

**Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 55, Article II, regarding the rules and regulations of the Utilities Billing Office; providing for publication, providing for severance, and providing effective date.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:**

**SECTION 1.** Chapter 55, Utilities, Article II of the Code of Ordinances regarding the rules and regulations of the utilities business office is revised to read as follows:

**ARTICLE II. - RULES AND REGULATIONS OF THE UTILITIES BUSINESS OFFICE** 

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Sec. 55-20. - Adoption.

Sec. 55-21. - ~~Department~~Utility billing includes all services.

Sec. 55-22. - Application or contract for service.

Sec. 55-23. - Rates schedules generally.

Sec. 55-24. - Optional rates.

Sec. 55-25. - Security for the payment of bill and performance of other obligations by customer.

Sec. 55-26. - Monthly bills.

Sec. 55-27. - Payment of bills.

Sec. 55-28. - Metering and testing of meters.

Sec. 55-29. - Maintenance of metering equipment on customer's premises and responsibility for injuries and damage therefrom.

Sec. 55-30. - Limitation of liability of city for injuries and damages.

Sec. 55-31. - ~~Agents cannot modify agreements~~Authority of the Utility Business Office Accounts Manager.

Sec. 55-32. - City's standard terms for application for utility service

Sec. 55-33. - Discontinuance of service.

Sec. 55-34. - Access to premises supplied with water.

Sec. 55-35. - Collection agreements for collection of utility bills.

Sec. 55-36. - Customers' checks.

Sec. 55-37. - Average billing.

Sec. 55-38. - Delinquent notices, late fees; service charges for cutting off and reconnecting utility services, unauthorized usage of utility services, meter tampering, and replacing meters.

Sec. 55-39. - Fee for estimating meter reads.

Secs. 55-40—55-49. - Reserved.

**Sec. 55-20. - Adoption.**

The rules and regulations provided in this article shall be followed by the ~~department-Utility Business Office of public utilities~~ of the city, and there is hereby adopted such rules and regulations for the operation of the ~~department of public utilities~~ Utility Business Office in billing for utility service.

*(Code 1958, § 38-6; Ord. No. 11009, § 1, 8-2-1972)*

**Sec. 55-21. - ~~Department-Utility billing~~ includes all services.**

Unless otherwise specified, all provisions in this chapter shall apply to all utilities including water, gas, ~~sewage and garbage wastewater, refuse and recycling~~ collection; street maintenance fees; and any other City fees requested and authorized to be applied to the utility bill by the customer.

*(Code 1958, § 38-6; Ord. No. 11009, § 1A, 8-2-1972)*

**Sec. 55-22. - Application or contract for service.**

(a)

The utility business office accounts manager is authorized to establish procedures to process and accept applications for utility service inside the city limits.

(b)

An application or connection fee of twenty-five dollars (\$25.00) is required for all applications for new service or transfers of service.

*(Code 1958, § 38-6; Ord. No. 11009, § 1B, 8-2-1972; Ord. No. 25593, § 2, 12-16-2003; Ord. No. 026383, § 1, 7-26-2005)*

**Sec. 55-23. - Rates schedules generally.**

The rate schedule shall be on file in the ~~public utilities office~~ Utility Billing Office of the city, and copies may be obtained by the customer on request.

The city's rates will be applied in accordance with and subject to the limitations as set out in each rate schedule.

All rates are subject to change by any regulatory or governmental body having the legal right to do so and whenever the rate under which a customer is being served is changed by the city or any regulatory body, the rate as changed will be applied to the customer's service under his-their existing contractaccount.

*(Code 1958, § 38-6; Ord. No. 11009, § 1C, 8-2-1972)*

**Sec. 55-24. - Optional rates.**

When more than one (1) rate is available, the conditions and circumstances under which each of such rates is available shall be explained in the published rate schedules, and the selection of a rate from those available lies with and is the responsibility of the customer.

The city shall, at the request of the customer, advise with and explain to the customer the conditions under which each rate is available and its application to the service requirements of the customer, but the city shall not be responsible for any failure of the customer to select the rate which will continue to be the lowest or most favorable to the customer, and shall not be responsible for the customer being served under the most favorable rate at all times. In no case shall the city make refunds due to the difference between the amount of charges under a rate selected or agreed upon by a customer and the amount the charges would have been under any other available rate.

