

ORDINANCE NO. 2085

AN ORDINANCE AMENDING ORDINANCE 2081 AMENDING CHAPTER 10.44.04 OF THE MUNICIPAL CODE OF THE CITY OF EUREKA SPRINGS, ARKANSAS, CORRECTING MINIMUM FEE FOR 2,000 GALLONS OF WATER CONSUMPTION OUTSIDE THE CITY LIMITS OF THE CITY OF EUREKA SPRINGS, ARK.

WHEREAS, The City Council of the City of Eureka Springs, Ark., passed and approved Ordinance 2081 AMENDING CHAPTER 10.44.04 OF THE MUNICIPAL CODE OF THE CITY OF EUREKA SPRINGS, ARKANSAS, INCREASING RATES FOR SERVICES RENDERED BY THE WATER SYSTEM OF THE CITY OF EUREKA SPRINGS, ARKANSAS; PRESCRIBING OTHER MATTERS RELATING THERETO; AND PROVIDING AN EMERGENCY CLAUSE, on May 19, 2008, and

WHEREAS, the calculation of \$18.12 minimum for the rate to be charged for the first 2,000 gallons of water consumption per month, or any portion thereof outside the city limits of the City of Eureka Springs, Arkansas, as set out in Ordinance 2081 amending Chapter 10.44.04 of the Municipal Code of the City of Eureka Springs, Arkansas, was incorrect, and

WHEREAS, the rate of \$18.24 is the correct minimum rate for the first 2,000 gallons of water consumption per month, or any portion thereof outside the city limits and should be inserted into the rate schedule,

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

Section 1. Subsection A of Chapter 10, Section 10.44.04 of the Eureka Springs Municipal Code as amended by Ordinance 2081 passed and approved May 19, 2008, shall be amended to show the fee for the first 2,000 gallons of water consumption per month, or any portion thereof at \$18.24 (minimum) for service outside the city limits.

Section 2. Chapter 10.44.04 of the Eureka Springs Municipal Code, as amended hereby, shall remain in full force and effect.

Section 3. 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 this Ordinance.

Section 4. That ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. These rates shall be reflected in the July 2008 billing.

EMERGENCY CLAUSE

Section 6. Because the proposed water rate increases are necessary for the efficient operations of the City of Eureka Springs, Arkansas, Water System, an emergency is hereby declared to exist; and since approval of the Water System rate increases is necessary for the preservation of public peace, health, safety and continuance of public services, this ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF EUREKA SPRINGS, ARKANSAS, ON THIS 9th DAY OF JUNE, 2008

ATTEST:

APPROVED:

City Clerk-Treas. Mary Jean Sell CMC

Mayor Dani D. Joy