

ORDINANCE NO. 2001-10

**AN ORDINANCE PROHIBITING THE EXTENSION OF
OF SEWER SERVICES BEYOND THE CITY LIMITS ABSENT
AN ANNEXATION AGREEMENT; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Clinton operates and maintains a wastewater and sewer system for the benefit of its citizens; and

WHEREAS, the access to such a wastewater and sewer is an essential and integral service provided by the City of Clinton; and;

WHEREAS, the City of Clinton does not wish to provide such services to properties not located within the city limits.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF CLINTON, ARKANSAS:**

Section 1:

It is the policy of the City of Clinton not to allow or authorize the extension of wastewater or sewer connections to property located outside the city limits of Clinton, Arkansas, except as provided in Section 2.

Section 2:

Extensions of, and connections to, the Clinton Sewer System to property outside, but adjacent to the city limits of Clinton, may be made if, prior to such extension, the property owner of said extraterritorial property, enters into a written annexation agreement with the City of Clinton to voluntarily seek to annex such property into the City of Clinton at the time of the connection to the City's wastewater and sewer system.

Section 3:

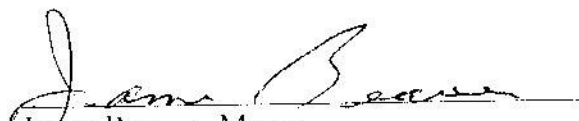
Any property owner of property outside the city limits of Clinton who seeks to connect to the city's wastewater and sewer system and provided in Section 2. shall prepay all costs of any extensions of lines to the property together with all connection and tie on fees as required by the Sewer Commission for connections within the city limits together with the costs of the annexation proceeding before the County Court or other Courts of competent jurisdiction. Such costs may include surveys, maps, court costs and attorney's fees.

Section 4:

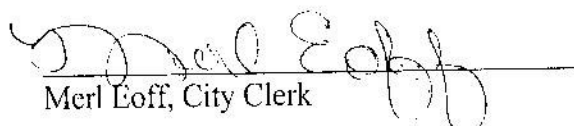
The annexation agreement shall contain language stating the City of Clinton shall be entitled to seek injunctive relief compelling the annexation, if the property owner fails to voluntarily seek annexation of the property requires in Section 2.

PASSED: November 8, 2001.

APPROVED:


James Beavers, Mayor

ATTEST:


Merl Eoff, City Clerk

APPROVED AS TO LEGAL FORM:


Brad A. Cazort, City Attorney