ORDINANCE NO. 87-1

AN ORDINANCE FIXING RATES FOR SEWER SERVICES TO BE FURNISHED BY THE SYSTEM OF THE CITY OF ATKINS, ARKANSAS: AMENDING SECTION 1 OF ORDINANCE NO. 85-4; AMENDING SECTION 1 OF ORDINANCE NO. 85-19; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES

WHEREAS, the City of Atkins, Arkansas, has determined to construct improvements and betterments to the sewer system of the City to better serve the inhabitants of the City and to assist in financing the construction of such improvements to issue and sell its Sewer System Revenue Bonds, Series 1987, and to establish monthly rates to be charged for services to be furnished by the sewer system for the purpose of pledging the net income therefrom for the payment of the bonds.

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

Section 1: That Section 1 of Ordinance No. 85-4 be amended to read as follows:

"a. Consumer Unit. As used in this ordinance the term "consumer unit" shall mean:

(1) each separate dwelling house and the lot or parcel of land on which it is situated and which is utilized in connection therewith;

(2) each apartment or separate dwelling unit of a duplex, apartment building, or other such dwelling house designed for occupancy and occupied by two or more families or tenants;

(3) each building or part of a building which is occupied and used as a separate unit, or by a single tenant, for office space or for the conduct therein of a separate merchantile or other business activity;

(4) each separately owned or operated undustrial plant except the Green Bay Food Company Pickle Plant (formerly known as Atkins Pickle Company) and the parcel of land on which it is situated and which is utilized in connection therewith; and

(5) each other separate premises or separately utilized parcel of land, whether or not any building is situated thereon.

"b. Rates. The rates applicable to sewer services supplied each consumer unit are as follows:

First 2,000 gallons of water consumption (or portion thereof) per month,	$6.00
For all monthly water consumption in excess of 2,000 gallons to and including 10,000 gallons	$2.15 for each 1,000 gallons or portion thereof
For all monthly water consumption in excess of 10,000 gallons to and including 50,000 gallons	$1.90 for each 1,000 gallons or portion thereof
For all monthly water consumption in excess of 50,000 gallons to and including 100,000 gallons	$1.25 for each 1,000 gallons or portion thereof
For all monthly water consumption in excess of 100,000 gallons to and including 200,000	$1.10 for each 1,000 gallons or portion thereof
For all monthly water consumption in excess of 200,000 gallons,	$1.00 for each 1,000 gallons or portion thereof.

"c. Minimum Monthly Charges. The minimum charge for sewer services supplied to each consumer unit during each calendar month, or part of a month, shall be $6.00."

Section 2. That Section 1 of Ordinance No. 85-19 be amended to delete the following sentence:

> "The industrial sewer service rate shall be Thirty-Three Cents ($0.33) per one thousand (1,000) gallons of water consumed for each industrial customer, except the Atkins Pickle Company."

All other provisions of Section 1 of Ordinance No.85-19 shall remain in full force and effect.

Section 3. That the rates set forth in Section 1 and 2 of this Ordinance shall never be reduced below an amount sufficient to provide for the operation and maintenance of the sewer system and for the prompt payment of the principal of and interest on the City's Sewer System Revenue Bonds, Series 1987, and shall, when necessary, be increased to provide for operation and

maintenance of the sewer system and for the payment of the principal of and interest on the Bonds, and shall, when necessary, be increased to provide a minimum monthly charge not less than the cost to the City for operation and maintenance of the sewer system per the applicable number of gallons of sewage treated.

Section 4. The invalidity of any part of this Ordinance shall not invalidate any other part hereof.

Section 5. All ordinances or parts thereof in conflict herewith are hereby repealed.

Section 6. It is ascertained and declared that the lack of an adequate sewer system for the needs of the City of Atkins, Arkansas, endangers the life, health, and property of the inhabitants of the City and that in order to protect its inhabitants and their lives from disease and other dangers, a sewer system must be constructed immediately. IT IS THEREFORE, declared that an emergency exists, that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety, and that this Ordinance shall take effect and be in force from and immediately after its passage.

PASSED: February 9th, 1987

APPROVED:

MAYOR

ATTEST:

CITY CLERK

(S E A L)