

**ORDINANCE NO. 2015-12-561**

**AN ORDINANCE AMENDING TONTITOWN MUNICIPAL  
CODE SECTION 52.115; ESTABLISHING SEWER RATES;  
AND FOR OTHER PURPOSES.**

**WHEREAS**, the established rates for sewer services in the city of Tontitown, Arkansas, are contained in Section 52.115 of the Tontitown Municipal Code of Ordinances: and

**WHEREAS**, it has been determined that said rates are in need of revisions to reflect the increased costs and demands required for the provision of such services.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the city of Tontitown, Arkansas:

Section 1: That Municipal Code Section 52.115 is hereby amended by the repeal of the current Section 52.115 in its entirety.

Section 2: That Municipal Code Section 52.115, as it is revised and attached hereto as Exhibit "A" and made a part of this Ordinance, is hereby adopted.

**PASSED AND APPROVED** this 1<sup>st</sup> day of December, 2015.

  
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PAUL COLVIN, JR., Mayor

ATTEST:

  
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RHONDA ARDEMAGNI, Recorder-Treasurer

§ 52.115 ESTABLISHMENT OF RATES.

(A) *Establishment.*

(1) The city hereby establishes as rates, to be charged for sewer services furnished by the city's system, which the City Council finds and declares to be reasonable and necessary, to be charged to all users who contribute wastewater to the Water and Sewer Commission treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, improving or expanding, including replacement, the public wastewater collection and treatment works (the sewer system). (Replacement is defined as expenditures for obtaining and installing equipment, accessories or appurtenances during the useful life of the treatment works necessary to maintain the capacity and performance for which they were designed and constructed.)

(2) All sewer users shall be classified by the Tontitown Water and Sewer Commission as residential/commercial or industrial.

(B) *Schedule of sewer rates.* The following schedule of sewer rates to be applied to the water consumption of users as set forth in the article, Sewer Rate Schedule.

(1) Inside the city: The charges to each customer for sewage collection and treatment shall be determined each month and shall be the sum of a service and a usage charge based on the customer's metered water usage determined as set forth in this division and computed using the following schedule of rates. In addition to the monthly service charge, each customer will be billed for sewage treatment works usage based on the customer's water usage as set forth in this division, and the user charge shall be computed using the following schedule of rates for the following time period, After **January 1, 2016**:

(a) Service charge: \$13.20

(b) All water consumption per month or portion thereof, per 1,000 gallons: **\$8.79**

(2) Outside city: After **January 1, 2016**:

(a) Service charge: \$17.82

(b) All water consumption per month, per 1,000 gallons: **\$11.87**

(3) **Industrial User Rate:**

(a) Service charge shall be the same amount as charged for all other customers inside or outside the City.

(b) All sewer generated per month, per 1,000 gallons: \$10.66 inside city, \$14.39 outside city.

**\*Industrial User shall be defined by usage in excess of 100,000 gallons per month.**

(C) *Tapping fees.* All users of the sewer system shall be required to pay tapping fees prior to accessing the sewer system. The cost for a 4" service tap shall be \$500. For any tap larger than 4", the tapping fee shall be \$1,000.

(D) *Excessive strength charges.* For any user, when the BOD exceeds 250 mg/l, the suspended solids exceed 250 mg/l, or when other pollutant concentrations exceed the range of concentrations of these pollutants in normal domestic sewage, a surcharge shall be added to the basic charge. This surcharge shall be calculated by the following formula:

$$Cs (Bc(B) + Sc(S) + Pc(P)) Vu$$

Symbols and Definitions:

Cs = A surcharge for wastewaters of excessive strength

Bc = O&M cost for treatment of a unit of biochemical oxygen demand (BOD)

B = Concentration of BOD from a user above a base level

Sc = O&M cost for treatment of a unit of suspended solids (SS)

S = Concentration of SS from a user above a base level

Pc = O&M cost for treatment of a unit of any pollutant

P = Concentration of any pollutant from a user above a base level

Vu = volume contribution from a user per unit of time

\* Maximum limit for average domestic waste.

(E) *Charges for extraneous flows.* The costs of operation and maintenance for all flows not directly attributable to users (such as infiltration/inflow) shall be distributed among users on the same basis as operation and maintenance charges.

(F) *Toxic pollutants charges.* Each user that discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the treatment works shall pay for such increased costs.

(Ord. 2006-09-271, passed 9-5-06; Am. Ord. 2011-03-374, passed 3-1-11; Am. Ord. 2013-03-415, passed 3-5-13; Am. Ord. 2015-10-547, passed 10-6-15; Am. Ord. 2015-11-\_\_\_\_, passed 12-01-2015)