# **TITLE 10**

# **UTILITIES**

# Chapters:

- 10.04 Sewer Regulations
- 10.08 Sewer Rates
- 10.12 Water Rates
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- 10.20 Cross-Connection
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# **CHAPTER 10.04**

# **SEWER REGULATIONS**

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<u>10.04.01 Definitions.</u> Unless the context specifically indicates otherwise, the meaning of the terms used shall be as follows:

"Approving Authority" means the Mayor or his duly authorized representative.

**"BOD"** (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty (20E) degrees C, expressed in milligrams per liter.

**"Building Sewer"** shall mean the extension from the building drain to the public wastewater system or other place of disposal (also called the house lateral and house connection).

"City" means the city of Mayflower, Arkansas, or any authorized person acting in its behalf.

"Chemical Oxygen Demand" (COD) means measure of the oxygen consuming capacity of inorganic and organic matter presenting the water or wastewater expressed in mg/1 as the amount of oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with biochemical oxygen demand.

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

"**Control Point**" means point of access to a course of discharge before the discharge mixes with other discharges in the public wastewater system.

"Garbage" shall mean animal and vegetable wastes and residue preparation, cooking, and dispensing of food, and from the handling, processing, storage and sale of food products and produce.

"**Industrial Waste**" means waste resulting from any process of industry, manufacturing, trade, or business from the development of any natural resource, or any mixture of the waste with water or normal wastewater, or distinct from normal wastewater.

"Industrial Waste Charge" means the charge made on those persons who discharge industrial wastes into the city's wastewater system.

"Milligrams Per Liter" (mg/1) means the same as parts per million and is a weight-to-

volume ratio; the milligram-per-liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

"**Natural Outlet**" shall mean any outlet into a watercourse, ditch, lake or other body of surface water or ground water.

"Normal Domestic Wastewater" means wastewater excluding industrial wastewater discharged by a user into the wastewater system and in which the average concentration of total suspended solids is not more than 250 mg/I and BOD is not more than 250 mg/I.

"**Overload**" means the imposition of organic or hydraulic loading on a treatment facility in excess of its engineered design capacity.

"**Person**" shall mean any individual, and includes any corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership association, or other legal entity.

"Ph" shall mean the logarithm (Base 10) of the reciprocal of hydrogen ion concentration.

**"Public Sewer"** shall mean a pipe or conduit carrying wastewater or unpolluted drainage in which owners of abutting properties shall have the use, subject to control by the city of Mayflower, Arkansas.

"Sanitary Sewer" means a public wastewater system that conveys domestic wastewater or industrial wastes or a combination of both, and into which storm water, surface water, groundwater, and other unpolluted wastes are not intentionally passed.

"**Slug**" shall mean any discharge of water, wastewater, 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.

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

"**Storm Sewer**" means a public sewer which carries storm and surface waters and drainage, and into which domestic wastewater or industrial wastes are not intentionally passed.

"Storm Water" means rainfall or any other forms of precipitation.

"Superintendent" means the Water and/or Wastewater Superintendent of the city of

Mayflower, Arkansas, or his duly authorized deputy, agent or representative.

"Suspended Solids" shall mean solids measured in mg/I that either float on the surface, or are in suspension in water, wastewater, or other liquids, and which are removable by laboratory filtration device.

**"To Discharge"** includes to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow and permit wastewater and wastes of any kind to the wastewater system.

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

"Unpolluted Wastewater" means water containing

- A. No free or emulsified grease or oil,
- B. No acids or alkalis,
- C. No phenols or other substances producing taste or odor in receiving water,
- D. No toxic or poisonous substances in suspension, colloidal state, or solution,
- E. No noxious or otherwise obnoxious or odorous gases,
- F. No more than an insignificant amount in mg/I each of suspended solids and BOD, as determined by the Arkansas Department of Pollution Control and Ecology, and
- G. Color not exceeding fifty (50) units as measured by the Platinum-Cobalt method of determination as specified in <u>Standard Methods.</u>

"Waste" means rejected, unutilized or superfluous substances in liquid, gaseous, or solid form resulting from domestic, agricultural, or industrial activities.

**"Wastewater"** means a combination of the water carried waste from residences, business buildings, institutions, and industrial establishments, together with any ground, surface, and storm water that may be present.

"Wastewater Facilities" includes all facilities for the collecting, pumping, treating, and disposing of wastewater and industrial wastes.

**"Wastewater Treatment Plant"** means any city owned facilities, devices, and structures used for receiving, processing and treating wastewater, industrial waste, and sludges from the sanitary sewers.

