

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REPEALING ORDINANCE NO. 2000-12-01  
FIXING RATES FOR WATER TO BE FURNISHED BY THE  
WATERWORKS SYSTEM OF THE CITY OF BATESVILLE, ARKANSAS**

WHEREAS, the City of Batesville has determined that additional revenue is required to compensate for the increased cost of water, materials, operation, maintenance, and depreciation of the Waterworks System, and to provide for the extensions, betterments, and improvements that will be necessary from time to time to meet the needs of the City of Batesville; and

WHEREAS, in order to accomplish said requirements, it is necessary that the rates for the services of the Waterworks System be increased;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATESVILLE, ARKANSAS:

**Section 1.** Ordinance No. 2000-12-01 is hereby repealed.

**Section 2.** Hereafter, the following definitions shall apply and be used in interpretation and administration of Batesville water rates, to wit:

**2.1** Residential Users are defined as those using water services in or appurtenant to a structure used or designed for use as a dwelling place, whether for single or multiple occupancy, excluding hotels and motels.

**2.2** Commercial Users are defined as those using water services in or appurtenant to a structure used or designed for use as a place of business, including hotels and motels, but excluding industrial users.

**2.3** Industrial Users are defined as those using water services in or appurtenant to a structure or enclosure used or designed for use as a place for manufacturing or processing goods.

**2.4** Wholesale Users are defined as any municipality, water association, improvement district, or legal entity desiring to purchase water from the City of Batesville for resale by individual metering.

**Section 3.** Commencing with the July 1, 2009, billing period, the following monthly rates shall be, and they are hereby, fixed as rates to be charged for water furnished by the Waterworks System of the City, which rates the Council finds and declares to be reasonable and necessary rates to be charged.

#### **CUSTOMERS INSIDE CITY LIMITS**

Subject to the conditions hereinafter set out, the charges for water services and water usage for each customer inside the city limits shall be based on the customer's meter size and the customer's metered water usage in accordance with the schedules shown below.

**3.1** Minimum Charges Per Month for First Thousand Gallons or Part Thereof  
Per Meter Size:

Residential, Commercial, and industrial user customers inside the city limits shall pay the following minimum monthly rates for the first one thousand (1,000) gallons or any part thereof of metered water usage based upon meter size:

Meter Size	Minimum Charge for 1-1000 Gallons
8"	\$1162.00
6"	\$668.00
4"	\$305.00
3"	\$174.00
2"	\$73.00
1"	\$18.00
5/8"	\$7.26
1/2"	\$7.26

**3.2 Water Rates for Water Usage Over One Thousand Gallons per month:**

Residential, commercial, and industrial users customers inside the city limits shall be charged the following rates for metered water usage in excess of one thousand (1,000) gallons per month.

- a. More than 1,000 gallons and up to and including 100,000 gallons:  
\$2.80 per thousand gallons.
- b. More than 100,000 gallons and up to and including 2,000,000 gallons: \$2.13 per thousand gallons.
- c. More than 2,000,000 gallons: \$1.67 per thousand gallons.

**3.3 Meter size**

The size of the meter shall be commensurate with the potential use of water (maximum rate of demand), and shall be determined by the City of Batesville.

**CUSTOMERS OUTSIDE CITY LIMITS**

Subject to the conditions hereinafter set out, the charges for water services and water usage for each residential, commercial, or industrial user customer outside the city limits shall be based on the customer's meter size and the customer's metered water usage in accordance with the schedules shown below.

**3.4** Minimum Charges Per Month for First Thousand Gallons (1,000) or Part

Thereof Per Meter Size:

<b>Meter Size</b>	<b>Minimum Charge for 1-1000 Gallons</b>
8"	\$1452.00
6"	\$835.00
4"	\$381.00
3"	\$218.00
2"	\$91.00
1"	\$22.69
5/8"	\$9.08
1/2"	\$9.08

**3.5** Water Rates for Water Usage Over One Thousand (1,000) Gallons per month:

Customers outside the city limits shall pay the following rates for metered water usage in excess of one thousand (1,000) gallons per month.

