

ORDINANCE NO. 2024-____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE TO AMEND SECTION 52.115: ESTABLISHMENT OF SEWER RATES OF THE TONTITOWN MUNICIPAL CODE IN ORDER TO PROVIDE NEW SEWER RATES; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the City of Tontitown is required to set its rates by ordinance to establish sewer rates and fees to pay all costs set forth in Ark. Code Ann. § 14-253-223; and

WHEREAS, on July 16, 2024, the City Council introduced an ordinance to adjust city sewer rates and fees, and called for the publication of the proposed rates as well as the public hearing held on August 20, 2024, in accordance with Arkansas Law, a copy of the published notice setting forth the proposed rates and setting the date of the public hearing in attached hereto as Exhibit “A”; and

WHEREAS, the Tontitown Water and Sewer Committee has carefully reviewed the rate study and recommended adoption of the sewer rates, as set forth in the attached Exhibit “B”; and

WHEREAS, after holding a public hearing and hearing public input as well as the input of the Tontitown Water and Sewer Committee, the City Council has determined that it is necessary and in the best interest and benefit of the community to adjust the monthly sewer rates in order to adequately finance the sewer system in the City of Tontitown, as required by Arkansas Law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Tontitown, Arkansas:

Section 1. The City Council of Tontitown hereby amends Section 52.115: Establishment of Sewer Rates to reflect the sewer rates set forth in the attached Exhibit “B” to be charged for services rendered by the Tontitown Sewer System, effective August 21, 2024.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 3. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable, or unconstitutional provision or provisions had never been contained herein.

Section 4. Declaration of Emergency. It is hereby found and determined that the sewer rates and fees for the City of Tontitown should be immediately amended in order to adequately finance the sewer system of the City of Tontitown, as required by Arkansas Law. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and

protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor.

PASSED AND APPROVED this ____ day of _____ 2024.

APPROVED:

Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)