

**CITY OF VAN BUREN, ARKANSAS**

**ORDINANCE NO. 28 - 2022**

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS AN ORDINANCE TO BE ENTITLED:

**AN ORDINANCE REPEALING ORDINANCE NO. 26-2002, FIXING FEES AND CHARGES FOR TAPS AND CONNECTIONS MADE TO THE CITY OF VAN BUREN PUBLIC WATER AND SEWER SYSTEM; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS,** the cost of labor and material for tapping and connecting to the Public Water and Sewer System and related services within the City of Van Buren, Arkansas, has increased materially since the same were fixed by Ordinance No. 26-2002, passed and approved December 9, 2002; and,

**WHEREAS,** the City is obligated to the cost of operating, maintaining, improving, and sustaining the City of Van Buren Public Water and Sewer System, making it necessary that fees and charges for constructing and installing taps, connections, and related work to the City of Van Buren Public Water and Sewer System be increased; and,

**WHEREAS,** it is necessary for the City Council to establish fees and charges for tapping, connecting, and related work to the City of Van Buren Public Water and Sewer System to ensure that the same remain uniform and equitable; and,

**WHEREAS,** the City of Van Buren Municipal Utilities Commission upon a necessary and complete investigation have found that it is necessary to the interest of the City and its inhabitants that the fees charged for these services provided by the City of Van Buren Municipal Utilities (VBMU) be adjusted as follows and have offered such Resolution to the City Council: and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS,**

**SECTION 1:** That Ordinance NO. 26-2002 is hereby repealed.

**SECTION 2:** Water Tap and Connection Fees: The following fees and charges will apply for water taps, connections, meter installations, and related services to the City of Van Buren Public Water System as described in Exhibit A.

**SECTION 3:** Sewer Tap and Connection Fees: The following fees and charges will apply for sewer taps and connections to the City of Van Buren Public Sewer System as described in Exhibit A.

**SECTION 4:** Street Crossing Fees: In addition to the above fees and charges for taps, connections, and related work to the City of Van Buren Public Water and Sewer System, the following Street Crossing Fees will apply if a street, road, highway,

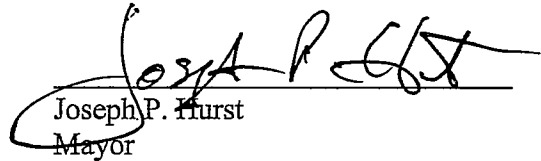
or alley crossing is required as described in Exhibit A.

SECTION 5: Plan Review Fees: See Exhibit A.


SECTION 6: Severability The various provisions of this Ordinance are hereby declared to be severable, and, if any section or part of a section, or any provision or part of a provision herein, is declared to be unconstitutional, inappropriate, or invalid by any court of competent jurisdiction, such holding shall not invalidate or affect the remainder of this Ordinance and to that extent the provisions hereto are declared severable.

SECTION 7: Emergency Clause: The City Council hereby finds that said fees and charges are reasonable and necessary to be charged for tapping, connecting, and related work to the City of Van Buren Public Water and Sewer System as hereinabove set out and the same shall be charged for all such services on or after July 25, 2022. These fees are necessary such that should they not be charged the fiscal sustainability and operations of the City of Van Buren Public Water and Sewer System is in jeopardy putting the health, safety, and welfare of the Citizens of Van Buren at risk such that an emergency is hereby declared.


**IN WITNESS WHEREOF**, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of 4 for and 0 against, the foregoing Ordinance at its regular meeting held on the 25<sup>th</sup> day of July 2022.

  
Joseph P. Hurst  
Mayor

ATTESTED:

  
Phyllis Thomas  
City Clerk/Treasurer

APPROVED AS TO FORM:

  
Jacob Howell  
City Attorney

## Exhibit A

Section 2:

- a.) Taps, connections, and meter installations to the City of Van Buren Public Water System five eighths by three quarters of an inch (5/8"x 3/4") to two inches (2") constructed and installed by VBMU:

Meter Size	Water Tap and Connection Fee
5/8 x 3/4 inch	\$600 plus predetermined cost overrun
1 inch	\$750 plus predetermined cost overrun
1 ½ inch	\$3,000 plus predetermined cost overrun
2 inch	\$3,300 plus predetermined cost overrun
Radio Read Unit (where required)	\$175 plus predetermined cost overrun

