TITLE 10

WATER AND SEWER

Chapters:

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CHAPTER 10.04

WATER AND SEWER COMMISSION ABOLISHED

Sections:

10.04.01 Commission abolished
10.04.02 Business records

10.04.01 Commission abolished The Atkins Water and Sewer Commission is hereby abolished effective the 15th day of February 2000. (Ord. No. 2000-01, Sec. 1.)

10.04.02 Business records The Commissioners of the Atkins Water and Sewer Commission and its employees shall corporate in the orderly transfer of all business records and documents, financial records and assets, bank accounts, certificates of deposit, and other physical and monetary assets to the city of Atkins by and through its officers and employees in order that the transferal of such records, documents, and assets shall be accomplished on or before the effective date set forth in 10.04.01. (Ord. No. 2000-01, Sec. 2.)

CHAPTER 10.08

WATER RATES

Sections:

10.08.01 Water rates
10.08.02 Connection fees
10.08.03 Meter deposits

10.08.01 Water rates Except for those entities or organizations charged water rates pursuant to a separate contract, ordinance, or resolution entered into with the City of Atkins, the following monthly water rates shall be charged to all those customers purchasing water from the City of Atkins:

Beginning July, 2016 the rates shall be as follows:

First 10,000 gallons	$12.00 + $2.12 per thousand gallons
Next 40,000 gallons	$1.59 per thousand gallons
Next 50,000 gallons	$1.45 per thousand gallons
All over 100,000 gallons	$1.32 per thousand gallons

Beginning July, 2017 the rates shall be as follows:

First 10,000 gallons	$12.00 + $2.23 per thousand gallons
Next 40,000 gallons	$1.67 per thousand gallons
Next 50,000 gallons	$1.52 per thousand gallons
All over 100,000 gallons	$1.39 per thousand gallons

Beginning July, 2018 the rates shall be as follows:

First 10,000 gallons	$12.00 + $2.34 per thousand gallons
Next 40,000 gallons	$1.75 per thousand gallons
Next 50,000 gallons	$1.60 per thousand gallons
All over 100,000 gallons	$1.46 per thousand gallons

Beginning July, 2019 the rates shall be as follows:

First 10,000 gallons	$12.00 + $2.46 per thousand gallons
Next 40,000 gallons	$1.84 per thousand gallons
Next 50,000 gallons	$1.68 per thousand gallons
All over 100,000 gallons	$1.53 per thousand gallons

Beginning July, 2020 the rates shall be as follows:

First 10,000 gallons	$12.00 + $2.58 per thousand gallons
Next 40,000 gallons	$1.93 per thousand gallons
Next 50,000 gallons	$1.76 per thousand gallons

All over 100,000 gallons	$1.61 per thousand gallons

Beginning July, 2021 the rates shall be as follows:

First 10,000 gallons	$12.00 + $2.71 per thousand gallons
Next 40,000 gallons	$2.03 per thousand gallons
Next 50,000 gallons	$1.85 per thousand gallons
All over 100,000 gallons	$1.69 per thousand gallons

The consumption of water shall be billed in one thousand (1,000) gallon increments except any increment of less than one thousand (1,000) gallons shall be billed pro rata in one hundred (100) gallon increments.

A ten (10%) penalty will be added to any payment made for water services paid after the fifteenth (15^{th}) day of the month in which the payment was originally due. If the account is not paid before the fifteenth (15^{th}) of the second months billing, service shall be disconnected and a charge of twenty five ($25.00) plus the payment of all delinquent accounts shall be paid before being reconnected.

(Ord. No. 2016-4, Sec. 1.)

10.08.02 Connection fees The City of Atkins shall charge a connection fee for each water tap in the amount of Five Hundred Dollars ($500.00) beginning the 31^{st} day of December, 2005. (Ord. No. 2016-4, Sec. 2.)

10.08.03 Meter deposits Each customer of the water system shall be required to pay a meter deposit of one hundred dollars ($100.00) to be applied when necessary to payment of delinquent water or sewer bills. No interest shall be paid on any deposit.

CHAPTER 10.12

SEWER RATES AND RELATED MATTERS

Sections:

10.12.01 Sewer rates
10.12.02 Connection fees
10.12.03 Cost to property owners
10.12.04 Lien

10.12.01 Sewer rates The following monthly rates are fixed as rates to be charged for the treatment of sewage provided by the city of Atkins effective the 20th day of March, 2006.

A. Definitions As used in this ordinance, the following words and terms shall be defined as hereinafter provided:

1. Residential Unit:

a. Each separate dwelling house and the lot or parcel of land on which it is situated and which is utilized in connection therewith.

b. Each apartment or separate dwelling unit of a duplex, apartment building or other such dwelling house designed for occupancy and occupied by two (2) or more families or tenants.

2. Commercial unit Each building, part of a building, or separately utilized parcel of land, whether or not any building is situated thereon, which is occupied and used as a separate unit, or by a single tenant, for office space or for the conducting thereof a separate mercantile business or other business activity.

3. Industrial unit Any plant used for the purpose of manufacturing, compounding, processing, packaging, assembling or storing of products, equipment, or materials and the parcel of land on which it is situated and which it is utilized in connection therewith.

B. Residential and commercial rates Except in the case of summer rates for certain residential units as hereinafter provided for in Subsection C of this section the rates applicable for the treatment of sewage provided to each residential unit and commercial until shall be as follows:

SEWER RATES

Effective July 1, 2016 sewer rates shall be as follows:	
For all monthly water consumption in excess of 10,000 gallons	$12.00 + $2.47 per 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 10,000 gallons to and including 50,000 gallons	$2.19 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 50,000 gallons to and including 100,000 gallons	$1.44 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 100,000 gallons to and including 200,000 gallons	$1.27 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 200,000 gallons	$1.15 for each 1,000 gallons or portion thereof.

Effective July 1, 2017 sewer rates shall be as follows:	
For all monthly water consumption in excess of 10,000 gallons	$12.00 + $2.59 per 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 10,000 gallons to and including 50,000 gallons	$2.30 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 50,000 gallons to and including 100,000 gallons	$1.51 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 100,000 gallons to and including 200,000 gallons	$1.33 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 200,000 gallons	$1.21 for each 1,000 gallons or portion thereof.

Effective July 1, 2018 sewer rates shall be as follows:	
For all monthly water consumption in excess of 10,000 gallons	$12.00 + $2.72 per 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 10,000 gallons to and including 50,000 gallons	$2.42 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 50,000 gallons to and including 100,000 gallons	$1.59 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 100,000 gallons to and including 200,000 gallons	$1.40 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 200,000 gallons	$1.27 for each 1,000 gallons or portion thereof.

