

ORDINANCE NO. 2023-003

AN ORDINANCE OF THE BOARD OF DIRECTORS OF WYLIE NORTHEAST SPECIAL UTILITY DISTRICT, COLLIN COUNTY, TEXAS, AMENDING AND RESTATING SECTION 7.07 OF THE RATE ORDER TO INCREASE THE WATER USAGE AND LEAK ADJUSTMENT RATES, AND TO ADOPT A FLAT FEE FOR RESIDENTIAL WASTEWATER SERVICE; PARTIALLY REPEALING ORDINANCE NO. 2022-003; PROVIDING FOR A SAVINGS/REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Wylie Northeast Special Utility District (the "District") is a political subdivision of the State of Texas created under the authority of Section 59, Article XVI, Texas Constitution, and operating pursuant to Chapters 49 and 65, Texas Water Code; and

WHEREAS, the Board of Directors of the District adopted a comprehensively revised and restated Rate Order pursuant to Ordinance No. 2015-004 establishing service policies and rates for water and sewer services provided by the District to the public; and

WHEREAS, the District entered into a wholesale supply contract with the North Texas Municipal Water District ("NTMWD") for the District's entire water supply; and

WHEREAS, on September 12, 2022, the Board adopted Ordinance No. 2022-003, Section 5 of which amended and restated Section 7.07 of the District's Rate Order setting rates for water usage, sewer service, and leak adjustments together with other related charges; and

WHEREAS, due to rampant inflation and a 8.9 percent rate increase imposed on the District by the NTMWD, the Board finds it necessary to increase certain rates and fees as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF WYLIE NORTHEAST SPECIAL UTILITY DISTRICT THAT:

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance by reference for all purposes.

SECTION 2. Amending and Restating Section 7.07 of the Rate Order. Section 7.07 of the Rate Order is hereby amended and restated in its entirety to read as follows:

7.07 Monthly Service Charges.

(a) Water Service. The District shall assess monthly charges for water service at the following rates:

(1) Base Rate. The base rate is that portion of a customer's

monthly bill which is paid for the opportunity of receiving utility service, excluding standby fees which does not vary due to changes in service consumption. The standard service unit is a 5/8" x 3/4" meter (as per AWWA maximum continuous flow specifications), which is used as a base multiplier for the monthly base rate amount. Therefore, a customer's water service base rate charge is based on the number of 5/8" x 3/4" meters equivalent to the size of that customer's meter. The district's monthly base rates for water service and meter size equivalents are as follows:

METER SIZE	5/8" x 3/4" METER EQUIVALENTS	MONTHLY RATE
5/8" x 3/4"	1.0	\$ 30.00
3/4" x 3/4"	1.5	45.00
1"	2.5	75.00
1 1/2"	5.0	150.00
2"	8.0	240.00
3" DISP.	9.0	270.00
3" CMPD.	16.0	480.00
3" TURB.	17.5	525.00
4" CMPD.	25.0	750.00
4" TURB.	30.0	900.00
6" CMPD.	50.0	1,500.00
6" TURB.	62.5	1,875.50
8" CMPD.	80.0	2,400.00

(2) Water Usage Rates. In addition to the base rate, customers shall be assessed water usage charges at the following rates for water metered during a single billing period:

0 to 5,000 gallons	\$7.46 per 1,000 gallons
5,001 to 10,000 gallons	\$8.44 per 1,000 gallons
10,001 to 15,000 gallons	\$10.42 per 1,000 gallons
15,001 to 20,000 gallons	\$11.57 per 1,000 gallons
>20,000 gallons	\$12.71 per 1,000 gallons

(3) Leak Adjustment Rate. Leak adjustments under Section 5.23 will be billed at the rate of \$5.00 per 1,000 gallons lost.

(b) Wastewater Service. The District shall assess monthly charges for wastewater service at the following rates:

(1) Residential Service. Customers receiving wastewater service at a residence shall be charged a monthly flat fee of \$55.00.

(2) Commercial Service.

(A) Base Rate. *The district's monthly base rate for commercial wastewater service is \$36.00 per connection to the District's sewer system.*

(B) Monthly Usage Rate. *In addition to the base rate, commercial customers shall pay a sewer usage charge for water metered during a single billing period at the following rate: \$2.00 per 1,000 gallons.*

(c) Regulatory Assessment. *In accordance with TCEQ regulations, the district shall collect from each customer a regulatory assessment equal to 0.5% of the monthly charges collected by the district for water and sewer service. [See 16 TAC § 24.76 and Water Code § 5.701(n)]. State agencies, wholesale customers and purchasers of non-potable water are exempt from the regulatory assessment. [See TCEQ Publ. RG-199].*

SECTION 3. Partial Repeal. Section 5 of Ordinance No. 2022-003, which amended and restated Section 7.07 of the Rate Order, is hereby repealed.

SECTION 4. Savings/Conflicts. Ordinance No. 2022-003 shall remain in full force and effect save and except as amended or repealed by this Ordinance or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed and any remaining portions of such ordinance shall remain in full force and effect.

SECTION 5. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The District hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 6. Effective Date. This Ordinance shall become effective from and after its adoption by the Board.

ADOPTED on the 11th day of September, 2023, by the Board of Directors of Wylie Northeast Special Utility District.

APPROVED:



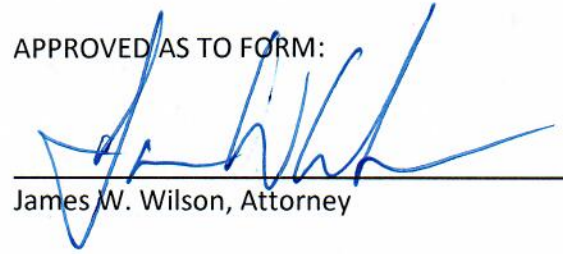
Jimmy C. Beach, President

ATTEST:



Lance Ainsworth, Secretary,
or Amanda Horst, Assistant Secretary

APPROVED AS TO FORM:



James W. Wilson, Attorney

