

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 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 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 watercourse, 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. "Sewer Department" shall mean the agency which operates and maintains the sanitary sewer system for the City of Conway.

SECTION 23. "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 24, "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 within any structure to be constructed 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 is 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 Sewer Department Superintendent.

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, reconstruct, lay, relay, 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 Superintendent 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 at the discretion of said Sewer Department Superintendent, plans and specifications may be dispensed

with when the sewer line to be constructed is for the purpose of serving 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 the Sewer Department Superintendent.

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 front on a City sewer main and shall have a separate and independent building sewer running to said City sewer main. If, in the discretion of the Sewer Department Superintendent, based on City Subdivision and Zoning Regulations, there is a possible building site between the building to be served and the City sewer main, then a sewer main shall be constructed past the possible building site to the building to be served. Before a new residence or business building shall be tied onto an existing building sewer, written permission to do so must be obtained from the City Sewer Department Superintendent.

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 Number 9 shall apply. The Sewer Department of said City is hereby expressly empowered to inspect any and all work done and all materials used in constructing, laying, extending or repairing such building sewers and may, at its discretion, have an inspector at the site of construction at any and all times. The construction, reconstruction or repair of any such sewer may be halted by the Sewer Department Superintendent when in his discretion, or in the discretion of his 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. Prior

to calling the Sewer Department for an inspection of a new building sewer or the repair of an existing building sewer, the sewer pipe shall have been laid and backfilled up to the center line of the pipe. The Sewer Department Superintendent, or his duly authorized representative, is hereby further empowered to order the removal of any connection made to the public sewer system when such connection has been 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 his discretion, 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 City sewer, sanitary sewerage 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 to a public sanitary sewer, nor shall any person make or cause to be made, any opening into a 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 Sewer Department, and all costs thereof shall be paid by the property owner.

SECTION 10. Building service lines, 4 inch in diameter, shall be constructed of the following materials:

- (a) Cast Iron Soil Pipe conforming to ASIM A 74-69 (Bell and Spigot Pipe with rubber gaskets. ASIM C 564-70).
- (b) Vitrified Clay Pipe conforming to the latest revision of ASIM C 700.
- (c) Ductile Iron, cement lined, Pipe conforming to ANSI A 21.51, with

"push-on" or "mechanical" type joints utilizing rubber gaskets.

- (d) Polyvinyl Chloride (PVC) Gravity Sewer Pipe as approved by the Arkansas Department of Health and have a minimum pipe stiffness of 115 PSI, according to ASIM D 2412 Standard Test Method for External Loading Properties of Plastic Pipe by parallel-plate loading at an arbitrary datum of 5 percent (5%) deflection. Schedule 40 PVC Drain, Waste and Vent Pipe shall conform to ASIM D 2665 manufactured with Type 1, Grade 1 Compound conforming to ASIM D 2665. Standard Dimension Ratio (SDR) PVC Sewer Pipe shall not exceed 26 and shall conform to ASIM D 3034. Solvent weld joints may be used on the Schedule 40 pipe only and the solvent cement must meet the requirements of ASIM D 2564. All joints shall be water tight and have sufficient strength within five minutes after assembly to permit normal installation, handling and moving. The SDR Pipe must be Bell and Spigot Pipe using an elastometric gasket meeting requirements of ASIM D 3212. Each joint of pipe shall be clearly marked showing size, ASIM Number and SDR Number or Schedule Number. When pipe is laid in the trench, said markings shall be facing up so that they may be clearly seen. Jointing of dissimilar pipe materials shall be accomplished with the appropriate adaptor fittings manufactured for the purpose used. Where a dissimilar Bell and Spigot joint is utilized, a "rubber donut" of the proper size shall be used. Where a dissimilar Spigot joint is utilized, a Fernco rubber coupling or equal of the proper type and size shall be used.

Building sewer lines larger than 4 inch 'in diameter shall be Extra Strength Vitrified Clay Pipe conforming to the latest revision of ASTM C 700 or shall be Ductile Iron, cement lined, Pipe conforming to ANSI A 21.51.

SECTION 11. The building sewer trench shall be graded so that the entire length of the pipe joint rests upon firm trench bottom with holes excavated for the bells. Where the depth of cover over the pipe exceeds 6 feet, the pipe manufacturer's recommendations shall be adhered to concerning laying, bedding and backfilling. The pipe shall be of sufficient depth to prevent freezing and to protect it from live earth loads. Ductile Iron Pipe may be required if, in

the discretion of the Sewer Department Superintendent, it is needed. If the trench is wet or muddy, the pipe shall be bedded in gravel with the gravel being brought up to the center line of the pipe.

