ORDINANCE NO 335

AN ORDINANCE AMENDING ORDINANCE NO. 313 ESTABLISHING WATER AND SEWER RATE STRUCTURES; CHARGES AND PENALTIES; TEMPORARY WATER AND SEWER SERVICE; SEWER ABATEMENT CHARGES FOR WATER USED IN FILLING SWIMMING POOL; TAPPING FEES; ASSESSMENT OF CHARGES PURSUANT TO ACT 1053 OF 1991, AND; OTHER PURPOSES RELATED THERETO IN THE CITY OF BARLING, ARKANSAS

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

SECTION 1 IS AMENDED AS FOLLOWS: Permanent Water and Sewer Rate Structure

The rates for water and sewer service shall be based upon water consumption as follows:

VOLUME/CATEGORY	WATER RATES	SEWER RATES
O - 3,000	$18.96 (minimum)	$10.00 (minimum)
OVER - 3,000	$ 5.10/1,000 gal	$ 1.95/1,000 gal

SECTION 2 IS AMENDED AS FOLLOWS: Disconnection of Service. All bills for water or sewer service are due upon receipt and shall be paid by the end of the month following the "billing date" as noted on the bill submitted to the user or owner of the premises being served, otherwise the water or sewer services may be disconnected by the City. If, in the event, a particular premises is disconnected from the water and/or sewer system, the customer of said premises, prior to reconnection and prior to obtaining service within the City at another location from aforesaid premises, shall pay all delinquent charges in addition to a reconnection charge of $35.00 for each reconnection of the premises to the City system; and shall be required to pay to the City a deposit in an amount equal to the amount of an average monthly utility bill for a two-month period.

SECTION 3: Penalty. The City shall require an additional penalty of ten percent (10%) of the balance due whenever a bill is not paid by 5:00 p.m. of the 17th of the month following the "billing date" as noted on the bill; however, if such due date shall fall on Saturday or Sunday or a legal Holiday observed by the city, then such bill shall be due and payable by 5:00pm of the following business day.

SECTION 4: Improper Connection. No water meter shall be installed upon the premises without permission of the City and there shall be no dual connection or more than one user on any single meter; the only exception shall be for multiple family residences, such as apartment buildings, commercial buildings or trailer parks. There particular exceptions will be allowed multiple connections as approved by the Administrator or a person designated by the Administrator and shall be billed no less than a minimum monthly rate for each separate unit, in

the event of a commercial structure, or resident unit. The facilities or services of the City of Barling Water system shall not be furnished without a charge being made therefor.

SECTION 5: Connection Fees. All persons tying on to the water system shall be required to pay a connection or tapping fee. The connection fees are:

5/8" or 3/4"	$ 475
1"	$ 700
1 ½"	$ 875
2"	$1,100

Greater than two-inch $1,100 plus actual materials, equipment and labor as determined by City Administrator.

SECTION 6: Sewer Fees. All persons requesting tapping on to the sewer system shall be required to pay a connection or tapping fee. The connection fee is $300.00 for a 2" tap and for larger taps the fee is $300.00, plus actual materials, equipment and labor as determined by the City Administrator.

SECTION 7: Deposits.

A. All persons requiring a new service shall be required to pay to the city a deposit in an amount equal to the amount of an average monthly utility bill for a two-month period and a non-refundable charge of $10.00 for beginning the service. The balance of the deposit shall be refunded upon termination of service after all charges, assessments and penalties have been paid.
B. The deposit will either be paid in full prior to the City beginning water service or in installments as follows: the amount of an average utility bill for a one-month period as an initial deposit and the balance: (1) either with the first monthly bill, thereafter, or (2) in two equal installments the first of which will be paid with the first monthly bill after beginning service and the second installment with the second monthly bill after beginning service.
C. Upon timely payment of the customer's utility bill each month, by the due date for each billing period, for 12 consecutive months with no late charges, any utility deposit for that account will be refunded to the customer by crediting the amount of the deposit toward payment of the utility bill.

SECTION 8: Monitoring Assessment. Pursuant to Act 1053 of 1991, AS AMENDED BY Act 903 of 1993, there shall be assessed against each water meter a charge of $.25 per month which amount shall be in addition to the rates set forth in this ordinance.

SECTION 9: Temporary Water and Sewer Service.

A. Persons needing temporary water and sewer service for construction purposes or for cleaning purposes may obtain such services by providing a $70.00 deposit where water taps have been made and meters are in place and water is available. Said deposit shall include a non-refundable service fee of $5.00.
B. Rates for temporary service shall be the same for permanent service.

C. Persons with temporary water and sewer service will be billed for usage at the same time as regular customers, and will be subject to the same late payment penalty.
D. Failure to pay for temporary service will result in the balanc being deducted from the deposit and the service disconnected. Use of temporary service for reasons other than provided for in this ordinance may result in disconnection of service.

SECTION 10: Filling of Swimming Pools-Sewer Charge Abatement.

A. Residents who have swimming pools are eligible for a one (1) time per calendar year abatement of sewer charges for the amount of water used to fill their pool.
B. To be eligible, residents must complete and sign a statement as to the size of the pool, and the amount of water necessary to fill it. An abatement of sewer charges for that amount will be made on the following monthly bill. Forms for this purpose will be available in the Water Department.
C. A swimming pool is defined as a permanent structure installed adjacent to a residence whether above the ground or in the ground. For purposes of this ordinance, a wading pool does not qualify as a swimming pool.
D. The City Administrator or his designated representative is authorized to require proof of the size, or capacity, of a pool and may deny a sewer abatement if such information is not provided.

SECTION 11: Repealing Clause. All ordinances in conflict with this ordinance are hereby repealed. Ordinance Nos. 128, 133, 178, 204, 213, 221, 228, 231, 217-98-01, 268, 270, 289 and 296 are specifically repealed.

SECTION 12: Effective Date. This Ordinance shall be in full force and effect October 1, 2007.

PASSED AND APPROVED this 10th day of July, 2007.

Mayor, Jerry Barling

Attest:

Cindy Walker, City Clerk

CITY CLERK Seal BARLING, ARKANSAS