

ORDINANCE NO. 2012-09

AN ORDINANCE AMENDING OF SECTION 13.04.002 ENTITLED "MONTHLY RATES FOR SEWER SERVICES" OF ARTICLE 13.04 ENTITLED "SANITARY SEWERS", OF CHAPTER 13 ENTITLED "UTILITIES", OF THE CODE OF ORDINANCES, 2004, CITY OF TULIA, TEXAS, AS AMENDED, BY AMENDING THE CHARGES FOR SEWER SERVICE; CONTAINING A REPEALING CLAUSE, A SAVINGS CLAUSE AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TULIA, TEXAS:

Section 1. That Section 13.04.002 entitled "Monthly rates for sewer services" of Article 13.04 entitled "Sanitary Sewers", of Chapter 13 entitled "Utilities", of the Code of Ordinances, 2004, City of Tulia, Texas, as amended, is hereby amended to read as follows:

Sec. 13.04.002 Monthly rates for sewer services.

The monthly rates for furnishing of sewer service and sewer connections of the city shall be as follows:

<u>Type of Service</u>	<u>Monthly Charge</u>
(1) <u>Rates inside City.</u>	
(A) Residential	
(I) Single family unit	\$15.33 plus 36 cents per 1000 gallons (with a maximum of 20,000 gallons per month used in the calculation) of water furnished by the city waterworks system, with the monthly charge per 1000 gallons to be made to the person or entity in whose name the metered water supply is furnished and shall be calculated on the basis of the water meter reading for the month for which the sewer service charge is made.
(ii) Multi-family dwellings and trailer parks, each unit	\$15.33, plus 36 cents per 1000 gallons of water furnished by the city waterworks system, with the monthly charge per 1000 gallons to be made to the person or entity in whose name the metered water supply is

furnished and shall be calculated on the basis of the water meter reading for the month for which the sewer service charge is made.

Should a unit of a multiple family dwelling or a trailer park have a separate water and sewer connection, such unit shall have the same rate as a single family unit.

(B) Commercial

(I) Churches, offices and retail stores

\$17.38 plus 41 cents per 1000 gallons of water furnished by the City Water Works System, with the monthly charge per 1000 gallons being calculated on the basis of the water meter reading for the month for which the sewer service charge is made.

(ii) Schools, restaurants and motels

\$22.49 plus 61 cents per 1000 gallons of water furnished by the City Water Works System, with the monthly charge per 1000 gallons being calculated on the basis of the water meter reading for the month for which the sewer service charge is made.

(iii) Auto shops, car washes, hospitals and other commercial and industrial

\$27.60 plus 61 cents per 1000 gallons of water furnished by the City Water Works System, with the monthly charge per 1000 gallons being calculated on the basis of the water meter reading for the month for which the sewer service charge is made.

(iv) Septic Service Provider

\$46.01 minimum for the first 1000 gallons per discharge into the sewer system and \$36.81 per each 1000 gallons of sewage in excess of the minimum per discharge.

If a customer does not clearly fall into one of the service categories set forth herein, the City Manager shall determine the category in which said customer shall be placed for the purposes of sewer services charges.

(2) Rates outside the City

(A) Residential

- | | |
|--|---|
| (i) Single family unit | \$17.38 plus 41 cents per 1000 gallons (with a maximum of 20,000 gallons per month used in the calculation) of water furnished by the city waterworks system, with the monthly charge per 1000 gallons to be made to the person or entity in whose name the metered water supply is furnished and shall be calculated on the basis of the water meter reading for the month for which the sewer service charge is made. |
| (ii) Multi-family dwellings and trailer parks, each unit | \$17.38, plus 41 cents per 1000 gallons of water furnished by the city waterworks system, with the monthly charge per 1000 gallons to be made to the person or entity in whose name the metered water supply is furnished and shall be calculated on the basis of the water meter reading for the month for which the sewer service charge is made. |

Should a unit of a multiple family dwelling or a trailer park have a separate water and sewer connection, such unit shall have the same rate as a single family unit.

- (3) Persons or entities not using City water. Should there be a customer connected to the City sanitary sewer system who does not use the City water, or used the City water for only a portion of its total water usage, the sewer rate for such customer over the minimum monthly charge shall be calculated upon the estimated gallons of water used by said customer, said estimated gallons of water used to be determined by the Director of Public Works in a manner that is fair to both the City and the customer and approved by the City Treasurer.
- (4) Irrigation systems. Upon application by a customer, a sewer charge shall not be made for water used exclusively for yard watering or an irrigation system if the water for said exclusive purpose has a separate water meter. The Director of Public Works shall develop and administer an application procedure for exemption under this provision.
- (5) Sewer sampling and metering devices. Any customer who desires the installation of a sewer sampling and metering device may have one installed by the City for a fee to be determined by the Director of Public Works upon furnishing the City with such a device that meets specifications as may be determined by the Director of Public Works. After installation, the sewer sampling and metering equipment shall

become City property and shall be maintained by the City. Any such customer, after installation of the device, shall not be charged for sewer service under subparagraph (A) above, but shall instead be charged the basic fee per month for the service category applicable to said customer plus 50 cents per one thousand gallons of sewage passing through the metering device, plus additional charges for actual cost, if any, for chemicals or other treatment required for compliance with Art. 5 entitled "Industrial Water" of this Chapter 14 entitled "Public Utilities" of this Code.

