

ORDINANCE NO. 2195

AN ORDINANCE ESTABLISHING RATES AND FEES FOR SERVICES FURNISHED BY THE WATER SYSTEM OF THE CITY OF RUSSELLVILLE, ARKANSAS AND REPEALING OTHER ORDINANCES RELATED TO WATER RATES AND FEES AND FOR OTHER PURPOSES

SECTION 1: GENERAL PROVISIONS

1.0 Short Title: This Ordinance shall also be known as the Water Rate Ordinance.

1.1 Purpose and Policy: This Ordinance sets forth the rates and fees for all persons, firms, corporations, organizations, political units and political subdivisions and all other entities using the water treatment and distribution system of the City of Russellville in accordance with a schedule of charges as hereinafter provided; and to repeal any and all previous ordinances that particularly define such rates and fees.

1.2 Definitions:

- A. "City" shall mean the City of Russellville, Arkansas or its City Council
- B. "Control Authority" shall mean the entity in charge of operation and maintenance of the city's wastewater system, which at the time of the approval of this ordinance, is City Corporation.
- C. "System" shall mean the water treatment and distribution system owned by the City of Russellville, Arkansas

1.3 Authority: The Ordinance is enacted by the City Council pursuant to the express grant of authority under Ark. Code Ann §§14-234-214 and 14-234-201 et. seq.

SECTION 2: REGULATIONS

2.0 The City hereby establishes rates and fees to be charged for services furnished by the System, which the City finds and declares to be fair, reasonable, and necessary, to be charged to all users who received water and/or related services from the System. The rates shall provide revenues sufficient to at least (1) pay the annual costs for operation, maintenance and

replacement of the System; (2) pay annual debt service; and (3) provide necessary bond coverage. None of the facilities or services afforded by the System shall be furnished without a charge being made therefore.

- 2.1 In order to provide for the cost of service differentials between System customers within the corporate limits of Russellville and those outside the corporation limits, a separate rate equal to one and one-half times the inside city rate shall be charged to those customers outside the city limits of Russellville. Calculated rates for outside city customers shall be rounded up to the nearest penny.
- 2.2. Customers connected to and served by the water system of the City shall be classified as residential, commercial, industrial, public authority, municipal or wholesale as defined in the "Rules and Regulations Governing the Rendering of Water Service" and charged accordingly. All customers will be charged on a monthly basis and the charges will be based on the actual water consumption during the defined billing period. Except for fire protection fees as provided herein, all water used shall be measured through meters unless an alternate method is specifically approved by the Control Authority through a resolution approved by its board of directors.

SECTION 3: RATES AND FEES

3.1 Water Monthly Charges.

- A. All customers of the System shall be charged a monthly meter charge based on the size of the customer's water meter, and shall be charged for all active accounts whether a customer actually uses water during the billing period or not. Customers shall also pay for the volume of water used on a monthly basis on a volume rate per thousand gallons of water used during the billing period based on customer classification. Unless otherwise stated herein, the monthly meter and volume charges shall be charged in accordance with the following schedule(s), attached hereto and incorporated herein:

For bills rendered between April 1, 2015 and December 31, 2015

Meter Size	Meter Charge Inside City	Meter Charge Outside City
5/8"	\$9.30	\$13.95
3/4"	\$9.30	\$13.95
1"	\$12.87	\$19.31
1.5"	\$24.46	\$36.69
2"	\$32.09	\$48.14
3"	\$52.65	\$78.98
4"	\$168.50	\$252.75
6" and larger	\$207.86	\$311.79

Water Volume Range (gallons)	Residential Inside City	Commercial Inside City	Industrial Inside City	Public Authority Inside City	Municipal Inside City
0 – 2,000	\$1.71	\$1.90	\$1.59	\$2.13	\$1.64
2,001 – 5,000	\$2.05	\$1.90	\$1.59	\$2.13	\$1.64
5,001 – Above	\$2.25	\$1.90	\$1.59	\$2.13	\$1.64

Water Volume Range (gallons)	Residential Outside City	Commercial Outside City	Industrial Outside City	Public Authority Outside City	Municipal Outside City
0 – 2,000	\$2.57	\$2.85	\$2.39	\$3.20	\$2.46
2,001 – 5,000	\$3.08	\$2.85	\$2.39	\$3.20	\$2.46
5,001 – Above	\$3.38	\$2.85	\$2.39	\$3.20	\$2.46

