

**ORDINANCE NO. 2016-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEACH CITY, TEXAS PROVIDING NOTICE AND OPPORUNITY FOR HEARING FOR A CHANGE IN WATER AND SEWER RATES BY NERRO SUPPLY, LLC INSIDE THE CORPORATE LIMKTS OF THE CITY; SETTING RATES FOR WATER AND SEWER SERVICES IN RESPONSE TO THE RATE REQUEST OF NERRO SUPPLY, LLC; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on or about November 30, 2015 Nerro Supply, LLC (“Applicant”) filed a Water Rate/Tariff and Application for Authority to Change Rates (“New Rates”) within the corporate limits of Beach City, Texas (“City”) seeking increased water and sewer rates; and

**WHEREAS**, the City suspended the rates sought in the Rate Application; and

**WHEREAS**, on February 23, 2016, the City approved an increase to the rates sought in the Rate Application; and

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

**SECTION 1.** The recitals contained in the preamble of this ordinance are determined to be true and correct and are hereby adopted as a part of this ordinance.

**SECTION 2.** The City Council hereby finds that the water rates contained in the Rate Application should be lower and has set a reduction of the water and sewer rates as set forth herein.

a. Water Rates per month:

- i. Bayridge Subdivision and Oaks at Houston Point Subdivision Base Rate for Single Family Connections: \$55.00 per month; \$5.00 per one thousand gallons

b. Sewer Rates per month:

- i. Oceanway Park, LLC: \$4,770.23 Per Month Wholesale Rate
- ii. Bayridge Subdivision and Oaks at Houston Point Subdivision Single Family Connections: \$82.99 Per Connection

(B) The rates adopted herein shall be charged beginning on the first billing cycle after February 29, 2016.

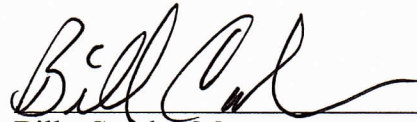
**SECTION 3.** All other rates and fees contained in the Rate Application are approved.

**SECTION 4. Severability:** It is hereby declared that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph or section.

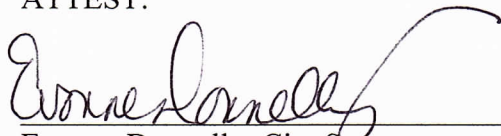
**SECTION 5.** All ordinances and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

**SECTION 6. Effective Date:** This ordinance shall take effect immediately from and after its adoption and it is accordingly so ordained.

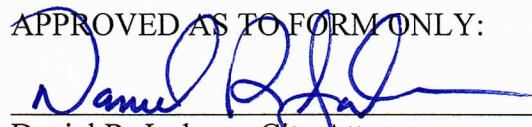
Signed this 24<sup>th</sup> day of Feb., 2016.

  
Billy Combs, Mayor

ATTEST:

  
Evonne Donnelly, City Secretary

APPROVED AS TO FORM ONLY:

  
Daniel R. Jackson, City Attorney