ORDINANCE NO. 92- 2

AN ORDINANCE PROVIDING FOR SEWER RATES IN THE CITY OF ATKINS, ARKANSAS FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL CUSTOMERS AND PROVIDING FOR SPECIAL SUMMER SEWER RATES FOR CERTAIN RESIDENTIAL CUSTOMERS IN THE CITY OF ATKINS AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Atkins recognizes that in general certain residential customers of the City of Atkins sewer system increase water usage during the summer months of each year but do not significantly increase the amount of waste water passing through the sewage system of the City during those same summer months, and,

WHEREAS, at present the rates charged for sewer services are determined by the amount of water consumed whether or not the water consumed actually passes through the sewage system,

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

SECTION 1: Section 10.12.01 Sewer Rates of Chapter 10.12 of the Atkins Municipal Code is hereby amended to read as follows:

1. Definitions As used in this ordinance the following words and terms shall be defined as hereinafter provided:

a. Residential unit:

(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 (2) or more families or tenants.

b. Commercial unit: Each building, part of a building, or separate utilized parcel of land whether or not any building is situated thereon, which is occupied and used as a separate unit, or by a single tenant, for office space or for the conducting therein of a separate mercantile business or other business activity.

c. Industrial unit: Any plant used for the purpose of manufacturing, compounding, processing, packaging, assembling or storing of products, equipment, or materials and the parcel of land on which it is situated and which it is utilized in connection therewith.

2. Residential and Commercial Rates: Except in the case of summer rates for certain residential units as hereinafter provided for in Subsection 3 of this Section, the rates applicable to sewer services supplied to each residential unit and commercial unit shall be 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 each 1,000 gallons or portion thereof

3. Residential Summer Rates: For all single family residential units and all individual residential units of a multi-family residential unit equipped with a separate water meter and having been connected to and using water from the City water system prior to the time that all water meters in the City of Atkins were read for billing purposes during the month of December during the prior year, the following summer sewer rates shall apply:

The sewer service charges to be added to the water and sewer bills for the water consumption readings taken in the months of June, July, August and September of each year shall be calculated and based on the average of the water consumption readings taken in the months of January, February and March of the same year; provided, however, in no event shall the sewer service charges to be added to such water and sewer bills for such water consumption readings taken in the months of June, July, August and September of each year exceed in amount the actual charges otherwise incurred during those months for those services.

4. Industrial Rates: The City of Atkins shall contract with all industrial units on a negotiated basis to determine the sewer rates to be charged to each such industrial unit.

5. Minimum Monthly Charges: The minimum monthly charge for sewer services supplied to any customer unit during any month or part of a month shall be Six and No/100 Dollars ($6.00).

SECTION 2: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 3: This ordinance being necessary for the public peace, health, and safety of the citizens of Atkins,

an emergency is declared and this Ordinance shall become effective immediately upon its passage and approval.

DATED this 12 day of May, 1992.

STEPHEN KENT, Mayor

Brenda Graves

BRENDA GRAVES, City Clerk