



CITY WATER & LIGHT PLANT OF THE CITY OF JONESBORO, AR
ADDITION TO THE JONESBORO MUNICIPAL CODE
PART 1, CHAPTER 70, ARTICLE III, DIVISION 3 – GENERAL SEWER USE ORDINANCE
EXECUTIVE SUMMARY
FEBRUARY 28, 2012

The new General Sewer Use Ordinance (GSUO), Part 1, Chapter 70, Article III, Division 3, is proposed as an addition to the Jonesboro Municipal Code to maintain the uniform requirements for persons utilizing the wastewater collection system and Publicly Owned Treatment Works of the City Water and Light Plant of the City of Jonesboro, Arkansas (CWL) and enables CWL to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code (U.S.C.) 1251 *et seq.*). These requirements are currently under Ordinance No. 3126, Sewer Use – Pretreatment Ordinance, Part 1, Chapter 70, Article III, Division 2 of the Jonesboro Municipal Code (originally Title 10, Chapter 10.04).

At the request of the Arkansas Department of Environmental Quality (ADEQ), the Pretreatment Ordinance (proposed as an amendment to Part 1, Chapter 70, Article III, Division 2 of the Jonesboro Municipal Code) has been separated from the GSUO. ADEQ approved the separate version of the Pretreatment Ordinance (PTO) on December 9, 2011. **ADEQ has required that the new PTO be adopted by April 2, 2012. Due to the separation of the Ordinances, the GSUO must also be adopted by the April 2nd deadline.**

As a result of the GSUO and PTO separation, the Purpose and Policy (Section 70-104) of the GSUO was revised to focus on such general sewer use requirements as the regulation of; the use of public and private sewers, private sewage disposal, and the installation, construction, maintenance, and connection of building sewers (privately owned sewer laterals).

Sections 70-104 (4) and 70-108 (3)(P) were added to the proposed GSUO to address the need for regulation of the disconnection and sealing of building sewers from the sanitary sewer. Other additions and revisions made to Section 70-108 involved: adding regulations regarding manhole accessibility (70-108 (1)(J)); adding enforcement language regarding the cross connection of sources of surface water to the sanitary sewer (second and third sentence of 70-108 (3)(J)); and adding language to clarify responsibility and liability of building sewers (first sentence of 70-108 (3)(N) and 70-108 (3)(O)).

As mutually agreed to between CWL and ADEQ, Section 70-109 – Conventional Pollutant Limits was added to allow CWL to impose limits for conventional pollutants on Industrial Users without these limits being part of CWL’s Pretreatment Program. This allows CWL to provide loadings to Significant Industrial Users without involving ADEQ or Environmental Protection Agency enforcement.

Additional Sections added to the proposed GSUO include provisions for: the right of entry (Section 70-110 (1)); the ability to impose Administrative fines (Section 70-111(6)), which was strongly encouraged by ADEQ for the PTO and contained in the EPA Model Pretreatment Ordinance; the assurance of “due process” under the enforcement regulations (Sections 70-111 (9) and (10)), which was recommended by the CWL Attorney; the refusal of sewer or water service for outstanding fees, fines and penalties (Section 70-113 (5)).

Throughout the document, minor modifications were made to correct typographical and grammatical errors; remove extraneous language; and further clarify certain provisions.