**"Wastewater Service Charge"** means the charge on all users of the public sewer system whose wastes do not exceed in strength the concentration values established as representative of normal wastewater.

"Watercourse" means a natural or man-made channel in which a flow of water occurs, either continuously or intermittently. (Ord. No. 83-6, Sec. 1.)

# 10.04.02 Prohibited discharges

- A. No person may discharge to the public wastewater system any waste which by itself or by interaction with other wastes may:
  - 1. Injure or interfere with wastewater treatment processes or facilities.
  - 2. Constitute a hazard to humans or animals.
  - 3. Create a hazard in receiving waters of the wastewater treatment plant effluent.
- B. All discharges shall conform to requirements of this ordinance. (Ord. No. 83-6, Sec. 2.)

# 10.04.03 Chemical discharges

- A. No discharge to the public wastewater system may contain:
  - 1. Cyanide greater than 0.05 mg/1
  - 2. Fluoride other than that contained in the public water supply
  - 3. Chlorides in concentrations greater than 250 mg/1
  - 4. Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
  - 5. Substances causing an excessive Chemical Oxygen Demand (C.O.D.)
- B. No waste or wastewater discharged to the public wastewater system may contain:
  - 1. Strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not.
  - 2. Fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/I or containing substances which may solidify or become viscous at temperature between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0 and 65 degrees Centigrade).
  - 3. Objectionable or toxic substances, exerting an excessive chlorine requirement, to such degree that any such material received in the composite wastewater treatment works exceeds the limits established by the Approving Authority for such materials.
  - 4. Obnoxious, toxic or poisonous solids, liquids, or gases in quantities sufficient to violate the provisions of Section 2(a).
- C. No waste, wastewater, or other substance may be discharged into public sewers which has a ph lower than 6.0 or higher than 9.0 or any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel at the wastewater facilities.

D. All waste, wastewater, or other substance containing phenols, hydrogen sulfide, or other taste-and-odor producing substances, shall conform to concentration limits established by the Approving Authority. After treatment of the composite wastewater, concentration limits may not exceed the requirements established by state, federal, or other agencies with jurisdiction over discharges to receiving waters. (Ord. No. 83-6, Sec. 3.)

### 10.04.04 Hazardous metals and toxic materials

- A. No discharges may contain concentrations of hazardous metals other than amounts specified in subsection (b) of this section.
- B. The allowable concentrations of hazardous metals, in terms of milligrams per liter (mg/1, for discharge to the surface waters, and determined on the basis of individual sampling in accordance with <u>Standard Methods</u> are:

Element	Composite Concentration (mg/l) *	Max Limits (mg/l)
Arsenic	0.05	0.05
Barium	5.00	5.00
Boron	1.00	1.00
Cadmium	0.02	0.02
Chromium (total)	0.05	0.50
Copper	0.02	0.20
Lead	0.10	0.10
Manganese	0.5	1.00
Mercury	0.002	0.005
Nickel	0.08	0.80
Selenium	0.02	0.02
Silver	0.01	0.10
Zinc	0.05	0.50
Cyanide	0.05	0.05
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\* If at least a tenfold dilution is available in a receiving sewer system at its absolute minimum flow or in a receiving stream at its absolute minimum flow, there allowable values may be increased tenfold, or to the maximum limits shown above.

C. No other hazardous metals or toxic materials may be discharged into public sewers without a written permit from the Approving Authority specifying conditions of pretreatment, concentrations, volumes, and other applicable prov1s1ons.

D. Prohibited hazardous materials include but are not limited to:

Antimony	Uranyl ion
Beryllium	Rhenium
Bismuth	Strontium
Cobalt	Tellurium
Molybdenum	Herbicides
Fungicides	Pesticides
(Ord. No. 83-6, Sec. 4.)	

#### 10.04.05 Particulate size

- A. No person may discharge garbage or other solids into the public wastewater system unless it is shredded to a degree that all particles can be carried freely under the flow conditions normally prevailing in public sewers. Particles greater than one-half  $(\frac{1}{2})$  inch in any dimensions are prohibited.
- B. The Approving Authority is entitled to review and approve the installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater. (Ord. No. 83-6, Sec. 5.)

### 10.04.06 Storm water and other unpolluted drainage

- A. No person may discharge to the public wastewater system:
  - 1. Unpolluted storm water, surface water, groundwater, roof runoff or subsurface drainage.
  - 2. Unpolluted cooling water.
  - 3. Unpolluted industrial process waters.
  - 4. Other unpolluted drainage, or make any new connections from inflow sources.
- B. In compliance with the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended) and other statutes, the Approving Authority may designate storm sewers and other watercourses into which unpolluted drainage described in subsection (a) of this section may be discharged. (Ord. No. 83-6, Sec. 6.)

