

**TOWN OF VAN HORN
APPLICATION FOR COMMERCIAL SERVICE**

Water, Sewer, Sanitation Natural Gas Roll-Off Rackwater

| | | | | |
|--------------------------------|--|---------------------|----------------|------|
| Last Name | First Name | Middle | Date of Birth | SSAN |
| Driver License No./Other I.D. | Home Phone No. | Mailing Address | | |
| Business Name | Business Phone No. | Federal TIN or SSAN | | |
| Service Location | <input type="checkbox"/> Building <input type="checkbox"/> Mobile Home | | Zone / Permit# | |
| Spouse/Other Responsible Party | Driver License No./Other I.D. | Date of Birth | SSAN | |

I hereby make application and agree to take water, sewer, and sanitation service from the Town of Van Horn, and/or natural gas service from the Town of Van Horn d/b/a Texas Western Municipal Gas, and/or Roll-Off Container service (size requested _____), and/or Rackwater service (from Airport Shop) at the above location, and agree to pay to the Town of Van Horn at its office, for all such service furnished to Customer during the period for which said billing is rendered, according to the amount thereof, as measured by meter, and in accordance with the standard rates and regulations of the Town of Van Horn as from time to time may be established for such class of services. I understand that a credit check may be performed and that unsatisfactory performance of this agreement may result in a negative report to credit reporting agencies. Accounts must be in the name of the owner, or the lessee if rental property. A copy of the lease agreement may be required to establish responsibility.

See reverse side for additional requirements re: New Natural Gas Customer Safety Information, Water Conservation, Delinquent Fee and Penalties. **I understand that I am required to install a cut-off valve within six months of the date of this application. A separate agreement is required. I further understand that I must comply with the regulations regarding sanitary control of the water system including the possibility of installing a backflow prevention device.**

The Town of Van Horn acknowledges receipt from the Customer of \$_____ as water deposit and/or \$_____ as a natural gas deposit to secure the faithful performance of this agreement by the Customer and the payment of any other claim against the Customer now owned or hereafter acquired by the Town of Van Horn and upon the expiration of this agreement the Town of Van Horn will, subject to the terms of deposit receipt given to the Customer herewith, refund deposit less final bill, if any. Service disconnected due to non-payment may subject the applicant to an increase in the required deposit amount.

Customer acknowledges receipt of "Confidentiality Notice", "Fluoride Content Notice", "Water Conservation/Drought Contingency Plans", and the "Fee Schedule", including Delinquent Fees and agrees to the provisions therein. A copy of the portion of the Van Horn Municipal Code regarding "Public Services" is available upon request.

SIGNED _____

APPROVED: _____ Customer

BY: _____ Date: _____
Town of Van Horn Personnel

.....

I hereby request the Town of Van Horn to discontinue service as indicated above.

SIGNED _____

APPROVED: _____ Customer

BY: _____ Date: _____
Town of Van Horn Personnel

TOWN OF VAN HORN
d/b/a TEXAS WESTERN MUNICIPAL GAS

The Town of Van Horn d/b/a Texas Western Municipal Gas stipulates the following conditions as provided by the laws of the State of Texas pertaining to the furnishing of gas to all customers:

1. The operator (Texas Western Municipal Gas) does not maintain the customer's buried piping.
2. If the customer's buried piping is not maintained, it may be subject to the potential hazards of corrosion and leakage.
3. Buried gas piping should be: (a) Periodically inspected for leaks; (b) Periodically inspected for corrosion if the piping is metallic; and (c) Repaired if any unsafe condition is discovered.
4. When excavating near buried gas piping, the piping should be located in advance, and the excavation done by hand.
5. Plumbers and heating contractors can assist in locating and repairing the customer's buried pipe. Texas Western Municipal Gas must inspect any repairs and conduct a pressure test prior to reactivating gas service.
6. Texas Western Municipal Gas is not permitted to perform work on private property including, but not limited to, the lighting of pilot lights or heater repair. Customers should engage a private contractor for this type of work. Exception: Employees will perform an inspection and light pilot lights after gas service has been interrupted and for new turn-ons.
7. Carbon monoxide detectors are recommended.
8. If an employee of Texas Western Municipal Gas discovers any hazardous condition relating to natural gas, the service shall be disconnected immediately, and shall not be reactivated until the unsafe condition is rectified by the customer.
9. *I acknowledge receipt of TAC Notice Title 16, Part 1, Chapter 7, Subchapter D, Rule 7.460, Rules governing Suspension of Gas Utility Service Disconnection During an Extreme Weather Emergency.*

