

ORDINANCE 80-6
VILLAGE OF JAMAICA BEACH, TEXAS
MUNICIPAL WATER & SEWER
RATES AND REGULATIONS

The board of aldermen of The Village of Jamaica Beach, Texas met at the City Hall November 17, 1980. When the following business was transacted:

The Ordinance set out below was introduced for consideration of the Council. It was duly moved and seconded that said Ordinance be adopted; and, after due discussion, said motion carried by the following vote:

Ayes: All Councilmen shown present.

Noes: None

The order thus adopted is as follows:

Any order, and amendments thereto, heretofore adopted by the Council, providing rates for water and sewer service for customers within the district, is hereby revoked upon the effective date of this Ordinance.

The Ordinance hereinafter set out shall become effective immediately.

ORDINANCE SETTING WATER AND SEWER
SERVICE RATES

Section 1. Definitions.

For purposes of this order, the following words or terms shall have the following meaning:

(1) "Consumer" shall mean the occupant of a residential, commercial or industrial structure within the area of the Village, whether the owner, renter or lessee thereof. Inasmuch as this order hereinafter makes it mandatory for each such occupied structure to be connected to the lines of the Village as soon as the Village's system becomes operable, the term "consumer" shall mean and include the occupant of such structure at the time service become available to it, whether or not the structure actually has been connected to the lines of the Village.

(2) "System" as used herein shall mean the water and/or sanitary sewer facilities of the Village and all extensions and additions thereto, whether now in place or hereafter constructed.

(3) "Delinquent bill" shall mean a bill for water and/or sewer service which has not been paid within forty-five (45) days after the date of the bill for the preceding month's service.

(4) "Operator" shall mean the person, firm, corporation, municipal corporation or political subdivision with which the Village has contracted for operation and maintenance of the plants and lines of the Village system.

(5) "Separate connection" shall mean each residential unit occupied by a separate family or person, including separate apartments within a single building, and each business unit occupied by a separate business, including separate establishments within a single building.

(6) "Residential connection" shall mean and include any single family residence, townhouse, or multiplex (other than apartments) when such is separately metered..

(7) "BOD" (Five-day Biochemical Oxygen Demand) shall mean the quantity of dissolved oxygen required for biochemical oxidation under aerobic conditions in a period of five (5) days at twenty degrees centigrade (20°) expressed in parts per million by weight.

(8) "Normal Domestic Sewage" shall mean a combination of water - carried wastes, free from ground, surface, and storm waters and industrial wastes, normally discharging from the sanitary conveniences of dwelling (including apartment houses and hotels), office buildings, factories, and institutions in which the average concentration of 5-day BOD and total suspended solids is established at 200 parts per million by weight.

(9) "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surfact, and ground waters are not intentionally admitted.

Section 2. Monthly rates for water service.

(a) The following rates per month shall be charged for water service furnished by the Village through meters to each separate residential connection in every instance in with a different charge is not expressly and clearly provided for elsewhere herein:

For first 2,000 gallons of water used \$12.65

For each 1,000 gallons of water used
over 2,000 gallons 1.85

The minimum monthly charge to each residential connection shall be \$10.05 (\$10.05) for which 1,000 gallons of water may be used.

(b) The following rates per month shall be charged for water service furnished by the district through meters to each separate commercial connection in every instance in which a different charge is not expressly and clearly provided for elsewhere herein:

For first 2,000 gallons of
water used \$12.65

For each 1,000 gallons of
water used over 2,000 gallons \$ 1.85

The minimum monthly charge to each commercial connection shall be \$12.65 for which 2,000 gallons of water may be used.

Section 3. Monthly rate for residential sewer services.

The following rates per month shall be charged by the Village to each residential connection as that term is herein above defined, in every instance in which a different charge is not expressly and clearly provided for herein:

For sewer service to residential connections:

\$32.35 per month per connection, for the first
5000 gallons of water metered, and for each 1000
gallons of water metered over the initial 5000 gallons
and additional \$1.85 per 1000 gallons.

Section 4. Monthly rates for commercial sewer service.

(a) The following rates per month shall be charged for sewer service furnished by the Village to commercial establishments in every instance in which a different charge is not expressly and clearly provided for herein:

For sewer service: Up to 5000 gallons of water used
\$32.35 Over 5,000 gallons of water used, a charge of \$1.85 per
1,000 gallons used.

