Chapter 66 UTILITIES

Article I. In General

Sec. 66-1. Application for service.

Sec. 6-2. Water use restrictions.

Secs. 66-3 – 66-30. Reserved.

Article II. Water Service

Division 1. Generally

Sec. 66-31. Prohibiting outside source of water.

Sec 66-32 Utility Easements

Secs. 66-33 - 66-50. Reserved.

Division 2. Connections

Sec. 66-51. Illegal taps.

Sec. 66-52. Water deposit.

Sec. 66-53. Water meter charges.

Secs. 66-54 – 66-70. Reserved.

Division 3. Meters

Sec. 66-71. Installation, maintenance.

Sec. 66-72. Ownership.

Sec. 66-73. Tampering.

Secs. 66-74 – 66-100. Reserved.

Article III. Sanitary Sewer System

Division 1. Generally

Sec. 66-101. Minimum number of closets required to be connected to sewer.

Sec. 66-102. Certain deposits into sewers prohibited.

Sec. 66-103. Sufficient supply of water for closets.

Sec. 66-104. Cesspools, septic tanks.

Secs. 66-105 – 66-120. Reserved.

Division 2. Connection

Sec. 66-121. Required.

Sec. 66-122. Time to make connection.

Sec. 66-123. Maintenance.

SEC. 66-124. MAINTENANCE

Secs. 66-124 – 66-150. Reserved.

Article IV. Rates, Charges, Billing Procedure

Sec. 66-151. Regulation of services.

Sec. 66-152. Rates and surcharges.

Sec. 66-153. Approval of charges by city council.

Sec. 66-154. Due date for payment of bills; penalty for delinquency.

Sec. 66-155. Payment of rates and charges.

Sec. 66-156. Disconnection of service for nonpayment.

Sec. 66-157. Resumption of service; reconnection fee.

Sec. 66-158. Termination of services at request of customer and reconnection fee.

ARTICLE I. IN GENERAL

Sec. 66-1. Application for service.

(a) Written application shall be made to the city upon forms furnished for the purpose for water, sewer or any other utility service that may be furnished by the city. Such application shall state the name and address of the applicant, the type of utility service desired, the purpose for which the application is made, and such other information as the city may request.

(b) Applicant may not use a business name when applying for utilities in a residential area. It must be put in the applicant's name, without exception.

Code 1987 §15.40

Amended 11-18-2014

Amended 2-17-2015

Sec. 66-2. Water use restrictions.

(a) Imposition of restrictions. The city council may take the following actions upon being notified by the mayor that an emergency situation exists regarding the City of Emory water treatment plant, the City of East Tawakoni's water purchase contract provisions with the City of Emory, and/or the supply of water to the citizens and water customers of the City of East Tawakoni. The city council in a public meeting after due notice of same has been given in accordance with the laws of the state, and after certifying the existence of such emergency, may by appropriate resolution impose such restrictions regarding the use of water, both commercial and noncommercial, as in the complete discretion of the city council are necessary or desirable under the circumstances then existing. These restrictions may be modified or repealed as necessary in the complete discretion of the city council by appropriate resolution.

(b) Posting of resolution. The mayor shall cause such resolution regarding water use restrictions or termination of same to be posted in the city municipal building and published at least once in any newspaper serving the city, which shall constitute sufficient public notice of same due to the emergency existing.

(c) Penalty for violation. Any person found guilty of violation of the provisions of this section shall be fined not less than $25.00 nor more than $200 .00 per offense. On continued and willful violation of this section, the city may discontinue water service to the violator.

Ord. 8-29-2000 §15.36

Secs. 66-3 – 66-30. Reserved.

ARTICLE II. WATER SERVICE

DIVISION 1. GENERALLY

Sec. 66-31. Prohibiting outside source of water.

No person shall cause to be connected to any service lines upon his property connected to the city water lines any outside source of water; and if any customer does connect any outside source of water to his lines which are connected to the city water lines, that customer's service shall be immediately discontinued by the city without any notice to the customer.

Code 1987 §15.32

Sec 66-32 Utility Easements

 City Utility line locates shall be provided as needed by the City utility company. City Utility easement are located and there shall be at least ten (10) feet in width (normally five (5) feet on each side) of the water and /or sewer mains. Easements shall remain accessible to the City utility company. The City Utility exercising its access rights to the easement does not have to repair or replace anything they damage or remove from the easement area. If a structure is built on an easement and the easement needs to be accessed, the structure could be removed and/or damaged with no obligation to repair or replace the structure

Secs. 66-33 – 66-50. Reserved.