TOWN OF VAN HORN
WATER CONSERVATION REQUIREMENTS

The Town of Van Horn aggressively supports measures to conserve water. The following provisions are made part of the application for residential service:

- A. The prospective customer agrees to the provisions of the Town's Water Conservation and Drought Contingency Plan.
- B. The prospective customer agrees to install water conserving plumbing fixtures whenever any plumbing modifications or repairs are undertaken.
- C. Prospective customers who have swimming pools must have in place at the time water service is initiated, recirculating filtration equipment for the pool.
- D. Outside watering shall be limited to the following schedule:
 1. 10:00 a.m. to 6:00 p.m.: No outside watering.
 2. 6:00 p.m. to 10:00 a.m.: Outside watering permitted.
- E. The flow of produced water from property into streets, alleys and other public right-of-ways, constitutes a hazard to vehicular traffic, damages the surfaces of the streets and alleys, wastes limited water resources, and is contrary to the public health, safety and welfare of the citizens of Van Horn, and is therefore declared to be a nuisance. It shall be unlawful for any party responsible for any property within the corporate limits of Van Horn or receiving water service from the Town to permit or cause water to flow, spray or otherwise move or be discharged from the premises of such responsible party to or upon any street, alley, or other public right-of-way.

TOWN OF VAN HORN
RATES

The Town of Van Horn adopts the Fee Schedule at the beginning of each fiscal year to be effective with the April 01 billing. The Fee Schedule may be viewed in its entirety at City Hall. The following fees are included in that Fee Schedule:

1. Service Charge. **\$25.00** to be applied to all customer requests for service, including but not limited to: water meter turn-ons and turn-offs, meter checks, sewer checks, re-readings, etc.
2. Delinquent Fees. **\$25.00** to be applied to all accounts for non-payment. All bills are due and payable when billed. Any payment not received by the 15th of the month will be considered delinquent and subject to termination of service without further notice. Residential and commercial accounts are cut off if delinquent after the 5th of the following month.
3. Penalty. A 5% (five percent) penalty will be assessed on all accounts whose payment are not received in our office by 5:00 p.m. on the 17th day of the month.

Customer Signature

Date

**TOWN OF VAN HORN
AGREEMENT FOR WATER SERVICE ACTIVATION**

Last Name

First Name

Middle

Driver License No./Other I.D.

Home Phone No.

Mailing Address

Service Location

Building Mobile Home

Zone / Permit#

Spouse/Other Responsible Party

Driver License No./Other I.D.

In accordance with the Town of Van Horn Municipal Code, Section 13.12.030, I understand that this service location is required to have a cut-off valve installed inside the service line at a location accessible to the consumer in case of an emergency, and that I shall not use the stopcock on the meter to turn the water on or off.

_____ NEW SERVICE CONNECTION: I hereby agree to install a cut-off valve in accordance with VHMC Section 13.12.030 prior to activation of the meter.

_____ EXISTING SERVICE CONNECTION: I hereby agree to install a cut-off valve in accordance with VHMC Section 13.12.030 within six (6) months of the service activation date of _____.

I understand that failure to comply with these requirements can result in termination of service and/or legal action.