A customer, having selected or agreed to a rate, will not be entitled to a different rate available for his service unless and until ~~he requests it in writing. the reclassification is validated by the appropriate division, department or jurisdiction.~~

*(Code 1958, § 38-6; Ord. No. 11009, § 1D, 8-2-1972)*

**Sec. 55-25. - Security for the payment of bill and performance of other obligations by customer.**

(a)

The city shall require that a security deposit be placed on all new utility accounts. ~~the account if an account has become delinquent, (ii) if the customer had a delinquent balance on a previous city utility account, or (iii) if the customer tampered with city equipment to receive city utility service. An account will be considered delinquent if two (2) delinquent bills are issued or disconnection of service for non-payment occurs once within a twelve-month period.~~

(b)

The amount of the security deposit is ~~one-sixth (1/6) of the customer's last twelve (12) utility bills. If the customer did not receive utility service for at least twelve (12) months, then the security deposit is an average of all of the customer's monthly utility bills, multiplied by two (2).~~ \$100 per metered service for residential accounts and \$150 per metered service for commercial accounts.

(c) The Utility Business Office shall have the authority and shall apply customer deposits to any utility account that is disconnected for non-payment and/or accounts that are issued a final bill.

(ed)

The city will refund a security deposit, without interest, to a customer, upon the request of the customer, if all of the following conditions have been satisfied:

- (1)  
The customer has maintained service for at least twelve (12) consecutive months ~~and-~~
- (2)  
The customer's service was not disconnected during the preceding twelve (12) months ~~and-~~
- (3)  
The customer has not been sent ~~two (2) or more~~ delinquent ~~bills~~ notice during the previous twelve (12) months ~~and-~~
- (4)  
The account is not currently in arrears.

~~(d)~~

A customer may claim a refund of a deposit owed by the city no later than one (1) year after termination of service to the account to which the deposit applies. Thereafter, such deposit shall become city property.

*(Code 1958, § 38-6; Ord. No. 11009, § 1F, 8-2-1972; Ord. No. 13490, § 1, 11-24-1976; Ord. No. 18243, § 1, 5-23-1984; Ord. No. 21093, § 1, 3-5-1991; Ord. No. 24530, § 1, 7-24-2001; Ord. No. 25593, § 3, 12-16-2003)*

## Sec. 55-26. - Monthly bills.

- (a)  
Bills for service will be rendered monthly unless otherwise specified. The term "monthly" for billing purposes shall mean ~~the period between any two (2) consecutive readings of the meters by the city, such readings to be taken as near as practicable every thirty (30) days, twelve times per year.~~
- (b)  
Monthly bills are due when rendered and are payable, ~~unless otherwise specified,~~ on or before the due date shown on the face of the bill. Bills not paid by this date are ~~in default and delinquent and~~ service shall be discontinued ~~for such default,~~ after the subsequent bill is issued giving 5 business days notice, ~~in writing,~~ to the customer, ~~such notice to be sent by U.S. mail~~ to the address shown on the customer's application.
- (c)  
Failure to receive a bill in no way exempts a customer from payment of bills.
- (d)  
When the city is unable to ~~read a meter obtain a meter read~~ after reasonable effort due to a condition created by the customer or custodian of the premises, the customer will be billed at the average of the past three (3) previous monthly bills, calculated when the meter was in

~~order at the same rate as the previous monthly bill~~ and the billing adjusted when the meter is read. Estimated bills will not exceed six consecutive bills in any given twelve month period.

(Code 1958, § 38-6; Ord. No. 11009, § 1E, 8-2-1972; Ord. No. 21093, § 2, 3-5-1991; Ord. No. 25593, § 2, 12-16-2003)

*Editor's note—*

Formerly numbered § 55-27.

### Sec. 55-27. - Payment of bills.

Any payment on any bill less than the total ~~may will~~ be applied by the city utility billing office ~~to the total bill or to any portion thereof at the option of the city to each utility charge or street maintenance fee, or other fee, on a pro rata basis.~~

(Code 1958, § 38-6; Ord. No. 11009, § 1L, 8-2-1972)

*Editor's note—*

Formerly numbered § 55-28.

### Sec. 55-28. - Metering and testing of meters.

(a)

The customer shall provide at a point on his premises, to be mutually agreed upon, a suitable location for the installation of meters and such other equipment as city may deem necessary to enable it to deliver water and gas under this chapter and shall properly protect the city's property on the customer's premises and permit no one to inspect or tamper with the city's installation, apparatus and equipment, except the city's agents and persons authorized by law to do so. All bills shall be calculated upon the registration of such meters.

