

## **CITY OF DIAMOND CITY, ARKANSAS**

### **ORDINANCE NUMBER 9-11**

**AN ORDINANCE BY THE CITY COUNCIL OF DIAMOND CITY, BOONE COUNTY, ARKANSAS TO AMEND ORDINANCE 03-11, SECTION II TO TITLE SECTION II AND ESTABLISH THE REQUIREMENTS TO START A NEW WATER ACCOUNT IN THE DIAMOND CITY, BOONE COUNTY, ARKANSAS WATER SYSTEM AND DECLARING AN EMERGENCY.**

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**WHEREAS**, the City of Diamond City enters into a signed contract with the citizens of Diamond City for the city to provide water services for a monthly fee; and

**WHEREAS**, the City of Diamond City, Arkansas must have established procedures and regulations on the opening of new water accounts;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DIAMOND CITY THAT ORDINANCE 03-11 BE AMENDED AS FOLLOWS:**

#### **SECTION II: ESTABLISHING NEW WATER ACCOUNTS**

1. None of the facilities or services afforded by the system shall be furnished without charges being assessed.
2. All new water accounts established with the Diamond City Water System will require photo identification of the person(s) wanting to start a new water account. A photocopy of the identification will be made and attached to the original application.
3. All new accounts will require documentation as described below for each category of person(s) starting a new account.
  - a. Owner - The owner of the property establishing the account shall present proof of purchase of the property where the new account will be established. The proof of purchase will be photo copied and attached to the new account application.
  - b. Renter - The renter of the property will provide a rental agreement showing the person(s) renting the property and establishing the new water account at the residence. The rental agreement will be photo copied and will be attached to the original account application.
4. In all instances the person(s) who sign the original water account application will be held responsible for all charges to the account.

#### **SEVERABILITY**

1. This ordinance and the various parts thereof are hereby declared to be severable. Should any section or subsection be declared by the courts to be unconstitutional or invalid, such decision

shall not affect the ordinance as a whole, or any portion thereof other the section or subsection to be declared unconstitutional or invalid.

2. This ordinance amends Ordinance 03-11.

**EMERGENCY CLAUSE**

1. It is hereby declared that the current rates do not generate sufficient funds to compensate the City of Diamond City for costs incurred to provide water services. Therefore an emergency is declared to exist and in order to preserve the health, welfare, and safety of the citizens of Diamond City, the provisions hereof have immediate effect and therefore are in full force and effect from and after its passage.

Approved and adopted by roll call vote as follows this 10th day of May, 2011.

ATTEST:

  
Cheryl Guthrie  
Recorder/Treasurer

APPROVED:

  
Shari Marshall  
Mayor

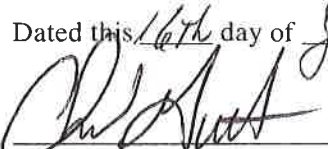
**PROOF OF POSTING OF ORDINANCE**

**STATE OF ARKANSAS**

**COUNTY OF BOONE**

We, Shari Marshall and Cheryl Guthrie, do solemnly swear that as Mayor and City Recorder/Treasurer, respectively, of and for the City of Diamond City, Boone County, Arkansas, that a certified copy of Ordinance No. 9 - 11 was, on the 13th day of May, 2011, duly posted in five separate and distinct places inside the corporate limits of the Town in accordance with Ordinance No. 03 - 10 of the City, and that Ordinance No. 9 - 11 remain posted for thirty (30) days.

Dated this 16th day of June, 2011.

  
Cheryl Guthrie, City Recorder/Treasurer

  
Shari Marshall, Mayor