ORDINANCE NO.: 2021 - 6

AN ORDINANCE TO AMEND ORDINANCE No. 2018-09 AND ESTABLISH RATES FOR SERVICES RENDERED BY THE WATER FACILITIES OF THE WATER AND WASTEWATER SYSTEM OF THE CITY OF BRYANT, ARKANSAS; AND PRESCRIBING OTHER MATTERS RELATING THERETO; WITH EMERGENCY CLAUSE.

WHEREAS, the City of Bryant, Arkansas (the "City") owns and operates a water and sewer system (the "System"); and

WHEREAS, it is necessary for the City to amend the rates for calendar year 2021 and establish rates for calendar years 2022-2030 for water services of the System;

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

Section 1: Amendment to Ordinance 2018-09

Ordinance 2018-09 is hereby amended by replacing Section 1 with the following:

Section 3. Water Rates for 2021

For water services billed by the City April 1, 2021 through December 31, 2021 the amount paid by each customer shall be computed on the basis of the following schedule of rates:

For the first 2,000 gallons of water consumption per month or portion thereof:

Meter Size	*Minimum Charge*
5/8"	$ 13.04
1"	$ 19.57
1 ½"	$ 32.60
2"	$ 65.20
3"	$104.32
4"	$195.61
6"	$652.03

All consumption in excess of 2,000 gallons: $.627 per 100 gallons

Section 4. Water Rates for 2022

For water services billed by the City January 1, 2022 through December 31, 2022 the amount paid by each customer shall be computed on the basis of the following schedule of rates:

For the first 2,000 gallons of water consumption per month or portion thereof:

Meter Size	*Minimum Charge*
5/8"	$ 13.69

1"	$ 20.54
1 ½"	$ 34.23
2"	$ 68.46
3"	$109.54
4"	$205.39
6"	$684.63

All consumption in excess of 2,000 gallons: $.658 per 100 gallons

Section 5. Water Rates for 2023

For water services billed by the City January 1, 2023 through December 31, 2023 the amount paid by each customer shall be computed on the basis of the following schedule of rates:

For the first 2,000 gallons of water consumption per month or portion thereof:

Meter Size	*Minimum Charge*
5/8"	$ 13.96
1"	$ 20.95
1 ½"	$ 34.92
2"	$ 69.83
3"	$111.73
4"	$209.50
6"	$698.32

All consumption in excess of 2,000 gallons: $.671 per 100 gallons

Section 6. Water Rates for 2024

For water services billed by the City January 1, 2024 through December 31, 2024 the amount paid by each customer shall be computed on the basis of the following schedule of rates:

For the first 2,000 gallons of water consumption per month or portion thereof:

Meter Size	*Minimum Charge*
5/8"	$ 14.24
1"	$ 21.37
1 ½"	$ 35.61
2"	$ 71.23
3"	$113.97
4"	$213.69
6"	$712.29

All consumption in excess of 2,000 gallons: $.685 per 100 gallons

Section 7. Water Rates for 2025

For water services billed by the City January 1, 2025 through December 31, 2025 the amount paid by each customer shall be computed on the basis of the following schedule of rates:

For the first 2,000 gallons of water consumption per month or portion thereof:

Meter Size	*Minimum Charge*
5/8"	$ 14.53
1"	$ 21.80
1 ½"	$ 36.33
2"	$ 72.65
3"	$116.24
4"	$217.96
6"	$726.53

All consumption in excess of 2,000 gallons: $.698 per 100 gallons

Section 8. Water Rates for 2026 - 2030

For water services billed by the City after December 31, 2025, there will be a 3% annual increase in rates.

Section 9. Non-Resident Customers

Customers receiving water services to locations outside of City limits will be charged double the prevailing minimum charge.

Section 10. Senior Citizen Discounts

Each customer 65 years and older, with verification of age, shall receive a senior citizen discount of three dollars and eighty one cents ($3.81), which shall be deducted from the monthly water bill.

Section 11. Pass-Through Charges for Purchases from Secondary Water Providers

If the City determines that it is necessary to purchase from any secondary water provider, customers will be charged an additional surcharge of $0.04 per 100 gallons of water consumption, in addition to the then-prevailing water rates, for the month in which the City purchase from said secondary provider.

Section 12. Rate Review

(a) On or before August 30, 2021, the City shall review the rates set forth in Section 3 above to ensure that such rates will produce revenues sufficient to pay debt service on outstanding bonds secured by water and sewer revenues ("System Bonds"), provide an adequate depreciation fund, pay the costs of operating and maintaining the System and meet any required bond covenants for the ensuing fiscal year.

(b) On or before August 30, 2022, the City shall review the rates set forth in Section 4 above to ensure that such rates will produce revenues sufficient to pay debt service on outstanding bonds secured by water and sewer revenues ("System Bonds"), provide an adequate depreciation fund, pay the costs of operating and maintaining the System and meet any required bond covenants for the ensuing fiscal year.

(c) On or before August 30, 2023, the City shall review the rates set forth in Section 5 above to ensure that such rates will produce revenues sufficient to pay debt service on outstanding bonds secured by water and sewer revenues ("System Bonds"), provide an adequate depreciation fund, pay the costs of operating and maintaining the System and meet any required bond covenants for the ensuing fiscal year.

(d) On or before August 30, 2024, the City shall review the rates set forth in Section 6 above to ensure that such rates will produce revenues sufficient to pay debt service on outstanding bonds secured by water and sewer revenues ("System Bonds"), provide an adequate depreciation fund, pay the costs of operating and maintaining the System and meet any required bond covenants for the ensuing fiscal year.

(e) On or before August 30, 2025, the City shall review the rates set forth in Section 7 above to ensure that such rates will produce revenues sufficient to pay debt service on outstanding bonds secured by water and sewer revenues ("System Bonds"), provide an adequate depreciation fund, pay the costs of operating and maintaining the System and meet any required bond covenants for the ensuing fiscal year.

(f) On or before June 30, 2021 and on or before June 30 of each third year thereafter, the City shall engage a duly qualified consulting (agent, engineer, firm) not in the employ of the City (an "Engineer") to review the then current water and sewer rates and make recommendations as to whether any rate increases are necessary to produce revenues sufficient to pay debt service on outstanding System Bonds, provide an adequate depreciation fund, pay the costs of operating and maintaining the System and meet any required bond covenants for the next ensuing fiscal year.

(g) The City, on or before August 30 of each year that an Engineer is not engaged pursuant to subsection (f) above, shall review the then current water and sewer rates to determine whether any rate increases are necessary to produce revenues sufficient to pay debt service on outstanding System Bonds, provide

an adequate depreciation fund, pay the costs of operating and maintaining the System and meet any required bond covenants for the next ensuing fiscal year.

Section 13. Charges Required

None of the water services afforded by the System shall be furnished without a charge being made therefor. Any multi-unit that has installed a master meter will pay the Minimum Charge on each unit plus usage shown on the master meter.

Section 2: Provisions Severable

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of the Ordinance are hereby declared to be severable.

Section 4: Repealer

All ordinances and resolutions and parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5: Emergency Clause

An emergency is hereby declared to exist and this Ordinance being necessary for the preservation of public peace, health and safety shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 30th DAY OF MARCH 2021, BY THE CITY COUNCIL OF BRYANT, ARKANSAS.

Allen Scott, Mayor

Attest:

Sue Ashcraft, City Clerk