

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTER 15-9 RELATING TO THE ADDITION OF WASTEWATER BILLING REQUIREMENTS FOR CUSTOMERS WITH ONSITE WATER REUSE SYSTEMS AND CUSTOMERS WITH EVAPORATIVE LOSS FROM COOLING TOWERS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Section 15-9-136 (*Calculation of Wastewater Billing*) is amended to add a requirement for the City to assess wastewater flow for onsite water reuse customers to read as follows effective November 1, 2025:

§ 15-9-136 - CALCULATION OF WASTEWATER BILLING.

- (A) The City shall calculate the wastewater invoice for a customer's service address by:
- (1) multiplying the volume of wastewater discharged from the service address by the wastewater rate for the applicable customer class; and
 - (2) adding the applicable monthly customer account charge, if any, and other applicable fees and charges.
- (B) Except as provided by Subsections (C), ~~(D)~~, and (E), the director of the Water Utility shall assess the volume of wastewater discharged from the customer's service address at the lower of:
- (1) the customer's wastewater average as determined by separate ordinance; or
 - (2) the monthly water consumption at the service address.
- (C) If a customer is approved for evaporative loss adjustments under Article 14 (*Wastewater Billing Adjustments for Evaporative Cooling Towers*), the City shall assess the volume of wastewater discharged from the customer's service address as prescribed by that article.
- (D) If a customer has installed a wastewater flow metering system approved under Article 15 (*Metered Wastewater Billing*), the City shall assess the volume of wastewater discharged from the customer's service address as prescribed by that article.

31 (E) If a customer is approved for a wastewater flow factor under Article 16
32 (Wastewater Flow Factor Billing for Onsite Water Reuse Customers), the
33 City shall assess the volume of wastewater discharged from the customer's
34 service address as prescribed by that article.

35 **PART 2.** City Code Section 15-9-241 (*Evaporative Loss Adjustment for*
36 *Evaporative Cooling Towers*) is amended to add a new Subsection (C) to read as
37 follows effective November 1, 2025:

38 (C) Qualified customers may apply for an evaporative loss adjustment to be
39 administered under Article 16 (Wastewater Flow Factor Billing for Onsite
40 Water Reuse Customers), subject to approval by the Director of the Water
41 Utility.

42 **PART 3.** City Code Chapter 15-9 (*Utility Service Regulations*) is amended to
43 add a new Article 16 (*Wastewater Flow Factor Billing for Onsite Water Reuse*
44 *Customers*) to read as follows effective November 1, 2025:

45 **ARTICLE 16. – WASTEWATER FLOW FACTOR BILLING FOR ONSITE**
46 **WATER REUSE CUSTOMERS.**

47 **Division 1. - General Provisions.**

48 **§ 15-9-303 - DEFINITIONS.**

49 In this article:

- 50 (1) DIRECTOR means the director of the Water Utility.
- 51 (2) ONSITE WATER REUSE CUSTOMER means a retail water
52 customer that has a permit to operate an onsite water reuse system
53 under Chapter 15-13 (*Regulation of Onsite Water Reuse Systems*).
- 54 (3) WASTEWATER means all liquids and waterborne waste, drainage
55 water, and sewage, whether treated or untreated, from residential
56 dwellings, commercial buildings, or industrial or manufacturing
57 facilities and institutions.
- 58 (4) WASTEWATER METER means a wastewater flow meter or
59 other device approved by the director for the measurement of the
60 total volume of wastewater discharged by a customer.

