

ORDINANCE NO. 4115

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 16 OF THE CODE OF THE CITY OF MESQUITE BY DELETING SECTION 16-59(a) IN ITS ENTIRETY AND ADDING A NEW SECTION 16-59(a) THEREBY AMENDING THE RATES CHARGED FOR SERVICES FURNISHED BY THE SANITARY SEWER SYSTEM OF THE CITY OF MESQUITE; ESTABLISHING OCTOBER 1, 2010, AS THE DATE SUCH RATES BECOME EFFECTIVE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 16 of the Code of the City of Mesquite is hereby amended by deleting Section 16-59(a) in its entirety and adding a new Section 16-59(a) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

**Sec. 16-59. Sewer rates or charges.**

- (a) The rates or charges per month for services furnished by the sanitary sewer system shall be as follows:
- (1) *Single-family residence.* Six dollars and eighty cents (\$6.80) minimum for first one thousand (1,000) gallons of water consumed and prorated at the rate of three dollars and eighty-one cents (\$3.81) for each one thousand (1,000) gallons of water consumed up to a maximum of eight thousand (8,000) gallons of water.
  - (2) *Duplex.* Three dollars and eighty cents (\$3.80) per dwelling unit for first one thousand (1,000) gallons of water consumed and prorated at the rate of three dollars and eighty-one cents (\$3.81) for each one thousand (1,000) gallons of water consumed over and above the first one thousand (1,000) gallons of water.
  - (3) *Apartments.* Three dollars and eighty cents (\$3.80) per dwelling unit for first one thousand (1,000) gallons of water consumed and prorated at the rate of three dollars and eighty-one cents (\$3.81) for each one thousand (1,000) gallons of water consumed over and above the first one thousand (1,000) gallons of water.
  - (4) *Commercial and business establishments.* Six dollars and eighty cents (\$6.80) minimum for first one thousand (1,000) gallons of water consumed and prorated at the rate of three dollars and eighty-one cents (\$3.81) for each one thousand (1,000) gallons of water consumed over and above the first one thousand (1,000) gallons of water.

- (5) *City of Mesquite accounts.* City of Mesquite accounts shall be charged for all consumption in excess of 1,000 gallons at the same rate that the City pays North Texas Municipal Water District per 1,000 gallons for wastewater treatment.

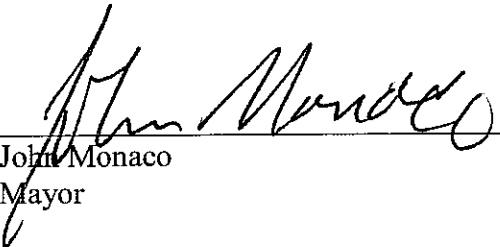
SECTION 2. That the rates adopted by this ordinance shall be effective from and after October 1, 2010.

SECTION 3. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

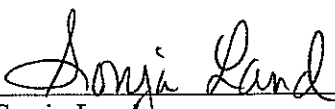
SECTION 4. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 5. That the present sewer rates of the City of Mesquite are inadequate, requires the adoption of new sewer rates and creates an urgency and an emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after the effective date provided herein and publication of said ordinance, as the law in such cases provides.

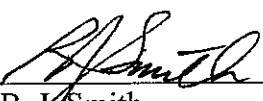
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 20th day of September, 2010.

  
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John Monaco  
Mayor

ATTEST:

  
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Sonja Land  
City Secretary

APPROVED:

  
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B. J. Smith  
City Attorney