



## Legislation Details (With Text)

**File #:** ORD-82:1824 **Version:** 1 **Name:** Amend Ordinance 1346 regarding public sewers  
**Type:** Ordinance **Status:** Passed  
**File created:** 7/19/1982 **In control:** City Council  
**On agenda:** **Final action:** 7/19/1982  
**Title:** AN ORDINANCE AMENDING THE JONESBORO ORDINANCE NO.1346 "AN ORDINANCE REGULATING THE USE OF PUBLIC SEWERS AND DRAINS; AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF; AND FOR OTHER PURPOSES, IN THE CITY OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS."

**Sponsors:**

**Indexes:** Code of Ordinances amendment

**Code sections:** Chapter 112 - Stormwater Management

**Attachments:**

Date	Ver.	Action By	Action	Result
7/19/1982	1	City Council	Passed	Pass

AN ORDINANCE AMENDING THE JONESBORO ORDINANCE NO.1346 "AN ORDINANCE REGULATING THE USE OF PUBLIC SEWERS AND DRAINS; AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF; AND FOR OTHER PURPOSES, IN THE CITY OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS."

BE IT ORDAINED AND ENACTED by the Council of the City of Jonesboro, Arkansas, as follows:

### Article I Amendments

Section 1: Article 1, Meaning of Terms, of Jonesboro Ordinance No.1346, shall be amended as follows: Add the following sections:

Section 25: "COD" (Chemical Oxygen Demand) means measure of the oxygen consuming capacity of inorganic and organic matter present in the water of wastewater expressed in mg/l as the amount of oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with biochemical oxygen demand.

Section 26: "Control Manhole" means a manhole giving access to a building sewer at some point before the building sewer discharge mixes with other discharges in the public sewer.

Section 27: "Milligrams per Liter" (mg/l) means the same as parts per million and is a weight-to-volume ratio; the milligrams-per-liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

Section 28: "Normal Domestic Wastewater" means wastewater excluding that from non-residential uses discharged by a person into sanitary sewers in which the average concentration of total suspended solids is not

more than 250mg/1 and BOD is not more than 250 mg/1.

Section 29: "Owner" shall mean the "person" or "persons" who possess any interest in the structure or property to which such ownership relates.

Section 30: "Pretreatment" shall mean treatment of sewage required by the Approving Authority prior to its being discharged into the public sewer.

Section 31: "Sewer Surcharge" shall mean a sewer service charge above the normal monthly sewer rate which shall be assessed to those non-residential sewer users who discharge into the Jonesboro sewer system wastewater having BOD in excess of 250 mg/1 or suspended solids content in excess of 250mg/1.

Section 32: "Standard Methods" shall mean the examination and analytical procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved, and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

Section 33: "Storm Water" shall mean rainfall or any other forms of precipitation.

Section 34: "To Discharge" includes to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.

Section 35: "Trap" means a device designed to skim, settle, or otherwise remove grease, oil, sand, flammable wastes or other harmful substances.

Section 36: "Unpolluted Wastewater" means water containing:

- (a) no free or emulsified grease or oil;
- (b) no acids or alkalis;
- (c) no phenols or other substances producing taste or odor in receiving water;
- (d) no toxic or poisonous substances in suspension, colloidal state, or solution;
- (e) no noxious or otherwise obnoxious or odorous gases;
- (f) not more than an insignificant amount in mg/l each of suspended solids and BOD, as determined by the Manager; and
- (g) Color not exceeding fifty (50) units as measured by the Platinum-Cobalt method of determination as specified in "Standard Methods."

Section 37: "National Categorical Pretreatment Standard" or "Pretreatment Standard" shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial users.

Section 2: Article IV, Building Sewers and Connections, of Jonesboro Ordinance No.1346, shall be amended as follows: Add the following sections:

Section 12: Owners or agents of existing establishments discharging industrial wastes into the Jonesboro sewage works shall apply for a permit for continued existing operation within thirty (30) days after receipt of notification in writing by the Manager that such a permit is required for continued operation. Permits for continued existing operation by establishments discharging industrial wastes into the Jonesboro sewage works may be issued by the Manager within ninety (90) days of receipt of an acceptable application.