Effective July 1, 2019 sewer rates shall be as follows:	
For all monthly water consumption in excess of 10,000 gallons	$12.00 + $2.86 per 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 10,000 gallons to and including 50,000 gallons	$2.54 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 50,000 gallons to and including 100,000 gallons	$1.67 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 100,000 gallons to and including 200,000 gallons	$1.47 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 200,000 gallons	$1.33 for each 1,000 gallons or portion thereof.

Effective July 1, 2020 sewer rates shall be as follows:	
For all monthly water consumption in excess of 10,000 gallons	$12.00 + $3.00 per 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 10,000 gallons to and including 50,000 gallons	$2.67 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 50,000 gallons to and including 100,000 gallons	$1.75 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 100,000 gallons to and including 200,000 gallons	$1.54 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 200,000 gallons	$1.40 for each 1,000 gallons or portion thereof.

Effective July 1, 2021 sewer rates shall be as follows:	
For all monthly water consumption in excess of 10,000 gallons	$12.00 + $3.15 per 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 10,000 gallons to and including 50,000 gallons	$2.80 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 50,000 gallons to and including 100,000 gallons	$1.84 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 100,000 gallons to and including 200,000 gallons	$1.62 for each 1,000 gallons or portion thereof.
For all monthly water consumption in excess of 200,000 gallons	$1.47 for each 1,000 gallons or portion thereof.

The treatment of sewage shall be billed on one thousand (1,000) gallon increments, except any increment of less than one thousand (1,000) gallons shall be billed pro rata in one hundred (100) gallon increments.

A ten percent (10%) penalty will be added to any payment for sewer services received after the fifteenth (15^{th}) day of the month in which it was due. If the account is not paid before the fifteenth (15^{th}) of the second months billing, service shall be disconnected as a charge of twenty five $25.00, plus the payment of delinquent accounts shall be paid before being reconnected. . (Ord. No. 2016-5, Sec. 1.)

C. Residential summer rates For any and all single family residential units and any and all individual residential units of a multi-family residential unit equipped with a separate water meter and having been connected to and using water from the city water system prior to the time that all water meters in the city of Atkins were read for billing purposes during the month of December during the prior year, the following summer sewer rates shall apply:

The sewer service charge may be added to the water and sewer bills for the water consumption readings taken in the months of June, July, August and September of each year shall be calculated and based on the average of the water consumption readings taken in the months of January, February and March of the same year; provided, however, in no event shall the sewer service charges to be added to such water and sewer bills for such water (Consumption readings taken in the months of June, July, August and September of each year exceed in amount the actual charges otherwise incurred during those months for those services.

D. Industrial rates The city of Atkins, shall contract with all industrial units on a negotiated basis to determine the sewer rates to be charged to each such industrial unit. (Ord. No. 2003-05, Sec. 1)

10.12.02 Connection fees The city of Atkins shall charge a connection fee for each sewer tap in the amount of Four Hundred Dollars ($400.00) beginning July 1, 2016. (Ord. No. 2016-5, Sec. 3.)

10.12.03 Cost to property owners All costs of extending sewer service from a public sewer owned by the city of Atkins to any property shall be borne by the owner of said property. (Ord. No. 2016-5, Sec. 5.)

10.12.04 Lien Under the provisions of Section 19-4113 of Arkansas Statutes (1947) a lien is fixed upon the land for any unpaid sewer service charge, even though the use of the sewer system may be by a tenant or lessee instead of the owner, but vacant unoccupied property not actually using the sewer system shall not be subject to a service charge. The burden of proving non-use during vacancy shall rest upon the owner of the property. (Ord. No. 2016-5, Sec. 7.)

and shall, when necessary, be increased to provide for operation and maintenance of the sewer system and for the payment of the principal of and interest on the Bonds and shall, when necessary, be increased to provide a minimum monthly charge not less than the cost to the city for operation and maintenance of the sewer system per the applicable number of gallons of sewage treated. (Ord. No. 87-1, Sec. 3)

CHAPTER 10.16

USE OF SEWAGE FACILITIES

Sections:

10.16.01 Definitions
10.16.02 Use of public sewers required
10.16.03 Private sewage disposal
10.16.04 Building sewers and connections
10.16.05 Use of the public sewers
10.16.06 Protection from damage
10.16.07 Powers and authority of inspectors
10.16.08 Penalties

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

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 twenty degrees (20 degrees C), expressed in milligrams per liter.

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.

Building sewer shall mean the extension from the building drain to the public sewer or other place of disposal.

Combined sewer shall mean receiving both surface run off and sewage.

Garbage shall mean solid waste from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

GPM shall mean gallons per minute.

Industrial wastes shall mean the liquid wastes from industrial manufacturing processes, trade, or business, including sanitary sewage therefrom.

MG shall mean million gallons.

Natural outlet shall mean any outlet into a watercourse,, pond, ditch, lake or other body of surface or ground water.

Person shall mean any individual, firm company, association, society, corporation or group.

pH shall mean the logarithm of the reciprocal of hydrogen ions in grams per liter of solution.

Properly shredded garbage shall mean the wastes from the preparation, cooking, and disposing 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 (3-2) inch (1.27 centimeters) in any dimension.

Sewer shall mean a pipe or conduit for carrying sewage.

Public sewer shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

Sanitary sewer shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

Sewage shall mean a combination of the water-carried wastes from residences, business building, institutions, and industrial establishments, together with such ground, surface and stormwaters as may be present.

Sanitary sewage shall mean the sewage discharging from the sanitary conveniences of places of human habitation.

Sewage treatment plant shall mean any arrangement of devices and structures used for treating sewage.

Sewage works shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

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 or flows during normal operation.

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.

Superintendent shall mean the Superintendent of Sewers of the city or his authorized agent, deputy or representative.

Suspended solids (TSS) shall mean the 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.

Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently. (Ord. No. 85-6, Sec. 3 and 4)

10.16.02 Use of public sewers required 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 corporate limits of the city, or in any area under the jurisdiction of said city, any human or animal excrement, garbage or other objectionable waste. It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of said city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

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.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the city 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, 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 chapter, within sixty (60) days after date of official notice to do so, provided that said public sewer is within three hundred (300) feet of the property line. (Ord. No. 307, Sec. 2; adopted August 1, 1972)

10.16.03 Private sewage disposal Where a public sanitary or combined sewer is not available under the provisions of 10.16.02, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section.

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Superintendent. A permit and inspection fee of Five Dollars ($5.00) shall be paid to the city at the time the application is filed. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice by the Superintendent.

The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Arkansas. No permit shall be issued for any private sewage disposal system employing subsurface which is less than twenty thousand (20,000) square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in this section, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city.