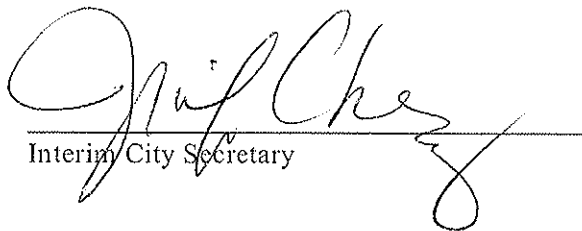
- (6) Customers outside City limits. Except as set forth in Section 13.04.002 (1) (B) (iv) and Section 13.04.002 (2) above, the City of Tulia, Texas, shall collect for sewer service furnished to all customers connected outside the City limits of the City of Tulia, Texas, in addition to the charges for such sewer service as set out in subparagraphs (1) through (5) above, an additional charge equal to the basic rate for the category applicable to said customer.

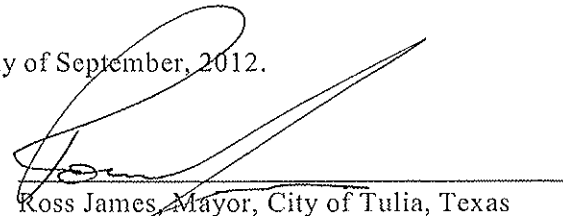
Section 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be, and the same are hereby repealed.

Section 3. The invalidity of any section, subsection, paragraph, sentence, clause, phrase, word or words shall not invalidate any other part of this ordinance. It is the intention of the City Council in enacting this ordinance that the provisions are separable, and no provision hereof shall become inoperative or fail by reason of the invalidity of any other provision.

Section 4. This ordinance shall take effect and be in full force on passage and approval, with the rates herein set forth to be first utilized in calculation of the utility bills sent out during the _____, 2012, billing cycle.

PASSED AND APPROVED this the 11th day of September, 2012.


Interim City Secretary


Ross James, Mayor, City of Tulia, Texas

ORDINANCE NO. 2012-10

AN ORDINANCE AMENDING SUBSECTION (a) OF SECTION 13.03.001 ENTITLED "RATES FOR WATER SERVICE; TAPS" OF ARTICLE 13.03 ENTITLED "WATER SYSTEM", OF CHAPTER 13 ENTITLED "UTILITIES", OF THE CODE OF ORDINANCES, 2004, CITY OF TULIA, TEXAS, AS AMENDED, BY AMENDING THE CHARGES FOR WATER SERVICE; CONTAINING A REPEALING CLAUSE, A SAVINGS CLAUSE AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TULIA, TEXAS:

Section 1. That subsection (a) of Section 13.03.001 entitled "Rates for water services; taps" of Article 13.03 entitled "Water System", of Chapter 13 entitled "Utilities", of the Code of Ordinances, 2004, City of Tulia, Texas, as amended, is hereby amended to read as follows:

(a) The monthly water rate or charges for services furnished by the City Water Works System shall be as follows:

\$16.03 minimum monthly charge, including up to the first 2,000 gallons of water.

\$2.55 per 1,000 gallons for the next 48,000 gallons of water.

\$3.57 per 1,000 gallons for all water usage over 50,000 gallons of water.

Provided, however, the City of Tulia agrees to provide the Tulia Cemetery Association water only so long as existing Tulia City Wells #1 and #2 can provide such water, such water to be provided at a monthly water rate or charge for services furnished by the City Water Works System, as follows:

\$13.29 minimum monthly charge, including up to the first 2,000 gallons of water.

\$1.02 per 1,000 gallons for all water usage over 2,000 gallons of water.

Nothing herein shall require the City of Tulia to make expenditures or improvements to the wells to maintain them in operating condition.

Provided further, however, the City of Tulia shall pay for all water used by the City at the rate of 51 cents per 1000 gallons of water.

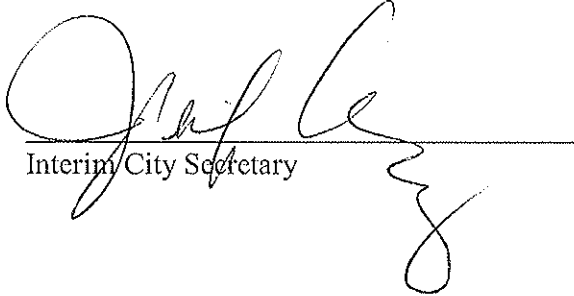
Section 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be, and the same are hereby repealed.

