

THE CITY OF DIAMOND CITY, ARKANSAS

ORDINANCE NO. 4-11

AN ORDINANCE AMENDING 100-90 AND REPEALING ORDINANCES NOS. 7-07 AND 6-03 OF THE CITY OF DIAMOND CITY, COUNTY OF BOONE, STATE OF ARKANSAS, TO PROVIDE A MINIMUM USER CHARGE FOR WASTEWATER SERVICE TO BE FURNISHED BY THE SUGARLOAF WASTEWATER COLLECTION SYSTEM OF THE CITY OF DIAMOND CITY, ARKANSAS AND DECLARING AN EMERGENCY

WHEREAS, the City Council of Diamond City has determined the need for the sewer rates in section 6 of Ordinance 100-90 be amended and Ordinance numbers 7-07 and 6-03 be repealed, and

WHEREAS, the City of Diamond City, Arkansas is responsible for determining reasonable sewage rates to insure that the City has the resources to meet its loan obligations and provide for the efficient operation of the system, and

WHEREAS, to meet the obligations of the City of Diamond City, there is a need for a yearly rate increase for sewage services to ensure the solvency of the system;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE CITY COUNCIL OF DIAMOND CITY:

SECTION 1: MONTHLY SEWER RATES:

First 2,000 gallons (Water)	From	\$8.60	To	\$9.60
Next 2,000 gallons (per 1,000)	From	\$3.80	To	\$4.30
Excess of 4,000 gallons (per 1,000)	From	\$3.00	To	\$3.50

To ensure the future solvency of the Diamond City, Arkansas, Sewer System, there will be a One dollar (\$1.00) rate increase effective March 1, 2011, and a yearly increase that will occur in the month of January of each calendar year beginning with the year 2012. The subsequent rate increase will be set by the recommendation of the Mayor and Treasurer with the approval of the City Council.

SECTION 2: EMERGENCY CLAUSE

It is hereby declared that the current rates do not generate sufficient funds to compensate the City of Diamond City for costs incurred and prevent the access of grant monies. Therefore an emergency is declared to exist and in order to preserve the health, welfare, and safety of the citizens of Diamond City, the provisions hereof have immediate effect and therefore are in full force and effect from and after its passage.

SECTION 3: SEVERABILITY

This ordinance and the various parts thereof are hereby declared to be severable. Should any section or subsection be declared by the courts to be unconstitutional or invalid, such decision shall not affect the ordinance as a whole, or any portion thereof other the section or subsection to be declared unconstitutional or invalid.

Approved and adopted by roll call vote as follows this 24th day of February, 2011.

Ayes 4 Nays 0 Abstentions 0 Absent 2

ATTEST:


Cheryl Guthrie
Recorder/Treasurer

APPROVED:


Shari L. Marshall
Mayor