61 **§ 15-9-304 - REQUIREMENTS FOR APPROVAL OF WASTEWATER FLOW**
62 **FACTOR BILLING.**

- 63 (A) To receive wastewater flow factor billing to assess the volume of wastewater
64 discharged from a service address without the use of wastewater or
65 discharge meters, a customer must meet the requirements of this section.
- 66 (B) To be eligible for wastewater flow factor billing, a customer must be a
67 commercial, residential or industrial customer receiving water and
68 wastewater service as a direct retail customer of the City of Austin Water and
69 Wastewater Utility that:
- 70 (1) Has an approved permit for an onsite water reuse system issued
71 under Chapter 15-13 (*Regulation of Onsite Water Reuse Systems*);
72 or
- 73 (2) Is reapplying for an evaporative loss adjustment for an evaporative
74 cooling tower that recirculates make-up water under Article 14
75 (*Wastewater Billing Adjustments for Evaporative Cooling Towers*) of
76 this Chapter.
- 77 (C) A customer seeking wastewater flow factor billing must submit a written
78 application as prescribed by Section 15-9-30x (*Application*) and pay the
79 non-refundable application fee prescribed by ordinance.
- 80 (D) Customer premises whose total wastewater discharge to the City's
81 wastewater system (meaning the discharge from all buildings, cooling
82 towers and other installations on the site) is monitored by one or more
83 wastewater flow meters whose installation has been separately approved by
84 the director are not eligible to receive wastewater flow factor billing.

85 **Division 2. - Application for Wastewater Flow Factor Billing.**

86 **§ 15-9-305 - APPLICATION.**

- 87 (A) An application for wastewater flow factor billing for onsite water reuse
88 customers is included with the water balance application materials required
89 under Section 15-13-10 (*Permit Application*).
- 90 (B) An application for wastewater flow factor billing for customers reapplying
91 for an evaporative loss adjustment is included with the application materials
92 required under Section 15-9-241 (*Evaporative Loss Adjustment for*

Evaporative Cooling Towers).

§ 15-9-306 - REVIEW OF APPLICATION.

- (A) The director shall review the application.
- (B) The director shall approve the application if the director determines that:
- (1) the applicant has paid the application fee prescribed by ordinance;
 - (2) it is feasible to accurately calculate the wastewater discharge at the customer service address in accordance with the requirements of this article and sound engineering, utility, and billing practices; and
 - (3) the application complies with the requirements of this article.
- (C) The director shall deny the application if the director determines that:
- (1) the applicant has not paid the application fee prescribed by ordinance;
 - (2) it is not feasible to accurately calculate the wastewater discharge at the customer service address in accordance with the requirements of this article and sound engineering, utility, and billing practices;
 - (3) the application fails to comply with the requirements of this article; or
 - (4) the application contains information that is false, inaccurate, or incomplete.
- (D) If the director denies the application, the director shall notify the applicant in writing of the denial and the reasons for the denial.

§ 15-9-307 - REVISED APPLICATION.

- (A) A customer may submit a revised application for wastewater flow factor billing if any material changes in equipment, facilities, operations, or processes that may affect wastewater metering, including changes in the quantity of discharge, flow rates, or other characteristics of the discharge occur at the customer service address.
- (B) The revised application must contain signed and sealed flow data and calculations from a qualified engineer licensed in Texas that

demonstrate the requested wastewater flow factor billing for the customer service address.

- (C) A customer must pay a non-refundable revised application fee prescribed by separate ordinance before the director will review the revised application.
- (D) If the director denies the revised application, the director shall notify the applicant in writing of the denial and the reasons for the denial.
- (E) If the director denies the revised application, the director's decision is final and the customer must submit a new revised application and fee before the director will review a request for wastewater flow factor billing for the customer service address.

Division 3. - Billing.

§ 15-9-308 – WASTEWATER FLOW FACTOR BILLING EFFECTIVE AFTER APPROVAL.

- (A) The director shall begin billing a customer for a wastewater flow factor in the first complete billing cycle after the date the director approves wastewater flow factor billing.
- (B) The director may not permit or require the retroactive application of this article or the adjustment or recalculation of a customer's wastewater bill for any billing cycle occurring before the director's written approval of the customer's application.
- (C) The director shall bill all customers at the service address using a wastewater flow factor until such time a revised application is approved.

§ 15-9-309 – REVOCATION OF WASTEWATER FLOW FACTOR.

The director shall revoke a customer's approval for wastewater flow factor billing if a customer's wastewater discharge is increased due to process or capacity changes at a service address that result in added cooling capacity or increased cooling tower blowdown.

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PART 4. The City Manager is directed to include fees reflecting these code changes in the fee ordinance adopted with the budget starting in fiscal year 2025-2026.

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PART 5. This ordinance takes effect on _____, 2025.

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PASSED AND APPROVED

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_____, 2025

§ _____

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Kirk Watson

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Mayor

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APPROVED: _____

ATTEST: _____

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Deborah Thomas
Interim City Attorney

Myrna Rios
City Clerk

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