For bills rendered between January 1, 2016 and December 31, 2016

Meter Size	Meter Charge Inside City	Meter Charge Outside City
5/8" and 3/4"	\$10.14	\$15.21
1"	\$14.03	\$21.05
1.5"	\$26.66	\$39.99
2"	\$34.98	\$52.47
3"	\$57.39	\$86.09
4"	\$183.66	\$275.49
6" and larger	\$226.57	\$339.86

Water Volume Range (gallons)	Residential Inside City	Commercial Inside City	Industrial Inside City	Public Authority Inside City	Municipal Inside City
0 – 2,000	\$1.86	\$2.07	\$1.73	\$2.32	\$1.79
2,001 – 5,000	\$2.23	\$2.07	\$1.73	\$2.32	\$1.79
5,001 – Above	\$2.45	\$2.07	\$1.73	\$2.32	\$1.79

Water Volume Range (gallons)	Residential Outside City	Commercial Outside City	Industrial Outside City	Public Authority Outside City	Municipal Outside City
0 – 2,000	\$2.79	\$3.11	\$2.60	\$3.48	\$2.69
2,001 – 5,000	\$3.35	\$3.11	\$2.60	\$3.48	\$2.69
5,001 – Above	\$3.68	\$3.11	\$2.60	\$3.48	\$2.69

For bills rendered between January 1, 2017 and December 31, 2017

Meter Size	Meter Charge Inside City	Meter Charge Outside City
5/8" and 3/4"	\$10.44	\$15.66
1"	\$14.45	\$21.68
1.5"	\$27.46	\$41.19
2"	\$36.03	\$54.05
3"	\$59.11	\$88.67
4"	\$189.17	\$283.76
6" and larger	\$233.37	\$350.06

Water Volume Range (gallons)	Residential Inside City	Commercial Inside City	Industrial Inside City	Public Authority Inside City	Municipal Inside City
0 – 2,000	\$1.92	\$2.13	\$1.78	\$2.39	\$1.84
2,001 – 5,000	\$2.30	\$2.13	\$1.78	\$2.39	\$1.84
5,001 – Above	\$2.52	\$2.13	\$1.78	\$2.39	\$1.84

Water Volume Range (gallons)	Residential Outside City	Commercial Outside City	Industrial Outside City	Public Authority Outside City	Municipal Outside City
0 – 2,000	\$2.88	\$3.20	\$2.67	\$3.59	\$2.76
2,001 – 5,000	\$3.45	\$3.20	\$2.67	\$3.59	\$2.76
5,001 – Above	\$3.78	\$3.20	\$2.67	\$3.59	\$2.76

For bills rendered between January 1, 2018 and December 31, 2018

Meter Size	Meter Charge Inside City	Meter Charge Outside City
5/8" and 3/4"	\$11.28	\$16.92
1"	\$15.61	\$23.42
1.5"	\$29.66	\$44.49
2"	\$38.91	\$58.37
3"	\$63.83	\$95.75
4"	\$204.30	\$306.45
6" and larger	\$252.04	\$378.06

Water Volume Range (gallons)	Residential Inside City	Commercial Inside City	Industrial Inside City	Public Authority Inside City	Municipal Inside City
0 – 2,000	\$2.07	\$2.30	\$1.92	\$2.58	\$1.99
2,001 – 5,000	\$2.48	\$2.30	\$1.92	\$2.58	\$1.99
5,001 – Above	\$2.72	\$2.30	\$1.92	\$2.58	\$1.99

Water Volume Range (gallons)	Residential Outside City	Commercial Outside City	Industrial Outside City	Public Authority Outside City	Municipal Outside City
0 – 2,000	\$3.11	\$3.45	\$2.88	\$3.87	\$2.99
2,001 – 5,000	\$3.72	\$3.45	\$2.88	\$3.87	\$2.99
5,001 – Above	\$4.08	\$3.45	\$2.88	\$3.87	\$2.99