No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Health Officer. When a public sewer becomes available; the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt. (Ord. No. 307, Sec. 3; adopted August 1, 1972)

10.16.04 Building sewers and connections No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

There shall be two (2) classes of building sewer permits: (a) for residential and commercial service; and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in judgment of the Superintendent. A permit and inspection fee of an amount set by the Water and Sewer Commission for a residential commercial building sewer or industrial building sewer permit shall be paid to the city at the time the application is filed.

All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court yard, driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this chapter.

The size, slope, alignment, materials or construction of a building sewer, and the methods to be used in excavating, placing of the pipe jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A. S. T. M. and W. P. C. F. Manual of Practice No. 9 shall apply.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

No person shall make connection of roof downspout, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the A. S. T. M. and the W. P. C. F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city. (Ord. No. 307, Sec. 4; Adopted August 1, 1972)

10.16.05 Use of the public sewers No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

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 written approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet.

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, naptha, fuel oil, or other inflammable 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 one (1.0) mg/l as CN in the wastes as discharged to the public sewer.

C. Any waters or wastes having a pH lower than 6.0 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.

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 the 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, materials, waters and wastes which may be prohibited hereunder shall include, but not be limited to, the following:

A. Any liquid or vapor having a temperature higher than one hundred and fifty (1500) degrees Fahrenheit (sixty-five (650) degrees Centigrade.

B. Any water or wastes 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^{0}) degrees and one hundred and fifty (150^{0}) degrees Fahrenheit (zero (0) and sixty-five (65^{0}) degrees Centigrade).

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 (.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 at the point of entry into the Municipal Sewer System shall not exceed the following limits:

Element	(mg/1)	Element	(mg/1)
arsenic	0.05	lead	0.1
barium	5.0	manganese	1.0
boron	1.0	mercury	0.005
cadmium	0.02	nickel	1.0
chromium (total)	5.0	selenium	0.02
copper	1.0	silver	0.1
		zinc	5.0

Also, substances prohibited from the system shall include, but not be limited by the following:

antimony	beryllium	bismuth	cobalt
molybdenum	tin	pesticides	uranylion
rhenium	strontium	tellurim	herbicides
fungicides			

F. Any waters of wastes containing phenols or other taste or odor producing substances, in such concentration 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 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 9.0.

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 sulfate and sodium chloride).

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

3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load that cannot be adequately treated by the sewage treatment works.

4. Unusual volume of flow or concentration of wastes constitution "slugs" as defined herein.

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

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 10.16.04 of this chapter, 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 property 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 Paragraph 10 of this Section.

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 applicable codes, ordinances and laws.

Grease, oil, 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 so as to be readily and easily accessible for cleaning and inspection.

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.

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 him so as to be safe and accessible at all times.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter 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, shall be determined at the control manhole provided, or upon suitable samples taken at said control manholes. 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.

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any commercial or industrial concern whereby an industrial waste of

unusual strength or character may be accepted by the city for treatment, subject to payment therefore, by the industrial concern. (Ord. No. 85-6, Sec. 1)

The following limitations for the Green Bay Atkins Pickle Plant pertaining to its discharge of wastewater into the Atkins collections system shall be in effect beginning the 1st day of December 1988.

A. Maximum allowable instantaneous wastewater discharge rate from all sources:
Between 6:00 a.m. and 6:00 p.m. 310 GPM
Between 6:00 p.m. and 6:00 a.m. 630 GPM

B. Average allowable monthly flow rate over any three (3) consecutive months:
May through October 9.0 MG
November through April 5.25 MG

C. Maximum allowable single month flow rate:
May through October 13.5 MG
November through April 7.9 MG

D. Maximum allowable total flow over any three (3) consecutive months: Such flow will be the sum of the average allowable monthly flow rate shown above in item (2) for any such three (3) month period.

E. Average allowable monthly discharge of BOD over any three (3) consecutive months: Ninety thousand pounds (90,000 lbs).

F. Maximum allowable single month discharge of BOD: One hundred thirty-five thousand pounds (135,000 lbs).

G. Maximum allowable total discharge of BOD over any three (3) consecutive months: Two hundred seventy thousand pounds (270,000).

H. Average allowable monthly discharge of TSS over any three (3) consecutive months: Ninety thousand pounds (90,000 lbs).

I. Maximum allowable single month discharge of TSS: One hundred thirty-five thousand pounds (135,000 lbs).

J. Maximum allowable total discharge of TSS over any three consecutive months: Two hundred seventy thousand pounds (270,000 lbs).

K. Maximum allowable monthly concentration of chlorides from pretreatment basin:

During any month that the average discharge of chloride concentration exceeds one thousand eight hundred sixty milligrams per liter (1,860 mg/1) from the pretreatment basin, it shall be determined and accepted by Green Bay that the Atkins Pickle Plant is in violation of Atkins Municipal Code Chapter 10.16 for exceeding the monthly discharge concentration limit of chlorides.

L. pH range: 59 to 9,

M. Maximum allowable points of discharge to the city's wastewater collection system: Two (2). (Ord. No. 88-5, Sec. 1)

10.16.06 Protection from damage 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 these provisions shall be subject to immediate arrest under charge of disorderly conduct and/or causing damage to or destruction of property.

10.16.07 Powers and authority of inspectors The Superintendent and other duly authorized agents, employees and representatives of the city bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspections, observation, measurement, sampling and testing in accordance with the provisions of this chapter. 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.

While performing the necessary work on private properties referred to in 10.16.06, paragraph 1, the Superintendent or duly authorized agents, employees and representatives of the city 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 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 10.16.05, paragraph 8.

The Superintendent and other duly authorized agents, employees and representatives of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purpose 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. (Ord. No. 307, Sec. 6; adopted August 1, 1972)

10.16.08 Penalties Any person found to be violating any of the provisions of this chapter except 10.16.06 shall be served by the city 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.