- b.) In cases where taps, connections, and meter installations five eighths by three quarters of an inch (5/8"x 3/4") to two inches (2") to the City of Van Buren Public Water System are not able to be constructed and installed utilizing existing VBMU personnel and equipment; the above Water Tap and Connection Fees, plus predetermined cost overrun will apply. Be it further provided that relocating existing water taps, connections, meters, and/or service lines necessitated by customer or developer work shall be at the expense of the customer or developer, at the lessor of a predetermined cost, including labor, equipment, and materials, or applicable Water Tap and Connection Fees and Street Crossing Fees.
- c.) Taps, connections, and meter installations to the City of Van Buren Public Water System three inches (3") and larger:
1. Taps, connections, and water meter installations to the City of Van Buren Public Water System three inches (3") and larger are to be constructed and installed by a competent applicably licensed contractor retained by the developer or customer, at the expense of the developer or customer, pursuant to the City of Van Buren Municipal Utilities Design Standards, Standard Specifications, and Standard Details for Water and Wastewater. A water meter will be provided by VBMU. The following Large Water Meter Fees will apply:

Meter Size	Large Water Meter Fee
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3 inch	\$2,000 plus predetermined cost overrun
4 inch	\$3,800 plus predetermined cost overrun
6 inch and larger	Actual predetermined costs
Radio Read Unit (where required)	\$175 plus predetermined cost overrun

2. In cases where the developer or customer requests that a tap, connection, and water meter installation to the City of Van Buren Public Water System three inches (3") and larger be constructed and installed by VBMU or a competent applicably Arkansas Licensed Utility Contractor retained by VBMU; the above Large Water Meter Fee, plus the following Large Water Tap and Connection Fees and applicable Street Crossing Fees will apply:

<b>Meter Size</b>	<b>Large Water Tap and Connection Fee</b>
3 inch	\$30,000 plus predetermined cost overrun
4 inch	\$33,000 plus predetermined cost overrun
6 inch and larger	Actual predetermined costs
Radio Read Unit (where required)	\$175 plus predetermined cost overrun

3. In cases of water meter vaults three inches (3") and larger requiring a drain sump and pump pursuant to the City of Van Buren Municipal Utilities Design Standards, Standard Specifications, and Standard Details for Water and Wastewater, it shall be the responsibility of the customer to provide and maintain electrical service to the water meter vault at the customer's expense. Failure to provide and maintain electrical service to the water meter vault may result in the termination of service.

- d.) In cases where the property to be served is across a state highway from the City of Van Buren Public Water System, the planned development is larger than a single family residence, or a normal single water tap, connection, street crossing, and service line is deemed not feasible or adequate by VBMU, the City, the Crawford County Road Department, the Arkansas Department of Transportation, the Arkansas Department of Health, or other approving authority; an extension or improvement of the City of Van Buren Public Water System may be required pursuant to the City of Van Buren Municipal Utilities Design Standards, Standard Specifications, and Standard Details for Water and Wastewater at the expense of the developer or customer.
- e.) In new subdivisions where the developer has constructed an extension or improvement to the City of Van Buren Public Water System, including the water tap, connection, and

meter setter assembly, pursuant to the City of Van Buren Municipal Utilities Design Standards, Standard Specifications, and Standard Details for Water and Wastewater; VBMU will provide and install water meters, including basic repair and/or replacement of damaged meter box and lid at the time of meter installation, after relevant fees have been paid and a utility billing account has been established. Where a water service requires relocation or major repair before the water meter can be installed, an additional fee will be charged.

The following Meter Set Fees and Meter Set Repair/Relocation Fees will apply:

<b>Meter Size</b>	<b>Meter Set Fee</b>	<b>Meter Set Repair/Relocation Fee</b>
5/8 x 3/4 inch	\$250	\$200 plus predetermined cost overrun
1 inch	\$300	\$200 plus predetermined cost overrun
1 ½ inch	\$1,300	\$300 plus predetermined cost overrun
2 inch	\$1,500	\$300 plus predetermined cost overrun
Radio Read Unit (where required)		\$175 plus predetermined cost overrun

### Section 3: Sewer Tap and Connection Fees

- a.) Taps and connections to the City of Van Buren Public Sewer System constructed and installed by VBMU:

<b>Size</b>	<b>Sewer Tap and Connection Fee</b>
4 inch	\$600.00 plus predetermined cost overrun
6 inch	\$700.00 plus predetermined cost overrun
8 inch and larger	Actual predetermined cost

- b.) In cases where taps and connections to the City of Van Buren Public Sewer System are not able to be constructed and installed utilizing existing VBMU personnel and equipment; the above Sewer Tap and Connection Fee, plus predetermined cost overrun will apply. Be it further provided that the repair or relocating existing sewer taps, connections, and/or service lines necessitated by customer or developer actions shall be at the expense of the customer or developer, at the lessor of a predetermined cost, including labor, equipment, and materials, or applicable Sewer Tap and Connection Fees and Street Crossing Fees.