(b) The minimum monthly sewer charge for commercial

establishments shall be \$32.35.

Section 5. Requirement to connect to Village's system.

Each structure within the Village shall be connected to the system of the Village as soon as such structure is occupied and the village has made available to such structure plant and line capacity to serve same. If both water and sewer service do not become available at the same time, the consumer must connect to the water system at the time water service becomes available and to the sewer system at the time sewer service becomes available.

Section 6. No reduced rates or free service.

All consumers receiving either water or sewer service or both, from the Village shall be subject to the provisions of this order and shall be charged the rates established in this order and no reduced rate or free service shall be furnished to any such consumer.

Section 7. Discontinuing service for failure to pay bills when due.

Village shall have the right to discontinue service and cut off the supply of water to a consumer at any time after his bill becomes delinquent. A charge of \$100.00 shall be made for restoring water service where such service has been discontinued because of the consumer's failure to pay a bill before it becomes delinquent.

Section 8. Discontinuing service upon request of consumer.

Whenever a consumer of Village water temporarily or permanently abandons the structure being served and no longer wishes to be furnished with water, he shall notify the Village's operator at least two (2) days prior to the time he desires such service discontinued. A charge of \$100.00 shall be made for discontinuing and a charge of \$100.00 for restoring water service where such service is discontinued or restored at the request of the consumer and he is not delinquent in the payment of any bill at the time of either request.

Section 9. Penalty for late payments.

A late charge of \$5.00 shall be added to the resident consumer's bill when such bill has not been paid within 25 days from the date thereof. A late charge of \$10.00 shall be added to the commercial consumer's bill when such bill has not been paid within 25 days from the date thereof.

Section 10. Consumers not entitled to specify quantity or pressure of water

Water consumers are not guaranteed to specific quantity or pressure of water for any purpose whatever, and it is understood that Village is only to furnish a connection with its water system and is in no case to be liable for failure or refusal to furnish water or any particular amount or pressure of water.

Section 11. Water connections generally.

No person, other than the properly authorized agents of the Village, shall be permitted to tap or make any connection with the mains or distributing pipes of the Village's water system.

No person, other than the properly authorized agents of the Village, shall be permitted to make any repairs or additions to or alterations in any tap, pipe, cock or other fixture connected with the service-water pipe.

Section 12. Applications for installation of water meter with two-inch (2") or less connections.

Every person desiring the installation of a water meter with a connection of two inches (2") or less, shall be required to sign and execute an application for installing a meter before the Village will install such a meter.

In referring to sewage in listing the charges for monthly use and tap fees, the intent of this regulation is that the user be discharging Normal Domestic Sewage as defined in Section 1. Also, the Village's sewer system is a sanitary sewer as defined in Section 1, because of anticipated capacity use by the Village, as housing develops, it is not the intention of the Village to provide any user with connection to this system for the run off of surface water.

Should the Village find a user violating this restriction, the Village can refuse service to this user after 30 days written notice (both water and sewer) unless the user at his expense corrects his plumbing system to see that the Village's sanitary system is receiving only

normal domestic sewage.

Section 13. Residential water and sewer tap charges.

(a) The following charges shall be made for every residential water tap or connection up to and including a 3/4 inch connection, to the Village's water distribution system, which charges shall include the meter and meter box and installation thereof: \$ 200.00 for water tap.

(b) For connection of over 3/4 inch, the District will establish tapping charges by separate order or agreement.

(c) The following charges shall be made for every residential sewer tap and connection up to and including a 4-inch connection, to the Village's sewer collection system:

\$ 500.00 for each sewer tap.

(d) In addition to the foregoing water and sewer tap charges, the minimum charge for water service for one month of \$10.05 for Residential users and \$10.05 for Commercial users shall at the time tapping charges are paid, be paid to the Village prior to the connection of any unit to the Village's water distribution or sewer collection system.

(See Section 18)

(e) All tapping charges and other charges including deposits, shown above, shall be paid for when application for the tap or connection is made and the request for services shall be held in abeyance until such charges have been paid.

Section 14. Residential sewer service request and tap inspection.