Any person who shall continue any violation beyond the time limit provided for in 10.16.08, paragraph 1, shall be guilty of a misdemeanor and on conviction thereof, shall be fined in any amount not exceeding Five Hundred Dollars ($500.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. The revenues collected from such fines shall be disbursed to the Atkins Water and Sewer Commission to be used for whatever purpose deemed necessary by said Commission. (Ord. No. 86-2, Sec. 1)

Any person violating any of the provisions of this ordinance shall become liable to the city for any expenses, loss or damage occasioned the city by reason of such violation, including but not limited to any civil penalties assessed against the city by the Arkansas Department of Pollution Control and Ecology pursuant to Ark. Stat. Ann. Sec. 82-1909 (c) because of such person's violating any of the provisions of this ordinance. (Ord. No. 85-6, Sec. 2)

CHAPTER 10.18

SEWER & WASTEWATER CONNECTIONS-MAINTENANCE & REPAIR

Sections:

10.18.01 Responsibility of Property Owner
10.18.02 Identified Deficiency
10.18.03 Penalties
10.18.04 The City is allowed to perform testing

10.18.01 Responsibility of Property Owner Any property owner with a connection to the City of Atkins sanitary sewer collection system shall be responsible for the maintenance, repair and proper operation of the residential/commercial sanitary sewer (sanitary sewer lateral) and/or private sanitary sewer collection system that connects to the public sanitary sewer, including the connection, regardless of whether any part of the building sanitary sewer or private sanitary sewer collection system is located on private property or within the public right-of-way. The city shall have no responsibility or obligation for the maintenance, repair, or proper operation of such residential/building sanitary sewer or private sanitary sewer collection system, except for such portions that are part of the public portion of the sanitary sewer. (Ord. No. 2020.04, Sec. 1)

Property owners shall maintain sanitary sewers associated with their parcels to the extent necessary to ensure the sanitary sewers meet the following conditions. All property owners shall perform any repair or replacements necessary to meet these standards and requirements

(a) The private sanitary sewer and associated connection to the city's collection system shall be kept free from roots, grease deposits, and other solids which may impede or obstruct the transmission or flow of wastewater.

(b) All joints shall be watertight and all pipes shall be sound and free from structural defects, cracks, breaks, openings, sags or missing portions to prevent exfiltration by waste or inflow/infiltration by groundwater or storm water.

(c) There shall be no non-sanitary sewer connections to the private sanitary sewer or the public sanitary sewer collection system.

(d) All repairs/replacements must .be made by a licensed plumber. (Ord. No. 2020-04, Sec. 2)

The property owner shall be responsible for remedying any and all obstructions and/or deficiencies in the building sanitary sewer and/or private sanitary sewer collection system immediately upon discovery and/or notification by the City of Atkins.

10.18.02 Identified Deficiency Upon identification of a deficiency, the City of Atkins will notify the property owner through certified mail explaining the deficiency. The property owner will have 60 days to correct the deficiency and proof of remediation must be provided to the City of Atkins upon completion.

10.18.03 Penalties Should identified deficiency not be remedied within 60 days, the City of Atkins reserves the right to correct said deficiency and bill the property owner for labor costs, supply costs and any related costs for remedying the deficiency. (Ord. No. 2020-04, Sec. 3)

10.18.04 The City is allowed to perform testing The City of Atkins from time to time perform SSSES operations within the collection system such as smoke testing, televising, dye testing, etc. in order to identify deficiencies in the publicly and privately owned portions of the sanitary sewer collection system. (Ord. No. 2020-04, Sec. 4)

CHAPTER 10.20

WATER SUPPLY CONTRACT

Sections:

10.20.01 Contract authorized
10.20.02 Renegotiate purchase price
10.20.03 Contract incorporated by reference

10.20.01 Contract authorized The Mayor and City Clerk of the city should be and are hereby authorized to enter into a water purchase contract with the city of Pottsville, Arkansas, said contract dated the 26th day of June, 1975, and providing for the sale of water at two (2) points near the Pottsville Interchange Bridge on I-40 said water to be distributed at sixty (60) pounds per square inch from an existing eighteen (18") inch main for a purchase price of Forty Cents ($0.40) per one thousand (1,000) gallons for a term of forty (40) years. (Ord. No. 326, Sec. 1dated June 25, 1975)

10.20.02 Renegotiate purchase price The purchase price for water shall be renegotiated under the terms of the contract every two (2) years. (Ord. No. 326, Sec. 2, June 26, 1975)

10.20.03 Contract incorporated by reference The contract of June 26, 1985, is made a part of this chapter and incorporated herein by reference.

CHAPTER 10.24

RESTRICTED ACTIVITIES IN GALLA CREEK WATERSHED RESERVOIR

Sections:

10.24.01 Swimming, bathing or skiing
10.24.02 Fishing
10.24.03 Gasoline motors
10.24.04 Firearms and ammunition
10.24.05 Refuse, cans, trash and garbage
10.24.06 Penalty for violation

10.24.01 Swimming, bathing or skiing It shall be unlawful for any person or persons to swim, bathe or ski in the Galla Creek Watershed Reservoir. (Ord. No. 87-13, Sec. 1)

10.24.02 Fishing Only fishing with the use of a rod and reel or a pole shall be permitted on the Galla Creek Watershed Reservoir. All other types of fishing shall be unlawful. (Ord. No. 87-13, Sec. 2)

10.24.03 Gasoline motors It shall be unlawful for any person or persons to possess a gasoline motor while such person or persons is on or in the Galla Creek Watershed Reservoir regardless of whether such motor is being operated or in use at the time of possession. (Ord. No. 87-13, Sec. 3)

10.24.04 Firearms and ammunition It shall be unlawful for any person or persons other than a law enforcement officer to possess firearms and ammunition in the Galla Creek Watershed Reservoir area. (Ord. No. 87-13, Sec. 4)

10.24.05 Refuse, cans, trash and garbage No refuse, cans, trash or garbage may be deposited on any of the lands or water in the Galla Creek Watershed Reservoir area except in receptacles provided for those purposes. (Ord. No. 87-13, Sec. 5)

10.24.06 Penalty for violation Any person convicted of violating any provision of this ordinance shall be fined not less than Fifty Dollars ($50.00) nor more than Two Hundred Dollars ($200.00) for each offense. (Ord. No. 88-2, Sec. 1)

CHAPTER 10.28

CONTROL OF BACKFLOW AND CROSS CONNECTIONS

Sections:

10.28.01	Definitions
10.28.02	Purpose
10.28.03	Backflow prevention assembly requirement
10.28.04	Mobile units
10.28.05	Wholesale customers
10.28.06	Multiple Connections
10.28.07	Plumbing Code
10.28.08	Installation requirements
10.28.09	Access to premises
10.28.10	Testing of assemblies
10.28.11	Maintenance of assemblies
10.28.12	Thermal expansion
10.28.13	Pressure loss
10.28.14	Residential service connections
10.28.15	Commercial rental properties
10.28.16	Cross connection inspector and backflow prevention assembly tester certification
10.28.17	Reduced pressure zone assembly (RPZA)
10.28.18	Double check valve backflow prevention assembly (DCVA)
10.28.19	Detector double check valve assembly (DDCVA)
10.28.20	Air gap separation - Installation standards and specifications
10.28.21	Fire systems
10.28.22	Responsibilities
10.28.23	Enforcement

10.28.01 Definitions For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meeting. If a word or term used in this chapter is not contained in the following list, its definition, or other technical terms used, shall have the meanings or definitions listed in the ninth (9th) edition of the Manual of Cross Connection Control published by the Foundation for Cross Connection Control and Hydraulic Research, University of Southern California.