- c.) In cases where the property to be served is across a state highway from the City of Van Buren Public Sewer System, the planned development is larger than a single family residence, or a normal tap, connection, street crossing, and service line is deemed not feasible or adequate by VBMU, the City, the Crawford County Road Department, the Arkansas Department of Transportation, the Arkansas Department of Health, or other approving authority; an extension or improvement of the City of Van Buren Public Sewer System may be required pursuant to the City of Van Buren Municipal Utilities Design Standards, Standard Specifications, and Standard Details for Water and Wastewater at the expense of the developer or customer.
- d.) It is the responsibility of the customer or building owner to clean, maintain, unclog, remove grease, roots, debris, and other blockages, and in the Building Sewer Service Line, as defined by the Arkansas Plumbing code as *“That part of the drainage system that extends from the end of the building drain and conveys the discharge to a public sewer, private sewer, individual sewage disposal system or other point of disposal.”*, from the building to the City of Van Buren Public Sewer System connection. Where an existing Building Sewer Service Line is determined, by VBMU, to be broken, in or underneath a public street or public alley, excluding private drives, parking lots, or easements; at the customer’s request, VBMU will excavate and repair the sewer service line.
- e.) In new subdivisions where the developer has constructed an extension or improvement to the City of Van Buren Public Sewer System, including the sewer tap, connection, and sewer service line, pursuant to the City of Van Buren Municipal Utilities Design Standards, Standard Specifications, and Standard Details for Water and Wastewater; it is the responsibility of the developer/builder to excavate the sewer service line and make the connection to the building sewer service. Be it further provided that where a developer constructed sewer service requires location, relocation, or repair by VBMU before the building sewer service connection can be made; applicable Sewer Tap and Connection Fees and Street Crossing Fees will apply:

Section 4: Street Crossing Fees:

- a.) Open Cut Trenching Street Crossing Fees:

Street Type	Fee Per Linear Foot
Paved Road or Alley	\$60 plus predetermined cost overrun

Unpaved Road or Alley	\$35 plus predetermined cost overrun
Curb or Sidewalk Replacement /linear foot	\$30 plus predetermined cost overrun

b.) Directional Bore Street Crossing Fees:

<b>Directional Bore Street Crossing Fees (if applicable) Fee Per Linear Foot</b>		
2 Inch Bore	4 Inch Bore	6 Inch Bore
\$40 plus predetermined cost overrun	\$45 plus cost predetermined overrun	\$50 plus cost predetermined overrun
Curb or Sidewalk Replacement /linear foot	\$30 plus predetermined cost overrun	

c.) In cases where street crossings are not able to be installed utilizing existing VBMU personnel and equipment or the presence of rock, poor soils conditions, or excessive ground water is identified; the above Street Crossing Fees plus predetermined cost overrun will apply.

Section 5: Plan Review Fees-

In cases requiring a consultant to be retained by VBMU in order to complete a plan review or a City of Van Buren Public Water or Sewer System capacity availability review and determination; the following Plan Review Fees will apply. Plan Review Fees may be waived in cases where an appropriately licensed engineer, retained by the customer or developer, provides certification that the plans have been reviewed and determined to be in conformance with the City of Van Buren Municipal Utilities Design Standards, Standard Specifications, and Standard Details for Water and Wastewater and other applicable codes or regulations.

<b>Plan Review Fees</b>	
Plan Review Fee	Predetermined cost

VBMU CONNECTION FEES

2002 - CURRENT

WATER TAP & CONNECTION FEES

SIZE	INSIDE CITY	OUTSIDE CITY
3/4"	\$430	\$645
1"	\$577	\$865
1 1/2"	\$1,535	\$2,302
2" COMP POUND	\$1,829	\$2,743
2" TURBINE	\$2,748	\$4,122
3" COMP POUND	\$4,590	\$6,885
3" TURBINE	\$5,629	\$8,443
4" COMP POUND	\$6,515	\$9,772
4" TURBINE	\$7,831	\$11,746
6" COMP POUND	\$8,421	\$12,631
6" TURBINE	\$10,880	\$16,320
8" TURBINE	\$13,181	\$19,771

