

ORDINANCE NO. A- 566-A

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING IN THE CITY OF CONWAY, ARKANSAS: PROVIDING PENALTIES FOR VIOLATIONS THEREOF: DECLARING AN EMERGENCY: AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS :

ARTICLE I

Unless the context specifically indicates otherwise, the meaning of the 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 under 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 **dis-**charge 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 inner 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 receiving both surface run **off** 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, including sanitary sewage therefrom.

SECTION 7. "Natural Outlet" shall mean any outlet into a water-course, pond, ditch, lake, or other body of surface or ground water.

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 hydrogen ions in grams per liter of solution.

SECTION 10. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and disposing 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 stormwaters as may be present.

SECTION 14. "Sanitary Sewage" shall mean the sewage discharging from the sanitary conveniences of places of human habitation.

SECTION 15. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

SECTION 16. "Sewage works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

SECTION 17. "Sewer" shall mean a pipe or conduit for carrying sewage.

SECTION 18. "Shall" is mandatory; "May" is permissive.

SECTION 19. "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 twenty-four (24) hour concentration or flows during normal operation.

SECTION 20. "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 21. "Superintendent" shall mean the manager of Conway Corporation of the City of Conway or his authorized agent, deputy, or representative.

SECTION 22. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

SECTION 23. "Settleable Solids" shall mean suspended solids which will subside in quiescent water, sewage, or other liquids in a reasonable period of time, such time being commonly accepted as two hours.

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 corporate limits of the City of Conway, or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste.

SECTION 2. Hereafter no sewage and/or toilet facilities shall be constructed or placed in, upon or about any real property situated within the City of Conway, Arkansas, or in any area under the jurisdiction of said City, unless such facilities shall be properly connected with a publicly owned or operated sewage disposal system or a privately owned or operated sewage disposal system which is connected with a public system. Any person, firm or corporation desiring to construct, place or install any sewage and/or toilet facilities upon any lands within the City of Conway shall, prior to commencing work thereon, submit proper application therefor to the City Inspector in the form and manner now or hereafter provided by ordinances of said City, and shall pay the fees therefor. If the proposed facilities meet the specifications and requirements of the Plumbing Code then in existence in said City, and any portion of the lands upon which such facilities are to be constructed and installed in within 300 feet of any public sewer system or any private sewer line which is connected with a public sewer system, said Inspector shall issue a permit therefor and the owner may then proceed to install the said facilities.

SECTION 3. Except as hereinafter provided, it shall be unlawful to **construct** or maintain any privy, privy 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 situated within the City and used for human occupancy, employment, recreation, or other purposes, the property line of which is now or may in the future be within 300 feet of a public sanitary or combined sewer of the City, is hereby required **at** his sole expense to install suitable toilet facilities therein, and **to** connect such facilities directly with the proper public sewer in accordance with the provisions of this **ordinance**, within thirty (30) days after date of official notice to do so.

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 sewage disposal system the owner shall first obtain a written permit signed by the Sanitation Officer. The application for **such** permit shall be **made** on a form furnished by the Arkansas State Health Department, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the City.

SECTION 3. A permit for a private **sewage** disposal system shall not become effective until the installation is **completed** to the satisfaction of the Sanitation Officer. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Sanitation Officer when the work is ready for final inspection and before any underground portions are covered. The inspection shall be **made** within **24** hours of the receipt of notice by the Sanitation Officer.

SECTION 4. In the event no portion of the lands owned by the person, firm or corporation installing or desiring to install private sewer facilities thereon shall be situated within 300 feet of a public sewer system or a privately **owned** sewer system which is connected with and discharges into a public sewer system, then the owner of such lands may install a private sewage disposal system in strict compliance with the minimum specification of the Arkansas State Board of Health. If, the property being more than 300 feet from any such sewer line, the owner thereof does not desire to connect with any such sewer system, such owner shall nevertheless file his application for sewer permit and a building permit in accordance with the ordinances of the City, but upon receiving such application said Inspector shall refuse to issue a building permit or a plumbing permit therefor and it is expressly provided, however, that said ~~private~~ sewage disposal system shall be constructed in strict compliance with the specifications of said Board of Health. The construction and installation of the septic tank and field lines of ~~the~~ same shall be inspected and approved by the said Health Officer at the times and in the manner set forth by the Rules and Regulations of the State Board of Health. Immediately upon completion of the construction and installation of such private system, in the approved manner, the said Health Officer shall notify the City Inspector of his approval thereof in writing.

