

6.06. Monthly Charges.

(a) Minimum Monthly Charge. The Minimum Monthly Charge is the monthly charge for metered water service, and is based on demand by meter size. The City will assess each Minimum Monthly Charge based on the number of 5/8" X 3/4" meters (as per American Water Works Association maximum continuous flow specifications) equivalent to the size indicated and will use that number as a base multiplier for the Minimum Monthly Charge. The Allowable Gallonage listed is the gallonage included in the minimum monthly charge. Minimum Monthly Charges, and equivalents are as follows:

METER SIZE	5/8"X 3/4" METER EQUIVALENTS	ALLOWABLE GALLONAGE	MINIMUM MONTHLY CHARGE
5/8"X 3/4"	1.0	0	\$35.00 (base)
3/4"	1.5	0	45.00
1"	2.5	0	56.25
1 1/2"	5.0	0	122.50
2"	8.0	0	196.00

(Meter Equivalent X Minimum Monthly Base Charge =Minimum Monthly Charge)

(b) Reserved Service Charge. The Reserved Service Charge is the monthly charge for each active account at a specific location for which a meter has not been installed but for which the City and the Applicant have entered into agreement for reserved service. The City will base this monthly charge on the City's monthly operating costs to service the facilities dedicated to serving the Applicant on a per lot/tap or meter equivalency basis. This charge reserves service to the Applicant's service area. The City will determine this fee on a case-by-case basis, but shall never set it in an amount that exceeds the Minimum Monthly Charge for metered service on a per lot/tap basis for each designated meter size.

(c) Usage Fee. In addition to the Minimum Monthly Charge, each Customer shall pay a Usage Fee according to the following schedule:

USAGE (in gallons)	USAGE FEE
0 to 5,000	\$ 2.50/1,000 gallons
5,001 to 10,000	\$ 3.00/1,000 gallons
10,001 to 20,000	\$ 5.00 /1,000 gallons
20,001 to 30,000	\$6.00 /1,000 gallons
30,001 to 45,000	\$8.50 /1,000 gallons
45,001 and above	\$10.50 /1,000 gallons

(d) Drought Conservation Surcharge The purpose of this Drought Conservation Water Rate Surcharge is to assist the City during periods of declared drought in achieving the monthly pumpage reductions as required in the City's UDCP (User Drought Contingency Plan) and to further discourage users excessive consumption of water. Conservation of water should be encouraged to reduce the operational costs associated with implementing the UDCP through a surcharge to collect additional fees from Customers to encourage conscientious water use. During periods of time when the Barton Springs Edwards Aquifer Conservation District (BSEACD) or a State or regional authority has declared that a state of Drought exist for the Barton Springs portion of the Edwards Aquifer, a surcharge to help limit non-essential water usage shall apply.

(1) Drought rates will automatically be implemented in the next billing period after the declaration of a Drought by BSEACD.

(2) Drought rates will automatically cease to be assessed the next billing period after a state of Drought no longer exist.

(3) The City will charge the following fees for the installation and removal of meter flow restrictors: \ Installation - \$100.00 per restrictor Removal - \$75.00 per restrictor

DURING A DECLARED BSEACD ALARM STAGE 1 DROUGHT:

USAGE (in gallons)	USAGE FEE
0 to 5,000	\$ 2.50/1,000 gallons
5,001 to 10,000	\$ 3.00/1,000 gallons
10,001 to 20,000	\$ 5.00 /1,000 gallons
20,001 to 30,000	\$6.00 /1,000 gallons
30,001 to 45,000	\$8.50/1,000 gallons
45,001 and above	\$10.50 /1,000 gallons

DURING A DECLARED BSEACD CRITICAL STAGE 2 DROUGHT:

USAGE (in gallons)	USAGE FEE
0 to 5,000	\$ 2.50/1,000 gallons
5,001 to 10,000	\$ 3.00/1,000 gallons
10,001 to 20,000	\$ 6.00 /1,000 gallons
20,001 to 30,000	\$6.50/1,000 gallons
30,001 to 45,000	\$10.00 /1,000 gallons
45,001 and above	\$11.00 /1,000 gallons

DURING A DECLARED BSEACH EXCEPTIONAL STAGE 3 DROUGHT:

USAGE (in gallons)	USAGE FEE
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0 to 5,000	\$ 2.50/1,000 gallons
5,001 to 10,000	\$ 4.00/1,000 gallons
10,001 to 20,000	\$ 8.00/1,000 gallons
20,001 to 30,000	\$11.00/1000 gallons
30,001 to 45,000	\$12.00/1,000 gallons
45,001 and above	\$13.00/1,000 gallons

DURING A DECLARED BSEACD EMERGENCY STAGE 4 DROUGHT:

USAGE (in gallons)	USAGE FEE
0 to 5,000	\$ 2.50/1,000 gallons
5,001 to 10,000	\$ 5.00/1,000 gallons
10,001 to 20,000	\$ 10.00/1,000 gallons
20,001 to 30,000	\$12.00/1,000 gallons
30,001 to 45,000	\$14.00/1,000 gallons
45,001 and above	\$16.00Hi /1,000 gallons