For bills rendered between January 1, 2019 and December 31, 2019

Meter Size	Meter Charge Inside City	Meter Charge Outside City
5/8" and 3/4"	\$11.62	\$17.43
1"	\$16.08	\$24.12
1.5"	\$30.55	\$45.83
2"	\$40.08	\$60.12
3"	\$65.75	\$98.63
4"	\$210.43	\$315.65
6" and larger	\$259.60	\$389.40

Water Volume Range (gallons)	Residential Inside City	Commercial Inside City	Industrial Inside City	Public Authority Inside City	Municipal Inside City
0 – 2,000	\$2.13	\$2.37	\$1.98	\$2.66	\$2.05
2,001 – 5,000	\$2.55	\$2.37	\$1.98	\$2.66	\$2.05
5,001 – Above	\$2.80	\$2.37	\$1.98	\$2.66	\$2.05

Water Volume Range (gallons)	Residential Outside City	Commercial Outside City	Industrial Outside City	Public Authority Outside City	Municipal Outside City
0 – 2,000	\$3.20	\$3.56	\$2.97	\$3.99	\$3.08
2,001 – 5,000	\$3.83	\$3.56	\$2.97	\$3.99	\$3.08
5,001 – Above	\$4.20	\$3.56	\$2.97	\$3.99	\$3.08

For bills rendered between January 1, 2020 and each year thereafter on January 1

Meter Size	Meter Charge Inside City	Meter Charge Outside City
5/8" and 3/4"	3% increase	1.5x inside city rate
1"	3% increase	1.5x inside city rate
1.5"	3% increase	1.5x inside city rate
2"	3% increase	1.5x inside city rate
3"	3% increase	1.5x inside city rate
4"	3% increase	1.5x inside city rate
6" and larger	3% increase	1.5x inside city rate

Water Volume Range (gallons)	Residential Inside City	Commercial Inside City	Industrial Inside City	Public Authority Inside City	Municipal Inside City
0 – 2,000	3% increase	3% increase	3% increase	3% increase	3% increase
2,001 – 5,000	3% increase	3% increase	3% increase	3% increase	3% increase
5,001 – Above	3% increase	3% increase	3% increase	3% increase	3% increase

Water Volume Range (gallons)	Residential Outside City	Commercial Outside City	Industrial Outside City	Public Authority Outside City	Municipal Outside City
0 – 2,000	1.5x inside city rate	1.5x inside city rate	1.5x inside city rate	1.5x inside city rate	1.5x inside city rate
2,001 – 5,000	1.5x inside city rate	1.5x inside city rate	1.5x inside city rate	1.5x inside city rate	1.5x inside city rate
5,001 – Above	1.5x inside city rate	1.5x inside city rate	1.5x inside city rate	1.5x inside city rate	1.5x inside city rate

3.2 Tri-County Regional Water Distribution District Wholesale Water Rate.

- A. The wholesale rate charged to Tri-County shall be exempt from those defined herein, as that rate shall be calculated on an annual basis in accordance with an agreement between City Corporation and Tri-county Regional Water Distribution District dated May 29, 2007, and a Mediation Settlement Agreement between City Corporation, Tri-County Regional Water Distribution District, and the City dated August 8, 2008.

3.3 Water Connection Fee.

- A. Each customer who connects to the System shall pay a permit fee of \$150 plus the actual cost to make the connection including any labor, equipment and materials required to complete the water connection to the System including excavation, tapping of pipe, landscaping, and any pavement repairs associated with the connection.

3.4 Private Fire Protection.

- A. For any customer who makes a connection to the System for the purpose of providing fire protection service to their property, an annual fire service charge based on size of connection will be divided equally and charged on a monthly basis in accordance with the following fee schedule:

<u>Size of Fire Service Connection</u>	<u>Inside City</u>	<u>Outside City</u>
6" and smaller	\$378.68	\$568.02
8"	\$674.21	\$1,011.32
10"	\$1,052.52	\$1,578.78
12" and larger	\$1,185.12	\$1,777.68

3.5 Surcharge for Customers Within the City

- A. In addition to the monthly meter charge and the additional charge for water usage, each customer whose premises are located within the corporate limits of the City shall be required to pay a surcharge (the "Surcharge") equal to 4.5% of the monthly charges to the customer for monthly meter charge and additional charge for water usage. This revenue is in turn paid to the City for use of the City rights-of-way and the maintenance thereof.

