



## Legislation Text

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**File #:** ORD-89:1180, **Version:** 1

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AN ORDINANCE TO AMEND ORDINANCE NO. 1269 KNOWN AS THE ORDINANCE LEVYING A PRIVILEGE TAX ON THE USERS OF WATER, DIRECTING THE COLLECTION THEREOF AND DECLARING AN EMERGENCY.

WHEREAS, Acts of the Legislature of Arkansas authorize the levying of privilege taxes and it being found and declared that users of water are privileged to and do receive benefits of fire and health protection by reason of the use of city streets, rights-of-way, fire fighting, fire prevention and police protection, without which the beneficial use of water would be curtailed or non-existent, resulting in serious harm to all individual citizens and to the public interest.

WHEREAS, the cost of the services rendered by the City to the users of water have increased so that such services cannot continue to be performed without additional revenue and it being deemed to be equitable as well as essential that water users bear their fair share of such costs.

WHEREAS, any utility company which serves water to the citizens of the municipality is by reason of its records and billing procedures, capable of collecting such privilege tax or water use or users of water as the City of Jonesboro may levy at a savings in expense to the City and any utility company which serves water to the citizens of the municipality, the Board of Directors of the utility company is directed to collect such tax for the City and to remit all sums collected as herein provided.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

SECTION 1: There is hereby levied upon each user of water as fixed and determined by the existence of each water meter in service within the City of Jonesboro, a monthly privilege tax of ten per cent (10%) of the gross water bill which shall be added to each monthly bill and collected for the City by any utility company which serves water to the citizens of the municipality.

SECTION 2: Any utility company which serves water to the citizens of the municipality shall pay the entire amount collected during the previous calendar month to the Treasurer of the City of Jonesboro, within fifteen days after the end of each month. This payment shall be in addition to any and all sums paid to or collected for the City of Jonesboro by any utility company which serves water to the citizens of the municipality pursuant to existing agreements, contracts, laws or order of court.

SECTION 3: Any utility company which serves water to the citizens of the municipality is authorized to terminate any or all utility services to any customer who fails to pay such charge when due and shall make available to the City of Jonesboro on request the names and amounts of all who may be delinquent in such payment.

SECTION 4: The City Council of the City of Jonesboro has determined that governmental services of the City are declining rapidly in quantity and quality because of inadequate funds. An emergency is thereby created and is hereby declared and this ordinance, being necessary for the immediate preservation of the public health, safety and welfare, shall be in full force and effect from and after its passage.

PASSED AND ADOPTED this 20<sup>th</sup> day of November, 1989.