Section 3. The invalidity of any section, subsection, paragraph, sentence, clause, phrase, word or words shall not invalidate any other part of this ordinance. It is the intention of the City Council in enacting this ordinance that the provisions are separable, and no provision hereof shall become inoperative or fail by reason of the invalidity of any other provision.

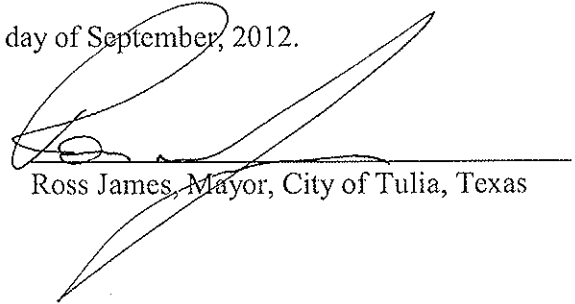
Section 4. This ordinance shall take effect and be in full force on passage and approval,

with the rates herein set forth to be first utilized in calculation of the utility bills sent out during the November, 2012, billing cycle.

PASSED AND APPROVED this the 11th day of September, 2012.



Interim City Secretary



Ross James, Mayor, City of Tulia, Texas

ORDINANCE NO. 2012-11

AN ORDINANCE AMENDING OF SUBSECTION (b) OF SECTION 6.02.013 ENTITLED "REMOVAL OF GARBAGE; CHARGES FOR REMOVAL" OF ARTICLE 6.02 ENTITLED "GARBAGE AND OTHER REFUSE", OF CHAPTER 6 ENTITLED "HEALTH AND SANITATION", OF THE CODE OF ORDINANCES, 2004, CITY OF TULIA, TEXAS, AS AMENDED, BY AMENDING THE CHARGES FOR GARBAGE COLLECTION SERVICE AND BY ADDING SUBPARAGRAPHS 5 AND 6 UNDER SUBSECTION (b) OF SAID SECTION 6.02.013 FOR A CUSTOMER LANDFILL MAINTENANCE AND EQUIPMENT FEE AND PER TON CHARGES FOR LOADS TO LANDFILL BY CUSTOMERS NOT OTHERWISE DESIGNATED, COMMERCIAL CONTRACTORS AND LESSORS DOING REPAIR, DEMOLITION OR CONSTRUCTION ON RENTAL PROPERTY; CONTAINING A REPEALING CLAUSE, A SAVINGS CLAUSE AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TULIA, TEXAS:

Section 1. That Subsection (b) of Section 6.02.013 entitled "Removal of garbage; charges for removal" of Article 6.02 entitled "Garbage and Other Refuse", of Chapter 6 entitled "Health and Sanitation", of the Code of Ordinances, 2004, City of Tulia, Texas, as amended, is hereby amended to read as follows:

(b) Fair and reasonable charges to the owner, occupant, tenant or lessee based on the type of customer shall be as follows:

(1) SCHEDULE A-COMMERCIAL

Small commercial is herein defined as commercial customers having one container and two scheduled pickups per week. Large commercial is herein defined as commercial customers having multiple containers and four scheduled pickups per week. Small commercial shared is herein defined as a small commercial customer sharing a container with one or more other small commercial customers.

(A) Small Commercial Shared: \$20.45 per commercial entity, with a scheduled collection frequency of 2 collections per week.

(B) Small Commercial: \$30.67, with a scheduled collection frequency of 2 collections per week.

(C) Large Commercial: \$20.45 per container, with a scheduled collection frequency of 4 collections per week.

(D) Outside City Commercial: \$46.01 per container, with a scheduled collection frequency of 2 collections per week.

High volume account commercial customer fees may be established by the City Manager, at a different rate.

Additional collections for all commercial shall be charged at the rate of \$30.00 per container per collection.

(2) SCHEDULE B-RESIDENTIAL

(A) Single family dwelling: \$17.80, with a collection frequency of 1 collection per week.

(B) Multi-family dwellings, apartments and trailer parks, per unit: \$17.80, with a collection frequency of 1 collection per week.

(C) Outside City residential: \$26.66 per container, with a collection frequency of 1 collection per week.

Additional collections for all residential shall be charged at the rate of \$30.00 per container per collection.

