

ORDINANCE NO. 2006-3

AN ORDINANCE PROVIDING FOR THE COMPUTATION OF THE OCCUPATION (LICENSE) TAX THAT THE ARKANSAS CENTER POINT ENERGY ARKLA GAS COMPANY SHALL PAY TO THE CITY OF TURRELL, ARKANSAS, FOR THE YEAR 2006 AND FUTURE YEARS; PROVIDING FOR THE PAYMENT THEREOF; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the Center Point Energy Arkla Gas Company (hereinafter sometimes referred to as the "Gas Company") is duly authorized by franchise ordinance heretofore enacted to operate a gas distribution system and appurtenances thereto, for the rendition of gas service to Turrell Arkansas, (hereinafter sometimes referred to as the "Municipality") and to the citizens thereof; and,

WHEREAS, said Gas Company is now or will be occupying the streets and alleys of said Municipality for the purpose of supplying gas service to said Municipality and its citizens; and,

WHEREAS, the Municipality is entitled to receive such just and reasonable taxes from the Gas Company which the Municipality may lawfully impose;

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

SECTION 1. There is hereby levied an annual Occupation (License, Franchise, or other special city) Tax to be paid by Arkansas Center Point Energy Arkla Gas Company for the year 2006 and future years until changed by ordinance, the amount of which tax shall be 5% of gross revenues collected each year by said company for natural gas consumption from domestic and commercial customers located within said Municipality. Said Municipality shall be paid upon completion of monthly computations of current gross revenues each month. Payment is to be paid to the City by the 25th of the following month. The amount of said tax, together with the cost of billing, collecting and remitting same, shall be passed on by the Gas Company to said domestic and commercial customers, within the corporate limits of said municipality, as a per cent of monthly gross billings, in proportion to the amount of natural gas used by said customers.

An additional special assessment, tax and charge shall be imposed as follows: Arkansas Center Point Energy Arkla shall pay to the City of Turrell, Arkansas, the sum of Two and No/100ths Dollars (\$2.00), annually for each of the average number of customers served during the next calendar year within the limits of the City of Turrell, Arkansas.

SECTION 2. Nothing herein shall be construed to alter or change the terms or conditions of the present franchise under which the Gas Company is operating.

SECTION 3. All other ordinances, agreements and parts of ordinances and agreements in conflict with the provisions of this Ordinance are hereby repealed.

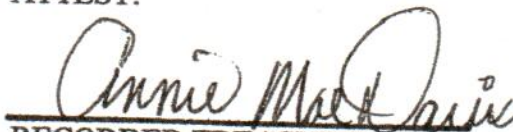
SECTION 4. Whereas there is great need for revenues in the City of Turrell, Arkansas, to carry on necessary public services; and, whereas this

Ordinance should become effective immediately in order to provide for the prompt computation and collection of said taxes; therefore, and emergency is hereby declared to exist, and this Ordinance being necessary for the immediate protection of the public peace, health and safety, shall take effect immediately upon its passage and approval.

PASSED this 22 day of May, 2006.


FRANKLIN LOCKHART SR., MAYOR

ATTEST:


RECORDER TREASURER