

ORDINANCE NO. 2000- 3

**AN ORDINANCE AUTHORIZING MODIFICATIONS OF THE
UNIFORM RATES FOR THE USE OF WATER TO BE
FURNISHED BY THE BROOKLAND WATER WORKS AND TO
IMPROVE ENFORCEMENT AND COLLECTIONS OF
CHARGES.**

WHEREAS, the council has constructed a City water works system; and

WHEREAS, the purpose of this water works is to furnish water to customers or consumers of said water; and

WHEREAS, uniform rates have been established for all the potential customers who receive the services; and

WHEREAS, there are problems in enforcement of payment of charges to users of water and sewer within the City;

NOW THEREFORE, be it ordained by the City Council of the City of Brookland, Craighead County, Arkansas, as follows:

Section 1.

The water rates and sewer rates may be set and/or modified by resolution of the City Council.

Section 2.

The amount to be charged shall be determined by the actual reading of a water meter to be furnished to each customer; that said water meter shall be placed in a convenient position for reading, same to be determined by the customer and the supervisor of construction for the water works system and in accordance with any ordinance previously passed. Said meter shall be read once per month on a day convenient to the reader thereof, and a statement or bill shall be provided or mailed to each customer on or about the first day of each month, which shall indicate the amount of water consumed and the charge thereof. The due date is the 15th day of each month. The customer charges

shall become delinquent after the 15th day of each month, and shall be subjected to a penalty of ten percent (10%) of the original bill for the non-payment thereof. If the bill is not paid by the 26th day of the month when due, the user shall be considered to be in default. Once in default, the City shall cut off water service to the user.

Section 3.

Once water service is turned off, it shall only be turned on upon payment of the normal service charges as set by the City Council and payment of all charges owed. If City personnel are dispatched to cut-off a meter, then the service charges apply, whether or not the user pays the arrearage in time to preclude actual shut-off of the water service, and shall be no less than Ten Dollars (\$10.00) for each collection.

Section 4.

In the event the water service to a consumer has been cut off, and he desires the restoration thereof, he shall pay all charges for previous service and penalties owed and, in addition, a reconnection charge in an amount which shall cover the reasonable cost of labor necessary to make such reconnection which charge shall, in any event, be no less than Twenty Dollars (\$20.00) for each such reconnection. Such charges shall be set by the City Council by resolution.

Section 5.

The water and sewer rates shall be subject to modification, either by increasing or decreasing, provided the said change in rates shall be approved by the USDA Rural Development and Arkansas Soil & Water so long as there is any indebtedness for the installation or construction of these water works. Said modification of rates may be done by the City Council by resolution at a regular meeting thereof.

Section 6.

Each user's monthly sewer rates for the months billed on July 1st

through October 1st of each year shall be determined by averaging the user's usage and charges for the preceding three months of April 1st, May 1st and June 1st billing of each year, provided usage has occurred on each of those three months.

Section 7.

Any user of water furnished by the City of Brookland who desires an adjustment in the charges made due to leaks occurring from between the water meter to the user's property or other excess flowage shall apply in writing to the Mayor and the Mayor shall have authority to make a reasonable adjustment in the charges a maximum of two times per any calendar year. Otherwise, the bills shall be paid as charged. The user may appeal to the City Council should he seek any further adjustment.

Section 8.

Any ordinance or resolution in conflict herewith is hereby repealed.

Section 9.

Emergency Clause. It is necessary that the City finances and property are of utmost importance to the proper and regular operation of the City. The City is now losing substantial money as a result of problems relating to the collection of water and sewer billings, so an emergency is declared to exist in order that the proper funding, welfare and well-being of the City may be maintained. Therefore, this ordinance shall be in full force and effect upon its passage.

Passed and adopted this 11th day of July, 2000.



Mayor

ATTEST:



City Clerk