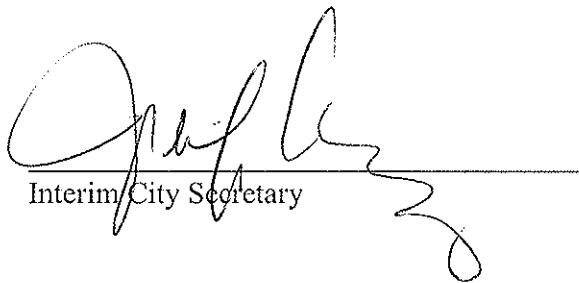
- (3) Tulia Independent School District: \$511.25 per month, with the schedule of collection to be at the discretion of the City Manager
- (4) MacKenzie Municipal Water Authority: \$204.50 per collection, with the schedule of collection to be at the discretion of the City Manager.
- (5) All customers will be charged, in addition to other charges herein specified, \$2.00 per month as a landfill maintenance and equipment fee.
- (6) All customers not otherwise identified, which will include outside of city residents, or their agents or employees, who deliver loads to the landfill, commercial contractors, or their agents or employees, who deliver loads to the landfill and all landlords, or their agents or employees, who deliver loads to the landfill related to repair, demolition or construction on their rental property, shall pay a charge of \$26.00 per ton (prorated for fractions of a ton), plus \$2.00 per load as a landfill maintenance and equipment fee.

Section 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be, and the same are hereby repealed.

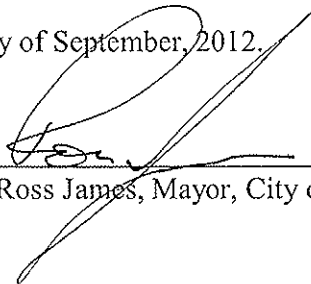
Section 3. The invalidity of any section, subsection, paragraph, sentence, clause, phrase, word or words shall not invalidate any other part of this ordinance. It is the intention of the City Council in enacting this ordinance that the provisions are separable, and no provision hereof shall become inoperative or fail by reason of the invalidity of any other provision.

Section 4. This ordinance shall take effect and be in full force on passage and approval, with the rates herein set forth to be first utilized in calculation of the utility bills sent out during the November, 2012, billing cycle.

PASSED AND APPROVED this the 11th day of September, 2012.



Interim City Secretary



Ross James, Mayor, City of Tulia, Texas

ORDINANCE NO. 2012-12

AN ORDINANCE AMENDING SECTION 13.02.003 ENTITLED "RATES FOR ELECTRIC SERVICE" OF ARTICLE 13.02 ENTITLED "ELECTRICITY", OF CHAPTER 13 ENTITLED "UTILITIES", OF THE CODE OF ORDINANCES, 2004, CITY OF TULIA, TEXAS, AS AMENDED, BY AMENDING THE CHARGES FOR ELECTRIC SERVICE; CONTAINING A PENALTY CLAUSE, A REPEALING CLAUSE, A SAVINGS CLAUSE AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TULIA, TEXAS:

Section 1. That Section 13.02.003 Entitled "Rates for electric service" of Article 13.02 Entitled "Electricity", of Chapter 13 Entitled "Utilities", of the Code of Ordinances, 2004, City of Tulia, Texas, as amended, is hereby amended to read as follows:

"Sec. 13.02.03. Rates for electric service

Schedule R - Residential Service

Applicable:	To single family residential customers of all domestic usage where energy is taken through a single meter.
Customer Charge:	\$10.22 per month.
Energy Charge:	\$0.0347 per kilowatt hour for all kilowatt hours.
Minimum Bill:	\$10.22 per month.
Multiple Dwelling Units:	Where served under one meter, shall be billed under the applicable commercial rate.
Power Cost Adjustment:	The net energy charge under the above rate schedule shall be increased or decreased to reflect the application of a Power Cost Adjustment per kilowatt hour of energy used, calculated in accordance with Schedule PCA.

Schedule SC - Small Commercial Service

Applicable:	To all non-residential customers and multiple dwelling residential customers bill through one meter whose peak usage does not exceed 104,901 kWh per month in any single month.
Character of Service:	A.C., 60 cycles per second, single phase, 120/240 volts; three-phase, 120/240, 120/208/240/480 volts, as available the point of service. Three-phase customers served via underground primary to pad-mounted transformers are offered only 120/208 or 277/480 volt service.
Customer Charge:	\$20.45 per month.
Energy Charge:	\$0.0302 per kilowatt hour for all kilowatt hours.
Minimum Bill:	\$20.45 per month.

Power Cost Adjustment: The net energy charge under the above rate schedule shall be increased or decreased to reflect the application of a Power Cost Adjustment per kilowatt hour of energy used, calculated in accordance with Schedule PCA.

Schedule LP-1 - Medium Commercial and Industrial Service

Applicable: To all commercial and industrial customers where service is taken through one meter at one point of delivery and where the peak usage exceeds 104,901 kWh per month in any single month. Customers exceeding a peak usage of 104,901 per kWh in any single month will be billed under applicable LP-1 rate for the next consecutive 12 months.

