

ORDINANCE NO. 839

AN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE INSTALLATION OF WATER AND SEWER CONNECTIONS, AND FOR OTHER PURPOSES"

WHEREAS, regulations governing the installation of water and sewer services and providing for minimum material standards, are contained in various Ordinances and Resolutions of the City of Eureka Springs, Arkansas, and

WHEREAS, it is desirable and expedient to compile all of such regulations under one authority,

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Eureka Springs, Arkansas:

SECTION 1. No person, firm or corporation, except the Water Department of the City of Eureka Springs, Arkansas, shall do or cause to be done, any work whatever in connection with the introduction of water into any property, or connecting water or sewer, or alter, extend or repair any water or sewer connection unless they shall first obtain a permit therefor from the City Clerk, and all such connections, alterations, extensions and repairs to be constructed and installed, shall be subject to the Water Superintendent's inspection and approval, before covering and placed in operation.

SECTION 2. The Water and Sewer Department, City of Eureka Springs, Arkansas, shall make and close all street openings for tapping of any street main, whether water or sewer. The Water and Sewer Department, City of Eureka Springs, Arkansas, shall install both water and sewer services from the mains to the property line, and such department shall use the following materials: Water services shall be installed, using copper only, on all services of (1) inch in diameter and under. Water services in sizes above (1) inch in diameter shall be installed using either copper, wrought iron or cast iron. Sewer services shall be installed using either P.V.C., V.C. sewer pipe or cast iron pipe. All joints or couplings shall be made either by the hot pour method or by the use of a factory manufactured and installed polyvinyl chloride plastic fused to the pipe and properly molded and cured to a uniform hardness and compressibility to form a tight compression joint. The factory applied joint shall be the Dickey P.V.C Coupling, as manufactured by the W. S. Dickey Clay Mfg. Co., or approved equal. A corporation cock shall be installed in all water main service taps, with the T of the corporation cock facing upward. The corporation cock shall be either Mueller, Hays, Crane, or their equal.

The Water and Sewer Department shall make the following charges for making the street cut, tapping the main, providing service from the main to the property line (not to exceed 25 feet), and closing the street:

<i>amended</i>	One 3/4 inch copper, single water service	\$85.00
	One 1 inch copper, split water service	90.00
	One 4 inch P.V.C. tile, sewer service	85.00
	One 6 inch P.V.C. tile, sewer service	90.00

Charges for services exceeding sizes given in the standard schedule shall be computed by the Water and Sewer Department on a time and material basis.

In the event that the property line is more than 25 feet from the main, charges for the additional distance (over 25 feet) shall be computed by the Water and Sewer Department on a time and material basis.

The Water Department shall furnish a meter box with a lid for each new water service and the cost of installation of such box shall be included in the service tap fee. The Water Department shall charge a fee of \$10.00 for the installation of clay tile or Concrete type meter box in all changes from the obsolete meter box to the clay tile or concrete meter box with lid. Water meters installed at all times shall remain the property of the City Water Department.

Meter boxes in all instances shall be installed with the top of the meter box set at the same elevation as final lot grading. If meter boxes are covered for any reason, and meter reading personnel cannot readily and with safety gain admittance to same, such boxes shall be adjusted to provide access and the cost of such readjustment shall be applied to customers billing or the reading shall be estimated until access can be attained.

SECTION 3. All service pipe must be laid with cover not less than 24 inches below the lowest point of established grades of all streets, gutters, sidewalks and on owners premises. An inverted stop cock attached to a new yoke shall be installed in each meter box, the yoke and stop cock shall be of Badger or Ford or their equal. No property owner, tenant, plumber or any individual shall use this stop cock to turn water on or off to the premises without permission of the Water Department.

SECTION 4. All yard service water lines must be provided with a cut-off to be installed inside the yard line 2 feet outside of the foundation of the premises to which the cock will be used. All stop cocks shall be of Mueller, Hays, Crane, or their equal, and if placed beneath the ground, a suitable receptacle for protection and accessibility shall be provided for the valve so that the water may be cut off for making plumbing repairs. A charge of \$1.00 shall be made by the Water Department for turning water on or off at the request of any owner, resident or plumber on existing property, not equipped with a workable house stop. The water shall however, be turned on and off for test purposes on new or repaired plumbing by the Water Department without charge to the owner, resident or plumber. Where an adequate stop valve does not exist, the property owner shall be required to provide for the installation of same, before the water will be turned back on.

SECTION 5. The Superintendent of Water, his assistant, agents or employees shall at all reasonable hours, have the right to enter the premises of any water consumer to examine the pipes and fixtures to determine the quantity of water used, the manner of its use, and shall at all times have the control of the corporation cock at the main and the service cock in the meter box. All reasonable care will be exercised during such inspection of the owners property.

