

ORDINANCE NO. 91-03

AN ORDINANCE TO LEVY A MONTHLY FEE UPON THE CUSTOMERS OF THE CITY OF COTTER WATER AND SEWER DEPARTMENT FOR FEDERAL SAFE DRINKING WATER ACT COMPLIANCE AS AUTHORIZED BY ACT 1053 OF 1991; PROVIDING FOR THE MANNER OF COLLECTION OF SAID FEES; DECLARING AN EMERGENCY TO EXIST; AND FOR OTHER PURPOSES.

WHEREAS, in accordance with Act 1053 of 1991, each community public water system will be charged a fee of \$0.15 per month by the State of Arkansas Department of Health per active water service connection; and

WHEREAS, said Act 1053 of 1991 authorizes each community public water system to levy the said fee of \$0.15 per month upon its customers in order to reimburse said water system for its expense to the Department of Health; and

WHEREAS, the City Council hereby deems it necessary to levy said fee upon the customers of the Cotter Water and Sewer Department in order to offset its expense to the State Health Department;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTER, ARKANSAS:

SECTION 1: Under authority of Act 1053 of 1991, there is hereby levied and shall be collected from each customer of the City of Cotter Water and Sewer System, both District 1 and District 2, the sum of \$0.15 per month as the prescribed fee for federal safe drinking water act compliance. Such fee shall be in the form of a rate increase and shall become effective on July 1, 1991.

SECTION 2: Said \$0.15 per month fee shall be added to and included in the amount of each customer's metered water usage rate for the month, as a rate increase, and shall not be shown on the customer's bill as a separate line item. The Mayor and Recorder-Treasurer are hereby authorized and empowered to take such administrative action as may be necessary to implement the rate increase upon the books and records of the Cotter Water and Sewer Department.

SECTION 3: All Ordinances and parts of Ordinances found to be in conflict herewith are hereby repealed.

SECTION 4: If any part or section of this Ordinance is held to be invalid for whatever reason, it shall not effect the validity of the remainder, but the remainder shall stand.

WHEREAS, the City council has deemed it necessary to increase the rates of the customers of the Cotter Water and Sewer Department in order to compensate for a fee to be imposed by the Arkansas Department of Health upon said department, and in order to keep said department on a sound and secure financial basis, an emergency is hereby declared to exist. Therefore this ordinance, being necessary for the protection and preservation of the public peace, health, safety, and welfare shall take effect, and be in full force and effect, immediately upon its passage, approval, and publication as required by law.

PASSED this 20 day of June, 1991.

APPROVED: _____

MAYOR

ATTEST: _____

RECORDER-TREASURER

(SEAL)