

ORDINANCE NO. 2022-001

AN ORDINANCE OF THE BOARD OF DIRECTORS OF VERONA SPECIAL UTILITY DISTRICT OF COLLIN COUNTY, TEXAS, AMENDING AND RESTATING SECTION G.1 OF THE RATE ORDER TO CREATE A SENIOR CUSTOMER CLASS; AMENDING AND RESTATING SECTION G.6 OF THE RATE ORDER TO ADOPT A NEW MONTHLY BASE RATE FOR SENIOR CUSTOMERS; PROVIDING FOR SAVINGS, CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Verona Special Utility District (the "District") is a political subdivision of the State of Texas created under the authority of Section 59, Article XVI, Texas Constitution, and operating pursuant to Chapters 49 and 65 of the Texas Water Code; and

WHEREAS, Texas Water Code § 49.212 authorizes the District to adopt and enforce all necessary charges and mandatory fees for providing service or making service available to a customer; and

WHEREAS, the Board of Directors of the District adopted a Rate Order establishing service policies and rates for water utility service provided by the District to the public; and

WHEREAS, the Board finds that a substantial number of customers *65 years of age or older* live on fixed incomes; and

WHEREAS, the United States is experiencing historic levels of inflation and the Board finds it right and just to adopt a fixed monthly base rate of its senior customers.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF VERONA SPECIAL UTILITY DISTRICT THAT:

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance by reference for all purposes.

SECTION 2. Creating a Senior Customer Class. Section G.1 of the District's Rate Order is hereby amended and restated in its entirety as follows:

1. ***Customer Classes.*** *All district customers shall be grouped into the following classes:*

(a) ***Residential Customers.*** *District customers receiving standard service to a single-family or multi-family residence are classified as residential customers.*

(b) ***Commercial Customers.*** *District customers receiving non-standard*

service to a commercial business or building are classified as commercial customers.

(c) Senior Customers. District customers 65 years of age or older who apply for or receive standard service are classified as senior customers. Senior customers shall pay the monthly Base Rate stated in Section G.6(a1). Service applicants or existing customers who qualify for this classification must show proof of age (i) by producing a valid Texas driver's license or other state issued photo identification card or (ii) by executing an Age Verification Affidavit before a Notary Public.

SECTION 3. Adopting a Senior Customer Base Rate. Section G.6 of the District's Rate Order is hereby amended to add the following subsection (a1):

(a1) Senior Customer Base Rate. Senior customers shall pay a base rate fixed at \$29.00 per month in addition to the Gallonage Charges set forth in Section G.6(b).

SECTION 4. Savings/Conflicts. All provisions of any ordinance in conflict with this Ordinance are hereby repealed and any remaining portions of such ordinance shall remain in full force and effect.

SECTION 5. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The District hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 6. Effective Date. This Ordinance shall take effect at the beginning of the next full billing cycle after giving District customers 30 days notice.

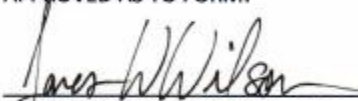
ADOPTED on the 17th day of May, 2022, by the Board of Directors of Verona Special Utility District.


Nathan McTee, President

ATTEST:


Johnny Pat Bratcher, Secretary

APPROVED AS TO FORM:


James W. Wilson, Attorney