3.6 Other Service Related Fees.

- A. For other fees related to specific services for customers, it is the intent for each customer to bear the cost for such fee so as not to cause an undue burden on the remaining customer base. The fees for such services shall be charged based on the following schedule attached hereto and incorporated herein:

<u>Service</u>	<u>Fee</u>
Meter turn on/turn off	\$25.00
Returned Check Fee	\$25.00 plus any bank fees incurred
Tampering	\$100 plus time/materials and/or related expenses
Late Payment Fee	\$10.00

Prepared by:
City Corporation and
William F. Smith III
Russellville City Attorney
203 South Commerce Avenue
Russellville, AR 72801
Sponsor: Brown & City Corp
NB#8

After Hours Service Call	\$75.00
Repeat Trip/Service Call	\$25.00
Shut Off Processing Fee	\$25.00
Pressure/Volume Check	\$25.00
Meter Re-Read	\$25.00
Check Leak (if found to be customer leak)	\$25.00
Water Quality Lab Test Request	\$25.00
Set Fire Hydrant Meter	\$50.00

SECTION 4: ADMINISTRATION

- 4.1 The rates established herein shall never be reduced below an amount sufficient to provide for the operation and maintenance of the said water system and for the payment of the principal of and interest on existing bonds, and shall, when necessary, be increased to provide for said operation and maintenance and for the payment of the principal of and interest on existing bonds; provided, however, that the rates are sufficient to satisfy rate coverage equal to or greater than that specified to meet the average annual debt service requirements of any and all existing bonds and/or debt.
- 4.2 The Control Authority will cause for an annual review of all water rates and fees to ensure that the rates and fees being charged are fair and equitable and meet the requirements listed in Item 4.1.
- 4.3 None of the facilities or services afforded by the System shall be furnished without a charge being made. Therefore, in the event the City or any department, agency, or instrumentality thereof shall avail itself of any of the facilities or services so afforded, 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 accrued. The revenues so received from the City shall be deemed to be revenues from the operation of the water 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 system.
- 4.4 All customers will be billed on a monthly basis in accordance with City Corporation's "Rules and Regulations Governing the Rendering of Water Services" and "Rules and Regulations Governing the Rendering of Sewer Service."

SECTION 5: SEVERABILITY

5.1 If any provision, paragraph, word, section, chapter, or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, chapters, and articles shall not be affected and shall continue in full force and effect.

SECTION 6: REPEAL AND AMENDMENT

6.1 As of the effective date of this Ordinance, Ordinances No. 1078, 1080, 1106, 1210, 1244, 1273, 1302, 1308, 1590, and 2044 are hereby repealed. All other parts of Ordinances in conflict with this Ordinance are amended to conform to this ordinance.

ORDAINED, this 19th day of March, 2015.



RANDY HORTON, MAYOR


ATTEST:



KATHY COLLINS, CITY CLERK

I, Kathy Collins, City Clerk of Russellville, Arkansas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2195 passed by the City Council of the City of Russellville, Pope County, Arkansas, on the 19th day of March, 2015.

APPROVED AS TO FORM:



WILLIAM F. SMITH III, CITY ATTORNEY



SECTION 7: EMERGENCY


7.1 This City Council finds that the immediate implementation is in the best interest of the City and residents of the City of Russellville in order to secure the most favorable interest rate in the bonds to be issued to fund improvements of the Russellville Water System which shall protect, promote and preserve the public peace, health, safety and welfare of the City and its residents. Therefore, this is hereby in effect upon and after passage. An emergency is hereby declared and this Ordinance, being necessary for the preservation and promotion of the public peace, health, safety, welfare, finances and comfort for the City of Russellville and its residents, shall be implemented immediately this 19th day of March, 2015.

ORDAINED, this 19th day of March, 2015.



RANDY HORTON, MAYOR

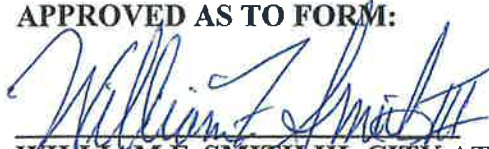
ATTEST:



KATHY COLLINS, CITY CLERK

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APPROVED AS TO FORM:



WILLIAM F. SMITH III, CITY ATTORNEY

