

ORDINANCE NUMBER 2006-02

SHORT TITLE: AN ORDINANCE LEVYING A TEMPORARY SURCHARGE ON ALL METERS MONITORING USAGE FROM THE PERRYVILLE WATER SYSTEM THROUGH BOTH WHOLESALE AND RETAIL DISTRIBUTION; SPECIFYING METHODS OF PAYMENT; ESTABLISHING CONDITIONS OF APPLICABILITY; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, extreme drought conditions have necessitated large expenditures to ensure an adequate supply of water for consumers and these expenses having been paid from funds earmarked for other urgent needs must be quickly recouped and it being determined that these costs should be borne equitably by all consumers served and/or benefited directly or indirectly by the Perryville Water System.

NOW THEREFORE BE IT ORDAINED by the City Council of the city of Perryville, Arkansas, as follows:

SECTION 1 – Surcharge

- (A) A surcharge is hereby levied on all meters supplied water, directly by retail or indirectly by wholesale, through the Perryville Water System, as follows;
- (B) For retail consumers the surcharge shall be three dollars and seventy-five cents (\$3.75) per month added to the individual monthly billings and collected in the customary manner. The surcharge shall be billed and collected for twenty-four (24) consecutive months and discontinued thereafter.
- (C) Wholesale purchasers shall pay the surcharge by one of the methods listed below.
 - (1) The surcharge shall be three dollars and seventy-five cents (\$3.75) per month per meter (calculation -\$3.75 times the total number of meters served), added as a lump sum to the purchaser's monthly billing and collected in the customary manner. The surcharge shall be billed and collected for twenty-four (24) consecutive months and discontinued thereafter.
 - (2) The surcharge shall be seven dollars and fifty cents (\$7.50) per month per meter (calculation -\$7.50 times the total number of meters served), added as a lump sum to the purchaser's monthly billing and collected in the customary manner. The surcharge shall be billed and collected for twelve (12) consecutive months and discontinued thereafter.
 - (3) At their discretion, wholesale purchasers may choose to pay the surcharge in full by making a single advance payment calculated at \$7.50 times their total number of meters times 12 months.

SECTION 2 – Conditions of Applicability

- (A) It is the unequivocal premise of Section 1 above that, whatever the method of payment, the surcharge shall be uniform in the total dollar amount levied for all consumers of water supplied by the Perryville Water Treatment Plant.
- (B) The surcharge shall not be billed to any consumer until all necessary agreements validating system-wide participation have been appropriately signed and are on file with the Recorder/Treasurer.

SECTION 3 - Emergency Declared

- (A) Because funds must be recovered quickly to address critical projects, which if unnecessarily delayed, could potentially threaten public peace, health, and safety, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its adoption and publication.

PASSED ON THIS 25th DAY OF February IN THE YEAR OF 2006

BY A VOTE OF: 4 YES 0 NO

Signed:



James McElroy, Mayor

Attest:



Joel Woolf, Recorder/Treasurer