SIGNED

APPROVED:

Customer

BY: _____
Town of Van Horn Personnel

Date: _____

**TOWN OF VAN HORN
SPECIAL NOTICE**

YOU CAN NOW REQUEST THAT PERSONAL INFORMATION CONTAINED IN OUR UTILITY RECORDS NOT BE RELEASED TO UNAUTHORIZED PERSONS.

The Texas Legislature enacted HB 89 allowing a government operated utility to give their customers the option of making certain personal information in the customer's account records confidential.

You may request that the personal information on your account be kept confidential, with certain exceptions. Personal information includes the customer's address, telephone number and social security number.

If you want this information kept confidential, please provide the information below and return this form to:

Town of Van Horn
1801 West Broadway Street
P.O. Box 517
Van Horn, Texas 79855

Name of Account Holder: _____

Service Address: _____ Acct. # _____

Please initial if you would like to waive confidentiality of name and address only for:

UPS, Federal Express, or Other Package Carrier _____
Chamber of Commerce Welcome Wagon _____
Other: _____

Date: _____ Signature: _____

If you have any questions, please call City Hall at (432)283-2050.
There is no charge for this service. Your response is not necessary if you do not want this service.

**WE MUST STILL PROVIDE THIS INFORMATION UNDER
LAW TO CERTAIN PERSONS.**

We must still provide this information to: (1) an official or employee of the state or a political subdivision of the state, or the federal government acting in an official capacity; (2) an employee of a utility acting in connection with the employee's duties; (3) a consumer reporting agency; (4) a contractor or subcontractor approved by and providing services to the utility or to the state, a political subdivision of the state, the federal government, or an agency of the state or federal government; (5) a person for whom the customer has contractually waived confidentiality for personal information; or (6) another entity that provides water, wastewater, sewer, gas, garbage, electricity, or drainage service for compensation.

ORDINANCE NO. 96-07-181

AN ORDINANCE OF THE TOWN OF VAN HORN, TEXAS, ADOPTING A WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR THE TOWN OF VAN HORN; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE, NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is necessary that a Water Conservation and Drought Contingency Plan be adopted by the Town of Van Horn; and,

WHEREAS, the City Council of the Town of Van Horn believes it is in the best interest of the Town of Van Horn to adopt such a program, NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF VAN HORN, TEXAS:

SECTION 1. This Ordinance shall be known as an Ordinance adopting a water conservation and drought contingency plan for the Town of Van Horn, Texas.

SECTION 2. Approval of the Plans. The Town Council hereby approves and adopts as the Town's Water Conservation and Drought Contingency Plan (hereinafter referred to as "the Plans") attached hereto as exhibit "A" to be included in full as a part of this Ordinance as if recited herein. The Town of Van Horn commits to implement the program according to the procedures set forth in the adopted plan.

SECTION 3. Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 4. The City Administrator, or the designated representative, shall have the authority to institute and terminate the excess water use charge pursuant to the terms and conditions in the Plans.

SECTION 5. The City Administrator, or the designated representative, is the designated official for implementation of drought restrictions when the trigger conditions as delineated in the Plans are reached.

SECTION 6. Any person, firm or corporation violating any of the provisions of the Water Conservation and Drought Contingency Plan and/or the mandatory water use restrictions which have been formally initiated by the Town and contained in the Plans as adopted hereby shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the Town of Van Horn, Texas, shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

MANDATORY HEALTH EFFECTS LANGUAGE
LENGUAJE OBLIGATORIO SOBRE LOS EFECTOS A LA SALUD
FLUORIDE/FLUORURO

Dear User/Estimado Usuario,

Many public water systems are required by federal regulation to routinely analyze for fluoride levels in the drinking water they provide to consumers. Analyses of the drinking water in your community has found a level of 2.52 mg/l of fluoride. The U.S. Environmental Protection Agency (EPA) has set a standard for fluoride at 2.0 mg/l to minimize the occurrence of objectionable dental fluorosis. That guideline was established to protect public welfare but it is not federally enforceable. EPA requires that this notice of monitoring results be provided to you.

