

ORDINANCE NO. 2019-07-850 File 2019-00022134

**CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS**

**AN ORDINANCE AMENDING SECTION 51.04 WATER SERVICE RATES OF CHAPTER 51: WATER SERVICE OF THE TONTITOWN MUNICIPAL CODE IN ITS ENTIRETY OF THE CITY OF TONTITOWN TO PROVIDE AN INCREASE IN WATER RATES AND DECLARING AN EMERGENCY**

**WHEREAS**, the City Council of Tontitown has adopted Section 51.04 WATER SERVICE RATES of Chapter 51: WATER SERVICE of the Tontitown Municipal Code;

**WHEREAS**, Act 778 of 2019 requires a Health Fee increase to \$0.40;

**WHEREAS**, the City Council of the City of Tontitown now finds it to be in the best interest of the citizens of the City of Tontitown to amend Section 51.04 WATER SERVICE RATES of Chapter 51: WATER SERVICE of the Tontitown Municipal Code to be effective on July 19, 2019, in order to reflect the increase in the Health Fee mandated by law; and

**WHEREAS**, having fully reviewed the proposed amendment, the Tontitown City Council has determined that Section 51.04 WATER SERVICE RATES of Chapter 51: WATER SERVICE, of the Tontitown Municipal Code should be revised and restated in its entirety as incorporated herein below as of July 19, 2019.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED**, by the City Council of the City of Tontitown, as follows:

**Section 1.** Section 51.04 WATER SERVICE RATES of Chapter 51: WATER SERVICE, of the Tontitown Municipal Code is hereby revised, in its entirety, and as attached hereto as Exhibit "A".

**Section 2.** In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

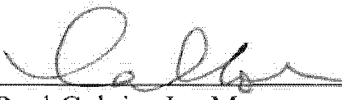
**Section 3.** The increased Health Fee shall go into effect on July 19, 2019.

**Section 4.** Declaration of Emergency. It is hereby found and determined that Section 51.04 WATER SERVICE RATES of Chapter 51: WATER SERVICE, of the Tontitown Municipal Code should be immediately amended in its entirety in order to increase the Health Fee mandated by law within the City of Tontitown. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and protection of the public peace,

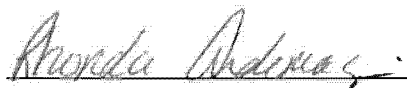
health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor. If the Ordinance is neither approved nor vetoed by the Mayor, it shall become effective on the expiration of the period of time during which the Mayor may veto this Ordinance. If the Ordinance is vetoed by the Mayor and the veto is overridden by the City Council, it shall become effective on the date the City Council overrides the veto.

**PASSED AND APPROVED** this 2nd day of July, 2019.

APPROVED:

  
\_\_\_\_\_  
Paul Colvin, Jr., Mayor

ATTEST:

  
\_\_\_\_\_  
Rhonda Ardemagni, City Recorder-Treasurer  
(SEAL)

#### § 51.04 WATER SERVICE RATES.

The following water rates are hereby fixed for the services to be rendered by the Tontitown Municipal Water System for consumers within the corporate limits of the city and for consumers living outside the corporate limits of the city:

<b>TONTITOWN WATER SERVICE RATES - Effective July 19, 2019</b>			
<b>Inside City Minimum Bill</b>		<b>Outside City Minimum Bill</b>	
Meter 5/8"	\$18.80	Meter 5/8"	\$24.44
State Tax (6.5%)	\$1.22	State Tax (6.5%)	\$1.59
County Tax (1.25%)	\$0.24	County Tax (1.25%)	\$0.31
City Tax (2.75%)	\$0.52		

<b>Inside City Minimum Bill</b>		<b>Outside City Minimum Bill</b>	
Health Fee	\$0.40	Health Fee	\$0.40
Total	\$21.08	Total	\$26.63
<b>Inside City Rates</b>	<b>Per 1,000 Gal.</b>	<b>Outside City Rates</b>	<b>Per 1,000 Gal.</b>
Residential	\$4.94	Residential	\$6.37
Commercial	\$5.43	Commercial	\$7.01
Industrial	\$5.97	Industrial	\$7.71

<b>WATER FEES</b>					
<b>Monthly meter base rates</b>	<b>5/8"</b>	<b>1"</b>	<b>2"</b>	<b>3"</b>	<b>4"</b>
Inside city	\$18.80	\$48.07	\$319.03	\$864.91	\$1,152.90
Outside city	\$24.44	\$62.49	\$414.74	\$1,124.38	\$1,498.77
<b>Tap fees</b>	<b>5/8"</b>	<b>1"</b>	<b>2"</b>	<b>3"</b>	<b>4"</b>
	\$950.00	\$1,150.00	\$4,000.00	\$4,500.00	\$5,000.00

The cost of all road bores shall be paid by the customer.

Bores and encasements must comply with TWU Standard Specifications.

***TAP FEES FOR APARTMENTS, TOWNHOUSES, AND OTHER MULTI-FAMILY AND RESIDENTIAL SUBDIVISION DEVELOPMENT***

All developments shall provide one water meter per residential unit. Master meters for multiple units or buildings will not be allowed. In order to receive the reduced tap fee rate, the calculated, non-refundable fee for the entire project must be paid in full prior to the issuance of building permits.

This reduced fee option is only available for development projects in which the entire cost of construction of water and sewer utilities within the project are paid for and installed by the developer. Water utilities shall include: water pipes, valves, valve boxes, fire hydrants, tapping saddles, corporation stops, service lines, meter yokes, meter boxes and lids. Sewer utilities shall include: sewer pipes, manholes, manhole rings and lids, tracer ports, pumps, controls and other necessary appurtenances to transport sewage from the new development to an existing sewer main of adequate size to accept the increased flow. All materials used in the construction of water and sewer utilities must conform with the City of Tontitown Standard Specifications.

***MULTI-FAMILY TAP FEE RATES***

<b><i>Number of units</i></b>	<b><i>0 - 50</i></b>	<b><i>51 - 100</i></b>	<b><i>101 - 150</i></b>	<b><i>151 - 200</i></b>	<b><i>Over 200</i></b>
<b><i>Tap fee per unit</i></b>	<b><i>\$1,250.00</i></b>	<b><i>\$1,000.00</i></b>	<b><i>\$750.00</i></b>	<b><i>\$500.00</i></b>	<b><i>\$250.00</i></b>

***METER DEPOSIT FEES***

Residential	\$50.00	
Commercial	\$80.00	
Hydrant meter - 2" - 5/8"	\$900.00 \$200.00	

***Notes:***

1. A 10% late charge will be assessed to all bills that are not paid by the due date, as shown on bill.
2. All accounts not paid by the shut off date, as shown on late notice, will have a \$25 reconnection fee if connected during normal business hours.
3. All accounts not paid by the shut off date, as shown on late notice, will have a \$100 reconnection fee if connected after normal business hours.
4. Penalty for returned check or bank draft is \$25, plus any bank service charges.
5. An annual fee of \$90 will be charged to verify working condition of cross connection devices. Repairs are the responsibility of the customer.

6. The service charge to test meters or change meter sizes is \$50 plus applicable tap charge if needed.

(Ord. 2015-10-548, passed 10-6-15; Am. Ord. 2015-12-560, passed 12-1-15; Am. Ord. 2016-08-593, passed 8-3-16; Am. Ord. 2017-01-613, passed 1-3-17; Am. Ord. 2019-01-826, passed 1-2-19)