



**ORDINANCE #06052018  
Amended 04092024**

**AN ORDINANCE OF THE CITY OF BELLS, PROVIDING THE RATES CHARGED FOR BULK NON-POTABLE WATER SERVICES; PROVIDING FOR A PENALTY, PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE;**

**WHEREAS**, pursuant to Texas Local Government Code 51.001, the City Council is authorized to adopt an ordinance that is for the good of the government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS**, pursuant to Chapter 552 of the Texas Local Government Code, the City is authorized to operate its utility systems inside or outside its municipal boundaries, to regulate the systems in a manner that protects the interests of the municipal; and

**WHEREAS**, the city seeks to ensure that water service is adequate and efficient for the citizens of the City; and

**WHEREAS**, the City has determined that it is in the best interest of the public; for the purpose of promoting the health, safety and welfare of its citizens; and to ensure good government, peace and order in the City of Bells, no sale of bulk water (non-potable) will be authorized while under any drought stage restrictions;

**WHEREAS**, The City of Bells is to comply with the requirements and conditions that apply for the use of processing water for the sale of bulk water.

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

**Part 1: Enacted**

THAT the following is adopted and providing charges and regulations for the sale of bulk water by the City of Bells which provisions shall read as follows:

**Part 2: Rates**

Sold in 1000 increments, meaning 1000 gallons is the minimum.

\$200.00 Deposit. \$50.00 Connection Fee.

\$30.00 for the first 1000 gallons.

\$10.00 for each 1,000 gallons up to 200,000 gallons.

\$15.00 for each 1000 gallons thereafter.

Will bill monthly or at the end of service depending on the length of time needed. Full payment for the water must be tendered to the City through the City Secretary or designee prior to receipt of the water. For purchases requiring more than one (1) load, all loads must be given to City Secretary concerning additional month billing. No exception will be made.

If a customer provides their own meter, with backflow preventor, with the Public Works approval and an up to date backflow test, the deposit may be waived.

### **Part 3: Procedures**

Sec. 3.1 The City offers the sale of bulk water through its public water supply system as a courtesy to the community and, therefore reserves the right to cease the sale of bulk water at any time and to refuse the sale of bulk water on a case by case basis.

Sec. 3.2 Although the water sold by the City is water from its public water supply system, the City will sell bulk water only as non-potable water. Each individual or entity purchasing bulk water from the City must sign a statement on the Bulk Water Purchase Application acknowledging that the water received is being sold as non-potable water and that the water is not sold or otherwise distributed to any other individual or entity.

Sec. 3.3 Purchaser to furnish container and carrier hose; city personnel will connect water meter and backflow preventer apparatus to designated fire hydrant. The fire hydrant and setup will be checked out to Purchaser by City Personnel to insure the set up and fire hydrant are both in working condition. It shall be the duty of any person wishing to purchase bulk water from the city to provide his own water tank or other water storage container. The water will be pumped by the customer using the purchasers own hose. This apparatus setup does not meet the requirements of state law and rules for drinking water. It shall be a violation of this article for any individual to pump water from the city public water supply system at the bulk water distribution location other than the purchaser or his designee party. Purchaser understands that he will be responsible for any damages to the fire hydrant, water meter and/or backflow apparatus while in his care, custody and control. It is the purchaser's responsibility to report any damages immediately to the City's Public Works Supervisor. Purchaser will be billed for any repairs/replacement of fire hydrant, water meter and/or backflow apparatus.

Sec. 3.4 The city will only pump water for the sale of bulk water from a designated area selected by the Public Works Supervisor or designee.

Sec. 3.5 Each individual or entity wishing to purchase bulk water from the City must first complete a Bulk Water Purchase Application at the City Hall located at 203 S. Broadway St. Bells, Texas 75414. As part of this application, the bulk water customer will provide the details as to the use of the water and will acknowledge that the water is not to be used outside of Grayson and/or Fannin County and that the water will not be redistributed or sold to another individual or entity. Providing false information on a Water Application shall be a violation of this Ordinance. In addition, any person or entity providing false information on a Bulk Water Purchase Application will subsequently be prohibited from purchasing bulk water from the City.

Sec 3.6 The terms of this Ordinance does not apply to the Bells Volunteer Fire Department. Grayson County will receive a reduction of 50% rates for the use of County projects.

Sec. 3.7 In accordance with the Drought Contingency Plan for the City of Bells, the City will only sell bulk water during Stage 2 MODERATE Water Shortage Conditions for construction purposes under a special permit from the City. During Stage 2 SEVERE Water Shortage Conditions, Stage 4 CRITICAL Water Shortage Conditions and Stage 5 EMERGENCY Water Conditions, the City will cease all sale of bulk water.

**PART 4: Enforcement**

Any person, firm or individual who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one dollar (\$1.00) or more than five hundred dollars (\$500.00). Each and every separate violation shall constitute a separate and distinct offense.

**PART 5: Repeal**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

**PART 6: Publication**

The City Secretary is authorized and directed to publish the caption and penalty prescribed by this ordinance in accordance with State Law.

**PART 7: Severability**

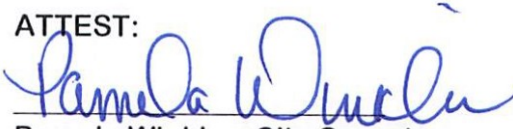
If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this Ordinance or their application to other persons or sets or circumstances shall not be affected thereby, it being the intent of the City Council of the City of Bells in adopting and of the Mayor in approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision or regulation, and to this end all provisions of this Ordinance are declared to be severable.

**PART 8: Effective Date**

This Ordinance shall be in force and effect from and after its publication.

PASSED AND APPROVED this 5th day of June 2018.

ATTEST:

  
Pamela Winkler, City Secretary

  
Joe Paul Smith, Mayor





203 South Broadway, Bells, Texas 75414  
Phone 903-965-7744, Fax 903-965-0250  
www.cityofbells.org

BULK WATER SALE APPLICATION  
For Non-Potable Use Only

Date: \_\_\_\_\_

Company Name: \_\_\_\_\_

Name of Driver: \_\_\_\_\_

Drivers License # \_\_\_\_\_ Phone # \_\_\_\_\_

Billing Address: \_\_\_\_\_  
\_\_\_\_\_

Business Phone # \_\_\_\_\_

Deposit \$200.00  
Connection Fee \$50.00  
Bulk Rate: \$30.00 for the first 1000 gallons (minimum bill)  
Per Month: \$10.00 per 1000 gallons up to 200,000 gallons  
\$15.00 per 1000 gallons thereafter

Amount Billed: \$ \_\_\_\_\_ Cash \_\_\_\_\_ Check # \_\_\_\_\_ Credit \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

Approved by: \_\_\_\_\_

OFFICE USE ONLY:

P/W Employee Notified: \_\_\_\_\_ Time: \_\_\_\_\_

Location of fill-up \_\_\_\_\_

# Sale of Bulk Water

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PART 8: Effective Date

This Ordinance shall be in force and effect from and after its publication.

PASSED AND APPROVE on

**I, the applicant received on this date a copy of the Bulk Water regulation for the City of Bells and understand the responsibility to comply with these regulations.**

**I understand this water is for non-potable use only and does not meet the requirements in 30 TAC 290.44 (i) for drinking water.**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date of Application