Fluoride at the appropriate levels in the drinking water of children up to the age of nine, reduces cavities. However, children exposed to levels of fluoride greater than 1.0 to 2.0 mg/l may develop dental fluorosis in their permanent teeth. Dental fluorosis, in its moderate and severe forms, is a discoloration (brown staining) and pitting of teeth.

Because fluoride affects only developing teeth, households without children would not be expected to be affected by this level of fluoride. Individuals with children under the age of nine are encouraged to seek other sources of drinking water for their children.

The EPA Maximum Contaminant Level (MCL) for fluoride is 4.0 mg/l. That standard is based upon protection from crippling skeletal fluorosis, which may result from levels of 4.0 mg/l or more. The MCL is an enforceable standard and has been set to protect public health.

Your water supplier can lower the concentration of fluoride to the level where beneficial effects still occur (cavity prevention) and where the occurrence of dental fluorosis is minimal. The technology for the removal of fluoride is currently available but the use of this technology by your utility may increase your monthly water bill. Treatment systems for the removal of fluoride from drinking water are also available for home use. Information on such systems is available at the address given below. Low fluoride bottled drinking water that would meet all standards is also available.

For further information, contact Israel Borrego, Director of Municipal Services, or Fran Malafronte, City Administrator, at your water utility.

Muchos sistemas publicos de agua estan obligados por leyes federales a analizar continuamente los niveles de fluoruro en el agua potable que proveen a sus clientes. Los analisis de agua en su comunidad han detectado un nivel de fluoruro de 2.52 mg/l. La Agencia Federal para la Proteccion Ambiental de los Estados Unidos (U.S. Environmental Protection Agency - EPA) ha establecido un nivel estandar de fluorosis dental. Esta recomendacion fue establecida para proteger el bienestar publico, sin embargo, no esta sujeta a accion penal. La EPA requiere que los resultados de estos analisis le sean notificados.

Niveles adecuados de fluoruro en el agua potable para los ninos hasta la edad de 9 anos reducen las caries. Sin embargo, ninos expuestos a niveles de fluoruro mayores de 1.0 a 2.0 mg/l pueden desarrollar fluorosis dental en sus dientes permanentes. La fluorosis dental, en sus formas moderadas y severas, es una descoloracion (mancha cafe) y picadura de los dientes.

Se espera que este nivel de fluoruro no afecte a los hogares sin ninos porque el fluoruro solo afecta a los dientes en desarrollo. Es aconsejable que las personas con ninos menores de 9 anos busquen otras fuentes de agua potable para sus ninos.

El maximo nivel aceptable (Maximum Contaminant Level - MCL) de fluoruro establecido por la EPA es de 4.0 mg/l. Este estandar esta basado en la proteccion contra la fluorosis osea que causa incapacidad, la cual puede resultar a niveles en fluoruro de 4.0 mg/l o mayores. El MCL es un estandar obligatorio que ha sido establecido para proteger la salud publica.

Su proveedor de agua puede reducir la concentracion de fluoruro a un nivel al cual efectos beneficos todavia suceden (prevencion de caries) y donde la incidencia de fluorosis dental sea minima. La tecnologia para remover el fluoruro existe, pero su uso podria aumentar el costo mensual de su servicio de agua. Sistemas de tratamiento para remover el fluoruro de agua potable para uso casero tambien existen. Informacion acerca de estos sistemas esta disponible en la direccion proporcionada al final de esta nota. Agua potable embotellada con bajo nivel de fluoruro que cumple los estandares tambien esta disponible.

Para mayor informacion, comuniquese con Israel Borrego o Fran Malafronte, en su compania de agua.

TOWN OF VAN HORN WATER CONSERVATION PLAN

I. EDUCATION AND INFORMATION.

The Town of Van Horn will promote water conservation by informing the public of ways to conserve water. The following methods will be used to inform water users, including wholesale customers.