Air gap - the vertical physical separation between the free-flowing discharge end of the potable water supply line and the overflow rim of the receiving vessel. The separation must be at least twice the inside diameter of the supply line, but never less than one inch (111).

Approval authority - the director of the Arkansas Department of Health.

Atkins Water and Sewer Commission - the operators of the city-owned water system.

Auxiliary water supply - any water supply, on or available, to the property other than the City's water supply.

Backflow - the flow of water or other liquids, gases or solids from any source back into the distribution piping of the public potable supply system. Backsiphonage and backpressure are two (2) types of backflow.

Backflow prevention assembly - mechanical backflow prevention mechanism assembled with shut-off valves, and provided as a complete assembly by a single manufacturer, used to prevent the flow of contaminants or pollutants into the City's water system. The assembly must have the approval of the Foundation for Cross Connection Control and Hydraulic Research at the University of Southern California, State of Arkansas Department of Health and the Control Authority.

Backflow prevention Device - mechanical backflow preventor without the shut-off valves. It does not have shut-off valves on either side of the backflow prevention mechanism. Any backflow prevention assembly without the shut-off valves is called a device.

Backpressure - the flow of water or other matter from any source back into the distribution piping of the public water supply.

Backsiphonage - the reverse flow of water due to negative or reduced pressure within the public water system.

Bypass - any arrangement of pipes, plumbing, or hoses designed to divert the water flow around an installed device or assembly through which the flow normally passes.

Certified assembly repair technician - Arkansas Department of Health certified assembly repair technician.

Certified assembly testing technician (tester) - Arkansas Department of Health certified assembly testing technician.

Certified Cross-Connection Control Specialist/Inspector a person who is certified by the health authority, or other approval agency, to administer a cross connection control program and conduct cross connection surveys.

City - the city of Atkins, Arkansas.

Containment - method of cross connection control requiring a backflow prevention assembly at the point of service connection to the City's water system.

Contaminant - substance that will impair the quality of the water to a degree that it creates a health hazard.

Control authority - the Atkins Water and Sewer Commission or its designated agents.

Cross connection - any actual or potential connection between the city water system and a source of contamination or pollution.

Cross Connection Control - the use of a backflow prevention assemblies, methods and procedures to prevent contamination or pollution of a potable water supply through backflow.

Degree of hazard - the low, medium or high hazard classification that shall be attached to all actual or potential cross connections.

Detector Double Check Valve Assembly (DDCVA) - a DCVA with an additional smaller DCVA assembly with a flow detector meter in parallel. Used to detect system leaks and unauthorized use.

Detector Reduced Pressure Zone Assembly (DRPZA) - RPZA with an additional smaller RPZA assembly with a flow detector meter in parallel. Used to detect system leaks and unauthorized use.

Domestic - refers to plumbing as defined by the State of Arkansas plumbing code and is not associated with designated fire protection water service lines and systems.

Double Check Valve Assembly (DCVA) - backflow prevention assembly consisting of two (2) independently operating check valves, four (4) test cocks, and two (2) shut-off valves. It is only appropriate for use against non-health hazards.

Fire protection system - a fire protection system consisting of pipes, sprinklers, valves, fixtures, fittings, ponds, tanks, water storage vessels and fire hydrants that are intended and used exclusively for fire protection.

High hazard - any facility where the substance which could backflow is hazardous to human health.

Inspector - person authorized by the Control Authority to perform inspections of the Owner's facilities for the purpose of determining compliance with the City of Atkins' Cross Connection Program.

Isolation - method to confine a potential source of contamination to the non-potable system being served; to provide a backflow prevention mechanism at each actual or potential cross connection.

Low hazard - any facility where the substance which could backflow is objectionable, but does not pose an unreasonable risk to health and there is no possibility of backpressure in the downstream piping system.

Medium hazard - any facility where the substance which could backflow is objectionable, but does not pose an unreasonable risk to health.

New construction - construction of a new facility, alteration or addition to an existing facility, or modification or addition to existing plumbing and fire protection systems.

Owner - "person" or "persons" who possess any interest in the structure or property to which such ownership relates.

Permit - document issued by the Control Authority which allows the use of a backflow prevention assembly.

Person - any individual, partnership, company, public or private corporation, political subdivision or agency of the United States or any legal entity.

Pollutant - foreign substance that, if permitted to enter into the City's water system, will degrade its quality so as to constitute a hazard. Also defined as a low hazard.

Program - Atkins Water and Sewer Commission's Cross Connection Program.

Responsible Managing Employee (RME) - an individual or individuals who shall be designated by each company that plans, sells, installs, maintains, or services a fire protection sprinkler system on a full time basis to assure that each fire protection sprinkler system as installed, maintained, or serviced meets the standards as provided by state law.

Reduced Pressure Zone Assembly - backflow prevention assembly consisting of four (4) test cocks, two (2) shut-off valves and two (2) independently operating, spring loaded check valves with a reduced pressure zone between the checks. The zone contains a relief port which will open to atmosphere if the pressure in the zone falls within two pounds per square inch (2 psi) of the supply pressure. The assembly provides protection against both backpressure and backsiphonage.

Retrofit - replacement of an existing device or backflow prevention assembly when the specifications or condition of the device or assembly are not adequate for the degree of hazard found on the property as defined by this chapter.

Service connection - piping connection between the City's water main and a property owner's system.

Shall - mandatory; **may** or **will** is permissive.

Thermal expansion - heated water that does not have the space to expand. (Ord. No. 95-13, Part 1, Sec. 1:01)

10.28.02 Purpose The purpose of this chapter is as follows:

A. To protect the public potable water supply of the City of Atkins from the possibility of contamination or pollution from backflow into the public water system.

B. To promote the elimination or control of existing cross connections, actual or potential, between the customer's potable water system(s) and nonpotable water systems, plumbing fixtures, and industrial piping systems.

C. To provide for the maintenance of a continuing program of cross connection control that will systematically and effectively prevent the contamination or pollution of all potable water systems. (Ord. No. 95-13, Part 1, Sec. 1:02)

10.28.03 Backflow prevention assembly requirement A backflow prevention assembly shall be installed and maintained by the owner on any water service connection provided by the Atkins Water and Sewer Commission, its successors or assigns, when, in the opinion of the Control Authority, a possibility for backflow or other cross connection exists as a result of the water service connection. (Ord. No. 95-13, Part 1, Sec. 1:03)

A certified cross connection inspector employed by, or under contract with, the Atkins Water and Sewer Commission shall determine the type and location of backflow assembly to be installed within the area served by the Atkins Water and Sewer Commission. This does not include wholesale customers or their water users. The assembly shall be required in each of the following circumstances, but the inspector is in no way limited to the following circumstances:

A. The nature and extent of any activity of the premises, or the materials used in connection with any activity of the premises, or materials stored on the premises, could contaminate or pollute the potable water supply.

