

## ORDINANCE NO. 202-85

AN ORDINANCE ESTABLISHING A WATERWORKS SYSTEM FOR THE CITY OF WILLOW PARK, TEXAS.

WHEREAS, The City of Willow Park has purchased several water system assets and customers from private business; and,

WHEREAS, rules, regulations and rates are necessary to provide a fiscally sound City water system; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

THAT A NEW ORDINANCE BE ESTABLISHED, TO READ AS FOLLOWS:

Sec. 1. Definitions.

1.01. Customer, User, Consumer: An owner, tenant, occupant or resident of a property which is connected to City Water Service lines and who is using the service of the City Waterworks.

1.02. Waterworks: The water system operated by the City of Willow Park, waterworks defined as a system of reservoirs, pumps, pipes, etc., used to bring a water supply to a town or city; a pumping station in such a system, with its machinery, filters, etc.

1.03. Water Review Board: A board consisting of one City Council member appointed by the City Council, the Director/Manager of the Waterworks and a private citizen selected by the City Council. The City Council member shall chair all meetings of the Board and submit minutes and findings to the City Council. The Board shall review customer complaints and requests as specified in these Service Rules and Regulations.

1.04. Regulatory Authority: The City of Willow Park has jurisdiction and/or regulatory powers over the operations of the Waterworks in accordance with Vernons Annotated Statutes 1446.c.

1.05. Service: The actual delivery of water to a customer, including any and all acts done, rendered or performed in the delivery of water by the City.

1.06. Applicant: Any person or party owning or occupying property inside the service area of the City, who desires service and has made application for same.

Sec. 2. General Provisions.

2.01. Statement of Organization: Waterworks, Willow Park, Texas, is a municipal utility organized under the laws of the State of Texas for the purpose of providing water utility services to the public. City operating policies, rates, tariffs and regulations are formulated and effected in accordance with the rules, regulations and procedures of the City Council of the City of Willow Park, Texas and other regulatory agencies.

2.02. Statement of Non-Discrimination Policy: Service is rendered to all applicants within the City's service area who comply with the provisions of this ordinance, regardless of racer color, creed, sex, marital status or national origin.

Sec. 3. Rate Schedule.

3.01. Rate Schedule for Water Service:

A. Service under this Rate Schedule shall be available to persons, firms and corporations in accordance with the provisions of Sections 3 and 4 hereof.

B. Rates in the City

(1) Deposit Required:

3/4" Meter	\$ 45.72
1" Meter	116.52
2" Meter	372.88
4" Meter	783.92

(2) Minimum Monthly Bill:

3/4" Meter	\$ 22.86
1" Meter	58.26
2" Meter	186.44
4" Meter	391.96

(If multi-unit complex, multiply base times units, plus volume charge - EXAMPLE: With a 1" meter for up to 2 units is base, \$58.16, and all units above 2 at \$22.86 per added unit; with a 2" meter for up to 8 units is bases \$186.44, and all units above 8 at \$22.86 per added unit; with a 4" meter for up to 17 units is base, \$391.96, and all units above 17 at \$22.86 per added unit.)

(3) Late charge of 5% of the monthly bill will be charged if not paid by the 15th day of each month.

(4) Volume charge per 1,000 gallons: \$1.85

(5) Meter Check (if not defective): \$101.74

(6) Reconnect fee will be for non-payment of monthly bills or a new service.

Regular hours (7:30 - 4:30): \$23.37

Overtime hours (4:31 - 9:00): \$28.18

(1) Disconnect fee will be for discontinuance of service or non-payment of bills.

Regular hours (7:30 - 4:30): \$23.37

Overtime hours (4:31 - 9:00): \$28.18

(2) Returned Check Charge: \$15.00  
(Insufficient funds on invalid check; pick up by noon day after notification or disconnect.

(3) New Accounts: \$9.25

(10) Transfer Accounts: \$9.25  
(All bills must be paid on this account before service will be connected, and deposits cannot be transferred.