Character of Service: A.C., 60 cycles per second, single-phase, 120/240 volts; three-phase, 120/240, 120/208/ 240/480, 2400/4160, 7200/12,470 volts, as available the point of service. Three-phase customers service via underground primary to pad-mounted transformers are offered only 120/208 to 277/480 volt service.

Customer Charge: \$51.12 per month.

Energy Charge: \$0.0286 per kilowatt hour for all kilowatt hours.

Minimum Bill: \$51.12 per month.

Power Cost Adjustment: The net energy charge under the above rate schedule shall be increased or decreased to reflect the application of a Power Cost Adjustment per kilowatt hour of energy used, calculated in accordance with Schedule PCA.

Primary Service: Where service is taken by the Customer at the City's available primary voltage, and where the Customer owns, operates, and maintains all service facilities, except metering equipment, required to take service at such voltage, a credit of two (2) percent of the base rate charges will be allowed. Metering may be primary or secondary (corrected for the transformer losses) at the City's option.

Schedule TISD - School Service

Applicable: To all Tulia Independent School District school facilities where service is taken through one meter at one point of delivery.

Customer Charge: \$15.33 per month.

Energy Charge: \$0.0251 per kilowatt hour for all kilowatt hours.

Minimum Charge: \$15.33 per month.

Power Cost Adjustment: The net energy charge under the above rate schedule shall be increased or decreased to reflect the application of a Power Cost Adjustment per kilowatt hour of energy used, calculated in accordance with Schedule PCA.

Schedule IPR - Irrigation Service

Applicable: To all crop irrigation facilities where service is taken through one meter at one point of delivery.
Customer Charge: \$15.33 per month.
Energy Charge: \$0.0251 per kilowatt hour for all kilowatt hours.
Minimum Bill: \$15.33 per month.
Power Cost Adjustment: The net energy charge under the above rate schedule shall be increased or decreased to reflect the application of a Power Cost Adjustment per kilowatt hour of energy used, calculated in accordance with Schedule PCA.

Schedule MUN - Municipal Service

Applicable: To all facilities owned, operated, and/or maintained by the City of Tulia.
Customer Charge: \$15.33 per month.
Energy Charge: \$0.0235 per kilowatt hour for all kilowatt hours.
Minimum Bill: \$15.33 per month.
Power Cost Adjustment: The net energy charge under the above rate schedule shall be increased or decreased to reflect the application of a Power Cost Adjustment per kilowatt hour of energy used, calculated in accordance with Schedule PCA.

Schedule PCA - Power Cost Adjustment

The purpose of this schedule is to accurately recover from City customers the cost of total delivered wholesale power purchases. Wholesale power purchases shall include, but are not limited to transmission charges, delivery charges, and any other delivery fees necessary. All wholesale power cost realized shall be billed by the City on its monthly bills as a power cost adjustment, determined in accordance with the provisions set forth below:

The formula for calculation of the power cost adjustment factor is as follows:

$$PCA = \frac{WC-(P)(K)}{S}$$

Definitions:

PCA - Power cost adjustment (\$/KWh) rounded to the nearest 0.0001 cent.
WC - Total delivered cost of power including but not limited to transmission charges, delivery charges, and any other delivery fees purchase by the City from its supplier for the immediate preceding wholesale billing period (kWh).
K - Base wholesale power cost included in the City's retail electric rate

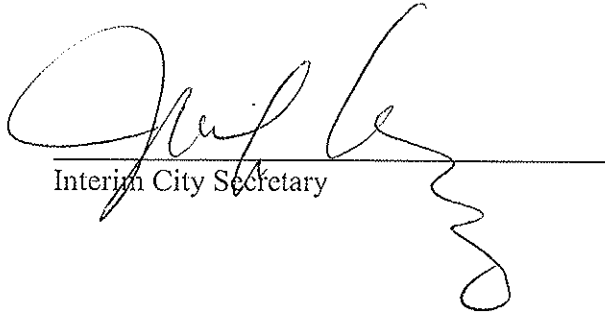
S - schedules (\$0.00 per kWh).
Total sales (kWh) to city Customers for the current City billing
period (kWh)._____

Section 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be, and the same are hereby repealed.

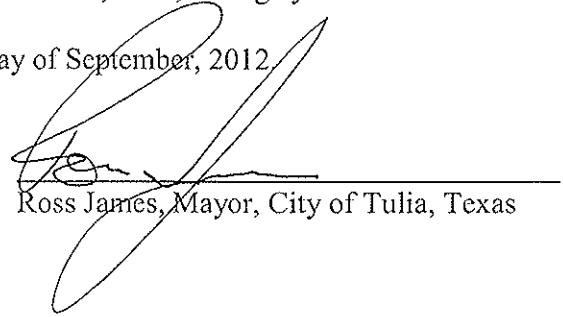
Section 5. The invalidity of any section, subsection, paragraph, sentence, clause, phrase, word or words shall not invalidate any other part of this ordinance. It is the intention of the City Council in enacting this ordinance that the provisions are separable, and no provision hereof shall become inoperative or fail by reason of the invalidity of any other provision.

