

**CITY OF BRYANT
ORDINANCE NO. 2011-29**

**AN ORDINANCE TO AMEND ORDINANCE Nos. 2009-27 and 2010-29 AND
ESTABLISH RATES FOR SERVICES RENDERED BY THE WATER FACILITIES OF
THE WATER AND SEWER SYSTEM OF THE CITY OF BRYANT, ARKANSAS; AND
PRESCRIBING OTHER MATTERS RELATING THERETO**

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 2012 and establish the rates for calendar year 2013 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 No. 2009—27, As Amended by Ordinance No. 2010-29

Section 1 of Ordinance No. 2009-27, as amended, is hereby amended to read as follows:

Section 1(c): For water service billed by the City after January 1, 2012, the amount to be 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" | \$9.26 |
| 3/4" | \$13.88 |
| 1" | \$23.15 |
| 1.5" | \$46.30 |
| 2" | \$74.08 |
| 3" | \$138.90 |
| 4" | \$231.51 |
| 6" | \$463.02 |

All water consumption in excess of 2,000 gallons: \$0.476 per 100 gallons.

Section 2. Water Rates for 2013

For water service billed by the City after January 1,2013, the amount to be paid by each customers 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" | \$9.58 |
| 3/4" | \$14.38 |
| 1" | \$23.96 |
| 1.5" | \$47.92 |
| 2" | \$76.67 |
| 3" | \$143.77 |
| 4" | \$239.61 |
| 6" | \$479.22 |

All water consumption in excess of 2,000 gallons: \$0.494 per 100 gallons.

Section 3. Non-Resident Customers

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

Section 4. 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 purchases from said secondary provider.

Section 5. Rate Review

(a) On or before August 30, 2012, the City shall review the rates set forth in Section 1 above to ensure that such rates, together with the rates set forth in Section ___ of Ordinance No. 2011 - ___, 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 next ensuing fiscal year.

(b) On or before August 30, 2013, the City shall review the rates set forth in Section 2 above to ensure that such rates, together with the rates set forth in Section ___ of Ordinance No. 2011 - ___, will 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.

(c) On or before June 30, 2014 and on or before June 30 of each third year thereafter, the City shall engage a duly qualified consulting engineer not in the regular 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.

(d) Beginning in 2015, the City, on or before August 30 of each year that an Engineer is not engaged pursuant to subsection (c) 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 6. 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 7. Severability

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

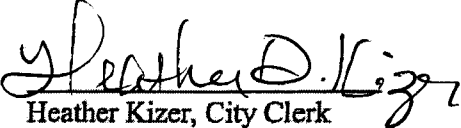
Section 8. Repealer

All ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

November
PASSED AND APPROVED this 29 day of ~~October~~, 2011.


Mayor Jill Dabbs

ATTEST:


Heather Kizer, City Clerk