(11) Meter Tampering or System Damage: \$200.00  
(or cost, whichever is greater)

(12) Tap Fee: (If multi-unit complex, multiple fee by units involved)

Installation of 3/4" meter: \$ 800.00

Installation of 1" meter: 850.00

Installation of 2" meter: 1660.00

Installation of 4" meter: 3880.00

(13) Installation or removal of a Flow Restrictor: \$50.00

(14) By-pass or theft of service shall be the monthly minimum plus \$200.00 and prosecution will not be waived. It is the policy of the City to prosecute for all theft of service.

#### C. Rates Outside the City

(1) Deposit Required:

3/4 " Meter:	\$ 68.58
1" Meter:	174.78
2" Meter:	559.32
4" Meter:	1175.88

(2) Minimum Monthly Bill:

3/4" Meter:	\$ 34.29
1" Meter:	87.39
2" Meter:	279.66
4" Meter:	587.94

(If multi-unit complex, multiply base times units, plus volume charge - EXAMPLE: With a 1" meter for up to 2 units is base, \$87.39, and all units above 2 at \$34.29 per added unit; with a 2" meter for up to 8 units is base, \$279.66, and all units above 8 at \$34.29 per added unit; with a 4" meter for up to 17 units is base, \$587.94, and all units above 17 at \$34.29 per added unit.)

(3) Late charge of 5% of the monthly bill will be charged if not paid by the 15th day of each month.

(4) Volume charge per 1,000 gallons: \$2.78

(5) Meter Check (if not defective): \$101.74

(6) Reconnect fee will be for nonpayment of monthly bills or a new service.

Regular hours (7:30 - 4:30):	\$23.37
Overtime hours (4:31 - 9:00):	28.18

(7) Disconnect fee will be for discontinuance of service or non-payment of bills.

Regular hours (7:30 - 4:30):	\$23.37
Overtime hours (4:31 - 9:00):	28.18

(8) Returned Check Charge: \$15.00.  
(insufficient funds on invalid check; pick up by noon day after notification or disconnect.)

- (9) New Accounts: \$13.88
- (10) Transfer Accounts: \$13.88  
(All bills must be paid on this account before service will be connected, and deposits cannot be transferred.)
- (11) Meter Tampering or System Damage: \$200.00  
(or cost, whichever is greater)
- (12) Tap Fee: (If multi-unit complex, multiply fee by units involved.)
 

Installation of 3/4" meter:	\$1200.00
Installation of 1" meter:	1275.00
Installation of 2" meter:	2490.00
Installation of 4" meter:	5070.00*

 (\*-minimum or cost of meter times the number of units connected based on 3/4 " tap fee, with a 5 units minimum.)
- (13) Installation or removal of a Flow Restrictor: \$50.00
- (14) By-pass or theft of service shall be the monthly minimum plus \$200.00 and prosecution will not be waived. It is the policy of the City to prosecute for all theft of service.

D. Monthly Bill.

The monthly bill shall consist of the applicable minimum monthly bill plus the volume charge times the consumption, (EXAMPLE: A 3/4 " tap using 12,000 gallons would be \$22.86 minimum, plus 12 times 1.85, or \$22.20, equals \$45.06, plus amount due if paid later than the 15th of the month, plus any applicable late charge not paid from a previous bill.

E. Deposit: See Section 4.09.

F. Payment: All bills are payable by check or money order. Cash will not be maintained in the office or field.

G. If disconnect for non-payment, all charges must be paid before service is reconnected.

EXAMPLE: Non-payment of Services:	\$45.06
Late fee	2.25
Disconnect fee:	23.37
Reconnect fee:	<u>23.37</u>

Total: \$94.05

Sec. 4. Service Rules and Regulations.

4.01. Application for Service: All applications for service will be made on the City's standard application and will be signed by Applicant before water service is supplied by the City. A separate application will be made for each service at each separate location, for homes or single business units or for apartments or multiple business units.

4.02. New Taps and Service:

- A. City Water Main in Place Abutting User Property: After proper application made by Applicant, City shall install a standard water connection at the property line as determined by the City no more than ten feet in distance from the existing water main, unless customer agrees to pay the additional extension of the service line.
- B. City Water Main not on or Abutting User Property (Existing Subdivisions): In the event an Applicant desires water service to property which does not currently have City water mains in place, Applicant shall pay the applicable tap fee and deposit. Any facilities so provided shall be the property of the City.