Every person requesting sewer service from the Village shall so notify the Village's operator. After the notification, the person requesting said services shall have a licensed plumber make the tap on the Village's sewer line. After the tap has been completed, the applicant shall notify the Village's operator, who shall make an inspection of the tap before sewer service is commenced. The Village hereby sets an inspection fee of \$ 17.50 per sewer tap which fee shall be paid by the plumber making the connection at the time of the inspection.

Section 15. Commercial Water and sewer tap charges.

(a) For purposes of this order, "Commercial Consumers" shall include, but are not limited to, any office building, hotel, retail store, clubhouse, warehouse, construction yard, service station, or other establishment rendering a service of offering a product for sale to the public, apartments, churches, schools, and any and all establishments not generally considered a single-family residence.

(b) The water tapping charge herein adopted for commercial consumers shall be \$200.00 for all 3/4 inch commercial taps (water).

(c) All commercial taps over 3/4 inch should require a contract negotiated with the consumer according to his needs. First, the operator must give the Village a firm price for the installation. Then, the contract should consist of the actual cost of the meter and meter box, plus all labor and material costs of the Village to which should be added 100% for overhead and administrative costs. Should this commercial tap require a 4-inch tap, its tap fee will be \$500.00 above 4 inch must be negotiated for cost of tap. The above commercial taps, either 4-inch or 6-inch, would be subject to a contract signed by the owner or user (not the contractor).

1. Should the commercial user operate a business that would discharge sand, grease, food fats or mineral generated fats), or oil (vegetable, animal or mineral) into the system, he must at his expense, provide interceptors (more commonly called traps), as defined by the Southern Standard Plumbing Code.

2. When installed, the interceptors shall be maintained and kept clean to the extent needed to perform their intended function at the expense of the user. The Village reserves the right to discontinue the service (both water and sewer), if our operators report non-compliance.

3. Further, should the nature of the user's business generate any harmful matter, (such as excessive amounts of phosphates, dye waster, or any waste that shall require special treatment) the user may either at his own expense, install a pretreatment unit complete with inspection manhole or surface inspection site, suitable for the operator to take samples for tests to see that the treated waste are not needing

additional treatment at the Village's plant, of if the Village wishes, the user would pay a monthly sur-charge, per 1,000 gallons of water used, to fully compensate the costs to the Village for the special treatment that will be required. This fee will be subject to review every six (6) months by the Village's accountant, furnishing the operator and the customer a record of the extra costs. The fee should be adjusted upward or downward subject to these records.

(d) All tap charges shown above shall be paid for when application for the tap or connection is made, and the request for service shall be held in abeyance until such charges have been paid.

(e) An inspection fee of \$ 17.50 is hereby set for each commercial sewer tap which fee shall be paid by the plumber making the tap at the time of inspection.

Section 16. Meters, Title, tampering, maintenance, and setting.

(a) Title to all water meters and appurtenance, including the meter boxes enclosing same, shall vest in the Village.

(b) No person other than a duly authorized agent of the Village shall open the meter box or tamper or in any way interfere with the meter or box.

(c) The Village will maintain, repair, and replace all meters and appurtenances in connection therewith at its costs.

(d) All meters shall be set by employees or agents of the Village.

Section 17. Meters and boxes to be free from rubbish and obstruction.

After a meter has been set, the consumer shall at all times keep the space occupied by the meter and the box free from rubbish and obstructions of any kind.

Section 18. Deposit to secure payment.

The Village operator is hereby given authority to require persons whose water service has been disconnected for nonpayment of bill requesting water and/or sewer service from the district be reconnected to post a deposit with the operator of \$75.00. Such deposit is solely to secure the payment of charges established by this order. In the event the consumer has had an acceptable payment record for ten (10) months following the reconnection of service, the Village will credit the consumer's account for the amount of said

deposit in the eleventh (11th) month. Also, upon termination of service, Village shall apply the deposit on hand to the unpaid service charges of the consumer and the excess, if any, will be paid to the consumer.

No interest will be paid by the Village on said deposit.

Section 19. Temporary Water Connections for Construction (120 Days or Less.

