

ORDINANCE NO. 2023- 26

AN ORDINANCE TO AMEND LINCOLN MUNICIPAL CODE SECTION 10.08.10 REGARDING WATER CONNECTION FEES, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINCOLN, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as an Ordinance to Amend Lincoln Municipal Code Section 10.08.10 Regarding Water Connection Fees, Declaring an Emergency, and for Other Purposes.

Section Two: Findings. The City Council finds as follows:

- a. Lincoln Municipal Code § 10.08.10 was last amended in 2017. Costs for labor and material have substantially increased since that time.
- b. The fees set out in L.M.C. § 10.08.10 do not cover current costs, and the City is losing money on water connections.
- c. The City Council finds that it must maintain a fiscally sound water budget.

Section Three: L.M.C. § 10.08.10 Amended. Lincoln Municipal Code Section 10.08.10 is hereby amended to read as follows:

The following schedule is found to be fair and reasonable and is hereby fixed as the fee for making a water connection:

~~A. Inside the corporate limits of the City of Lincoln:~~

- ~~1. A. Three-quarter-inch tap: \$900~~ \$1,200.
- ~~2. B. One-inch tap: \$1,200~~ \$1,600.00.
- C. Two-inch tap: \$4,000.00.
- D. Irrigation three-quarter inch tap: \$1,200.00.

~~B. Outside the corporate limits of the City of Lincoln:~~

- ~~1. Three quarter inch tap: \$1,080.~~
 - ~~2. One inch tap: \$1,380.~~
- ~~C. Two inch taps and irrigation three quarter inch taps:~~

1. ~~Two-inch tap: \$900 plus cost of parts.~~
2. ~~Irrigation three-quarter-inch tap: \$900.~~

Section Four: Effective Date. This Ordinance shall become effective from and after 91 days following its publication unless an Emergency Clause is appended.

Section Five: Repealing Clause. Ordinances or parts thereof in effect at the time that this ordinance shall take effect that are in conflict herewith, are repealed.


Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Seven: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Section Eight: Emergency Clause. The Lincoln City Council finds and declares that effective, reliable and functioning water service is imperative to the life, health, safety, welfare and commerce of the citizens of the City of Lincoln, and that adequate financial resources are necessary to a functioning water system. The City needs water service that is fiscally sound and self-sustaining, and the current water tap fee structure falls short on both of those criteria. Therefore, this matter is such pressing business that it is viewed that an immediate solution is necessary thereby creating an emergency. It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Lincoln, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 19th day of September, 2023.

APPROVED:



Doug Hutchens, Mayor

ATTEST:



Becky Carter, Clerk-Treasurer