4.03. Installation: The piping and other equipment past the outlet flange of the meter, on the premises furnished by the Customer will be maintained by the Customer at all times in conformity with the requirements of the City of Willow Park and with the Service Rules and Regulations of the City. The Customer will bring out his service line to his property line at the point nearest the City's existing meter. No water service smaller than 5/8" will be connected. On water service the City will not provide a meter cutoff for use of the Customer.

4.04. Access to Premises: The City will have the right of access to the Customer's premises at all times reasonable for the purpose of installing, inspecting or repairing water mains or other equipment used in connection with its provision of water service, or for the purposes of removing its property and disconnecting lines, and for all other purposes to protect the health and welfare of its customers.

4.05. Rates: The Customer will be billed Monthly for all water supplied at applicable current rates as set forth herein under Section 3.

4.06. Refusal of Service: The City may decline to serve an applicant until such applicant has complied with the state and municipal regulations and approved rules and regulations of the Waterworks on file with the City

governing the services applied for or for the below listed reasons. In the event that the City shall refuse to serve an applicant under the provisions of these rules, the City must inform the applicant of the basis of its refusal and that the applicant may file a complaint with the Water Review Board. Applicant may appeal the decision of the Water Review Board to the City Council.

- A. Applicant's facilities inadequate: If the applicant's installation or equipment is known to be hazardous or of such character that satisfactory service cannot be given.
- B. For indebtedness: If the applicant is indebted to any utility for the same kind of service as that applied for; provided however, that in the event the indebtedness of the applicant for service is in dispute, the applicant may appeal to the Water Review Board. The applicant shall be served if so directed by the Board.
- C. Refusal to make deposit: For refusal to make a deposit if applicant is required to make a deposit under these rules.
- D. Delinquency in payment for service by a previous occupant of the premises to be served.
- E. Failure to pay for merchandise or charges for nonutility service purchased from the City.
- F. Failure to pay a bill to correct previous underbilling due to misapplication of rates up to six months prior to the date of the application.

4.07. Discontinuance of Service:

- A. The due date of the bill for utility service shall be the date of issuance. A bill for utility service is delinquent if unpaid by 16 days after the due date. The postmark, if any, on the envelope of the bill, or an issuance date on the bills if there is no postmark on the envelope, shall constitute proof of the date of issuance. If the due date falls on a holiday or weekend, the due date for payment purposes shall be the next work day after the due date.
- B. A customer's utility service may be disconnected if the bill has not been paid or a deferred payment agreement entered into within twenty-three (23) days from the date of issuance and if proper notice has been given. Proper notice shall consist of a separate mailing or hand delivery at least seven (7) days prior to a stated date of disconnection, with the words "Termination Notice" or similar language prominently displayed on the

notice. The information included in the notice shall be provided in English and Spanish as necessary to adequately inform the customer. If mailed, the cutoff day may not fall on a holiday or weekend but shall fall on the next work day after the seventh day. Payment at a utility's authorized payment agency is considered payment to the utility.

- C. A customer who issues the Waterworks a check in payment of service or any other reason, which is returned as invalid may have the meter disconnected. Customer will be notified by mail (with two business days allowed for receipt) or telephone. After notification, service will be disconnected by noon on the day after notification unless the bill, late charges and related fees are paid. All disconnect fees, service fees due, reconnect fees and a return check charge must be paid prior to service being reconnected.

EXAMPLE: Monthly Service:	\$ 45.06
Late Fee	2.25
Disconnect Fee:	23.37
Reconnect Fee:	23.37
Return Check Fee:	<u>15.00</u>
Total	\$109.05

- D. Waterworks service may be disconnected after proper notice for any of the following reasons:

- (1) Failure to pay a delinquent account for Waterworks service or failure to comply with the terms of a deferred payment agreement;
- (2) Violation of the City's rules pertaining to the use of service in a manner which interferes with the service of others or the operation of nonstandard equipment;
- (3) Failure to comply with deposit or guarantee arrangements where required;
- (4) Tampering with the Waterworks' meter or equipment or bypassing the same; and
- (5) Without notice where a known dangerous condition exists for as long as the condition exists; or where service is connected without authority by a person who has not made application for service or who has reconnected service without authority following termination of service for nonpayment.