B. Premises having any one (1) or more cross connections which are identified or are present.

C. Internal cross connections are present that are not correctable.

D. Intricate plumbing arrangements are present that make it impractical to ascertain whether cross connections exist.

E. There is a repeated history of cross connections being established or re-established.

F. There is unduly restricted entry so that inspections for cross connections cannot be made with sufficient frequency to assure that cross connections do not exist.

G. Materials are being used such that if backflow should occur, a health hazard could result.

H. Installation of an approved backflow prevention assembly is deemed to be necessary to accomplish the purpose of these regulations in the judgment of a certified cross connection inspector employed by the Atkins Water and Sewer Commission.

I. A fire sprinkler system using non-potable piping material is connected to the City's water system.

J. All new construction, if required by the Arkansas Plumbing Code, shall install an approved backflow assembly at the service connection. The type of the assembly will be commensurate with the degree of hazard as determined by a certified inspector.

K. When a building is constructed on commercial premises and the end use of such building is not determined or could change, a reduced pressure principle backflow prevention assembly shall be installed at the service connection to provide protection of the public water supply in the event of the most hazardous use of the building.

L. All new and existing facilities that are required to have backflow prevention assemblies, and where water cannot be turned off during the testing of such assemblies, shall be equipped with dual backflow prevention assemblies of the same type so that testing, repair and maintenance can be performed.

M. Any used water return system that has received approval from the Control Authority.

M. In the event an isolation assembly has not had the testing or repair done as required by this program, a containment assembly will be required.

O. If it is determined that additions or rearrangements have been made to the plumbing system without obtaining proper permits as required by the City Building Inspector, or notifying the Control Authority, a containment assembly will be required.

P. All multistory buildings or any building with a booster pump or elevated storage tank.

Q. Retrofitting shall be required on all high hazard connections and wherever else the Control Authority deems necessary to retrofit. (Ord. No. 95-13, Part 1, Sec. 1:03)

10.28.04 Mobile units

A. Any mobile unit or apparatus that uses water from any premises which Atkins Water and Sewer Commission services must obtain written permission from Atkins Water and Sewer Commission before using any water. A fixed unaltered air gap mounted either on the truck or piping system is required.

B. If an air gap is not used, an approved RPZA provided by the customer must be used. Before using the RPZA, a copy of the current test results must be given to the Control Authority and approved.

C. The Control Authority reserves the right to revoke the backflow prevention assembly permit for the apparatus if the owner fails to comply with the above procedures. (Ord. No. 95-13, Part 1, Sec. 1:04)

10.28.05 Wholesale customers Any wholesale customer that has a contract for water services with Atkins Water and Sewer Commission must have an active, ongoing cross connection program. Atkins Water and Sewer Commission reserves the right to require a reduced pressure zone assembly at the interconnect. (Ord. No. 95-13, Part 1, Sec. 1:05)

10.28.06 Multiple connections Any premises requiring multiple service connections for adequacy of supply and/or fire protection shall be required to install a backflow assembly on each service connection. The assembly shall commensurate with the degree of potential hazard that could occur in the event of an interconnect between any of the buildings on the premises. (Ord. No. 95-13, Part 1, Sec. 1:06)

10.28.07 Plumbing Code As a condition of water service, customers shall install, maintain, and operate their piping and plumbing systems in accordance with the Arkansas State Plumbing Laws and, if applicable, in accordance with the City of Atkins Plumbing Code. (Ord. No. 95-13, Part 1, Sec. 1:07)

The Control Authority shall review and approve all plans for placement of backflow preventers prior to installation. (Ord. No. 95-13, Part 1, Sec. 1:07)

10.28.08 Installation requirements To insure proper operation and accessibility of all backflow prevention assemblies, the following requirements shall apply to the installation of these assemblies:

A. Backflow prevention assemblies shall be installed in accordance with the Arkansas State Plumbing Code and these regulations. The assembly installer shall obtain the required plumbing permits and have the installation inspected by a certified inspector employed by the Atkins Water and Sewer Commission. Test results shall be reported to the Control Authority.

B. No part of the reduced pressure principle backflow prevention assembly shall be submerged in water or installed in a location subject to flooding. If a double check valve assembly is installed in a vault, brass plugs shall be required in the test ports at all times and adequate drainage shall be provided.

C. Assemblies shall be installed at the point of delivery of the water supply. Such installation of the assembly shall be before any branch in the line and on private property located just inside the boundary between the City right-of-way and the owner's property. A certified inspector employed by the Atkins Water and Sewer Commission may specify other areas for installation of the assembly.

D. The assembly shall be protected from freezing and other severe weather conditions.

E. All backflow prevention assemblies shall be of a type and model approved by the Control Authority.

F. All vertical installations shall be approved in writing by the Control Authority prior to installation.

G. The assembly shall be readily accessible with adequate room for maintenance and testing. Assemblies two inches (211) and smaller shall have at least six inches (611) clearance on all sides of the assembly. All assemblies larger than two inches (211) shall have a minimum clearance of twelve inches (1211) on the back side, twenty-four inches (2411) on the test cock side, twelve inches (1211) below the assembly and thirty-six inches (3611) above the assembly. "Y" pattern double check valve assemblies shall be installed so that the checks are horizontal and the test cocks face upward.

H. If written permission is granted to install the backflow assembly inside the building, the assembly shall be readily accessible during regular working hours of 8:00 a.m. to 4:30 p.m. Monday through Friday.

I. If an assembly, with written permission, is installed inside the premises and is two inches (211) or larger and is installed five feet (51) above the floor, it shall be equipped with a rigidly and permanently installed scaffolding acceptable to the Control Authority.

J. An approved air gap shall be located at the relief valve orifice of RPZA assemblies. This air gap shall be at least twice the inside diameter of the incoming supply line as measured vertically above the top rim of the drain and in no case less than one inch (111).

K. Upon completion of installation, the Control Authority shall be notified and all assemblies shall be inspected and tested. All backflow assemblies shall be registered with the Control Authority. Registration shall consist of location, written permission and initial test report. The tester shall provide two (2) copies of the test report to the owner. One (1) copy shall be kept by the owner for his records and one (1) copy shall be sent to the Control Authority.

L. The cost of complying with these regulations is the responsibility of the property owner. These costs include, but are not limited to purchasing, installation, testing and repair of the assembly. These costs also include isolation and containment assemblies.