(A) A user who requests a temporary water connection within the Village for construction purposes for a period not to exceed 120 days, shall pay the same water tap fee required of commercial customers within the Village as hereinabove provided in Section 15 of this Order. In addition said user shall bear the entire cost of renting any metering equipment necessary in Village's operator's opinion, to measure the quantity of water supplied said user by the Village. In addition to the foregoing said user shall pay the monthly rates for all water furnished by the Village, as commercial customers within the Village as provided in Section 2 (B) of this order.

(B) A user who requests a temporary water connection outside the Village's boundaries for construction purposes for a period not to exceed 120 days, shall be required to pay a water connection fee equal to two and one-half times the water connection fee paid by commercial customers within the Village's boundaries. In addition, said user shall bear the entire cost of renting any metering equipment necessary in Village's operator's opinion to measure the quantity of water supplied and used by the Village. In addition to the foregoing user shall pay monthly rates for all water furnished by the Village equal to two and one-half times the monthly rates paid by commercial customers located within the Village boundaries as set forth in Section 2 (B) of this order.

RULES AND REGULATIONS
GOVERNING

SEWER HOUSE LINES AND SEWER CONNECTIONS

The following regulations are to govern the installation of all sanitary connections within Village of Jamaica Beach, Texas.

I. SERVICE LINES

- A. Service line is defined as the sewer from the foundation of the house or commercial building to the sewer line owned by the Village.
- B. Only one service line connection to the Village's sanitary collection system is permitted for each residence or commercial building.
- C. Only the following types of pipe and fitting materials are approved for constructing service line will be of identical material.
 1. Vitrified clay pipe conforming to ASTM Specifications C71 with joint coupling conforming to ASTM Specifications C425 or C594 and installed according to ASTM C12.
 2. Cast iron soil pipe, standard weight, conforming to ASTM Specification A74 with rubber gasket joint coupling conforming to ASTM Specification C564.
 3. Poly-vinyl-chloride PSM (PVC) pipe conforming to ASTM Specification S3034 and installed according to ASTM D2321.
 4. Ductile-Iron Pipe conforming to ANSI with rubber gasket joints ANSI A21.11, and installed according to manufacturer's recommendations.
 5. Acrylonitrile-butadiene-styrene (ABS) pipe, material conforming to ASTM Specification D275)
- D. Minimum sizes of service lines shall be as follows:
 1. Residential ---4- inches in diameter
 2. Light Commercial --4-inches in diameter (25,000 gallons or less.
 3. Commercial ----6-- inches in diameter
- E. Minimum grades for service lines shall be as follows:
 1. 4 inch pipe - one foot drop per hundred feet (1%)
 2. 6 inch pipe ---six inches drop per hundred feet (0.5%)
 3. 8 inch pipe---four inches drop per hundred feet (0.33%)
- F. Maximum grades for service lines shall be as follows:
 1. 4-inch pipe --two and one-half feet drop per hundred feet (2.5%)
 2. 6-inch pipe--one and one-half feet drop per hundred feet (1.5%)
 3. 8-inch pipe one foot drop per hundred feet (1%)

- G. Construct service lines to true alignment and grade. Wrap and sagging lines will not be permitted.

II.

CONNECTION OF BUILDING SEWER OUTLET TO SERVICE LINES

- A. Building tie-on connection will be made directly to the stub-out from the building plumbing at the foundation on all waste outlets.
- B. Water-tight adapters of a type compatible with the materials being joined will be used at the point of connection of the service line to the building plumbing. No cement grout materials are permitted.
- C. Existing "wye" and stack connections must be utilized or connection of the service line to the sewer main unless an exception is permitted by the Village operator.

III.

FITTINGS AND CLEANOUTS

- A. No bends or turns at any point will be greater than 45 degrees.
- B. Each horizontal service line will be provided with a cleanout at its upper terminal; and each such run of piping which is more than ninety (90) feet in length will be provided with a cleanout for each ninety (90) feet or fraction thereof, in the length of such piping.
- C. Each cleanout will be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of "wye" branch and end-of-the line cleanouts, cleanouts will be installed vertically above the flow line of the pipe.
- D. Cleanout will be made with air-tight mechanical plug.

IV.

