

ORDINANCE NO. 63

AN ORDINANCE FIXING RATES FOR SERVICES RENDERED BY THE SEWER SYSTEM OF THE CITY OF GOSNELL, ARKANSAS; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Gosnell, Arkansas (the "City") owns and operates sewer facilities and has determined that extensions, betterments and improvements thereto should be constructed (the "construction") in order that the City and its inhabitants may have adequate and proper sewer facilities (the "System"); and

WHEREAS, the City Council of the City has had prepared by Consulting Engineers preliminary plans and estimates of costs, which are on file with the City Recorder where they may be inspected by any interested person; and

WHEREAS, a portion of the costs will have to be paid from the proceeds of revenue bonds; and

WHEREAS, it is necessary for the City to establish rates to be charged for the services 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 and charges which the City Council hereby finds and declares are fair, reasonable and necessary minimum rates, be, and they are hereby, fixed as the rates to be charged for services to be rendered by the System.

MONTHLY SEWER RATES

Residential	\$5.50 per month
<u>Commercial</u>	
Business (low water usage)	\$ 5.50 per month
Washateria	42.00 per month
Motel	1.25 per unit per month
School	152.00 per month

(b) There shall be a tapping fee equal to the actual cost to the City for all customers who connect with and use the sewer facilities.

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

Section 2. Vacant unoccupied property not actually using the sewer facilities 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. Sections 19-4113 (Repl. 1980), a lien is fixed upon the land for any unpaid charge, even though the use of the 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. That the provisions of this Ordinance are separable and if a section, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of the Ordinance.

Section 4. That all ordinances and resolutions and parts thereof in conflict herewith are hereby repealed.

PASSED: \_\_\_\_\_ January 26, \_\_\_\_\_, 1982.

APPROVED:

ATTEST:

Janice Gray  
City Recorder

Carl B. Ledbetter  
Mayor

(SEAL)