M. The assembly shall be of type and model required by the Control Authority. (Ord. No. 95-13, Part 1, Sec. 1:08)

10.28.09 Access to premises Authorized employees of Atkins Water and Sewer Commission, with proper identification, shall have access during the hours of 8:00 a.m. to 4:30 p.m. to all parts of a premise and within the building to which water is supplied. If any water user refuses access to a premise or to the interior of a structure during these times for inspection by a cross connection inspector appointed by the Control Authority, a reduced pressure zone assembly shall be installed at the service connection to that premise. Failure to install the assembly may result in termination of services. (Ord. No. 95-13, Part 1, Sec. 1:09)

10.28.10 Testing of assemblies

A. A Certified Assembly Testing Technician shall test all assemblies in each of the following circumstances:

1. Immediately after installation;
2. Whenever the assembly is moved;
3. A minimum of once a year;
4. Any premises that have RPZA assemblies as isolation protection without High hazard containment protection shall be tested every six (6) months;
5. Any premises that have an RPZA assembly as containment protection without high hazard isolation protection shall be tested every six (6) months.

Assemblies may be required to be tested more frequently, if the Control Authority deems necessary.

B. All assembly testing shall be performed by a certified assembly testing technician in accordance with the Control Authority approved test procedures.

C. Every person provided water service by Atkins Water and Sewer Commission directly or indirectly shall during the hours of 8:00 a.m. to 4:30 p.m. permit the Control Authority to enter the premises and building for examination of pipes and fixtures and the manner in which the water is used. Refusal by any consumer to permit inspection shall result in termination of water service from Atkins Water and Sewer Commission until such permission is granted.

D. Atkins Water and Sewer Commission shall not be liable for damage to a backflow prevention assembly that occurs during testing.

E. The Control Authority is authorized to discontinue or disconnect water service to premises required to be tested under this chapter if the Control Authority's access to the backflow prevention assemblies is denied or hindered. Water service shall not be reinstated until access is granted and testing completed.

F. A person violates this chapter if he reinstates water service to premises discontinued or disconnected, except as directed by the Control Authority.

G. It is the responsibility of the property owner to have all assemblies tested in accordance with this chapter. (Ord. No. 95-13, Part 1, Sec. 1:10)

10.28.11 Maintenance of assemblies

A. A person who owns, operates, or manages premises where requiredbackflow prevention assemblies are installed, shall maintain such assemblies in proper working order at all times, including repair as required.

B. Backflow prevention assemblies shall be maintained in a manner which allows them to be tested by a method that has been approved by the Control Authority.

C. A person commits an offense if he knowingly fails to maintain backflow prevention assemblies in compliance with this chapter.

D. A person commits an offense if he knowingly fails to comply with a repair order issued by the Control Authority.

E. A person commits an offense if he knowingly refuses to permit the Control Authority to enter the premises and building for examination of backflow prevention assemblies.

F. A person commits an offense if backflow from premises he owns, operates or manages enters the public water supply system.

G. It is the responsibility of the property owner to have all assemblies repaired in accordance with this Program. (Ord. No. 95-13, Part 1, Sec. 1:11)

10.28.12 Thermal expansion It is the responsibility of the property owner to eliminate the possibility of thermal expansion if a closed system has been created by the installation of a backflow assembly. (Ord. No. 95-13, Part 1, Sec. 1:12)

10.28.13 Pressure loss Any water pressure drop caused by the installation of a backflow assembly is not the responsibility of the Atkins Water and Sewer Commission. (Ord. No. 95-13, Part 1, Sec. 1:13)

10.28.14 Residential service connections Any residential property which has been determined to have an actual or potential cross connection shall be required to have an approved backflow prevention assembly installed in accordance with this chapter. (Ord. No. 95-13, Part 1, Sec. 1:14)

10.28.15 Commercial rental properties The property owner shall be responsible for the installation, testing and repair of all backflow assemblies on their commercial property. When new tenants occupy the premises, or if the plumbing is altered in any way, it is the responsibility of the owner to notify the Control Authority. (Ord. No. 95-13, Part 1, Sec. 1:15)

10.28.16 Cross connection inspector and backflow prevention assembly tester certification.

A. Employees of the Atkins Water and Sewer commission shall serve as inspectors to perform cross connection control duties for the City of Atkins Water System.

B. Backflow prevention assembly testers performing tests for the City of Atkins Water System shall be certified by the Control Authority per the requirements listed below and in the standard operating procedures: Be certified by the Arkansas Department of Health. (Ord. No. 95-13, Part 2, Sec. 2:01)

10.28.17 Reduced pressure zone assembly (RPZA) RPZAs may be utilized at the premises where a substance is handled that would be hazardous to health if introduced into the potable water system. The RPZA is normally used in locations where an air gap is impractical. The RPZA is effective against both backsiphonage and backpressure.

A. RPZAs shall be sized to provide an adequate supply of water and pressure for the premises being served. Flow characteristics are not standard. Consult manufacturer's specifications for specific performance data.

B. Premises where interruption of water supply is critical shall be provided with two (2) assemblies installed in parallel. They shall be sized in such a manner that either assembly will provide the minimum water requirements while the two (2) together will provide the maximum flow required.

C. Bypass lines are prohibited. Pipe fittings which could be used for connecting a bypass line are prohibited.

D. The assembly shall be readily accessible for testing and maintenance and shall be located in an area where water damage to building or furnishings will not occur from relief valve discharge. An approved air gap funnel assembly may be used to direct minor discharges away from the assembly; this assembly will not control flow in a continuous relief situation. Drain lines to accommodate full relief valve discharge flow should be considered.

Enclosures shall be designed for ready access and sized to allow for the minimum clearances established below. Removable protective enclosures are typically installed on the smaller assemblies. Daylight drain ports shall be provided to accommodate full pressure discharge from the assembly.

All assemblies larger than two inches (211) shall have a minimum of twelve inches (1211) on the back side, twenty-four inches (2411) on the test cock side, and the relief valve opening shall be at least twelve inches (1211) plus nominal size of assembly above the floor or highest possible water level.

Assemblies installed more than five feet (51) above floor level shall have a suitable platform for use by testing or maintenance personnel.

E. The assembly shall be protected from freezing and other severe weather conditions.

F. Vertical installation is prohibited.

G. Lines shall be thoroughly flushed prior to installation. A strainer with blow-off tapping may be required ahead of the assembly.

H. The property owner assumes all responsibility for leaks and damage.

I. All RPZA assemblies shall be tested in accordance with this Program. Any premises that have RPZA assemblies that have isolation protection without a high hazard containment protection shall be tested every six (6) months. Any premises that have an RPZA assembly as containment protection without a high hazard isolation protection assembly shall be tested every six (6) months. Tests are the responsibility of the assembly owner. The owner shall notify the Control Authority upon installation of any backflow prevention assembly.

