ORDINANCE NO. 85-6

AN ORDINANCE AMENDING CHAPTER 10.16 OF THE ATKINS MUNICIPAL CODE CONCERNING CERTAIN WASTE WHICH MAY BE PROHIBITED IN THE ATKINS SEWER SYSTEM, AMENDING THE PENALTIES FOR VIOLATION OF THE ORDINANCE, AMENDING THE DEFINITIONS AND FOR OTHER PURPOSES

Whereas, it is necessary to amend Chapter 10.16 of the Atkins Municipal Code immediately in order to comply with certain requirements of the Arkansas Department of Pollution Control and Ecology.

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

SECTION 1: Section 10.16.05 Use of the Public Sewers (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) is hereby amended to read as follows:

Section 10.16.05 Use of the Public Sewers. (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).

SECTION 2: Section 10.16.08 Penalties is hereby amended to read as follows:

Section 10.16.08 Penalties. Any person found to be violating any 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 $ 500.00 for each violation. Each day in which any such violation shall continue, shall be deemed a separate offense.

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. § 82-1909(c) because of such persons violating any of the provisions of this Ordinance.

SECTION 3: The following definitions shall be added to Section 10.16.01 Definitions as follows:

(a) GPM shall mean gallons per minute.

(b) MG shall mean million gallons.

SECTION 4: Section 10.16.01 Definitions Suspended Solids is hereby amended to read as follows:

Suspended Solids (TSS) 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.

SECTION 5: This Ordinance being necessary for the preservation of the health and safety of the residents of Atkins, an emergency is hereby declared to exist and this Ordinance shall be effective immediately upon and after its passage and approval, this 9 day of April, 1985.

Dallas L. Swain
DALLAS L. SWAIN, MAYOR

ATTESTED:
Syble Marple
SYBLE MARPLE, CITY CLERK