

# **ORDINANCE NO. 133**

## **AN ORDINANCE INCREASING RATES FOR WATER FOR THE CITY OF CHERRY VALLEY, ARKANSAS**

*WHEREAS, the City of Cherry Valley, Arkansas (the "City"), has determined that in order to properly maintain the water and sewer system for the city and to continue to pay the financing of the current Water and Sewer Revenue Bond, and it is necessary for the City to increase minimum monthly rates to be charged for services to be furnished by the water system for the purpose of pledging the income there from for the payment of the Bond.*

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHERRY VALLEY, ARKANSAS:**

### **SECTION 1:**

*The following water and sewer rates will be based on water usage, and will be billed to the customers of the water and sewer system in a single un-filed statement:*

#### **RATES:**

##### **WATER**

<b>FIRST 2,000 GALLONS</b>	<b>\$15.00 MINIMUM</b>
<b>NEXT 8,000 GALLONS</b>	<b>\$3.00 PER 1,000 GALLONS</b>
<b>ALL OVER 10,000 GALLONS</b>	<b>\$1.75 PER 1,000 GALLONS</b>

*The minimum water rates shall be increased by \$1.00 each year for the next five (5) years, with the increase to appear on the July 1<sup>st</sup> billing.*

##### **WASTE (No increase)**

<b>FIRST 2,000 GALLONS</b>	<b>\$13.00 MINIMUM</b>
<b>ALL OVER 2,000 GALLONS</b>	<b>\$1.00 PER 1,000 GALLONS</b>

### **SECTION 2:**

*That the rates shall never be reduced below an amount sufficient to provide for the operation and maintenance of the water and sewer system and for the prompt payment of the principal of and interest on the Bond, and shall, when necessary, be increased to provide for the operation and maintenance and for the payment of the principal of and interest on the Bond.*

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## SECTION 3:

*That in the event that the City or any department, agency, or instrumentality thereof shall avail itself or any of the facilities or services afforded by the water and sewer system, the reasonable value thereof shall be charged against the City, or such department, agency, or instrumentality, and shall be paid for as the charges therefore accrue. The revenues so received from the City shall be deemed to be revenues from the operation of the water and sewer system, and shall be used and accounted for in the same manner as any other revenues derived from its operation; provided, however, that nothing herein shall be construed as requiring the City or any department, agency, or instrumentality thereof to avail itself of the facilities or services afforded by the water and sewer system.*

## SECTION 4:

*The invalidity of any part of this ordinance shall not invalidate any other part thereof.*

## SECTION 5:

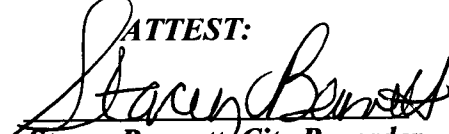
*It is ascertained and declared that the lack of an adequate water and sewer system for the needs of the City of Cherry Valley, Arkansas, endangers the life, health and property of the inhabitants and their lives from disease and other dangers, betterments to the water and sewer system must be construed immediately. IT IS, THEREFORE, declared that an emergency exists, and 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:** This 14<sup>th</sup> day of July, 2009.

**APPROVED:**

  
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Mike Wood, Mayor

**ATTEST:**

  
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Stacey Bennett, City Recorder