<u>10.04.07 Temperature</u> No person may discharge liquid or vapor having a temperature higher than one hundred twenty (120) degrees Fahrenheit (49 degrees Centigrade), or any substance which causes the temperature of the total wastewater treatment plant influent to increase at a rate often (10) degrees Fahrenheit or more per hour, or creating a combined total increase of plant influent to one hundred (100) degrees Fahrenheit (38 degrees Centigrade). (Ord. No. 83-6, Sec. 7.)

### 10.04.08 Radioactive wastes

- A. No person may discharge radioactive wastes or isotopes into the public wastewater system without the written permission of the Approving Authority.
- B. The Approving authority may establish, in compliance with applicable state and federal regulations, regulations for discharge of radioactive wastes into the public wastewater system. (Ord. No. 83-6, Sec. 8.)

# 10.04.09 Impairment of facilities

- A. No person may discharge into the public wastewater system any substance capable of causing:
  - 1. Obstruction to the flow in sewer.
  - 2. Interference with the operation of treatment processes of facilities.
  - 3. Excessive loading of treatment facilities.
- B. Discharges prohibited by Section 9 (a) include, but are not limited to, materials which exert or cause concentrations of:
  - 1. Inert suspended solids greater than 250 mg/1 including but not limited to:
    - a. Fuller's earth
    - b. Lime slurries
    - c. Lime residues
  - 2. Dissolved solids greater than 200 mg/1 including but not limited to:
    - a. Sodium chloride
    - b. Sodium sulfate
  - 3. Excessive discoloration including but not limited to:
    - a. Dye wastes
    - b. Vegetable tanning solutions
  - 4. BOD, COD, or chlorine demand in excess of normal plant capacity.
- C. No person may discharge into the public wastewater system any substance that may:
  - 1. Deposit grease or oil in the wastewater system in such a manner as to clog the sewer pipes.
  - 2. Over load skimming and grease handling equipment.

- 3. Pass to the receiving waters without being effectively treated by normal wastewater treatment processes due to the non-amenability of the substance to bacterial action.
- 4. Deleteriously affect the treatment process due to excessive quantities
- D. No person may discharge any substance into the public wastewater system which:
  - 1. Is not amenable to treatment or reduction by the processes and facilities employed.
  - 2. Is amenable to treatment only to such a degree that the treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- E. The Approving Authority shall regulate the flow and concentration of slugs when they may:
  - 1. Impair the treatment process
  - 2. Cause damage to collection facilities
  - 3. Incur treatment costs exceeding those for normal wastewater.
  - 4. Render the effluent unfit for stream disposal or industrial use.
- F. No person may discharge into the public wastewater system solid or viscous substances which may violate subsection (a) of this section if present in sufficient quantity or size including 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	
slops	chemical residues	
paint residues	bulk solids	
paper products, either whole or ground by garbage grinders		
(Ord. No. 83-6, Sec. 9.)		

### 10.04.10 Compliance with existing authority

- A. Unless a written exemption is granted by the Approving Authority, the public wastewater system shall be used by all persons discharging:
  - 1. Wastewater

- 2. Industrial waste
- 3. Polluted liquids
- 8. Unless authorized by the Arkansas Department of Pollution Control and Ecology, no person may deposit or discharge any waste included in subsection (a) of this section on public or private property or into or adjacent to any:
  - 1. Natural outlet
  - 2. Watercourse
  - 3. Storm sewer
  - 4. Other area within the jurisdiction of the city.
- C. The Approving authority shall verify prior to discharge all wastes authorized to be discharged and to be received for treatment within the provisions of laws, regulations, ordinances, rules and orders of federal, state and local governments. (Ord. No. 83-6, Sec. 10.)

# 10.04.11 Approving Authority requirements

- A. Should discharges or proposed discharges to the public wastewater system:
  - 1. Deleteriously affect wastewater facilities, processes, equipment, or receiving waters.
  - 2. Create a hazard to life or health.
  - 3. Create a public nuisance,

The Approving authority shall require:

- a. Pretreatment to an acceptable condition for discharge to the public wastewater system
- b. Control over the quantities and rates of discharge,
- c. Payment to cover the cost of handling and treating the wastes.
- B. The Approving Authority is entitled to determine whether a discharge or proposed discharge is included under subsection (a) of this section.
- C. The Approving Authority shall reject wastes when it determines that a discharge or proposed discharge does not meet the requirements of subsection (a) of this section. (Ord. No. 83-6, Sec. 11.)