- a. More than 1,000 gallons and up to and including 100,000 gallons:  
\$3.50 per thousand gallons.
- b. More than 100,000 gallons and up to and including 2,000,000 gallons: \$2.66 per thousand gallons.
- c. More than 2,000,000 gallons: \$2.09 per thousand gallons.

**3.6** Meter size

The size of the meter shall be commensurate with the potential use of water (maximum rate of demand), and shall be determined by the City of Batesville.

### **3.7**    Wholesale User Rates

Any municipality, water association, improvement district, or other legal entity which purchases water for resale shall purchase 0-1,000 gallons per month at a rate to be fixed by contract but not less than the minimum charge for 0-1,000 gallons of monthly water usage charged to customers outside the city limits per meter size. All water in excess of the first thousand (1,000) gallons per month shall be purchased by wholesale customers at a rate to be fixed by contract, but not less than \$2.09 per thousand gallons.

### **3.8**    Private Fire Connections

Private fire connections for private premises shall pay the following fire service charges per year:

- |    |   |                               |
|----|---|-------------------------------|
| a. | Automatic sprinkler system connections  |                               |
|    | (1) 1,000 heads or less   | \$523.00 annually             |
|    | (2) For systems containing more than 1,000 heads, for each head in excess of 1,000  | \$523.00 plus \$0.58 annually |
| b. | Private fire hydrants; standard hydrant with two 2.5 inch standard hose connections | \$523.00 annually per hydrant |
|    | Standard hydrant with one 2.5 inch standard hose connection                         | \$378.00 annually per hydrant |
| c. | The service charge for fire hose standpipes shall be:                               |                               |
|    | 1.25" diameter openings, or smaller   | \$35.00 annually (each)       |
|    | 1.5" diameter openings  | \$58.00 annually (each)       |
|    | 2" diameter openings  | \$131.00 annually (each)      |
|    | 2.5" diameter openings  | \$261.00 annually (each)      |

**Section 4.** Commencing with the January 1, 2010, billing period, the following monthly rates shall be, and they are hereby fixed, as rates to be charged for water furnished by the Waterworks System of the City, which rates the Council finds and declares to be reasonable and necessary rates to be charged.

**CUSTOMERS INSIDE CITY LIMITS**

Subject to the conditions hereinafter set out, the charges for water services and water usage for each customer inside the city limits shall be based on the customer's meter size and the customer's metered water usage in accordance with the schedules shown below.

**4.1 Minimum Charges Per Month for First Thousand Gallons or Part Thereof**

**Per Meter Size:**

Residential, Commercial, and industrial user customers inside the city limits shall pay the following minimum monthly rates for the first one thousand (1,000) gallons or any part thereof of metered water usage based upon meter size:

<b>Meter Size</b>	<b>Minimum Charge for 1-1000 Gallons</b>
8"	\$1359.00
6"	\$782.00
4"	\$357.00
3"	\$204.00
2"	\$85.00
1"	\$21.00
5/8"	\$8.50
1/2"	\$8.50

**4.2** Water Rates for Water Usage Over One Thousand Gallons per month:

Residential, commercial, and industrial users customers inside the city limits shall be charged the following rates for metered water usage in excess of one thousand (1,000) gallons per month.

- a. More than 1,000 gallons and up to and including 100,000 gallons:  
\$3.27 per thousand gallons.
- b. More than 100,000 gallons and up to and including 2,000,000 gallons: \$2.49 per thousand gallons.
- c. More than 2,000,000 gallons: \$1.95 per thousand gallons.

**4.3** Meter size

The size of the meter shall be commensurate with the potential use of water (maximum rate of demand), and shall be determined by the City of Batesville.

**CUSTOMERS OUTSIDE CITY LIMITS**

Subject to the conditions hereinafter set out, the charges for water services and water usage for each residential, commercial, or industrial user customer outside the city limits shall be based on the customer's meter size and the customer's metered water usage in accordance with the schedules shown below.

