

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. 04 - 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 WATER 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 Water 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. 13-2015 adopted and approved September 21, 2015, Ordinance No. 25-1988 adopted and approved September 19, 1988, Ordinance No. 21-1998 adopted and approved December 21, 1998, and Ordinance No. 6-2002 adopted and approved April 15, 2002, 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 the 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1: That Ordinance No. 13-2015, Ordinance No. 25-1988, Ordinance No. 21-1998, and Ordinance No. 6-2002 are hereby repealed.

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

SECTION 3: In addition to the rates and charges established by this Ordinance, the Commission is authorized and directed to cause the \$0.40 per active water meter service per month charge mandated by Act 788

of 2019, or as amended, to be collected and to cause the sums collected to be paid to the State of Arkansas Department of Health.

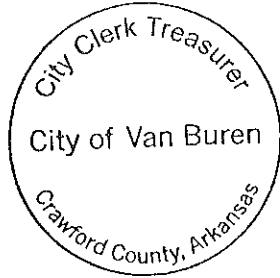
SECTION 4: Beginning the effective date of this Ordinance; Water Volume Rates may be adjusted based on increases in the total annual cost of water purchased from the City of Fort Smith by the City of Van Buren pursuant to the current Water Purchase Agreement and the 1983 Agreement. Water Volume Rates will be adjusted by updating the current Van Buren Water Rate Study pursuant to Arkansas Code 14-234 Subchapter 8 requirements.


SECTION 5: Beginning January 1, 2025, and on January 1st of each following year; Water 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. Water Volume Rates and Base (fixed) Charges will be adjusted by updating the current Van Buren Water Rate Study pursuant to Arkansas Code 14-234 Subchapter 8 requirements.

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 the extent the provisions hereto are declared severable.

SECTION 7: 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 Water 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 Water 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:



Shawna Reynolds
City Clerk/Treasurer

APROVED AS TO FORM:



Jacob Howell
City Attorney

Exhibit A

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

WATER CUSTOMER CLASS		VOLUME RATE PER 1,000 GALLONS*
RESIDENTIAL		\$5.80
RESIDENTIAL, OUTSIDE CITY		\$6.50
COMMERCIAL		\$7.00
COMMERCIAL, OUTSIDE CITY		\$9.80
INDUSTRIAL		\$4.70
WHOLESALE		\$3.00
BASE (FIXED) CHARGES - ALL WATER CUSTOMER CLASSES		
METER SIZE	INSIDE CITY	OUTSIDE CITY
3/4"	\$6.80	\$8.20
1"	\$17.00	\$20.40
1 1/2"	\$34.00	\$40.80
2"	\$54.40	\$65.30
3"	\$102.00	\$122.40
4"	\$170.00	\$204.00
6"	\$340.00	\$408.00
8"	\$544.00	\$652.80

*Does NOT include increased costs of purchasing water from the City of Fort Smith expected sometime in 2024. Water volume rates will be adjusted when the City of Fort Smith water purchase rate increase is implemented.