# 10.04.12 Approving Authority review and approval

A. If pretreatment or control is required, the Approving Authority shall review and approve design and installation of equipment and processes.

- B. The design and installation of equipment and processes must conform to all applicable statutes, codes, ordinances and other laws.
- C. Any person responsible for discharges requiring pretreatment, flow equalizing, or other facilities shall provide and maintain the facilities in effective operating condition at his own expense. (Ord. No. 83-6, Sec. 12.)

# 10.04.13 Requirement for traps

- A. Discharges requiring a trap include:
  - 1. Grease or waste containing grease in amounts that will impede or stop the flow in the public wastewater system.
  - 2. Oil
  - 3. Sand
  - 4. Flammable wastes
  - 5. Other harmful ingredients
- B. Any person responsible for discharges requiring a trap shall at his own expense and as required by the Approving Authority:
  - 1. Provide equipment and facilities of a type and capacity approved by the Approving Authority.
  - 2. Locate the trap in a manner that provides ready and easy accessibility for cleaning and inspection.
  - 3. Maintain the trap in effective operating condition. (Ord. No. 83-6, Sec. 13.)

<u>10.04.14 Requirements for building sewers</u> Any person responsible for discharges through a building sewer carrying industrial wastes shall, at his own expense and as required by the Approving Authority:

- A. Install an accessible control manhole
- B. Install meters and other appurtenances to facilitate observation, sampling and measurement of the waste;
- C. Install safety equipment and facilities (ventilation, steps, etc.) where needed
- D. Maintain the equipment and facilities.
  - (Ord. No. 83-6, Sec. 14.)

# 10.04.15 Sampling and testing

A. Sampling shall be conducted by the industrial discharger according to customarily accepted methods, reflecting the effect of constituents upon the wastewater treatment system and determine the existence of hazards to health, life, limb, and

property.

- B. Examination and analyses of the characteristics of waters and wastes required by the ordinance shall be:
  - 1. Conducted in accordance with the latest edition of <u>Standard Methods.</u>
  - 2. Determined from suitable samples taken at the control manhole provided or other control point authorized by the Approving Authority.
- C. BOD and TSS shall be determined from 24 hour composite sampling, except to detect unauthorized discharges.
- D. The Approving Authority shall determine which users or classes of users may contribute wastewater which is of greater strength than normal domestic wastewater. All users or classes of users so identified shall be sampled for flow, BOD, TSS and ph at least annually.
- E. City may select an independent firm or laboratory to determine flow, BOD, and suspended solids, if necessary. Flow may alternately be determined by water meter measurements if no other flow device is available and no other source of raw water is used. (Ord. No. 83-6, Sec. 15.)

## 10.04.16 User charge system

- A. Persons making discharges of sanitary and/or industrial waste into the city of Mayflower, Arkansas, wastewater system shall pay a charge to cover all costs of collection and treatment.
- B. When discharges of any waste into the city of Mayflower, Arkansas, wastewater system are approved by t e Approving Authority, the city or its authorized representative shall enter into an agreement or arrangement providing:
  - 1. Terms of acceptance by the city
  - 2. Payment by the person making the discharge, in accordance with the User Charge System as established in Sections 8 and 13 of Ord. No. 83-5.
  - 3. Sewer connection procedures and requirements shall be in accordance with the "Arkansas State Plumbing Code" as amended
  - 4. A wastewater discharge application approved with connection fee paid.
  - 5. Construction of sewer service line connections shall be approved by city inspectors prior to any sewer use.
- C. Each user of the wastewater treatment system will be notified, at least annually, of the rate and that portion of user charges which are attributable to the operation and maintenance of the wastewater treatment system.

D. The city will apply excess revenues collected from a class of users to the cost of operation and maintenance attributable to that class for the next year and adjust the rates accordingly. (Ord. No. 83-6, Sec. 16.)

<u>10.04.17 Saving clause</u> A person or user discharging wastes into the public wastewater system prior to the effective date of this ordinance may continue without penalty so long as the person or user:

- A. Does not increase the quantity or decrease the quality of discharge without permission of the Approving Authority
- B. Has discharged the waste at least two months prior to the effective date of this ordinance
- C. Applies for and is granted a permit no later than 60 days after the effective date of this ordinance. (Ord. No. 83-6, Sec. 17.)