ARTICLE IV

Building Sewers and Connections.

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 the City.

SECTION 2. No unauthorized person, firm, corporation or institution shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance therefor, or construct, re-construct, lay, re-lay, enlarge, extend or repair or attempt ~~so to~~ do, any sewer line, main, or drain which is tied into or connected with the sanitary sewer system of the

City of Conway, Arkansas, whether such connection be made immediately upon completion of such work or at some future time, without having first submitted complete plans and specifications therefor to the Sewer Department of said City, and having obtained its approval thereof. Final approval of said plans **and** Specifications shall be withheld until a correct and complete copy thereof shall have been furnished to said Sewer Department for its permanent files. **Provided**, however, that in the discretion of said Sewer Department plans and specifications may be dispensed with when the sewer line to be constructed is for the purpose of **servicing** a single house.

In no instance shall departure or deviation from the approved plans and specifications be permitted until such time as written request **therefor**, setting forth in detail such departure or deviation, shall have been submitted to and approved by said Sewer Department.

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 from any **loss** or damage that may directly or indirectly be occasioned by the installation of the building sewer.

SECTION 4, Each residence or business building shall have a separate and independent building sewer running to the sewer mains of the sewer system, except in instances where local conditions make it impracticable to run a separate service lateral. **Before** a new residence or business building shall be tied onto an existing building sewer or share a building sewer with **another** residence **or** business building written **permission** to do so must be obtained from the City Sewer Department.

SECTION 5. Old building sewers may be **used** in connection with new buildings only when **they are** found, on examination **and** test by the Superintendent, to meet all requirements of this ordinance.

SECTION 6. In the absence of code provisions or in amplifications 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. The Sewer Department of said City is hereby expressly empowered to inspect any and all work done or materials used in

constructing, laying, extending or repairing such building sewers and may, in its discretion, have an inspector at the site of construction at any and all times. The construction, re-construction or repair of any such sewer may be halted by the Sewer Department when in its opinion, or in the opinion of its duly authorized representative, the work is being done in such manner or under such conditions that the resulting sewer will be substandard or detrimental to the sewer system of the City. **The** Sewer Department, or its duly authorized representative, is hereby further empowered to order the removal of any Connection made to the public sewer system when such connection was made in violation of any provision of this ordinance, or other ordinances of said City, or of any rule or regulation promulgated hereunder, or when in its opinion such construction or connection is detrimental to the municipal sewer system. In the event such order for the removal of a building sewer is not complied with forthwith the Sewer Department is hereby empowered to use its own forces to disconnect such building sewer and to collect from the property owner a reasonable fee therefor.

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 groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer, nor shall any person make, **or** cause to be made, any opening into any sewer main or drain whereby surface water is permitted to enter the sanitary sewer system of the City, either directly or indirectly.

SECTION 9. The connection of the building sewer into the public sewer shall be made by the City, and all cost thereof shall be paid by the property owner.

SECTION 10. All excavations for building sewer installations 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, and all excavations in any streets, sidewalks, parkways and other public property shall be done in strict compliance with the Ordinances of the City pertaining thereto.

ARTICLE V

Standard of Construction

SECTION 1. In order that proper quality may be achieved and maintained in materials and workmanship in all sewers, mains and drains, both public and private, the Sewer Department is hereby authorized and empowered to prepare specifications for the construction of any and all sewers, mains and drains, both public and private, within the City of Conway, Arkansas, and no deviation from such specification shall be permitted except at the discretion of said Sewer Department.

