

ORDINANCE NO. 66

AN ORDINANCE ESTABLISHING THE RATES TO BE CHARGED FOR WATER TO BE FURNISHED AND SERVICES TO BE RENDERED BY THE WATERWORKS SYSTEM OF THE CITY OF CLINTON, ARKANSAS AND RATES FOR SERVICES TO BE FURNISHED BY THE SEWER SYSTEM OF THE CITY OF CLINTON, ARKANSAS; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS the City of Clinton, Arkansas now is proposing to issue and sell Water and Sewer System Revenue Bonds for the purpose of providing funds, together with the proceeds to be derived from a Federal grant under the Area Redevelopment Program and a Federal grant for the construction of sanitary sewer facilities under Public Law 660, 84th Congress, to finance the cost of the construction of a sanitary sewer system and related facilities, all in accordance with plans and estimates of a duly qualified consulting engineer, a copy of which is on file in the office of the City Recorder; and

WHEREAS in order to pay the principal and interest of said Revenue Bonds, it will be necessary to establish fair and reasonable rates for the use of the sewer and waterworks system; and

WHEREAS, the existing rates being charged for water being furnished and services being rendered by the existing waterworks system of the City of Clinton, Arkansas were established by Ordinance No. 63 enacted January 21, 1959, which rates are not being changed hereby, and will remain in the amounts as set forth in said Ordinance No. 63, so that in regard to waterrates, this Ordinance will simply set forth and confirm the existing rates applicable to the waterworks system, but that this Ordinance will establish rates for services to be furnished by the sewer system to be constructed as there are no sewer rates in existence at this time;

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

SECTION 1. (a) That the following monthly rates be, and

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they are hereby, fixed as rates to be charged for water to be furnished and services to be rendered by the Waterworks System of the City of Clinton, Arkansas, to-wit:

MONTHLY WATER RATES

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:

For Domestic Users:

For the first 3,000 gallons of water consumption (or portion thereof) per month	\$3.50 (which shall be the monthly minimum charge)
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For Commercial Users:

For the first 3,000 gallons of water consumption (or portion thereof) per month	\$4.50 (which shall be the monthly minimum charge)
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For All Users:

For the next 3,000 gallons of water consumption per month	\$0.40 per 1,000 gallons
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For the next 4,000 gallons of water consumption per month	\$0.30 per 1,000 gallons
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For the next 15,000 ³ gallons of water consumption per month	\$0.25 per 1,000 gallons
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For all monthly water consumption in excess of 25,000 gallons	\$0.15 per 1,000 gallons
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Fire hydrants	\$75.00 per year per hydrant, payable at the rate of \$18.75 quarterly
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In addition to the charge for water as shown by its water meter, the Clinton Poultry & Egg Plant shall pay \$125.00 per month because of the additional cost to supply it in the quantity it requires.

(b) That none of the facilities or services afforded by the Waterworks System shall be furnished without a charge being made therefor.

(c) That the operation of the Waterworks System shall be on a fully metered basis, that is, that meters shall be installed at each water connection and all bills for water services shall be rendered in the net amount due. If any water bill is not paid

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on or before the tenth day after the bill therefor shall be rendered, a 10% penalty shall be added, and if any bill is not paid within thirty days after the bill shall be rendered, water service shall be disconnected. There shall be no dual connection, that is, there shall be not more than one user on a single meter.

(d) Tapping Fee. There shall be a tapping fee in an amount not less than the actual cost to the City for all customers who hereafter connect with and use the Waterworks System.

(e) Reconnection Charge. In the event any premises are disconnected from the Waterworks System, the customer concerned prior to reconnection, shall pay all delinquent charges together with a reconnection charge of \$3.50 for each reconnection of the premises to the Waterworks System.

SECTION 2. (a) That the following monthly rates be, and they are hereby, fixed as rates to be charged for services rendered by and benefits to be received from the Sewer System of the City of Clinton, Arkansas, to-wit:

MONTHLY SEWER RATES

Residential and Commercial	\$2.50, or 50% of water bill, whichever is higher.
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(b) There shall be no connection charge for any customer who has signed, prior to the commencement of the construction of the Sewer System, a written agreement with the City to connect with and use the Sewer System, and has made a deposit of \$15.00 per connection. There shall be a connection charge in an amount not less than the actual cost to the City for all other customers who connect with and use the Sewer System after the commencement of the construction thereof.

(c) Service deposit and Reconnection Charge.

Prior to actual connection of any premises to the Sewer System, each customer shall make a Service Deposit of \$5.00 to assure prompt payment of monthly service bills. In the event any premises are disconnected from the Sewer System, the customer concerned, prior to reconnection, shall pay all delinquent charges, re-establish the \$5.00 Service Deposit and pay a Recon-

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nection Charge in an amount not less than the actual cost to the City.

(d) That under the provisions of Ark. Stats. 1947 S19-4113, a lien is fixed upon the land for any unpaid sewer charge, even though the use of the Sewer System is by a tenant or leasee instead of the owner. If any sewer charge is not paid on or before the tenth day after the bill therefor shall be rendered, a 10% penalty shall be added, and if any sewer charge is not paid on or before the thirtieth day after the bill is rendered, suit shall be brought to enforce the lien and to collect the amount due, together with the expenses of collection and a reasonable attorney's fee.

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

(f) Monthly billings for sewer service shall be made with, and as a part of, the Water System billing, and payment for water service shall not be accepted without payment for any sewer services due. Nonpayment for either shall result in discontinuance of water service.

SECTION 3. That the City Council hereby finds and declares that the above rates are fair, reasonable and necessary minimum rates, and will produce sufficient revenue to pay the principal of and interest on the Revenue Bonds as they mature, the Paying Agent's Fees, to provide depreciation funds for replacements or repairs to the Waterworks and Sewer System, and to pay the reasonable operation and maintenance expenses of the Waterworks and Sewer System.

SECTION 4. That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. That the City of Clinton, Arkansas, does not have a sewer system, and the City Council hereby finds and declares that an emergency exists and that this ordinance being necessary for the preservation of the public peace, health and safety shall be in force and shall take effect immediately upon and after its passage.

PASSED March 7, 1963.

APPROVED: S/FLOY BERKOWITZ, Mayor

ATTEST: S/ARLENE SHANNON, City Recorder.

CERTIFICATE

The undersigned, City Recorder of Clinton, Arkansas, hereby certifies that the foregoing pages, numbered 1 to 5, inclusive, are a true and perfect copy of Ordinance No. 66, passed at a regular session of the City Council of Clinton, Arkansas, held at the regular meeting place of the Council in said City, at 7:30 o'clock p.m., on the 7th day of March, 1963, and that the said ordinance is of record in Ordinance Record Book No. 1, Page _____, now in my possession.

Given under my hand and seal this 20th day of August, 1963

ARLENE SHANNON, City Recorder.