

**ORDINANCE NO: 2013-3
AMENDING ORDINANCE 2012-5**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CUMBY, TEXAS ESTABLISHING APPLICATION FOR SERVICE, LATE CHARGES, SERVICE TRANSFERS, DISCONTINUANCE OF SERVICE FOR FAILURE TO PAY, INSUFFICIENT CHECK CHARGE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE.

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

SECTION 1: APPLICATION FOR SERVICE.

(a) Before any water, sewer or garbage shall be supplied to any person or any premises by the City of Cumby, the owner or occupant of the property shall make a written application for such service upon a form provided by the City of Cumby, which application shall contain a contract on the part of the applicant to pay the City of Cumby for the use and benefit of the water and / or utility department all charges for such services. The applicant shall further agree to abide by all current regulations of the city relating to such services. If such application is for service to a residence, the name of the head of the family in control of said premises shall be given, and if for service to other than a residence, the names of the persons in control of the premises or of the business conducted therein shall be given. Each applicant is required to sign a service agreement with the State of Texas such form is provided by the City of Cumby.

(b) Proof of identification in the form of a driver's license or identification card are required at the time of application and must be submitted before utility service will be provided. A copy of a consumer's lease or proof of ownership of the facility may be required before services can be established.

(c) The water and sewer rates are as follows:

Property Owners Residential: \$ 100.00

Renters or Leased Residential: \$ 150.00

All Commercial: \$ 200.00

SECTION 2: LATE CHARGES.

The City of Cumby shall charge a Ten (\$ 10.00) dollar late fee on all water bills that become delinquent after the Tenth (10th) day of each month.

SECTION 3: SERVICE TRANSFERS.

At the time of making application for a transfer of service from one service address to another, each purchaser or consumer of City water and / or sewer service shall be charged a transfer fee of Twenty (\$ 20.00) dollars. It is required that a new service agreement for the State of Texas must be signed prior to the service transfer to a new service address.

SECTION 4: DISCONTINUANCE OF WATER AND / OR SERVICE FOR FAILURE TO PAY.

If any person fails to pay a bill for water or sewer service rendered to such person by the City before the 21st day of the month in which such bill is due and payable, the water service of such person shall be discontinued. Services shall not be resumed until such person pays the delinquent water and sewer bill in full, together with a reconnect fee of Twenty-five (\$ 25.00) dollars. It shall be unlawful for any person other than a duly authorized employee of the City of Cumby to reconnect such service.

SECTION 5: INSUFFICIENT CHECK CHARGE.

The City of Cumby will charge a fee of Twenty-five (\$ 25.00) dollars for the issuance of an insufficient check. If the City of Cumby receives two (2) insufficient checks in a one (1) year period the City of Cumby will no longer accept checks as payment, cash or money orders will only be accepted as payments.

SECTION 6: PENALTIES

Any individual, association or corporation violating any portion of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction therefore, shall be punished by the assessment of a fine not exceeding Five Hundred dollars (\$ 500.00).

SECTION 7: REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH.

This Ordinance shall supersede any prior Ordinance in conflict herewith, and such prior conflicting Ordinance or parts thereof are hereby repealed to the extent that they conflict with this Ordinance.

PASSED AND APPROVED THIS 7th DAY OF MAY, 2013.



KATHY HALL-CARTER, MAYOR

ATTEST:



CITY SECRETARY