- A. Distribution of educational materials to all customers will be made two times during the first year of the program and once per year thereafter.
- B. Regular Articles will be published in the local paper at time intervals corresponding to those mentioned above and more often if conditions warrant.
- C. New Customers will receive general conservation information when applying for service.

Brochures prepared by the Texas Water Development Board and/or other entities will be used. The public information program will include at least the following topics; (1) purpose and goals of the Water Conservation and Drought Contingency Plan; (2) economic benefit to customers due to reduced water bills; (3) benefit to customers due to improved performance of individual wastewater disposal system; (4) indoor water conservation techniques and; (5) water conserving techniques for irrigation and landscaping.

II. WATER SERVICE AGREEMENT.

The Town of Van Horn will adopt a policy whereby prospective customers enter and execute a written agreement which will include at least the following provisions:

- A. That prospective customers agree to provisions of the Town's Water Conservation and Drought Contingency Plan.
- B. That prospective customers agree to install water conserving plumbing fixtures whenever any plumbing modifications or repairs are undertaken.
- C. That prospective customers who have swimming pools must have in place at the time water service is initiated, recirculating filtration equipment for the pool.
- D. That prospective resale customers adopt and implement the provisions of the Town's Water Conservation and Drought Contingency Plan or develop and implement a similar plan which is acceptable to the Town.
- E. Outside watering shall be limited to the following schedule:

1. 10:00 a.m. to 6:00 p.m.: No outside watering.
2. 6:00 p.m. to 10:00 a.m.: Outside watering permitted.

- F. The flow of produced water from property into streets, alleys and other public right-of-ways, constitutes a hazard to vehicular traffic, damages the surfaces of the streets and alleys, wastes limited water resources, and is contrary to the public health, safety and welfare of the citizens of Van Horn, and is therefore declared to be a nuisance. It shall be unlawful for any party responsible for any property within the corporate limits of Van Horn or receiving water service from the Town to permit or cause water to flow, spray or otherwise move or be discharged from the premises of such responsible party to or upon any street, alley, or other public right-of-way.

III. RETROFIT PROGRAM.

The public education program will help inform the public of the advantages of installing water saving devices. Local retail outlets will be asked to stock water saving devices and water conservation kits.

IV. WATER RATE STRUCTURES

The current water rate structure should promote water conservation practices. The Town will not adopt declining rate water charges as such rates discourage water conservation. The Town shall review and evaluate the water use by customer class and shall consider annual adjustments to its rate structure such as an excess use fee or an increasing block rate.

V. METERING

The Town will ensure that all locations in Town are connected to a water meter, except fire hydrants. The fire department will be requested to maintain estimates of usage for hydrant flushing and fire fighting purposes. The Town will implement the following meter testing and maintenance schedule:

- A. Production meters - test once a year
- B. Meters larger than 1" - test once a year
- C. Meters 1" and smaller - test every five years.

VI. WATER CONSERVATION LANDSCAPING.

The advertising program will include suggestions on landscaping and irrigation procedures which will save water usage and money.

VII. LEAK DETECTION AND REPAIR.

The Town will supplement its leak detection program to enhance water conservation. The program will include:

- A. Checking by the billing department to identify high water use and notifying customers of potential water leaks.
- B. Monthly comparison of total water sales and water production.
- C. Visual inspection by meter readers and city employees for abnormal conditions indicating leaks.
- D. Prompt repair of water system leaks and water main breaks.

VIII. RECYCLING AND REUSE.

The Town's wastewater system serves only the area inside the city limits. Much of the effluent from the Town's wastewater treatment plant is used to irrigate the municipal golf course.

IX. IMPLEMENTATION AND ENFORCEMENT.

Except as provided for in the Water Service Agreement, compliance with the Town's water conservation program will be voluntary.