(b)

Should any meter fail to register, the water or gas delivered during the period of failure shall for billing purposes be estimated at the average of the past three (3) previous monthly bills, calculated when the meter was in order. Estimated bills will not exceed six consecutive bills in any given twelve month period.

(c)

The city with or without request of the customer may inspect and test meters and whenever any test shall show a meter to be registering in error exceeding two (2) per cent, such meter shall be replaced or adjusted within the limits of error so specified and whenever the meters are so adjusted, the readings thereof shall be corrected, and payments ~~be~~ made accordingly. No corrections shall be made, as to any bill rendered by the city, unless requested before the expiration of the six calendar month ~~next~~ succeeding the month in which such readings were made.

(d)

A fee of sixty dollars (\$60.00) will be charged to the customer who requests a test of their meter if the meter tests within the two (2) per cent limit of error.

*(Code 1958, § 38-6; Ord. No. 11009, § 1G (Rule 2), 8-2-1972; Ord. No. 026383, § 2, 7-26-2005)*

*Editor's note—*

Formerly numbered § 55-29.

### **Sec. 55-29. - Maintenance of metering equipment on customer's premises and responsibility for injuries and damage therefrom.**

The customer shall maintain the premises in full compliance with all laws and local ordinances and the rules and regulations of the city effective at any time during the term of ~~the~~ service ~~agreement~~on the account. The duly authorized agents of the city shall have free access at all reasonable hours to the premises of the customer for the purpose of inspecting installations and equipment, removing the property, reading meters and for other purposes incident to the performance of the service ~~agreement~~ and this article. The city does not, however, assume any duty of inspecting the customer's plumbing, apparatus, machinery or equipment, and will not be responsible therefor, and it is particularly understood that the customer assumes full responsibility for water and gas furnished to him at any location beyond the point of delivery, described as being the point where the water and gas first leaves the meter and enters the line provided or owned by the customer, and agrees to protect and hold harmless the city from all claims for injuries and damages to persons and property occurring upon the premises of the customer, except where it is shown that the negligence of the city or its agents were the sole proximate cause of such injury or damage.

*(Code 1958, § 38-6; Ord. No. 11009, § 1H, 8-2-1972)*

*Editor's note—*

Formerly numbered § 55-30.

### **Sec. 55-30. - Limitation of liability of city for injuries and damages.**

The city will not be responsible or liable for injuries or damages caused by or resulting from failure to furnish service of the kind and amount contracted for or injuries and damages resulting from the performance or nonperformance of any acts or things by the city required of it or in anywise connected with the furnishing of service by city, unless it be shown that the negligence of the city or its agents were the sole proximate cause of the injury or damage complained of.

*(Code 1958, § 38-6; Ord. No. 11009, § 1I, 8-2-1972)*

*Editor's note—*

Formerly numbered § 55-31.

**Sec. 55-31. - ~~Agents cannot modify agreements~~ Authority of the Utility Business Office Accounts Manager.**

The Utility Business Office Accounts Manager is given the authority to use discretion in applying these rules and regulations as conditions may dictate. No other agent or employee of the city has the authority to amend, modify, alter or waive any of the terms and conditions of the service ~~agreement~~ and this article, or to bind the city by making any promises or representations not contained therein.

*(Code 1958, § 38-6; Ord. No. 11009, § 1J, 8-2-1972)*

*Editor's note—*

Formerly numbered § 55-32.

**Sec. 55-32. - City's standard terms for application for utility service**

The city's standard terms for utility service include the following:

(1)

The applicant shall pay for services as bills are rendered in accordance with the rates, rules and regulations as provided in the charter or by ordinances; ~~or by the terms and conditions policies as established by the utilities business office manager Accounts Manager, and approved by the city manager;~~ a copy of which may be obtained from the ~~public utilities office~~ Utility Billing Office, ~~and is on file with the city secretary, as now existing or as may be enacted and in effect at the time of delivery.~~

(2)

The applicant further agrees to release and discharge the city from any liability for damages suffered:

a.

By reason of water or gas or sewer service furnished to the premises;

b.

By reason of interruption discontinuance, or disconnection of service hereunder from any cause other than negligence by the city; or

c.

By reason of the condition, maintenance, location or systems located on or adjoining the property supplied, and by which such services are furnished or delivered.

(3)

The applicant shall acknowledge that the applicant is the owner or person entitled to possession of the premises, legally liable for payment for services, and may be

required to provide documentation to establish applicant's right to possession of the premises, to include a property tax statement or duly authorized lease agreement-.