SECTION 2. Sewer lines, mains or drains which are to become a part of the Conway Sewer System or which are to be connected therewith, directly or indirectly, shall have manholes at intervals of not to exceed 400 feet unless otherwise specifically approved by the Sewer Department. Manholes shall also be placed in the line at each change of gradient, direction of flow or size of pipe. Manholes shall be of standard design not less than 3' 6" in diameter at the bottom, complete with steps and 24" ring and cover of standard design and material.

SECTION 3. The pipe used in mains and laterals other than single house services shall be first class vitrified clay sewer pipe. No seconds, rejects or cracked joints will be allowed, and each length of pipe must be joined to the adjoining length by polyvinyl chloride coupling rings so as to be free from infiltration and

exfiltration. No material shall be used for caulking or filling pipe joints unless and until same shall have been approved by the sewer department. At the discretion of the Conway Sewer Department the use of sewer tile incorporating other methods of jointing will be permitted.

SECTION 4. A standard test for infiltration or exfiltration may be required and lines found to allow an excessive amount of infiltration or exfiltration may, at the discretion of the Sewer Department, or its duly authorized representative, be required to be uncovered and repaired, or replaced. No sewer lines, mains or laterals shall be covered without the approval of the Conway Sewer Department or its duly authorized representative, and any such sewer line covered without such approval may be uncovered at the expense of the person, firm or corporation covering same.

SECTION 5. No sewer pipe, line or drain shall be laid at a depth less than one foot below the surface of the ground unless local conditions require that it be laid at a lesser depth. In all instances in which it is necessary because of local conditions that sewer pipe be laid at a depth less than one foot below the surface of the ground cast iron pipe only shall be used, except that in those instances wherein the sewer line is laid upon private property, and not under a driveway, vitrified clay pipe may be used when the line is laid at no less depth than six inches below the ground surface. Measurements of depth as set forth in this section shall be made from the top of the pipe as laid.

SECTION 6. Smaller laterals entering manholes must be slightly above the grade of the main sewer in order that these laterals may flow freely.

SECTION 7. In the event of the destruction, removal or alteration of any building to the extent that any part of the sewer service line serving the building is rendered inactive it shall be the duty of the property owner to advise the Sewer Department so they may make an inspection of the line and if necessary plug up the line so as to prevent the entrance of surface water into the sanitary sewer,

SECTION 8. It is specifically ordained that the terms of this Ordinance shall apply to any changes in sewer lines, mains or drains

in existence at the time of passage and approval **of** this Ordinance.

SECTION 9. In addition to the specific provisions of this Ordinance the Conway Sewer Department is hereby authorized to promulgate such other reasonable rules and regulations as are necessary to secure the proper construction **of** sewer lines which are to be tied onto and become a **part** of the Sewer System. Rules and regulations **so** made shall have the effect of **law** and become effective upon the filing of a correct copy for permanent record with the City Clerk and one publication in a daily newspaper published in the City of Conway.

SECTION 10. Wherever the words "Sewer Department" are used it shall mean the agency which operates and maintains the sanitary sewer system for the City of Conway.

ARTICLE VI

Use of the Public Sewers

SECTION 1. **No** person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

SECTION 2. Stormwater 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 superintendent, Industrial cooling water or unpolluted process waters may be discharged, on written approval of the superintendent, 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 waste!; to any public sewers:

- (a) **Any** gasoline, benzene, naptha, fuel oil, or other inflammable or explosive liquid, solid or gas.
- (b) Any **waters** or wastes containing toxic or poisonous solids, liquids, or **gases** in sufficient quaatity, either singly or by 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, including but not limited to cyanides in excess of

two (2) mg/1 as CN in the wastes as discharged to the public sewer.

