ORDINANCE NO. 275

AN ORDINANCE TO CREATE A BOARD OF WATER WORKS AND SEWER COMMISSIONERS FOR THE PURPOSE OF OPERATING AND MAINTAINING THE MUNICIPALLY OWNED WATER WORKS DISTRIBUTION SYSTEM, AND SEWER SYSTEM OF ATKINS, ARKANSAS, AND FOR OTHER PURPOSES

Be it ordained by the City Council of the City of Atkins, Arkansas.

Section 1. There is hereby created a Board of Water Works and Sewer Commissioners to consist of three (3) citizens who are qualified electors of Pope County, Arkansas, and live in the area served by the Atkins Water or Sewer System. Upon passage and approval of this Ordinance said Commissioners shall take full and complete control of all properties of every kind and character belonging to the City of Atkins, Arkansas, and used in connection with said Water Works System and Sewer System, whether situated within or without the city limits of the City of Atkins, Arkansas.

Section 2. Said Commission shall have full and complete authority to manage, operate, improve, extend and maintain the Municipal Water Works and Distribution and Sewer System and shall have full and complete charge of said plant, including the right to employ any and all assistants and employees of whatsoever nature, kind or character, and to fix, regulate and

pay their salaries, it being the intention of this Ordinance to vest in said Commissioners unlimited authority to operate, manage, maintain, improve and extend said municipally owned water works and distribution and sewer system and to have full and complete charge thereof; provided, however, that said Commissioners shall not have the authority or power to sell, mortgage, or encumber said water works and distribution and sewer system unless same be done in accordance with Act 131 of the Acts of 1933 as amended, or unless authorized by mandate of an election called for that purpose.

Section 3. The Commissioners shall adopt such rules and regulations as they deem necessary and expedient for the proper operation and management of said water works, sewer and distribution system, and shall have authority to alter, change, or amend such rules and regulations at their discretion. They shall submit quarterly reports and annual audits of the operations to the Mayor and City Council and furnish such other or further reports, data, or information as may be requested by the Mayor and City Council.

Section 4. That Paul Hurst, J. L. Austin and David Ramey having heretofore been appointed by the Mayor of Atkins, Arkansas, to serve as the members of said Board of Water Works and Sewer Commissioners for the term of six (6), four (4), and two (2) years respectively in the order named, be and

they are hereby confirmed as said commissioners for said respective terms of office and upon taking and filing the oath of office required by law, the Mayor shall issue a commission to each of them for his respective term of office, which shall be attested here by the Clerk, with the Seal of the City of Atkins, Arkansas. That the City Council does hereby fix the salaries to be paid to said Commissioners at One Hundred Twenty Dollars ($120.00) per year, to be paid or payable monthly or in such manner as the Commission may fix by resolution duly adopted by said Commission. Vacancies shall be filled by appointment of the Mayor and approved by a majority of the City Council.

Section 5. It is hereby ascertained and deemed by the City Countil of Atkins, Arkansas, that the health, safety and welfare of the citizens of Atkins, Arkansas, damands that a stable form of management be provided for the Atkins Water and Sewer System and that said Commissioners shall take over the operation of said system as of January 15, 1968, and it is therefore necessary for this Ordinance to become immediately effective and that said Commission become immediately operative in order to insure the full and proper operation and protection

of the Atkins Water System. Therefore an emergency exists and is hereby declared, and for the immediate preservation of the public peace, health and safety, this ordinance shall take effect from and after its passage and publication.

Section 7. Passed and approved this second day of January, 1968, unanimously.

Everett Ewell

EVERETT EWELL, MAYOR

Dallas Swain

DALLAS SWAIN