# 10.04.18 Conditions or pem1its

- A. The city may grant a permit to discharge to persons or users meeting all requirements of the savings clause provided that the person or user:
  - I. Submit an application within 30 days after the effective date of this ordinance on forms supplied by the Approving Authority
  - 2. Secure approval by the Approving Authority of plans and specifications for the facilities when required
  - 3. Has complied with all requirements for agreements or arrangements including but not limited to, provisions for:
    - a. Payment of charges
    - b. Installation and operation of the facilities and of pretreatment facilities, if required,
    - c. Sampling and analysis to determine quantity and strength when directed by the city.
  - 4. Provides a sampling point, when requested by the city, subject to the provisions of this ordinance and approval of the Approving Authority.
- B. A person or user applying for a new discharge shall:
  - 1. Meet all conditions of subsection (a) of this section
  - 2. Secure a permit prior to discharging any waste. (Ord. No. 83-6, Sec. 18.)

### 10.04.19 Power to enter property

- A. The superintendent and other duly authorized employees of the city bearing proper credentials and identification are entitled to enter any public or private property at any reasonable time for the purpose of enforcing this ordinance.
- B. Anyone acting under this authority shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection.
- C. Except when caused by negligence or failure of persons or users to maintain safe conditions, the city shall indemnify the persons or users against loss or damage to their property by city employees and against liability claims and demands for personal injury or property damage asserted against the persons and growing out of the sampling operation.
- D. The superintendent and other duly authorized employees of the city bearing proper credentials and identification are entitled to enter all private properties through which the city holds a negotiated easement for the purposes of:
  - 1. Inspection, observation, measurement, sampling or repair
  - 2. Maintenance of any portion of the sewerage system lying within the easements
  - 3. Conducting any other authorized activity. All activities shall be conducted in full accordance with the terms of the negotiated easement pertaining to the private property involved.
- E. No person acting under authority of this provision may 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 public wastewater system. (Ord. No. 83-6, Sec. 19.)

# 10.04.20 Authority to disconnect service

- A. The city may terminate water and wastewater disposal service and disconnect a customer from the system when:
  - 1. Acids or chemicals which may damage the wastewater system or treatment process are released to the sewer potentially causing accelerated deterioration of these structures or interfering with proper conveyance and treatment of wastewater.
  - 2. A governmental agency informs the city that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge to a watercourse, and it is found that the customer is delivering wastewater to the city's system that cannot be sufficiently treated or requires treatment that is not provided by the city as normal domestic

treatment.

- 3. The customer:
  - a. Discharges waste or wastewater that is in violation of the permit issued by the Approving Authority
  - b. Discharges wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater treatment system
  - c. Fails to pay monthly bills for water and wastewater system services when due
  - d. Repeats a discharge of prohibited wastes to the public wastewater system in violation of Sections 2 through 9 as stated above.
- B. If service is discontinued pursuant to subsection (a) (2) of this section, the city shall:
  - 1. Disconnect the customer
  - 2. Supply the customer with the governmental agency's report and provide the customer with all pertinent information.
  - 3. Continue disconnection until such time as the customer provides pretreatment/additional pretreatment or other facilities designed to remove the objectionable characteristics from his wastes. (Ord. No. 83-6, Sec. 20)

<u>10.04.21 Notice</u> The city shall serve persons discharging in violation of this ordinance with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory compliance. (Ord. No. 83-6, Sec. 21.)

<u>10.04.22</u> <u>Continuing prohibited discharges.</u> No person may continue discharging in violation of this ordinance beyond the time limit provided in the notice set forth in Section 21. (Ord. No. 83-6, Sec. 22.)

10.04.23 Penalty

- A. A person who continues prohibited discharges is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.00 for each act of violation and for each day of violation.
- B. In addition to proceeding under authority of subsection (a) of this section, the city is entitled to pursue all other criminal and civil remedies to which it is entitled under authority of statutes or other ordinances against a person continuing prohibited discharges. (Ord. No. 83-6, Sec. 23.)

<u>10.04.24 Failure to pay</u> In addition to sanctions provided for by this ordinance, the city is entitled to exercise sanctions provided for by the other ordinances of the city for failure to pay the bill for water and wastewater system services when due. (Ord. No. 83-6, Sec. 24.)

<u>10.04.25 Penalty for criminal mischief</u> The city may pursue all criminal and civil remedies to which it is entitled under authority of statutes and ordinances against a person negligently, willfully or maliciously causing loss by tampering with or destroying the public wastewater system or treatment facilities. (Ord. No. 83-6, Sec. 25.)

