

ORDINANCE NO. 968

AN ORDINANCE ESTABLISHING THE RATE FOR THE WASTE WATER SERVICES TO BE FURNISHED BY THE MUNICIPAL SEWAGE SYSTEM OF EUREKA SPRINGS, ARKANSAS: REPEALING ORDINANCE NO. 780 AND ALL ORDINANCES IN CONFLICT HEREWITH: AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to implement the rates for waste water services hereinafter set forth to provide funds for retirement of existing indebtedness, meet operational expenses,

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

1. TAP FEE. A fee shall be chargeable for each tap on the Municipal Sewage System, with the fee therefor to be ninety-five (\$95.00) Dollars.
2. RATE. The monthly rate for waste water services shall be at a minimum rate of 1.75 for the first 2,000 gallons of water used and .25 per thousand for each additional thousand gallons. Statements for waste water service shall be rendered no 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 (10%) percent 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 service to the user will be discontinued. Service may only be restored after such time upon payment of all delinquent charges and penalties for water and waste water, and a reconnection charge of Two and 50/100 (\$2.50) Dollars.
3. PAYMENT. All deposits and fees payable under this Ordinance shall be payable to the office of the Municipal Waterworks System at its designated office.
4. OPERATIONAL NEED. The City Council of the City of Eureka Springs, finds and declares the rates charged for municipal waste water services, hereinabove established, together with the rates charged for municipal water services, will produce revenues sufficient to pay the total operation and maintenance costs of the waste water system, and provide for the payment of the principal and interest, as the same shall fall due and become payable, of the City's existing Water and Sewer Refunding and Improvement Revenue Bond issue. The rates set forth herein shall not be reduced until all such bonds and all such coupons thereto attached have been fully paid, and shall, when necessary, be

increased in an amount sufficient to provide the sum required to retire such obligations. A copy of such obligations shall at all times be kept on file in the office of the City Clerk, and shall be open to the inspection of all persons concerned.

5. REPEAL. Ordinance No. 780 and all other Ordinances and parts of Ordinances in conflict herewith, are hereby repealed to the extent of such conflict.

6. SEVERABILITY. In the event any Section, part thereof, or any provision of this Ordinance shall be held void, ineffective, or unconstitutional by a Court of competent jurisdiction, such holding as to any Section, part or provision hereof, shall in no way affect the validity of the remaining parts of this Ordinance, but the same shall remain in full force and effect.

7. EMERGENCY. It is hereby found and declared that the present condition of the Municipal Sewage System of Eureka Springs is an imminent threat to the health and safety of the residents of Eureka Springs, and an immediate need exists to upgrade and expand the Municipal Sewage System of Eureka Springs to assure that the health, safety, and welfare of the inhabitants of the City shall not be endangered by any such deficiency, and it is further found and declared that governmental regulations and economic inflation have placed the operation of the Municipal Sewage System of Eureka Springs in an insolvent position. An emergency is therefore declared to exist, by reason whereof this Ordinance shall take effect and be in full force in affect from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED by the City Council of the City of Eureka Springs, Arkansas on this 16 day of August, 1974.

  
FRED L. NAFF, M a y o r

ATTEST:

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TRUE WALSHE, C l e r k