

ORDINANCE NO. 133

AN ORDINANCE TO AMEND SECTION 9 OF ORDINANCE NUMBER 129 TO ESTABLISH PENALTIES AND OTHER SANCTIONS FOR NONPAYMENT OF SANITATION FEES, TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.

BE IT NOW ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF BARLING, ARKANSAS, THAT:

Section 1: In addition to those sanctions already provided by law and specifically by Ordinance Number 129, the City shall further have the right to require any person who is more than thirty (30) days delinquent in payment of a particular monthly sanitation bill, to pay a penalty as the Board of Directors may determine from time to time to be appropriate for delinquent payments and the same shall be on file in the City Clerk's office after the same has been established by the Board of Directors.

Section 2: In addition to any and all other sanctions, the City may discontinue water service for nonpayment of any sanitation bill and/or penalty thereon which is thirty (30) days or more delinquent.

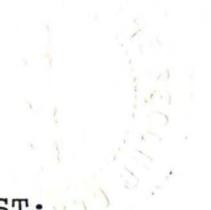
Section 3: Before the City may discontinue water services for nonpayment of any sanitation bill and/or penalty as mentioned in the foregoing section, the City must provide for an opportunity to be heard by the person who's water service may be disconnected. Said hearing shall be before the City Administrator if the person objects to discontinuation of said service. The City shall advise said person in writing by delivery of a letter by regular mail to the

billing address of said person advising that said person has a right to appear before the City Administrator at a date designated in said letter. The date set for a hearing shall be no sooner than one week nor later than two weeks after the letter has been sent to the billing address of the person to whom water services are to be discontinued. If the City Administrator finds there is no basis in law or equity for failure of said person to pay said sanitation bill and/or penalty or should the said person fail to appear without cause at the pre-designated time and place to be heard, then the City Administrator shall order discontinuation of water services.

Section 4: This ordinance specifically amends Section 9 of Ordinance Number 129 to include the additional sanctions set out herein to those already set out in Section 9 thereof.

Section 5: An emergency is hereby declared to exist in the maintaining of income to the City for proper sanitation disposal, the same being necessary for the preservation of the public health and welfare of the citizenry; therefore, this Ordinance shall be in full force and effect from and after the date of its passage.

Passed and Approved this 21st day of October, 1981.


Jimmy Barling
Mayor

ATTEST:

Shirley Ferguson
City Clerk