CONNECTION PERMIT

- A. Application for Sanitary Sewer Service must be filed prior to construction of the service line and the connection fee should accompany this application. (Application forms are available from the Village's operating company). Construction must not begin until authorization by the Village.
- B. When the service line is complete, and prior to backfilling the pipe trench, the applicant for sewer service shall request an inspection of the installation. Request for inspections shall be made to the Village's operator twenty-four hours in advance of the inspection.
- C. The physical connection to the Village's sewer main will be made by use of an adapter of a type compatible with materials being joined. The connection shall be water-tight. No cement grout materials are permitted.
- D. Backfilling of service lines trench must be accomplished within twenty-four (24) hours of inspection and approval. No debris will be permitted in the trench.
- E. A connection permit will be granted after inspection confirms that all requirements of these Rules and Regulations have been met

V. EXCLUDED FLOW AND WASTE

- A. No waste material which is not biologically degradable will be permitted to discharge into the Village's sewerage facilities, including mud and debris accumulate during service line installation.
- B. No downspouts, yard or street drains, or gutters will be permitted to be connected into the Village's sanitary sewer facilities.
- C. Swimming pool connections will not be made to the Village's sewer system unless approved by the Council.

VI. Failure to adhere to the preceding construction regulations will occasion a fine of Fifty Dollars (\$40.00) per violation to be paid by the builder to the Village.

Water service will not be provided by the Village until the requirements herein have been met and written permit has been granted.

VII Connections to plumbing systems required.

(a) All plumbing fixtures, drains appurtenances, and appliances to receive or discharge liquid waste, or sewage, shall be connected properly to the drainage system of the building or premises in accordance with the requirements of this Code.

(b) The plumbing system for each building or other structure shall be entirely separate and independent of every building drainage or plumbing system serving another building or structure, except that building or other structure on the same premises and under the same ownership may be connected to the same building sewer, except that where a building star in the rear of another building or an interior lot and separate building sewer cannot be provided for the rear building through an alley, yard, or other open public space, the building drain of the front building may be connected to serve the rear building when such building drain of the front building is of size and in connection to serve both buildings and such dual use is approved by the Village Operator or its agent.

(c) Mandatory connections. The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purpose, situated within the Village and abutting on any street, alley, or right-of-way in which there is not located or may in the future be located a public sanitary or combined sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Code, within ninety (90) days after official notice to do so, provided that said public sewer is within one hundred feet (100') of the property line.

Drainage required.

General. Every building or other structure or premises in or on which such plumbing fixtures are installed, or in which liquid or waterborne wastes accumulate, shall be equipped with

an approved drainage and plumbing system to convey all liquid or waterborne wastes to a public sewer provided that where a public sewer is not available, other approved provisions shall be made for disposing of such wastes in conformity with the provisions of this Code and other applicable laws and ordinances.

Private sewage disposal system.

(a) General. When a public sewer is not available for use, sewage and other building wastes facilities shall be connected to private sewage disposal system as directed by the Sewrage Rules and Regulations of the Village. The use of septic tanks, chemical toilets, privies, privy vault or aerobic digesters may be permitted when approved by the Village.

(b) Application required. Before commencement of construction of a private sewage disposal system the owner shall submit an application on a form furnished by the Village for permission of construction, which the applicant shall supplement by any plans, specifications, and other information as deemed necessary.

(c) Regulations. A permit for a private disposal system shall not become effective until the installation is completed to the satisfaction of teh Village. Inspection shall be allowed at any stage of construction and the applicant for the permit shall notify the Village operator when the work is ready for final inspection, and before any underground portions are covered. The type, capacities, location, and layout of the system shall comply with all the recommendations of the Texas State Department of Health and the United States Public Health Service.

VIII

Upon conviction of a violation of the foregoing sections of these Rules and Regulations of the Village, any person may be assessed a fine of not more than two hundred dollars (\$200.00), nor less than fifty dollars (\$50.00) For each violation; and each day a violation of the foregoing sections of these rules and regulations exists shall be considered as a separate offense.

IX

Miscellaneous.

Whenever the terms "code", "Ordinance", or "regulation" are used in any Rules and Regulations adopted by the Village, such terms shall be construed as encompassing all Rules and Regulations adopted by the Village, before, after, or concurrently with those in which term is used.

Passed and adopted this 17th day of November 1980.

ATTEST:

James S. H. Smith
City Secretary

APPROVED AS TO FORM

Alfred M. ...
City Attorney

Clair ...
Mayor