ORDINANCE NO. 2023- ___

AN ORDINANCE AMENDING ORDINANCE 2006-02 TO REIMPLEMENT AND RENAME THE DEBT SERVICE CHARGE

WHEREAS, the City of Bryant, Arkansas adopted Ordinance No. 2006-02 establishing sewer and water rates for service rendered by the municipal sewer and water systems of the city of Bryant, Arkansas; establishing water rates for meters of certain sizes; fixing certain impact and connection fees and establishing a capital account for debt retirement fund; and

WHEREAS, Section 1 of Ordinance 2006-02 established a Debt Service Surcharge to be used solely for the retirement of an issue of sewer revenue bonds in the principal amount of $4,500,000 (the "Series 1998 Bonds"); and

WHEREAS, there was no sunset clause on the collection of this fee and the Series 1998 Bonds have since been paid off; and

WHEREAS, the City Council of the city of Bryant, Arkansas believes it is in the City's best interest to remain collecting this fee for the repayment of bonds directly related to the City's sewer infrastructure.

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

Section 1. The City Council of Bryant, Arkansas, has determined that Section 1 of Ordinance 2006-02 should be amended as follows:

Section 1. Water and Sewer Infrastructure Fee.

(a) All sewer customers of the System (including sewer customers who receive water from sources other than the System and occupants of mobile homes and apartments which have no separate water meter) can be charged a month fee (the "Water and Sewer Infrastructure Fee") to be used solely for the repayment of sewer revenue bonds. The Water and Sewer Infrastructure Fee will be paid by all sewer customers regardless of the amount of water used or waste water discharged. All revenues derived from the Water and Sewer Infrastructure Fee charge shall be used solely for payment of debt service (principal, interest, and trustee fees and expenses) of sewer revenue bonds.

(b) The monthly Water and Sewer Infrastructure Fee charge for each mobile home, with or without a separate water meter, shall be $8.95.

(c) The monthly Water and Sewer Infrastructure Fee for each apartment, residential dwelling unit, with or without a separate water meter, shall be $8.95

(d) The monthly Water and Sewer Infrastructure Fee for each new residential dwelling unit of any type, with or without a separate water meter, shall be $8.95

(e) The monthly Water and Sewer Infrastructure Fee for each health care facilities shall be based on meter size.

(f) The monthly Water and Sewer Infrastructure Fee for each State funded facilities shall be based on meter size.
(g) The monthly Water and Sewer Infrastructure Fee for commercial establishments shall be based on meter size. Any additional unit without a separate water meter shall be $8.95.
(h) The monthly Water and Sewer Infrastructure Fee for all other sewer customers will be based on meter size.

Meter sizes are as follows:

Meter Size	Water and Sewer Infrastructure Fee
5/8” x 3/4"	$ 8.95
3/4"	8.95
1”	30.00
1 ½”	60.00
2”	95.00
3”	190.00
4”	300.00
6”	600.00

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.

PASSED AND APPROVED this _____day of April, 2023.

APPROVED: ATTEST:

_____ _____

Allen Scott, Mayor Mark Smith, City Clerk