



STATE OF ARKANSAS
City of Brookland

ORDINANCE NO. 2003-9

AN ORDINANCE TO ESTABLISH A SCHEDULE OF RATES FOR SEWER SERVICES FURNISHED BY THE CITY OF BROOKLAND, ARKANSAS; TO FIX THE EFFECTIVE DATE FOR THE RATES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, to better serve its inhabitants, the City of Brookland, Arkansas (the "City") has determined to construct improvements (the "Improvements") to its sewer system (the "System"); and

WHEREAS, to finance a portion of the cost of the Improvements, the City intends to issue its Water and Sewer Revenue Capital Improvement Bond, Series 2003 (the "Series 2003 Bond"), in the principal amount of not to exceed \$601,200; and

WHEREAS, it is necessary for the City to increase rates charged for providing sewer services for the purpose of pledging income therefrom to the payment of outstanding indebtedness secured by System revenues, including the Series 2003 Bond (collectively, the "Indebtedness"); and

WHEREAS, the City Council finds that the increased rates established herein are sufficient to provide for the payment of the proper and reasonable expense of operation, repair, replacements, and maintenance of the System, and for the cost of paying debt service on the Indebtedness; and

WHEREAS, the City Council believes that the rates implemented herein are fair and reasonable for the usage defined;

NOW, THEREFORE, be it ordained by the City Council of the City of Brookland, Arkansas, that:

Section 1. Rates. The following schedule of rates for sewer services is hereby established for the City of Brookland:

Effective Date. This schedule shall become effective for sewer services billed on or after November 1, 2003.

Monthly Charge. Each customer shall be charged on a monthly basis for sewer services. There shall be a minimum monthly charge which includes payment for the first 1,000 gallons used. The rates for sewer services to customers shall be as follows, based upon consumption of metered water (in gallons):

For all customers:

First 1,000 gallons	\$10.00 (minimum bill)
Next 4,000 gallons	\$2.50 per 1,000 gallons
All over 5,000 gallons	\$1.25 per 1,000 gallons

The lowest rate per 1,000 gallons will be adjusted by the City Council from time to time as necessary to assure the rate is greater than the cost of operation and maintenance per 1,000 gallons.

Section 2. Service Provided to City. In the event that the City or any department, agency, or instrumentality thereof shall avail itself of any of the facilities or services afforded by the System, the reasonable value thereof shall be charged against such department, agency, or instrumentality, and shall be paid for as the charges accrue. The revenues so received from the City shall be deemed to be revenues from the operation of the System and shall be accounted for in the same manner as any other revenues derived from such 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 System.

Section 3. Rates Necessary. The City Council finds that the foregoing schedule of rates is required to provide the funds necessary for payment of the proper and reasonable expense of operation, repair, replacements, and maintenance of the System and paying debt service on the Indebtedness.

Section 4. Future Rate Adjustments. Said rates shall never be reduced below an amount sufficient to provide for payment of the proper and reasonable expense of operation, repair, replacements, and maintenance of the System and for the payment of principal and interest on the Indebtedness. Such rates shall, if necessary, be increased to provide for payment of the proper and reasonable expense of operation, repair, replacements, and maintenance of the System and for the payment of principal and interest on the Indebtedness.

Section 5. Repealer. All ordinances and parts of ordinances establishing rate schedules for sewer services supplied or to be supplied by the City, including but not limited to Ordinance No. 1993-3 of the City, are repealed as of the effective date of the schedule of rates herein established.

Section 6. Severability. The provisions of this Ordinance are separable, and if any portion, section, provision, or phrase of this Ordinance shall be declared invalid or unconstitutional, such action shall not affect the validity of the remainder of this Ordinance.

Section 7. Emergency Clause. It is hereby ascertained and declared that inadequate rates for sewer services will endanger the proper operation, maintenance, and continued improvement of the sewer system of the City and adequate rates are immediately necessary to prevent a hazard

to the public health, safety, and welfare of the inhabitants of the City and the customers of the System; therefore, an emergency is declared to exist and this Ordinance shall take effect from and after its passage and approval in accordance with the provisions contained herein and the effective date specified.

Passed: 10-14 -, 2003.

Approved:

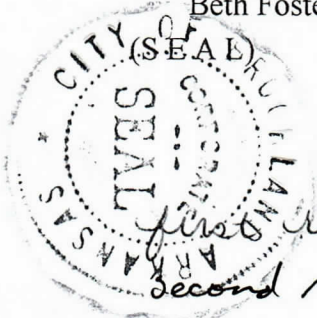
By:


Joe McKeel, Mayor

Attest:

By:


Beth Foster, Recorder/Treasurer



first reading 9-9-03
second reading 10-14-03
third reading 10-14-03

