

ORDINANCE NO. 1041

AN ORDINANCE PRESCRIBING SPECIFICATIONS AND REGULATIONS FOR THE WATER SYSTEM OF THE CITY OF EUREKA SPRINGS, ARKANSAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:

SECTION 1. WATER MAINS AND LINES.

(a) All pipe must be new.

(b) All water mains and lines to be used for fire protection or that may be extended for fire protection shall have a minimum diameter of eight (8) inches and shall consist of one (1) of the following, to-wit:

(1) Cast Iron, Class 150; or

(2) Ducted Iron, Class 50; or

(3) A. C. Pipe, Class 150; or

(4) S. D. R. 18 P. V. C. Plastic; or

(5) In areas with a static pressure of thirty-five (35) pounds or less, S. D. R. 21, Class 200.

(c) All A. C. pipe and plastic pipe shall have a tracer wire installed with it, and it shall be properly bedded.

(d) All pipe shall be bell and spigot neoprene gasketed pipe.

(e) All pipe shall have a minimum cover of thirty-six (36) inches.

(f) Water lines used only as supply lines with no contemplated use for fire protection may have a minimum diameter of six (6) inches, provided that if any such water line supplies no more than six (6) single family residential units it may have a minimum diameter of four (4) inches, and further provided that if any such water line supplies no more than two (2) single family residential units it may have a minimum diameter of two (2) inches. All water lines referred to by this paragraph shall be subject to the provisions of paragraphs (a), (b), (c), (d), and (e) of this Section, except as to the minimum diameter stated in paragraph (b), and where a line of a minimum diameter of two (2) inches is permitted, a galvanized or copper line shall be permitted for the same.

(g) All primary service lines shall be looped where possible to avoid dead end lines and to provide better water to consumers.

(h) Wherever a line shall cross under any driveway, street or highway, whether public or private, such lines shall consist of iron pipe, and plastic pipe shall not be permitted in such instances unless it is encased in metal, filled and sealed at each end.

SECTION 2. EXTENSIONS OF SERVICES, INSTALLATIONS AND CONNECTIONS.

(a) The City shall bear the expense of connecting new users to the City

Water System from the City water main nearest to the property line of the user to said property line or up to the twenty-five (25) feet from such water main, whichever is the lesser distance, upon the full payment of the applicable tapping fee. In the event that the distance from such water main to such property line shall exceed twenty-five (25) feet, the user shall bear the expense of completing the desired connection, after the initial twenty-five (25) feet, to such property line by reimbursing the City for all labor and materials required by the City to complete such connection or the balance may be installed by plumber and approved by the Plumbing Inspector. All highway crossings shall be at the property owners expense with the exception being that the City may pay the difference in cost of such if it requires larger pipe than is normally required.

(b) All water meters hereafter installed shall be installed on public rights of way or easements and shall not be installed on private property. Such installations shall abut the property line of the user or consumer.

(c) All installations on private property shall conform to the State Plumbing Code of the State of Arkansas, heretofore adopted by reference by the City, and shall be at the expense of the owner of such private property.

(d) All private property owners bringing water service onto their private property shall, at no expense to the City, cause all new lines to be extended beyond any existing or proposed driveways or walkways providing ingress and/or egress to their property. The purpose of this requirement is to avoid the destruction and repair of such driveways or walkways when water service is extended to private property beyond such driveways or walkways at a later date. If any private property owner or developer shall fail to comply with this requirement and it becomes necessary at a later date to take up such a driveway or walkway to extend water service, the cost of taking up and repairing such a driveway or walkway shall be borne by the owner of such private property, and such owner of private property shall reimburse the City for any cost or expense sustained by the City by reason of the same.

SECTION 3. FIRE HYDRANTS.

(a) All fire hydrants shall be five and one-fourth ($5\frac{1}{4}$) inches fire hydrants with two (2) outlets of two and one-half ($2\frac{1}{2}$) inches and one (1) outlet of four and one-half ($4\frac{1}{2}$) inches.

(b) All fire hydrants shall be of the "breakaway" type.

