

**ORDINANCE NO. 480**

**CITY OF WEST FORK, WASHINGTON COUNTY, ARKANSAS**

**AN ORDINANCE TO AMEND AND FIX RATES AND FEES FOR SEWER SERVICE FROM THE CITY OF WEST FORK SEWER SYSTEM, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES**

**WHEREAS**, the City of West Fork, Arkansas, is required to set its rates by Ordinance to establish sewer rates and fees sufficient to pay all costs of operating the system; and,

**WHEREAS**, having introduced these proposed rates at the West Fork City Council meeting on February 12, 2019 and having published proper notice of these proposed rates as well as having published proper notice of a public hearing on the subject of these proposed rates and having held a public hearing and taken public input as well as having the input of the West Fork Water and Sewer Commission on these proposed rates, all in accordance with state law, the City Council for the City of West Fork, Arkansas, has concluded that it must amend the ordinances previously fixing rates and fees for the sewer system of the City of West Fork, Arkansas and adopt the rates as set forth herein; and,

**WHEREAS**, in consideration of the anticipated sewer pipeline project construction and financing costs, and to best meet the needs, obligations and costs of the West Fork Sewer System, the City Council has determined that it is appropriate to begin raising the rates incrementally, over eighteen (18) months and thereafter raise the rates by a fixed percentage annually for the following five (5) years in order to meet the treatment cost increases which are anticipated to be in the treatment contract.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF WEST FORK, ARKANSAS:**

**Section 1.** That the following rates and charges, which the City Council hereby finds and declares to be fair, reasonable, and necessary, be fixed as rates to be charged for sewer services to be rendered by the system, effective March 18, 2019:

**(a) MONTHLY SEWER RATES**

The sewer usage of each customer shall be determined each month by water meter measurement, and the amount to be paid by each customer shall be computed based on the following schedule of rates:

1. For the first 2,000 gallons of sewer consumption per month, or portion thereof: \$23.07 Minimum
2. For the next 3,000 gallons of sewer consumption per month, or portion

thereof: \$9.22/1,000 gal

3. For the next 45,000 gallons of sewer consumption per month, or portion thereof: \$9.28/1,000 gal
4. For all sewer consumption in excess of 50,000 gallons: \$7.67/1,000 gal
5. Sewer only customers have a flat fee of \$62.50

**Section 2.** That the following rates and charges, which the City council hereby finds and declares to be fair, reasonable, and necessary, be fixed as rates to be charged for sewer services to be rendered by the system, effective August 19, 2019:

**(a) MONTHLY SEWER RATES**

The sewer usage of each customer shall be determined each month by water meter measurement, and the amount to be paid by each customer shall be computed based on the following schedule of rates:

1. For the first 2,000 gallons of sewer consumption per month, or portion thereof: \$30.39 Minimum
2. For the next 3,000 gallons of sewer consumption per month, or portion thereof: \$11.12/1,000 gal
3. For the next 45,000 gallons of sewer consumption per month, or portion thereof: \$11.36/1,000 gal
4. For all sewer consumption in excess of 50,000 gallons: \$10.29/1,000 gal
5. Sewer only customers have a flat fee of \$75.00

**Section 3.** That the following rates and charges, which the City council hereby finds and declares to be fair, reasonable, and necessary, be fixed as rates to be charged for sewer services to be rendered by the system, effective March 16, 2020:

**(a) MONTHLY SEWER RATES**

The sewer usage of each customer shall be determined each month by water meter measurement, and the amount to be paid by each customer shall be computed based on the following schedule of rates:

1. 1, For the first 2,000 gallons of sewer consumption per month, or portion thereof: \$37.71 Minimum
2. For the next 3,000 gallons of sewer consumption per month, or portion

thereof: \$13.02/1,000 gal

3. For the next 45,000 gallons of sewer consumption per month, or portion thereof: \$13.44/1,000 gal
4. For all sewer consumption in excess of 50,000 gallons: \$12.91/1,000 gal
5. Sewer only customers have a flat fee of \$87.50

**Section 4.** That the following rates and charges, which the City council hereby finds and declares to be fair, reasonable, and necessary, be fixed as rates to be charged for sewer services to be rendered by the system, effective August 17, 2020:

**(a) MONTHLY SEWER RATES**

The sewer usage of each customer shall be determined each month by water meter measurement, and the amount to be paid by each customer shall be computed based on the following schedule of rates:

1. For the first 2,000 gallons of sewer consumption per month, or portion thereof: \$45.00 Minimum
2. For the next 3,000 gallons of sewer consumption per month, or portion thereof: \$15.75/1,000 gal
3. For the next 45,000 gallons of sewer consumption per month, or portion thereof: \$15.50/1,000 gal
4. For all sewer consumption in excess of 50,000 gallons: \$15.50/1,000 gal
5. Sewer only customers have a flat fee of \$100.00

**Section 5.** Monthly sewer rates will increase by three percent (3%) each year, for five (5) years, beginning January 16, 2021.

**Section 6.** That the following fees and charges, which the City council hereby finds and declares to be fair, reasonable, and necessary, be fixed as rates to be charged for sewer services to be rendered by the system, effective March 18, 2019:

**SEWER FEES:**

1. Sewer Tapping Fee: Sewer tapping fees will be seven hundred sixty dollars (\$760.00) per tap plus the cost of the street cut, if applicable.

**Section 7. Repeal of Conflicting Ordinances.** Any and all ordinance which are in conflict with this ordinance are repealed to the extent of the conflict and if any part of this ordinance is declared to be unconstitutional or illegal in anyway, that status shall not affect the remaining parts of this ordinance and those parts shall remain in full force and effect.

**Section 8: EMERGENCY CLAUSE.** The city council has been advised, and does find that the sewer system rates and fees are in immediate need of increases in order to meet its obligations to complete and maintain the new sewer interceptor and other sewer system related infrastructure and preserve its ability to operate and continue to deliver vital services to the citizens of the city of West Fork, as well as to prepare to meet the financing obligations of the sewer line project and related infrastructure. Therefore, an emergency is declared, and being necessary for the immediate preservation of public peace, health, and safety, this ordinance shall take effect and be in force immediately upon its passage.

PASSED AND APPROVED THIS 12 DAY OF March, 2019:

APPROVED:

  
HEITH CAUDLE, Mayor

ATTEST:


  
ANN UPTON, City Clerk



CERTIFICATE

The undersigned, City Clerk of the City of West Fork, Arkansas hereby certifies that the foregoing pages are a true and perfect copy of Ordinance No. 480, adopted at a regular session of the City Council of the City of West Fork, Arkansas, held at the regular meeting place in said City at 6:30 o'clock p.m., on the 12<sup>th</sup> day of March, 2019.

GIVEN under my hand and seal on this 12<sup>th</sup> day of March, 2019.

  
City Clerk