- E. Waterworks service may not be disconnected for failure to pay charges

arising from an underbilling occurring due to any misapplication of rates more than six months prior to the current billings (underbillings will be paid at next billing).

- F. Unless a dangerous condition exists, or unless the customer requests disconnection, service shall not be disconnected on a day, or on a day immediately preceding a day, when personnel of the utility are not available to the public for the purpose of making collections and reconnecting service.

#### 4.08 Deferred Payment Plan:

It shall be policy of the Waterworks to work with customers when hardship cases exist. The Director/Manager of the Waterworks shall offer, upon written request, a deferred payment plan to any residential customer who has demonstrated a good faith ability to pay a reasonable portion but not all of his/her bill, if that customer has not previously been delinquent at any time during the preceding 12 months. Such a deferred payment plan shall not exceed two equal monthly payments which are additive to the cost of services for each of the next two months. Customers with hardships which exceed these guidelines or whose request is denied by the Manager/Director may appeal to the Water Review Board.

4.09. Applicant Deposit: The Waterworks requires a deposit from each applicant for Waterworks service equal to two times the monthly minimum charge.

#### A. Establishment of Credit for Permanent Residential Applicants.

- (1) The Waterworks may require a residential applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the customer from complying with rules for prompt payment of bills.
- (2) Subject to these rules, a residential applicant shall not be required to pay a deposit:

If the residential applicant has been a customer of any utility for the same kind of service within the last two years and is not delinquent in payment of any such utility service account and during the last twelve (12) consecutive months of service did not have more than one occasion in which a bill for such utility service was paid after becoming delinquent and never had service disconnected for nonpayment; or

#### B. Reestablishment of Credit. Every applicant who previously has been a

customer of the City and whose service has been discontinued for nonpayment of bills or meter tampering or bypassing of meter shall be required before service is rendered to pay all amounts due the utility and reestablish credit as provided in Subsection A, plus a deposit as stipulated in Section 3.

- (1) In cases of meter tampering or bypassing of meter, water consumed, but not metered, may be estimated by the utility based on amounts used under similar conditions during preceding years. Where no previous usage history exists or is considered unreliable due to meter tampering or bypassing of meter, consumption may be established on the basis of usage levels of similar customers and under similar conditions.
- (2) The Waterworks will charge for all labors material and equipment necessary to repair or replace all equipment damaged due to meter tampering or bypassing of meter. Minimum charge for tampering or equipment damage or bypassing will be \$200.00, or actual costs, whichever is more.

C. Amount of Interest on Deposits and Exemption from Deposit for all Customers.

- (3) All applicants for permanent, residential (declared as Homestead) service who are sixty-five (65) years of age or older will be considered as having established credit if such applicant does not have an outstanding account balance with the utility or another utility for the same utility service which accrued within the last two years. No cash deposit shall be required of such applicant under these conditions.
- (4) The Waterworks will pay interest on deposits at an annual rate equal to six percent (6%). If refund of deposit is made within thirty (30) days of the receipt of the deposit, no interest payment is required. If the utility retains the deposit more than thirty (30) days, payment of interest shall be made retroactive to the date of deposit.
  - (a) Payment of the interest to the customer shall be annually and will be credited to the customer's account.
  - (b) The deposit shall cease to draw interest on the date it is returned or credited to the customer's account.

D. Refund of Deposits. Deposits will be refunded to customers under the following circumstances.

- (1) If service is not connected or after disconnection of service, the Waterworks shall promptly and automatically refund the customers deposit plus accrued interest or the balance, if any, in excess of the unpaid bills for service furnished.
- (2) When the customer has paid bills for service for twelve (12) consecutive residential billings or for twenty-four (24) consecutive commercial or industrial billings without having service disconnected for nonpayment of bill and without having more than one occasion in which a bill was delinquent, and when the customer is not delinquent in the payment of the current bills, the Waterworks shall promptly and automatically refund the deposit plus accrued interest to the customer, in the form of credit to a customer's bill. If the customer does not meet these refund criteria this deposit and interest may be retained.

