

AN ORDINANCE REGULATING THE USE OF PUBLIC SEWERS AND PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM: AND PROVIDING PENALTIES FOR VIOLATIONS

Be it ordained and enacted by the Council of the City of Greenland, State of Arkansas:

ARTICLE I: DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

1. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.
- Sec. 2. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- Sec. 3. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- Sec. 4. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- Sec. 5. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- Sec. 6. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
7. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- Sec. 8. "Person" shall mean any individual, firm, company, association, society, corporation, or group
9. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Sec. 10. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any direction.
11. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

- Sec. 12. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.
- Sec. 13. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.
- 14. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- 15. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
- 16. "Sewer" shall mean a pipe or conduit for carrying sewage.
- 17. "Shall" is mandatory; "May" is permissive.
- 18. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation.
- 19. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- 20. "Superintendent" shall mean the Superintendent of the Water and Sewer Department of the City of Fayetteville or his authorized deputy agent or representative.
- 21. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- 22. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II: USE OF PUBLIC SEWERS REQUIRED

- Sec. 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Greenland, any human excrement, garbage, or other objectional waste.
- Sec. 2. It shall be unlawful to discharge to any natural outlet within the City of Greenland any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- Sec. 3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- 4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes,

situated within the City of Greenland and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the City of Greenland, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within two hundred (200) feet (61 meters) of the property line.

ARTICLE III: ADOPTION OF CODES AND REGULATIONS

1. Where a public sanitary sewer is not available under the provisions of Article II, Section 4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of "Septic Tank Systems, Bulletin No. 9, Arkansas Department of Health."
2. There is hereby adopted by reference the provisions of "Arkansas State Plumbing Code, Rules and Regulations of the State Board of Health, Governing the Construction, Installation and Inspection of Plumbing and Drainage, 1971 Fifth Edition" issued by the Arkansas State Board of Health, Little Rock, Arkansas, together with any amendments and revisions hereafter enacted by the Arkansas State Board of Health.
3. There is hereby adopted by reference the provisions of "Arkansas State Gas Code, Rules and Regulations of the State Board of Health, Governing the Installation of Utility Gas, First Edition 1975" issued by the Arkansas State Board of Health, Little Rock, Arkansas, together with any amendments and revisions hereafter enacted by the Arkansas State Board of Health pursuant thereto.

ARTICLE IV: LICENSE AND PERMITS

- Sec. 1. It shall be unlawful for any person other than a person authorized by the Water and Sewer Superintendent of the City of Fayetteville, Arkansas, to make connection with the sewer collection system in the City of Greenland, or to tamper with any manhole or any appurtenance to the sewer collection system in this city. Violation of this Section shall be a misdemeanor and shall be prosecuted within the limits of the law.
- Sec. 2. Any person desiring to install or replace any plumbing work within the City of Greenland shall first obtain a plumbing permit from the Clerk, City of Greenland, and from the plumbing inspector, City of Fayetteville.
- Sec. 3. Persons applying to the City of Greenland for a plumbing permit shall pay the amount specified by the City Council as necessary to repair any street cut required as part of the plumbing work.
- Sec. 4. Persons applying to the City of Fayetteville for a plumbing permit shall present a valid Greenland Plumbing Permit and comply with the procedures and pay the fees for permit and inspection as provided by the City of Fayetteville ordinances.

ARTICLE V: USE OF PUBLIC SEWERS

1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet.

3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

(c) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch, manure, hair and fleshings, entrails and paper dishes, cups milk containers, etc., either whole or ground by garbage grinders.

4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than one hundred fifty (150)°F (65°C).

(b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150)°F (0 and 65°C).

(c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped

with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent.

(d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

(e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.

(f) Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

(g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.

(h) Any waters or wastes having a pH in excess of 9.5.

(i) Materials which exert or cause:

(1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

(2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Sec. 5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

(a) Reject the wastes,

(b) Require pretreatment to an acceptable condition for discharge to the public sewers,

(c) Require control over the quantities and rates of discharge, and/or

(d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of this Article.

If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all appli-

- Sec. 6. Grease, lint, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.
- Sec. 7. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
8. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.
9. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hr composites of all outfalls whereas pH's are determined from periodic grab samples.)
- Sec. 10. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the City of Greenland and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City of Greenland for treatment, subject to payment therefor, by the industrial concern.

#### ARTICLE VI: PENALTY FOR MALICIOUS DAMAGE

- Sec. 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

## ARTICLE VII: AUTHORITY OF INSPECTORS

1. The Superintendent and other duly authorized employees of the City of Fayetteville bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
2. While performing the necessary work on private properties referred to in Article VII, Section 1 above, the Superintendent or duly authorized employees of the City of Fayetteville shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8.
3. The Superintendent and other duly authorized employees of the City of Fayetteville bearing proper credentials and identification shall be permitted to enter all private properties through which the City of Greenland holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

## ARTICLE VIII: PENALTIES

1. Any person found to be violating any provision of this ordinance except Article VI shall be served by the City of Greenland with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
2. Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding fifty (50) dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
3. Any person violating any of the provisions of this ordinance shall become liable to the City of Greenland for any expense, loss, or damage occasioned by the city by reason of such violation.
4. The Superintendent of the City of Fayetteville is hereby authorized to enforce the provisions of this ordinance by the discontinuance of sewer service in the event of violation.

shall uncover the sewer connection where it joins the main, cut or remove a section of the pipe at the junction with the main, and plug the service pipe with concrete and close the opening to the main. After sewer service has been discontinued as authorized in this section, it may be resumed only after the reasons for discontinuance of service have been corrected and payment of one-half (1/2) the charge for a new sewer connection to the property has been paid to the City of Fayetteville.

ARTICLE IX: VALIDITY

1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE X: EFFECTIVE DATE

Sec. 1. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

2. Passed this 1 day of February, 1977

  
MAYOR

ATTEST

  
RECORDER