J. Variances from these specifications will be evaluated on a case-by-case basis. Any deviations shall have prior written approval of the Control Authority. (Ord. No. 95-13, Part 3, Sec. 3:01)

10.28.18 Double check valve backflow Prevention assembly (DCVA) Double check valve assemblies may be utilized at premises where a substance is handled that would be objectionable but not hazardous to health if introduced into the potable water system.

A. DCVAs shall be sized to provide an adequate supply of water and pressure for the premises being served. Flow characteristics are not standard. Consult manufacturer's specifications for specific performance data.

B. Premises where interruption of water supply is critical shall be provided with two (2) assemblies installed in parallel. They shall be sized in such a manner that either assembly will provide the minimum water requirements while the two (2) together will provide the maximum flow required.

C. Bypass lines are prohibited. Flow fittings which could be used for connecting a bypass line are prohibited.

D. The assembly shall be readily accessible with adequate room for testing and maintenance. DCVAs may be installed below grade, providing all test cocks are fitted with brass pipe plugs. All vaults shall be well drained, constructed of suitable materials, and sized to allow for the minimum clearance established below.

Assemblies two inches (211) and smaller shall have at least three inch (311) clearance below and on both sides of the assembly. If located in a vault, the bottom of the assembly shall be not more than twenty-four inches (2411) below grade. All assemblies larger than two inches (211) shall have a minimum clearance of twelve inches (1211) on the back side, twenty-four inches (2411) on the test cock side, and twelve inches (1211) below the assembly. Headroom of six feet zero inches (61 011) is required in vaults without a fully removable top. A minimum access opening of twenty-four inches (2411) square is required on all vault lids.

Assemblies installed more than five feet (51) above floor level shall have a suitable platform for use by testing or maintenance personnel.

E. Vertical installations are allowed on sizes up to and including four inches (4") that meet the following requirements:

1. Internally spring-loaded check valves;
2. Flow is upward through assembly;
3. Manufacturer states their assembly can be used in a vertical position;
4. Approved by Control Authority.

F. The assembly shall be protected from freezing and other severe weather conditions.

G. Lines shall be thoroughly flushed prior to installation. A strainer with blowout tapping may be required ahead of the assembly.

H. The property owner assumes all responsibility for foundation or basement wall penetration, leaks, and damage. The owner shall also see that the vault is kept reasonably free of silt, debris and water.

I. All DVCAs shall be tested in accordance with this chapter. Tests are the responsibility of the assembly owner. The owner shall notify the Control Authority upon installation of any backflow prevention assembly.

J. Variances from these specifications will be evaluated on a case-by-case basis. Any deviations shall have prior written approval of the Control Authority. (Ord. No. 95-13, Part 3, Sec. 3:02)

10.28.19 Detector double check valve assembly (DDCVA) Detector double check valve assemblies may be utilized in all installations requiring a double check valve assembly and detector metering. DDCVAs shall comply with the installation requirements applicable for double check valve assemblies (DCVAs). (Ord. No. 95-13, Part 3, Sec. 3:03)

10.28.20 Air gap separation Air gap separations provide maximum protection from backflow hazards and may be utilized at premises where a substance is handled that would be hazardous to health if introduced into the potable water system.

A. An air gap separation shall be at least twice the diameter of the supply pipeline measured vertically above the top rim of the receiving vessel - in no case less than one inch (1").

If splashing is a problem, tubular screens may be attached or the supply line may be cut at a forty-five degree (45^0) angle. The air gap distance is measured from the bottom of the angle. Hoses are prohibited.

B. Air gap separations shall not be altered in any way without prior approval from the Control Authority and must be available for inspection between the hours of 8:00 a.m. to 4:30 p.m.

C. Side walls, ribs or similar obstructions do not affect air gaps when spaced from the inside edge of the spout opening a distance greater than three (3) times the diameter of the effective opening for a single, or a distance greater than four (4) times the effective opening for two (2) intersecting walls.

D. Vertical walls, ribs or similar obstructions extending from the water surface to or above the horizontal plane of the spout opening require a greater air gap when spaced closer to the nearest inside edge of spout opening than specified in (3) above. The effect of three (3) or more such vertical walls or ribs has not been determined. In such cases, the air gap shall be measured from the top of the wall.

E. The effective opening shall be the minimum cross-sectional area at the seat of the control valve or the supply pipe or tubing which feeds the assembly or outlet. If two (2) or more lines supply one (1) outlet, the effective opening shall be the sum of the cross-sectional areas of the individual supply lines or the area of the single outlet, whichever is smaller. (Ord. No. 95-13, Part 3, Sec. 3:04)

10.28.21 Fire systems An approved double check valve assembly shall be the minimum protection for fire sprinkler systems using piping material that is not approved for potable water use and/or that does not provide for periodic flow-through during each twenty-four (24) hour period, unless a variance has been issued in writing from the Control Authority. A RPZA assembly shall be installed if any solution other than the potable water can be introduced into the sprinkler system. (Ord. No. 95-13, Part 4, Sec. 4:01)

10.28.22 Responsibilities It is the responsibility of all property owners and their renters to abide by the conditions of this chapter. In the event of any changes to the plumbing system, it is the responsibility of the property owners to notify the Control Authority. All costs associated with this chapter and the purchase, installation, testing and repair of devices shall be the responsibility of the property owner and their renters. (Ord. No. 95-13, Part 5, Sec. 5:01)

10.28.23 Enforcement

A. The Control Authority and the City Attorney, and each of them, is hereby authorized to enforce the provisions of this chapter by any one or more of the enforcement mechanisms set forth in this chapter.

B. The inspectors, agents or representatives of the Control Authority charged with enforcement of this chapter shall be deemed to be performing a governmental function for the benefit of the general public, and neither the Atkins Water and Sewer Commission nor the individual inspector, agent, or representative of the City engaged in inspection or endorsement activities under this chapter when acting in good faith and without malice shall ever be held liable for any loss or damage, whether real or asserted, caused, or alleged to have been caused, as a result of the performance of such governmental function.

C. Failure on the part of any customer to discontinue the use of all cross connections and to physically separate cross connections is sufficient cause for the immediate discontinuance of municipal water service to the premises.

D. Failure to comply with this chapter is a misdemeanor offense.

E. Any person, firm or corporation who violates any of the provisions of this chapter shall be guilty of a misdemeanor upon conviction and shall be punished by a fine of not more than Five Hundred Dollars ($500.00) for each offense. Each additional day that a violation is permitted to exist shall constitute a separate offense and punishable up to Two Hundred Fifty Dollars ($250.00) for each day that it may be unlawfully continued. (Ord. No. 95-13, Part 6, Sec. 6:01)