

ORDINANCE NO. 2005-1-198

AN ORDINANCE REPEALING ORDINANCE #185 AND THEREBY DISSOLVING THE TONTITOWN WATER AND SEWER COMMISSION AND ESTABLISHING A WATER COMMITTEE AND SEWER COMMITTEE FOR THE PURPOSE OF OPERATING AND MAINTAINING THE MUNICIPALLY OWNED WATERWORKS DISTRIBUTION SYSTEM, AND FOR THE PURPOSE OF CREATING, OPERATING, AND MAINTAINING A SEWER AND WASTEWATER SYSTEM; AND TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.

BE IT ORDAINED by the City Council of the City of Tontitown, Arkansas:

Section 1. Repeal of Ordinance #185, dissolving the Tontitown Water and Sewer Commission.

Ordinance #185 is herewith repealed, and the Tontitown Water and Sewer Commission which was thereby authorized and created is herewith abolished.

Section 2. Establishment of the Committees.

There is hereby created a water committee and a sewer committee. Each committee shall consist of five (5) citizens who are qualified electors of the City of Tontitown. Upon the passage and approval of this Ordinance, the committees shall advise the Council. The Council shall retain full and complete control of all properties of every kind and character belonging to the City and used in connection with the waterworks and sewer system, whether, subject to the exceptions below, said properties are situated within or without the corporate limits of the City.

Section 3. Powers and Duties.

(a) The water committee shall meet no less than monthly and gather facts and report to the Council monthly.

(b) The sewer committee shall meet no less than monthly and gather facts and report to the Council monthly.

(c) It is hereby acknowledged that pursuant to Arkansas Code Ann. Section 14-250-101, et. seq., the City is a member of a Wastewater Treatment District, said District being known as the Osage Basin Wastewater District ("District"). As a member of that District, it is the City's responsibility to finance, construct, manage, operate, improve, extend, and maintain any and all sewer lines within the corporate limits of the City, which collect sewage and wastewater within said corporate limits ("sewer system"). The committees herein established shall not exercise any such authority over any transmission lines lying outside of the City limits, or the District's treatment plant.

(d) The committee shall submit monthly reports and annual audits of the operations to the Mayor and City Council, and furnish such other or further reports, data, or information as may be requested by the Mayor or City Council.

Section 4. Membership and Terms.

The committee members of the water committee and sewer committee shall be appointed by the City Council and confirmed by a majority vote of the duly elected and qualified members of the City Council. Terms shall be for six years, and members may, upon reappointment, serve successive terms without limitation. The council may remove any member of the committee, with or without cause, and may appoint any substitute members in case of death, removal, or resignation.

Section 5. Emergency Clause.

The City Council determines that an emergency exists and this Ordinance, being necessary for the preservation of the health, safety, and welfare of the citizens of Tontitown, Arkansas, shall be in effect from and after its approval, passage, publication and the recording of a certified copy thereof with the Recorder of Washington County, Arkansas.

PASSED AND APPROVED THIS 4 DAY OF January, 2005.


Daniel R. Watson, Mayor

ATTEST:


Sherry Pinalto, City Recorder/Treasurer