

ORDINANCE 2018-02
CITY OF HIGHLAND, ARKANSAS

Page 1 of 3

AN ORDINANCE FIXING RATES FOR SERVICES RENDERED BY THE SANITARY SEWER SYSTEM OF THE CITY OF HIGHLAND, ARKANSAS, AND FOR OTHER PURPOSES

WHEREAS, the City of Highland, Arkansas (the "City") has constructed and operates a sanitary sewer system to serve residents and businesses of the City (the "System"); and

WHEREAS, the City Council has held a public hearing on the matter of setting the rates for the users of the System; and

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

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

Section 1. (a) That the following monthly rates and charges which the City Council hereby finds and declares are fair, reasonable and necessary minimum rates be, and they are hereby, fixed as rates to be charged for sewer services to be rendered by the System based on water delivery to the premises.

For the first 1,000 gallons per month or portion thereof the sum of \$15.00
(This is a minimum charge for all users.)

For all use in excess of 1,000 gallons per month the sum of \$6.50 per 1,000 gallons or portion thereof.

For users who obtain their water from a well, the following rates will be charged:

For one occupant of the premises, the sum of	\$ <u>24.75</u>;
For two occupants of the premises, the sum of	\$ <u>34.50</u>;
For three occupants of the premises, the sum of	\$ <u>41.00</u>; and
For four or more occupants of the premises, the sum of	\$ <u>47.50</u>.

The rates will be reviewed and adjusted periodically to assure adequate repayment ability, reserves and payment of operation and maintenance costs.

At the discretion of the City Council, said sewer rates shall increase in increments of \$0.25 per thousand gallons or portion thereof each year for all residential and

commercial sewer users. Said increase will also be applied to those sewer users who obtain their water from a well.

(b) Tapping Fee. There shall be a tapping fee in an amount equal to the actual cost to the City for every customer who connects with the sewer facilities of the System.

(c) None of the sewer facilities or services afforded by the System shall be furnished without a charge being made therefor.

Section 2. That, in accordance with Arkansas Code of 1987 Annotated, Title 14, Chapter 235, Subchapter 3, any owner of real property within the City shall, upon being ordered so to do by the City Council or any agency designated by the City Council for such purpose as a board of health of the City, construct upon the property of such owner an appropriate line or lines, in accordance with plans approved by the City, connecting such property or building on such property to the sewer facilities of the System, provided that:

(a) the distance from such property to the connection with the System does not exceed 300 feet, and

(b) the City Council or the designated agency shall have determined, in its discretion, that the public health will be promoted by the construction of such line or lines.

Section 3. That the operation of the System shall be on a fully metered basis, with a meter installed at each water connection (except fire hydrants) when practical. There shall be only one user on a single connection. There shall be no dual connections: that is, there shall be no more than one user on a single meter. Each apartment in any apartment house shall be considered a separate user.

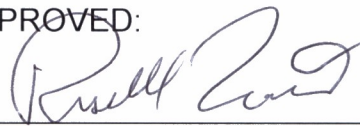
Section 4. That the provisions of this Ordinance are severable and if a section, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of the Ordinance.

Section 5. That all ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

EMERGENCY CLAUSE. It being necessary for the continued fiscal planning of the City of Highland and for the proper and timely establishment of the rates for users of the sanitary sewer system of the City, such planning and rate structure being necessary for the preservation of the health, welfare and safety of the citizens of the City, the City Council of the City of Highland, Arkansas, recognizes and declares an emergency to exist, and this Ordinance, being necessary for the preservation of the public peace, health, comfort, convenience, morals, safety and welfare of the City of Highland, Arkansas, shall be in full force and effect on and after December 1, 2018.

PASSED AND ADOPTED THIS THE 9 DAY OF October, 2018.

APPROVED:



Russell Truitt, Mayor

ATTEST:



Mary Ruth Wiles, Recorder/Treasurer