Backfill material shall be free from large rocks, boulders, lumber, trash or other materials which may damage the pipe. Where a pipe trench is to be backfilled in a public right of way, or under any area to be paved, gravel shall be placed in compacted layers to prevent settlement. Backfill in public rights of way shall be placed in accordance with City ordinance, as administered by the City Street Department. All excavations for building sewer installation shall be adequately guarded with barricades and warning lights so as to protect the public from hazard. Streets, sidewalks, and other public property disturbed, in the course of the work, shall be restored in a manner satisfactory to the City. All fittings and appurtenances shall be free of defects, water tight and compatible with the pipe to which it is being attached.

Ninety degree bends on 4 inch building sewers should be avoided. If ninety degree bends on 4 inch building sewers cannot be avoided, long sweeping ninety degree bends must be used. No bend of any type or degree should be used on 6 inch and larger building sewers, and 6 inch and larger building sewers shall be laid within straight alignment on constant slopes that will produce a velocity of 2 feet per second or greater. At points where bends cannot be avoided on 6 inch and larger building sewers, a manhole shall be constructed over the line.

Cleanouts shall be installed in the building sewer at the building foundation. Cleanouts shall be installed, so that the building sewer may be rodded in either direction. In addition, on lines longer than one hundred (100) feet, cleanouts shall be installed at one hundred (100) foot spacing. Cleanouts shall be installed adjacent to any ninety degree bend. Cleanouts should be piped up to finish grade for easy access. The connection of 6 inch and larger building sewers to the City's sewer main shall be made in a manhole.

Backwater traps (sewage check valve) shall be provided as required by Section 6.14 of the Arkansas Plumbing Code or on any building sewer where, in the discretion of the Sewer Department Superintendent, the building connected may

be subject to flooding by the sewer. Backwater traps shall be placed in a meter box or similarly housed to allow periodic servicing.

SECTION 12. All repairs or replacement of building sewers, regardless of length, shall be subject to the same inspection and material requirements as new installations. Where the repair or replacement of the building sewer requires a new point of connection to the City sewer main, the abandoned building sewer shall be sealed to prevent entrance of surface water or debris into the City sewer main, and the seal shall be inspected and approved by the City Sewer Department. Any holes knocked in building sewers, for rodding or other purposes, shall be repaired and made water tight. Wyes or double cleanout should be installed in building sewer lines, where holes are needed for rodding the line. The repaired building sewer shall be inspected and approved by the Sewer Department Superintendent.

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, change in direction of flow or change in size of pipe. Manholes shall be of standard design not less than 4 feet in diameter at the bottom, complete with steps and 24 inch ring and cover of standard design and material unless approved by the Sewer Department.

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 cement lined ductile 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 building sewer lines, sewer mains or sewer 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.

ARTICLE VI

USE OF THE PUBLIC SEWERS

SECTION 1. No person shall discharge or cause to be discharged any storm-water, 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 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 gases in sufficient quantity, 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

- one (1) mg/l as CN in the wastes as discharged to the public sewer.
- (c) Any waters or wastes having a pH lower than 5.0 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, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.
 - (e) Any of the elements designated in Section 2.5 of Ordinance No. 0-88-14 adopted by the City Council of the City of Conway, Arkansas on May 24, 1988, in a concentration, as measured at the point of entry into the public sewer, in excess of those concentrations set forth in said Section 2.5 of said Ordinance No. 0-88-14, as now in force and effect or as hereafter amended.
 - (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 discretion 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 using discretion 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 (65) 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 12.0.
- (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, 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. The connection of vehicle washing facilities or other grit producing discharges to the City sewer system shall be preceded by a sand trap,

the design of which has been approved by the Sewer Department Superintendent or his authorized agent. The sand trap or any open grating must be located so as to completely exclude the possibility of rain water entering the sewer. No connections to the City's sewer system may be approved by the Sewer Department Superintendent which will allow the entrance of rain water into the City sewer system.

Grease interceptors or traps shall be required for the proper handling of liquid wastes containing grease in excessive amounts except that such interceptors shall not be required for private living quarters or dwelling units. All grease interceptors shall be constructed according to the City Sewer Department specifications and shall be inspected by the Sewer Department Superintendent or his authorized agent. All grease interceptors shall be routinely maintained to prevent the discharge of grease in excess of 100 mg/l (ppm) into the City sewer system.

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.

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 provision 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 VIII, 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 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-566, adopted March 27, 1973, and all other ordinances or parts of ordinances in conflict herewith, excepting Ordinance No. 0-88-14, which shall remain in full force and effect, 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

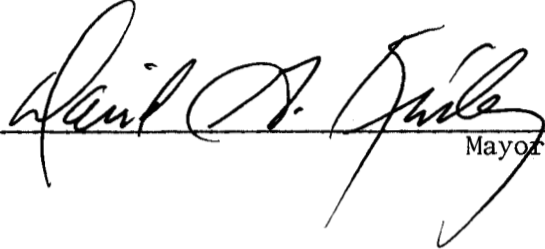
ORDINANCE IN FORCE

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 23rd day of May, 1989.

APPROVED :



Mayor

ATTEST :




Clerk-Treasurer