ORDINANCE NO. 94-1

AN ORDINANCE FIXING RATES FOR SERVICES RENDERED BY THE SEWER SYSTEM OF THE CITY OF MULBERRY, ARKANSAS; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Mulberry, Arkansas (the "City") owns and operates water and sewer facilities, which water and sewer facilities are operated as one interrelated municipal undertaking (the "System"), and has determined that extensions, betterments and improvements to the System (the "Improvements") should be made in order that the City and its inhabitants may have adequate and proper sewer facilities; and

WHEREAS, the City Council has had prepared by a duly qualified consulting engineer a preliminary report and estimates of costs of the Improvements, which have been examined and approved by the City Council and are on file with the City Recorder where they may be inspected by any interested person; and

WHEREAS, the costs will have to be paid from the proceeds of Water and Sewer Revenue Bonds; and

WHEREAS, it is necessary for the City to establish rates to be charged for services of the System's sewer facilities;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mulberry, Arkansas:

Section 1. That the following monthly rates and charges which the City Council hereby finds and declares are fair, reasonable and necessary minimum rates be, and there are hereby, fixed as rates to be charged for services rendered by the sewer facilities of the System.

(a) Monthly Sewer Rates. All sewer charges shall be based on water consumption and the amount to be paid by each customer shall be computed on the basis of the following schedule of rates:

For the first 2,000 gallons of water consumption per month, or portion thereof	$4.50 (minimum)
For the next 5,000 gallons of water consumption per month, or portion thereof	1.05 per 1,000 gallons
For the next 3,000 gallons of water consumption per month, or portion thereof	.90 per 1,000 gallons

AMENDED BY
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DATE 10-17-2000; 10-19-04

For all monthly water consumption in excess of 10,000 gallons	$ .90 per 1,000 gallons plus one-half the amount of the customer's water bill

(b) None of the facilities or services afforded by the System shall be furnished without a charge being made therefor.

Section 2. That a single statement will be submitted for monthly water and sewer charges. All bills for services of the System shall be rendered monthly in the net amount due and must be paid within ten (10) days from the date of rendition and if not so paid, a 10% penalty will be added. If any charge is not paid within 30 days after the bill is rendered, the service can be disconnected and suit can be brought to collect the amount due, together with a reasonable attorney's fee, plus a penalty of 10%. A reconnection charge of $10.00 plus the payment of all arrears shall be required before any premises so disconnected shall be again connected to the System.

Section 3. That the provisions of this Ordinance are separable and if a section, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 4. Section 2 of Ordinance No. 88-3 is hereby repealed. All other ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

PASSED: March 7, 1994.

APPROVED:

Donald D. Fuller
Mayor

ATTEST:

Joe Benham
City Recorder - Treasurer

(SEAL)