ORDINANCE NO. 85-16

AN ORDINANCE TO PROVIDE FOR PLUMBING INSPECTIONS FOR ALL PLUMBING WHEREVER WATER ORIGINATING FROM THE WATER SYSTEMS: PROVIDING FOR PLUMBING INSPECTORS: PROVIDING FOR ADOPTION OF THE ARKANSAS STATE PLUMBING CODE: FIXING FEES FOR SUCH PLUMBING INSPECTION: PROVIDING FOR DISCONTINUANCE OF WATER SERVICE: REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH: DECLARING AN EMERGENCY AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Atkins, Arkansas, through the Water and Sewer Commission, owns and operates a Water System as a Municipal Utility; such system having plants, pumps, and transmission lines within and without the corporate limits of the City of Atkins, Arkansas, and:

WHEREAS, certain municipalities, private companies, governmental agencies, firms and individuals not within the corporate limits of the City of Atkins, Arkansas, are purchasers of Water from the said Water System, and:

WHEREAS: the City of Atkins, Arkansas, is very desirous of maintaining a pure Water System.

BE IT THEREFORE ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATKINS, ARKANSAS, THAT:

Section 1: DEFINITIONS: Plumbing for the purposes of this ordinance is hereby defined as the definitions of Act 200 of 1951 or Arkansas and the Arkansas State Plumbing Code.

Section 2: STATE CODE: The provisions and regulations of the Arkansas State Plumbing Code, and amendments thereto, adopted by the State Board of Health of Arkansas are made a part of this ordinance by reference, three certified copies of which shall be on file in the office of the City Clerk, and shall extend over and govern the installation of all plumbing installed, altered or repaired within or without the City of Atkins, Arkansas, Wherever water or sewage service is provided by the Municipal Water and Sewer System.

Section 3: INSPECTION AND SUPERVISION:

(a) There is hereby created the position of plumbing inspector or inspectors who shall be employed by the City of Atkins, Arkansas.

(b) The plumbing inspector or inspectors shall have experience in plumbing to the extent that enables the inspector to know when plumbing is installed correctly.

(c) The plumbing inspector or inspectors shall not be directly connected in any way with any person, firm, or corporation, directly or indirectly engaged in the business of plumbing, or supplying plumbing supplies.

(d) The inspector shall receive as full compensation for his services, a salary designated by the City of Atkins, Arkansas.

(e) It shall be the duty of the plumbing inspector or inspectors to enforce all provisions of this Ordinance, and such inspector or inspectors are hereby granted the authority to enter all buildings within or without the corporate limits of the City of Atkins, Arkansas, when such buildings are connected, or are to be connected to the Municipal Water and/or Sewage System.

(f) The plumbing inspector shall prepare or cause to be prepared suitable forms for applications, permits, inspection reports and other such documents.

(g) It shall be the duty of the plumbing inspector to inspect and test all plumbing work for compliance with this Ordinance and the adopted plumbing code, and to enforce correctly any installations that do not meet the stated City code requirements. It further shall be the inspector's duty to determine that all persons installing, altering, or working on plumbing shall be qualified by State Law.

Section 4: APPLICATIONS: PERMITS:

(a) Before beginning any plumbing work in the City of Atkins, Arkansas, the person installing, altering, or working on same, shall apply to the plumbing inspector or other designated official to obtain a permit to do such work. Only those persons legally authorized to do plumbing may be issued permits. A permit may be issued to a home owner to install or alter plumbing in a single family residence, providing the home owner does the work himself and that such work shall meet the code requirements. Only those persons legally authorized to perform the plumbing work shall perform such work.

(b) All applications for permits shall be made on suitable forms provided. The application shall be accompanied by fees in accordance with the following schedule:

Plumbing Rough-in Inspections	$ 10.00
Each Plumbing Fixture and/or Water and/or waste discharing devices	$ .75
New or Reconstructed Sewer Connection	$ 7.50
Each Septic Tank System	$ 7.50
Hot Water Heater, new or replaced	$ 7.50
Water Service or Connection	$ 7.50
For Final Certificate of Inspector	$ 7.50

An additional fee of $20.00 shall be charged for each additional inspection on the part of the plumbing inspector, caused by the negligence of the plumber in not being ready for inspection or a return for inspection of a corrected installation.

Section 5: BOND:

(a) Every master plumber doing business in the City of Atkins, Arkansas, shall execute and deliver to the City a bond with a surety bonding company in the sum of $1,000 to indemnify the City or any citizen for any damage caused by the failure of such master plumber to comply strictly with the provisions of this Ordinance. No plumbing permit shall be issued to any master plumber unless this bond has been delivered to the City and is in full force and effect.

Section 6: STREET OPENINGS:

(a) All openings made in the public streets or alleys to install plumbing must be made as carefully as possible and all materials excavated from the trenches shall be removed or placed where the least inconvenience to the public will be caused.

(b) All openings must be repaired and placed in precisely the same condition as before the excavation started and all rubbish and material must be removed at once, leaving the street or sidewalks clean and in perfect repair.

(c) All openings shall be marked with sufficient barriers. Flares or red lamps shall be maintained around the openings at night and all other precautions shall be taken by the plumber or excavator to protect the public from damage to persons or property.

Section 7: CROSS CONNECTIONS - BACK FLOW:

(a) The Water and Sewer Commission of the City of Atkins, Arkansas, and the city plumbing inspector of the City of Atkins, Arkansas, are hereby authorized to discontinue or cause to be discontinued all water service or services to any and all premises, lands, buildings or structures where it is found that an immediate hazard exists to the purity or potability of the city water supply, by reason of the requirements of the Arkansas State Plumbing Code and the City Plumbing Code and the regulations of the Arkansas State Board of Health having not been complied with.

(b) The Water and Sewer Commission of the City of Atkins, Arkansas, and the city plumbing inspector of the City of Atkins, Arkansas, are hereby authorized and directed to take such steps as are necessary to determine all potential hazards to the purity or potability of the City Water Supply which exist. Upon determining said potential hazards it shall be the duty of said Commission and said inspector to immediately cause notice to go to the owner or such other person responsible for said premises, specifying said hazards, and notifying said person that in the event that said hazard is not corrected within thirty (30) days from the date of said notice, all water services shall be discontinued thereafter until the requirements of the Arkansas State Plumbing Code, this Ordinance, and the regulations of the Arkansas State Board of Health have been complied with.

Section 8: PENALTIES:

Any person, firm or corporation found guilty of violating any of the provisions of this ordinance shall be subject to a fine of not less than ten ($10.00) dollars nor more than one hundred ($100.00) dollars, together with the costs of such prosecution. Each day during which a violation continues shall be a separate offense.

Section 9: CONFLICTING ORDINANCES REPEALED:

(a) All ordinances or parts of ordinances conflicting with any of the provisions of this ordinance are hereby repealed.

(b) This ordinance being for the regulation of plumbing and for the protection of the public its provisions hereof are declared to be separable, and the invalidity of any clause, sentence, paragraph, or section hereof shall not affect the validity of the remainder of this ordinance.

(c) This ordinance being necessary for the preservation of the health and safety of the residents of the City of Atkins, Arkansas an emergency is hereby declared to exist and this ordinance shall be effective immediately upon and after its passage and approval, this 17 day of September, 1985.

Dallas L. Swain

DALLAS L. SWAIN, MAYOR

ATTEST:

Sybil Marple

SYBIL MARPLE, CITY CLERK