Bulk Water Rates for areas outside the City's CCN. Revised 12-8-25

USAGE (in gallons)	USAGE FEE
WATER CONSERVATION PERIOD	\$ 7.50/1,000gallons
BSEACD STAGE 1 ALARM DROUGHT	\$ 9.50/1,000 gallons
BSEACD STAGE 2 CRITICAL DROUGHT	BULK WATER SALES PROHIBITED
BSEACD STAGE 3 AND 4	BULK WATER SALES PROHIBITED

Wholesale Water Rates

All Wholesale Per and Via – Contract Only

USAGE (in gallons)	USAGE FEE
WATER CONSERVATION PERIOD	\$ 7.50/1,000gallons
BSEACD STAGE 1 ALARM DROUGHT	\$ 9.50/1,000 gallons
BSEACD STAGE 2, 3, AND 4 DROUGHT STAGES	BULK WATER SALES PROHIBITED

6.07. **Late Payment Fee.** The City will charge a Customer a late payment fee of \$5.00 for the first billing period on delinquent bills. The City will charge a Customer a late payment fee of \$20.00 for the second billing period and include a notice of disconnection. These late payment fees are applicable to any unpaid balance exceeding one-half (½) the applicable Minimum Monthly Charge or Reserved Service Charge during any one billing period.

6.08. **Returned Check Fee.** If a person gives a check, draft, or any other similar instrument to the City for payment of services provided for in this Tariff, and the bank or other similar institution returns the instrument as insufficient or non-negotiable for any reason, the City will assess the account for which the person gave the instrument a return check charge of \$30.00 plus any bank fees.

6.09. (Optional) **Service Trip Fee.** The City shall charge a Service Trip Fee of \$ 50.00 for any service call or trip to the Customer's tap as a result of the Customer's or resident's request (unless the service call is in response to damage of the City's or another Customer's facilities) or for the purpose of disconnecting or reconnecting service due to non-payment for services.

6.10. **Equipment Damage and Service Correction Fee.** If the City's facilities or equipment have been damaged by tampering, by-passing, installing unauthorized taps, reconnecting service without authority, or other service diversion, the City shall charge a fee equal to the actual costs for all labor, material, and equipment necessary for repair, replacement, and other City actions. The City shall charge this fee, and the Customer must pay this fee before the City will re-establish service. If the City's equipment has not been damaged, the City shall charge a fee equal to the actual costs for all labor, material, equipment, and other actions necessary to correct service diversions, unauthorized taps, or reconnection of service without authority. The City will itemize all components of this fee and provide a statement to the Customer. If the City's facilities or equipment have been damaged due to negligence or unauthorized use of the City's equipment, right-of-way, or meter shut-off valve, or due to other acts for which the City's incurs losses or damages, the Customer shall be liable for all labor and material charges incurred as a result of such acts or negligence.

6.11. (Optional) **Customer History Report Fee.** The City shall charge a fee of \$5.00, plus the cost of copies, to provide a copy of the Customer's record of past water purchases in response to a Customer's request for such a record.

6.12. **Meter Test Fee.** The City shall test a Customer's meter upon written request of the Customer. Under the terms of Part 5 of this Tariff, a charge shall be imposed on the affected account that is equal to the actual cost of the test and the service call if the meter is not in error beyond acceptable error $\pm 3\%$.6.13. (Optional)

6.13. **Transfer Fee.** An Applicant for service who is a Transferee shall complete all required application forms and pay a Transfer Fee of \$10.00.

6.14. (Optional) **Service Discontinuance Fee.** The City shall charge a fee of \$5.00 for processing a Request for Service Discontinuance. The fee will be deducted from the Customer's Service Deposit if a balance still remains.

6.15. **Fees Non-Refundable.** Unless specifically defined in this Tariff, all fees, rates, and charges are non-refundable.

6.16. **Optional Fees.** Fees that are paid upon the decision of the City Council,

6.17 Penalties For Wasteful Water Use And Exceedances

(a) No customer shall knowingly permit waste or leaks of water. Where water is wastefully or negligently used on the customer's premises, the City may restrict the service, if such conditions are not corrected within five days after the City or its Water Operation Company gives the customer written notice. For the purpose of this Tariff and for water use during any declared BSEACD Stage 2, Stage 3, or Stage 4 drought condition or stage, a customer's potable drinking water use is considered wasteful if used for any of the uses:

- (1) Hosing off sidewalks, driveways and other hardscapes;
- (2) Washing automobiles and other vehicles with hoses not equipped with a shut-off nozzle;
- (3) Using non-recirculated water in a fountain or other decorative water feature;

(4) Watering lawns in a manner that causes runoff or on non-designated lawn watering/irrigation days; or within 48 hours after measurable precipitation;

(5) Is using water in violation for the City User Drought Contingency Plan:

(6) Not promptly repairing water leaks in the customer’s side water system within 48-hours of discovery of same; and/or (7) Using water in excess of the Maximum Monthly Billing Cycle Allowable Usage as set forth in Table 6.1.

