

ORDINANCE NO. 2016-1

AN ORDINANCE ESTABLISHING RATES FOR SERVICES RENDERED BY THE WATER AND SEWER SYSTEM OF THE CITY OF LOCKESBURG, ARKANSAS; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Lockesburg, Arkansas (the "City") owns and operates water and sewer facilities, which water and sewer facilities are operated as one interrelated municipal undertaking (the "System"), and has determined that extensions, betterments and improvements to the System (the "improvements") should be made in order that the City and its inhabitants may have adequate and proper water and sewer facilities; and

WHEREAS, in connection with the improvements, it is necessary for the City to establish rates to be charged for services of the System;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lockesburg, Arkansas:

Section 1. That the following monthly rates and charges which the City Council hereby finds and declares are fair, reasonable and minimum rates to be charged for water and sewer services be, and they are hereby, fixed as rates to be rendered by the System.

(a) Monthly Water Rates. (i) The water usage of each customer shall be determined each month by meter measurement and the amount to be paid by each customer shall be computed on the basis of the following schedule of rates:

	<u>2017</u>	<u>2018</u>
For the first 1,000 gallons of water consumption per month, or portion thereof	\$23.27 (minimum)	\$23.70 (minimum)
For all monthly water consumption in excess of 1,000 gallons per month	3.50 per 1,000 gallons	3.50 per 1,000 gallons

(ii) The monthly minimum water rates established in (a)(i) of this Section shall, starting in 2019 and thereafter, be increased annually by 5% or the Consumer Price Index, whichever is greater.

(b) Monthly Sewer Rates. (i) All sewer charges shall be based on water consumption and the amount to be paid by each customer shall be computed on the basis of the following schedule of rates:

	<u>2017</u>	<u>2018</u>
For the first 1,000 gallons of water consumption per month, or portion thereof	\$21.20 (minimum)	\$21.42 (minimum)
For the next 4,000 gallons of water consumption per month, or portion thereof	4.50 per 1,000 gallons	4.50 per 1,000 gallons
For all monthly water consumption in excess of 5,000 gallons per month	2.50 per 1,000 gallons	2.50 per 1,000 gallons

(ii) The monthly minimum sewer rates established in (b)(i) of this Section shall, starting in 2019 and thereafter, be increased annually by 5% or the Consumer Price Index, whichever is greater.

(c) Meter Deposit and Connection Fee. Each customer who connects with the System shall make a deposit with the City in the amount of \$100. Such deposit shall remain with the City until the later of (i) the customer has one year in which no late charges are incurred and (ii) the customer closes his account or requests his water to be disconnected, at which time he will have his deposit returned, if he is not in arrears in his account with the City. Each customer who connects with the water facilities of the System shall also be charged a non-refundable connection fee of \$20. Each customer who connects with the sewer facilities of the System shall also be charged a non-refundable connection fee of \$20.

(d) Tapping Fee. There shall be tapping fee in an amount equal to \$100 for every customer who connects with the water facilities of the System and \$100 for every customer who connects to the sewer facilities of the System.

(e) None of the water facilities or services afforded by the System shall be furnished without a charge being made therefor.

Section 2. The operation of the System shall be on a fully metered basis, with a meter installed at each water connection (except fire hydrants) when practical. There shall be only one user on a single connection. There shall be not dual connections: that is, there shall be no more than one user on a single meter.

Section 3. That a single statement will be submitted for monthly water and sewer charges. All bills for services of the System shall be rendered monthly in the net amount due and must be paid before the fifteenth day following the original date of billing. If any charge is not paid within 25 days after the date of billing, the service can be disconnected and suit can be brought to collect the amount due, together with a reasonable attorney's fee, plus a reconnection fee. A charge of \$20.00

plus the payment of all arrears shall be required before any premises so disconnected shall be again connected to the System. Fees for reconnections on weekends will be increased by 50%.

Section 4. That the provisions of this Ordinance are separable and if a section, phrase or provision shall be declared invalid; such declaration shall not affect the validity of the remainder of the Ordinance.

Section 5. That all ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. That it is hereby ascertained and declared that the improvements are necessary so that the City and its inhabitants may have adequate and proper water and sewer facilities. The improvements cannot be financed without the establishment of rates for services of the System, and therefore, it is declared that an emergency exists and this Ordinance being necessary for the preservation of the public peace, health and safety shall be in force and take effect immediately upon and after its passage.

PASSED: November 8, 2016.

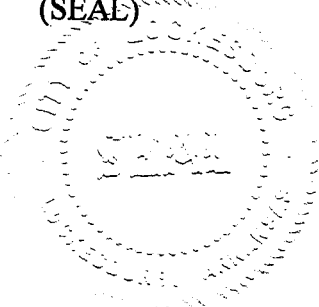
APPROVED:

ATTEST:

Betsy Jostens  
City Recorder

Danny Reed  
Mayor

(SEAL)



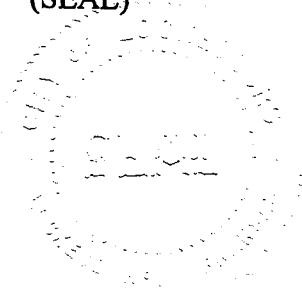
CERTIFICATE

The undersigned, City Recorder of the City of Lockesburg, Arkansas hereby certifies that the foregoing pages are a true and perfect copy of Ordinance No. 2016-1, adopted at a regular session of the City Council of the City of Lockesburg, Arkansas, held at the regular meeting place in said City at 6:35 o'clock p.m., on the 8 day of November, 2016, and that the Ordinance is of record in the Ordinance Record Book now in my possession.

GIVEN under my hand and seal on this 8 day of November, 2016.

Bucky J. [Signature]  
City Recorder

(SEAL)



PROOF OF POSTING OF ORDINANCE AND CERTIFICATE

STATE OF ARKANSAS

COUNTY OF SEVIER

We, Danny Ruth, and Becky Jegstrup, do solemnly swear that as Mayor and City Recorder, respectively, of and for the City of Lockesburg, Sevier County, Arkansas, that certified copies of Ordinance No. 2016-1 (the "Rate Ordinance") were, on the 9th day of November, 2016, duly posted in five separate and distinct places inside the corporate limits of the City as set forth in Ordinance No. 2014-1 of the City and that the Rate Ordinance will remain or has remained posted for at least thirty (30) days.

We do hereby certify that there is no newspaper published within the corporate limits of the City.

DATED this 9th day of November, 2016.

  
\_\_\_\_\_  
City Recorder

  
\_\_\_\_\_  
Mayor

(SEAL)

