



**City of Conway, Arkansas
Ordinance No. O-23-33**



**CERTIFICATE OF RECORD
FAULKNER CO, AR FEE \$25.00**

I hereby certify that this instrument was
Filed and Recorded in the Official Records

In Doc Num **L202307074** 3 Pages

RECORDED: 05-31-2023 03:22:26 PM

NANCY EASTHAM

FAULKNER COUNTY CIRCUIT CLERK

BY: SHAWN MIX, D.C.

ORDINANCE

AN ORDINANCE ALLOWING CONWAY CORPORATION TO ACCEPT WASTEWATER FROM THE PRESTON AREA OUTSIDE THE CITY; SETTING RATES; AND FOR OTHER PURPOSES

Whereas, the City of Conway, Arkansas (the "City") owns a sewer system (the "System"), which System is operated by Conway Corporation, an Arkansas nonprofit corporation (the "Corporation"), pursuant to an exclusive franchise granted by the City; and

Whereas, the City and the Corporation have determined that it is necessary to preserve the ecology of Lake Conway by regionally treating wastewater and diverting it from Lake Conway; and

Whereas, the City has previously adopted Ordinance 0-19-55 which allows Conway Corporation to serve wastewater outside the city, with the approval of the Mayor and the City Council; and

Whereas, the Preston Area received American Rescue Plan Act funding from the Arkansas Natural Resources Department and from the Faulkner County Quorum Court to pay for the necessary improvements;

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

Section 1. Conway Corporation is authorized to treat wastewater from the Preston Area of Faulkner County.

Section 2. OM&R charge. For the purpose of providing for the operation, maintenance and replacement of the System (OM&R) for sewer service billed after the beginning of this Project, all residential or commercial users shall be charged monthly: \$18.79.

Section 3. VOLUMETRIC charge. The volumetric monthly charge for all use shall be \$8.08 per thousand gallons or part thereof and a minimum volumetric charge for 1,000 shall be used to calculate the minimum monthly invoice.

Section 4. The monthly minimum shall be the OM&R charge plus a monthly minimum of 1,000 gallons. The minimum charge shall be \$18.79 plus \$8.08 for a total minimum of \$26.87.

Section 5. The provisions of this Ordinance are separable and if a section, phrase or provision hereof shall be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 6. All ordinances and resolutions and parts thereof in conflict herewith, are hereby repealed to the extent of such conflict.


Section 7. Rates shall be effective January 1, 2025 or upon thirty days' notice when the System improvements are complete.

Section 8. This Ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway and it is in the best interests of the City and citizens due to the rate covenants which require the City to maintain a minimum debt coverage for its wastewater revenue bonds.

Therefore, an emergency is declared and this Ordinance shall be in full force and effect on and after _____, 2023.


PASSED this 25th day of April, 2023.

Approved:



Mayor Bart Castleberry

Attest:



Michael O. Garrett
City Clerk/Treasurer



CERTIFICATE

**STATE OF ARKANSAS
COUNTY OF FAULKNER
CITY OF CONWAY**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of an ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 25th day of April, 2023 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 26th day of April, 2023.



CITY CLERK-TREASURER