#### 4.10. Billing.

- A. Bills for water service shall be rendered monthly unless otherwise authorized by the City, or unless service is terminated before the end of a billing cycle. Service initiated less than one week before the next billing cycle may be billed with the following month's bill. Bills shall be rendered as promptly as possible following the reading of meters.
- B. The customer's bill shall show all the following information, if applicable:
  - (1) If the meter is read by the Utility, the date and reading of the meter at the beginning and at the end of the period for which the bill is rendered;
  - (2) The number and kind of units metered (gallons only);
  - (3) The applicable rate schedule title or code;
  - (4) The total amount due for water and sewer service;
  - (5) The due date of the bill;
  - (6) A distinct marking to identify an estimated bill;
  - (7) Late charges, if paid after the 15th of the month.
  - (8) Late charges not paid from previous bills.

- C. When there is good reason for doing so, estimated bills may be submitted provided that an actual meter reading is taken every six months. In months where the meter reader is unable to gain access to the premises to read the meter on regular meter reading trips, or in months where meters are not read, the Waterworks may provide the customer with a postcard and request the customer to read the meter and return the card to the Waterworks. If such postcard is not received by the Waterworks in time for billing, the Waterworks may estimate meter reading and render bill accordingly.

#### 4.11. Meters.

##### A. Master Requirements.

- (1) Use of meter: All water sold by the Waterworks shall be charged for by meter measurements, except where otherwise provided for by the applicable rate schedule or contract.
- (2) Installation by Waterworks: Unless otherwise authorized by the Council, the Waterworks shall provide and install and shall continue to own and maintain all meters necessary for the measurement of water to its customers.
- (3) Standard type: The Waterworks shall not furnish, set up or put in use any meter which is not reliable and of a stand type which meets industry standards; provided, however, special meters not necessarily conforming to such standard types may be used for investigation or experimental purposes.

##### B. Meter Records.

The City Waterworks shall keep the following records:

- (1) Meter equipment record: Each utility shall keep a record of all of its meters, showing the customer's address, account number and date of the last test.
- (2) Records of meter tests: All meter tests shall be properly referenced to the meter record provided for herein. The record of each test made on customer's premises or on request of a customer shall show the identifying number and constants of the meter, the standard meter and other measuring devices used, the date and kind of test made, by whom made, the error (or percentage of accuracy) at each load tested, and sufficient data to permit verification of all calculations.

### C. Meter Readings

- (1) Meter unit indication: In general each meter shall indicate clearly the gallons of water, or other units of service for which charge is made to the customer.
- (2) Reading of meters: As a matter of general practice, service meters shall be read at monthly intervals, and as nearly as possible on the corresponding day of each meter reading period, but may be read at other than monthly intervals if the circumstances warrant.

### D. Meter Tests on Request of Customer

The Waterworks shall, upon the request of a customer, make (without charge, if defective) a test of accuracy of the customer's meter by a certified testing laboratory. The charge for meter testing, if the meter is found to be operating properly as defined by the accuracy standards established by the American National Institutes of the American Water Works Association shall be as specified in Section 3.01. Following the completion of any requested test, the Waterworks shall promptly advise the customer of the date of removal of the meter, the date of the test, the result of the test, and who made the test. Records of the tests and results shall be maintained by the Waterworks and shall be available for customer review.

### E. Bill Adjustment Due to Meter Error

If any meter is found to be outside of the accuracy standards established by the American National Standards Institute, Incorporated, or the American Water Works Association, proper correction shall be made of previous readings for the period of six months immediately preceding the removal of such meter from service for test, or from the time the meter was in service since last tested, but not exceeding six months, as the meter shall have been shown to be in error by such test, and adjusted bills shall be rendered. No refund is required from the Waterworks except to the customer last served by the meter prior to the testing. If a meter is found not to register for any period, unless bypassed or tampered with, the Waterworks shall make a charge for units used, but not metered, for a period not to exceed six months based on amounts used under similar conditions during period, preceding or subsequent thereto, or during corresponding periods in previous years.