## 10.04.26 Use of public sewers required

- A. **Person** shall mean any individual, firm, company, association, society, corporation or group.
- **B. Public Sewer** shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- C. Hereafter no sewage and/or toilet facilities shall be constructed or placed in, upon or about any real property situated within the city of Mayflower, 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, providing such facility is within 300 feet of any public sewer system.
- D. 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.
- E. 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 sewer of the city, is hereby required at his sole expense to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of this ordinance.
- F. Nothing in this ordinance shall be construed to apply to those persons who, by physical impossibility due to the lay of the land, are incapable of complying with the terms of this ordinance. (Ord. No. 87-3, Art. 1-2.)

# 10.04.27 Penalties

- A. Any person found to be violating any provision of this ordinance shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactorily correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Any person who shall continue any violation beyond the time limit provided for 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.

C. 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. (Ord. No. 87-3, Art. 3.)

# **CHAPTER 10.08**

# **SEWER RATES**

## Sections:

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10.08.24	Review of user charges

<u>10.08.01</u> <u>Definitions</u> Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

**Biochemical Oxygen Demand** (BODs) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five (5) days at 20° C, expressed in milligrams per liter.

**Capital Charge** shall mean that portion of the total wastewater service charge which is levied for local capital costs, local investment in plant facilities and other local costs excluding operation, maintenance and replacement costs.

**City** shall mean the city of Mayflower, Arkansas, or any authorized person acting in its behalf.

**Commercial User** - Those users which have two or more living units served by a single water meter, or which have one or more businesses served by a single water meter.

**Filtration/Inflow** - Total quantity of water other than wastewater from both infiltration and inflow without distinguishing the source from defective pipes, pipe joints, connections, manholes, roof leaders, cellar drains, yard drain, area drains, foundation drains, drains from springs and swampy areas, cross connections, catch basins, cooling towers, storm waters, surface runoffs, street wash waters, or drainage.

**Institutional User** - Those users that qualify as an institutional user are schools, kindergartens, and churches that are non-profit operations and exempt from real property taxes.

**Industrial User** - any non-governmental, non-residential user of a publicly owned treatment works which discharges more than the equivalent of 25,000 gallons per day (GPD) of sanitary and/or industrial wastes and which is identified in the Standard Industrial Classification Manual under divisions A, B, D, E, I and/or any non-governmental user which discharges wastewater which contains toxic pollutants, poisonous solids, liquids or gases in sufficient quantities to contaminate the sludge, injure or interfere with the treatment system process, or which constitutes a hazard to humans or animals, creates a public nuisance, creates a hazard or has an adverse effect on the receiving waters.

**Living Unit** - A residential unit providing complete, independent, living facilities for one family, including permanent provisions for living, sleeping, cooking, eating and sanitation.

**Municipality** - A city, town, improvement district, association or other public body created under state law having jurisdiction over disposal of sewage, industrial waste, or other waste. Special districts such as water, sewer, sanitary, utility, drainage, transport, or disposal of liquid waste of the general public in a particular geographic area.

**Normal Sewage** - Normal Sewage is sewage which when analyzed, shows by weight a daily average of not more than 250 mg/I of BOD and not more than 250 mg/I of TSS, and which is otherwise acceptable into the city's sanitary sewerage system.

**Residential User** - those users which have no more than one living unit served by a single water meter.

**Total Suspended Solids (TSS)** 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.

normal domestic sewage. (Ord. No. 83-5, Sec. 1.)

**User Charge** shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the wastewater treatment and collection system, as hereinafter provided, for the payment of a portion of debt service on the city's outstanding indebtedness payable from revenues of the wastewater treatment and collection system. (Ord. No. 01-4, Sec. 4.)

**Wastewater Treatment System** - The transport of wastewaters from individual homes or buildings to a plant or facility where treatment is accomplished; to remove pollutants, dispose, recycle, or reuse the treated wastewater and residues which results from the treatment process.

<u>10.08.02</u> Precedence This user charge ordinance shall take precedence over any terms or conditions of agreements or contracts between the city and the users including commercial, industrial, special districts, other municipalities, or Federal agencies or installations which are inconsistent with this ordinance. (Ord. No. 83-5, Sec. 2.)

<u>10.08.03 Applying charges</u> The city will apply charges for operation and maintenance pertaining to extraneous flows (i.e. infiltration/inflow) in the same manner that it distributes the cost of operation and maintenance among users or user classes for their actual use. (Ord. No. 83-5, Sec. 3.)

<u>10.08.04</u> Excess revenues The city will apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly. (Ord. No. 83-5, Sec. 4.)

