

**ORDINANCE NO. 6021**

**AN ORDINANCE ESTABLISHING AND SETTING RATES FOR  
SANITARY SEWER SERVICE; REPEALING ORDINANCE 5429, AND  
PERTAINING TO OTHER MATTERS RELATING THERETO.**

**WHEREAS**, the City of Springdale, after conducting a public hearing as required by Ark. Code Ann. §14-235-223, has found it necessary to increase sanitary sewer rates in order to maintain the operation and maintenance of wastewater facilities and to provide the revenue required for future expansion and improvements to the city's wastewater facilities;

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

**SECTION 1:** That Ordinance No. 5429 of the City of Springdale, Arkansas is hereby specifically repealed as of the effective date of the schedule herein established and that all other ordinances and parts of ordinances establishing schedules of rates for sanitary sewer supplied or to be supplied by Springdale Water Utilities are also repealed.

**SECTION 2:** That all customers whose premises are connected to and use the sanitary sewer system of the City of Springdale, or whose premises are in any way served by the Springdale sanitary sewer system are hereby classified as Domestic or Industrial Users. A Domestic User is defined as a user whose wastewater from residential property flows into and is treated by the Springdale sanitary sewer system. An Industrial User is defined as a user whose liquid waste from commercial, industrial, manufacturing, processing, trade or business, except domestic waste, that flows into and is treated by the Springdale sanitary sewer system.

**SECTION 3:** That the following schedule of rates are hereby established for sanitary sewer service furnished by the City of Springdale Water and Sewer Commission. The charges for all sewer collection and treatment shall be determined each month in accordance with Schedule (A) below. In addition, Industrial Users are subject to monthly surcharges for excessive Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) as established in Schedule (B) below.

**SCHEDULE A:**

The following charges shall be based on water metered, or approved direct sewer meters, for each Domestic and Industrial User, except as otherwise specifically provided below in Section 5 paragraph (b). The following monthly rates are hereby fixed as rates to be charged for sewer service and shall become effective for sewer services billed on or after January 1, 2025.

<u>Inside City:</u>	<u>1/01/25</u>	<u>10/01/25</u>	<u>10/01/26</u>	<u>10/01/27</u>	<u>10/01/28</u>
Minimum 1,000 Gallons	\$15.55	\$19.55	\$23.40	\$23.70	\$24.00
Next 24,000 Gallons	\$ 5.17	\$ 6.17	\$ 7.17	\$ 8.17	\$ 9.17
Next 225,000 Gallons	\$ 5.13	\$ 6.13	\$ 7.13	\$ 8.13	\$ 9.13
Next 350,000 Gallons	\$ 5.04	\$ 6.04	\$ 7.04	\$ 8.04	\$ 9.04
Next 400,000 Gallons	\$ 4.91	\$ 5.91	\$ 6.91	\$ 7.91	\$ 8.91
All Over 1,000,000 Gallons	\$ 3.96	\$ 4.16	\$ 4.36	\$ 4.56	\$ 4.76

<u>Outside City:</u>	<u>1/01/25</u>	<u>10/01/25</u>	<u>10/01/26</u>	<u>10/01/27</u>	<u>10/01/28</u>
Minimum 1,000 Gallons	\$16.80	\$20.80	\$24.65	\$24.95	\$25.25
Next 24,000 Gallons	\$ 5.48	\$ 6.48	\$ 7.48	\$ 8.48	\$ 9.48
Next 225,000 Gallons	\$ 5.40	\$ 6.40	\$ 7.40	\$ 8.40	\$ 9.40
Next 350,000 Gallons	\$ 5.27	\$ 6.27	\$ 7.27	\$ 8.27	\$ 9.27
Next 400,000 Gallons	\$ 5.24	\$ 6.24	\$ 7.24	\$ 8.24	\$ 9.24
All Over 1,000,000 Gallons	\$ 4.06	\$ 4.26	\$ 4.46	\$ 4.66	\$ 4.86

**SCHEDULE B:**

All Industrial Users are subject to an additional monthly sewer service charge (surcharge) to defray the long or short term costs associated with the treatment of high strength wastewater.

Monthly average discharges of Biochemical Oxygen Demand (BOD) of 289 mg/L and Total Suspended Solids (TSS) of 300 mg/L shall not be exceeded without incurring a surcharge.

(a) A surcharge shall be added to the monthly sewer bill of any Industrial User whose wastewater discharge exceeds the allowable base established herein. Such surcharge shall be calculated using the following formula:

**FORMULA FOR CALCULATING SURCHARGES:**

$$S = V_{ww} \times 8.34 [ Y ( TSS - 300 ) + Z ( BOD - 289 ) ]$$

Where:

- S = Surcharge in Dollars (monthly)
- V<sub>ww</sub> = Volume wastewater in million gallons (monthly)
- 8.34 = Pounds per gallon of water
- Y = Unit charge of TSS in dollars per pound
- TSS = Total Suspended Solids strength index in milligrams per liter by weight (300 mg/L or more)
- 300 = Maximum TSS strength in milligrams per liter by weight
- Z = Unit charge for BOD in dollars per pound
- BOD = Five day Biochemical Oxygen Demand strength index in milligrams per liter by weight (289 mg/L or more)
- 289 = Maximum BOD strength in milligrams per liter