(b) During implementation of a BSEACD Critical State 2 Drought, a BSEACD Stage 3 Exceptional Drought, or a BSEACD Stage 4 Emergency Response, the following penalties/surcharges shall apply to a customer’s Wasteful Water Use exceeding the maximum water use allowances shown in Table 6-1

Table 6.1 Maximum Water Customer Monthly Billing Cycle Water Usage.

A	B	C
BSEACD DROUGHT STAGE	MAXIMUM MONTHLY BILLING CYCLE ALLOWABLE USAGE (GALLONS)	DROUGHT SURCHARGE FOR MONTHLY BILLING CYCLE WATER USE ABOVE THE VOLUME LISTED IN COL.B
Stage 2 – Critical Drought	30,000	\$8.50 PER 1,000 GALLONS
Stage 3 – Exceptional Drought	20,000	\$9.50 PER 1,000 GALLONS
Stage 4 – Emergency Drought	10,000	\$10.50 PER 1,000 GALLONS

(i) (1) For the first penalty, the Customer shall receive a written warning with or on their bill and/or in a separate mailing from the City or its Water Operation Company including the amount of the exceedance, notice that further exceedances will result in monetary penalties as described herein and information for resources to help the Customer understand what penalties would be applied for future exceedances.

(ii) (2) For the second penalty, the Customer shall be charged a drought exceedance surcharge fine in the amount set forth in Table 6.1. This surcharge fine shall be in addition to the Customer’s monthly billing water use charges. The Customer shall also receive a written warning with or on their bill and/or in a separate mailing from the City or its Water Operation Company showing the amount of the penalty and information for resources to help the Customer understand what penalties would be applied for future exceedances AND that they may be subject to the installation of a flow restriction device on their water service in the event of a third or subsequent exceedances.

(iii) (3) For the third penalty, the Customer shall be charged a drought exceedance surcharge fine in the amount set forth in Table 6.1 AND be subject to the immediate installation of a flow restriction device on their water service, at the sole discretion of the City or its Water Operation Company. Upon installation and removal of a flow restriction device, the Customer shall be billed for such action as set forth in Section 6.06 (e) of this Tariff.

(4) For the fourth and subsequent penalties, the Customer shall be charged a drought exceedance surcharge fine in the amount set forth in Table 6.1 and following 10-calendar day written notice (i.e., via door hanger and/or letter notice) to Customer subject to the installation of a flow restriction device on their water service, at the discretion of the City or its Water Operation Company. The Customer shall also receive a written warning with or on their bill and/or in a separate mailing from the City or its Water Operation Company.

(5) A flow restriction device, if installed, will remain installed for no less than 14 calendar days and up to 30 calendar days the first it is installed, 90 calendar days the second time it is installed and 180 days for the third and subsequent times. A notice door tag will be placed at the resident's house notifying them that a flow restrictor has been placed on their meter and additional fees/penalties will be applied to their water bill. In addition, the Customer will be contacted by telephone notifying the Customer that a flow restrictor has been installed. If a Customer, an agent of the Customer, or any other person on behalf of a Customer, interferes with the installation of, removes or bypasses a flow restriction device, the Customer shall be fined for illegal water consumption subject to termination of service in accordance with applicable State of Texas laws¹. If the service is disconnected, the Customer shall be provided at least 72 hours-notice. The disconnection will remain in place for the same period of time that the flow restriction device would have remained in place. The City or Water Operation Company may at his/her discretion and upon request by the Customer, return water service to the account, with conditions determined by the City to ensure compliant reasonable water usage, including but not limited to, a flow restriction device shall be installed for the remaining duration of time that the service was subject to the installation of a flow restriction device. All fees associated with connection, reconnection, and flow restrictor installations and removals shall be applied to the Customer account.

(c) A list of the itemized penalties shall be collected as shown on the Customer's water bill. Any penalties shall be the responsibility of the Customer of record for the property where the violation occurred and shall be paid in addition to the fees the City imposes for the cost of water service to the property. Non- payment of penalties imposed pursuant to this section shall be subject to the same remedies as available to the City for the non-payment of fees for water service. The receipt of a water bill with any applicable penalties shall serve as notice of violation.

(d) Penalties, including the written warning, may be appealed. A Customer who wishes to appeal the imposition of a penalty shall:

(1) pay all amounts stated on the bill except for the disputed penalties; and

(2) submit a written appeal to the City within 15 calendar days of the date of the appellant's water bill for the billing cycle in which the penalty was imposed.

(e) An appeal will be granted if the City finds that competent evidence supports a reasonable conclusion that:

(1) the excessive water use was the result of a malfunction of the City's water system or a billing error by the City or its Water Operation Company.(2) the water was needed for health or safety reasons; or

(3) a leak or accidental continuous use occurred on the property during the subject billing period.

(f) The City will respond to appeals within 30 calendar days of receipt. The City may require additional documentation prior to making a decision on an appeal. In the event an appeal is denied, the appellant shall pay the City within 10 days of denial of an appeal.

¹ See Texas Public Utility Commission, Chapter 24: Substantive Rules Applicable to Water and Sewer Service Providers, Subchapter 24.205. Adequacy of Water Utility Service and City of Hays User Drought Contingency Plan; Penalties and Consequences.

