

Ordinance No. 378

AN ORDINANCE ESTABLISHING THE RATES TO BE CHARGED FOR THE SERVICES FOR THE WATERWORKS SEWERAGE SYSTEM OF THE CITY; DECLARING AN EMERGENCY; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO

WHEREAS, the City Council of the City of Heber Springs, Arkansas, (the "City"), has, upon study and complete investigation, found that it is necessary and in the interest of the City and its inhabitants that the rates charged for the facilities and services afforded by the water and sewer system of the City (the "System"), be adjusted.

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

Section 1. The rates previously established for the water services rendered by the System are amended, and the following monthly rates, which the City Council hereby finds and declares to be fair, reasonable, just and necessary minimum rates, are hereby established as the rates to be charged each customer for water services rendered by the System, effective beginning on the 1st day of May, 1980, the water usage of each customer to be determined each month by meter measurement.

(a) The amount to be paid by each residential customer shall be computed according to the following schedule of rates:

(1) For the first 2,000 gallons (or portions thereof) consumed per month - \$3.50 per month (which shall be the monthly minimum charge).

(2) For the next 8,000 gallons consumed per month - \$1.00 per 1,000 gallons per month.

(3) For the next 10,000 gallons consumed per month - \$0.80 per 1,000 gallons per month

(4) In excess of 20,000 gallons consumed per month - \$0.60 per 1,000 gallons per month

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(b) The amount to be paid by each non-resident customer shall be computed according to the following schedule of rates:

(1) For the first 2,000 gallons (or portions thereof) consumed per month - \$ 4.00 per month (which shall be the monthly minimum charge).

(2) For the next 8,000 gallons consumed per month - \$ 1.20 per 1,000 gallons per month.

(3) For the next 10,000 gallons consumed per month - \$.95 per 1,000 gallons per month.

(4) For all consumption per month in excess of 20,000 gallons - \$.75 per 1,000 gallons per month.

(c) Industrial Rates – Water. The amount to be paid by any customer determined by the Water and Sewer Commission, in its sole and only discretion, to be an industrial water usage, shall be computed according to the following schedule of rates:

(1) For the first 100,000 gallons (or portions thereof) consumed per month - \$.60 per 1,000 gallons per month.

(2) In excess of 100,000 gallons consumed per month - \$.48 per 1,000 gallons per month.

(d) Water Tapping Fee. There shall be a water tapping fee equal to the actual costs of materials used and hired labor or equipment used for all customer who connect with and use the water system, and this tapping fee shall be determined by the Water and Sewer Commission or representatives thereof. There shall also be an additional surcharge of \$200 for each new user. On the first day of each month, the Treasurer of the City shall from the surplus in the Waterworks and Sewer Fund (as determined under Section 14 of Ordinance No. 358 of the City), pay the amount of tapping charges received pursuant to this Ordinance in the preceding month, into a special fund in the name of the City which is hereby created and designated “1979 Bond Prepayment Fund” (the “1979 Bond Prepayment Fund”). Funds in the 1979 Bond Prepayment Fund shall be used solely for prepaying the principle of the City’s 5% Water and Sewer Revenue Bond, dated September 27, 1979, in the principle amount of \$300,000 (the “1979 Bond”). Such prepayments shall be made from time to time on each principle prepayment date to the extent of available moneys in the 1979 Bond Prepayment Fund. After the 1979 Bond has been retired, the Treasurer’s duty to apply surplus fund under this Section shall cease and any moneys remaining in the 1979 Bond Prepayment Fund may be used for any lawful purpose.