Section 6. This ordinance shall take effect and be in full force from and after its passage, approval and publication as required by law with rates herein set forth to be first utilized in the calculation of the utility bills sent out during the November, 2012, billing cycle.

PASSED AND APPROVED this the 11th day of September, 2012



Interim City Secretary



Ross James, Mayor, City of Tulia, Texas

ORDINANCE NO. 2012-13

AN ORDINANCE AMENDING SECTION 13.02.004 ENTITLED "RULES AND REGULATIONS APPLICABLE TO ELECTRIC SERVICE AND COLLECTION OF BILLS; DEPOSITS" OF ARTICLE 13.02 ENTITLED "ELECTRICITY" OF CHAPTER 13 ENTITLED "UTILITIES", OF THE CODE OF ORDINANCES, 2004, CITY OF TULIA, TEXAS, AS AMENDED, BY AMENDING THE DEPOSITS FOR ELECTRIC SERVICE, ADDING PROVISIONS FOR A CUT-OFF ADMINISTRATION FEES, RECONNECT FEES AND RETURN CHECK FEES AND AMENDING SECTION 13.03.001 ENTITLED "RATES FOR WATER SERVICE, TAPS" OF ARTICLE 13.02 ENTITLED "WATER SYSTEM" OF CHAPTER 13 ENTITLED "UTILITIES" OF THE CODE OF ORDINANCES, 2004 CITY OF TULIA, TEXAS, AS AMENDED, BY AMENDING SUBSECTION (d) OF SUBSECTION ENTITLED "DEPOSITS" AND BY ADDING PROVISIONS FOR LATE CHARGES FOR DELINQUENT BILLS, CUT-OFF ADMINISTRATION FEES, RECONNECT FEES AND RETURN CHECK FEES ; CONTAINING A PENALTY CLAUSE, A REPEALING CLAUSE, A SAVINGS CLAUSE AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TULIA, TEXAS:

Section 1. That Section 13.02.004 entitled "Rules and regulations applicable to electric service and collection of bills; deposits" of Article 13.02 entitled "Electricity", of Chapter 13 entitled "Utilities", of the Code of Ordinances, 2004, City of Tulia, Texas, as amended, is hereby amended to read as follows:

The following rules and regulations shall be applicable to the connection of electric service, collection of bills for electric service, deposits, cut-off administration fees, reconnect fees and return check fees.

"Sec. 13.02.004. Rules and regulations applicable to electric service and collection of bills; deposits; cut-off administration fees; reconnect fees; and, return check fees;

- (1) Late charge for delinquent bills. All bills not paid by the 10th day following the mailing of the monthly bill to a customer by the City is delinquent. A late charge of 5% of the amount of the electric bill for service will be made against all electric bills not paid timely as herein set forth.
- (2) Deposits.
 - (A) Before furnishing electric service to any person, firm, corporation, or other entity, the City shall require the following advance deposits to be made therefor:

(I) for apartment houses: \$100.00 per apartment.

(ii) for all other commercial users: the estimated billing for two months as solely determined by the City or the user may furnish City with an irrevocable letter of credit acceptable to the City in its sole discretion from a bank within the City, covering the estimated billing for two months.

(iii) for all residential users other than apartment houses: \$100.00 per meter.

(iv) If an electric utility customer fails to pay the electric bill and appears on the delinquent bill cut-off list prepared by the City on or after the 20th day after mailing of the monthly bill to a customer by the City, an additional deposit of \$50.00 shall be required of the customer for continuation of service or reconnecting of service already cut-off. For each subsequent appearance by a customer on the delinquent bill cut-off list, an additional deposit of \$50.00 shall be required of the customer for continuation of service or reconnecting of service already cut-off up to a 2 month average bill of electric service for said customer. Failure to pay any additional deposits herein above set forth and required will result in the immediate discontinuance or renewal of electric service to the customer.

(B) Customers who have not been delinquent in payment of billing for five years will receive a refund of their deposits.