**4.4** Minimum Charges Per Month for First Thousand Gallons (1,000) or Part Thereof Per Meter Size:

<b>Meter Size</b>	<b>Minimum Charge for 1-1000 Gallons</b>
8"	\$2124.00
6"	\$1221.00
4"	\$558.00
3"	\$319.00
2"	\$133.00
1"	\$33.00
5/8"	\$13.28
1/2"	\$13.28

**4.5** Water Rates for Water Usage Over One Thousand (1,000) Gallons per month:

Customers outside the city limits shall pay the following rates for metered water usage in excess of one thousand (1,000) gallons per month.

- a. More than 1,000 gallons and up to and including 100,000 gallons:  
\$4.09 per thousand gallons.
- b. More than 100,000 gallons and up to and including 2,000,000 gallons: \$3.11 per thousand gallons.
- c. More than 2,000,000 gallons: \$2.44 per thousand gallons.

**4.6** Meter size

The size of the meter shall be commensurate with the potential use of water (maximum rate of demand), and shall be determined by the City of Batesville.

**4.7** Wholesale User Rates

Any municipality, water association, improvement district, or other legal entity which purchases water for resale shall purchase 0-1,000 gallons per month at a rate to be fixed by contract but not less than the minimum charge for 0-1,000 gallons of monthly water usage charged to customers outside the city limits per meter size. All water in excess of the first thousand (1,000) gallons per month shall be purchased by wholesale customers at a rate to be fixed by contract, but not less than \$2.44 per thousand gallons.

**4.8** Private Fire Connections

Private fire connections for private premises shall pay the following fire

service charges per year:

a.	Automatic sprinkler system connections	
	(1) 1,000 heads or less	\$612.00 annually
	(2) For systems containing more than 1,000 heads, for each head in excess of 1,000	\$612.00 plus \$0.68 annually
b.	Private fire hydrants; standard hydrant with two 2.5 inch standard hose connections	\$612.00 annually per hydrant
	Standard hydrant with one 2.5 inch standard hose connection	\$442.00 annually per hydrant
c.	The service charge for fire hose standpipes shall be:	
	1.25" diameter openings, or smaller	\$41.00 annually (each)
	1.5" diameter openings	\$68.00 annually (each)
	2" diameter openings	\$153.00 annually (each)
	2.5" diameter openings	\$306.00 annually (each)

**Section 5. Billing Procedure**

Bills for water shall be rendered monthly. If a bill is not paid on or before the twentieth (20<sup>th</sup>) day following the original date of billing, a ten (10) percent penalty shall be added to the bill. If a bill is not paid on or before the thirtieth (30<sup>th</sup>) day following the original date of billing, the City shall disconnect the water services to the premises.

**Section 6.**     Fees for Work Related to Water and Sewer Services

Fees relating to disconnection and reconnection of water services shall be charged in accordance with Ordinance No. 2007-10-01, as amended, which sets forth the fees for work related to water and sewer services.

**Section 7.**     Inoperative Meters

Should a customer's water meter be determined by the Water System Manager to be inoperative or faulty, the customer's monthly usage charge for the purpose of billing shall be the average usage of the three previous months that the meter was determined to be functioning properly. Should the meter failure be determined to have been a failure of three months or more, the customer shall be liable for water charges during the months of meter failure based on the average of the water usage for the twelve months prior to the meter failure.

**Section 8.**     Repeal of Conflicting Provisions

All other ordinances and resolutions of the City of Batesville, Arkansas, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, but the same shall remain in full force and effect to the extent that there is no conflict with the provisions of this Ordinance.

**Section 9.**     Separable Provision

The provisions of this Ordinance are separable and if a section, phrase or provisions shall be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

**Section 10. EMERGENCY**

An immediate necessity existing for the preservation of the public health, peace, and safety, **AN EMERGENCY** is hereby declared to exist by reason of which is Ordinance shall be in full force and effect from and after its passage, approval, and publication.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**APPROVED**

\_\_\_\_\_  
Rick Elumbaugh, Mayor

Attest:

\_\_\_\_\_  
Denise Johnston, Clerk