

ORDINANCE NO. 1107

AN ORDINANCE AMENDING SECTIONS 10.04.02  
AND 10.08.02 OF THE EUREKA SPRINGS MUNICIPAL  
CODE TO ESTABLISH NEW SCHEDULES OF MONTHLY  
RATES FOR SERVICES RENDERED BY THE WATER AND  
SEWER SYSTEM OF THE CITY OF EUREKA SPRINGS,  
ARKANSAS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Eureka Springs, Arkansas (the "City") owns and operates water and sewer facilities as one integrated municipal undertaking (the "System"), and has determined that extensions, betterments and improvements should be made to the System (the "construction"); and

WHEREAS, the City Council of the City has had prepared by Consulting Engineers preliminary plans and estimates of cost, which are on file with the City Clerk where they may be inspected by any interested person; and

WHEREAS, the costs will have to be paid from the proceeds of revenue bonds; and

WHEREAS, it is necessary for the City to establish new schedules of rates to be charged for the services of the System;

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

Section 1. The first paragraph of Section 10.04.02 of the Eureka Springs Municipal Code is hereby amended to read as follows:

"The monthly rate for water service shall be as follows:

First 2,000 gallons	\$3.80 (minimum)
All additional water usage	1.50 per 1,000 gallons"

The second and third paragraphs of said Section 10.04.02 shall continue in full force and effect.

Section 2. Section 10.08.02 of the Eureka Springs Municipal Code is hereby amended to read as follows:

"10.08.02 Rate; billing. The monthly rate for waste water services shall be at a minimum rate of Three Dollars (\$3.00) for the first 2,000 gallons of water used and One Dollar and Fifty Cents (\$1.50) per thousand for each additional thousand gallons. Statements for waste water services shall not be rendered more often than monthly, and may be rendered in conjunction with the statements for water service, and if not paid within ten (10) days from the due date thereof, a penalty of ten percent (10%) of the amount of the statement shall be added. In the event the statement shall not be paid within fifteen (15) days of the due date, water services to the user will be discontinued. Service may be restored only after such time as payment of all delinquent charges and penalties for water and waste water services, together with the payment of a reconnection charge of Two Dollars and Fifty cents (\$2.50) have been made."

Section 3. It is hereby ascertained and declared that the Water and Sewer System of the City is inadequate to serve the needs of the City and the inhabitants thereof, thus endangering the life, health and safety of the inhabitants and their property, and that the only practical manner in which those hazards can be eliminated is by the construction of extensions, betterments and improvements to the Water and Sewer System, the costs of which will have to be paid from the proceeds of revenue bonds necessitating the establishment of new schedules of rates to be charged for the services of the System. It is, therefore, declared that an emergency exists, and this Ordinance being necessary for the immediate preservation of the public peace, health and safety, shall take effect and be in force from and after its passage, approval and publication according to law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS 7th DAY OF November, 1980.

APPROVED:

Marcile Davis  
 Marcile Davis, Mayor

ATTEST:

John J. (Jack) Muzio, Jr.  
By Judith Volturo - Deputy Clerk/Treasurer  
 John J. (Jack) Muzio, Jr., Clerk/Treasurer