(Code 1958, § 38-6; Ord. No. 11009, § 1K, 8-2-1972; Ord. No. 25593, § 2, 12-16-2003)

*Editor's note—*

Formerly numbered § 55-33.

### Sec. 55-33. - Discontinuance of service.

(a)

~~If~~ Once water or gas service is ~~discontinued~~ terminated by the city on a certain property and service is then turned on without authorization, the record owner of the property involved is responsible for any water and gas metered during the period water and gas usage are unauthorized. However, if the property owner provides ~~the utility~~ utilities business office with documentation to confirm identification of an unauthorized user of city utilities, such as signed lease and verifiable driver's license number of the unauthorized user, then the city shall transfer the balance to the unauthorized user. The owner of the property may request that the meter(s) be removed from the property to deter the possibility of tampering with the meter by others.

(b)

When any utility customer of the city ~~department of public utilities~~ purchases any article from the city or is indebted for any appliance, connection or service anywhere in the city and the indebtedness or any installment is delinquent, the services of the customer may be disconnected at the location of the article or appliance and not reconnected until all delinquencies including penalties and reconnection charges have been paid and the account restored to a current nondelinquent status.

(Code 1958, § 33-6; Ord. No. 11009, § 1 (Rule 3), 8-2-1972; Ord. No. 25593, § 2, 12-16-2003; Ord. No. 026836, § 1, 6-27-2006)

*Editor's note—*

Formerly numbered § 55-34.

### Sec. 55-34. - Access to premises supplied with ~~water~~ City utilities.

~~The superintendent of waterworks and other employees in the waterworks~~ Any employee of the City required to gain access to a meter or city equipment shall have free access, at all reasonable hours of the day, to all parts of any premises to which ~~water is~~ utilities are supplied. This will include employees from the Water Department, Gas Department, Utility Business Office, Police Department and Animal Control. Animal Control will have the authority to seize an animal that is responsible for denying access to the owners meter for connection, disconnection or maintenance of utilities.



(Code 1958, § 38-6; Ord. No. 11009, § 1 (Rule 1), 8-2-1972)

*Editor's note—*

Formerly numbered § 55-35.

### **Sec. 55-35. - Collection agreements for collection of utility bills.**

The ~~director of public utilities~~ Utility Business Office Accounts Manager is authorized to enter into collection agreements with other public utility companies or corporations and to enter into collection agreements with local merchants collection agencies for the collection of city utility bills, ~~all as more fully set forth in the standard collection agreement forms, a copy of each of the aforesaid agreements being attached to Ordinance No. 10835, on file in the city secretary's office, marked exhibits A and B, and made a part hereof.~~

(Ord. No. 10835, § 1, 5-3-1972)

*Editor's note—*

Formerly numbered § 55-36.

### **Sec. 55-36. - Customers' checks.**

Any customer issuing a check to the city for payment of a utility account shall be charged for the handling of said check if the check is returned as nonnegotiable/noncashable by the city's bank of deposit for reason of no funds, account closed or for any other reason. The nonpayment of such charge authorized under Chapter 17, section 17-6-17-2, could result in the service being disconnected, ~~and the customer's deposit applied against the services.~~

(Ord. No. 12207, § 1, 8-7-1974; Ord. No. 16953, § 1, 3-24-1982; Ord. No. 20417, § 2, 8-2-1988)

*Editor's note—*

Formerly numbered § 55-38.

*Cross reference—* Service charge for returned checks, § 17-2.

### **~~Sec. 55-37. - Average billing.~~**

~~A customer who has not had any delinquent payments for the previous twelve (12) months may request average billing. To calculate the average billing amount, the city shall determine the average of the most recent twelve (12) monthly utility bills. Each month the city shall determine the customer's actual utility service charges. If the actual monthly utility service charge is different from the average billing amount, the customer shall be billed the average billing amount, and the difference shall be deferred. Ten (10) per cent of the previous monthly deferred amounts shall be applied to the customer's next month's average bill.~~

(Ord. No. 25593, § 2, 12-16-2003)

Editor's note—

Formerly numbered § 55-39.

**Sec. 55-38. - Delinquent notices, late fees; service charges for cutting off and reconnecting utility services, unauthorized usage of utility services, meter tampering, and replacing meters, accessibility charges.**

(a)

The city will mail a delinquent notice ~~on or about the twenty-first day after the monthly bill was issued~~ with the subsequent bill issued to the customer. The notice ~~must~~ will advise the customer that service is subject to being disconnected on or after the ~~forty-fifth-fifth business~~ day from the date the subsequent bill ~~was~~ is issued if payment in full is not received.

