Sachse TEXAS

Monday, August 20, 2018
Regular Combined Meeting

3815 Sachse Road, Building B
Council Chambers
6:30 p.m.

The City of Sachse reserves the right to reconvene, recess or realign the workshop meeting, regular meeting, called Executive Session or order of business at any time prior to adjournment.

As authorized by Section 551.071(2) of the Texas Government Code, these meetings may be convened into closed Executive Session at any time during the City Council workshop or regular meeting for the purpose of seeking confidential legal advice from the City Attorney on any workshop or regular meeting agenda item listed herein.

1. 6:30 PM WORKSHOP MEETING

2. Workshop Meeting Opening

A. Call to Order: The City Council of the City of Sachse will hold a Workshop Meeting on Monday, August 20, 2018 at 6:30 p.m. in the Council Chambers at Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:

3. Discussion Items

A. Discuss and provide feedback on proposed revisions to Chapter 3 (Building Regulations), Section 10 (Signs) of the Code of Ordinances.

B. Discussion of City Council meeting agenda items.

4. Workshop Meeting Closing

A. Adjournment

5. 7:30 PM REGULAR MEETING

6. Regular Meeting Opening

A. Call to Order: The City Council of the City of Sachse will hold a regular meeting on Monday, August 20, 2018 at 7:30 p.m. in the Council Chambers at Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:

B. Invocation

C. Pledges of Allegiance

7. Consent Agenda

A. Approve the minutes of the August 6, 2018 workshop meeting.

B. Approve the minutes of the August 6, 2018 regular meeting.

C. Approval of the Consent Agenda

8. Special Announcements

A. Mayor and City Council announcements regarding special events, current activities, and local achievements.

9. Citizen Input

A. Citizen Input: The public is invited at this time to address the Council. The Mayor will ask you to come to the microphone and state your name and address for the record. If your remarks pertain to a specific agenda item, please hold them until that item, at which time the Mayor may solicit your comments. Time limit is 3 minutes per speaker. The City Council is prohibited by state law from discussing any item not posted on the agenda according to the Texas Open Meetings Act, but may take them under advisement. Issues raised may be referred to City Staff for research and possible future action.

10. Regular Agenda Items

A. Conduct the first public hearing on the proposed tax rate for the 2018-2019 fiscal year.

B. Open Public Hearing

C. Close Public Hearing

D. Discuss an ordinance amending the Code of Ordinances, Chapter 10, "Utilities," by amending Section 2 "Sewer Service Fees" and Section 3 "Water and Sewer Service Billing Procedures" to provide for service billing policies and procedures.

E. Discuss the proposed Master Fee Schedule for the 2018-2019 fiscal year to consider amending the Master Fee Schedule by amending health permits; printing/copying charges in library;new home construction/remodel/addition; general contractor registration;commercial screening wall; permanent sign permits; preliminary plat application fees; three inch and above meter installation performed internally; meter supply costs; refuse service fees; water and wastewater rates; obstruction charge, usage reports performed internally, and 5/8" meter deposits.

11. Executive Session

A. The City Council shall convene into Executive Session pursuant to Texas Government Code Section §551.087 Economic Development Deliberations: Discussion of a Development Agreement between the City of Sachse and PMB Acquisitions LLC and/or its affiliates to provide Incentives related to the development of approximately 118 acres of land within the PGBT Area Zoning District.

B. Consider any action as a result of Executive Session.

12. Regular Meeting Closing

A. Adjournment

I, the undersigned authority, do hereby certify that this notice of meeting was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board at Sachse City Hall on Friday, August 17, 2018 by 5:00 p.m.

Michelle Lewis Sirianni, City Secretary

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Lauren Rose, ADA Coordinator, via phone at 972.429.4770, via email at lrose@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.

Sachse TEXAS

Agenda Item Details

Meeting	Aug 20, 2018 - Regular Combined Meeting
Category	3. Discussion Items
Subject	A. Discuss and provide feedback on proposed revisions to Chapter 3 (Building Regulations), Section 10 (Signs) of the Code of Ordinances.
Access	Public
Type	Discussion
Goals	Provide excellent government services to Sachse citizens.

Public Content

BACKGROUND
Discuss and provide feedback on proposed revisions to Chapter 3 (Building Regulations), Section 10 (Signs) of the Code of Ordinances.

OVERVIEW

- The 2017 Comprehensive Plan identified the Sign Code as an important ordinance to update
- Signs play a critical role in the beautification and performance of a corridor, or conversely, in visual clutter along a corridor
- Emerging technology, market shifts, and lessons learned around the region offer opportunity for improvement
- The maintenance of existing ordinances is considered routine in order to maintain a healthy and functioning regulatory framework

POLICY CONSIDERATIONS
The following items are proposed for discussion with the City Council:

- Setbacks
- Monument sign height
- Masonry border on monument signs
- Multi-tenant sign recommendations
- Grand opening regulations
- Banners and inflatables
- Procedures (variances, text amendments)

RECOMMENDATION
Discuss and provide feedback to staff.

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Sachse TEXAS

Agenda Item Details

Meeting	Aug 20, 2018 - Regular Combined Meeting
Category	7. Consent Agenda
Subject	A. Approve the minutes of the August 6, 2018 workshop meeting.
Access	Public
Type	Action (Consent)
Recommended Action	Approve the minutes of the August 6, 2018 workshop meeting.

Public Content

BACKGROUND
Minutes of the August 6, 2018 workshop meeting.

POLICY CONSIDERATIONS
There are no policy considerations with this item.

RECOMMENDATION
Approve the minutes of the August 6, 2018 workshop meeting.

08.06.18 Minutes Workshop.pdf (86 KB)

All items listed on the consent agenda will be considered by the City Council and will be enacted on by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests.

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Lauren Rose, ADA Coordinator, via phone at 972.429.4770, via email at lrose@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.

CITY COUNCIL OF THE CITY OF SACHSE

WORKSHOP MEETING MINUTES

AUGUST 6, 2018

The City Council of the City of Sachse held a workshop meeting on Monday, August 6, 2018 at 6:30 p.m. at the City Council Chambers, 3815 Sachse Road, Sachse, Texas. Those present were Mayor Felix, Mayor Pro Tem Cullen King, Councilmembers Brett Franks, Michelle Howarth, Paul Watkins, Bill Adams, and Jeff Bickerstaff; City Manager, Gina Nash; City Attorney, Joe Gorfida; City Secretary, Michelle Lewis Sirianni; Development Services Director, Dusty McAfee, and Fire Chief, Marty Wade.

Mayor Felix called the meeting to order at 6:30 p.m.

ZONING USE CHART: Discuss proposed revisions to the Use Chart by amending Chapter 11 (Zoning) of the Code of Ordinances.

Mr. McAfee stated that this item was discussed at the previous City Council meeting and staff is seeking any further feedback based on conversations from that meeting.

Councilman Adams made a motion to request that the City Council convene into Executive Session pursuant to Section §551.071(2) of the Government Code to seek legal advice from the City Attorney regarding the proposed revisions to the zoning use chart. Councilman Watkins seconded that motion and the motion was unanimously approved.

At 6:32 p.m., the City Council recessed into Executive Session.

At 6:45 p.m., the City Council reconvened back into the Workshop meeting.

No action was taken.

Mr. McAfee added that there will be a public hearing at the August 27 Planning and Zoning Commission meeting and at the September 17 City Council meeting.

ADJOURNMENT:

At 6:48 p.m., Mayor Felix adjourned the meeting.

_____

MIKE J FELIX, MAYOR

ATTEST:

_____

Michelle Lewis Sirianni, City Secretary

Sachse TEXAS

Agenda Item Details

Meeting	Aug 20, 2018 - Regular Combined Meeting
Category	7. Consent Agenda
Subject	B. Approve the minutes of the August 6, 2018 regular meeting.
Access	Public
Type	Action (Consent)
Recommended Action	Approve the minutes of the August 6, 2018 regular meeting.

Public Content

BACKGROUND
Minutes of the August 6, 2018 regular meeting.

POLICY CONSIDERATIONS
There are no policy considerations with this item.

RECOMMENDATION
Approve the minutes of the August 6, 2018 regular meeting.

08.06.18 Minutes.pdf (380 KB)

All items listed on the consent agenda will be considered by the City Council and will be enacted on by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests.

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Lauren Rose, ADA Coordinator, via phone at 972.429.4770, via email at lrose@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.

CITY COUNCIL OF THE CITY OF SACHSE

MEETING MINUTES

AUGUST 6, 2018

The City Council of the City of Sachse held a regular meeting on Monday, August 6, 2018 at 7:30 p.m. at the City Council Chambers, 3815 Sachse Road, Sachse, Texas. Those present were Mayor Mike Felix, Mayor Pro Tem Cullen King, Councilmembers Brett Franks, Michelle Howarth, Paul Watkins, Bill Adams, and Jeff Bickerstaff; City Manager, Gina Nash; City Secretary, Michelle Lewis Sirianni; Assistant to the City Manager, Lauren Rose; Development Services Director, Dusty McAfee; Director of Public Works and Engineering, Greg Peters; Finance Director, Teresa Savage; Finance Manager, Berna Fitzpatrick; Accountant, Karen Ramirez; Parks and Recreation Director, Lance Whitworth; Library Manager, Daniel Laney; Human Resources Director, Melinda Walter; Fire Chief, Marty Wade; Operations Captain, Chris Hall, and Police Chief, Bryan Sylvester.

Mayor Felix opened the meeting at 7:32 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND STATE FLAG: The invocation was offered by Councilman King and the pledges by Councilman Franks.

CONSENT AGENDA: All items listed on the Consent Agenda are considered routine and will be acted on by one motion, with no separate discussion of these items unless a City Councilmember or citizen so requests.

18-4347 - Approve the minutes of the July 16, 2018 workshop meeting.

18-4348 – Approve the minutes of the July 16, 2018 regular meeting.

18-4349 – Approve the minutes of the July 23, 2018 budget workshop meeting.

18-4344 – Authorize the City Manager to execute the engagement agreement for audit services for the fiscal year ending September 30, 2018 with LaFollett and Abbott PLLC.

18-4345 – Approve moving the first regular City Council meeting in September to Tuesday, September 4, 2018.

18-4346 – Approve an Interlocal Agreement renewing the Food Establishment Inspection and Environmental Health Services between Dallas County, on behalf of Dallas County Health and Human Services, and the City of Sachse.

18-4350 – Accept the 2018 certified tax rolls as approved by the Dallas and Collin Appraisal Districts.

18-4352 – Accept the Monthly Revenue and Expenditure Report for the period ending June 30, 2018.

18-4353 – Approve a resolution to authorize the City Manager to negotiate and execute the terms and conditions of an agreement by and between the City of Sachse and Wylie Auto Towing, Inc. for City wrecker and impound services.

Councilman King made a motion to approve items on the consent agenda as presented. Councilman Bickerstaff seconded that motion and the motion was unanimously approved.

MAYOR AND CITY COUNCIL ANNOUNCEMENTS REGARDING SPECIAL EVENTS:

Mayor Felix announced upcoming Library events and the movie in the park at City Hall on Saturday, August 18.

CITIZENS INPUT:

Chance Lindsey, 3718 Rock House Road, asked the City Council to consider a different water rate tier structure for larger lot sizes and provided an HOA as an example of how the rates impact costs with large areas to maintain.

Robert Doan, 5508 Bradford Estates Court, expressed his concern over the water rates doubling and tripling.

REGULAR AGENDA ITEMS:

18-4351 Consider receipt of and discuss the City Manager's Proposed Budget for Programs and Services for the 2018-2019 Fiscal Year.

Mrs. Savage presented the proposed budget for the 2018-2019 fiscal year. Mrs. Savage reviewed the truth in taxation data, General Fund revenue and summaries, departmental summaries, Utility Fund revenue and summaries, debt service summary, the Vehicle/equipment replacement Fund (VERF), supplementals in the General and Utility funds, the capital budget, and proposed projects.

The City Council discussed the Reserve Fund and the possibility of a penny reduction on the tax rate and the upcoming water/sewer rate study.

Councilman Bickerstaff made a motion to accept the proposed budget for the 2018-2019 fiscal year as presented. Councilman King seconded that motion and the motion was unanimously approved.

18-4355 Consider placing a proposal to adopt a tax rate of $0.720000 per $100 of assessed property values for the 2018-2019 fiscal year as an action item on the September 17, 2018 regular City Council meeting agenda and schedule two public hearings to be held August 20, 2018 and September 4, 2018 at 7:30 p.m. at Sachse City Hall.

Mrs. Savage stated when the tax rate exceeds the effective tax rate, two public hearings must be scheduled and the public notified. A vote to place the proposed tax rate on a future meeting is required. This item establishes the maximum rate that will be considered.

Councilman King made a motion to place the proposed tax rate of $0.720000 per $100 of assessed property values for the 2018-2019 fiscal year as an action item on the September 17, 2018 regular City Council meeting agenda and schedule two public hearings to be held August 20, 2018 and September 4, 2018 at 7:30 p.m. at Sachse City Hall. Councilman Watkins seconded that motion and the motion was unanimously approved.

18-4354 Consider approval of a resolution awarding the bid for construction of the Southeast Sewer Expansion – Phase I project to S.J. Louis Construction of Texas, LTD in an amount not to exceed five million, six hundred sixty-five thousand, one hundred seventy-nine dollars and forty-nine cents ($5,665,179.49) and authorizing the City Manager to execute such agreement.

Mr. Peters stated this item is for the construction portion of Phase I for the Southeast Sewer Expansion project. Phase I and Phase II are required for development of the President George Bush Turnpike (PGBT) corridor. Mr. Peters provided an overview of the project funding, construction costs, bid alternates, and the process moving forward. Six bids were received with the lowest qualified bid received from S.J. Louis Construction of Texas, LTD. The project was bid with a base bid and alternate bids A and B. Alternate A included traditional concrete manholes and alternated bid B included polymer concrete manholes. Staff is recommending selecting alternate bid B for the project. Mr. Peters added that staff will continue to secure remaining easements for Phase I with construction to begin on Miles Road end in September. Per the contract, the segment from Miles Road to the east side of Merritt Road shall be complete in 120 days. The full segment of Phase I will be complete in 270 days. Staff will bid Phase II within 60 days. Once bids are received for Phase II, staff will be able to provide the City Council with more information on the timeframe for Phase III.

The City Council discussed the difference in the alternate bid types. The City Council indicated a preference for alternate bid B.

Councilman King made a motion to approve a resolution awarding the bid for construction of the Southeast Sewer Expansion – Phase I project to S.J. Louis Construction of Texas, LTD in the amount not to exceed five million, six hundred sixty-five thousand, one hundred seventy-nine dollars and forty-nine cents ($5,665,179.49) and authorizing the City Manager to execute such agreement. Councilwoman Howarth seconded that motion and the motion was unanimously approved.

ADJOURNMENT:

Mayor Felix adjourned the meeting at 8:29 p.m.

_____
MIKE J FELIX, MAYOR

ATTEST:

_____
Michelle Lewis Sirianni, City Secretary

Sachse TEXAS

Agenda Item Details

Meeting	Aug 20, 2018 - Regular Combined Meeting
Category	10. Regular Agenda Items
Subject	A. Conduct the first public hearing on the proposed tax rate for the 2018-2019 fiscal year.
Access	Public
Type	Action
Preferred Date	Aug 13, 2018
Absolute Date	Aug 17, 2018
Recommended Action	Conduct the first public hearing on the proposed tax rate for the 2018-2019 fiscal year.
Goals	Be a model of financial stewardship through growth management, responsible investment, and financial transparency.

Public Content

BACKGROUND

This is the first of two mandated public hearings on the tax rate when the proposed tax rate exceeds the Effective Tax Rate (ETR). The second public hearing is scheduled for September 4, 2018. On August 6, 2018, the City Council approved a motion to place on the September 17, 2018, City Council agenda an action item to adopt a tax rate greater than the ETR of 0.705010 per $100 of assessed value.

The ETR is the tax rate that will generate approximately the same amount of tax revenue as the prior year excluding tax revenue to be raised from new property added to the tax roll this year. The proposed tax rate of 0.720000 is 2.1% higher than the ETR.

POLICY CONSIDERATIONS

If a taxing unit's proposed tax rate is higher than the lower of the ETR or Rollback Tax Rate, whichever is lower, the City Council must hold two public hearings in compliance with Chapter 26 of the Property Tax Code.

RECOMMENDATION

Conduct the first public hearing on the proposed tax rate for the 2018-2019 fiscal year.

01.04 Notice Eff Tax Rate.pdf (63 KB)

August 20 Presentation.pdf (328 KB)

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Lauren Rose, ADA Coordinator, via phone at 972.429.4770, via email at lrose@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.

PROPERTY TAX 101

CITY COUNCIL

AUGUST 20, 2018

OVERVIEW

- Truth In Taxation
  - Calculated Rates
  - Required Notices
- Sachse Historical Data
  - Rates
  - Assessed Values
  - Exemptions
- Overlapping Districts
- Examples

CALCULATED TAX RATES

- Effective Tax Rate (ETR) is the total rate needed to raise the same amount of property tax revenue from the same properties in both the previous and current tax year.
  - Includes M&O and I&S rates
  - **In theory**, adopting this rate means an individual property owner would see no change in tax.

- Rollback Tax Rate (RTR) is made of separate calculations for the M&O and I&S rates.
  - I&S rate is the rate required to support the legal debt obligations of the entity based on the current assessed valuation.
  - M&O Rollback Rate is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus eight percent.

