

An Ordinance of the City of Plano, Texas, amending certain sections of Ordinance No. 2020-10-4; codified as Sections 21-135 and 21-136, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, to increase the fee schedules for sewer services effective November 1, 2021, and providing a repealer clause, a severability clause, a savings clause, and an effective date.

WHEREAS, on October 12, 2020, the City Council of the City of Plano enacted Ordinance No. 2020-10-4 to amend the fee schedules for sewer service provided in the City; and

WHEREAS, staff recommends amending certain sections of the ordinance to reflect the increased rates; and

WHEREAS, upon consideration of the presentation and the recommendations contained therein, the City Council is of the opinion that the sewer rates for both residential and non-residential customers should be increased by variable rates depending on volumetric usage; and

WHEREAS, the City Council further finds and determines that the fee increases are necessary and in the best interest of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Section 21-135, Sewer Charges-Residential, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, is hereby amended to read in its entirety as follows:

“Sec. 21-135. Sewer charges - Residential.

Rates effective November 1, 2021

Monthly sewer charges for the residential connections to the sanitary sewer collection system shall be based upon the minimum charge and the metered water amounts and shall be as follows:

- (1) Monthly sewer charges for residential connections to the sanitary sewer collection system shall be based upon the minimum charge and the **winter quarter average calculations**.
 - a. Winter quarter averaging is a method for determining residential sewer use based on winter quarter averages from up to 3 consecutive winter periods. The winter average for each year is calculated based on the water consumption during a minimum of 3 billed winter months or the 3 lowest of the 4 billed winter months (December, January, February, and March).
 - b. To determine the 3 year average, the calculated averages for each year will be combined and divided by 3.
 - c. Residential customers whose water account has been established for less than 3 winter periods will be assessed based on the period of average for 1 or 2 years.

- d. Residential customers, whose water account has not been established for at least 3 billed months of the current winter period, will be charged based upon the average three-year residential winter quarter average citywide until an accurate winter average is available.

(2) **All residential.** (Includes but is not limited to single family homes, individually metered multi-family units, patio homes, town homes and all other separately metered residential dwellings).

- a. Minimum charge.
 - 1. All meter sizes..... \$16.63
- b. Consumption charges.
 - 1. First 1,000 gallons included in meter charge (minimum bill).
 - 2. All over 1,000 gallons (per 1,000 gallons) \$6.58
- c. There will be no sewer charges for water consumed through separately metered landscape irrigation systems.”

Section II. Section 21-136, Sewer Charges-Non-Residential, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, is hereby amended to read in its entirety as follows:

“Sec. 21-136. Sewer charges-Non-residential.

Rates effective November 1, 2021

Monthly sewer charges for non-residential connections to the sewer collection system shall be based upon the size of the water meter and the metered water amounts and shall be as follows:

- (1) **All non-residential.** (Includes but is not limited to commercial, schools, churches, homeowners associations, mobile home park, industrial, apartment complexes, cooling towers and any other non-residential use).
 - a. Minimum charge
 - 1. Up to 3/4 inch\$16.63
 - 2. 1 inch 32.43
 - 3. 1 1/2 inch 58.67
 - 4. 2 inch 90.22
 - 5. 3 inch174.25
 - 6. 4 inch268.75
 - 7. 6 inch531.39
 - 8. 8 inch790.71
 - 9. 10 inch1,214.21

- b. Consumption charges
 - 1. First 1,000 gallons included in meter charge (minimum bill).
 - 2. All over 1,000 gallons (per 1,000 gallons) \$6.58
- c. Maximum charge (cap) effective for commercial swimming pools is 12,000 gallons.
- d. There will be no sewer charges for water consumed through separately metered landscape irrigation systems.”

Section III. Any provision of any Ordinance of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance is hereby repealed, and all other provisions of the ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section IV. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section V. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

Section VI. This Ordinance shall become effective November 1, 2021.

DULY PASSED AND APPROVED this the 11th day of October, 2021.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

APPROVED AS TO FORM:

Paige Mims, City Attorney