Ordinance No. 2020-04

# AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATKINS TO DEFINE MAINTENANCE AND REPAIR RESPONSIBILITIES ASSOCIATED WITH PRIVATE SANITARY SEWER CONNECTIONS TO THE CITY'S WASTEWATER COLLECTION SYSTEM

**WHEREAS,** The City of Atkins currently owns and operates a sanitary sewer collection system and two wastewater treatment plants and,

**WHEREAS,** said collection system and wastewater treatment plants are regulated and permitted by the Environmental Protection Agency (EPA) through the Arkansas Department of Energy and Environment, Division of Environmental Quality and,

**WHEREAS,** The Arkansas Department of Energy and Environment, Division of Environmental Quality has placed the City of Atkins under a Consent Administrative Order (CAO) to perform a Sanitary Sewer Survey and Evaluation Study (SSSES) and,

**WHEREAS,** The SSSES must be used to develop a Sanitary Sewer Remediation Plan (SSRP) that will detail the methods and best available technologies to correct deficiencies associated with inflow and infiltration of stormwater and groundwater and,

**WHEREAS,** The SSSES has been performed and has identified deficiencies in private connections to the City of Atkins' sanitary sewer that shall be corrected and maintained to prevent inflow and infiltration of stormwater and groundwater,

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

**ARTICLE 1** 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.

**ARTICLE 2** 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.

**ARTICLE 3** 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.

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.

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.

**ARTICLE 4** 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.

PASSED AND APPROVED this 13th day of October 2020.

Rowdy Sweet, Mayor

Angela Singleton, City Clerk

CITY OF ATKINS ★ SEAL ★ POPE COUNTY, ARKANSAS

FILED
Angela Singleton, City Clerk
City of Atkins
Date: Oct. 27, 2020