

ORDINANCE NO. 2019-2573

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING SECTIONS 52.15 AND 52.16 OF THE CODE OF ORDINANCES OF SAID CITY TO INCREASE THE RATES FOR WATER AND SEWER SERVICES FURNISHED TO SINGLE-FAMILY RESIDENCES AND MULTI-FAMILY RESIDENCES, INDUSTRIAL FACILITIES, OFFICE AND OTHER COMMERCIAL ESTABLISHMENTS INSIDE THE CORPORATE LIMITS OF THE CITY FOR WATER AND SEWER AND WATER ONLY SERVICES FURNISHED ON OR AFTER JULY 1, 2019 AND FOR WATER FURNISHED TO INDUSTRIAL FACILITIES, OFFICES AND OTHER COMMERCIAL ESTABLISHMENTS, RESIDENCES AND CUSTOMERS LOCATED OUTSIDE THE CORPORATE LIMITS OF THE CITY ON AND AFTER JULY 1, 2019; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City of Freeport, Texas, ("the City") is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Chapter 51 and 402 of the Local Government Code of Texas and Sections 2.01, 2.02, 3.07(n) and (u) of the Home Rule Charter of the City of Freeport authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City of Freeport has determined to here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of said City and persons owning land therein.

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

First, Division (A) of Section 52-15 of the Code of Ordinances of the City of Freeport, Texas, is hereby amended to read as follows:

"(1) Sewer service furnished to single-family residences and multi-family residences:

0 to 2,000 gal.            \$11.00 (minimum charge)

3,000 to 12,000 gal.    \$3.80 per 1,000 gal.

(12,000 gallons is the maximum charger for sewer for residential)

(2) Sewer service furnished to all other customers, including but not being limited to industrial facilities, offices and other commercial establishments:

0 to 2,000 gal.            \$14.74 (minimum charge)

3,000 to 12,000 gal.    \$7.94 per 1,000 gal.

13,000 gal. and up        \$10.48 per 1,000 gal.

(3) The following miscellaneous charges shall be made for the indicated purposes:

Apartment deposit        \$35.00 per unit

Voluntary ambulance    \$2.50 per month

Delinquency fee         \$40.00"

Second, Section 52-16 of the Code of Ordinances of the City of Freeport, Texas, is hereby amended to read as follows:

"(A) The city shall furnish water service to customers within the corporate limits of the city and shall charge each customer as follows:

(1) For water furnished to single-family residences and multi-family residences:

0 gal. to 2,000 gal.        \$12.10 (minimum rate)

3,000 gal. to 12,000 gal.    \$4.18 per 1,000 gal.

All over 12,000 gal.        \$5.50 per 1,000 gal.

(2) For water furnished to all other customers, including but not being limited to industrial facilities, offices and other commercial establishments located within the city:

0 gal. to 2,000 gal.        \$17.03 (minimum rate)

3,000 gal. to 12,000 gal. \$7.95 per 1,000 gal.  
13,000 gal. and up \$10.48 per 1,000 gal.

(B) The city may furnish water service to customers outside the corporate limits of the city and shall charge each customer as follows:

0 gal. to 2,000 gal. \$25.54 (minimum rate)  
3,000 gal. and up \$11.91 per 1,000 gal.

(C) The city shall furnish water-only service to customers inside the corporate limits of the city and shall charge each customer as follows:

0 gal. to 2,000 gal. \$24.32 (minimum rate)  
3,000 gal. to 12,000 gal. \$8.39 per 1,000 gal.  
13,000 gal. and up \$11.06 per 1,000 gal."

Third, this ordinance is cumulative of and in addition to all other ordinances of the City of Freeport, Texas, on the same subject and all ordinances are hereby expressly saved from repeal.

Fourth, where this ordinance and another ordinance conflict or overlap, this ordinance shall prevail.

Fifth, nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

Sixth, if any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Seventh, this ordinance shall take effect and be in force after its passage and adoption.

READ, PASSED AND ADOPTED this 3<sup>rd</sup> day of June, 2019.

Troy Brimage  
Troy Brimage, Mayor,  
City of Freeport, Texas

ATTEST:

Laura Tolar  
Laura Tolar, Interim City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw  
Wallace Shaw, City Attorney,  
City of Freeport, Texas

Water Rate Increase-2019-Ord

# Proposed Sewer and Water Rate Increase

Effective July 1, 2019

Gallons	Current Rate	Proposed Rate	Amount Increase	% Increase
<b>52.15 SEWER CHARGES</b>				
<b>Single-Family Residences &amp; Multi-Family Residences</b>				
0 to 2,000 gal.	\$10.00	<b>\$11.00</b>	\$1.00	10.0%
3,000 to 12,000 gal.	\$3.45	<b>\$3.80</b>	\$0.35	10.0%
<b>Industrial Facilities, Offices &amp; Other Commercial Establishments</b>				
0 to 2,000 gal.	\$13.40	<b>\$14.74</b>	\$1.34	10.0%
3,000 to 12,000 gal.	\$7.22	<b>\$7.94</b>	\$0.72	10.0%
13,000 gal. and up	\$9.53	<b>\$10.48</b>	\$0.95	10.0%
<b>52.16 WATER CHARGES</b>				
<b>Single-Family Residences &amp; Multi-Family Residences</b>				
0 gal. to 2,000 gal.	\$11.00	<b>\$12.10</b>	\$1.10	10.0%
3,000 gal. to 12,000 gal.	\$3.80	<b>\$4.18</b>	\$0.38	10.0%
All over 12,000 gal.	\$5.00	<b>\$5.50</b>	\$0.50	10.0%
<b>Industrial Facilities, Offices &amp; Other Commercial Establishments Within the City</b>				
0 gal. to 2,000 gal.	\$15.48	<b>\$17.03</b>	\$1.55	10.0%
3,000 gal. to 12,000 gal.	\$7.22	<b>\$7.95</b>	\$0.72	10.0%
13,000 gal. and up	\$9.53	<b>\$10.48</b>	\$0.95	10.0%
<b>Customers Outside the Corporate Limits of the City</b>				
0 gal. to 2,000 gal.	\$23.22	<b>\$25.54</b>	\$2.32	10.0%
3,000 gal. and up	\$10.83	<b>\$11.91</b>	\$1.08	10.0%
<b>Water-Only Service to Customers Inside the Corporate Limits of the City</b>				
0 gal. to 2,000 gal.	\$22.11	<b>\$24.32</b>	\$2.21	10.0%
3,000 gal. to 12,000 gal.	\$7.63	<b>\$8.39</b>	\$0.76	10.0%
13,000 gal. and up	\$10.05	<b>\$11.06</b>	\$1.01	10.0%