- (c) Any waters or wastes having a 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 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, shavings, metal, **glass**, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, ets. either whole or ground by garbage grinders.
- (e) Any of the following elements in a concentration, as ~~measured~~ at the point of entry into the public sewer, in excess of those concentrations hereinafter respectively set forth, to-wit:

<u>ELEMENT</u>	<u>CONCENTRATION IN MILLIGRAMS PER LITER</u>
Arsenic	0.05
Barium	5.00
Boron	1.00
Cadmium	0.02
Chromium	0.05 (as trivalent)
Copper	0.02
Lead	0.10
Manganese	1.00
Mercury	0.005
Nickel	0.03
Selenium	0.02
Silver	0.10
Zinc	0.01

- (f) Any waters **or** wastes containing strong acid, iron pickling wastes, or **concentrated** plating solutions, whether or not the same may be **neutralized**.
- (g) Any waters or wastes containing objectionable or toxic substances, whether or not hereinabove or hereinafter designated, **or** wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Arkansas State

Department of Pollution Control and Ecology for such materials.

- (h) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentration exceeding limits which may be established by the Arkansas State Department of Pollution Control and Ecology 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.
- (i) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Arkansas State Department of Pollution Control and Ecology 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 Superintendent 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 Superintendent will give consideration to such factors as the quantities of the 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 treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances, materials, waters and wastes which may be prohibited hereunder shall include, but not be limited to, the following:

- (a) Any liquid or vapor having a temperature higher than one hundred and fifty (150) degrees Fahrenheit (sixty-five (65) degrees Centigrade).
- (b) Any water or wastes containing fats wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one

Hundred Fifty (150) degrees Fahrenheit (zero (0) and sixty-five (6) degrees Centigrade).

- (c) Any garbage that has not been properly shredded, The installation and operation of any garbage grinder equipped with a motor of one (1) horsepower (1 hp metric) or greater shall be subject to the review and approval of the Superintendent.
- (d) Any waters or wastes having a pH in excess of 10.0.
- (e) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as, but **not** limited to, Fullers 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 **Superintendent**, may have a deleterious effect upon **the** sewage works, processes, equipment, **or receiving** waters, or which otherwise create a hazard to life or property or constitute a public nuisance, the Superintendent 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 not covered by existing taxes or sewer charges under the provisions of Section 10 of this Article.

If the Superintendent 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 Superintendent, and subject to the requirements of all applicable codes, ordinances and laws.

SECTION 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, 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 Superintendent and shall be located so 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 Superintendent, 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 accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed 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 this 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, shall be determined at the control manhole provided, or upon suitable samples taken at said control manholes. 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 existence of hazards to life, limb, and property.

SECTION 10. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City and any commercial or industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefor, by the industrial concern.

ARTICLE VII

Protection from damage:

SECTION 1. No unauthorized person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provisions shall be subject to immediate arrest under charge of disorderly conduct and/or causing damage to or destruction of property.

ARTICLE VIII

Powers and Authority of Inspectors

SECTION 1. The Superintendent and other duly authorized agents, employees and representatives of the City bearing proper credentials and identification 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 Superintendent 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 VII, Section 1 above, the Superintendent *or* duly authorized agents, employees and representatives of the City 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 employees and the City employees and against liability claims and demands for personal injury or property damage asserted against 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 as required in Article V, Section 8.

SECTION 3. The Superintendent and other duly authorized agents, employees and representatives of the City bearing proper credentials and identifications shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX

Penalties

SECTION 1. Any person found to be violating any provision of this ordinance except Article VII shall be served by the City 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 any amount

not exceeding \$100.00 for each violation, Each day in which any 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 expenses, loss, or damage occasioned the City by reason of such violation.

REGULATION OF SEWER USE

ARTICLE X

Validity

SECTION 1. Ordinance No, A-433, adopted June 24, 1966, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed,

SECTION 2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE XI

Ordinance in Force

SECTION 1. This ordinance being necessary for the protection of the public health and welfare, shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

SECTION 2. Passed and adopted by the Council of the City of Conway, Arkansas on the 27 day of ^{March}~~January~~, 1973.

APPROVED:

Walt D. Dismore
Mayor

ATTEST:

David Dismore
Clerk-Treasurer