4.12. Extension Policy: Contributions in aid of construction shall not be required of individual residential customers for production, storage, treatment, or transmission facilities except that developers of property to be

ultimately subdivided into five or more servicable lots, may be required to provide contributions in aid of construction in amounts to furnish the development with facilities compliant with the Texas Department of Health, City ordinances or other regulatory authority minimum design criteria for production, storage, treatment, or transmission facilities. The City may require developers to install facilities which exceed the minimum requirements for a specific subdivision. Such additional requirements will be based on a City Water Improvement Master Plan and shall be coordinated with the developer and the City Engineering Public Works Director and the Planning and Zoning Committee. The City shall reimburse the developer or share in the cost of water facilities to the extent of added cost of such added requirements. This policy shall be consistent and applied in a non-discriminatory manner.

4.13. Exclusive Service on Installation Connected: Except in cases where the customer has a contract with the Waterworks for reserve or auxiliary service, no other water service will be used by the Customer on the same installation in conjunction with the Waterworks' service.

4.14. Assignment: No application, agreement or contract for service may be assigned or transferred without the written consent of the Waterworks.

4.15. Ownership of Meters and Lines: It is agreed and understood that any and all meters, water lines and other equipment furnished by the Waterworks (excepting Customer's individual service lines from the point of connection to Customer's structures on Customer's premises) is and shall remain the sole property of the Waterworks, and nothing contained herein shall be construed to reflect a sale or transfer of any such meters, lines or equipment to any customer. All tap charges shall be for payment for the privilege of connecting to said water lines and for installation, not purchases of said meters.

## Sec. 5. Emergency Water Rationing Plan

5.01. Declaration of Emergency: When demand on the system exceeds production or storage capability measured over a 24-hour period, and refilling of storage facilities is rendered critical; or when the City reasonably foresees that demand for water is likely to exceed supply, the City may declare an emergency to exist and thereafter, ration water in the following manner:

A. Stage 1 (Mild Rationing Conditions): Outdoor usage of water for purposes such as lawn, tree and garden watering, car washing, filling of swimming pools (with the exception of new pools), etc., must be accomplished on alternate days and during hours specified by the City.

- B. Stage 2 (Moderate Rationing Conditions): All outdoor water usage is prohibited; however, usage for livestock is exempt.
- C. Stage 3 (Severe Rationing Conditions): All outdoor water usage is prohibited and livestock may be exempted by the City. All consumption shall be limited to each Customer by a maximum number of gallons per meter (customer) per week, with notice to each customer of this matter.

All meters shall be read as often as necessary to insure compliance with this program, for the benefit of all the customers.

5.02. Notice requirements: Written notice of the proposed rationing shall be mailed or delivered to each customer and will be placed in the City designated newspaper 72 hours before the City actually starts the program.

A. Contents of Notice: Notice of the imposition of emergency water rationing shall contain the following information:

- (1) The affected service area.
- (2) The date rationing shall begin.
- (3) The date rationing shall end (if known).
- (4) The stage of rationing to be employed.

5.03. Violation of Emergency Rationing Provisions:

A. Upon first violation, the Waterworks may install a flow restricter in the line to limit the amount of water which will pass through the meter in a 24 hour period. The cost to be charged to the Customer's account shall be in accordance with Section 3.01.

B. Upon subsequent violation(s), the Waterworks may terminate service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is LESS. The normal disconnect and reconnect fees of the Waterworks shall apply for restoration of service in accordance with Section 3.01.

5.04. Exemption or Variances From Rationing Rules:

The Waterworks may grant any customer an exemption or variance from the uniform rationing program, for good cause.

A customer who is refused an exemption or variance may appeal such action of the Waterworks by written appeal to the Water Review board. The Waterworks shall treat all customers equally concerning exemptions and variances, and shall not employ discrimination in such grants.

Sec. 6. Mandatory Connection to City Water

Where water service is deemed to be available, after the effective date hereof, it shall be required that all citizens owning buildings and residences connect to said system. Said connection shall be made after payment of applicable tap fees and connection shall be made in accordance with all city ordinances and city plumbing standards.