PROPOSED 2022

WATER TAP & CONNECTION FEES

SIZE	plus cost overrun	METER SET FEE	METER SET REPAIR/RELOCATION FEE
3/4"	\$600	\$250.00	\$ 200.00 plus predetermined cost overrun
1"	\$750	\$300.00	\$ 200.00 plus predetermined cost overrun
1 1/2"	\$3,000	\$1,250.00	\$ 300.00 plus predetermined cost overrun
2"	\$3,300	\$1,325.00	\$ 300.00 plus predetermined cost overrun
3"	\$30,000	\$2,000.00	plus predetermined cost overrun
4"	\$33,000	\$3,800.00	plus predetermined cost overrun
6" AND LARGER			ACTUAL COSTS

NEW FEE  
Radio Read Unit (Where Required) \$175.00 plus predetermined cost overrun

FIRE LINE CONNECTIONS

VBMU HAS NOT PERFORMED FIRELINE CONNECTIONS IN MANY YEARS  
FIRELINE CONNECTIONS ARE MADE BY CONTRACTOR  
FOLLOWING VBMU SPECIFICATIONS

FIRE LINE CONNECTIONS	INSIDE CITY	OUTSIDE CITY
6" X 4"	\$584.20	
6" X 6"	\$645.12	
8" X 4"	\$714.00	
8" X 6"	\$729.50	
8" X 8"	\$779.50	
12" X 4"	\$786.54	
12" X 6"	\$794.12	
12" X 8"	\$957.50	
16" X 4"	\$1,071.21	
16" X 6"	\$1,078.71	
16" X 8"	\$1,246.42	
16" X 6"	\$1,652.48	

SEWER TAP & CONNECTION FEES

4"	\$350.00	\$525.00
6"	\$400.00	\$600.00

6" AND LARGER FEES ARE BASE PLUS ANY COST OVER RUN

STREET CUT FEE  
\$600.00

SEWER TAP & CONNECTION FEES

4"	\$600.00	plus predetermined cost overrun
6"	\$700.00	plus predetermined cost overrun

STREET CUT FEE INSIDE/OUTSIDE

STREET TYPE	PER LINEAR FOOT	
OPEN CUT		
PAVED	\$60.00	plus predetermined cost overrun
UNPAVED	\$35.00	plus predetermined cost overrun
CURB/SIDEWALK	\$30.00	plus predetermined cost overrun
DIRECTIONAL BORE		
2" CASING	\$40.00	plus predetermined cost overrun
4" CASING	\$45.00	plus predetermined cost overrun
6"	\$50.00	plus predetermined cost overrun

PLAN REVIEW FEE (NEW FEE)  
PREDETERMINED COST



RESOLUTION

A RESOLUTION RECOMMENDING TO THE MAYOR AND CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT ORDINANCE NO. 26-2002 BE REPEALED, AND THAT FEES AND CHARGES FOR TAPS AND CONNECTIONS MADE TO THE CITY OF VAN BUREN PUBLIC WATER AND SEWER SYSTEM BE MODIFIED, AND FOR OTHER PURPOSES.

WHEREAS, the cost of labor and material for tapping and connecting to the public water and sewer system and related services within the City of Van Buren, Arkansas (City), has increased materially since the same were fixed by Ordinance No. 26-2002, passed and approved December 9, 2002; and

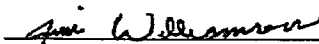
WHEREAS, the City is obligated to the payment of bonded indebtedness and the cost of operating, maintaining, improving, and sustaining the City public water and sewer system, making it necessary that fees and charges for making water and sewer taps and connections and related services be increased; and,

WHEREAS, it is necessary for the City Council to establish fees and charges for tapping and connecting and related services to the City public water and sewer system to ensure that the same remain uniform and equitable; and,

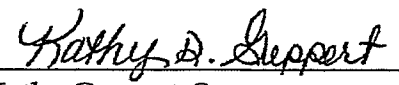
WHEREAS, the City of Van Buren Municipal Utilities Commission upon a necessary and complete investigation have found that it is necessary to the interest of the City and its inhabitants that the fees charged for the facilities and services provided by the City of Van Buren Municipal Utilities (VBMU) be adjusted.

NOW THEREFORE, be it resolved that the City of Van Buren Municipal Utilities Commission recommends to the City Council that the existing ordinance establishing current rates and charges for taps and connections related services made to the City Public Water and Sewer System and for other purposes be repealed and new rates and charges be enacted and become effective as shown in the proposed ordinance before the City Council.

PASSED AND APPROVED THIS 21<sup>ST</sup> day of June, 2022.

  
\_\_\_\_\_  
Jim Williamson, Chairman

Attest:

  
\_\_\_\_\_  
Kathy Geppert, Secretary