- (3) Cut-off administrative fees: If a customer is placed on the initial cut-off list by not paying said customer's electric bill before the same becomes delinquent, a cut-off list administrative fee of \$6.50 will be charged to the customer and added to said customer's electric bill to be immediately due and payable.
- (4) Reconnect fees. If the cut-off list has been processed and delivered to a City employee for cut-off of the electric service to a customer, a reconnect fee of \$17.50 shall be required to be paid by the customer to discontinue the process of cutting off or reconnecting the electric service. If the customer requests that the electric service be reconnected after 5:00 p.m., and before 8:00 a.m., Monday through Friday, or on a Saturday, Sunday or holiday, the reconnect fee shall be \$20.00, and such a requested reconnecting of electric service shall be contingent upon availability of City staff qualified to perform the reconnect.
- (5) Return check fees. A return check fee of \$35.00 shall be charged and added to the electric bill of the customer on all payments by check that are paid for any reason, including, but not limited to, checks which are not paid for insufficient funds in the account."

Section 2. That Subsection 13.03.001 (d) entitled "Deposits" of Section 13.03.01

entitled "Rates for water service; taps: of Article 13.03 entitled "Water System", of Chapter 13 entitled "Utilities", of the Code of Ordinances, 2004, City of Tulia, Texas, as amended, is hereby amended to read as follows, and Subsections 13.03.001 (e) entitled "Late charges for delinquent bills", (f) entitled "Cut-off administrative fees", (g) entitled "Reconnect fees", and (h) entitled "Return check fees" are added to read as follows, and Subsection (c) entitled "Alternate Water Rates", is renumbered (i) and reads as follows:

"(d). Deposits.

(1) Before furnishing water service to any person, firm, corporation, or other entity, the City shall require the following advance deposits to be made therefor:

(A) for apartment houses: \$50.00 per apartment.

(B) for all other commercial users: the estimated billing for two months as solely determined by the City or the user may furnish City with an irrevocable letter of credit acceptable to the City in its sole discretion from a bank within the City, covering the estimated billing for two months.

© for all residential users other than apartment houses: \$50.00 per meter.

(D) Customers who have not been delinquent in payment of billing for five years will receive a refund of their deposits.

- (e) Late charge for delinquent bills. All bills not paid by the 10th day following the mailing of the monthly bill to a customer by the City is delinquent. A late charge of 5% of the amount of the water bill for service will be made against all water bills not paid timely as herein set forth.
- (f) Cut-off administrative fees: If a customer is placed on the initial cut-off list by not paying said customer's electric bill before the same becomes delinquent, a cut-off list administrative fee of \$3.50 will be charged to the customer and added to said customer's electric bill to be immediately due and payable.
- (g) Reconnect fees. If the cut-off list has been processed and delivered to a City employee for cut-off of the electric service to a customer, a reconnect fee of \$17.50 shall be required to be paid by the customer to discontinue the process of cutting off or reconnecting the electric service. If the customer requests that the electric service be reconnected after 5:00 p.m., and before 8:00 a.m., Monday through Friday, or on a Saturday, Sunday or holiday, the reconnect fee shall be \$20.00, and such a requested reconnecting of electric service shall be contingent upon availability of City staff qualified to perform the reconnect.
- (h) Return check fees. A return check fee of \$35.00 shall be charged and added to the electric bill of the customer on all payments by check that are paid for any reason,

including, but not limited to, checks which are not paid for insufficient funds in the account.

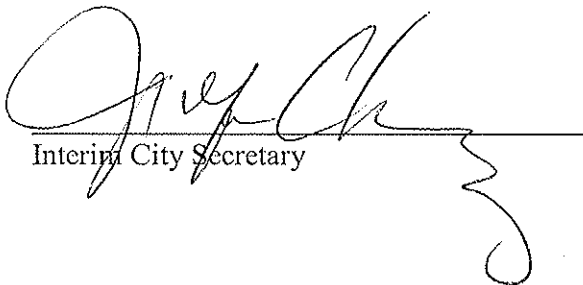
- (i) Alternative water rates. Under extraordinary or specific needs of a user, alternative water rates may be established in the best interest of the City and the user alike. The city manager has the authority to negotiate such matters.

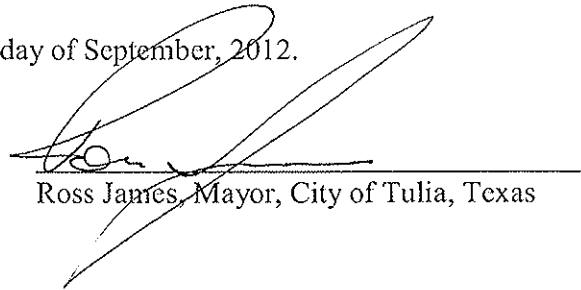
Section 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be, and the same are hereby repealed.

Section 5. The invalidity of any section, subsection, paragraph, sentence, clause, phrase, word or words shall not invalidate any other part of this ordinance. It is the intention of the City Council in enacting this ordinance that the provisions are separable, and no provision hereof shall become inoperative or fail by reason of the invalidity of any other provision.