Sec. 7. Water Wells

7.01. It shall after the effective date hereof, be unlawful for any person or persons, firm, company or corporation to dig, drill, bore or drive a water well within the city limits of the City of Willow Park, Texas without first obtaining a water well permit from the City of Willow Park.

7.02. Application for a water well permit shall be made with the City Secretary, or other duly appointed person, of the City of Willow Park. The applicant shall provide the following information in reference to a proposed water well and the property on which such proposed water well is to be located:

- A. Name and address of property owner(s);
- B. Location of property where proposed well is to be located (such as street address, block, lot, addition);
- C. Purpose for which the proposed well would be used (drinking water, water lawn or garden, water livestock, etc.);
- D. Exact dimensions of the lot where, such proposed well is to be located;
- E. Location and dimensions of all buildings on the property;
- F. Exact location where proposed well is to be located on the property;
- G. Type of proposed well (dug, drilled, bored, or driven);
- H. Proposed depth of well (within twenty-five (25) feet);
- I. Diameter of well;
- J. If any of the following items are within one hundred (100) feet or less of the property line on which such property the proposed water well is to be located, give the:
  - (1) Location of all utility easements and exact distance between

proposed well and the easement(s);

(2) Location and exact distance from proposed water well to any septic tank(s); sewer lines (trunks, collectors, laterals); water lines (supply, mains, laterals, service); gas lines (supply, mains, service); underground telephone lines; streets, alleys, throughfares; animal or livestock pens, barns or shelters; dump grounds (public or private); creeks or streams; lakes or ponds; and any flood zone area.

K. Size and type of pump and casing to be used.

L. Depth of cementing of casing and method of cementing, if applicable;

M. Manner and size of well water storage tank and description of distribution system.

7.03. All water wells dug, drilled, or driven shall conform to all the applicable laws, rules, regulations, requirements and specifications set forth by the State of Texas and the plumbing and electrical ordinances of the City of Willow Park.

7.04. The City Secretary shall forward the water well application to the Building Inspector who shall then consult with the Water Superintendent, for his comments and recommendations. The application shall then be forwarded to the City Council for final action at its next regular meeting. The City Council may grant or reject a water well permit by majority vote. If the City Council grants a water well permit such permit shall be signed by the Mayor.

7.05. In considering approval or disapproval of a water well permit, the City Water Superintendent, Building Inspector, and the City Council shall fully consider the health and public safety of the citizens of the entire city as it relates to the depth of the proposed well, its proximity to city sewer lines, its proximity to city water lines, its proximity to public water supply wells and tanks, its proximity to septic tanks, its proximity to lakes, streams or creeks, and its proximity to any flood zone area, and whether the property may be serviced by municipal water.

7.06. It shall be unlawful to connect any private water well supply system to an existing City of Willow Park public water system, or any household system served by the public water system.

7.07. Any person or persons, firm, company, or corporation found guilty of digging, drilling, boring or driving a water well or having the same done without a permit as hereabove provided, or connecting a private water well to a public water system, and the person or persons upon whose land the

water well shall have been dug, drilled, bored, or driven without a permit shall be deemed guilty of a misdemeanor and shall be fined not less than Fifty (\$50.00) Dollars nor more than One Thousand (\$1,000.00) Dollars. Each and every day such water well is in existence or being dug, drilled, bored, or driven without a permit having been obtained from the City of Willow Park, Texas in violation of Section 7 of this Ordinance shall constitute a separate offense.

7.08. Nothing contained in this ordinance shall prohibit the City of Willow Park from seeking injunctive relief against the owner or owners of property or water well drillers, diggers, borers, or drivers as the case may be, to enforce this ordinance.

AND IT IS SO ORDAINED.

Passed and approved on this the 20<sup>th</sup> day of May, 1985

Carl Heath Jr

Carl Heath, Jr., Mayor

ATTEST:

Bernadette Wright

Bernadette Wright, City Secretary

APPROVED AS TO FORM:

Carter L. Hampton

Carter L. Hampton, City Attorney