

AN ORDINANCE ESTABLISHING THE RATES TO BE CHARGED FOR SERVICES RENDERED BY THE SEWER SYSTEM OF THE TOWN OF GOSNELL, ARKANSAS; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY

WHEREAS, the City Council of the Town of Gosnell, Arkansas, has found that it will be in the best interests of the City and its inhabitants for the City to construct a Sewer System in order that the City and its inhabitants may have adequate and proper sewer facilities; and

WHEREAS, the City is without funds with which to construct the System but can finance the same through the issuance of Sewer System Revenue Bonds, Series 1974; and

WHEREAS, in order to pay the principal of and interest on the Sewer System Revenue Bonds, Series 1974, to be issued, it will be necessary to establish fair and reasonable rates for the use of the System;

NOW, THEREFORE, BE IT ORDAINED BY the City Council of the City of Gosnell, Arkansas:

SECTION 1: That the following monthly rates be, and they are hereby, fixed as rates to be charged for services furnished by the Sewer System of the City, which rates the City Council finds and hereby declares to be reasonable and necessary minimum rates to be charged;

MONTHLY SEWER RATES

Dwellings and mobile homes	\$4.50 per month
Trailer Parks	4.50 per month per mobile home in park
<u>Commercial</u>	
Business (Low water usage)	4.50 per month
Washateria	35.00 per month
Motel	1.00 per unit per month
School	125.00 per month
Car Wash	15.00 per month.

(b) Tapping Fee. There shall be no tapping fee to any customer who has signed a sewer service agreement and made a \$25.00 deposit prior to the commencement of the construction of the Sewer System. (There shall be a tapping fee of not less than the actual cost to the City for all customers who connect with and use the Sewer System after the commencement of the construction thereof.

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

SECTION 2: Vacant unoccupied property not actually using the Sewer System shall not be subject to a charge, but the burden of showing vacancy and non-use shall rest on the owner of the property. All bills for sewer services shall be rendered monthly in the net amount due. Under the provisions of Ark. Stat. Ann. §19-4113 (Repl. 1968), a lien is fixed upon the land for any unpaid charge, even though the use of the Sewer System is by a tenant or lessee instead of the owner. If any sewer charge is not paid on or before the tenth day after the bill therefor shall be rendered, a 10% penalty shall be added, and if any sewer charge is not paid on or before the 30th day after the bill is rendered, suit shall be brought to enforce the lien and to collect the amount due, together with the expenses of collection and a reasonable attorney's fee.

SECTION 3: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed and the invalidity of any section, clause, sentence or provision of this Ordinance shall not effect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

SECTION 4: It is hereby found and determined by the City Council of Gosnell, Arkansas than an emergency exists and that this Ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its enactment by the City Council of Gosnell, Arkansas.

WITNESS my hand and seal this 17 day of February, 1974.

Andy S. Beull
MAYOR

ATTEST:

Walter C. Graywell
RECORDER