REQUIRED NOTICES

- Notice of 2018 Tax Year Proposed Property Tax Rate
  - Published in Newspaper by September 1
  - Must be quarter page with headline no smaller than 24 point type
  - Must be on entity website and remain there until tax rate is adopted

- Budget Cover Page
  - Includes comparison of rates previous and current year
  - Includes how members of the governing body voted
  - Calculations based on Effective Rate (any rate above the effective rate is stated as an increase)

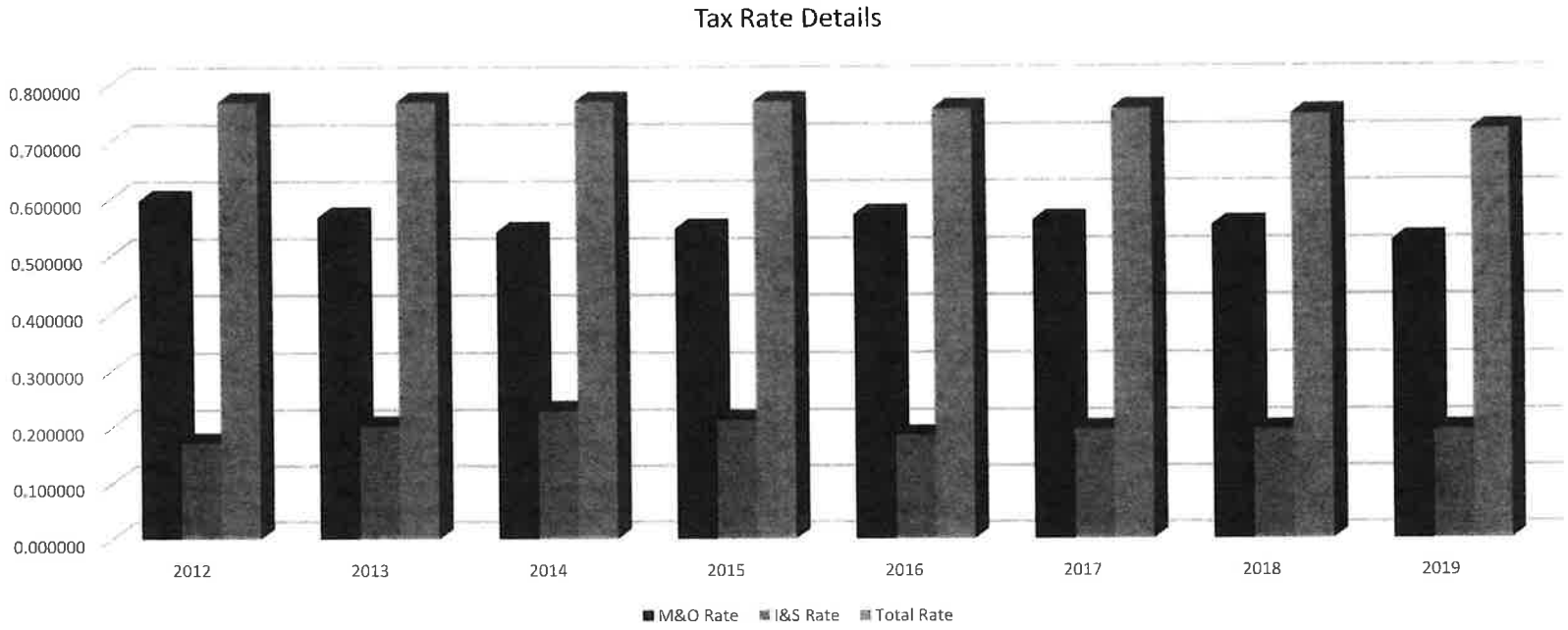
CALCULATED RATE COMPARISON

Fiscal Year	Effective Tax Rate	Rollback Tax Rate	Adopted Tax Rate	Taxable Valuation
2011-2012	0.783200	0.826498	0.770819	1,238,561,173
2012-2013	0.779629	0.902163	0.770819	1,248,799,416
2013-2014	0.754065	0.844138	0.770819	1,300,626,676
2014-2015	0.718590	0.771246	0.770819	1,424,592,045
2015-2016	0.713377	0.757279	0.757279	1,635,609,749
2016-2017	0.696624	0.773045	0.757279	1,873,284,967
2017-2018	0.697471	0.773924	0.747279	2,158,595,689
2018-2019	0.705010	0.752135	0.720000	2,366,146,541

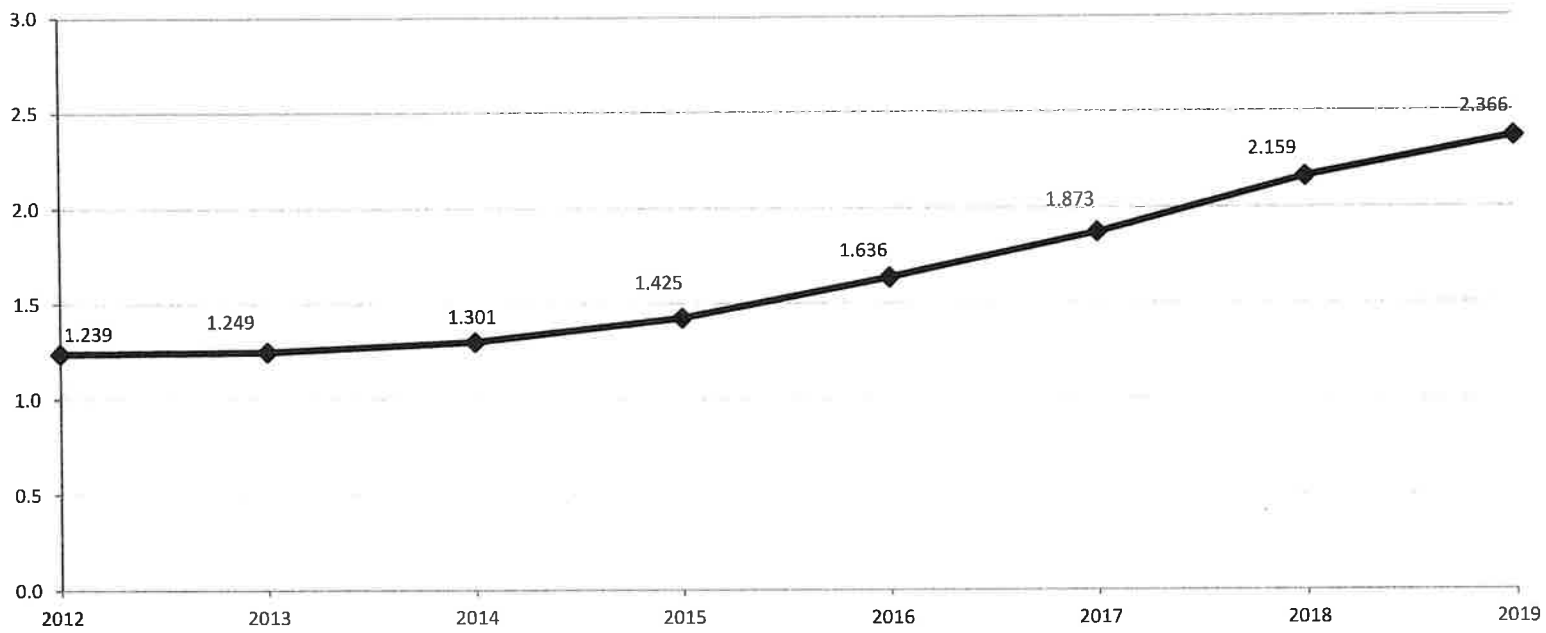
TAX RATE HISTORY

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
M&O	.533894	.598894	.568894	.542694	.559034	.572279	.562000	.553072	.525793
I&S	.171925	.171925	.201925	.228125	.211785	.185000	.195279	.194207	.194207
Total	.705819	.770819	.770819	.770819	.770819	.757279	.757279	.747279	.72000
Change	.000000	+.065	.000000	.000000	.000000	-.01354	.000000	-.01	-.027279

TAX RATE HISTORY



TAXABLE ASSESSED VALUATION



- *In millions*

EXEMPTIONS

- Over 65--$50,000
- Disabled--$50,000
- Senior Freeze
  - Assessed valuation will reflect market changes
  - Calculated city tax will not exceed the levy the year the person first qualified for the freeze
  - Beneficiaries of the freeze often misunderstand because their notice of appraised value does not include a reduction for the freeze
  - Tax bill received in October reflects maximum benchmarks, but not all entities have adopted the freeze.
- Homestead exemption—Sachse does not currently offer a homestead exemption.

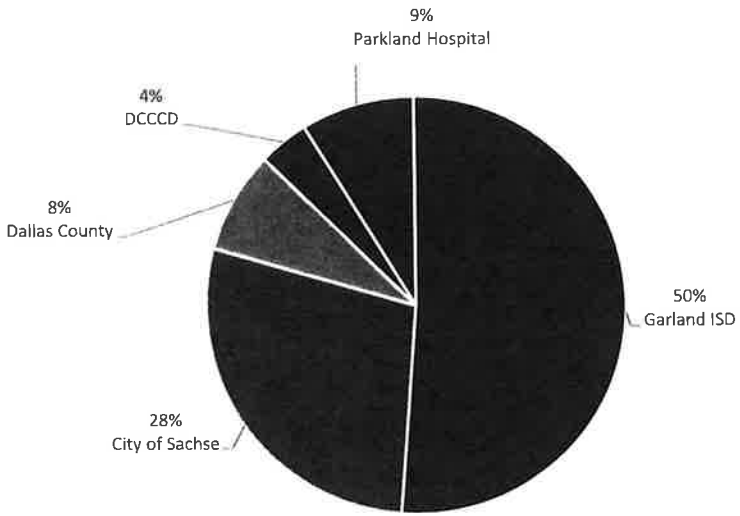
OVERLAPPING ENTITIES

Taxing Entity	2017 Rate or 2018 Proposed Rate	Exemptions
Dallas County		
Garland ISD	$1.46	HS $25,000; Over 65, DP $10,000
Dallas County Comm College	$0.124238	HS 20%; Over 65, DP $69,000
Parkland Hospital	$0.2794	HS 20%; Over 65, DP $69,000
Dallas County	$0.2531	HS 20%; Over 65, DP $69,000
Collin County:		
Wylie ISD	$1.64	HS $25,000; Over 65, DP $10,000
Collin College	$0.079810	Over 65 $30,000; DP $20,000
Collin County	$0.192246	HS 5%; Over 65 $30,000, DP $20,000

DALLAS COUNTY EXAMPLE

Entity	Market Value	Exemption	Taxable Value	Rate	Tax	Percent
Garland ISD	240,286	25,000	215,286	1.460000	3143.18	51%
City of Sachse	240,286	0	240,286	0.720000	1730.06	28%
Dallas County	240,286	48,057	192,229	0.253100	486.53	8%
DCCCD	240,286	48,057	192,229	0.124238	238.82	4%
Parkland	240,286	48,057	192,229	0.279400	537.09	9%
				$2.836738	$6135.68	100%

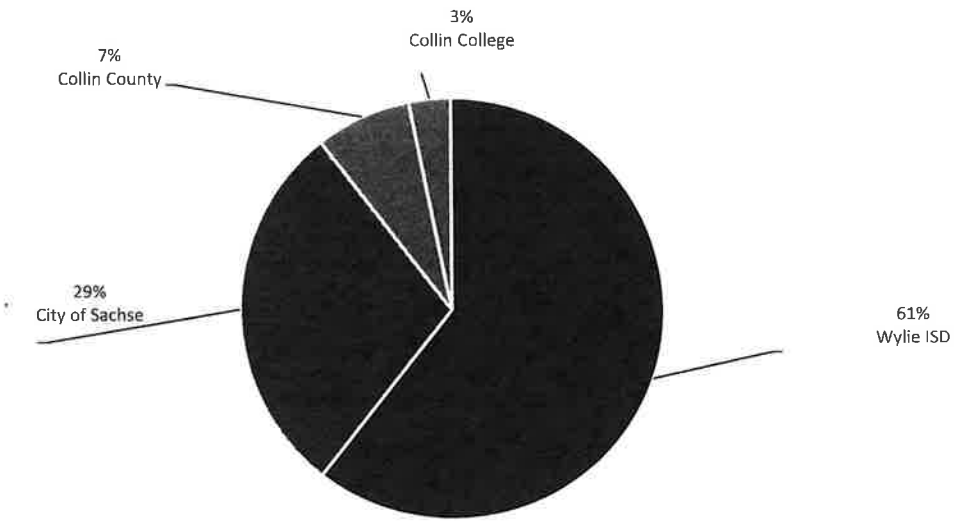
DALLAS COUNTY EXAMPLE



COLLIN COUNTY EXAMPLE

Entity	Market Value	Exemption	Taxable Value	Rate	Tax	Percent
Wylie ISD	310,902	25,000	285,902	1.640000	4688.79	61%
City of Sachse	310,902	0	310,902	0.720000	2323.31	29%
Collin County	310,902	15,545	295,357	0.192246	567.81	7%
Collin College	310,902	0	310,902	0.079810	248.13	3%
				$2.632056	$7743.22	100%

COLLIN COUNTY EXAMPLE



NOTICE OF 2018 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF SACHSE

A tax rate of $0.720000 per $100 valuation has been proposed for adoption by the governing body of City of Sachse. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of City of Sachse proposes to use revenue attributable to the tax rate increase for the purpose of increasing public safety staffing and improving and expanding streets within the City.

PROPOSED TAX RATE	$0.720000 per $100
PRECEDING YEAR'S TAX RATE	$0.747279 per $100
EFFECTIVE TAX RATE	$0.705010 per $100
ROLLBACK TAX RATE	$0.773924 per $100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for City of Sachse from the same properties in both the 2017 tax year and the 2018 tax year.

The rollback tax rate is the highest tax rate that City of Sachse may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

property tax amount= (rate) x (taxable value of your property)/100

For assistance or detailed information about tax calculations, please contact:

John R. Ames, PCC, CTA
Dallas County Tax Assessor/Collector
1201 Elm Street, Suite 2600, Dallas TX
214.653.7811
TNTHELP@dallascounty.org
www.cityofsachse.com

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: August 20, 2018 at 7:30 pm at 3815-B Sachse Rd., Sachse TX 75048.

Second Hearing: September 4, 2018 at 7:30 pm at 3815-B Sachse Rd., Sachse TX 75048.

Sachse TEXAS

Agenda Item Details

Meeting	Aug 20, 2018 - Regular Combined Meeting
Category	10. Regular Agenda Items
Subject	D. Discuss an ordinance amending the Code of Ordinances, Chapter 10, "Utilities," by amending Section 2 "Sewer Service Fees" and Section 3 "Water and Sewer Service Billing Procedures" to provide for service billing policies and procedures.
Access	Public
Type	Discussion
Goals	Strategically invest in the City's existing and future infrastructure. Be a model of financial stewardship through growth management, responsible investment, and financial transparency.

Public Content

BACKGROUND
Utility billing fees and procedures should be reviewed on a regular basis to remain consistent with the current economic climate and best practices in order to recover the cost of providing water and sewer services to the City.

OVERVIEW
Below is a listing of proposed changes:

1. Replace various methods of adjustment application presentment with department. Define source for water consumption analysis. Section 10-2, A (3).
2. Replace various methods of adjustment application presentment with department. Section 10-3, D (2).
3. Define source for water consumption analysis. Section 10-3, D (3).
4. Replace prior year consumption with current active customers' Advanced Metering Infrastructure (AMI) analysis. Section 10-3, D (4).
5. Replace various methods of adjustment application presentment with department. Section 10-3, D (5).
6. Clarify questions of a reading to expand beyond re-read to on-site review. Section 10-3, E (2)
7. Clarify fire hydrant meter application with public works. Section 10-3, G (1)
8. Layout change. Section 10-6, B.

POLICY CONSIDERATIONS
Proposed changes will clarify billing procedures to include AMI analysis.

RECOMMENDATION
Discuss and provide feedback to staff regarding an ordinance amending the Code of Ordinances, Chapter 10, "Utilities," by amending Section 2 "Sewer Service Fees" and Section 3 "Water and Sewer Service Billing Procedures" to provide for service billing policies and procedures.

Sec._10 Utilities Original.pdf (361 KB)

Sec._10 Utilities w Markup.pdf (435 KB)

Utility Ordinance Review Discussion Presentation.pdf (79 KB)

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Lauren Rose, ADA Coordinator, via phone at 972.429.4770, via email at lrose@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.

UTILITY ORDINANCE REVISIONS

CITY COUNCIL DISCUSSION

AUGUST 20, 2018

BACKGROUND

- Process changes due to enhanced data available with AMI
  - Repair of leak can be confirmed earlier, so credit can be issued sooner.
  - Impact to usage from leak can be identified based on date of repair, eliminating the need to use prior year or month usage to estimate loss.
  - Usage reports only do not require trip to the meter—requests for meter verifications and testing other than usage that require trips limited to 2 per year.
- Change in verbiage only:
  - Sec. 10-3, D. (2)
  - Sec. 10-3, D. (5)
    - Change to "can be made through the utility billing department."
- Last ordinance revision was made in 2015—moving fees to Master Fee Schedule.

PROPOSED CHANGES

- Sec. 10-2, A. (3): "The Advanced Metering Infrastructure (AMI) consumption will be analyzed when considering the amount of adjustment for the rate-setting period."
  - Previously used historical consumption to determine adjustment amount.

- Sec. 10-3, D. (3): "The Advanced Metering Infrastructure (AMI) consumption will be analyzed when considering the amount of the credit calculated."

- Sec. 10-3, D. (4): "An adjustment for consumption will be based on the current active customers' AMI analysis. All leak consumption will be charged the current NTMWD rate."

PROPOSED CHANGES

- Sec. 10-3, E. (2): "If a consumer questions the reading for water supplied and demands a review, the city will review the meter reading at no cost. The city has standard operating procedures for automatic verifications that are controlled by parameters entered into the city's electronic meter reading devices for high/low readings. Each customer is allowed two (2) personnel on-site meter reviews in a 12-month period at no charge. Additional requested reviews will be assessed a trip fee as adopted in the Master Fee Schedule."
- Sec. 10-3, G. (2): "Customers wishing to apply for a fire hydrant meter must complete a written application with public works and pay all applicable fees and deposits.

Code of Ordinance

Chapter 10 UTILITIES [1]

Sec. 10-1. Water service fees.

Sec. 10-2. Sewer service fees.

Sec. 10-3. Water and sewer service billing procedures.

Sec. 10-4. Requirements for water and sewer service.

Sec. 10-5. Discharge of swimming pool water.

Sec. 10-6. Regulating the discharge of industrial wastes into public sewers.

Sec. 10-7. Water conservation and drought contingency and water emergency response plan.

Sec. 10-8. Testing of backflow prevention assemblies.

Sec. 10-1. - Water service fees.

The rates and charges for services of the waterworks system of the City of Sachse, Texas, shall consist of a minimum rate for usage and a meter deposit fee as required by this section.

A. Water rate schedule. Each residential, business, and industrial user of the waterworks system shall be charged a monthly rate of the user's consumption and collected by the city from all customers obtaining service from the waterworks system and according to the rate schedule adopted in the Master Fee Schedule.

B. Meter deposits. Meter deposits are established by meter size according to the rate schedule adopted in the Master Fee Schedule:

(1) A deposit for an additional water meter at a single address will not be required if the original deposit has been refunded for good pay. If the original deposit has not been refunded, a deposit for each additional meter at a single address will be required.

(2) Floating deposits which are established by real estate companies and others to keep their properties in service during the time they are showing potential buyers shall be $150.00 for each five units.

(3) The deposit may be refunded if the customer's account is determined to be current and in good standing at the end of the initial 12 months of service. The account shall be considered in good standing if during the 12-month period there were no disconnects, no non-sufficient funds (NSF) checks, no more than one late penalty, and the account is current. The refund will be applied to the customer's account.

(4) A deposit payment is required to reactivate a discontinued service.

(Ord. No. 10.18, 11-2-87; Ord. No. 840, 11-6-89; Ord. No. 903, 9-26-90; Ord. No. 1373, 6-17-96; Ord. No. 1771, 9-5-00; Ord. No. 1983, § 1, 1-6-03; Ord. No. 3223, § 1, 7-6-10; Ord. No. 3297, § 1, 7-5-11; Ord. No. 3602, § 1, 8-4-14)

Sec. 10-2. - Sewer service fees.

The rates and charges for services of the sanitary sewer system of the city shall consist of a base rate for debt service and system depreciation, and a user charge for system operation and maintenance.

Code of Ordinance

A. Residential. Each residential user of the sewer system shall be charged a monthly rate for services from the sanitary sewer system according to the following method of calculation:

(1) The winter months of November, December, January, February and March preceding the rate-setting period shall be used as the basis for calculating a residential customer's monthly charge.

(2) The highest use month and the lowest use month of the five winter months shall be deleted from all calculations. The three remaining months shall be averaged to determine a monthly volume for rate-setting purposes.

(3) Adjustments to the calculated sewer rate can only occur in the event the user, consumer, and/or subscriber shall apply for an adjustment for water usage due to a leak during the winter averaging months. The burden of proof will be on the customer to establish that there is a leak and that it is not the result of his own negligence or omission. An application for an adjustment can be made through utility billing department~~over the telephone, by e-mail, or by letter~~. The city will evaluate a current customer's account when a leak has been reported. The customer should produce a receipt for repair parts as evidence that the high consumption actually resulted from a water leak that is now repaired. The Advanced Metering Infrastructure (AMI) consumption will be analyzed when considering ~~When the next month's reading is obtained and the consumption is in line with prior consumption amounts,~~ the amount of the adjustment for the rate-setting period~~, can be calculated for the rate-setting period. This insures that the water leak has been corrected.~~ Evaluation of an adjustment to the sewer average rate must be received annually by April 30.

(4) This calculated monthly volume shall apply for all 12 months of the rate-setting period.

(5) New residents shall be assigned the city-wide sewer average rate until the following rate-setting calculation period. The method of calculation detailed in this section shall then be applied.

(6) Wastewater rate schedule adopted in the Master Fee Schedule.

(7) Industrial users who discharge wastes into said sewer system which are of greater strength than normal domestic waste, shall be charged in addition to the business rate as adopted in the Master Fee Schedule, an amount equivalent to the costs required to treat the additional strength to an acceptable level.

(8) Industrial users who discharge wastes into said sewer system shall pay the capital costs of the capacity of those facilities required to transport and treat such wastes.

(Ord. No. 623, 11-16-87; Ord. No. 1238, 2-20-95; Ord. No. 1531, 11-17-97; Ord. No. 1771, 9-5-00; Ord. No. 2010, § 1, 4-21-03; Ord. No. 3223, § 1, 7-6-10; Ord. No. 3602, § 1, 8-4-14)

Sec. 10-3. - Water and sewer service billing procedures.

A. General.

(1) Each residential, commercial, and industrial utility user shall be billed monthly for water, sewer, and other services and charges as may be applicable. The city will mail or electronically deliver a statement to each user for water, sewer, and solid waste services on the designated working day. Utility bills are due upon receipt. Utility bill shall be paid not later than 20 calendar days following billing (the final due date). If not paid by the final due date, the user shall be subject to the penalties set forth in paragraph B-3 below. Billing statements are considered delivered when mailed to the user's physical or email address as shown in the records of the city. If returned by the U.S. Postal Service, the city shall mail the statement to any forwarding address available.

(2) The city shall charge a new customer a reasonable tapping fee for providing service from the city's systems to the customer's property line. Placement and location of the tap lines shall be at the discretion of the city. The customer, prior to the commencement of water service, shall pay the required tap fees and all other charges and deposits required for connection of his property to the city's water and/or sewer system. For additional information on water and sewer connections, refer to section 8-2, paragraph F of this Code.

(3) In order to obtain service, all users, consumers, and/or subscribers must complete an application for water, sewer, and solid waste services, as may be applicable, and pay all fees, charges, and deposits in accordance with fee schedules as set forth in this chapter.

(4) Dual or multiple connections (more than one user on a single meter) shall be prohibited except where a master meter is permitted for a mobile home park or apartment complex.

(5) No free water or sewer service will be permitted. It shall be unlawful for any person to take or use water from the city water system without the written consent of the city. It shall also be unlawful for any person to tamper with, or interfere in any manner, with any water meters, service mains, or any other water department property. Refer to section 10-4 of this Code for additional requirements for water and sewer services, as well as prohibitions and penalties.

(6) It shall be unlawful for any person to interfere with the flow of water in any water main or cause the flow of water to cease or to cause the flow of water to diminish in pressure to any degree, without the written consent of the city.

(7) The waterworks system is operated on a fully metered basis. All services for water are metered. At its discretion, the city shall install and provide water meters that can be electronically read. All water meters are read on a monthly basis in a city wide metering cycle. The city reserves the right to implement cycle billing as may be deemed necessary for all residential, commercial, and industrial consumers.

(8) Each residential, commercial, and industrial user of the sanitary sewer system is charged for sewer services based on water consumption as set forth in this chapter.

B. Failure to pay, loss of service, penalties, reconnect fees, after service fees, and tampering fees.

(1) Payment is due no later than 20 days following the statement date, at which time the city reserves the right to discontinue water service for failure to pay utility accounts in full. The finance department will review all delinquent accounts and consider any extenuating circumstances resulting in nonpayment, upon notification by customer.

(2) Whenever the water service furnished by the city has been disconnected because of the failure to pay, a reconnection charge, a utility deposit and all delinquent charges shall be paid to the city before service is restored.

(3) There will be a late charge equal to ten percent of the outstanding bill added to a customer's account for payments not received by the close of business on the due date, which is no later than 20 days following the statement date. Such late charge will not exceed $50.00 for any one statement. Late charges are applied to all outstanding balances carried forward. If the due date falls on a Saturday, Sunday, or legal holiday as declared by the city, bills are due by the close of business on the next regularly scheduled workday. Notices will be mailed to customers who have not paid by the due date; the notice will include the date after which service will be terminated if not paid, and no further notice will be given.

(4) There will be a disconnect service fee assessed on all accounts disconnected for non-payment as adopted in the Master Fee Schedule. If accounts are reconnected after 4:00 p.m. on a weekday or during the weekend, the city will charge the consumer's account the after hours service fee as adopted in the Master Fee Schedule.

(5) Tampering fees as adopted in the Master Fee Schedule will be assessed when a customer violates city policy and tampers with the metered service. The amount charged will include the adopted fee plus any damage to city property.

C. Returned check fees and charges.

(1) An attempted payment by a customer with a check which is dishonored by the bank on which it is drawn shall constitute failure to pay. A returned check charge as adopted in the Master Fee Schedule will be assessed for each returned check. Service may be disconnected due to nonpayment resulting from a dishonored check and reconnect charges as applicable in accordance with subsection B.(4) above shall be applied.

(2) A consumer's service will only be reestablished or reconnected when all fees, charges, and original amount of check have been paid in full by cash, money order, or cashier's check.

(3) The city will accept only cash, money order, or cashier's checks for consumer accounts that have a history of returned checks and in order to restore service for disconnections for nonpayment.

D. Adjustments made for consumption and related charges.

(1) The finance department may allow reasonable adjustments for consumption and related charges for water and sewer where deemed reasonable under the known facts in order to insure fairness, equity, and reasonableness. The city's finance department may make payment agreements with customers on payment of high water bills. If the recommended adjustment or agreement is not acceptable to the consumer, he may appeal the decision to the city manager, whose determination shall be final.

(2) In the event the current user, consumer, and/or subscriber shall apply for an adjustment for water usage due to a leak, the burden of proof will be on the customer to establish that there is a leak and that it is not the result of his own negligence or omission. An application for an adjustment can be made through utility billing department~~over the telephone, by e-mail, or by letter~~.

(3) The city will provide for a credit to be made to a current customer's account when a leak has been detected. In order to receive this credit, the customer should produce a receipt for repair parts as evidence that the high consumption actually resulted from a water leak that is now repaired. The Advanced Metering Infrastructure (AMI) consumption will be analyzed when considering ~~When the next month's reading is obtained and the consumption is in line with prior consumption amounts,~~ the amount of the credit ~~can be~~ calculated. ~~This insures that the water leak has been corrected.~~

(4) An adjustment for consumption will be based on the current active customers' AMI analysis~~historic usage for the same consumption period in the previous year~~. All leak consumption ~~above the prior year~~ will be charged the current NTMWD rate. ~~If a historic consumption value is not available, the customer will be charged the current NTMWD rate for all water consumed above the City-wide average for the established leak period.~~ The city's utility billing department will make the approved and agreed upon adjustment on the affected consumer's account.

(5) In the event the current user, consumer, and/or subscriber shall apply for a tier adjustment for a swimming pool repair and refill, the burden of proof will be on the customer to establish that a swimming pool repair occurred and that it is not the result of his own negligence or omission. An application for a tier adjustment can be made through utility billing department~~ by email or by letter~~. Necessary application documentation should include a repair receipt from a licensed swimming pool technician and the meter reading prior to refilling and meter reading at the completion of the refill. Pictures of the face of the meter before and after the swimming pool refill will satisfy the odometer documentation. Only gallons consumed for the pool refill will be billed at the lowest tier.

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(6) The city is responsible for maintenance of water mains and meters. The customer is responsible for maintenance of the water line located on his property. All leaks must be repaired by the responsible party immediately to conserve water.

E. Meter testing, meter change out, and meter re-reads.

(1) Upon request of a customer the city will have the water meter tested for accuracy by a certified testing company. If the meter is found to be under registering, the customer will reimburse the city an amount equal to the cost of the meter testing to cover the testing expenses plus shipping and handling costs. If the meter is found to be over registering, then the city will be responsible for payment of all costs associated with the meter test, will credit the customer the percentage amount the test showed the meter was over registering for the preceding billing period, and will install without charge a new meter for the customer. In this instance, there will be no reconnect charges.

(2) If a consumer questions~~complains of~~ the reading for water supplied and demands a review~~re-read~~, the city will review~~-read~~ the meter at no cost. The city has standard operating procedures for automatic verifications~~-re-reads~~ that are controlled by parameters entered into the city's electronic meter reading devices for high/low readings. Each customer is allowed two (2) personnel on-site meter reviews~~re-reads~~ in a 12-month period at no charge. Additional ~~re~~requested reviews ~~-reads-~~will be assessed a trip fee as adopted in the Master Fee Schedule.

F. Transfer services from residence to residence.

(1) Residential customers only shall be able to transfer services between residences without making application for new service and paying a new deposit provided the existing account is current and in good standing. A transfer of service request can be made by telephone, letter, or e-mail.

(2) The customer's new account will be charged a –transfer fee as adopted in the Master Fee Schedule. A statement of final services will be issued on the old account. The deposit on the old account will be transferred to the new account.

G. Fire hydrant meter policies.

(1) Fire hydrant hook-ups may be authorized by the public works department for the purpose of initial hydro-mulching installation, special irrigation, roadwork, or other finish out work being performed in the city. Customers wishing to apply for a fire hydrant meter must complete a written application with ~~at the~~ public works ~~service center~~ and pay all applicable fees and deposits. Applicants must comply with all regulatory ordinances pertaining to conservation. It shall be unlawful for any person to use water from any fire hydrant except as provided by this section.

(2) Applicants for fire hydrant meters must pay an initial deposit for service as adopted in the Master Fee Schedule. An additional fee will be charged to set and/or connect the meter on location as adopted in the Master Fee Schedule. The deposit is refundable upon return of the fire hydrant meter if all applicable fees and water charges have been paid in full. The deposit may be applied to the final bill for cost of water used.

(3) The customer will be charged a monthly minimum use fee as adopted in the Master Fee Schedule, plus the cost of water used. The fee will be assessed on the next business day after issuance of a permit and is not prorated for the month.

(4) Water purchased from a fire hydrant shall be charged at the same rate as residential customers as referenced in section 10-1-A of this chapter.

(5) If the meter is returned in acceptable condition, upon inspection of the director of public works or his designee within seven business days of disconnection, the deposit will be returned upon payment of metered bill. Repair of fire hydrant meters and/or fire hydrants will be made by the

city and the cost of repair deducted from the meter deposit. If the meter is lost or stolen, the cost of a replacement meter will be assessed against the meter deposit. Any cost overage will be charged to the metered bill in addition to the estimated consumption for the period of loss.

(6) The city will be responsible for obtaining readings for fire hydrant meters and billing the customer for water used and related fees.

H. Letter of credit in lieu of utility deposits.

(1) Letters of credit reference from another city or utility, indicating a good payment history of an applicant for service, may be allowed and accepted by the city in lieu of deposits for service.

(2) The city will accept letters of credit reference from a current utility where an applicant for water service has had at least a 24-month service history with that current utility.

(3) Applicants for city water services that are 62 years of age or older shall be exempt from paying the required utility deposit.

(4) The city will issue a form letter of payment record upon request of a customer for same purpose.

I. Online/telephone payments. The per transaction convenience fee for payments made through cityofsachse.com will be paid by the customer.

(Ord. No. 327, 11-1-82; Ord. No. 618, 11-2-87; Ord. No. 623, 11-16-87; Ord. No. 840, 11-6-89; Ord. No. 1019, 3-2-92; Ord. No. 1306, 10-2-95; Ord. No. 1306, § II, 10-2-95; Ord. No. 1950, § 1, 7-15-02; Ord. No. 3297, § 1, 7-5-11; Ord. No. 3602, § 1, 8-4-14)

Sec. 10-4. - Requirements for water and sewer service.

A. Owners of property to give notice of vacancy. Every owner of property to which water or sewerage service is furnished by the water utilities department, or the designated agent or owner, shall give notice on the next business day when the property becomes vacant or when vacant property becomes occupied.

B. Refusal of service for delinquency. Service shall not be furnished to any person who is delinquent in the payment of any bill owed to the City of Sachse for water or sewerage service.

C. Unlawful use of water. No person shall:

(1) Prevent water from passing through a meter which is used by the water utilities department to supply water to a customer;

(2) Prevent a meter used by the water utilities department from registering the quantity of water supplied to a customer;

(3) Interfere with the proper and accurate registration upon a meter used by the water utilities department of the amount of water supplied to a customer;

(4) Divert water, by the use of any device, from a pipe or pipes of the water utilities department; or

(5) Refuse to deliver any meter or other appliance of the water utilities department, in his possession, custody or control, to the water utilities department upon request of the director.

D. Use of water prohibited. Any person or entity which takes water in violation of this chapter, in addition to other penalties prescribed by this Code, shall be liable for payment for the water taken computed in accordance with the terms and rates set forth in this chapter.

E. New service not to be installed until application is made. Before any water service shall be installed to serve any premises from the city water mains within or without the city, the owner and tenant or

occupant of the premises shall make written application for water service. No permit for any connection with the water mains or service lines of the waterworks system shall be issued until such application is accepted by the waterworks department.

F. Control of meters and waterworks equipment generally. All meters, curb cocks, valves, fixtures, meter boxes and appurtenances thereto, connected or used by the water utilities department system, including those furnished at the expense of the customers or property owners shall remain under the direct control of the water utilities department. No person, unless authorized by the water utilities department shall connect, disconnect, alter, move or tamper with any such equipment.

G. Using or furnishing water without permission. It shall be unlawful for any person to take or use water from the system of the waterworks department except under the terms and conditions specified in this chapter. All owners and occupants of property are hereby prohibited from furnishing water to any person occupying other premises for any purpose whatsoever without the written consent of the waterworks department.

H. Obstruction of access to system generally. No person shall place upon or about any fire hydrant, valve, manhole, curb cock, meter or meter box, connected with any water pipe of the water utilities department, whether located on public or private property, any object, debris or structure which will prevent free access to the same. Employees of the city shall have free and unobstructed access at all times to meters and other property of the water utilities department wherever located. No person shall deny any city employee access to any of said property, or create a hazardous condition in or around such property, or place an animal at or near said property which will interfere with free access thereto. One notice of obstruction will be provided to the service address free of charge. Water consumption will be estimated based on the customer's consumption history, if available. If not available, the citywide average volume for the billing period will be the estimate. If access is still denied after 30 days, an obstruction fee will be charged monthly until access is available. No person shall interfere with the performance of any lawful duty of any city employee by obstructing said employee in the discharge of his duties, either physically or by gestures, threats or otherwise.

I. Destroying or defacing equipment. Any person who unlawfully, willfully or maliciously injures, defaces or destroys any reservoir, machinery, pipes, hydrants, meters, meter boxes, lids or other fixtures, properties or supplies belonging to the waterworks department or who uses or takes from the waterworks department any water supplies or property except in accordance with the rules and regulations, shall be deemed guilty of a misdemeanor.

J. Connecting to or turning on water without permission; interference with system generally. Any person who shall tap or connect with the waterworks of the city, or who shall turn on the water from such waterworks, without first having obtained a permit to do so from the waterworks department, or who shall interfere with any water meter, service, main, standpipe or any other waterworks property, shall be deemed guilty of a misdemeanor.

K. Communicating electricity to pipes.

(1) It shall be unlawful for any person to make or cause or permit to be made any metallic connections either directly or indirectly, with the water mains, laterals, supply or service pipes, of the waterworks department of the city or any private pipes, mains or laterals which are connected to or with any such water mains, laterals, supply or service pipes of the waterworks department of the city, whereby any electrical current shall be communicated to or transmitted along or through such water mains, laterals, supply or service pipes of the waterworks department of the city.

(2) It shall be unlawful for any person to communicate any current of electricity to, or transmit the same along or through, or cause or permit any current of electricity to be communicated to or transmitted along or through any water main, lateral, pipes or wires or any metal of any sort that is a conductor of electricity that shall hereafter be metallically connected, bonded or joined to or with any water mains, laterals, supply or service pipes of the waterworks department of the city in violation of this section.

L. Work to be done by plumbers; unauthorized changes or connections.

(1) It shall be unlawful for anyone other than a plumber, licensed or operating under the plumbing code of the city, to make a direct connection of a service line onto the outlet side of the city water meter.

(2) Whenever such plumber shall use city water in testing pipes or repairing fixtures he shall, before leaving the premises, turn the curb cock to the position he found it when he first opened the meter box, and it shall be the duty of such plumber to notify the waterworks department immediately of every instance in which he finds or has reason to believe that anyone has tampered with any meter box, meter or other waterworks equipment.

(3) In case any unauthorized connections are found to have been made, fixtures added and no permit taken for same, water shall be disconnected from such premises until corrections have been made and all permit fees have been paid.

(4) It shall be unlawful for any such plumber to leave any trench, ditch or excavation on any public right-of-way, such as any sidewalk, street, alley, parkway or any other public way, left open for inspection, unless the same is properly barricaded and lighted, and when the work has been inspected and approved by the city, such plumber shall backfill and securely tamp any such trench, ditch or excavation so that the public right-of-way shall be safe for both pedestrian and vehicular travel. Failure to comply with this provision shall render such plumber primarily liable for any damage or injury to person or property resulting therefrom.

(5) Failure of any plumber who does work, whether under a permit or in violation of this Code without a permit, to promptly pay all charges and permit fees when a bill is rendered therefore by the city water and sanitary sewer department, shall authorize the city, acting by and through its superintendent of waterworks department, to withhold any further permits pending payment of such charges and fees.

M. Exposing meters or fire hydrants to damage; moving meters or hydrants. It shall be unlawful to build driveways, etc., in such manner as to expose any meter or fire hydrant to damage from traffic. Whenever the property owner requests the moving of any meter or fire hydrant, such cost shall be at the expense of the property owner. In such case the property owner or contractor shall make application to the waterworks department to have such structure moved. Upon approval by the waterworks department, the property owner or contractor shall be furnished with an estimate of the cost of such moving. Upon deposit of such estimated sum, by the property owner or contractor, the waterworks department shall proceed to make the desired change in location of the structure.

N. Unlawful connection to service. It shall be unlawful to connect to any service until the meter has been installed or approval has been secured from the waterworks department.

O. Penalty for violation. In addition to the penalty for the violation of this chapter, the failure and refusal of any person to comply with any of the terms and provisions of this chapter shall authorize the city, acting by and through its superintendent of the waterworks department, to disconnect the water and sanitary sewer service of such person and withhold such services until such person complied with the foregoing terms and provisions. Since the city operates its water and sanitary sewer department as a unit, the penalties provided for by this chapter as hereinabove stated shall apply to any violation of any of the terms and provisions of this chapter whether they apply to water service or sanitary sewer service, or both.

P. Sale of water outside city limits prohibited.

(1) It shall be unlawful for any person, firm or corporation who may be connected to the water system of the city to permit any connections to the water system, regardless of where such connection is made, for the purpose of selling or furnishing water to property located outside the corporate limits of the city.

(2) The city, acting by and through its water department, shall be authorized to disconnect the water service to the premises of any person found violating any of the provisions of this subsection and to withhold such service until such person complies with the terms and provisions of this chapter.

(Ord. No. 97, 10-8-68; Ord. No. 98, 10-8-68; Ord. No. 468, 3-3-86; Ord. No. 840, 11-6-89; Ord. No. 3602, § 1, 8-4-14)

Sec. 10-5. - Discharge of swimming pool water.

A. New pools installed after the effective date of this section.

(1) In developments served by sanitary sewer, all in-ground and above ground pools shall be connected to and discharge its contents, including backflush, into the sanitary sewer system.

(2) In developments not served by sanitary sewer, pools shall discharge its contents, including backflush, into the owner's property, flood drainage ditches, or easements.

B. Existing pools installed before the effective date of this section.

(1) In ground pools installed between May 21, 1984 and the effective date of this section in developments served by sanitary sewer shall be connected to and discharge its contents, including backflush into the sanitary sewer system.

(2) Above ground pools installed before the effective date of this section in developments not served by sanitary sewer shall discharge its contents, including back flush, onto the owner's property, flood drainage ditches, or easements.

C. Discharge on adjoining property prohibited. In no event may any discharge from in-ground or above ground pools be made onto adjoining property without the consent of the adjoining property owner.

(Ord. No. 1041, 9-21-92)

Sec. 10-6. - Regulating the discharge of industrial wastes into public sewers.

A. Definition of terms. Unless a provision explicitly states otherwise, the following terms and phrases, as used in this section, shall have the meanings herein after designated.

Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

Approval authority. The words "approval authority" shall mean the authorized agent or representative of the U.S. Environmental Protection Agency (USEPA). The Texas Commission on Environmental Quality (TCEQ) will be the authorized agent when delegated such responsibility by the USEPA.

Authorized representative of the industrial user.

(a) If the industrial user is a corporation, "authorized representative" shall mean:

(1) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation;

(2) The manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

(b) If the industrial user is a partnership, or sole proprietorship, an authorized representative shall mean a general partner or proprietor, respectively;

(c) If the industrial user is a federal, state or local governmental facility, an authorized representative shall mean a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his or her designee;

(d) The individuals described in paragraphs (a) through (c) above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company and the written authorization is submitted to the control authority.

Biochemical oxygen demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at 20 degrees centigrade expressed in terms of mass and concentration [milligrams per liter (mg/l)].

Categorical pretreatment standard or categorical standard. Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of industrial users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

Chemical oxygen demand (COD). The measure of the oxygen-consuming capacity, expressed in milligrams per liter. It is expressed as the amount of oxygen consumed from a chemical oxidant in a specific test. It does not differentiate between stable and unstable organic matter and thus may not correlate with BOD.

City. The word "city" shall be the City of Sachse together with all its governing and operating bodies.

Color. The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent transmittance is equivalent to zero optical density.

Composite sample. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

Control authority. The words "control authority" shall mean the director of public works, or other official designated by the city manager of the city or his duly authorized deputy, agent or representative.

Environmental protection agency or EPA. The U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the regional water management division director or other duly authorized official of that agency.

Existing source. Any source of discharge, the construction or operation of which commenced prior to the publication of proposed categorical pretreatment standards which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

Grab sample. A sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.

Indirect discharge or discharge. The introduction of (non-domestic) pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act.

Industrial user or user. A source of non-domestic indirect discharge.

Industrial waste board. The words "industrial waste board" shall mean the persons appointed by the city council to review the actions of the control authority at the request of a person whose industrial sewer connection permit has been denied or suspended. The board shall consist of three members. One shall be the director of public works, one shall be a taxpaying resident representative of a Sachse industry permitted under this article, and one shall be a disinterested taxpaying resident citizen.

Interference. A discharge which alone or in conjunction with a discharge or discharges from other sources:

(a) Inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; or

(b) Causes a violation of the City's NPDES permit or prevents sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research and Sanctuaries Act; or

(c) Restricts the flow in a public sewer.

Maximum allowable head works loading (MAHL). The amount of a pollutant (in pounds) in the influent (head works) of a wastewater treatment plant above which inhibition, sludge contamination, or pass through will occur or which will be expected to occur by the control authority.

New source.

(a) Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

(1) The building, structure, facility or installation is constructed at a site at which no other source is located; or

(2) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(3) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(b) Construction on a site at which an existing source is located is a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of subsection (a)(2) or (3) above but otherwise alters, replaces, or adds to existing process or production equipment.

(c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(1) Begun, or caused to begin as part of a continuous onsite construction program;

(i) Any placement, assembly, or installation of facilities or equipment; or

(ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Non-contact cooling water. Water used for cooling which does not come into direct contact with any raw material intermediate product, waste product, or finished product.

Pass through. A discharge which exits the POTW into waters of the U.S. in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a potential violation of any requirement of the city's NPDES permit (including an increase in the magnitude or duration of a potential violation).

Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. This definition includes all federal, state or local governmental entities but does not include, unless otherwise specified, the city.

pH. A measure of the acidity or alkalinity of a substance expressed as the reciprocal of the logarithm (base 10) of the hydrogen ion concentration.

Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, (including organic chemicals) industrial wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agricultural and industrial wastes, and the characteristics of the wastewater [i.e., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, odor].

Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical or biological processes, by process changes, or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

Pretreatment requirements. Any substantive or procedural requirement related to pretreatment imposed on an industrial user, other than a pretreatment standard.

Pretreatment standards or standards. Pretreatment standards shall mean prohibitive discharge standards, categorical pretreatment standards, and local limits.

Prohibited discharge standards or prohibited discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 10-6 C.(A) of this chapter.

Publicly owned treatment works or POTW. A "treatment works" as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned by the state or municipality. This definition includes any devices or systems used in the collection, storage, treatment, recycling and reclamation of sewage or industrial wastes and any conveyances which convey wastewater to a treatment plant. The term also means the municipal entity having jurisdiction over the industrial users and responsibility for the operation and maintenance of the treatment works.

Septic tank waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Sewage. Human excrement and gray water (including, but not limited to household showers and dishwashing operations).

Sewer service charge. The words "sewer service charge" shall mean the charge made on all users of the public sewage system whose wastes do not exceed in strength and concentration values established as representative of normal sewage.

Significant industrial user. Shall apply to:

(a) Industrial users subject to categorical pretreatment standards; and

(b) Any other industrial user that:

(1) Discharges an average of 25,000 gpd or more of process wastewater;

(2) Contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the treatment plant; or

(3) Is designated as significant by the control authority on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

Slug load. Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in section 10-6 C. of this article or any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

Standard industrial classification (SIC) code. A classification pursuant to the "Standard Industrial Classification Manual" issued by the U.S. Office of Management and Budget.

Stormwater. Any flow occurring during or following any form of natural precipitation, and resulting there from, including snowmelt.

Surcharge. The word "surcharge" or "industrial waste surcharge" shall mean the charge in addition to the published water and sewer rates. The basis for surcharges on industrial wastes is a capital and operating cost for suspended solids, BOD and chlorine demand exceeding normal sewage.

Suspended solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

Toxic pollutant. One of 126 pollutants, or combination of those pollutants, listed as toxic in regulations promulgated by the EPA under the provision of Section 307 (33 U.S.C. 1317) of the Act.

Treatment plant effluent. Any discharge of pollutants from the POTW into waters of the state.

Wastewater. Liquid and water-carried industrial wastes, and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Wastewater treatment plant or treatment plant. That portion of the POTW designed to provide treatment of sewage and industrial waste.

Shall is mandatory; may is permissive or discretionary. The use of the singular shall be construed to include the plural and the plural shall include the singular as indicated by the context of its use.

B. Abbreviations. The following abbreviations shall have the designated meanings:

BOD	Biochemical oxygen demand
C	Centigrade (as a measure of temperature)
CFR	Code of Federal Regulations
COD	Chemical oxygen demand
EPA	U.S. Environmental Protection Agency
F	Fahrenheit (as a measure of temperature)

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gpd	Gallons per day
L	Liter
MAHL	Maximum allowable head works loading
mg	Milligrams
mg/l	Milligrams per liter
NPDES	National Pollutant Discharge Elimination System
O&M	Operation and maintenance
POTW	Publicly owned treatment works
RCRA	Resource Conservation and Recovery Act
SIC	Standard industrial classifications
SWDA	Solid Waste Disposal Act (42 U.S.C. 6901, et seq.)
TSS	Total suspended solids
USC	United States Code

C. Prohibited discharge generally.

(A) Prohibited discharge standards. No industrial user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all industrial users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state or local pretreatment standards or requirement. Furthermore, no industrial user may contribute the following substances to the POTW:

(1) Pollutants which create a fire or explosive hazard in either the municipal wastewater collection system or POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21.

(2) Any wastewater having a pH less than 5.0 or more than 11.0, or otherwise causing corrosive structural damage to the POTW or equipment, or endangering city personnel.

(3) Solid or viscous substances in amounts which will cause obstruction of the flow either in the conveyance system or in the POTW resulting in interference.

(4) Any wastewater containing pollutants, including oxygen demanding pollutants (BOD, for example), released in a discharge at a flow rate or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with either the POTW or any wastewater treatment or sludge process, or which will constitute a hazard to humans or animals.

(5) Any wastewater having a temperature greater than 150 degrees F (65 degrees C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C).

(6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.

(7) Any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(8) Any trucked or hauled pollutants, except at discharge points designated by the control authority and in accordance with section 10-6 D.(E).

(9) Any noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance, a hazard to life, or to prevent entry into the sewers for maintenance and repair.

(10) Any wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the POTW's effluent.

(11) Storm water, surface water, ground water, roof runoff, subsurface drainage, and unpolluted industrial wastewater, unless specifically authorized by the control authority.

(12) Any sludge, screenings, or other residues from the pretreatment of industrial wastes.

(13) Any wastewater containing pollutants deemed highly toxic by the control authority and discharged at a flow volume capable of causing toxicity at the POTW.

(14) Any wastes containing detergents, surface active agents, or other substances which cause excessive foaming in the POTW.

(15) Any discharge of fats, oils, or greases of animal or vegetable origin in excess of two hundred (200) mg/l (1,668 pounds per million gallons) which causes sewer clogs, interference, pass through, or which exceeds the grease handling capacity of the POTW.

(16) Any wastewater from an underground storage tank or tank hole containing gasoline, motor oils or lubricating oils, unless specifically authorized by the control authority.

(17) Any pollutant in an amount which singly or in combination with discharges from other industrial users creates an influent or sludge concentration at the POTW approaching, equal to or exceeding the MAHL for that pollutant as established by the control authority except as specifically approved by the director of technical services.

Wastes prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW. All floor drains located in process or materials storage areas must discharge to the industrial user's pretreatment facility before connecting with the POTW.

(B) Federal Categorical Pretreatment Standards. The national categorical pretreatment standards found in 40 CFR Chapter I, Subchapter N, Parts 405-471 are hereby incorporated by reference.

(C) Specific pollutant limitations.

(1) The following uniform concentration-based pollutant limits are established to protect against pass-through, sludge contamination, and interference. No person shall discharge wastewater containing in excess of the following maximum allowable discharge limits:

Pollutant	Maximum allowable concentration	Sample type
Arsenic	1.00 mg/l	Composite
Chromium	2.50 mg/l	Composite
Copper	2.20 mg/l	Composite
Mercury	0.10 mg/l	Composite
Nickel	3.00 mg/l	Composite
Zinc	3.00 mg/l	Composite

(2) The following industrial contributory flow-based pollutant limits are established due to the pollutant's risk of producing toxicity in the receiving streams. All industrial users shall be prohibited from discharging industrial contributory flow-based pollutants at concentrations exceeding those normally found in domestic sewage, unless specifically allowed by the control authority in the industrial user's wastewater discharge permit. The maximum allowable concentration of industrial contributory flow-based pollutants shall be:

Pollutant	Maximum allowable concentration	Sample type
Cadmium	0.50 mg/l	Composite
Cyanide	1.00 mg/l	Grab
Lead	1.50 mg/l	Composite
Silver	1.50 mg/l	Composite

Concentrations apply at the point where the industrial waste is discharged to the POTW unless otherwise specified by the control authority. All concentrations are for "total" substance unless indicated otherwise. At his discretion, the control authority may impose mass limitations in addition to or in place of the concentration - based limitation above.

(D) City's right of revision. The control authority reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW if deemed necessary to comply with the objectives presented in section 10-6 of this article or the general and specific prohibitions in section 10-6 C.(A) of this article.

(E) Special agreement. The control authority reserves the right to enter into special agreements with industrial users setting out special terms under which they may discharge to the POTW. In no case will a special agreement waive compliance with a pretreatment standard or requirement. However, the industrial user may request a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15. An industrial user may also request a variance from the categorical pretreatment standard from EPA. Such a request will be approved only if the industrial user proves that factors relating to its discharge are fundamentally different from the factors considered by the EPA when establishing that pretreatment standard. An industrial user requesting a fundamentally different factor variance must comply with the procedural and substantive provisions of 40 CFR 403.13.

(F) Dilution. No industrial user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The control authority may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

D. Control of admissible wastes.

(A) Pretreatment facilities. Industrial users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all categorical pretreatment standards, local limits and the prohibitions set out in section 10-6 C.(A) above within the time limitations specified by the EPA, or the control authority, whichever is more stringent. Any facilities required to pretreat wastewater to a level acceptable to the control authority shall be provided, operated, and maintained at the industrial user's sole expense. Detailed plans (sealed by a registered, professional engineer) showing the pretreatment facilities and operating procedures shall be submitted to the control authority for review, and shall be acceptable to the control authority before construction of the facility. The review of such plans and operating procedures shall in no way relieve the industrial user from the responsibility of modifying the facility as necessary to produce an acceptable discharge to the control authority under the provisions of this chapter.

(B) Additional pretreatment measures.

(1) Grease, oil and sand interceptors shall be provided when, in the opinion of the control authority, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the control authority and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, maintained in proper operating condition and repaired regularly, as needed, by the owner at his expense. No in-line provisions for bypass of grease, oil or sand interceptors shall be allowed.

(2) Industrial users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

(3) At no time shall two readings on a combustible gas detection meter at the point of discharge into the POTW, or at any point in the POTW, be more than ten percent of the lower explosive limit (LEL) of the meter.

(C) Accidental discharge/slug control plans. The control authority may require any industrial user to develop and implement an accidental discharge/slug control plan. At least once every two years the control authority shall evaluate whether each significant industrial user needs such a plan. Any industrial user required to develop and implement an accidental discharge/slug control plan shall submit a plan which addresses, at a minimum, the following:

(1) Description of discharge practices, including non-routine batch discharges.

(2) Description of stored chemicals.

(3) Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges in section 10-6 C.(A) of this article.

(4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and measures and equipment for emergency response.

(D) Tenant responsibility. Where an owner of property leases premises to another person as a tenant under any rental or lease agreement, if either the owner or the tenant is an industrial user, either or both may be held responsible for compliance with the provisions of this article.

(E) Hauled wastewater. The discharge of hauled industrial wastes as "industrial sewage" requires prior approval and a wastewater discharge permit from the control authority. The control authority shall have authority to prohibit the disposal of such wastes. Waste haulers are subject to all other sections of this article.

(F) Vandalism. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, tamper with or prevent access to any structure, appurtenance or equipment, or other part of the POTW. Any person found in violation of this requirement shall be subject to the sanctions set out in sections 10-6 J. and 10-6 K. below.

(G) Act of God defense.

a) Act of God defense. The Act of God defense constitutes a statutory affirmative defense [Texas Water Code Section 7.251] in an action brought in municipal or state court. If a person can establish that an event that would otherwise be a violation of a pretreatment ordinance, or a permit issued under the ordinance, was caused solely by an Act of God, war, strike, riot or other catastrophe, the event is not a violation of the ordinance or permit.

b) An industrial user who wishes to establish the Act of God affirmative defense shall demonstrate, through relevant evidence that:

(1) An event that would otherwise be a violation of a pretreatment ordinance or a permit issued under the ordinance, occurred, and the sole cause of the event was an Act of God, war, strike, riot or other catastrophe; and

(2) The industrial user has submitted the following information to the POTW and the city within 24 hours of becoming aware of the event that would otherwise be in violation of a pretreatment ordinance or a permit issued under the ordinance (if this information is provided orally, a written submission must be provided within five days):

a. A description of the event, and the nature and cause of the [event];

b. The time period of the event, including exact dates and times or, if still continuing, the anticipated time the event is expected to continue; and

c. Steps being taken or planned to reduce, eliminate, and prevent of the event.

c) Burden of proof. In any enforcement proceeding, the industrial user seeking to establish the Act of God affirmative defense shall have the burden of proving by a ponderance of the evidence that an event that would otherwise be a violation of a pretreatment ordinance, or a permit issued under the ordinance, was caused solely by an Act of God, war, strike, riot or other catastrophe.

(H) Bypass. No industrial user shall intentionally divert waste streams from any portion of an industrial user's treatment facility (bypass) unless all procedural and substantive provisions in 40 CFR 403.17 are met.

E. Permit admission of industrial wastes.

(A) Wastewater survey. When requested by the control authority all industrial users must submit information on the nature and characteristics of their wastewater by completing a wastewater survey. The control authority is authorized to prepare a form for this purpose and may periodically require industrial users to update the survey. Failure to complete this survey shall be reasonable grounds for terminating service to the industrial user and shall be considered a violation of this article.

(B) Wastewater discharge permit requirement.

(1) It shall be unlawful for any significant industrial user to discharge wastewater into the city's POTW without first obtaining a wastewater discharge permit from the control authority. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this article and subjects the wastewater discharge permittee to the sanctions set out in sections 10-6 J. and 10-6 K. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all federal pretreatment standards or requirements or with any other requirements of federal, state and local law.

(2) The control authority may require other industrial users, including liquid waste haulers, to obtain wastewater discharge permits as necessary to carry out the purposes of this article.

(C) Wastewater discharge permitting for existing connections. Any significant industrial user which discharges industrial waste into the POTW prior to the effective date of this article and which wishes to continue such discharges in the future, shall, within 60 days after the effective date, apply to the control authority for a wastewater discharge permit in accordance with section 10-6 E.(F) below, and shall not cause or allow discharges to the POTW to continue after 90 days of the effective date of this article except in accordance with a wastewater discharge permit issued by the control authority.

(D) Wastewater discharge permitting. Any significant industrial user proposing to begin or recommence discharging industrial wastes into the POTW must obtain a wastewater discharge permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit must be filed at least 30 days prior to the date upon which any discharge will begin.

(E) Wastewater discharge permitting for extra-jurisdictional industrial users.

(1) Any existing significant industrial user located beyond city limits shall submit a wastewater discharge permit application, in accordance with section 10-6 E.(F) below, within 30 days of the effective date of this article. New significant industrial users located beyond city limits

shall submit such applications to the control authority 30 days prior to any proposed discharge into the POTW.

(2) Alternately, the control authority may enter into an agreement with the neighboring jurisdiction in which the significant industrial user is located to provide for the implementation and enforcement (including permitting) of pretreatment program requirements against the industrial user.

(F) Wastewater discharge permit application contents. In order to be considered for a wastewater discharge permit, all industrial users required to have a wastewater discharge permit shall submit the information required by section 10-6 G.(A)(2) of this article. The control authority shall provide a form to be used as a permit application. In addition, the following information shall be submitted:

(1) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW.

(2) Number and type of employees, hours of operation, hours of discharge and proposed or actual hours of operation of the industrial user.

(3) Each product produced by type, amount, process or processes, and rate of production.

(4) A map of the property showing accurately all sewers and drains.

(5) The site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge.

(6) Time and duration of all the discharges.

(7) Any other information as may be deemed necessary by the control authority to evaluate the wastewater discharge permit application.

(8) Plans and specifications sealed by a registered professional engineer detailing all pretreatment facilities and processes including any grease, oil or sand interceptors and control manholes.

Incomplete or inaccurate applications will not be processed and will be returned to the industrial user for revision.

(G) Application signatories and certification. All wastewater discharge permit applications and industrial user reports must contain the following certification statement and be signed by an authorized representative of the industrial user.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

(H) Wastewater discharge permit decisions. The control authority shall evaluate the data furnished by the industrial user and may require additional information. Within 20 working days of receipt of a complete wastewater discharge permit application, the control authority shall determine whether or not to issue a wastewater discharge permit. If no determination is made within this time period, the application shall be deemed denied. The control authority may deny any application for a wastewater discharge permit based upon the provisions of this article, other applicable local law, or applicable state or federal law. Any applicant denied a wastewater discharge permit may

appeal the control authority decision to the industrial waste board in accordance with section 10-6 F.(F).

F. Permit issuance process of industrial wastes.

(A) Wastewater discharge permit duration. Wastewater discharge permits shall generally be valid from the date of issuance until the last day of September, of the fifth year after issuance (five-year permit period). A wastewater discharge permit may be issued for a period of less than five years, at the discretion of the control authority. Each wastewater discharge permit shall indicate the specific date upon which it will expire.

(B) Wastewater discharge permit contents. Wastewater discharge permits shall include such conditions as are reasonably deemed necessary by the control authority to prevent pass through or interference, protect the quality of the water body receiving the POTW's effluent, protect worker health and safety, facilitate sludge management and disposal, protect ambient air quality, and protect against damage to the POTW.

(1) Wastewater discharge permits shall contain the following conditions:

(a) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five years.

(b) A statement that the wastewater discharge permit is nontransferable.

(c) Effluent limits applicable to the user based on applicable standards in federal, state, and local law.

(d) Self monitoring, sampling, reporting, notification, and record keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on federal, state, and local law.

(e) Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law.

(2) Wastewater discharge permits may also contain, at the discretion of the control authority the following:

(a) Limits on the average and maximum rate of discharge, time of discharge, or requirements for flow regulation and equalization.

(b) Limits on the instantaneous, daily and monthly average or maximum concentration, mass, or other measure of identified wastewater pollutants or properties.

(c) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW.

(d) Development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or routine discharges.

(e) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW.

(f) The schedule of industrial user charges and fees for wastewater discharged to the POTW.

(g) Requirements for installation and maintenance of inspection and sampling facilities and equipment.

(h) A statement that compliance with this wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal standards, including those which become effective during the term of the wastewater discharge permit.

(i) Other conditions as deemed appropriate by the control authority to ensure compliance with this article, and federal and state laws, rules, and regulations.

(C) Wastewater discharge permit modification. The control authority may modify the wastewater discharge permit for good cause including, but not limited to, the following:

(1) To incorporate any new or revised federal, state, or local pretreatment standards or requirements.

(2) To address significant alterations or additions to the industrial user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance.

(3) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.

(4) Information indicating that the permitted discharge poses a threat to the city's POTW, personnel, or the receiving waters.

(5) Violation of any terms or conditions of the wastewater discharge permit.

(6) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting.

(7) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13.

(8) To correct typographical or other errors in the wastewater discharge permit.

The filing of a request by the permittee for a wastewater discharge permit modification does not stay any wastewater discharge permit condition.

(D) Wastewater discharge permit transfer. Wastewater discharge permits are non-transferable.

(E) Wastewater discharge permit suspension. Wastewater discharge permits may be suspended for the following reasons:

(1) Failure to notify the control authority of significant changes to the wastewater prior to the changed discharge.

(2) Failure to provide prior notification to the control authority of changed condition pursuant to section 10-6 G.(E).

(3) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application.

(4) Falsifying self-monitoring reports.

(5) Tampering with monitoring equipment.

(6) Refusing to allow the control authority timely access to the facility premises and records.

(7) Failure to meet effluent limitations.

(8) Failure to remit fines or penalties after a final, non-appealable judgment has been rendered thereon.

(9) Failure to pay sewer charges (including industrial waste surcharge).

(10) Failure to meet compliance schedules.

(11) Failure to complete a wastewater survey or the wastewater discharge permit application.

(12) Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this article.

Wastewater discharge permits shall be voidable upon nonuse or cessation of operations. All wastewater discharge permits are void upon the issuance of a new wastewater discharge permit. Permittees with suspended wastewater permits shall admit no wastewater to the POTW.

(F) Industrial waste board appeal.

(1) Any applicant denied a permit under this article, or any permittee whose permit has been suspended, shall have the right to a hearing before the industrial waste board.

(2) Requests for a hearing shall be made in writing and received by the control authority within ten days of the action complained of. The control authority, within five days of receipt of the request, shall schedule a hearing before the industrial waste board.

(3) The industrial waste board shall have the authority to review all pertinent files and information regarding the applicant/permittee which are in the custody of the control authority. Additionally, the board shall have the authority to accept written and verbal testimony from the control authority, applicant, and interested citizens.

(4) The board shall have the authority to assess whether the control authority acted properly within its power under this article in its denial or suspension of permit. The majority vote of the board shall determine whether to uphold or reject the control authority's action. Upholding the action of the control authority shall affirm the denial or suspension. Rejection of the control authority's action shall, as the case may be, automatically reinstate a suspended permit or shall cause the control authority to repeat the application process.

(5) The board shall have no authority to review or act on any action of the control authority other than permit denials or permit suspensions.

(6) No person whose wastewater discharge permit has been denied or suspended shall discharge industrial waste to the public sewer prior to final determination by the industrial waste board.

(G) Wastewater discharge permit re-issuance. A significant industrial user shall apply for wastewater discharge permit re-issuance by submitting a complete wastewater discharge permit application in accordance with section 10-6 E.(F) a minimum of thirty (30) days prior to the expiration of the industrial user's existing wastewater discharge permit.

G. Reporting requirements.

(A) Baseline monitoring reports.

(1) Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing significant industrial users subject to such categorical pretreatment standards, and currently discharging to or scheduled to discharge to the POTW, shall submit to the control authority a report which contains the information listed in paragraph (2), below. At least 90 days prior to commencement of their discharge, new sources, and sources that become industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the control authority a report which contains the information listed in paragraph (2), below. A new source shall also report the method of

pretreatment it intends to use to meet applicable pretreatment standards. A new source shall also give estimates of its anticipated flow and quantity of pollutants discharged.

(2) The industrial user shall submit the following information required by this section including:

(a) Identifying information. The name and address of the facility including the name of the operator and owners.

(b) Wastewater discharge permits. A list of any environmental control wastewater discharge permits held by or for the facility.

(c) Description of operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such industrial user. This description shall include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.

(d) Flow measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e).

(e) Measurement of pollutants.

(1) Identify the categorical pretreatment standards applicable to each regulated process.

(2) Submit the results of sampling and analysis identifying the nature and concentration (and mass, where required by the standard or by the control authority) of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum and long term average concentrations (or mass, where required) shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in section 10-6 G.(J).

(3) Sampling must be performed in accordance with procedures set out in section 10-6 G.(K).

(f) Certification. A statement reviewed and signed by the industrial user's authorized representative indicating whether pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance and additional pretreatment is required to meet the pretreatment standards and requirements.

(g) Compliance schedule. If additional pretreatment and O&M will be required to meet the pretreatment standards, the shortest schedule by which the industrial user will provide such additional pretreatment and O&M shall be required. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard.

(h) All baseline monitoring reports must be signed and certified in accordance with section 10-6 E.(G).

(B) Compliance schedule progress report. The following conditions shall apply to the schedule required by section 10-6 G.(A)(2)(g). The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, beginning and conducting routine operation). No increment referred to above shall exceed 30 days. The industrial user shall submit a progress report to the control authority no later than 14 days

following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay and, if appropriate the steps being taken by the industrial user to return to the established schedule. In no event shall more than 30 days elapse between such progress reports to the control authority.

(C) Report on compliance with categorical pretreatment standard deadline. Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any industrial user subject to such pretreatment standards and requirements shall submit to the control authority a report containing the information described in section 10-6 G.(A)(2)(d)—(f). For industrial users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), the report shall contain a reasonable measure of the industrial user's actual production during the appropriate sampling period. All compliance reports shall be signed and certified in accordance with section 10-6 E.(G).

(D) Periodic compliance reports.

(1) Any significant industrial user subject to a pretreatment standard shall, on the dates and at a frequency determined by the control authority but in no case less than twice per year, submit a report indicating the nature and concentration of pollutants in the discharge which are limited by such pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports shall be signed and certified in accordance with section 10-6 E.(G).

(2) All wastewater samples must be representative of the industrial user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of an industrial user to keep its monitoring facility in good working order shall not be grounds for the industrial user to claim that sample results are unrepresentative of its discharge.

(3) If an industrial user subject to the reporting requirement of this section monitors any pollutant more frequently than required by the POTW, using the procedures prescribed in section 10-6 G.(J) and section 10-6 G.(K) of this article the results of such monitoring shall be included in the report.

(E) Report of changed conditions. Each industrial user is required to notify the control authority of any planned significant changes to the industrial user's operations or system which might alter the nature, quality or volume of its wastewater at least five working days before the change.

(1) The control authority may require the industrial user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under section 10-6 E.(F).

(2) The control authority may issue a wastewater discharge permit or modify an existing wastewater discharge permit under section 10-6 F.

(3) No industrial user shall implement the planned changed condition(s) until and unless the control authority has responded to the industrial user's notice.

(4) For purposes of this requirement flow increases of 100 percent of the average daily or monthly flow (based on the previous year averages) or greater, and the discharge of any previously unreported pollutants, shall be deemed significant.

(F) Reports of potential problems.

(1) In the case of any discharge including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load which may cause potential problems for the POTW (including a violation of the prohibited discharge

standards in section 10-6 C.(A) of this article), it is the responsibility of the industrial user to immediately telephone and notify the control authority of the incident. Notification shall include the location of discharge, type of waste, concentration and volume, if known, and corrective actions taken by the industrial user.

(2) Within five days following such discharge, the industrial user shall, unless waived by the control authority, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the industrial user of any fines, civil penalties, or other liability which may be imposed by this article or other law.

(3) Failure to notify the control authority of potential problem discharges shall be deemed a separate violation of this article.

(4) A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in sub-paragraph (1), above. Industrial users shall ensure that all employees who may cause or suffer such a discharge to occur are advised of the emergency notification procedure.

(G) Reports from non-significant industrial users. All industrial users not subject to categorical pretreatment standards and not required to obtain a wastewater discharge permit shall provide appropriate reports to the control authority as required by the control authority.

(H) Notice of violation/repeat sampling and reporting. If sampling performed by an industrial user indicates a violation, the industrial user shall notify the control authority within 24 hours of becoming aware of the violation. The industrial user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the control authority within 30 days after becoming aware of the violation.

(I) Notification of the discharge of hazardous waste.

(1) Any industrial user who commences the discharge of hazardous waste shall notify the POTW, the EPA regional waste management division director, and state hazardous waste authorities in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification shall include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges shall be submitted under section 10-6 G.(E), above.

(2) Dischargers are exempt from the requirements of paragraph (1) of this section during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which

the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.

(3) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user shall notify the POTW, the EPA regional waste management waste division director, and state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.

(4) In the case of any notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

(5) Industrial users that are permitted by the control authority shall submit a copy of all manifests to the control authority documenting offsite disposal of hazardous and non-hazardous waste.

(J) Analytical requirements. All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by the EPA.

(K) Sample collection.

(1) Except as indicated in subsection (2), below, the industrial user shall collect wastewater samples using proportional composite collection techniques.

(2) Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic chemicals shall be obtained using grab collection techniques.

(L) Determination of noncompliance. The control authority may use a grab sample(s) to determine noncompliance with pretreatment standards.

(M) Timing. Written reports will be deemed to have been submitted on the date post-marked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the U.S. Postal Service, the date of receipt of the report shall govern.

(N) Record keeping. Industrial users shall retain, and make available for inspection and copying, all records and information required to be retained under this article. These records shall remain available for a period of at least three years. This period shall be automatically extended for the duration of any litigation concerning compliance with this article, or where the industrial user has been specifically notified of a longer retention period by the control authority.

H. Compliance monitoring.

(A) Inspection and sampling. The control authority shall have the right to enter the facilities of any industrial user to ascertain whether the purpose of this article, and any permit or order issued hereunder, is being met and whether the industrial user is complying with all requirements thereof. Industrial users shall allow the control authority ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

(1) Where an industrial user has security measures in force which require proper identification and clearance before entry into its premises, the industrial user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the control authority, state, and EPA will be permitted to enter without substantial delay, for the purposes of performing their specific responsibilities.

(2) The control authority, state, and EPA shall have the right to set up on the industrial user's property, or require installation of, such devices as are necessary to conduct sampling and metering of the user's operations.

(3) The control authority may require the industrial user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the industrial user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated periodically to ensure their accuracy.

(4) Any temporary or permanent obstruction to safe and easy access to the industrial facility to be inspected and sampled shall be promptly removed by the industrial user at the written or verbal request of the control authority and shall not be replaced. The costs of clearing such access shall be born by the industrial user.

(5) Unreasonable delays in allowing control authority personnel access to the industrial user's premises shall be a violation of this article.

(B) Search warrants. If the control authority has been refused access to a building, structure or property or any part thereof, and if the control authority has demonstrated probable cause to believe that there may be a violation of this article or that there is a need to inspect as part of a routine inspection program of the control authority designed to verify compliance with this article or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then upon application the municipal court judge may issue a search and seizure warrant describing therein the specific location subject to the warrant. The warrant shall specify what, if anything, may be searched and seized on the property described. Such warrant shall be served at reasonable hours by the control authority in the company of a uniformed police officer of the city. In the event of an emergency affecting public health or safety, inspections may be made without the issuance of a warrant.

I. Confidential information. Information and data on an industrial user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from control authority inspection and sampling activities, shall be available to the public without restriction unless the industrial user specifically requests, and is able to demonstrate to the satisfaction of the control authority, that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets under applicable state law. When requested and demonstrated by the industrial user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, except as may be required by the Texas Open Records Act, Art. 6252-17a, V.T.C.S., but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

J. Administrative enforcement remedies.

(A) Notification of violation. Whenever the control authority finds that any user has violated or is violating this article, a wastewater discharge permit or order issued hereunder, or any other pretreatment requirement, the control authority may serve upon the user a written notice of violation. Within 15 days of the receipt of a notice of violation an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the control authority. Submission of the plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the control authority to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

(B) Show cause hearing. The control authority may order any user which causes or contributes to violation(s) of this article, wastewater discharge permits, or orders issued hereunder, or any other pretreatment standard or requirement, to appear before the control authority and show cause why a proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the hearing may be served personally or by registered or certified mail (return receipt requested) and shall be served at least five working days prior to the hearing. Such notice may be served on any authorized representative of the user. Whether or not the user appears as ordered, immediate enforcement action may be pursued following the hearing date. A show cause hearing shall not be a prerequisite for taking any other action against the user.

(C) Emergency suspensions. The control authority may immediately suspend a user's discharge (after informal notice to the user) whenever such suspension is necessary in order to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of any person. The control authority may also immediately suspend a user's discharge (after notice and opportunity to respond) that threatens to interfere with the operation of the POTW, or which presents or may present an endangerment to the environment.

(1) Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the control authority may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any person. The control authority shall allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the control authority that the period of endangerment has passed.

(2) A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the control authority, prior to the date of any show cause hearing under section 10-6 J.(B).

Nothing in this section shall be construed as requiring a hearing prior to any emergency suspension under this section.

(D) Permit suspension/termination of discharge. In addition to the provisions of section 10-6 F.(E) of this article, any user that violates the following conditions of this section, wastewater discharge permits, or orders issued hereunder, is subject to permit suspension and discharge termination:

(1) Violation of any wastewater discharge permit condition or conditions;

(2) Failure to accurately report the wastewater constituents and characteristics of its discharge;

(3) Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge;

(4) Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring or sampling; or

(5) Violation of the pretreatment standards in section 10-6 C.(A) this article.

Such user shall be notified of the proposed termination of its discharge and be offered an opportunity to show cause under section 10-6 J.(B) of this article why the proposed action should not be taken.

(E) Supplemental enforcement action/water supply termination. Whenever a user has violated or continues to violate the provisions of this article, orders, or wastewater discharge permits issued

hereunder, water service to the user may be terminated. Service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply.

K. Judicial enforcement remedies.

(1) Any person, firm or corporation who shall violate any provision of this section or who shall fail to comply with any provision hereof, shall be guilty of a misdemeanor and upon conviction is shall be subject to a fine as provided for in section 1-7 of this Code of Ordinances, and each occurrence of the violation shall constitute a separate offense and shall be punished accordingly.

(2) This section applies only to offenses committed on or after its effective date, and any offense committed before this section's effective date is governed by the law in existence at the time the offense was committed. The previous regulations are continued in effect for this purpose as if this section were not in force. For the purpose of this section, an offense is committed on or after the effective date of this section if any element of the offense occurred on or after the effective date.

(3) Any person violating any of the provisions of this section shall become liable to the city for any expense, loss or damage occasioned by the city by reason of such violation.

(4) The city shall be entitled to pursue other criminal and civil remedies to which it is entitled under authority of statutes or other state ordinances against a person continuing prohibited discharges.

L. Review. The city council shall review this section at least once every five years.

(Ord. No. 381, 6-4-84; Ord. No. 2212, § 1, 4-17-06)

Sec. 10-7. - Water conservation and drought contingency and water emergency response plan.

The city council hereby approves and adopts the NTMWD Model Water Conservation and Drought Contingency and Water Emergency Response Plan (the "plan"), attached hereto as Addendum A*, as if recited verbatim herein. The city commits to implement the requirements and procedures set forth in the adopted plan.

(1988 Code; Ord. No. 1765, 7-17-00; Ord. No. 2239, 9-18-06; Ord. No. 3128, § 1, 4-20-09)

*Addendum "A" is hereby adopted by reference for the city and made part hereof for all purposes, the same as if fully copied herein.

Sec. 10-8. - Testing of backflow prevention assemblies.

A. Definitions. For the purpose of this section, the following definitions apply unless the context clearly indicates or requires a different meaning. If a word or term used in this article is not contained in the following list, its definition, or other technical terms used, shall have the meanings or definitions listed in the most recent edition of the Manual of Cross-Connection Control published by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California.

Backflow prevention assembly or assembly shall mean an assembly to counteract backpressure or prevent backsiphonage.

City or the city shall mean the City of Sachse through the city manager or any representative, inspector or employee designated by the city manager.

Nonresidential use shall mean water used by any person other than a single-family or duplex residential customer of the water supply.

Person shall mean any individual, partnership, association, corporation, firm, club, trustee, receiver, body politic and corporate, and any other such entity.

Public water system or system shall mean any public or water system, which supplies water for public domestic use. The system will include all services, reservoirs, facilities, and any equipment use in the process of producing, treating, storing, or conveying water for public consumption.

Tester shall mean a person that is a certified backflow prevention assembly technician approved by and registered with the city and the TCEQ.

Water use survey shall mean a survey conducted or caused to be conducted by the local authority designed to identify any possible sources of contamination to the potable water supply.

B. Testing of backflow prevention assemblies.

(1) All backflow prevention assemblies shall be inspected and tested or caused to be inspected and tested at the expense of the property or building owner in each of the following circumstances:

(a) Immediately after installations;

(b) Whenever the assembly is moved;

(c) A minimum of once a year for nonresidential backflow prevention devices;

(d) Premises that have been vacated and unoccupied for one year, prior to re-occupancy;

(e) Immediately after repairs.

(2) All assembly testing shall be performed by a state certified backflow prevention assembly tester, registered with the city. All testing shall be in accordance with the standards contained in the 2003 International Plumbing Code, as amended, that has been adopted by the City of Sachse.

(3) Duly authorized employees of the city bearing proper credentials and identification are entitled to enter any public or private property at any reasonable time for the purpose of enforcing this section. Persons and occupants of premises which are provided water service by the city, either directly or indirectly, shall allow the city or its representatives access at all reasonable times to all parts of the premises for the purposes of, among others, inspection, testing, records examination and/or to facilitate the performance of any of their duties. Where persons or occupants of premises have security measures in force which would require proper identification and clearance before entry into their premises, the persons and occupants of the premises shall make necessary arrangements with their security guards so that upon presentation of identification, personnel from the city will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

(4) The city is not liable for damage to a backflow prevention assembly, which may occur during testing, inspection and/or examination.

(5) A water use survey may be conducted at any establishment located in the city which is served by a public water supply or which provides water to the public. Upon determination that the establishment falls under the provisions of this section and requires a backflow prevention assembly, a notice to abate the condition or to install the proper backflow prevention assembly shall be issued by the city.

(6) It is the responsibility of the person, who owns or controls property, to have all assemblies tested in accordance with this section. Assemblies may be required to be tested more frequently if the city, in its sole discretion, regulatory authority deems necessary.

(7) All results from assembly testing by a certified backflow prevention assembly tester shall be placed on a form that is supplied by the city.

(Ord. No. 3241, § 1, 9-20-10)

Sachse TEXAS

Agenda Item Details

Meeting	Aug 20, 2018 - Regular Combined Meeting
Category	10. Regular Agenda Items
Subject	E. Discuss the proposed Master Fee Schedule for the 2018-2019 fiscal year to consider amending the Master Fee Schedule by amending health permits; printing/copying charges in library;new home construction/remodel/addition; general contractor registration;commercial screening wall; permanent sign permits; preliminary plat application fees; three inch and above meter installation performed internally; meter supply costs; refuse service fees; water and wastewater rates; obstruction charge, usage reports performed internally, and 5/8" meter deposits.
Access	Public
Type	Discussion

Public Content

BACKGROUND
The Master Fee Schedule is a convenient tool for citizens and customers to use to acquaint themselves with various charges for City services. The schedule can be updated periodically for necessary changes without amending the associated Ordinance.

The Library Board approved 3D printing fees August 17, 2018. The Water System Fees under Development Services are being amended due to new meter infrastructure. The installation of meters 3" and above will be performed internally by Public Works staff. The annual requested rate change from Republic Services (allowable per the contract) for refuse services is included in the proposed fee schedule, so no separate action will be required for that change. The proposed fee schedule also includes revised water and wastewater rates that were approved by City Council in August 2014. This is the fifth and final approved annual revisions to the utility fee structure.

OVERVIEW
The Master Fee Schedule amendments are considered annually. The fees, as outlined, provide the basis for revenue assumptions provided in the Proposed Budget for 2018-2019.

POLICY CONSIDERATIONS
There are no policy considerations affiliated with this item.

RECOMMENDATION
Discuss and provide feedback regarding the Master Fee Schedule by amending health permits; printing/copying charges in library;new home construction/remodel/addition; general contractor registration;commercial screening wall; permanent sign permits; preliminary plat application fees; three inch and above meter installation performed internally; meter supply costs; refuse service fees; water and wastewater rates; obstruction charge, usage reports performed internally, and 5/8" meter deposits.

Republic Services Rate letter.pdf (95 KB)
Master Fee Schedule FY2019 Final Draft.pdf (321 KB)
Fee Schedule Review 2018.pdf (146 KB)
Solid Waste Contract CPI Reference.JPG (100 KB)

REVIEW MASTER FEE SCHEDULE

CITY COUNCIL DISCUSSION

AUGUST 20, 2018

SUMMARY OF DEPARTMENTS

- Development Services
- Library
- Public Works
- Utility Billing

DEVELOPMENT SERVICES

Fee	Old Rate	New Rate
Health Permit	$200.00	$225.00
Home Construction	$95/sq. ft.	$100/sq. ft.
General Contractor Registration	0	$100.00
Commercial screening wall permit	$100.00	$250.00
Permanent sign permit	$100.00	$125.00
Preliminary plat	$350 + $15/acre	$400 + $15/acre

LIBRARY

- The Friends of the Library organization has proposed to purchase a 3D printer.
- This new equipment requires a new fee.
- Proposed charge is $0.15/gram with a $1.50 minimum.
- Library will bring forward a policy revision between now and adoption of the fee schedule.

PUBLIC WORKS/UTILITY

Fee	Old Rate	New Rate
3" water meter installation	Developer provided	$675.00
4" + water meter installation	Developer provided	$800.00
5/8" X ¾" water meter (cost of meter)	$215.70	$255.00
1" water meter	$292.23	$351.54
1 ½" water meter	$560.16	$600.17
2" water meter	$725.65	$777.49
3" – 8 " water meter (including Octave)	Varies	No change
5/8" meter deposit	$100.00	$150.00
Meter register replacement	$192.31	$212.00
Obstruction charge	$10.00	$50.00

WATER RATE SCHEDULE

Fee/Tier	Old Rate	New Rate
Residential base fee-all size meters	$15.57	$16.50
Non-residential 5/8" X ¾"	$15.57	$16.50
Non-residential 1"	$24.62	$26.10
Non-residential 1 ½"	$39.77	$42.16
Non-residential 2"	$57.92	$61.39
Tier rate 0-10,000 gallons (per 1,000 gallons)	$5.38	$5.71
Tier Rate 10,001-15,000 gallons (per 1,000 gallons)	$6.71	$7.11
Tier Rate 15,001-20,000 gallons (per 1,000 gallons)	$8.07	$8.56
Tier Rate 20,001-30,000 gallons (per 1,000 gallons)	$9.42	$9.98
Tier Rate 30,001 + (per 1,000 gallons)	$10.77	$11.41

All rates approved August 2014

SEWER RATE SCHEDULE

Fee	Old Rate	New Rate
Residential base fee	$11.26	$11.71
Non-residential base fee 5/8" X ¾"	$18.19	$18.92
Non-residential base fee 1"	$29.76	$30.95
Non-residential base fee 1 ½"	$43.66	$45.41
Non-residential base fee 2"	$57.68	$59.99
Volume charge (per 1,000 gallons)	$6.27	$6.52

All rates approved August 2014

REFUSE SERVICES

Fee (per month)	Old Rate	New Rate
Trash collection	$7.62	$7.77
Recycling collection	$2.54	$2.59
Bulk collection	$2.96	$3.02
Residential franchise fee	$0.66	$0.67
Additional polycart	$6.60	$6.73
Commercial per unit charge	$25.67	$26.15
Commercial additional polycart	$10.93	$11.15

REPUBLIC SERVICES

August 6, 2018

Gina Nash
City Manager
City of Sachse
3815 Sachse Rd
Sachse, Texas 75048

Dear Ms. Nash:

Republic Services is pleased to be the provider of solid waste and recycling services to the City of Sachse and appreciates your patronage. We enjoy working with community and look forward to continuing our partnership in the years to come.

This letter is to notify you of the annual CPI-U rate adjustment for your city. The most recent copy of the Consumer Price Index for the Dallas area indicates an increase in operations of 2.87%. In addition, there has been no landfill increase in 2018. This would be a combined rate adjustment of 2.01% or $0.26 per month per household. The following page details our calculations of the increase, with a requested effective date of October 1, 2018.

We hope that you will agree that our service provides your community with superior quality solid waste and recycling collection. We look forward to our continued partnership.

Sincerely,

Rick Bernas
Municipal Services Manager

CITY OF SACHSE
RATE SCHEDULE
EFFECTIVE OCTOBER 1, 2018

RESIDENTIAL		
Solid Waste. 1 x week	$ 7.77	
Recycle: Every other week	$ 2.59	Total
Brush & Bulk: 1 x mth limit of 12 cu yards	$ 3.02	$ 13.38
special p/u $95/hr one hour minimum		
Extra Trash Cart	$ 6.73	
Extra Recycle Cart	$0.00	
Commercial Cart	$ 26.15	
Extra Cart	$ 11.15	
Replacement cost for cart: Lost, stolen or destroyed	$ 77.50	
Free Service provided to city facilities	N/C	
10 - 30yd rolloff provided three times per year for cleanups	N/C	
Christmas tree recycling picked up two times during a 2 week period	N/C	

Commercial and Industrial : Open Market

City to charge administrative and franchise fees

CPI-All Urban Consumers (Current Series)
Original Data Value

Series Id: CUUR0000SA0
Not Seasonally Adjusted
Series Title: All items in U.S. city average, all urban consumers,
Area: U.S. city average
Item: All items
Base Period: 1982-84=100
Years: 2008 to 2018

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
2008	211.080	211.693	213.528	214.823	216.632	218.815	219.964	219.086	218.783	216.573	212.425
2009	211.143	212.193	212.709	213.240	213.856	215.693	215.351	215.834	215.969	216.177	216.330
2010	216.687	216.741	217.631	218.009	218.178	217.965	218.011	218.312	218.439	218.711	218.803
2011	220.223	221.309	223.467	224.906	225.964	225.722	225.922	226.545	226.889	226.421	226.230
2012	226.665	227.663	229.392	230.085	229.815	229.478	229.104	230.379	231.407	231.317	230.221
2013	230.280	232.166	232.773	232.531	232.945	233.504	233.596	233.877	234.149	233.546	233.069
2014	233.916	234.781	236.293	237.072	237.900	238.343	238.250	237.852	238.031	237.433	236.151
2015	233.707	234.722	236.119	236.599	237.805	238.638	238.654	238.316	237.945	237.838	237.336
2016	236.916	237.111	238.132	239.261	240.229	241.018	240.628	240.849	241.428	241.729	241.353
2017	242.839	243.603	243.801	244.524	244.733	244.955	244.786	245.519	246.819	246.663	246.669
2018	247.867	248.991	249.554	250.546	251.588	251.989					

City of Sachse

MASTER FEE SCHEDULE

		Proposed FY19	Prior Year
I. PUBLIC SAFETY FEES			
A.	Alarm monitoring		
1.	Residential alarm permit fee	$10 initial and renewal Valid 2 years from date of issuance	
2.	Nonvalid burglar alarms responded to during a 12-month period		
a.	Five (5) or less	No charge	
b.	Six (6)	$25.00	
c.	Seven (7)	$50.00	
d.	Eight (8)	$100.00 plus permit suspension	
3.	Nonvalid fire alarms responded to during a 12-month period		
a.	Two (2) or less	No charge	
b.	Three (3) or more	$100.00	
4.	Nonvalid robbery alarms responded to during a 12-month period		
a.	Two (2) or less	No charge	
b.	Three (3) or more	$100.00	
5.	Nonvalid emergency medical assistance responded to during a 12-month period		
a.	Five (5) or less	No charge	
b.	Six (6) or more	$100.00	
B.	Solicitation Registration Fee (not to exceed 90 days)	$30.00 plus $10.00 per additional person	
C.	Animal control		
1.	Adoption fee with sterilization		
a.	Cats/kittens/dogs/puppies receive sterilization/combo vaccine/rabies vaccine/microchip	$80.00	
2.	Adoption fee without sterilization		
a.	Cats/kittens/dogs/puppies already sterilized receive combo vaccine/rabies vaccine/microchip	$25.00	
3.	Dangerous dog annual registration	$100.00	
4.	Annual permits		
a.	Pot-bellied pig (per animal)	$20.00	
b.	Pigeon (fancy or racing loft/per animal)	$5.00	
c.	Dog/Cat		
1)	Application fee w/o sterilization proof	$7.00	
2)	Application fee w sterilization proof	$2.00	
5.	Replacement tag (w proof of original registration)	$1.00	
6.	Impoundment (registration additional if animal currently not on file)		
a.	1st pickup of animal	$25.00 plus $5 boarding fee	
b.	2nd pickup of animal	$50.00 plus $5 boarding fee	
c.	3rd pickup of animal	$75.00 plus $5 boarding fee	
d.	4th pickup of animal	$100.00 plus $5 boarding fee	
D.	Fire Services		
1.	Installation/replacement/re-model of fire protection systems		
a.	Plan review fee	$100.00	
b.	Fire sprinkler installation permit (per building)		
1)	1 to 100 sprinklers	$275.00	
2)	101 to 200 sprinklers	$325.00	
3)	201 to 300 sprinklers	$350.00	
4)	301 to 400 sprinklers	$375.00	

City of Sachse

MASTER FEE SCHEDULE

			Proposed FY19	Prior Year
	5)	401 to 500 sprinklers	$425.00	
	6)	Over 500 sprinklers	$500.00 plus $.33 per sprinkler over 500	
c.	Fire alarm installation permit (per building)			
	1)	Ten (10) or less devices	$50.00	
	2)	Eleven (11) to twenty-five (25) devices	$75.00	
	3)	Twenty-six (26) to 100 devices	$150.00	
	4)	101 to 200 devices	$200.00	
	5)	201 or more devices	$400.00	
d.	Fire alarm panel replacement only		$100.00	
e.	Hydro & flush (per system)		$50.00	
f.	Fire pump (per system)		$50.00	
g.	Hydrant flow test (2 hydrants)		$50.00	
h.	Vent/hood/booth extinguishing system (per system)		$50.00	
i.	Work started without a permit		$100.00 plus required fee	
j.	Replacement			
	1)	Fire department permit replacement	$10.00	
	2)	Job site plan re-stamp	$15.00	
k.	Re-inspection fee			
	1)	Two (2) or more	$50.00 per re-inspection	
2.	Inspection/occupancy permits			
a.	Carnivals and fairs		$50.00	
b.	Exhibits and trade shows		$50.00	
c.	Temporary structures, tents or canopies (used for permits not included in community development permit fee)		$50.00	
d.	In-home day care certificate of occupancy		$50.00	
e.	Multi-family certificate of occupancy		$50.00	
f.	Foster care/adoption home inspection		$25.00	
g.	Dangerous building abatement admin fee		$250.00	
h.	After hour inspection fee		$50.00/hour min 2 hr/$100.0	
3.	Fire permits			
a.	Outdoor/open burning		$150.00	
b.	Pyrotechnic special effects		$100.00	
c.	Hazardous material response reimbursement		$400.00/hr each engine plus $200.00/hr each ambulance plus supplies	
d.	Fire watch/stand-by		$50.00/hr each fire employee	
E.	Ambulance services			
1.	Resident			
a.	ALS (Waive co-pay and deductible)		$850.00	
b.	ALS2 (Waive co-pay and deductible)		$1,000.00	
c.	BLS (Waive co-pay and deductible)		$750.00	
d.	SCT		No charge	
2.	Non-resident			
a.	ALS		$850.00	
b.	ALS2		$1,000.00	
c.	BLS		$750.00	
d.	SCT		No charge	
3.	Mileage		$15.00	
4.	Supplies			
a.	Oxygen		$125.00	
b.	BLS supplies		$350.00	

City of Sachse

MASTER FEE SCHEDULE

		Proposed FY19	Prior Year
c.	ALS supplies	$400.00	
d.	Extra attendant	$75.00	
5.	Extrication	$500.00	
6.	Technology fee	$0.00	
7.	No transport	$150.00	
	II. ENGINEERING, HEALTH AND SANITATION		
A.	Engineering permits		
1.	Traffic calming application	$50.00	
2.	Floodplain	$100.00	
3.	Grading	$150.00	
B.	Engineering inspections and review fees	Fee shall equal one-half of the state fee for each permit	
1.	Engineering inspection fee	4.5% of cost of public improvements	
2.	Construction plan review	$300.00	
C.	Care of public trees in street or right of way	Hourly fee based on current hourly wage of City maint. Workers	
D.	Health and Sanitation permits		
1.	Health	$225.00	$200.00
2.	Temporary food sales (must be obtained from Dallas County Health department. Applies to all applicants providing food products.	$50.00	
3.	Public swimming pool	$100.00	
4.	Alcohol	Fee shall equal one-half of the state fee for each permit	
5.	Liquid waste transport	$25.00 per vehicle	
	III. FACILITY ROOM RENTAL DEPOSIT/FEES		
A.	Library meeting room		
1.	Deposit		
a.	Without food served	$25.00	
b.	With food served	$50.00	
c.	VGA/audio cable	$15.00	
2.	Room rental		
a.	Non-profits	No charge	
b.	All other groups	$25.00	
B.	Former City Hall meeting room		
1.	Deposit		
a.	Without food served	$25.00	
b.	With food served	$50.00	
2.	Room rental		
a.	Non-profits	No charge	
b.	All other groups	$25.00	
C.	Senior activity center multi-purpose room A		
1.	Deposit	$100.00	
2.	Room rental	$25.00 per hour	

City of Sachse

MASTER FEE SCHEDULE

	Proposed FY19	Prior Year
IV. LIBRARY		
A. Library card		
1. Initial library card request	No charge	
2. Replacement	$1.00	
B. Ear Buds available	$1.00	
C. Texshare card	No charge	
D. Nontimely return of materials		
1. Book/ CD (per day)	$0.15	
2. DVD (per day)	$1.00	
3. E-book reader	Remove item	
E. Lost and/or Damaged Items		
1. Lost or damaged beyond repair	Replacement cost plus $5.00 processing fee	
2. Replacement item in lieu of fee	Replacement item plus $5.00 processing fee	
3. Damaged item but not requiring replacement	$5.00 processing fee	
4. Damaged case or container	Replacement fee	
F. Interlibrary loan		
1. Pickup materials		
a. Timely pickup	No charge	
b. Within seven (7) days	No charge	
c. Eight (8) days or more	$5.00 per item	
2. Return materials		
a. Timely return	No charge	
b. Untimely return	$1.00 per day per item	
c. Non-return	$5.00 processing fee plus fees assessed by lending library	
G. Copy services		
1. Black/white copy	$0.20	
2. Color copy	$0.50	
3. Computer print out	$0.25	
4. 3D printer	.15 per gram/$1.50 minimum fee	$0.00
V. MUNICIPAL COURT FINES/FEES		
A. Set by state statute		
1. Building security fund	$3.00	
2. Technology fund	$4.00	
B. Dismissal		
1. Granting defensive driving course	Not to exceed $10.00	
2. Dismissal fee for certain traffic cases	$10 or $20 depending on offense type	
C. Warrant Fee	$50.00	
VI. PARK FACILITY RENTAL FEES		
A. Ball field reservations/deposits		
1. Reservation fee		

City of Sachse

MASTER FEE SCHEDULE

			Proposed FY19	Prior Year
	a.	Four (4) hours or less	$25.00 per field	
	b.	Five (5) hours or more	$10.00 per field per hour	
2.	Deposits			
	a.	Light key	$25.00	
	b.	Clean-up deposit for tournaments and/or concession stand use	$50.00	
B.	Covered picnic facilities (based on daily rates)			
1.	Reservation fee			
	a.	Four (4) hours or less	$25.00 per facility	
	b.	Five (5) hours or more	$10.00 per facility per hour	
2.	Deposit			
	a.	Light key	No charge	
C.	City complex amphitheater (based on daily rates)			
1.	Reservation fee			
	a.	Four (4) hours or less	$25.00 per facility	
	b.	Five (5) hours or more	$10.00 per facility per hour	
	c.	Restroom during amphitheater rental	$25.00/hour	
2.	Deposit			
	a.	Light key	No charge	
VII. LAURIE SCHWENK SENIOR ACTIVITY CENTER				
A.	Annual membership			
1.	Resident		$6.00	
2.	Non-resident		$12.00	
B.	Daily pick-up/drop-off within the City limits only			
1.	Resident		$.50/one way or $1.00 roundtrip	
2.	Non-resident		Not available	
VIII. BUILDING PERMITS AND DEVELOPMENT SERVICES FEES				
A.	Board of adjustment or appeals			
1.	Variance request		$300.00	
B.	Building permit fee schedule			
1.	Total valuation			
	a.	$1.00 to $500	$50.00	
	b.	$501 to $2,000	$50.00 for the first $500 plus $3.02 for each additional $100	
	c.	$2,001 to $25,000	$95.75 for the first $2,000 plus $14 for each additional $1,000	
	d.	$25,001 to $50,000	417.75 for the first $25,000 plus $10 for each additional $1,000	
	e.	$50,001 to $100,000	$667.75 for the first $50,000 + $7 for each additional $1,000	
	f.	$100,001 to $500,000	$1017.75 for the first $100,000 + $5.60 for each additional $1,000	

City of Sachse

MASTER FEE SCHEDULE

		Proposed FY19	Prior Year
	g. $501,000 to $1,000,000	$3,257.75 for the first $500,000 + $4.75 for each additional $1,000	
	h. $1,000,001 and up	$5,632.75 for the first $1,000,000 + $3.65 for each additional $1,000	
C.	Residential homes		
1.	Residential Plan Review fee (New single-family homes)	30% of total building permit fee (based on Building Permit Fee Schedule)	
2.	New home construction/remodel/addition	$100.00 per square foot (including garages, porches, and/or patios)	$95.00 per square foot (including garages, porches, and/or patios)
3.	Additional plan review required by changes, additions or revisions to plans after permit approval	$250.00	$250.00
D.	Commercial		
1.	Commercial plan review (new construction and remodel)	30% of total building permit fee (based on Building Permit Fee Schedule)	
2.	Commercial remodel	Declared Valuation (minimum $95.00 per sq ft)	
3.	Commercial new construction	Declared Valuation (minimum $150.00 per sq ft)	
4.	Additional plan review required by changes, additions or revisions to plans after permit approval	$250.00	
D.	Certificate of Occupancy	$75.00	
E.	Inspections		
1.	Inspections outside of normal business hours	$100.00	
2.	Re-inspection fee after permit approval	$75.00 per inspection	
F.	Licenses and contractor registration		
1.	Plumber - Master Registration	State Law $0.00	
2.	Electrician - Master, Journeyman, or Res. Registration	State Law $0.00	
3.	Mechanical - License Holder Registration	$100.00	
4.	Backflow Specialist - Testers Registration	$100.00	
5.	Irrigation License Holder Registration	$100.00	
6.	General Contractor	$100.00	$0.00
G.	Park land dedication by developers	$1,100 per residential lot; $600 per multi-family dwelling unit	
H.	Permits		
1.	Antenna permit - private	$50.00	
2.	Building (Electrical)		
a.	Residential	$75.00	
b.	Non-residential	$100.00	
3.	Demolition		
a.	Residential structure	$100.00	
b.	Commercial structure	$200.00	
4.	Fence/screening wall		
a.	Residential	$50.00	
b.	Commercial screening wall	$250.00	$100.00
5.	Lawn irrigation	$100.00	
6.	Mechanical permits		
a.	Initial fee for issuance	$50.00 per permit	

City of Sachse

MASTER FEE SCHEDULE

			Proposed FY19	Prior Year
	b.	New (Fee for inspecting heating, ventilating, ductwork, air-conditioning, exhaust, venting, combustion air, pressure, vessel, solar, fuel oil and refrigeration systems and appliance installation)	$15.00 for the first $1,000.00 valuation plus $5.00 for each additional $1,000.00 or fraction thereof	
	c.	Repair (Fee for inspecting repairs, alterations and additions to an existing system)	$10.00 for the first $1,000.00 valuation plus $3.00 for each additional $1,000.00 or fraction thereof	
	d.	Boiler Inspection	$100.00	
7.	Plumbing			
	a.	Residential	$75.00	
	b.	Non-residential	$100.00	
8.	Sign permits			
	a.	Permanent (per sign)	$125.00	$100.00
	b.	Temporary (per sign)	$25.00	
	c.	Repair (per sign)	$10.00	
	d.	Sign variance application	$25.00	
	e.	Sign variance	$300.00	
9.	Miscellaneous			
	a.	Flatwork (patios, driveways, pads, sidewalks)	Based on valuation of construction materials only-see section VII. B. Building permit fee schedule	
	b.	Accessory building greater than 120 square feet	Based on valuation of construction materials only-see section VII. B. Building permit fee schedule	
	c.	All other permits for work that increases value of the property (examples include but are not limited to foundation repair, flag poles, residential roofing)	$50.00	
	d.	Use of outside consultants for plan checking and/or inspections	Actual costs plus 15% admin	
	e.	Taxicab and limousine permit	$200.00 per vehicle per year	
	f.	Massage establishment permit	$400.00 per pear	
I.	Sexually-oriented business license (initial and renewal)		$500.00	
J.	Subdivision/plat applications			
	1.	Preliminary plat	$400.00 per plat plus $15.00 per acre	$350.00 per plat plus $15.00 per acre
	2.	Final plat, replat, minor plat	$450.00 per plat plus $15.00 per acre	$450.00 per plat plus $15.00 per acre
	3.	Conveyance plat, amending plat, vacating plat	$350.00 per plat plus $15.00 per acre	$350.00 per plat plus $15.00 per acre
K.	Swimming Pools			
	1.	Storable Swimming Pool	$50.00	
	2.	Above Ground	$200.00	
	3.	In-Ground	$500.00	
	4.	Spa/Hot Tub	$200.00	
L.	Temporary Retail and seasonal			
	1.	Temporary seasonal sales		
	a.	Church/school/civic/City-sponsored events	No charge	
	b.	All other	$200.00	
	2.	Temporary retail sales (five (5) consecutive days, at six (6) month intervals by the same merchant holding certificate of occupancy.)	$50.00	
	3.	Temporary food sales	See Section II. D-2	

City of Sachse

MASTER FEE SCHEDULE

		Proposed FY19	Prior Year
M.	Water System		
1.	Water meter installation fee when tap is present (single family and/or multi-family)		
a.	5/8" X 3/4"	$225.00	
b.	1"	$300.00	
c.	1 1/2"	$520.00	
d.	2"	$675.00	
e.	3" (including Octave)	$675.00 City installation. Developer installs vault/bears cost.	Developer installs/bears cost.
f.	4" and above (including Octave)	$800.00 Developer installs vault/bears cost.	Developer installs/bears cost.
2.	Water meter installation fee when tap is not present (single family and/or multi-family)		
a.	5/8" X 3/4"	$225.00	
b.	1"	$300.00	
c.	1 1/2"	$520.00	
d.	2"	$675.00	
e.	3" (including Octave)	$675.00 City installation. Developer installs vault/bears cost.	Developer installs/bears cost.
f.	4" and above (including Octave)	$800.00 Developer installs vault/bears cost.	Developer installs/bears cost.
3.	Water system tap charges		
a.	5/8" X 3/4"	$300.00	
b.	1"	$300.00	
c.	1 1/2"	$322.00	
d.	2"	$345.00	
e.	3" (including Octave)	$675.00 City installation. Developer installs vault/bears cost.	Developer installs/bears cost.
f.	4" and above (including Octave)	$800.00 Developer installs vault/bears cost.	Developer installs/bears cost.
4.	Water system bore charges		
a.	5/8" X 3/4"	$450.00	
b.	1"	$500.00	
c.	1 1/2"	$500.00	
d.	2"	$500.00	
e.	3" (including Octave)	$675.00 City installation. Developer installs vault/bears cost.	Developer installs/bears cost.
f.	4" and above (including Octave)	$800.00 Developer installs vault/bears cost.	Developer installs/bears cost.
4.	Water Meter Cost		
a.	5/8" X 3/4"	$255.00	$215.70
b.	1"	$351.54	$292.23
c.	1 1/2"	$600.17	$560.16
d.	2"	$777.49	$725.65
e.	3" (including Octave)	$2,450.44	$2,450.44
f.	4" and above (including Octave)	$3,143.53	$3,143.53
g.	6"	$4,585.20	$4,585.20
h.	8"	$5,493.37	$5,493.37
N.	Zoning		
1.	Standard	$400.00 per request plus $15.00 per acre	
2.	Special use permit	$650.00	

City of Sachse

MASTER FEE SCHEDULE

		Proposed FY19	Prior Year
3.	Planned development zoning request	$750.00 per request plus $15.00 per acre	
4.	Zoning verification letter	$150.00	
	VIX. NETWORK PROVIDER FEES (Resolution 3846, adopted January 2018)		
A.	Small Cell Application Fees:		
1.	One - Five network nodes	$500.00	
2.	More than 5 nodes	$250.00	
3.	Per Pole	$1,000.00	
B.	Small Cell User Fees		
1.	Annual fee for each network node	$250.00	
2.	Annual City pole attachment fee	$20.00	
C.	Transport Facility Monthly user fee	$28.00 multiplied by the #of network provider's network nodes located in the public right-of-way for which the installed transport facilities provide backhaul, until the time the network provider's payment to the City exceeds its monthly aggregate per month compensation to the City.	
	X. IMPACT FEE (State requires update every 5 years. Last revision 12/3/12. Reviewed 2017)		
A.	Roadway impact fee (land use category)		
1.	Port and Terminal		
a.	Truck Terminal (acre)	$15,880.78	
B.	Industrial		
1.	General Light Industrial (1,000 SF GFA)	$2,356.57	
2.	General Heavy Industrial (1,000 SF GFA)	$458.80	
3.	Industrial Park (1,000 SF GFA)	$2,085.46	
4.	Warehousing (1,000 SF GFA)	$771.62	
5.	Mini-Warehouse (1,000 SF GFA)	$625.64	
C.	Residential		
1.	Single-Family Detached Housing (Dwelling Unit)	$2,450.42	
2.	Apartment / MultiFamily (Dwelling Unit)	$1,501.53	
3.	Residential Condominium/ Townhome (Dwelling Unit)	$1,261.70	
4.	Mobile Home Park / Manufactured Housing (Dwelling Unit)	$1,428.54	
5.	Senior Adult Housing-Detached (Dwelling Unit)	$656.92	
6.	Senior Adult Housing-Attached (Dwelling Unit)	$385.81	
7.	Assisted Living (Beds)	$531.79	
D.	Lodging		
1.	Hotel (Room)	$761.55	
2.	Motel / Other Lodging Facilities (Room)	$761.51	
E.	Recreational		
1.	Golf Driving Range (Tee)	$3,034.34	
2.	Golf Course (acre)	$729.91	
3.	Recreational Community Center (1,000 SF GFA)	$2,063.42	
4.	Ice Skating Rink (Seats)	$291.96	

City of Sachse

MASTER FEE SCHEDULE

			Proposed FY19	Prior Year
	5.	Miniature Golf Course (Hole)	$802.90	
	6.	Multiplex Movie Theater (Screens)	$16,076.19	
	7.	Racquet / Tennis Club (Court)	$8,122.87	
F.	Institutional			
	1.	Church (1,000 SF GFA)	$0.00	
	2.	Day Care Center (1,000 SF GFA)	$2,537.90	
	3.	Primary / Middle School (1-8) (Students)	$385.81	
	4.	High School (Students)	$312.82	
	5.	Junior / Community College (Students)	$291.96	
	6.	University / College (Students)	$510.94	
G.	Medical			
	1.	Clinic (1,000 SF GFA)	$6,277.74	
	2.	Hospital (Beds)	$2,200.15	
	3.	Nursing Home (Beds)	$531.79	
	4.	Animal Hospital / Veterinary Clinic (1,000 SF GFA)	$4,577.59	
H.	Office			
	1.	Corporate Headquarters Building (1,000 SF GFA)	$2,549.48	
	2.	General Office Building (1,000 SF GFA)	$2,705.89	
	3.	Medical-Dental Office Building (1,000 SF GFA)	$6,287.66	
	4.	Single Tenant Office Building (1,000 SF GFA)	$3,143.83	
	5.	Office Park (1,000 SF GFA)	$2,690.24	
I.	Commercial – Automobile Related			
	1.	Automobile Care Center (1,000 SF Occ. GFA)	$4,921.69	
	2.	Automobile Parts Sales (1,000 SF GFA)	$8,258.42	
	3.	Gasoline / Service Station (Vehicle Fueling Position)	$19,373.92	
	4.	Gasoline / Service Station w Conv Market (Vehicle Fueling Position	$14,274.97	
	5.	Gasoline / Service Station w/ Conv Market and Car Wash (Vehicle Fueling Position)	$14,869.33	
	6.	New Car Sales (1,000 SF GFA)	$5,025.96	
	7.	Quick Lubrication Vehicle Shop (Servicing Bays)	$6,287.66	
	8.	Self-Service Car Wash (Stall)	$6,715.18	
	9.	Tire Store (1,000 SF GFA)	$7,246.97	
J.	Commercial – Dining			
	1.	Fast Food Restaurant with Drive-Thru Window (1,000 SF GFA)	$12,057.22	
	2.	Fast Food Restaurant without Drive-Thru Window (1,000 SF GFA)	$4,441.03	
	3.	High Turnover (SitDown) Restaurant (1,000 SF GFA)	$1,903.33	
	4.	Quality Restaurant (1,000 SF GFA)	$1,268.79	
	5.	Coffee / Donut Shop with Drive-Thru Window (1,000 SF GFA)	$10,788.44	
K.	Commercial – Other Retail			
	1.	Free-Standing Retail Store (1,000 SF GFA)	$4,363.83	
	2.	Nursery (Garden Center) (1,000 SF GFA)	$3,686.05	
	3.	Home Improvement Superstore (1,000 SF GFA)	$1,496.32	
	4.	Pharmacy / Drugstore without Drive-Thru Window (1,000 SF GFA)	$4,796.56	
	5.	Pharmacy / Drugstore with Drive-Thru Window (1,000 SF GFA)	$6,397.15	
	6.	Shopping Center (1,000 SF GFA)	$2,982.21	
	7.	Supermarket (1.000 SF GFA)	$8,143.72	
	8.	Toy / Children's Superstore (1,000 SF GFA)	$4,233.49	
	9.	Department Store (1,000 SF GFA)	$1,511.96	
	10.	Video Rental Store (1,000 SF GFA)	$16,485.56	
L.	Services			
	1.	Walk-In Bank (1,000 SF GFA)	$17,642.99	
	2.	Drive-In Bank (Drive-In Lanes)	$33,179.67	
	3.	Hair Salon (1,000 SF GFA)	$2,815.37	

City of Sachse

MASTER FEE SCHEDULE

			Proposed FY19	Prior Year
M.	Water impact fee			
1.	Simple			
a.	5/8" X 3/4"		$2,521.69	
b.	Residential 3/4"		$2,521.69	
c.	Commercial 3/4"		$3,782.54	
d.	1"		$6,304.24	
e.	1 1/2"		$12,608.48	
f.	2"		$20,173.57	
2.	Compound			
a.	2"		$20,173.57	
b.	3"		$40,347.13	
c.	4"		$63,042.39	
d.	6"		$126,084.78	
e.	8"		$201,735.65	
f.	10"		$289,995.00	
3.	Turbine			
a.	2"		$25,216.95	
b.	3"		$60,520.70	
c.	4"		$105,911.22	
d.	6"		$231,996.00	
e.	8"		$403,471.30	
f.	10"		$630,423.91	
g.	12"		$832,159.56	
N.	Wastewater impact fee (meter equivalent)			
	Simple			
a.	5/8" X 3/4"		$1,857.68	
b.	Residential 3/4"		$1,857.68	
c.	Commercial 3/4"		$2,786.53	
d.	1"		$4,644.21	
e.	1 1/2"		$9,288.42	
f.	2"		$14,861.47	
	Compound			
a.	2"		$14,861.47	
b.	3"		$29,722.94	
c.	4"		$46,442.09	
d.	6"		$92,884.17	
e.	8"		$148,614.68	
f.	10"		$213,633.60	
	Turbine			
a.	2"		$18,576.83	
b.	3"		$44,584.40	
c.	4"		$78,022.71	
d.	6"		$170,906.88	
e.	8"		$297,229.36	
f.	10"		$464,420.87	
g.	12"		$613,035.55	
XI. REFUSE SERVICES FEES Current contract expires April 2018.				
A.	Residential			
1.	Trash Collection		$7.77	$7.62
2.	Recycle Collection		$2.59	$2.54
3.	Bulk Collection		$3.02	$2.96

City of Sachse

MASTER FEE SCHEDULE

			Proposed FY19	Prior Year
4.	Residential Franchise Fees		$0.67	$0.66
5.	Additional Polycart		$6.73	$6.60
6.	Administrative Fee		$0.26	$0.26
7.	Polycart replacement Fee		$75.00	$75.00
8.	Individual Bulk collection (Billed direct to customer)		$95.00	$95.00
B.	Commercial Container Service			
1.	Monthly per unit charge		$26.15	$25.67
2.	Additional Polycart		$11.15	$10.93
3.	Commercial Franchise Fees		5%	
XII. WATER RATE SCHEDULE (5 year rate study recommended rates concludes 09/30/19)				
A.	Residential			
1.	Base Rate by meter size			
	a.	5/8" X 3/4"	$16.50	$15.57
	b.	1"	$16.50	$15.57
	c.	1 1/2"	$16.50	$15.57
	d.	2"	$16.50	$15.57
2.	Tier Rate usage per 000's gallons			
	a.	0-10,000	$5.71	$5.38
	b.	10,001-15,000	$7.11	$6.71
	c.	15,001-20,000	$8.56	$8.07
	d.	20,001-30,000	$9.98	$9.42
	e.	Over 30,000	$11.41	$10.77
B.	Non-Residential			
1.	Base Rate by meter size			
	a.	5/8" X 3/4"	$16.50	$15.57
	b.	1"	$26.10	$24.62
	c.	1 1/2"	$42.16	$39.77
	d.	2"	$61.39	$57.92
	e.	3"	$85.60	$85.60
	f.	4"	$114.10	$114.10
	g.	6" and above	$285.30	$285.30
2.	Tier Rate usage per 000's gallons			
	a.	0-10,000	$5.71	$5.38
	b.	10,001-15,000	$7.11	$6.71
	c.	15,001-20,000	$8.56	$8.07
	d.	20,001-30,000	$9.98	$9.42
	e.	Over 30,000	$11.41	$10.77
C.	Irrigation			
1.	Base Rate by meter size			
	a.	5/8" X 3/4"	$16.50	$15.57
	b.	1"	$26.10	$24.62
	c.	1 1/2"	$42.16	$39.77
	d.	2"	$61.39	$57.92
	e.	3"	$85.60	$85.60
	f.	4"	$114.10	$114.10
	g.	6" and above	$285.30	$285.30
2.	Tier Rate usage per 000's gallons			
	a.	0-10,000	$5.71	$5.38
	b.	10,001-15,000	$7.11	$6.71
	c.	15,001-20,000	$8.56	$8.07

City of Sachse

MASTER FEE SCHEDULE

			Proposed FY19	Prior Year
	d.	20,001-30,000	$9.98	$9.42
	e.	Over 30,000	$11.41	$10.77
		XIII. WATER SERVICE CONNECTION FEES		
A.	Deposit by meter size			
	1.	5/8" X 3/4"	$150.00	$100.00
	2.	1"	$150.00	
	3.	1 1/2"	$175.00	
	4.	2"	$200.00	
	5.	3"	$300.00	
	6.	4"	$400.00	
	7.	6" and above	$600.00	
B.	Multi-family unit deposit		$100.00	
C.	Real Estate properties deposit (per 5 units)		$150.00	
D.	Fire Hydrant Meter			
	1.	Deposit (refundable)	$875.00	
	2.	Connection fee	$25.00	
	3.	Minimum monthly billing	$25.00	
E.	Late charge		10%. Not to exceed $50 per statement	
F.	Disconnection service fee			
	1.	Monday-Friday, 8:00 a.m. - 5:00 p.m.	$35.00	
G.	Personnel onsite meter review - after two trips in a 12-month period		See K. Trip fee charge	See K. Trip fee charge
H.	Reconnection service fee			
	1.	After hours	$40.00	
I.	Returned check fee		$35.00	
J.	Same day connect fee for all new services		$40.00	
K.	Transfer fee		$10.00	
L.	Trip charge		$50.00	
M.	Meter-related			
	1.	Meter Testing	Reimburse the City actual costs of meter testing plus shipping and handling	
	2.	Meter box replacement	$75.00	
	3.	Meter lid replacement	$25.00	
	4.	Meter locking device replacement	$30.00	
	5.	Meter register replacement	$212.00	$192.31
	6.	Octave encoder & Allegro module with antenna replacement	$497.79	
	7.	Obstruction charge	$50.00	$10.00
	8.	Usage report requested in-house versus mywateradvisor.com	$5.00	0
	9.	Tampering fee	$250.00 minimum plus the actual costs of any damage to City property	
		XIV. WASTE WATER RATE SCHEDULE		
A.	Residential			
	1.	Meter	$11.71	$11.26
	2.	Volume charge per 1,000 gallons	$6.52	$6.27
B.	Non-Residential			
	1.	Per meter size		
		a. 5/8" X 3/4"	$18.92	$18.19

City of Sachse

MASTER FEE SCHEDULE

		Proposed FY19	Prior Year
b.	1"	$30.95	$29.76
c.	1 1/2"	$45.41	$43.66
d.	2" and above	$59.99	$57.68
2.	Volume charge per 1,000 gallons	6.52	6.27
XV. MUNICIPAL DRAINAGE UTILITY SYSTEM FEE effective January 1, 2018			
Based on Equivalent Residential Unit (ERU) of impervious surface area on the property. The impervious area (IA) on the property is measured and divided by 4,300 sq ft to determine the number of billing units for non-residential properties. Single family residential properties equal 1 ERU.			
A.	Single Family Residential (1 ERU)	$1.66 monthly per household	
B.	Non-Residential		
1.	Based on Equivalent Residential Unit (ERU)	$1.66 monthly per 4,300 sq ft of impervious surface area	
C.	Undeveloped Properties	In accordance with State Law	

City's Request for Proposal solid waste collection and disposal. In case of conflict between the language in Exhibit "A" and this Agreement, this Agreement shall have priority. In case of conflict between the terms of this agreement and the terms of the request for proposal, or the General specifications, the terms of this agreement shall have priority.

3.2 **Fee Structure.** Contractor shall be compensated as provided in Exhibit "A." In addition, base rate adjustment for CPI, and Disposal will have an effective date of October 1, 2010 and each year thereafter. Any proposed increase will be subject to City Council approval and any justifiable increase shall not be unreasonably withheld.

(a) CPI – The base rate provided in Exhibit "A" shall be adjusted to reflect changes in the cost of doing business as measured by fluctuations in the Consumer Price Index (CPI), all items as published by the U.S. Department of Labor, Bureau of Labor Statistics, Dallas – Fort Worth area. The charges shall be adjusted by using the average percentage change of July 2009 through March July 2010.

(b) Contractor may petition the City Council from time to time for adjustments to reimburse the Contractor for the reasonable cost to Contractor of any increased cost due to changes in location of disposal facilities and/or increases in disposal costs / or operating expenditures including taxes, fees and surcharges required solely by federal or state law, regulation, rule, permit condition, that was not imposed because of the action or inaction of the Contractor.

3.3 **Collection Operations.**

(a) Hours of Operation: Collection of solid waste shall begin no earlier than 7:00 o'clock A.M. and shall generally not extend beyond 6:00 o'clock P.M. No collection shall be made on Sunday.

(b) Hours of Disposal: Contractor shall dispose of waste within the operating hours of disposal site.

(c) Routes of Collection: Collection routes shall be established by the Contractor as approved by the City. The City shall be provided route collection maps and container locations.

(d) Holidays: The following shall be holidays for purposes of this Contract:

New Year's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Christmas Day

(e) Make-Up Collections: Contractor may decide to observe any or all of the above mentioned holidays by suspension or collection service on the holiday, but the

Sachse TEXAS

Agenda Item Details

Meeting	Aug 20, 2018 - Regular Combined Meeting
Category	11. Executive Session
Subject	A. The City Council shall convene into Executive Session pursuant to Texas Government Code Section §551.087 Economic Development Deliberations: Discussion of a Development Agreement between the City of Sachse and PMB Acquisitions LLC and/or its affiliates to provide Incentives related to the development of approximately 118 acres of land within the PGBT Area Zoning District.
Access	Public
Type	Discussion

Public Content

Conduct Executive Session and take any action necessary as a result.

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Lauren Rose, ADA Coordinator, via phone at 972.429.4770, via email at lrose@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.