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Washington County, AR
Kyle Sylvester Circuit Clerk

File **2023-00019282**

ORDINANCE NO. 2023-07-1063

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

**AN ORDINANCE TO AMEND SECTION 51.04: WATER SERVICE RATES
OF THE TONTITOWN MUNICIPAL CODE; DECLARING AN
EMERGENCY AND FOR OTHER PURPOSES.**

WHEREAS, the City Council of Tontitown has adopted regulations for water rates and fees which are codified in Section 51.04 Water Service Rates of the Tontitown Municipal Code;

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 the Tontitown Municipal Code to adjust the water tap fees in order to adequately finance the cost of initiating or installing water services in the City of Tontitown, as required by Arkansas Law; and

WHEREAS, having reviewed the proposed amendment, the Tontitown City Council has determined that it is in the best interest and benefit to the community to amend Section 51.04 Water Service Rates of the Tontitown Municipal Code, as incorporated in the attached Exhibit "A".

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

Section 1. Section 51.04 Water Service Rates of the Tontitown Municipal Code is hereby amended, as set forth in the attached Exhibit "A".

Section 2. The rest and remainder of the Tontitown Municipal Code not specifically amended herein remains in full force and effect.

Section 3. 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 4. Declaration of Emergency. It is hereby found and determined that Section 51.04 Water Service Rates of the Tontitown Municipal Code should be immediately amended in its entirety to adjust the water tap fees in order to adequately finance the cost of initiating or installing water services in 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 18 day of July 2023.

APPROVED:

Angela Russell
Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni
Rhonda Ardemagni, City Clerk-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:

| TONTITOWN WATER SERVICE RATES - Effective January 20, 2022 | | | | |
|--|----------------|--|------------------------------------|----------------|
| Inside City Minimum Bill | | | Outside City Minimum Bill | |
| TONTITOWN WATER SERVICE RATES - Effective January 20, 2022 | | | | |
| Inside City Minimum Bill | | | Outside City Minimum Bill | |
| Meter 5/8" Residential | \$17.00 | | Meter 5/8" Residential | \$24.44 |
| Meter 5/8" Comm., Ind., Irrigation | \$18.80 | | Meter 5/8" Comm., Ind., Irrigation | \$24.44 |
| Meter fee | \$1.50 | | Meter fee | \$1.50 |
| Health Fee | \$0.40 | | Health Fee | \$0.40 |
| Local, County, and State Taxes | | | Local, County, and State Taxes | |
| Inside City Rates | Per 1,000 Gal. | | Outside City Rates | Per 1,000 Gal. |
| Residential | \$5.07 | | Residential | \$6.42 |
| Commercial | \$5.54 | | Commercial | \$7.03 |
| Industrial | \$6.04 | | Industrial | \$7.70 |

| WATER FEES | | | | | |
|--|----------|------------|------------|------------|------------|
| Monthly meter base rates | | | | | |
| | 5/8" | 1" | 2" | 3" | 4" |
| Inside city | \$17.00 | \$48.07 | \$319.03 | \$864.91 | \$1,152.90 |
| Outside city | \$22.64 | \$62.49 | \$414.74 | \$1,124.38 | \$1,498.77 |
| Tap fees | | | | | |
| | 5/8" | 1" | 2" | 3" | 4" |
| Current | \$950.00 | \$1,150.00 | \$4,000.00 | \$4,500.00 | \$5,000.00 |
| Updated Tap Fees | 1750.00 | 2000.00 | 5550.00 | At Cost | At Cost |
| Tap Fees > 150 psi | 2200.00 | 2900.00 | 6300.00 | At Cost | At Cost |
| The cost of all road bores shall be paid by the customer. Bores and encasements must comply with TWU Standard Specifications. | | | | | |

| METER DEPOSIT FEES | |
|--|----------|
| Residential | \$50.00 |
| Commercial | \$80.00 |
| Hydrant meter – 2” | \$900.00 |
| – 5/8 “ | \$200.00 |
| <p><i>Notes:</i></p> <ol style="list-style-type: none"> 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; Am. Ord. 2019-07-850, passed 7-2-19; Am. Ord. 2020-02-877, passed 2-4-20; Am. Ord. 2022-01-973, passed 1-4-2022)

| METER DEPOSIT FEES | |
|--------------------------|----------|
| Residential | \$20.00 |
| Commercial | \$50.00 |
| High pressure water - 1" | \$100.00 |
| High pressure water - 2" | \$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 due date as shown on this notice will have a \$25 reconnection fee if reconnected during normal business hours.
3. All accounts not paid by the due date as shown on this notice will have a \$100 reconnection fee if reconnected after normal business hours.
4. Penalty for returned check or bank draft is \$25, plus any bank service charges.
5. An annual fee of \$60 will be charged to every working connection of every replacement gas line. Repeats are the responsibility of the customer.
6. The service charge to test meters or change meter sizes is \$20 plus applicable up charge if needed.