<u>10.08.05</u> Schedule of charges There is hereby levied on all persons, firms, corporations, organizations, political units and political subdivisions and all other entities using the wastewater collection and treatment system of the city, a schedule of charges as hereinafter provided. (Ord. No. 83-5, Sec. 5.)

<u>10.08.06</u> <u>Classification of users</u> Users connected to and served by the sewer system of the city be classified as either domestic, commercial, institutional or industrial. (Ord. No. 83-5, Sec. 6.)

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<u>10.08.07 Rates based on water consumption</u> The monthly rates for sewer services furnished to domestic users be based, in part, on the water consumed in the month services are rendered as set forth in 10.08.08. (Ord. No. 2001-4, Sec. 3.)

Sewer rates shall be set by the City Council and shall be modified or amended, from time to time, without necessity of an ordinance, as the City Council may deem it necessary. (Ord. No. 2000-3, Sec. 3.)

<u>10.08.08 Schedule</u> The City hereby establishes rates to be charged for services furnished by the sewer facilities of the System, which the City Council finds and declares to be the fair, reasonable and necessary, to be charged to all users who are connected to the sewer facilities of the System. The Pump Maintenance Account charge will only apply to those homes that use either the septic tank effluent pump (STEP) system or a grinder pump type sewer system. Each customer connected to the sewer facilities of the System shall pay a flat fee for debt service each month, whether or not such customer uses any water for that month. Other charges to users of the sewer facilities of the System for debt service and OM&R shall be based upon volume of water used.

#### Effective September 1, 2020 to August 31, 2021

Charges for customers	Within the <u>City Limits</u>	Outside the <u>City Limits</u>
Debt Service Flat Fee	\$11.52	\$12.72
OM&R by Volume (per 1,000 gallons)	\$5.18	\$6.38
Pump Maintenance Account (As Required)	\$10.00 per month	\$10.00 per month

#### Effective September 1, 2021 to August 31, 2022

Charges for customers	Within the <u>City Limits</u>	Outside the <u>City Limits</u>
Debt Service Flat Fee	\$13.82	\$15.26
OM&R by Volume (per 1,000 gallons)	\$6.22	\$7.66
Pump Maintenance Account (As Required)	\$10.00 per month	\$10.00 per month

#### Effective September 1, 2022 and thereafter

Charges for customers	Within the <u>City Limits</u>	Outside the <u>City Limits</u>
Debt Service Flat Fee	\$15.48	\$17.10
OM&R by Volume (per 1,000 gallons)	\$6.97	\$8.58
Pump Maintenance Account (As Required)	\$10.00 per month	\$10.00 per month

For the period September 1, 2020 to August 31, 2021, the minimum bill for each customer connected to the sewer facilities of the System that uses either the septic tank effluent pump (STEP) system or a grinder pump type sewer system shall be \$22.72 per month, with increases as indicated above. For the period September 1, 2020 to August 31, 2021, the minimum charge for users within the City limits will be \$11.52 per month, with increases as indicated above. For the period September 1, 2020 to August 31, 2021, the minimum charge for users within the City limits will be \$11.52 per month, with increases as indicated above. For the period September 1, 2020 to August 31, 2021, the minimum charge for users outside the City limits will be \$12.72 per month, with increases as indicated above. (Ord. No. 2020-06, Sec. 1)

<u>10.08.09 New domestic users</u> All new domestic users initiating service be charged on the basis of the water consumption the month services are rendered. (Ord. No. 83-5, Sec. 9.)

<u>10.08.10 Monthly rates</u> The monthly rates for sewer services furnished to each commercial, institutional or industrial user be based on the water consumed by the said commercial, institutional, or industrial user each month at the rates set out in Section 8 hereof. (Ord. No. 83-5, Sec. 10.)

<u>10.08.11 Reduction</u> That upon a showing by a user to the satisfaction of the city, the water consumed by the said user does not enter the wastewater system, a reduction will be allowed in the user charges for the volume not entering the wastewater system, provided that the volume of wastewater shown not entering the wastewater system exceeds 50,000 gallons per month or twenty percent of the monthly use, whichever is greater of the total water consumed by the user; and provided further, that no reduction of user charges be allowed to any user whose water consumption is less than an average of 50,000 gallons per month. (Ord. No. 83-5, Sec. 11.)

<u>10.08.12 Other sewage</u> Every user who discharges sanitary sewage, industrial wastes, water or other liquids other than normal sewage be charged and pay a surcharge in addition to the charge for normal sewage. (Ord. No. 83-5, Sec. 12.)

