

ORDINANCE NO. 1-78

AN ORDINANCE LEVYING A SEWER USER CHARGE TO RECOVER THE COST OF OPERATION AND MAINTENANCE OF THE SEWER TREATMENT FACILITIES OF THE CITY OF COTTER, ARKANSAS; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Cotter, Arkansas (the "City") has, by Ordinance No. 4-74, adopted and approved October 15, 1974 ("Ordinance No. 4-74"), as amended by Ordinance 2-1976, adopted and approved March 22, 1976 ("Ordinance 2-1976"), fixed rates for services furnished by the sewer facilities of the City; and

WHEREAS, the City Council of the City has determined that it is necessary, in order to comply with the rules and regulations of the United States Environmental Protection Agency, to levy upon users of the sewer facilities a "Sewer User Charge" (hereby defined as the charge levied on the users to recover the cost of operation and maintenance of the sewer treatment facilities), which Sewer User Charge shall initially take the form of an allocation from existing sewer rates;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cotter, Arkansas:

Section 1. A monthly Sewer User Charge at the rate of \$.73 per 1,000 gallons of monthly water consumption is hereby levied and imposed upon its sewer customers of the City. The City Council hereby finds and declares that the monthly Sewer User Charge is adequate and sufficient to recover the cost of operation and maintenance of the sewer treatment facilities. The Sewer User Charge shall take the form of an allocation from the monthly sewer rates fixed by Ordinance No. 4-74, as amended by Ordinance No. 2-1976, which monthly sewer rates are hereby confirmed and continued.

Section 2. The manager of the water and sewer facilities of the City (which are operated as a single integrated utility)

is directed to report annually to the City Council, in the month of January, 1979, and in each January thereafter, the estimated cost per unit of flow of operating and maintaining the sewer treatment facilities during the preceding calendar year to the end that the City Council may review and adjust the Sewer User Charge so as to continually maintain it in an amount at least sufficient to recover the cost of operation and maintenance of the sewer treatment facilities. In preparing this report the manager of the system is authorized and directed to cause appropriate studies to be made sufficient for an adequate report and to employ such professional help, if any, as necessary in connection therewith.

Section 3. It is hereby ascertained and declared that there is an immediate need to levy the within sewer user charge; therefore, an emergency is declared to exist and this Ordinance is necessary for the preservation of the public peace, health, safety, welfare and property and it shall take effect and be in force without delay from and after its passage and publication as provided by law.

PASSED: February 8, 1978

APPROVED



Mayor

ATTEST:



City Recorder