residential (i.e., do not have carts) -\$2.00 per month (effective January 1, 2009). This surcharge shall not apply to Packout or Driveout customers. (Ord. No. 0-2008-92; 6/23/08)

b. No changes...

1. Front load containers: (Ord. 0-2004-96, 12/8/04) (Ord. No. 0-2006-51, 5/24/06) (Ord. 0-2007-111, 9/26/07) (Ord. 0-2009-103, 9/23/09)

Number of Pickups per week	Container Size				
	2 Yd.	3 Yd.	4 Yd.	6 Yd.	8 Yd.
1	\$51.44	\$60.19	\$76.10	\$93.87	\$120.26
2	\$83.10	\$103.09	\$130.08	\$161.98	\$216.00
3	\$117.80	\$135.30	\$176.72	\$242.99	\$294.54
4		\$180.40	\$235.61	\$323.99	\$392.70
5		\$225.50	\$294.54	\$404.99	\$490.90
6		\$248.52	\$323.99	\$487.11	\$589.07

2. Roll-Off containers: (Ord. 0-2004-96, 12/8/04) (Ord. 0-2009-103; 9/23/09)

Type and Size of Container			
Open top	Daily Rental	Monthly Rental	Service Fee
12 yard	\$6.00	\$0.00	\$225.00
20 yard	\$4.00	\$75.00	\$288.00
30 yard	\$4.00	\$85.00	\$372.00
40 yard	\$4.00	\$90.00	\$455.00
45 yard	\$4.00	\$90.00	\$497.00
Compactor			
30 yard	Varies depending on cost		\$380.00
35 yard			\$421.00
40 yard			\$464.00
42 yard			\$486.00

3. Commercial Hand Pickup:

a. No changes...

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 (inside city limits)
1	\$18.31 + tax
2	\$36.62 + tax
3	\$54.93 + tax
4	\$73.24 + tax
Packout Service (up to 150 feet) - \$8.50 per month – effective January 1, 2010	
Packout Driveout Service (over 150 feet) - \$13.00 per month – effective January 1, 2010	
(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)	

PART 10. That Tyler City Code Chapter 19, “Utilities”, Article III, “Water & Sewer Service”, Division C, “Rate” is hereby amended to read as follows

DIVISION C. RATES

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	
Meter size (in.)	October 1, 2009
5/8	8.85
1	8.85
1 1/2	8.85
2	11.01
3	13.30
4	22.15
6	34.57
8	47.87
10	69.14

12	90.41
MINIMUM MONTHLY RATES – OUTSIDE CITY	
Meter size (in.)	October 1, 2009
5/8	13.28
1	13.28
1 1/2	13.28
2	16.53
3	19.96
4	33.23
6	51.86
8	71.80
10	103.72
12	135.62

(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)
 (Ord. 0-2009-103, 9/23/09)

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, 2009
First 2k	Min
Next 23k	2.72
Next 975k	1.77
Next 4mil	1.47
Over 5mil	1.41
Volume	
Volume Charge – Outside City (per 1k gal)	

Volume	October 1, 2009
First 2k	Min
Next 23k	4.09
Next 975k	2.66
Next 4mil	2.22
Over 5mil	2.12

(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)

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

FIRE LINE FEE	
Size (in)	October 1, 2009
4 A	6.18
6 B	15.49
8 C	30.96
10 D	51.10
12 E	82.09

(0-2005-77, 9-28-2005) (0-2006-79; 9-13-2006) (Ord. 0-2009-103, 9/23/09)

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. No changes...

f. No changes...

g. No changes...

h. No changes... (Ord. No. 0-96-54, 6-26-96) (Ord. No. 0-98-74, 9/2/98) (Ord. No. 0-99- 70, 10-1-99 (Ord 0-2003-42, 9-10-2003) (Ord. 0-2009-103, 9/23/09)

Sec. 19-61. No Change.

Sec. 19-62. No Change.

Sec. 19-63. 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.