Current charges for Y = \$1.124

Current charges for Z = \$0.658

- (b) The Springdale Water and Sewer Commission is authorized to suspend part or all of the surcharge based upon preapproved authorization to make scheduled repairs or installation of equipment.
- (c) The current unit charge for Total Suspended Solids (Y) and the current unit charge for Biochemical Oxygen Demand (Z), as listed above, shall remain effective for sewer service billed. The Springdale Water and Sewer Commission shall review annually on a fiscal year basis the actual cost of treating high strength waste and shall increase or decrease the unit charge for Y and Z of the Formula for Calculating Surcharges in accordance with the finding of such review.

**SECTION 4:** That no free facilities or sewer services shall be furnished. In the event that the city or any department, agency or instrumentality thereof shall avail itself of the facilities or services afforded by the sanitary sewer service of the City of Springdale, the reasonable value of the service or facilities so afforded shall be charged against the city or such department, agency or instrumentality and shall be paid for as the charges therefore accrue at industrial rates.

**SECTION 5:** That the above schedule of rates be, and they are hereby fixed as rates to be charged for services to be rendered and benefits to be received from the wastewater collection and treatment facilities, to-wit:

- (a) All bills for sewage collection and treatment shall be rendered to the user monthly, such statements to be rendered and collected by the City of Springdale, and shall cover the same period and collection procedures as corresponding water bills. All bills shall be rendered in the net amount due and the charge shall be determined by each thousand gallons of water, or portion thereof, furnished to each user.
- (b) The gallonage of sewage collected and treated shall be based on water metered to each Domestic and Industrial User, exclusive of seasonal water and other water uses metered separately which do not directly or indirectly discharge flows into the sanitary sewer system. Direct sewer meters may also provide monthly treatment if approved in advance by Springdale Water Utilities.
- (c) All users shall be connected to the Springdale water system and the discharge of all liquid waste to the sanitary system shall be derived from metered water supplied by the City of Springdale. The discharge of seasonal water, storm water, surface water, groundwater, roof runoff, or water from other sources which are not metered for sewer charges are prohibited.

**SECTION 6:** Any user who feels that their user charge is unjust and inequitable may make written application to the business office of Springdale Water Utilities (the assumed name under which the Springdale Water and Sewer Commission does business) requesting a review of the user's charge. Said written request shall, where necessary, show the actual or estimated average flow and/or strength of the user's wastewater in comparison with the values upon which the charge is based, including how the measurements or estimates were made. Review of the request shall be made by the Office Manager or a designated representative of Springdale Water Utilities. If the user's request for an adjustment of the billing charges is substantiated, the sewer charges for that user may be adjusted in conformance with the

adjustment policy of the Springdale Water and Sewer Commission. Billing adjustments shall be based on the revised flow and/or strength data.

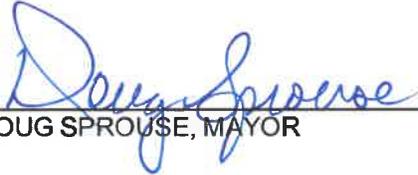
**SECTION 7:** The provisions of this Ordinance are separable from any development impact fee ordinance which may be adopted by the City Council pursuant to Ark. Code Ann. §14-56-103, and if any portion, section, provision, or phrase of any such development impact fee ordinance shall be declared invalid or unconstitutional, such action shall not affect the validity of this Ordinance. The rates stated hereinabove were reduced because it is anticipated that impact fees will pay for a portion of the capital improvements needed for the sewer system.

**SECTION 8:** That if any section, sub-section, sentence, clause or phrase of this ordinance is for any reason declared unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining sections of this ordinance. This ordinance shall take precedence over any terms or conditions or agreements or contracts which are inconsistent with the requirements of Section 204 (b) (1) (A) of the Clean Water Act, as amended or 40 CFR Part 35, Subpart I, Section 35.2140 promulgated by the United States Environmental Protection Agency on February 17, 1984.

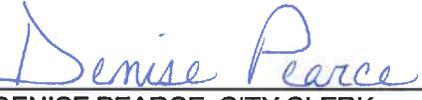
**SECTION 9:** That the Springdale City Council, after investigation, finds that the above rates are reasonable and necessary rates to be charged for sewer service by the City of Springdale, Arkansas. The Council further specifically finds that said rates are sufficient to provide for the operation and maintenance of the Springdale sewer system and are necessary for the payment of principal and interest on bonds to be issued to finance sewer works construction and to expand such system as may from time to time be required, and to provide depreciation funds for replacement of the sewer system.

PASSED AND APPROVED THIS 26<sup>th</sup> day of November, 2024.

APPROVED:

  
DOUG SPROUSE, MAYOR

ATTEST:

  
DENISE PEARCE, CITY CLERK

APPROVED AS TO FORM:

  
ERNEST CATE, CITY ATTORNEY