(b)

If payment for the delinquent bill has not been received in the utilities business office prior to 8:00 a.m. on the date specified in the notice, the customer's water and gas meters are subject to being disconnected, locked, sealed or removed without further notice.

(c)

A late fee must be charged if customer does not make full payment by the ~~customer's next billing date~~ due date. The late fee is five (5) per cent of the unpaid, overdue balance.

(d)

The customer's failure to receive the notice does not exempt the customer from paying the delinquent bill or having the customer's service disconnected, ~~provided that the notice was regularly deposited in the U.S. mail, stamped and addressed to the delinquent customer at the address shown on the records of the utilities business office.~~

(e)

Service charges will be assessed for the costs of handling and collecting a delinquent account, including the costs of disconnecting service and actions taken to prevent further unauthorized use of the utility. The service charges must be paid if payment of the delinquency is not made ~~in person at the utilities business office~~ prior to 8:00 a.m., on the date which the customer has been previously notified that the customer's utility service is to be disconnected due to failure to pay a delinquent bill ~~in order to obtain a reconnection~~. The customer's failure to receive notification of date to be disconnected does not exempt the customer from paying the service charge. The service charges, include, but are not limited to:

(1)

Basic service charge for handling a delinquent account to include administrative oversight and the initial field visit on a delinquent account: ~~\$30.00~~ \$50.00

(2)

Additional service charges for tampering with utility meter after service is cutoff:

- a. Tampering with utility service fee: \$50.00
- b. Fee for broken utility meter lock: ~~\$6.00~~ \$50
- c. Fee for installing flange between utility meter and distribution line: ~~\$15.00~~ \$75.00
- d. Fee for pulling utility meter: ~~\$15.00~~ \$75.00
- e. Fee for installing utility meter plug: \$50.00
- f. Fee for disabling water tap: \$115.00

(3)

Service charge for after hours, weekend, and holiday replacement or reconnection of a utility meter after utility service is cutoff by authorized city employees: ~~\$45.00~~ \$75.00

(4)

Additional service charges imposed if utility meter is bypassed after utility service is cutoff:

- a. Tampering with utility service fee: \$50.00
- b. Fee for installing utility meter plug: \$50.00
- c. Fee for disabling water tap: \$115.00
- d. Unauthorized consumption surcharge: ~~\$50.00~~ \$100.00
- e. Minimum charge for unmetered consumption:
  - 1. Water consumption of 25,000 gallons per billing cycle.
  - 2. Gas consumption at 20,000 MCF per billing cycle.
  - 3. Wastewater consumption of 25,000 gallons per billing cycle.

(5)

Additional service charges imposed for unmetered utility services:

- a. Tampering with utility service fee: \$50.00
- b. Fee for disabling sanitary sewer tap: \$500.00
- c. Fee for removing unauthorized sewer tap: \$500.00

(6)

If a utility tap is disabled or removed, an application for a new tap and payment of all applicable tap fees under article V of this chapter is required before utility service can be restored to the premises.

(7) Service charge for Police escort to gain access to utility meter(s) : \$50

(8) Services charge for Animal Control impoundment of customer pets to gain access to utility meter(s): \$50. Additional Animal Control impoundment fees will be applied by Animal Control to release customer's pet to the owners.

(f)

Utility meters removed due to failure to pay a delinquent bill or service or penalty charges shall be replaced only upon payment of all required service charges required by subsection (e) of this section. ~~The payment must be made in person at the Central Cashiering office at City Hall.~~

(g)

Meters, service connections, locks, valves or any other city property broken, damaged or stolen while on the premises of the customer, or by the customer or someone acting in behalf of the customer, will be charged to the customer at a fair price based on the cost of the labor and materials necessary to repair or replace the damages, destruction or stolen property. ~~These charges must be paid in person to the public utilities office in order to authorize a reconnection of service.~~

(h)

The breaking, damaging, adjusting, changing, removal or taking of any meter, pipe service connection, lock, seal, valve or any other city-owned property shall be unlawful and punishable as a misdemeanor. The turning on of any valve so as to provide service from any utility service, except by an authorized employee of the city, is subject to all required fees, service charges, and surcharges required by subsection (e) of this section and is unlawful and punishable under the Texas Penal Code.

