



Legislation Details (With Text)

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Title: AN ORDINANCE REGULATING THE USE OF PUBLIC SEWERS AND DRAINS; AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; PROVING PENALTIES FOR THE VIOLATIONS THEREOF; AND FOR OTHER PURPOSES, IN THE CITY OF JONEBORO, CRAIGHEAD COUNTY, ARKANSAS (NOTE: THIS ORDINANCE WAS AMENDED BY ORD-82:1824 ON JULY 19, 1982; ORD-88:1363 ON MAY 16, 1988; ORD-90:1154 ON MAY 7, 1990)

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AN ORDINANCE REGULATING THE USE OF PUBLIC SEWERS AND DRAINS; AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; PROVING PENALTIES FOR THE VIOLATIONS THEREOF; AND FOR OTHER PURPOSES, IN THE CITY OF JONEBORO, CRAIGHEAD COUNTY, ARKANSAS (**NOTE: THIS ORDINANCE WAS AMENDED BY ORD-82:1824 ON JULY 19, 1982; ORD-88:1363 ON MAY 16, 1988; ORD-90:1154 ON MAY 7, 1990**)

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

ARTICLE I

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 1: "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter user standard laboratory procedure in five (5) days at 20°C., expressed in milligrams per liter.

Section 2: "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inter face of the building wall.

Section 3: "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 4: "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

Section 5: "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Section 6: “Industrial Wastes” shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

Section 7: “Natural Outlet” shall mean any outlet into a water course, pond, ditch, lake or other body of surface or groundwater.

Section 8: “Person” shall mean any individual, firm, company, association, society, corporation or group.

Section 9: “Ph” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 10: “Property Shredded Garbage” shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Section 11: “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 12: “Sanitary Sewer” shall mean a sewer which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.

Section 13: “Sewage” shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm-waters as may be present.

Section 14: “Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

Section 15: “Sewage Works” shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Section 16: “Sewer” shall mean a pipe of conduit for carrying sewage.

Section 17: “Shall” is mandatory; “May” is permissive.

Section 18: “Slug” shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average of twenty-four (24) hours concentration or flows during Normal operations.

Section 19: “Storm Drain” (sometimes termed “storm sewer” shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Section 20: “Manager” shall mean and be the Manager of City Water and Light Plant of the City of Jonesboro, Arkansas, (a separate Municipal Improvement district), and the person holding that position is hereby appointed by the City to have the powers and perform the duties herein set out. “Manager” as used herein shall mean such person or his deputy, agent, or representative.

Section 21: "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in waste, sewage, or other liquids, and which are removable by laboratory filtering.

Section 22: "Watercourse" shall mean a channel in which a flow of water occurs either continuously or intermittently.

Section 23: "City" shall mean the City of Jonesboro, County of Craighead, the state of Arkansas, and the City Water and Light Plant of the City of Jonesboro.

Section 24: "Unusual BOD" shall mean excessive amounts of BOD above the normal operations indigenous to each particular type of industry using normal, reasonable and economical practices before discharging their sewage into the City sanitary sewers.

ARTICLE II

Use of Public Sewers Required

Section 1: It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Jonesboro or in any area under the jurisdiction of said city, any human or animal excrement, garbage, or other objectionable waste.

Section 2: It shall be unlawful to discharge to any natural outlet within the City of Jonesboro or in any area under the jurisdiction of said city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 3: Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, pricy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Section 4: The owner 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 or combined sewer of the city, is hereby required at his expense to install suitable toilet facilities herein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within 60 days after date of official notice to do so, provided that said public sewer is within 300 feet of the property line.

ARTICLE III

Private Sewage Disposal

Section 1: Where a public sanitary or combined sewer is not available under the provisions of Article II, Section 4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

Section 2: Before commencement of construction of a private sewerage disposal system, the owner shall first obtain a written permit signed by the City Inspector. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications, or other information as are deemed necessary by the City Inspector. Applicable inspection fees shall be paid to the city at the time the application is filed.

Section 3: A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the City Inspector. He shall be allowed to inspect the work at any state of construction and, in any event, the application for the permit shall notify the City Inspector when the work is ready for final inspection, and before any underground portions are covered, the inspection shall be made within 48 hours of the receipt of notice by the City Inspector.

Section 4: The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Arkansas. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 10,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Section 5: At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in Article III, Section 4, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

Section 6: The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city.

Section 7: No statement contained in this article shall be construed to interfere with any additional requirements that must be imposed by the health Officer.

Section 8: When a public sewer becomes available, the building sewer shall be connected to the sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

ARTICLE IV

Building Sewers and Connection

Section 1: No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from City Water and Light Plant.

Section 2: There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by City Water and Light Plant. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the City after and Light Plant. Applicable inspection fees for a residential, commercial or industrial building sewer permits shall be paid to the city of City Water and Light Plant at the time the application is filed.

Section 3: All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 4: A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 5: Old building sewers may be used in connection with new buildings only when they are found, on examination and test by City Water and Light Plant, to meet all requirements of this ordinance.

Section 6: The size, slope, alignment, materials or construction of a building sewer, and the methods to be used in excavating, placing of the pipe jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No.9 shall apply.

Section 7: Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Section 8: No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground-water to a building sewer or building drain which in turn is connected directly or indirectly a public sanitary sewer.

Section 9: The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City of Jonesboro and City Water and Light or the procedures set forth in appropriate specifications of the A.S.T.M and the W.P.C.F. Manual of Practice No.9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the City Water and Light Plant before installation.