(c) All fire hydrants shall be connected to a water main with a minimum diameter of six (6) inches.

(d) All fire hydrants shall have a gate valve between the fire hydrant and the main to which each fire hydrant is connected.

(e) All fire hydrants and fire hydrant tees shall be backed with concrete.

(f) Five and one-fourth (5¼) inch fire hydrants shall be installed at minimal intervals of six hundred (600) feet.

(g) Gate valves shall be installed, when other lines are attached to the main, and at minimal intervals of one thousand (1,000) feet, except for commercial areas where the gate valves shall be at minimal intervals of six hundred (600) feet.

SECTION 4. APPLICABILITY OF ORDINANCE.

(a) The provisions of this Ordinance shall apply to all water mains, water lines and fire hydrants installed and all extensions of the City Water System made from and after the effective date of this Ordinance, regardless of whether such installations shall be original installations or replacements of existing facilities of the City Water System.

(b) Specifically excepted from the provisions of the Ordinance are the following, to-wit:

- (1) All facilities of the City Water System, including mains, lines and fire hydrants, in existence on the effective date of this Ordinance, provided that all replacements or extensions of such facilities shall be subject to each and every provision of this Ordinance; and
- (2) The water system proposed for any subdivision to be within the corporate limits of the City if the written plans and specifications and drawings for such proposed water system were submitted to the City for approval prior to the effective date of this Ordinance, provided that said plans, specifications and drawings and said water system, when installed, shall be in substantial compliance with all applicable statutes; rules and regulations of the State of Arkansas and its agencies having jurisdiction over said water system.

SECTION 5. SUPPLEMENTATION OF ORDINANCE NO. 839.

Ordinance No. 839 of the City, passed and approved on September 4, 1964, is hereby declared to be supplemented by the provisions of this Ordinance, provided that where there is a conflict between any provision of this Ordinance and any provision of this Ordinance No. 839, the conflicting provision of Ordinance No. 839 shall be deemed to have been superseded by the conflicting provision of this Ordinance.

SECTION 6. REPEAL

All Ordinances, resolutions and parts of ordinances and resolutions in conflict with this Ordinance are hereby repealed.

SECTION 7. SEVERABILITY.

If a court of competent jurisdiction shall hold any provision of this Ordinance to be unenforceable for any reason, such holding shall not render the remaining provisions unenforceable and such remaining provisions shall thereafter remain in full force and effect, inasmuch as each provision of this Ordinance is hereby declared to be severable from each and every other provision hereof.

SECTION 8. PENALTIES FOR VIOLATIONS.

It shall be a misdemeanor ^{for} any person, firm or corporation to violate any provision of this Ordinance, and upon conviction thereof in the Municipal Court of Eureka Springs, such person, firm or corporation shall be subject to a fine of not more than Five Hundred and No/100 Dollars (\$500.00) for each violation, provided that if any violation shall be of a continuing nature, the violator shall be subject to a fine not to exceed Two Hundred Fifty and No/100 Dollars (\$250.00) for each day such violation shall continue to exist.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS,
ARKANSAS, ON THIS 25TH DAY OF OCTOBER, 1978.

APPROVED: Charles F. Robertson
CHARLES F. ROBERTSON, MAYOR

ATTEST:

June I. Moncravie
JUNE I. MONCRAVIE, CITY CLERK-TREASURER
by K. Grulkey, D.C.

(SEAL)

DECLARATION OF EMERGENCY

The City Council of the City of Eureka Springs, Arkansas has found that the provisions of Ordinance No. 1041 are essential to the public health and safety and the welfare of the City and its inhabitants, and that the same should be effective without delay. Therefore, an emergency is hereby declared to exist and Ordinance No. 1041 shall be in full force and effect from and after its publication according to law.

PASSED AND DECLARED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS,
ARKANSAS, ON THIS THE 25TH DAY OF OCTOBER, 1978.

APPROVED: Charles F. Robertson
CHARLES F. ROBERTSON, MAYOR

ATTEST:

June I. Moncravie
JUNE I. MONCRAVIE, CITY CLERK-TREASURER
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