Section 13: Applications for a Wastewater Discharge Permit shall be in a form prescribed by Jonesboro City Water and Light Plant, and shall contain the following information:

- (a) name, address, and location of the discharger;
- (b) Standard Industrial Classification;
- (c) wastewater constituents and characteristics;
- (d) average and peak wastewater flow rates;
- (e) where known, the nature and concentration of any pollutants in the discharge which are limited by any City, State, or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are to be met on a consistent basis;
- (f) where additional pretreatment and/or operation and maintenance will be required to meet and pretreatment standards, a compliance schedule shall be provided, subject to approval by the Manager, giving dates for the commencement and completion of major events leading to the construction and operation of facilities requires for the compliance with applicable pretreatment standards; and
- (g) Any other information as may be deemed by the Manager to evaluate the permit application.

Section 14: Within nine (9) months of the promulgation of a National Categorical Pretreatment Standard, the Wastewater Discharge Permit of establishments subject to such standards shall be revised to require treatment no less than that necessary for compliance with such standard within the time frame prescribed by such standard. An establishment subject to a National Categorical Pretreatment Standard which has not previously submitted an application of a Wastewater Discharge Permit shall do so within one hundred eighty (180) days after the promulgation of the application National Categorical Pretreatment Standard.

Section 15: Wastewater Discharge Permits may be issued by Jonesboro City Water and Light Plant within ninety (90) days of receipt of an acceptable application, and shall be valid for a period of five (5) years, and may be renewed upon submission and acceptance of an application for renewal.

Section 16: Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under Ordinance No.1346, as amended, for sources in that subcategory, shall immediately supersede the limitations imposed under Ordinance No.1346, as amended. The Manager shall notify all affected users of the applicable reporting requirements under 40 CFT, Section 403.12.

Section 17: Wastewater Discharge Permits shall be expressly subject to all provisions of Ordinance No.1346, as amended, and all other applicable regulations, user charges, and fees established by Jonesboro City Water and Light Plant. Permits may contain the following:

- (a) the unit charge or schedule of user charges an fees for the wastewater to be discharged to the public sewer;
- (b) limits on the average and maximum wastewater constituents and characteristics;
- (c) limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
- (d) requirements for installation and maintenance of inspection and sampling facilities;
- (e) specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
- (f) compliance schedules;
- (g) requirements for submission of technical reports or discharge reports;
- (h) requirements for maintaining and retaining plant records relating to wastewater discharge as specified by Jonesboro City Water and Light Plant, and affording Jonesboro City Water and Light Plant access thereto;

- (i) requirements for notification of Jonesboro City Water and Light Plant or any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents begin introduced into the wastewater treatment system;
- (j) requirements for notification of slug discharges; and
- (k) Other conditions as deemed appropriate by Jonesboro City Water and Light Plant to insure compliance with Ordinance No.1346, as amended.

Section 3: Article V, Regulation of Discharges, of Jonesboro Ordinance No.1346 shall be amended as follows:  
A portion of Section 3 (b) shall be deleted to read as follows:

“any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or be interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.”

Section 3 (f): shall be amended to read as follows:

“Any waters and wastes containing toxic materials or heavy metals in concentrations exceeding the following limits:

Maximum for Any	Average for 30	
	One Day (mg/1)	Consecutive Days (mg/1)
Pollutant		
Cyanide	0.8	0.23
Cadmium	1.2	0.5
Chromium (total)	7.0	2.5
Copper	1.5	1.8
Lead	0.6	0.3
Nickel	4.1	1.8
Zinc	1.2	1.6
Total Metals	10.5	5.0

In no case shall any discharge to the public sewers cause the following toxic materials or metals concentrations to be exceeded in the influent to the sewage treatment plant:

Element	Concentration (mg/1)
Arsenic	0.05
Barium	5.00
Boron	1.00
Cadmium	0.02
Chromium	0.05
Copper	0.02
Cyanide	0.05
Lead	0.10
Manganese	0.50
Mercury	0.002
Nickel	0.08
Selenium	0.02

Silver	0.01
Zinc	0.05

Section 3: (i): shall be added as follows:

(i) Septic tank sludge, except that such sludge may be discharged into the sewage works at locations designated for this purpose by the Manager by persons permitted by the Arkansas Department of Health. Persons utilizing this service shall furnish to the Manager the origin of such sludge, i.e., the owner's name and address, and the content of the sludge, i.e., residential septic tank sludge, commercial or industrial establishment septic tank sludge, or other.