Section 6. This ordinance shall take effect and be in full force from and after its passage, approval and publication as required by law with rates herein set forth to be first utilized in the calculation of the utility bills sent out during the November, 2012, billing cycle.

PASSED AND APPROVED this the 11th day of September, 2012.


Interim City Secretary


Ross James, Mayor, City of Tulia, Texas

ORDINANCE NO. 2012-14

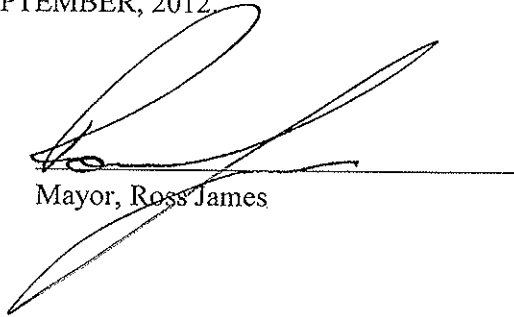
AN ORDINANCE APPROVING THE BUDGET SUBMITTED BY THE CITY MANAGER OF THE CITY OF TULIA, TEXAS, FOR THE FISCAL YEAR 2012-2013.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TULIA, TEXAS:

Section 1. That the operating budget and capital budget prepared by the City Manager of Tulia, Texas for the City of Tulia, Texas for the year commencing October 1, 2012 through and including September 30, 2013, is hereby approved and ordered filed with the City Secretary of the City of Tulia, Texas.

Section 2. The City Secretary is hereby ordered to file a copy of said budget with the Swisher County Clerk, Tulia, Texas.

PASSED AND APPROVED THIS 25TH DAY OF SEPTEMBER, 2012.



Mayor, Ross James

ATTEST:



City Secretary, Kristina Solomon

ORDINANCE NO. 2012-15

**AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF
THE MUNICIPAL GOVERNMENT OF THE CITY OF TULIA, TEXAS
AND PROVIDING FOR THE FISCAL YEAR 2012-2013; PROVIDING
FOR THE TIME AND MANNER OF PAYING THE AD VALOREM
TAXES LEVIED.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TULIA, TEXAS:

Section 1. That there is hereby levied and there shall be collected for the use and support of the municipal government of the City of Tulia, Texas, for the year Two Thousand and Twelve (2012) upon all property, real, personal, and mixed within the corporate limits of said city subject to taxation, a tax of \$.378020 on each One Hundred and No/100 Dollars (\$100.00) based on 100% assessed valuation; for the maintenance and support of the general government and for the operation of the City Government to be placed in the General Fund 100% of the total amount received. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY TWO AND TWENTY-FIVE ONE HUNDREDTHS PERCENT (2.25%) AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000.00 HOME BY APPROXIMATELY EIGHT AND 32/100 DOLLARS (\$8.32).

Section 2. Is is hereby made the duty of the City Treasurer and every such person collecting ad valorem taxes for the City of Tulia to deposit said money to the General Fund of the City.

Section 3. The ad valorem taxes herein levied shall become due on the 1st day of October, 2012, and may be paid up to and including the following January 31, 2013, without penalty, but , if not sooner paid, such taxes shall become delinquent on the following day, February 1, 2013. Penalties, interest and the recovery of costs and expenses on and related to a delinquent tax shall be as provided by Chapter 33 of the Texas Property Tax Code.

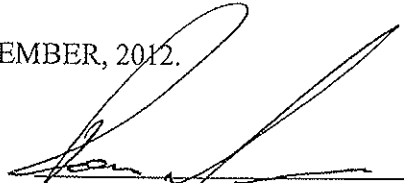
Section 4. All taxpayers shall be allowed discounts for the payment of taxes prior to January, 2013, said discounts to be allowed under the following conditions (a) three percent (3%) discount on all as valorem taxes due, if such taxes are paid during the month of October, 2012; (b) two percent (2%) on all ad valorem taxes due, if such taxes are paid during the month of November, 2012; (c) one percent (1%) on all ad valorem taxes due, if such taxes are paid during the month of December, 2012.

Section 5. The taxes herein levied shall be a first and prior lien against the property upon which they are assessed and the said first lien shall be superior and prior to all other liens, charges, and encumbrances, and this lien shall be attached to personal property to the same extent and with the same priorities as to real estate.

Section 6. This ordinance shall take effect and be in force from and after its passage.

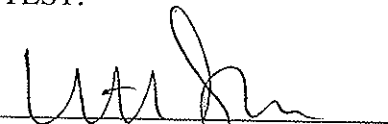
Section 7. Should any part of this ordinance be declared invalid, for any reason, that invalidity shall not affect the remainder of this ordinance.

PASSED AND APPROVED THIS 25TH DAY OF SEPTEMBER, 2012.



Mayor, Ross James

ATTEST:



City Secretary, Kristina Solomon