DMSION 2. CONNECTIONS

Sec. 66-51. Illegal taps.

It shall be unlawful for any person, other than an authorized employee of the city, to make any. tap to any water line part of the city's water system.

Code 1987 §15.41

Sec. 66-52. Water deposit.

(a) Along with the application for water service, the applicant shall pay to the city a deposit in such amount as is on file.

(b) Any deposit made to the city by any applicant shall be held by the city until such applicant's utility service for which the deposit was made shall be terminated. Upon termination of such service, the applicant shall be entitled to a refund of such deposit, less any amount which is due and owing the city.

(c) It shall be unlawful for the water or sewer department or any officer or agent of the city to pay any interest whatsoever on any money deposited with the water or sewer department except interest, if any, which may have lawfully accrued on deposits held by the city. The payment of interest by the city on any water, sewer or other deposit not specifically authorized in this division is prohibited.

Code 1987 §15.46

Sec. 66-53. Water meter charges.

(a) The charges which shall be assessed and collected from the customer for the installation of a water meter shall be as follows:

(1) All new water connections, whether residential or commercial, located within the city limits shall have a tap fee which is on file in the city secretary's office.

(2) All new water connections, whether residential or commercial, located outside the city limits shall have a tap fee which is on file.

(b) The charges assessed in subsection (a) of this section shall apply to the installation of a three fourths inch meter, and any customer desiring a meter of a larger size shall pay in addition to that charge all costs incurred by the city in the installation of the larger size meter.

Code 1987 §15.42

Secs. 66-54 – 66-70. Reserved.

DIVSION 3. METERS

Sec. 66-71. Installation, maintenance.

All meters required by this article and used to measure the consumption of utility services furnished by the city shall be installed and maintained by the city.

Code 1987 §15.43

Sec. 66-72. Ownership.

All meters used for the measurement of the consumption of any utility service furnished by the city shall be the property of the city. It shall be unlawful for any person to install or maintain any meter for such purposes anywhere within the city which is not owned by the city.

Code 1987 §15.44

Sec. 66-73. Tampering.

It shall be unlawful for any person, other than a duly authorized employee of the city, to tamper with any meter; or to in any manner injure any meter; or to manipulate or attempt to manipulate any meter in any manner so as to affect its registration or measurement of the metered utility service.

Modify to read:

It shall be unlawful for any person, other than a duly authorized employee of the city, to tamper with any meter/meter box in any manner.

The customer is responsible to ensure that the meter lid and meter box remains in place over the meter to protect the meter. If the meter box is damaged, it will be replaced at the customer’s expense. If a water meter is damaged due to negligence or tampering, the meter will be replaced at the customer’s expense.

Any expense for water meter/box for repair or replacement will result in disconnection of service is not paid within ten (10) days .

Code 1987 §15.45

Amended 12-15-2015

Secs. 66-74 – 66-100. Reserved.

ARTICLE III. SANITARY SEWER SYSTEM

DMSION 1. GENERALLY

Sec. 66-101. Minimum number of closets required to be connected to sewer.

It shall be unlawful for the owner or occupant of any building situated on a lot extending within 300 feet of any sewer system of the city where people reside or are regularly employed to fail to have at least one water closet connected with the city sewer system.

Code 1987 §15.11

Sec. 66-102. Certain deposits into sewers prohibited.

It shall be unlawful for any person to make or have made any connection with the sanitary sewer system of the city that will permit any surface or drain water from the ground or roofs of houses or the overflowing of cisterns or cesspools to enter any sanitary sewers directly or indirectly.

Code 1987 §15.12

Sec. 66-103. Sufficient supply of water for closets.

It shall be unlawful for the owner or occupant of any building or premises within the city to use or to permit anyone else to use any privy or water closet on such premises that is connected with the sewer system of the city unless the privy or water closet shall be used in connection with sufficient water flowing into the sewer to keep the pipes connecting such privies or water closets with the sewers free from obstruction.

Code 1987 §15.10

Sec. 66-104. Cesspools, septic tanks.

It shall be unlawful for any person to build, construct, dig, maintain or use any cesspool or septic tank within the city; however, when connection to the city's sanitary sewer system is impossible or impractical at any time, the construction, maintenance and use of a septic tank constructed in conformity to state law and approved by the building inspector may be permitted until such time as connection to the sewer system may be ma de.