(i)

For purposes of this section, a person who owns or otherwise has the apparent present right of possession and control of the premises where the utility meter, seal, valve, pipe, or other city-owned property, which has been broken, damaged, adjusted, changed, cut, removed, turned, or otherwise altered, is situated and is presumed to be the person who violated or allowed the violation of subsection (h) of this section. But the person has the right and burden of proof to show that the person did not break, damage, adjust, change, cut, remove, turn, or otherwise alter the utility meter, seal, valve, pipe, or other city-owned property in violation of subsection (h) of this section.

(j)

Any person whose name is on file with the utilities business office as the customer on the water account for the property where the violation of subsection (h) of this section occurs is presumed to be a person in apparent control of the premises. The customer has the right and burden of proving that they did not have control of the premises at the time of the violation.

(k)

The record owner of the property may show that they did not own the property at the time of the violation by executing an affidavit stating:

(1)

That the record owner did not own the property on the date of the alleged violation;  
and

(2)

The name and last known address of the person who acquired the property from the record owner.

*(Ord. No. 25593, § 10, 12-16-2003; Ord. No. 026383, § 3, 7-26-2005)*

*Editor's note—*

Formerly numbered § 55-40.

**Sec. 55-39. - Fee for estimating meter reads due to inaccessibility to the meter.** 

(a)

The monthly fee for estimating a meter read due to inaccessibility is forty dollars (\$40.00).

~~(b)~~

~~No such fee shall be charged until the following has occurred:~~

~~(1)~~

~~The City of Corpus Christi shall send written notice by regular mail to notify the utility customer that the city is in the process of replacing the meter with automated meter reading devices, and to instruct the customer to call, within two (2) weeks from date of the notice, the utilities business office or the city's contractor to provide access to the property for installation of new automated meter reading device. The notice shall~~

also inform the customer that customer's failure to timely comply shall cause the city to place the account on estimated meter reading, and shall cause a monthly estimated meter reading fee of forty dollars (\$40.00) to be assessed.

(2)

If customer does not timely respond within two (2) weeks from date of first written notice, then the city shall mail a second written notice by regular mail to inform the customer that the account has been placed on estimated meter reading, and to instruct the customer to call, within two (2) weeks from date of the notice, the utilities business office or the city's contractor to provide access to the property for installation of new meter reading device. The second written notice shall also inform the customer that customer's failure to timely comply shall cause the city to keep the account on estimated meter reading and shall cause a monthly estimated meter reading fee of forty dollars (\$40.00) to be assessed on the next utility bill.

(3)

If the customer does not timely respond within two (2) weeks from date of second written notice, then the city shall mail the customer a third and final written notice by regular mail to inform the customer that the account has been placed on estimated meter reading, and to instruct the customer to call, within two (2) weeks from date of the notice, the utilities business office or the city's contractor to provide access to the property for installation of new meter reading device. The third written notice shall also inform the customer that the city is applying a monthly estimated meter reading fee to the customer's bill, until the automated meter reading device is installed by the city or its contractor.

(c)

The fee for estimating a meter read is in addition to and separate from the monthly estimated meter billing read.

(d)

For purposes of this section, the estimated meter reading is calculated by the following formula:

Determine average daily consumption amount, by first adding the meter readings from the following billing periods: twelve (12) months prior, eleven (11) months prior, and ten (10) months prior. Then, divide this total by the total number of days in these three (3) billing periods, to determine the average consumption per day. Then multiply the average consumption per day by number of days in the estimated month, to determine the estimated consumption for the month, and round to the nearest thousand gallons for water, and nearest MCF (thousand cubic feet) for gas. When the city is unable to obtain an automated meter read or obtain a physical meter read after reasonable effort due to a condition created by the customer or custodian of the premises, the customer will be billed at the average of the past three (3) previous monthly bills, calculated when the meter was in order and the billing

adjusted when the meter is read. Estimated bills will not exceed six consecutive bills in any given twelve month period.

(Ord. No. 027970, § 1, 12-9-2008)

**Secs. 55-40—55-49. - Reserved.**

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FOOTNOTE(S):

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*Editor's note*—Ord. No. 25593, § 1, adopted Dec. 16, 2003, amended the title of art. II. The previous title of art. II was "Rules and Regulations of Department of Public Utilities." ([Back](#))

**SECTION 2** . The revisions established in Section 1. Of this ordinance shall take effect on or after the first day of September 2013.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

PASSED AND APPROVED, this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

PASSED AND APPROVED, this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

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Armando Chapa  
City Secretary

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Nelda Martinez  
Mayor