

ORDINANCE NO. 2024-____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE TO AMEND ORDINANCE NO. 2023-09-1074 IN ORDER TO ADJUST THE WATER AND WASTEWATER IMPACT FEES AND TO REVISE THE RULES AND REGULATIONS RELATED THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, on or about September 19, 2023, the City Council passed Ordinance No. 2023-09-1074 which enacted water and wastewater impact fees and adopted rules and regulations related thereto for the City of Tontitown, Arkansas; and

WHEREAS, the adopted rates in Ordinance No. 2023-09-1074 reflected an amount equivalent to 25% of the maximum amount allowed by the impact fee study that was adopted by the City Council; and

WHEREAS, the City of Tontitown finds it necessary to amend Ordinance No. 2023-09-1074 in order to adjust the water and wastewater impact fees to an amount equivalent to 50% of the maximum amount allowed by the adopted study, and to revise the rules and regulations pertaining to eligible improvements to enhance the capacity of the water or wastewater system, as set forth in the attached Exhibit “A”; and

WHEREAS, the City Council of Tontitown has determined that it is beneficial and necessary for the health, safety, and welfare of the community of the City of Tontitown to amend Ordinance No. 2023-09-1074 in order to adjust the water and wastewater impact fees accordingly, and to revise the rules and regulations for eligible improvements to enhance the capacity of the water or wastewater system, as reflected in the attached Exhibit “A”.

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

Section 1. That Ordinance No. 2023-09-1074 is hereby amended, as reflected in the attached Exhibit “A”.

Section 2. Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.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 to 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 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 there is an immediate need to amend Ordinance No. 2023-09-1074 in order to adjust the water and wastewater

impact fees to an amount equivalent to 50% of the maximum amount allowed by the adopted impact fee study and to revise the rules and regulations pertaining to eligible improvements to enhance the capacity of the water or wastewater system. Therefore, an emergency is declared to exist, and this Ordinance being immediately necessary for the above-stated purposes, shall become effective immediately from and after the date of its passage, to take effect as provided by the terms of this Ordinance.

PASSED AND APPROVED this ____ day of _____ 2024.

APPROVED:

Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)