ORDINANCE NO. *05-15-2008c*

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.08, SECTION 10.08.01 OF THE ELKINS' MUNICIPAL CODE CONCERNING UTILITY SERVICE BEYOND CITY LIMITS, AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, Ordinance No. 09-16-99A prohibited provision of city utility services to property and structures beyond city limits.

WHREAS, the Elkins' Water and Sewer Committee has recommended to the City Council that the Council should consider extending city utility services beyond city limits in certain situations.
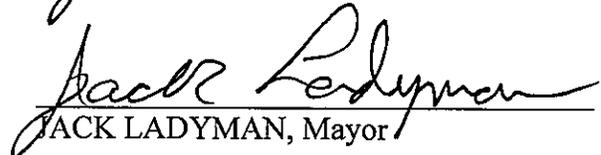
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELKINS, ARKANSAS; That:

Section 1:   From and after the effective date of this Ordinance Title 10, Chapter 10.08, Section 10.08.01 of the Elkins' Municipal Code shall read,

"Section 10.08.01 Utility Services: The City of Elkins, Arkansas, shall provide city utility services (currently water and/or sewer) only to property and structures within the City of Elkins unless the provision of such services is specifically authorized by the Elkins Water and Sewer Committee. The Water and Sewer Committee shall require, for services provided to property, and structures outside the City, that double check valves be installed between the City and the structure and property being serviced. All structures and property being connected to city utility services must agree to abide by city ordinances regarding waste and/or waste water."

Section 2:   In order to proceed with acquiring easements to replace, rehabilitate and enlarge the existing water service to all residents of Elkins, the Water and Sewer Committee needs to move with deliberate speed and passage of this ordinance is critical to that process. Therefore, the City Council hereby declares that in order to ensure the health, safety and welfare of the City's residents an emergency exists and this ordinance shall be in full force and effect immediately upon passage and approval.

PASSED AND APPROVED this 5th day of June , 2008.

JACK LADYMAN, Mayor

ATTEST:

CONNIE TOBER, Recorder/Treasurer