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ORDINANCE NO. 1286

AN ORDINANCE AMENDING ARTICLE II, USE OF PUBLIC SEWERS REQUIRED, SECTION 4 AND ARTICLE III, PRIVATE WASTEWATER DISPOSAL, SECTIONS 1, 2, 3 & 4, CHAPTER 10.10 OF THE MUNICIPAL CODE OF THE CITY OF EUREKA SPRINGS, REGULATING THE PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTE-WATER DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S): PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, it has come to the attention of the City Council of the City of Eureka Springs, Arkansas, that in order to comply with the approved Facility Plan and Environmental Protection Agency grant conditions certain changes need to be made:

NOW, THEREFORE, be it ordained by the City Council of the City of Eureka Springs, Arkansas:

Section 1: The provisions of Article II, Section 4 are amended as follows:

Section 4: The owner(s) 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 sewer of the City, is hereby required, at the owner's expense, to install suitable wastewater facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance within ninety (90) days after date of official notice to do so, provided that said public sewer is within five hundred (500) feet of the building.

Section 2: The provisions of Article III, Section 1, 2, 3 & 4 are amended as follows:

Section 1. The construction of new and/or additional wastewater disposal systems except those that discharge directly into a public sewer system is prohibited.

Section 2 - Deleted

Section 3 - Deleted

Section 4 - Deleted

Section 3: This Ordinance shall take effect and be in force from and after its passage.

Section 4: Emergency Declared. The City Council of the City of Eureka Springs, Arkansas, has found it to be essential to health, safety and welfare of the City that Ordinance No. 1286 take force and effect without delay. Therefore, an emergency is declared to exist, and Ordinance No. 1286 shall be in full force and effect upon its publication according to law.

PASSED AND DECLARED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS ON THIS _____ OF _____, 1987.

APPROVED:

ATTEST:

RICHARD L. SCHOENINGER, Mayor

City Clerk/Treasurer

SEAL