Section 10: the applicant for the building sewer permit shall notify City Water and Light when the building sewer is ready for inspection and connection to the public sewer. The inspection and approval shall be made under the supervision of City Water and Light.

Section 11: All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

ARTICLE V

Section 1: No person shall discharge or cause to be discharged any storm-water, surface water, ground-water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process water to any sanitary sewer.

Section 2: Storm-water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Manger and the City Inspector. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Manager and City Inspector, to a storm sewer, combined sewer or natural outlet.

Section 3: No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any gasoline, benzene, naphtha, fuel oil, or other inflammable or explosive liquid, solid or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids or gasses in sufficient

quantity, either singly or by interaction with other waste 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, including, but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

- (c) Any waters or wastes having pH lower than 6.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works such as, but not limited to. Ashes, cinders, sand, mud, straw, egg shells, shavings, metal, glass, rags, feathers, tar, plastics, wood, un-ground garbage, whole blood, paunch manure, hair and fleshing, entrails, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- (e) Any waters or wastes containing strong acid picking wastes, or concentrated plating solution whether neutralized or not.
- (f) Any water or wastes containing the following element concentrations as measured at this point of discharge into the public sewers:

ELEMENT	CONCENTRATION (mg/l)
Arsenic	0.05
Barium	5.00
Boron	1.00
Cadmium	0.02
Chromium (trivalent)	0.05
Copper	0.02
Lead	0.10
Manganese	1.00
Mercury	0.005
Nickel	0.03
Selenium	0.02
Silver	0.10
Zinc	0.01

- (g) Any waters or wastes containing phenols or other taste-or-odor producing substances, in such concentration exceeding limits which may be established by the Manager, as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- (h) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Manager in compliance with applicable State or Federal regulations.

Section 4: No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes, if it appears likely in the opinion of the Manager that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Manager will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treat-ability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F. (65°C.).

- (b) Any water or wastes containing more than one hundred (100) parts per million (833 lbs. per million gallons) of fats, wax, grease or greases if such water or wastes are, in the opinion of the Manager, sufficient to:
 - (1) Interfere with the biological processes of a sewage treatment plant.
 - (2) Interfere with proper operation of the sewage works.
 - (3) Cause obstruction to flow in sewers.
 - (4) Cause pollution of any area or receiving stream.
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater, shall be subject to the review and approval of the Manager.
- (d) Any waters or wastes having a pH in excess of 9.0.
- (e) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as but not limited to, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- (f) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 5: If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Manager may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Manager may:

- (a) Reject the wastes.
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers.
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added cost of handling and treating the wastes.
- (e) If the Manager permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Manager, and subject to the requirements of all applicable codes, ordinances and laws, and the Arkansas State Health Department regulations.

Section 6: Grease, oil and sand interceptors shall be provided when in the opinion of the Manager, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Manager, and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 7: Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes. They shall be maintained continuously in satisfactory and effective operation by the owner, at his expense.

Section 8: When required by the Manger, the owner of any property serviced by a building sewer carrying

industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Manager. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Section 9: All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in the ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existing of hazards to life, limb and property. (The particular analyses involved will determine whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas, pH's are determined from periodic grab samples.)

ARTICLE VI

Section 1: Commercial and industrial sewer charges shall be based on the following formulas:

- (a) Where the waste strengths are greater than 200 mg/l in Biochemical Oxygen Demand and/or Suspended Solids:

$$C_i = KW \frac{(BOD + SS)}{(200 \quad 200)}$$

Where:

C_i = charge to commercial and industrial users

$K = 0.275$

W = monthly water charge in dollars

BOD = Biochemical Oxygen Demand or waste in mg/l

SS = Suspended Solids in mg/l

- (b) Where the waste strengths are below 200 mg/l for both Biochemical Oxygen Demand and Suspended Solids:

$$C_i = KW$$

Where:

C_i = charge to commercial and industrial users

$K = 0.55$

W = monthly water charge in dollars

Section 2: The above basis of determination of sewer charges to commercial and industrial users shall be

subject to periodic review. This review will provide a basis for possible rate adjustment due to observed or predicted treatment costs.

ARTICLE VII

Section 1: No unauthorized person shall maliciously, willfully, or negligently beard, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VIII

Section 1: The Manager and other duly authorized employees of the City or of the City Water and Light Plant bearing proper credentials and identifications shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance. The Manager or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Section 2: While performing the necessary work on private properties referred to in Article VIII Section 1 above, the Manager or duly authorized employees of the City Water and Light Plant shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City Water and Light Plant employees, against liability claims and demands for personal injury to property damage asserted against the company or by the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.

Section 3: The Manager and other duly authorized employees of the City Water and Light Plant bearing proper credentials and identification shall be permitted to enter all private properties for the purpose of, but not limited to, inspection, observation, measurements, sampling, repair, and maintenance of any portion of the sewage works.

ARTICLE IX

Section 1: Any person found to be violating any provision of this ordinance except Article VII shall be served by the manager with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 2: Any person who shall continue any violation beyond the time limit provided for in Article IX, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in an amount not exceeding One Hundred Dollars (\$100.00) for each violation. Each day in which such violation shall continue shall be deemed a separate offense.

Section 3: Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

ARTICLE X

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

Section 2: The provisions of this ordinance are severable, and if any part of provisions hereof shall be held void

or invalid, the remaining parts or 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 6th day of November, 1972.