

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. 07 - 2024

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

ORDINANCE ESTABLISHING CHARGES AND RATES FOR SEWER SERVICES SUPPLIED BY THE CITY OF VAN BUREN, ARKANSAS, AND OTHER PURPOSES, AND REPEALING PRIOR ORDINANCES.

WHEREAS, the City of Van Buren, Arkansas (City) owns and operates a Public Sewer System, and

WHEREAS, the City must recover through charges and rates charged to the customers of the systems, the cost associated with the operation and maintenance of the system together with the cost of certain betterments and improvements to the system which are necessary to make the systems adequate to serve the needs of the City and its inhabitants; and,

WHEREAS, existing rates and charges established by Ordinance No. 12-2015 adopted and approved September 21, 2015, are no longer sufficient to meet the requirements of the system, and,

WHEREAS, the City of Van Buren Municipal Utilities Commission (Commission), after a necessary and complete study and review, has recommended increases to the City Council as being in the best interest of the City and its inhabitants and has offered such Resolution to the City Council, and,

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

SECTION 1: That Ordinance No. 12-2015, Ordinance is hereby repealed.

SECTION 2: Charges and rates are established as listed in Exhibit A for users of the City of Van Buren Public Sewer System.

SECTION 3: Billed sewer usage shall be determined as follows:

- (a) Residential class billed sewer usage shall be based on an averaged winter usage calculated from monthly water usage for the immediately preceding months of December, January, and February, or actual current water usage, whichever is lower. As to new residential class sewer users

who have not used the system for the winter months; billed sewer usage will be the same as billed water usage until an averaged winter usage can be calculated. Residential multi-family dwellings billed sewer usage shall be the same as the billed water usage.

- (b) Commercial and Industrial sewer users billed sewer usage shall be based upon actual discharge into the sewer system where a properly installed approved and maintained flow meter is installed by the user in the sewer service line to monitor actual sewer discharge. Where users cannot install a flow meter to monitor actual sewer discharge, billed sewer usage shall be the same as the billed water usage or an estimated amount where technical data provided by the user demonstrates that such amounts of sewer are not discharged.

SECTION 4: Beginning January 1, 2025, and on January 1st of each following year; Sewer Volume Rates and Base (fixed) Charges may be adjusted based on increased Revenue Requirement percentages calculated by using the U.S. Consumer Price Index for Water, Sewer, and Trash Collection Services (CPI-WST) as published by the Federal Reserve Bank of St. Louis increase for the previous twelve (12) month period; provided that the Commission, at its discretion, may adjust the increase to a lower percentage than the CPI-WST. Sewer Volume Rates and Base (fixed) Charges will be adjusted by updating the current Van Buren Sewer Rate Study pursuant to Arkansas Code 14-234 Subchapter 8 and 14-235-223 requirements.


SECTION 5: 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 the extent the provisions hereto are declared severable.

SECTION 6: Emergency Clause. The City Council hereby finds that said charges and rates are reasonable and necessary to provide adequate funds for the operation, maintenance and financing of the City of Van Buren Public Sewer System as hereinabove set out and the same shall be charged for services billed on or after April 1, 2024. These charges and rates are necessary such that they are not charged, the fiscal sustainability and operations of the City of Van Buren Public 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.

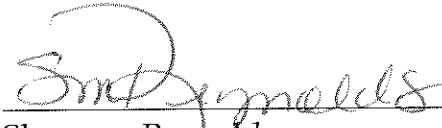
IN WITNESS WHEREOF, the city of Van Buren, Arkansas, by it's City Council, did pass, approve, and adopt, by a vote of 6 for and 0 against, the foregoing Ordinance at its regular meeting held on the 26th day of February 2024.





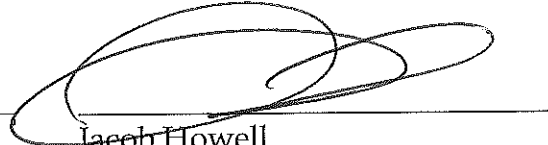
Joseph P. Hurst
Mayor

ATTESTED:



Shawwna Reynolds
City Clerk/Treasurer

APROVED AS TO FORM:



Jacob Howell
City Attorney

Exhibit A

City of Van Buren Public Sewer System Charges and Rates for services billed on or after April 1, 2024

SEWER CUSTOMER CLASS	VOLUME RATE PER 1,000 GALLONS
RESIDENTIAL	\$6.90
COMMERCIAL	\$6.90
INDUSTRIAL	\$6.90
BASE (FIXED) CHARGES - ALL SEWER CUSTOMER CLASSES	
METER SIZE	
3/4"	\$3.50
1"	\$8.80
1 1/2"	\$17.50
2"	\$28.00
3"	\$52.50
4"	\$87.50
6"	\$175.00