SECTION 6. Before any swimming pool, either public or private, shall be filled or re-filled with city water, the Water Department shall be notified at least three (3) hours in advance before the filling or refilling of any swimming pool with city water is commenced.

SECTION 7. Domestic and commercial consumers must receive permission from the Water Superintendent to use water for irrigation purposes, if due to water shortage or for any other reason, the services rendered to the consumers inside the City Limits of Eureka Springs, Arkansas, are endangered, permission for irrigation or for use of water outside the City Limits may be temporarily or permanently revoked by the City of Eureka Springs.

SECTION 8. Applications for water service shall be made at the Office of the Water Department by the owner of the premises, his authorized agent, or the person in possession of the premises. A security deposit of \$10.00 shall be made by the owner, agent or the person in possession of the premises, for domestic service; and a security deposit of \$25.00 shall be made by commercial consumers.

SECTION 9. All bills for water and sewer services are due and payable as follows:

Net bill is due and payable from the 1st to the 10th of each month. After the 10th, 10% additional penalty will be collected (gross bill). If the gross bill is not paid by the close of business on the 20th day of the month, water services shall be disconnected and the security deposit will forfeit and \$2.00 will be charged by the Water Department for re-connection of the service.

SECTION 10. Customers shall not be allowed to furnish other persons with water without a permit from the Water Department. Any consumer violating this section shall have their water service disconnected, excepting in cases of emergency.

SECTION 11. In the event of a water shortage, due to any cause, the Water Department shall have the right to discontinue service to customers using water for irrigation purposes or for any other purpose not considered to be in the best interest of the general public.

SECTION 12. No person, firm, corporation or association shall take any water from a fire hydrant without first having obtained written approval of the Water Department and paying for such water at the prescribed rate for any purpose other than water used for extinguishing fire and in cases of emergency.

SECTION 13. No property owner, tenant, plumber or any other individual, firm, corporation or association shall be permitted to directly or indirectly introduce into the sewer system, any storm water or other water other than that originating from the City water distribution system.

SECTION 14. The Water and Sewer Department may require the property owner who laid at his own expense any water or sewer distribution or collecting mains, to grant an easement over the lands to which any such line or lines may pass as a condition preceding to connecting to the distribution or collection system of the Eureka Springs Water and Sewer Department, said water or sewer line upon connection, shall become the sole property of the City of Eureka Springs, and shall be controlled by the Eureka Springs Water and Sewer Department. The property owner or person laying said lines shall not be entitled to reimbursement for said water or sewer line. The Eureka Springs Water and Sewer Department reserves the right at all times to establish grades and depths to conform to present facilities and future plans.

SECTION 15. All Ordinances, parts of Ordinances in confliction herewith, are hereby repealed.

Ordinance 768 and amendments thereto are hereby specifically repealed.

SECTION 16. The Eureka Springs Water and Sewer Department may at its option, install water and sewer services into areas within the City limits of the City of Eureka Springs where said areas are devoid of such services. All such water and sewer facilities shall be constructed in accordance with Arkansas State Board of Health Rules and Specifications, and the cost of such construction shall be paid for by the property owner or the person desiring to tap said line or lines at the rate of \$200.00 per tap.

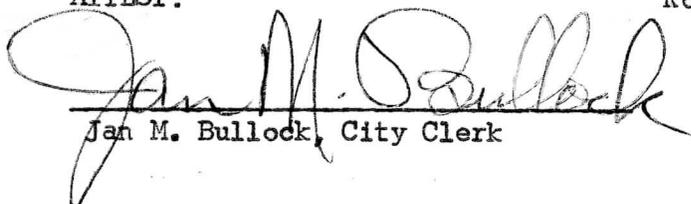
SECTION 17. Any person, firm, corporation or association violating any of the sections of this Ordinance shall be fined in any sum not less than \$25.00, and not more than \$100.00, and each days violation of any section of this Ordinance shall constitute a separate offense.

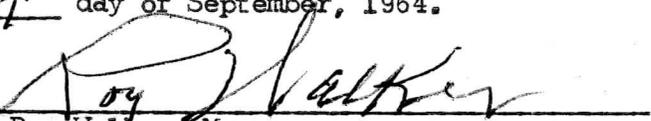
SECTION 18. If any Section, Sub-section, sentence, clause or phrase of this Ordinance is for any reason declared unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining Sections of this Ordinance.

SECTION 19. WHEREAS, it being immediately necessary for the preservation of the peace, health and safety of the inhabitants of the City of Eureka Springs that the provisions of this Ordinance be put into full force and effect, and an emergency is hereby declared to exist, and this Ordinance shall be in force and effect and take effect from and after its passage, approval and publication.

PASSED AND APPROVED this the 4 day of September, 1964.

ATTEST:


Jan M. Bullock, City Clerk


Roy Walker, Mayor