ORDINANCE NO. 458

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 437 AND FOR ASSESSMENT OF ADDITIONAL CHARGES PUSUANT TO ACT 788 OF 2019; ESTABLISHING WATER AND SEWER RATE STRUCTURES, CHARGES, PENALTIES and TAPPING FEES; ESTABLISHING TEMPORARY WATER AND SEWER SERVICE GUIDELINES; ESTABLISHING SEWER ABATEMENT CHARGES FOR WATER USED IN FILLING OF SWIMMING POOLS; ASSESSMENT OF CHARGES PURSUANT TO ACT 1053 OF 1991; DECLARING AN EMERGENCY; AND FOR 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: Permanent Water and Sewer Rate Structure.

The rates for water and sewer service shall be based upon water consumption as follows WITHIN THE CITY LIMITS OF BARLING:

VOLUME/CATEGORY	WATER RATES	SEWER RATES
1-3,000 gallons	$21.50 (minimum)	$11.77 (minimum)
OVER 3,000 gallons	$6.16 per 1,000 gallons	$2.45 per 1,000 gallons

OUTSIDE THE CITY LIMITS – CENTRAL CITY
$3.25 PER 1000 gallons

SECTION 2: Disconnection of Service.

All bills for water and/or sewer service are due upon receipt and shall be paid no later than the 27th of each month by 4:30 p.m. If the 27th falls on a Saturday, Sunday or holiday observed by the City of Barling, said payment is due by the end of the next business day by 4:30 p.m.

If not paid timely as aforementioned, the water and/or sewer services may be disconnected by the City of Barling. If, in the event that 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 of Barling at another location from aforesaid premises, shall pay all delinquent charges, fees and penalties in addition to a reconnection charge of $150.00 for the reconnection of the premises to the City of Barling's system; and shall be required to pay to the City of Barling 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 4:30 p.m. of the 17th of the month; 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 the end 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. These particular exceptions will allow multiple connections as approved by the Administrator or a person designated by the City 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 therefore.

SECTION 5: Connection Fees.

All persons connecting to the water system shall be required to pay a connection or tapping fee. The fees are as follows:

5/8" or 3/4"	$ 975.00
1"	$ 1200.00
2"	$ 4,000.00

SECTION 6: Deposits.

A. All persons requiring new service shall be required to pay to the City a deposit in the amount of $150.00 plus a non-refundable charge of $35.00 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 be paid in full prior to the City beginning water service.

SECTION 7: Monitoring, Technology & Storm Water Assessments.

A. Pursuant to Act 1053 of 1991, as amended by Act 903 of 1993 and Act 788 of 2019, there shall be assessed a monitoring assessment against each water meter a charge of $.40 per month which amount shall be in addition to the rates set forth in this Ordinance.

B. There shall be assessed a technology assessment against each water meter a charge of $1.50 per month which amount shall be in addition to the rates set forth

in this Ordinance.

C. There shall be assessed a storm water assessment fee against each water meter a charge of $.50 per month which amount shall be in addition to the rates set forth in this Ordinance.

SECTION 8: 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 $35.00.

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 balance 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 9: 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 regarding 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 or hot tub/Jacuzzi do 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 10: Repealing Clause.

All parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 11: <u>Emergency Clause</u>.

The establishment of a rate structure sufficient to pay costs incurred by the City of Barling from its supplier, costs incurred to comply with health and safety provisions of various statutes and regulations of the State of Arkansas, and its own overhead, is necessary to the fiscal welfare of the City of Barling, such costs being presently incurred such that an emergency is thereby declared to exist and therefore this Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND APPROVED this 13th day of August 2019.

Wally Gattis

Wally Gattis - Mayor

Attest:

Florene Brown

Florene Brown – City Clerk

CITY OF BARLING, AR
OFFICIAL
SEAL
INCORPORATED 1956