AFFP

ORD NOs. 2572, 2573, 2576

# Affidavit of Publication

STATE OF TEXAS }  
COUNTY OF BRAZORIA } SS

Cindy Cornette, being duly sworn, says:

That she is Advertising Director of the The Facts, a daily newspaper of general circulation, printed and published in Clute, Brazoria County, Texas; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:


June 21, 2019, June 28, 2019

That said newspaper was regularly issued and circulated on those dates.

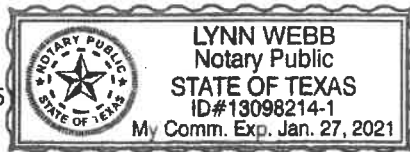
SIGNED:

  
\_\_\_\_\_  
Advertising Director

Subscribed to and sworn to me this 28th day of June 2019.

  
\_\_\_\_\_  
Lynn Webb, , Brazoria County, Texas

My commission expires: January 27, 2021



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City of Freeport  
200 W Second St  
FREEPORT, TX 77541

## ORDINANCE NO. 2019-2572

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; REPEALING EXISTING CHAPTER 111 OF THE CODE OF ORDINANCES, REGULATING FOOD ESTABLISHMENTS, AND REPLACING IT WITH A NEW CHAPTER 111, FOR SAID CODE OF ORDINANCES, INCLUDING THE ADOPTING STATE HEALTH DEPARTMENT REGULATIONS FOR FOOD SERVICE SANITATION, CONTAINING DEFINITIONS, PROVISIONS REGARDING ITS APPLICATION TO FOOD SERVICE ESTABLISHMENTS AND RESTAURANTS LOCATED WITHIN THE CITY; PROVIDING FOR THE ENFORCEMENT AND INJUNCTIVE RELIEF; REQUIRING PERMITS, SPECIFYING THE DURATION THEREFOR AND FOR PERMIT FEES WHICH ARE NOT REFUNDABLE AND CANNOT BE PRORATED; SPECIFYING THE DURATION AND PROVIDING FOR THE SUSPENSION AND REVOCATION OF SUCH PERMITS, HEARING, NOTICE AND APPEALS AND FOR NEW PERMITS AFTER REVOCATION; PROVIDING INSPECTIONS, ACCESS, FREQUENCY AND REPORTS AND FOR CORRECTIONS OF VIOLATIONS; PROVIDING FOR SERVICING AND REPORTS OF SERVICE FOR GREASE INTERCEPTORS; PROVIDING FOR POWER FAILURES, EXAMINATION, DETENTION AND DESTRUCTION OF FOOD; PROVIDING FOR CHANGE OF OWNERSHIP; PROVIDING FOR MOBILE FOOD UNITS AND SPECIFYING THE IDENTIFICATION, SIGNAGE AND LOCATION OF SUCH UNITS AND THE ZONING DISTRICTS ESTABLISHED BY THE ZONING ORDINANCE OF THE CITY IN WHICH SUCH UNITS MAY BE PARKED; PROVIDING SANITARY REQUIREMENTS FOR SUCH UNITS; PROVIDING FOR TEMPORARY FOOD SERVICE ESTABLISHMENTS; PROVIDING THAT ANY PERSON VIOLATION SAID CODE OF ORDINANCES, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND ASSESSED A FINE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1-5 OF SAID CODE OF ORDINANCES; PROVIDING THAT EACH DAY ANY SUCH VIOLATION OCCURS AND EACH DAY ANY SUCH VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE FACTS.

## ORDINANCE NO. 2019-2573

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING SECTIONS 52.15 AND 52.16 OF THE CODE OF ORDINANCES OF SAID CITY TO INCREASE THE RATES FOR WATER AND SEWER SERVICES FURNISHED TO SINGLE-FAMILY RESIDENCES AND MULTI-FAMILY RESIDENCES, INDUSTRIAL FACILITIES, OFFICE AND OTHER COMMERCIAL ESTABLISHMENTS INSIDE THE CORPORATE LIMITS OF THE CITY FOR WATER AND SEWER AND WATER ONLY SERVICES FURNISHED ON OR AFTER JULY 1, 2019 AND FOR WATER FURNISHED TO INDUSTRIAL FACILITIES, OFFICES AND OTHER COMMERCIAL ESTABLISHMENTS, RESIDENCES AND CUSTOMERS LOCATED OUTSIDE THE CORPORATE LIMITS OF THE CITY ON AND AFTER JULY 1, 2019; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

## ORDINANCE NO. 2019-2576

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING SECTIONS 50.06 OF THE CODE OF ORDINANCES OF SAID CITY TO INCREASE THE RATES FOR GARBAGE COLLECTION AND DISPOSAL SERVICES FURNISHED TO RESIDENTIAL, COMMERCIAL OR BUSINESS CUSTOMERS ON OR AFTER JULY 1, 2019; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE.