

ORDINANCE NO. 2025-21

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROSENBERG, TEXAS, BY AMENDING CHAPTER 29, ARTICLE II, SEC. 29-50, ENTITLED “METERED RATES; CHARGE FOR LATE PAYMENT; SENIOR CITIZEN DISCOUNT; OUTSIDE CITY RATES; PRORATED SERVICE; CONSTRUCTION WATER USAGE; BULK WATER RATES”; AND AMENDING CHAPTER 29, ARTICLE III, DIVISION 3, SEC. 29-133, ENTITLED “RATES ESTABLISHED”; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF.

WHEREAS, the City Council of the City of Rosenberg, Texas, deems it reasonable and necessary to revise the water, wastewater rates, and subsidence/groundwater reduction plan (GRP) fees, and requirements to provide adequate regulation, revenues, and other financial requirements deemed necessary by the City Council of the City of Rosenberg, Texas; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:

Section 1. The Code of Ordinances of the City of Rosenberg, Texas, is hereby amended by amending Sec. 29-50 of Article II of Chapter 29 to provide as follows:

“Sec. 29-50. Metered rates; charge for late payment; senior citizen discount; outside city rates; prorated service; construction water usage; bulk water rates.

(a) The city will furnish water through meters, and the following charges will be made by the city per meter for water furnished to consumers:

(1) *Residential user.* Rates for single-family residences shall be as follows:

- a. The minimum monthly charge for single-family residences shall be the sum of twelve dollars (\$12.00), for which up to two thousand (2,000) gallons of water may be used.
- b. For use of over two thousand (2,000) gallons up to ten thousand (10,000) gallons, there shall be a charge of two dollars and sixty cents (\$2.60) per thousand gallons.
- c. For use of over ten thousand (10,000) gallons up to twenty thousand (20,000) gallons, there shall be a charge of two dollars and eighty cents (\$2.80) per thousand gallons.
- d. For use of over twenty thousand (20,000) gallons up to fifty thousand (50,000) gallons, there shall be a charge of two dollars and ninety cents (\$2.90) per thousand gallons.

- e. For use of over fifty thousand (50,000) gallons, there shall be a charge of three dollars (\$3.00) per thousand gallons.
- (2) *Commercial/industrial users, including multiple dwelling units.* The minimum monthly charge for commercial/industrial, including multiple dwelling units, for use up to two thousand (2,000) gallons of water shall be based on meter size, as described below.

Meter Size	Minimum Charge per Meter
¾ inch	\$12.00
1 inch	\$35.00
1 ½ inch	\$55.00
2 inch	\$65.00
3 inch	\$120.00
4 inch	\$240.00
6 inch	\$360.00
8 inch	\$550.00
10 inch	\$675.00
12 inch	\$825.00

- a. For use of over two thousand (2,000) gallons up to ten thousand (10,000) gallons, there shall be a charge of two dollars and sixty cents (\$2.60) per thousand gallons.
 - b. For use of over ten thousand (10,000) gallons up to twenty thousand (20,000) gallons, there shall be a charge of two dollars and eighty cents (\$2.80) per thousand gallons.
 - c. For use of over twenty thousand (20,000) gallons up to fifty thousand (50,000) gallons, there shall be a charge of two dollars and ninety cents (\$2.90) per thousand gallons.
 - d. For use of over fifty thousand (50,000) gallons, there shall be a charge of three dollars (\$3.00) per thousand gallons.
- (3) *Multiple-dwelling units.* Rates for multiple-dwelling units shall be as follows:
- a. The monthly water usage charge for a multiple-dwelling unit that is separately metered shall be calculated by applying the rates established for residential users.
 - b. The monthly water usage charge for a multiple-dwelling unit complex or multiple residences that are master metered shall be calculated in the same manner as commercial/industrial users.

- (4) *Combination residential and commercial/industrial users.* Combination residential and commercial/industrial users shall be charged the appropriate commercial/industrial rates.
- (5) All customers with a separate fire line and meter installed, will be billed a minimum monthly charge of seven dollars and fifty cents (\$7.50) unless there is consumption, and then the appropriate metered rate class charges will apply above the minimum.
- (b) *Charge for late payments.* All fees become due upon the city's issuance of a monthly bill and are payable on the date stated on the bill. Payments received after the due date stated on the bill shall be subject to a ten (10) percent charge on the unpaid current balance. On an individual basis, customer accounts that have a twelve-month history of no late fees charged, can request to have a one-time waiver of the charge for late payment. Residential accounts for the principal residence only of persons over the age of sixty-five (65) shall not be subject to the charge for late payments as prescribed in this section. Persons over the age of sixty-five (65) may declare only one (1) principal residence for which he is responsible for payment of the monthly bill. However, such accounts are subject to all other fines and fees as prescribed herein.
- (c) Persons over the age of sixty-five (65) shall receive a discount of one dollar (\$1.00) on single-family residential water service and one dollar (\$1.00) on single-family residential sewer service, upon application to the customer service department.
- (d) All users of city water service outside city limits shall pay one and one-half (1½) times the amount of the applicable minimum charge as set forth in subsection (a) and one and one-half (1½) times the amount of all applicable charges as set forth in subsection (a) for water used above the minimum charge.
- (e) Customers shall be billed minimum charges for the first and last months of service for water and wastewater service on a prorated basis of the actual number of days service was provided. Solid waste charges for the first and last months of service shall be based on the city's actual cost to the contracted solid waste collection company.
- (f) *Construction water usage.* Upon receipt of an application for service and the required deposit and installation fee as set forth in section 29-36(c), the city will provide a hydrant meter for the purposes of measuring the construction water usage if available. The meter shall be read in accordance with section 29-49 and water usage shall be billed at the rate of thirty-five dollars (\$35.00) per month minimum for the first two thousand (2,000) gallons, and four dollars (\$4.00) per one thousand (1,000) gallons thereafter. The deposit described herein will be refunded after all water charges have been paid and it has been determined that the fire hydrant and hydrant meter have not been damaged.
- (g) *Bulk water usage.* The taking of bulk water shall be allowed only from a designated hydrant and shall be during the normal business hours, Monday through Friday, except holidays, unless an application for after-hours delivery is filed by the customer and approved. Bulk water customers will be responsible for paying

overtime charges incurred at twenty dollars (\$20.00/hour) with a minimum charge of one (1) hour, if applicable, in addition to the rate of thirty-five dollars (\$35.00) for the first two thousand (2,000) gallons, and four dollars (\$4.00) per one thousand (1,000) gallons thereafter assessed for the usage of bulk water within the city limits.

(h) *Wholesale water usage.*

- (1) The purchase of wholesale water shall be allowed in accordance with an agreement with a specific entity approved by the city council. Wholesale water customers shall be responsible for individual meter reading, billing, collection of monthly payments, termination of water service, and repair/maintenance of the water meters. Secondly, the entity shall be responsible for installation of a water interconnect with the Rosenberg water distribution system at a location approved by the city council. Wholesale water customers shall be billed at a rate of 97.65 percent of Rosenberg's commercial water rate.
 - (2) For wholesale water customers, monthly payments on water usage shall be made to the City of Rosenberg within thirty (30) days of the date the city prints the monthly bill. Failure to submit payment within thirty (30) days will result in a late fee of ten (10) percent charge on the unpaid current balance.
- (i) A water subsidence fee (GRP fee) surcharge of two dollars and ninety-five cents (\$2.95) per one thousand (1,000) gallons shall be charged for all water used beginning October 1, 2025, unless otherwise provided for. Such water subsidence fee shall be applicable to all water customers including single-family residences, multiple-dwelling units, commercial/industrial users, combination residential and commercial/industrial users, temporary service, construction water usage, bulk water usage and wholesale water usage.
- (j) *Reclaimed/recycled water usage.* The purchase of reclaimed/recycled water shall be allowed in accordance with city policies/requirements and with an agreement with a specific customer approved by the city manager. A minimum monthly charge for up to two thousand (2,000) gallons of reclaimed/recycled water shall be based upon meter size, as described below. All reclaimed/recycled water used over two thousand (2,000) gallons will be two dollars and sixty cents (\$2.60) per thousand gallons.

Meter Size	Minimum Monthly Charge
¾ inch	\$12.00
1 inch	\$12.00
2 inch	\$12.00
3 inch	\$85.00
4 inch	\$135.00
6 inch	\$185.00

No subsidence fee (GRP fee) shall be charged for reclaimed/recycled water used.

Section 2. The Code of Ordinances of the City of Rosenberg, Texas, is hereby amended by amending Sec. 29-133 of Article III of Chapter 29 to provide as follows:

“Sec. 29-133. Rates established.

The city will furnish sewer service, and the following charges shall be made by the city for sewer service furnished to consumers also receiving water service:

- (1) *Residential user.* The rates for single-family residences shall be as follows:
 - a. The minimum monthly charge for sewer service for single-family residences shall be fifteen dollars (\$15.00), for which up to two thousand (2,000) gallons of water may be used.
 - b. For sewer service based on use of over two thousand (2,000) gallons up to a maximum of twelve thousand (12,000) gallons, there will be a charge of three dollars and twenty cents (\$3.20) per thousand gallons.
- (2) *Commercial/industrial user.* The rates for commercial/industrial users, including multi-dwelling units that are master metered, shall be as follows:
 - a. The minimum monthly charge for sewer service for commercial/industrial users for up to two thousand (2,000) gallons of water consumption shall be based on meter size as described below:

Meter Size	Minimum Charge per Meter
¾ inch	\$15.00
1 inch	\$30.00
1 ½ inch	\$45.00
2 inch	\$55.00
3 inch	\$120.00
4 inch	\$195.00
6 inch	\$375.00
8 inch	\$600.00
10 inch	\$725.00
12 inch	\$875.00

- b. For all gallons over two thousand (2,000), there shall be a charge of three dollars and twenty cents (\$3.20) per thousand gallons.
- (3) *Multiple-dwelling units.* The rates for multiple-dwelling units shall be as follows:
 - a. The monthly usage charge for sewer service for a multiple-dwelling unit that is separately metered shall be calculated by applying the rates established for single-family residences.

- b. The monthly usage charge for sewer service for a multiple-dwelling unit complex that is master metered shall be calculated in the same manner as a commercial/industrial user.
- (4) *Combination residential and commercial/industrial users.* Combination residential and commercial/industrial users shall be charged the appropriate commercial/industrial rates.
- (5) *Penalty for late payments.* All fees shall become due upon the city's issuance of a monthly bill and are payable on the day noted on the bill. Payments received after fifteen (15) days from the billing date shall be subject to a ten (10) percent penalty.

Section 3. The rates and charges adopted by this Ordinance shall become effective October 1, 2025.

Section 4. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 5. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Rosenberg, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED by a vote of _____ “ayes” in favor, _____ “noes” against, and _____ abstentions on this first and final reading in full compliance with the provisions of Section 3.10 of the City Charter of the City of Rosenberg, Texas on this the _____ day of _____ 2025.

ATTEST:

APPROVED:

Danyel Swint, TRMC, **City Secretary**

William Benton, **Mayor**

APPROVED AS TO FORM:

CITY ATTORNEY
Randle Law Office, Ltd., L.L.P.