

RESOLUTION NO. 2022-14

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF WARD
TO PARTICIPATE THE FEDERAL LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM
(LIHWAP)**

WHEREAS, PUBLIC LAW 116-260, enacted in December 2021 established and provided appropriation for the Low-Income Household Water Assistance Program (LIHWAP); and,

WHEREAS, the purpose of the LIHWIP is to assist households with low incomes in paying arrearages (past due amounts) and rates charged to the household for drinking water and/or wastewater services. The priority is to ensure that households whose services have been disconnected due to non-payment, or are about to be disconnected, are able to have their service restored as quickly as possible.

WHEREAS, administered by the U.S. Department of Health and Human Services (DHHS) and the Arkansas Energy Office, this free, federally funded program offers up to \$2,000 to help qualified, low-income households pay their residential water or wastewater past-due balances.

WHEREAS, in order for households on the Ward Water and Sewer System to apply for this grant on-time grant, the System must become a Vendor with the Arkansas Department of Energy and Environment and abide by the Vendor Agreement (attached).

NOW THEREFORE, BE IT RESOLVED BY WARD CITY COUNCIL THAT the Mayor and/or City Clerk is hereby authorized to sign the attached Vendor Agreement.

SECTION 1: This Resolution will expire November 30, 2023 unless other terminated earlier.

THIS RESOLUTION adopted this 20 day of June, 2022.

PASSED YEAS 5 NAYS 0

DATE: 06/20/2022

APPROVED: 
Charles Gastineau, Mayor

ATTEST: 
Deborah Staley, Interim City Clerk

City Seal

SECTION 4: Prohibition against Tampering and Bypassing.

(a) No person shall install or cause to be installed any Jumper for the purpose of accessing water from the City of Ward Water Supply that results in access to the City water without passing thru an operating Proper Metering Device.

(b) No person shall, without authority from the City of Ward Water Department, turn on or off any portion of the City's Water System, destroy any part of the System (to include individual meters, meter loops or meter locks), or otherwise change or damage the System.

(c) Upon discovery of a Jumper or any form of tampering with the Water System, the City of Ward Police Department or the Lonoke County Sheriff's Department may be notified and shall have the ability to issue a citation for violation of the Ordinance to the person or entity who has caused such violation and to the owner of the property where the violation occurred.

(d) The owner of the property where the violation of the Ordinance occurred shall be responsible for any and all fines, penalties and/or damages resulting from the violation.

(e) This Ordinance shall apply to the entire City of Ward Water System both inside and outside of the corporate limits of the City.

(f) Any person who violates this Ordinance may be fined not less than \$100.00 or more than \$300.00 for the first offense. For the second and all subsequent offenses, the fine shall be not less than \$250.00 or more than \$1,000.00 for each offense. A separate offense shall be committed for each parcel of real estate owned by the owner on which a violation occurs.

(g) In addition to the penalty provided for in paragraph (f) above, any person violating this Ordinance may also be required to pay all damages to the City Water Department as a result of said violation and for the value of the water used as a result of such violation.

SECTION 5: The operation of the System shall be on a fully metered basis, with a meter installed at each water connection and there shall be only one user on a single meter. All bills for water service shall be rendered in the net amount due. If any water bill is not paid on or before the 10th of each month after billing is rendered, a 10% penalty shall be added, and if any bill is not paid within thirty (30) days after the bill shall be rendered, water service shall be disconnected.

SECTION 6: That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: That it is ascertained and declared that the Water and Sewer System of the City of Ward has inadequate revenue generation to operate, maintain, and upgrade the water system as needed in order to properly serve the users on the System; thus, endangering the life, health, and safety of the inhabitants and their property, and that the most practical manner in which those hazards can be eliminated is by the generation of additional revenue through the rate structure set forth in the section preceding; and therefore, a rate increase is justified and necessary for the immediate preservation of the public peace, health and safety. This shall take immediate effect and be in force from and after its passage.