X. CONSERVATION PLAN ANNUAL REPORT.

The Town will prepare and file an annual report. The report will address the progress and effectiveness of the water conservation plan and will include:

- A. Public information which has been issued.
- B. Public response.
- C. Effectiveness of water conservation plan in reducing water use by providing consumption data.
- D. Implementation progress and status of the Town's water conservation program.

XI. WHOLESALE CUSTOMERS.

The Town provides water service to one unincorporated community, however, this service is provided directly to the user. The proposed Water Service Agreement will apply to resale customers and requires that such customers adopt and implement a similar plan which is acceptable to the Town.

8.24.030 - General operating regulations.

- A. The town, or its designated contractor, will furnish a container to be used in the collection and removal of trash and garbage by every owner, occupant, tenant or lessee receiving the garbage and trash collection service.
- B. All active water utility services shall be required to receive garbage and trash collection service. Temporary utility services for new construction shall be exempt from this requirement.
- C. The appropriate container size and its location will be determined by the town.
- D. When a container will adequately and completely serve several adjacent residential, commercial or other institutions, they may be required to use the same container.
- E. It is unlawful for any person to place waste other than garbage and trash in the container furnished by the town.
- F. It is unlawful for any person to disturb a sanitation container furnished by the town or the contents thereof; however, this subsection shall not apply to the duly authorized employees of the town, or its designated contractor, in the course of their duties.
- G. It is unlawful to make a fire or burn any material in a sanitation container furnished by the town or to paint or mark upon same or to place any poster, placard or sign upon same.
- H. All garbage and trash that is mixed with water or other liquid shall be thoroughly drained before being put in sanitation containers for collection. All animal matter that is subject to decomposition shall be well wrapped in paper or other biodegradable material, and securely tied within a garbage bag before being deposited in such container or receptacle.
- I. The lids or covers of all garbage and trash containers shall be kept closed. Such lids or covers shall be opened only while the containers are being filled or emptied.
- J. All garbage and trash shall be placed in garbage bags, which shall be securely fastened or tied prior to placing the bags into the container.
- K. Scavenging or otherwise breaking open the sealed trash bags placed in the containers for collection is strictly prohibited.
- L. The collection, removal and disposal of all garbage and trash shall be made at least once each week as weather conditions and other uncontrollable factors will permit. Such collection, removal and disposal of garbage and trash shall be carried on in a systematic and efficient manner, keeping the town in a clean and sanitary condition.

(Ord. 01-12-260 (part))

13.12.030 - Water meters and cut-off valves.

- A. Every connection to the town's water system, except fire hydrants, shall be metered by a meter approved and installed by the town personnel.
 - 1. No person shall interfere with or bypass the town's meter in such a manner as to obtain water without the full amount being registered on the meter:
 - a. Service shall be permanently disconnected from any account where a bypass or other such devices is discovered;
 - b. Such account shall be reconnected only at the discretion of the town council and only after payment for estimated water used (as determined by the town) plus the cost of rerouting and repairing the service to register water use properly on the meter.
 - 2. No person shall break or tamper with any lock on the stopcock in the water meter box.
- B. No person, except authorized town employees of the utility department, unless authorized in writing by the town administrator, shall turn water on or off at the stopcock in the meter box, or connect, remove, repair, or otherwise disturb or tamper with the water utility meter.
- C. The discovery of any of the activities prohibited in subsection A of this section shall be prima facie evidence that such prohibited activity was performed by the person or person(s) to whom the water utility is being provided.
- D. The consumer shall install a cut-off valve inside the service line at a location accessible to the consumer in case of an emergency, and shall not use the stopcock on the meter to turn the water on or off.
 - 1. For all new service connections, the consumer must install a cut-off valve prior to the meter being activated.
 - 2. For all existing service connections, when the property is sold, the new owner must enter into an agreement to install a cut-off valve within six months of service activation as a condition for the meter to be activated.
- E. This section shall be enforced in accordance with the provisions of the law.

(Ord. 98-11-225)