Section 3: (j) shall be added as follows:

(j) Heat in amounts which will inhibit biological activity in the wastewater treatment works resulting in interference but in no case in such quantities that the temperature at the wastewater treatment works influent exceeds 40° C (104° F).

Section 4: (e) (3) shall be amended to read as follows:

“unusual BOD, unusual chemical oxygen demand, unusual suspended solids, or excessive chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works except by agreement between the owner and the Manager specified in the permit for operation issued to the owner by the Manager in accordance with Article IV, Section 12, 13 and 14 for Ordinance No.1346, as amended.”

Section 5: (f) shall be added as follows

(f) The owner or agent of establishments discharging industrial wastes shall provide protection from accidental discharge or prohibited materials or other substances regulated by Ordinance No.1346, as amended.

(1) Detailed plans and specifications showing facilities and operating procedure shall be submitted to Jonesboro City Water and Light Plant for review within ninety (90) days following written notification by the Manager requiring such plans and specifications.

(2) Within five (5) days following an accidental discharge, the owner or agent of the establishment shall submit to the Manager a detailed written report describing the cause of the discharge and the measures to be taken to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss damage, or other liability which may be incurred as a result or any other damage to person or property; not shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this Article of other applicable law.

Section 4: Article VI, Commercial and Industrial Sewer Charges, of Jonesboro Ordinance No.1346 shall be amended to read as follows:

“Section 1: Commercial and industrial sewer customers discharging sewage to the Jonesboro sewage works having a BOD in excess of 250 mg/l or a suspended solids content in excess of 250 mg/l shall pay in addition to the metered use charge for non-residential sewer service, a surcharge based on the following formula:

$$S = V_s \times 8.34 [C_b (BOD - 250) + C_{ss} (SS - 250)]$$

Where:

S = Surcharge in dollars

V<sub>s</sub> = Wastewater volume in millions of gallons

8.34 = Pounds per gallon of water

Cb= Unit charge for BOD in dollars per pound  
BOD= BOD strength of customer's sewage (250 milligrams per liter or more)  
250 = Non-excessive BOD strength in milligrams per liter  
Css = Unit charge for suspended solids in dollars per pound  
SS = Suspended solids content of customer's sewage  
(250 milligrams per liter or more)  
250 = Non-excessive suspended solids content in milligrams per liter.

Section 2: The above basis of determination of sewer charges to commercial and industrial users shall be subject to periodic review by the Board of Directors of Jonesboro City Water and Light Plant. This review will provide a basis for possible rate adjustment due to observed or predicted wastewater treatment costs."

Section 5: Article IX, Penalties, of Jonesboro Ordinance No.1346, shall be amended as follows: Section 2 shall be amended to read as follows:

"Any person who shall continue any violation beyond the time limit provided for in Section 1 of this Article and/or any person who shall be found to be violating the provisions of Article VII of Ordinance No.1346, as amended, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not more than \$500.00 for each violation, or double that sum for each repetition of such offense or violation, and if the act is continuous in nature, in any sum not more than \$250.00 for each day that the same shall be unlawfully continued."

Add the following section:

Section 4: In cases of repeated violations, the Manager may revoke the permit for discharge of wastes into the sewer system and effect the discontinuation of water or sewer service, or both.

## ARTICLE II

### Validity

Section 1: All ordinances or part of ordinances in conflict herewith are hereby repealed.

Section 2: The provisions of this ordinance are severable, and in any part of provisions hereof shall be held void or invalid, the remaining parts of provisions shall not be affected or impaired.

Section 3: This ordinance being found to be necessary for the immediate preservation of the public peace, health, and safety, an emergency is declared and the ordinance shall be in full force and effect from and after its publication.

PASSED and APPROVED this 19<sup>th</sup> day of July, 1982.