

AN ORDINANCE PROVIDING FOR MONTHLY RATES FOR WATER AND SEWER SERVICE, ADJUSTMENTS TO MONTHLY STATEMENTS AND WAIVER OF CHARGES IN CERTAIN INSTANCES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS

Section 1. Section 10.04.02, Eureka Springs Municipal Code, amended.

The first sentence of Section 10.04.02, Eureka Springs Municipal Code, is hereby amended to read as follows:

10.04.02 Rate; billing. The monthly rate for water service shall be as follows:

First 2,000 gallons \$3.80 (minimum)

All additional water usage 1.40 per 1,000 gallons

Section 2. Section 10.08.02, Eureka Springs Municipal Code, amended.

The first sentence of Section 10.08.02, 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 Thirty cents (\$1.30) per thousand for each additional thousand gallons.

Section 3. Section 10.12.14, Eureka Springs Municipal Code, amended.

Section 10.12.14, Eureka Springs Municipal Code, is hereby amended in its entirety to read as follows:

10.12.14 Adjustments to water and sewer statements based upon plumbing problems. The Water and Sewer Department shall adjust water and sewer statements under the following circumstances:

- a) Upon presentation by the consumer of a statement from a qualified plumber for the repair of a plumbing problem determined to have caused an extraordinarily excessive amount of water consumption, the consumer's water and sewer statement shall be adjusted by computing an average bill and determining the difference between the average bill and the bill which reflected the plumbing problem; the consumer will then be assessed a charge

for water and sewer service equal to the total of the average bill plus one-half ($\frac{1}{2}$) the difference between the average bill and the bill being adjusted.

b) Upon presentation of a statement by the consumer from a plumber or other qualified person that the consumer has experienced a loss or lack of water due to faulty pipes or other conditions, and it is established that the lost water did not enter the city's sewer collection and treatment system but instead leaked onto the ground, the excess sewer charge only for the monthly statement shall be waived. Excess shall mean that amount over an average sewer bill.

c) No more than one adjustment or waiver per calendar year per meter shall be permitted and once having exercised the provisions under paragraphs a or b above during any calendar year, the consumer shall not be permitted during that calendar year to seek relief under the other paragraph. Requests for adjustment or waiver must be made within ninety (90) days of due date noted on the bill; excess late charges shall be waived provided the provisions of this section are otherwise complied with.

Section 4. Section 10.12.06, Eureka Springs Municipal Code, amended.

Section 10.12.06, Eureka Springs Municipal Code, is hereby amended as follows:

The existing section is hereby designated paragraph (a).

Paragraphs (b) and (c) are added to read as follows:

(b) In instances when a swimming pool is emptied in a manner whereby the water does not enter the city's sewer collection and treatment system but instead empties onto the ground, the sewer charge based upon the amount of water emptied from the pool may be waived.

(c) The waiver provided for in paragraph b. shall be applied for at the time of the filling of the pool and only one waiver

per calendar year may be granted. The capacity of the pool and the amount of water emptied onto the ground shall be established by the consumer to the satisfaction of the Building Inspector before any waiver is granted.

Section 5. Other adjustment provisions unaffected.

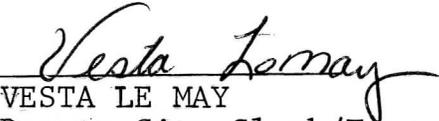
The adjustment provisions contained in the last full paragraph of Section 10.04.02, Eureka Springs Municipal Code, shall remain unaffected by this ordinance and in full force and effect.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EUREKA SPRINGS, ARKANSAS THIS 23rd DAY OF February, 1982.

APPROVED:


MARCILE DAVIS, Mayor

ATTEST:


VESTA LE MAY
Deputy City Clerk/Treasurer

Published-February 25, 1982