Code 1987 §15.16

Secs. 66-105 – 66-120. Reserved.

DIVISION 2. CONNECTION

Sec. 66-121. Required.

All owners or occupants of buildings, or agents for the owners, situated in any section of the city where sanitary sewer exists and where the property line of the land on which any such building is situated approaches or extends to within 300 feet of any such sewer are required to construct or cause to be constructed suitable water closets on their property, and connect the water closets with the city sewer under the supervision of the city inspector.

Code 1987 §15.13

Sec. 66-122. Time to make connection.

It shall be unlawful for the owner or occupant of any building situated on a lot extending within 300 feet of any sewer of the city, any portion of which building is used for living quarters, during any portion of the day, to fail to have one water closet connected with the city sewer within 30 days after notice from the city.

Code 1987 §15.14

Sec. 66-123. Maintenance.

It shall be the duty of any property owner or occupant of property to keep and maintain the sewer connection in good condition and free from an obstruction.

Code 1987 §15.15

SEC. 66-124. MAINTENANCE

It is the sole responsibility of the property owner/occupant of home for any damages sustained or repairs required from the sewer tap to the home, regardless of easement.

Adopted

Amended 7-15-2014

Secs. 66-125 – 66-150. Reserved.

ARTICLE IV. RATES, CHARGES, BILLING PROCEDURE

Sec. 66-151. Regulation of services.

No person shall be allowed to be a customer and to receive services from the city for any one service rendered by the city without also being a customer of all other services rendered and available to that person by the city.

Code 1987 §15.30

Sec. 66-152. Rates and surcharges.

All persons who are customers of the city for any services rendered shall pay all rates and surcharges made by the city which are on file in the city secretary's office.

Code 1987 §15.31

Sec. 66-153. Approval of charges by city council.

The monthly rates and charges to be charged by the city for treated water furnished to its customers and the monthly schedule of the sewer rates and charges to be paid by the users of the city sanitary facilities shall be fixed by the city council.

Code 1987 §15.49

Sec. 66-154. Due date for payment of bills; penalty for delinquency.

(a) Utility bills are due and payable as provided on the bill and shall be delinquent and subject to service termination as provided on the bill.

(b) Any customer who becomes delinquent in the payment of any rates or surcharges made by the city for any services rendered to him by the city shall be considered delinquent in the payment of any and all other rates and surcharges for other services rendered to him by the city. If it becomes necessary to discontinue the rendering of any one service to a customer due to a delinquency of charges due to the city, the city shall have the right to discontinue any and all services being rendered to any customer.

Code 1987 §15.31

Sec. 66-155. Payment of rates and charges.

1. The rates and charges fixed and prescribed by this article shall be due and payable in the office of the water and sewer department on or before the date as provided on the bill. A charge of $20.00 will be assessed against any delinquent payments over five dollars ($5.00) after the fifteenth of the month.
2. The property owner or occupant of the property are responsible for any and all leaks/repairs, etc., located between the water meter and the home that would cause an increase on their monthly bill. The property owner or occupant of the property will be responsible for payment in full of their monthly water bill within the time allowed. The property owner or occupant of the property is expected to check their homes frequently for leaking faucets, commodes, outdoor hydrants, etc. There will be no bill adjustments for leaks/ repairs of any kind.

Code 1987 §15.51

Amended 7-15-2014

Sec. 66-156. Disconnection of service for nonpayment.

If any customer of utility services furnished by the city does not pay the rates and charges within the time specified on the bill, the city shall have the authority to disconnect or terminate or cause to be disconnected or terminated all utility services furnished such customer after notice and opportunity to be heard as provided on the bill.

Code 1987 §15.52

Sec. 66-157. Resumption of service; reconnection fee.

Any consumer of the utility services furnished by the city whose utility services have been disconnected or terminated for the nonpayment of the rates and charges may have such utility services resumed by paying all rates and charges due by him to the city, and in addition a reconnection fee which is on file in the city secretary's office.

Code 1987 §15.53

Sec. 66-158. Termination of services at request of customer and reconnection fee.

Any consumer of utility services furnished by the city whose utility services have been disconnected or terminated upon request of the consumer may have such utility services resumed by paying by him to the city a reconnection fee on file plus all additional costs which might be incurred by the installation of connections to provide the resumption of service.

Code 1987 §15.54