

ORDINANCE NO. 2021

00117

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS PROVIDING FOR THE ACCEPTANCE FROM DALLAS COUNTY WATER IMPROVEMENT DISTRICT NUMBER 6 OF SEWER EFFLUENT IN THE SOUTH MESQUITE OUTFALL LINE AND ESTABLISHING CERTAIN REQUIREMENTS REALITIVE THERETO AND CHARGES THEREFOR; BY PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY:

WHEREAS, the City of Mesquite has constructed a sanitary sewer outfall line along South Mesquite Creek between the N.T.M.W.D. Waste Water Treatment Plant on Lawson Road and Town East Boulevard; and

WHEREAS, said outfall line is designed to serve only the South Mesquite natural drainage basin that includes the City of Mesquite and a portion of the area served by Dallas County Water Improvement District Number 6;

IT IS THEREFORE, deemed appropriate that contractual arrangements be made by the City of Mesquite and District Number 6 concerning service to citizens, land owners or property owners served.

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

SECTION 1. That sanitary sewer service may be accepted by the City of Mesquite sanitary sewer system from within the confines of Dallas County Water Improvement District Number 6 and within the South Mesquite Creek drainage basin upon the following terms and conditions; provided, however, that the minimum requirements and standards of the United States Environmental Protection Agency as may be promulgated shall be deemed minimum requirements hereunder. Pre-treatment of industrial waste discharged into the system shall comply with such requirements and standards and industrial waste discharge may be refused when deemed detrimental to the system:

1. An acreage pro-rata charge of two hundred and twenty-five dollars is hereby established by and payable to the City of Mesquite for land in District Number 6 served by the line to help offset the cost of construction.

2. Monthly service charges for users in District Number 6 shall be computed at 150% of current or future rates charged

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within the City of Mesquite except where specific charges are agreed upon by the parties in writing. The minimum residential charge based on the current sewer rate in Mesquite shall be \$6.25 monthly for the first 1,000 gallons of water consumed. The next 7,000 gallons shall be charged at a rate of .69 cents per thousand gallons making a maximum residential monthly residential charge of \$11.08. The commercial charge shall be \$6.25 monthly for the first 1,000 gallons of water consumed and .69 cents per thousand for each 1,000 gallons of water consumption thereafter. Additional pre-treatment may be required where necessary to comply with applicable standards and discharges may be refused where pre-treatment does not bring the discharge into acceptable limits.

3. Plans and specification on service lines to be connected directly or indirectly to the South Mesquite Creek outfall line shall be according to City of Mesquite specifications and shall be reviewed and approved by the City of Mesquite prior to approval of plans by District Number 6. Connection to the outfall line is subject to inspection and approval by the City of Mesquite.

4. The same rights and privileges accorded developers in the City of Mesquite with reference to recovery of cost of construction by pro rata contracts will be given developers so far as that portion of any collection line within the limits of the City of Mesquite upon request by District Number 6 and District Number 6 shall make such agreements respecting that portion of line within District Number 6 as such District may by Ordinance or Resolution establish.

Provided, however, that where the subsequent user's connection is within District Number 6, any such contract shall not be enforced or administered by the City of Mesquite.

Where the connection is within the limits of the City of Mesquite and the original developer and the subsequent user are located within District Number 6, the City of Mesquite may become a signatory to the contract upon written request.

No pro rata agreement administered by the City of Mesquite shall be for a period exceeding the ten (10) years.

5. All collections of primary pro rata charges for use of the outfall line and all service charges shall be collected by District Number 6 and payment to the City of Mesquite shall be made to the City of Mesquite by and on behalf of District Number 6 rather than by the individual users. Failure by District Number 6 to collect service charges shall not prejudice the right of the City of Mesquite to receive each sums from District Number 6. Payment of service charges shall be made not later than the tenth day of the month for the service rendered the preceding month and shall be accompanied by a list of current accounts broken down into residential and commercial users and applicable fees.

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6. The standards of quality of flows and restrictions upon discharge into the system applicable in the City of Mesquite, a copy of which is attached hereto shall be applicable to connections within District Number 6; Provided that same shall satisfy applicable Environmental Protection Agency standards.

7. Flows will be accepted only from that portion of District Number 6 within the natural drainage basin.

8. Provision shall be made by District Number 6 and/or the user for maintenance fo sewer mains and connections within District Number 6. This provision shall not apply to the South Mesquite Outfall Main which will be the maintenance responsibility of the City of Mesquite.

9. In the event the flow from a user or from a main is detrimental to the system from excessive infiltration or content of flow, such connection may be discontinued upon written notice to District Number 6. In such event, it shall be the responsibility of District Number 6 to give notice to the user or users of such connection and to require compliance or discontinuance of such connection.

SECTION 2. Should any word, phrase, sentence, paragraph or section of this ordinance be held to be invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3. The fact that the present ordinances of the City of Mesquite are inadequate to properly regulate sewer service without the City creates an urgency and an emergency and necessitates that this ordinance become effective immediately from and after its date of passage and the publication of its caption as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of April, A.D., 1984.

*Mrs. Brunhilde Nystrom*  
Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

APPROVED AS TO FORM:

*Lynn Krugel*  
Lynn Krugel  
City Secretary

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Elland Archer  
City Attorney

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