RESIDENTIAL AND COMMERCIAL SEWER RATES	
MINIMUM MONTHLY RATES – INSIDE CITY	
Meter size (in.)	October 1, 2009
5/8	9.75
1	9.75
1 1/2	9.75
2	12.66
3	15.43
4	27.05
6	44.42
8	61.83
10	90.80
12	117.84
MINIMUM MONTHLY RATES – OUTSIDE CITY	
Meter size (in.)	October 1, 2009
5/8	14.63
1	14.63
1 1/2	14.63
2	18.98
3	23.15
4	40.58

6	66.64
8	92.75
10	136.20
12	176.77

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)

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, 2009
First 2k	Min.
Next 23k	1.70
Next 975k	1.58
Next 4mil	1.16
Over 5mil	.90

VOLUME	
Volume Charge – Outside City (per 1k gal)	
Volume	October 1, 2009
First 2k	Min.
Next 23k	2.54
Next 975k	2.37
Next 4mil	1.74
Over 5mil	1.36

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)

- c. No changes...
- d. No changes...

Sec. 19-65. 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)

MINIMUM MONTHLY RATES – INSIDE CITY	
Meter size (in.)	October 1, 2009
5/8	59.01
1	59.01
1 1/2	59.01
2	59.01
3	59.01
4	59.01
6	59.01
8	62.66
10	92.43
12	117.60

MINIMUM MONTHLY RATES – OUTSIDE CITY	
Meter size (in.)	October 1, 2009
5/8	88.52
1	88.52
1 1/2	88.52
2	88.52
3	88.52

4	88.52
6	88.52
8	93.99
10	138.65
12	176.39

(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)

TABLE (A2)

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

Volume Charge – Inside City (per 1k gal)		
Volume		October 1, 2009
First	2k	Min
Next	998k	1.20
Next	4mil	1.00
Over	5mil	.90

Volume Charge – Outside City (per 1k gal)		
Volume		October 1, 2009
First	2k	Min.
Next	998k	1.80
Next	4mil	1.51
Over	5mil	1.36

SURCHARGE FOR EXTRA STRENGTH DISCHARGE	
Based on water used at \$ per mg/1 per 1,000 gallons	
	October 1, 2009
BOD5	0.001967
COD	0.000951

TSS	0.001103
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(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)

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)		
Gallons	Inside City	Outside City
First 2,000	Minimum	Minimum
Next 998,000	1.54	2.31
Next 4,000,000	1.31	1.97
Over 5,000,000	1.18	1.77

SURCHARGE FOR EXTRA STRENGTH DISCHARGE	
Based on sewage discharged \$ per mg/l per 1,000 gallons	
	October 1, 2009
BOD5	0.002809
COD	0.001359
TSS	0.01576

(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)

c. No changes...

d. No changes...

e. No changes...

f. No changes... (Ord. No. O-96-54, 6-26-96) (Ord. No. 0-98-74, 9/2/98) (Ord. No. 0-99- 70, 10-1-99)

Sec. 19-67. No Change.

Sec. 19-68. Reclaimed irrigation water.

Where infrastructure is available and upon authorization by the Operations Manager, 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	\$8.27	\$12.40

b. Rate per 1000 gallons.

Gallons	Inside City	Outside City
First 2k	Min.	Min.
Over 2k	\$1.24	\$1.87

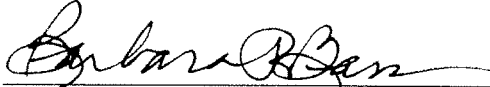
(0-2006-79; 9-13-2006) (0-2008-128; 9/24/08) (Ord. 0-2009-103, 9/23/09)

Secs. 19-69 - 19-71. Reserved.

PART 11. 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 12. 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 upon publication, which date is expected to be October 1, 2009. The effective date of the amendment to the fuel flowage fee in Section 12-31.d. shall be November 1, 2009. The effective date of the amendments to the Solid Waste rate changes in Section 16-13 shall be January 1, 2010.

PASSED AND APPROVED this 23rd day of September, A. D., 2009.


BARBARA BASS, MAYOR
CITY OF TYLER, TEXAS

ATTEST:

APPROVED:


CASSANDRA BRAGER, CITY CLERK


GARY C. LONDERS, CITY ATTORNEY

