

Sewer

ORDINANCE NO. 1311

AN ORDINANCE AMENDING CHAPTER 10.08, SECTION 10.08.02, OF THE EUREKA SPRINGS MUNICIPAL CODE TO ESTABLISH MONTHLY RATES FOR SEWER SERVICES RENDERED BY THE SEWER DEPARTMENT OF THE CITY OF EUREKA SPRINGS, ARKANSAS; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY

WHEREAS, the City of Eureka Springs, Arkansas (the "City") owns and operates water and sewer facilities as one interrelated municipal undertaking (the "System"); and

WHEREAS, the City currently allocates 50% of collections of the City's sales and use tax levied pursuant to Ordinance No. 1120 adopted and approved May 12, 1981 (the "Tax") to the operation of the System; and

WHEREAS, it has been proposed that such allocation be reduced;

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

Section 1. The first paragraph of Section 10.08.02, Eureka Springs Municipal Code, is hereby amended to read as follows:

"The following monthly rates and charges for normal usage which the City Council hereby finds and declares are fair, reasonable, and necessary; and they are hereby fixed effective September 24, 1988:

For the first 2,000 gallons of water consumption per month, or portion thereof

\$5.00 (minimum)

For the next 8,000 gallons of water consumption per month, or portion thereof

\$2.15 per 1,000 gallons

For the next 20,000 gallons of water consumption per month, or portion thereof	\$3.00 per 1,000 gallons
For all water consumption in excess of 30,000 gallons per month	\$2.40 per 1,000 gallons

A standby charge equal to the minimum billing will be charged although the water is cut off at the meter. This standby charge does not apply to a permanently vacated location. Statements for sewage services shall not be rendered more often than monthly, and may be rendered in conjunction with the statements for water services; and if not paid within ten (10) days from the billing date thereof, a penalty of ten percent (10%) of the amount of statement shall be added. In the event the statement shall not be paid within fifteen (15) days of the due date, water service 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 sewage services have been made.

Section 2. Chapter 10.08.02, as amended hereby, shall continue in full force and effect.

Section 3. That the provisions of this Ordinance are separable and if a section, phase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of the Ordinance.

Section 4. That all ordinance and resolutions and parts thereof in conflict therewith are hereby repealed to the extent of such conflict.

Section 5. It has been found, and it is hereby declared that the rates presently established for the sewer services provided by the System are not adequate for the efficient operation and maintenance of the System, thereby impeding the progress and development of the City. Therefore, an emergency is declared to exist and this Ordinance being necessary to the preservation of the public peace, health and safety shall be in full force and effect immediately upon its passage and approval.

PASSED: September 13, _____, 1988.

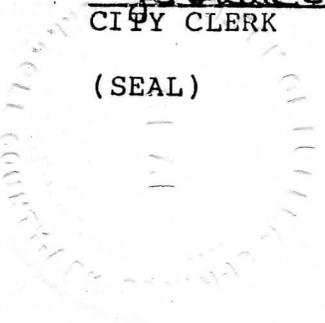
ATTEST:

Jacinta S. Bauer
CITY CLERK

(SEAL)

APPROVED:

[Signature]
MAYOR



CERTIFICATE

The undersigned, City Clerk of the City of Eureka Springs, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of the Ordinance No. 1311, adopted at a regular session of the City Council of the City of Eureka Springs, Arkansas, held at the regular meeting place in said City at 9:00 o'clock a .m., on the 13th day of Sept., 1988, and that the Ordinance is of record in Ordinance Record Book No. 5 , Page , now in my possession.

GIVEN under my hand and seal on this 13th day of Sept., 1988.

Quonita S. Barner
City Clerk

(SEAL)