

**CITY OF DIAMOND CITY, BOONE COUNTY, ARKANSAS**

**ORDINANCE NUMBER 02-2022**

**AN ORDINANCE BY THE CITY COUNCIL OF DIAMOND CITY, ARKANSAS TO AMEND SECTIONS OF 09-2021 AND ESTABLISH THE RATES CHARGED TO CUSTOMERS OF THE CITY OF DIAMOND CITY, ARKANSAS WATER AND SEWER SYSTEM AND TO ESTABLISH REGULATION FOR THE COLLECTIONS OF THESE RATES AND OPERATION OF THE WATER SYSTEM OF THE CITY OF DIAMOND CITY.**

**WHEREAS;** Arkansas Rural Water Association did a water and sewer rate study on Diamond City per Arkansas Act 605. This study was done to insure the ability for Diamond City to remain fiscally sustainable.

**WHEREAS;** Currently the City of Diamond City is not funding a Replacement and Refurbishment account and an asset management plan as required by ACT 605.

**WHEREAS;** It is agreed upon by the City Council of Diamond City to do a flat rate of \$25.00 for water and \$21 for sewer.

**WHEREAS;** To establish the base residential and commercial rates and to meet the obligations of ACT 605 so the City of Diamond City may apply for Federal Grants to ensure the solvency of the water and sewer system.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DIAMOND CITY TO AMEND SECTION VIII OF ORDINANCE 09-2021**

**SECTION VIII; WATER RATES**

1. The following table will be the rates for service from the Diamond City Water and Sewer system and trash

**Residential Base Rate and Commercial Rate without Trash**

Water \$25.00 flat fee first 1000 gallons

Water \$ .0135 per gallon after 1000 gallons (Will be prorated)

Sewer \$21.00 Flat fee first 1000 gallons

Sewer \$ .0110 per gallon after 1000 gallons (Will be prorated)

Trash \$21.58 Flat fee

FSWA \$.40

**Senior Base Rate (65 & older)**

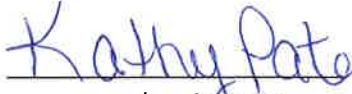
**Will be \$10.00 off the total bill not to include taxes.**

2. To ensure the future solvency of the City of Diamond City, Arkansas, there will be a review of the current water, sewer and trash rates to evaluate any needed increases in the month of January of each calendar year beginning with the year 2023. The Diamond City City Council with the recommendation of the Mayor will review the need for a rate increase.
3. The City of Diamond City shall deposit a minimum of 5 %( five) per annum of gross revenues in a dedicated refurbishment and replacement account within 12 (twelve) months of the implementation of the rate.

4. Training needs to be done within 1(one) year of any elected or appointed official as of January 1, 2021 and shall receive training required under section 14-234-805 of ACT 605 by December 31, 2022. If the majority of the members of the board do not receive the required training under this section, the commission may find the City of Diamond City is subject to Section 14-234-802.

**SEVERABILITY;** This ordinance is hereby declared to be severable. Should any section or subsection be declared by the courts to be unconstitutional or invalid, with decision shall not affect ordinance as a whole.

Passed March 29<sup>th</sup>, 2022 after the third reading.

  
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RECORDER/ Kathy Pate

  
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MAYOR/ JAIME NUESSNER

**CITY OF DIAMOND CITY, BOONE COUNTY, ARKANSAS**

**ORDINANCE NUMBER 09-2021**

**AN ORDINANCE BY THE CITY COUNCIL OF DIAMOND CITY, ARKANSAS TO AMEND SECTIONS OF 03-11 AND ESTABLISH THE RATES CHARGED TO CUSTOMERS OF THE CITY OF DIAMOND CITY, ARKANSAS WATER, SEWER SYSTEM AND TRASH, AND TO ESTABLISH REGULATION FOR THE COLLECTIONS OF THESE RATES AND OPERATION OF THE WATER SYSTEM OF THE CITY OF DIAMOND CITY AND DECLARING AN EMERGENCY.**

**WHEREAS;** On the 12<sup>th</sup> of August, 2021 the City Council of Diamond City voted on a new rate for the water, sewer and trash; and

**WHEREAS;** It is in the best interest of the City Council of Diamond City to stay appraised of water accounts which affect the monetary income of the City of Diamond City; and

**WHEREAS:** To establish the base residential and commercial rates and to meet the obligations of the City of Diamond City to ensure the solvency of the system.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DIAMOND CITY TO AMEND SECTIONS 1 AND SECTION VIII OF ORDINANCE 03-11.**

**SECTION I; DEFINITIONS**

#4. Downstream water meters will no longer be in use.

**SECTION VIII; WATER RATES**

1. The following table will be the rates for service from the Diamond City Water and Sewer system and trash

**Residential Base Rate**

Water \$25.00 first 2000 Gallons flat fee

Sewer \$30.00 Flat fee

Trash \$21.58 Flat fee

FSWA \$.30

**Total Tax not included \$76.88**

**Senior Base Rate (65 & older)**

Water \$15.00 first 2000 Gallons

Sewer \$30.00 flat fee

Trash \$21.58 flat fee

FSWA \$.30

**Total Tax not included \$66.88**

**STANDARD PRICING (OVER 2000 GALLONS)**

Base Rate \$76.88

Usage \$.02 per gallon

**SENIOR RATE (OVER 2000 GALLONS)**

Senior Rate \$66.88

Usage \$.02 per gallon

**MINIMUM RATES (SEASONAL/INACTIVE)**

Water \$0.00

Sewer \$30.00

Trash \$0.00

Admin fee \$10.00

FSWA \$.30

**Total Tax not included \$40.30**

**COMMERCIAL RATES INSIDE CITY LIMITS**

Usage 1.5 cents per gallon

Sewer \$30.00 Flat fee

FSWA \$.30

**COMMERCIAL RATES OUTSIDE LIMITS**

Usage only 1.5 cents per gallon

**CORPS OF ENGINEERS PARK**

First 1000 gallons \$14.50

Remaining (per 1,000 Gallons) \$7.50

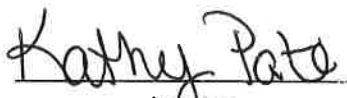
**This did not change from Ordinance 03-11**

2. To ensure the future solvency of the City of Diamond City, Arkansas, there will be a review of the current water, sewer and trash rates to evaluate any needed increases in the month of January of each calendar year beginning with the year 2022. The Diamond City City Council with the recommendation of the Mayor will set the rate increase.

**SEVERABILITY;** This ordinance is hereby declared to be severable. Should any section or subsection be declared by the courts to be unconstitutional or invalid, with decision shall not affect ordinance as a whole.

**EMERGENCY CLAUSE:** It is hereby found that the established rates and changes for the water, sewer and trash for the City of Diamond City and its citizens are critical for the fairness and growth of the City. The provision hereof has immediate effect and therefore this ordinance shall be in full effect from and after its passage.

APPROVED AND PASSED THIS 24<sup>TH</sup> DAY OF AUGUST, 2021

  
RECORDER/ Kathy Pate

  
MAYOR/ JAIME NUESSNER