

ORDINANCE NO 07-2021

AN ORDINANCE PROHIBITING THE TAMPERING OF THE CITY OF DIAMOND CITY DIGITAL SMART WATER METERS AND TO CONTROL AND ESTABLISHING PENALTIES AND COST FOR VIOLATIONS

WHEREAS; The City of Diamond City, Arkansas owns and operates the water meters for the benefit of the residents of the City and are designed to provide flow alarms, leak alarms and a preprogrammed limit for a minimum of 30 minutes which is a sign of a burst pipe. These meters are also read by Blue tooth.

WHEREAS; The City of Diamond City needs to prevent damage or tampering with the meters. Each meter has a value of \$200.00 and an install cost of \$50.00.

THEREFORE; BE IT ORDAINED BY THE CITY OF DIAMOND CITY, ARKANSAS THAT:

SECTION ONE; No person shall have access to or tamper with, obstruct any property or device owned by the City of Diamond City, Arkansas. City employees in the scope of their employment of the City are the only ones allowed to turn off, turn on any water meters or repair/ adjust any water meter.

SECTION TWO; Any person violating the provisions of SECTION ONE shall be liable for a fine as described below and will be held responsible for the replacement of the meter.

SECTION THREE; Any person found to willfully violate this ordinance will be subject to a fine of not less than \$250.00 and no more than \$500.00 for each offense. If there are several offenses that occur each one will be fined and or ticketed as Law Enforcement sees fit.

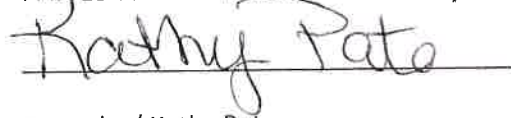
SECTION FOUR; No unauthorized person shall maliciously, willfully or negligently break, damage , destroy or tamper with any equipment of the City of Diamond City Public Water Meters. Any person violating this provision shall be subject to immediate arrest under charges of causing damage to or destruction of property.

SECTION FIVE; Any water meter that has been tampered with will result in the residence water being turned off until the fine or agreement of payment has been made.

SECTION SIX; The provisions of the Ordinance are hereby declared to be severable and if for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of the ordinance.

SECTION SEVEN; EMERGENCY CLAUSE; Is determined by the City Council that the adoption of this Ordinance is immediately necessary to provide clarity to the citizens of Diamond City, Arkansas and to protect the interest of the citizens and the City of Diamond City, Arkansas and an emergency is hereby declared and that this Ordinance is in full force and effect for and after passage and publication.

PASSED AND APPROVED this 27th day of July, 2021



Recorder/ Kathy Pate



Mayor/ Jaime Nuessner