<u>10.08.13 Surcharge schedule</u> The following surcharge schedule, which includes a portion designated as the user charge, will be implemented. The user charge portion is to be for the payment of the costs of operation and maintenance including replacement of the wastewater collection and treatment system. Charges shall be based on one hundred percent (100%) of metered water use in accordance with the following formula:

S = .00834 [\$	(Vs (BODs - 250) +\$ (Vs) (SS-250)] where:
<b>S</b> Vs .00834	<ul> <li>= surcharge in dollars monthly</li> <li>= Sewage volume in thousand gallons per month</li> <li>= conversion faction for pounds per thousand gallons</li> </ul>
\$	= Unit charge for BOD in dollars per pound; of which\$ represents the user charge portion and \$ represents capital charges. 110.2

BOD	= (Biochemical Oxygen Demand) Five days strength index 1n milligrams per liter by weight.
250	= allowed BOD and SS strengths in milligrams per liter by weight.
\$	= Unit charge for suspended solids in dollars per pound; of which \$ represents the user charge portion and \$ represents capital charges.
SS	= Suspended solids strength index in milligrams per liter by weight. (Ord. No. 83-5, Sec. 13.)

<u>10.08.14 Rate structure revie</u> ed annually the user charge portion of the rate structure will be reviewed at least annually to accomplish the following:

- A. Insure that the existing user charge rate is adequate to cover operation, maintenance and replacement costs.
- B. Insure that operation, maintenance, and replacement costs are being distributed proportionally among users and user classes. (Ord. No. 83-5, Sec. 14.)

<u>10.08.15</u> Discharging toxic pollutants Any user which discharges any toxic pollutants which cause an increase in operation, maintenance and replacement costs shall pay for such increased costs. (Ord. No. 83-5, Sec. 15.)

<u>10.08.16 Notification of rate</u> The city shall notify each user annually of the rate and that part of the user charge attributable to wastewater treatment services. Notification may be provided by posting of rate schedule at the Water and Wastewater Office, public notice in the local newspaper or by mailing to the individual users. (Ord. No. 83-5, Sec. 16.)

<u>10.08.17 Bills</u> Bills for the service charges for the use of the wastewater collection and treatment system by a user or premises shall be rendered to the person or legal entity designated by the owner, his agent, tenant or occupant to receive the water bill. The bills for the service charges for use of the wastewater collection and treatment system shall be rendered monthly and the due date to pay such bills shall be the same as the date for the water bill rendered to the name and address designated for such premises. When any wastewater service bill is ten (10) days in default, rendition of water service to such premises shall be discontinued until such bill is paid following due notice and opportunity for a hearing by the City Water and Sewer Committee. (Ord. No. 83-5, Sec. 17.)

<u>10.08.18 Reductions of rates</u> The said rates shall never be reduced below an amount sufficient to provide for the operation and maintenance of the said sewer system and for the payment of the principal of and interest on existing bonds, and shall, when necessary, be increased to provide for said operation and maintenance and for the payment of the principal of and interest on existing bonds. (Ord. No. 83-5, Sec. 18.)

<u>10.08.19 Charges for facilities</u> None of the facilities or services afforded by the sewer system shall be furnished without a charge being made therefore. In the event the city or any department, agency, or instrumentality thereof shall avail itself on any of the facilities or services so afforded, the reasonable value thereof shall be charged against the city, or such department, agency or instrumentality, and shall be paid for as the charges therefore accrue. The revenues so received from the city shall be deemed to be revenues from the operation of the sewer system, and shall be used and accounted for in the same manner as any other revenues derived from its operation; provided, however, that nothing herein shall be construed as requiring the city, or any department, agency, or instrumentality thereof to avail itself of the facilities or services afforded by the sewer system. (Ord. No. 83-5, Sec. 19.)

#### 10.08.20 Fine

- A. A person who continues discharging wastewater in violation of this ordinance is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.00 for each violation and for each day of violation.
- B. In addition to proceeding under authority of subsection (a) of this section, the city is entitled to pursue all other criminal and civil remedies to which it is entitled under authority of statues or other ordinances against a person continuing prohibited discharges. (Ord. No. 83-5, Sec. 20.)

<u>10.08.21 Septic tank effluent pump (STEP) systems</u> All STEP type sewer systems must receive City Council approval prior to installation. STEP type sewer systems must meet all Arkansas Health Department and Mayflower Waterworks Department requirements. (Ord. No. 2000-03, Sec. 2.)

<u>10.08.22 Low pressure sewer systems</u> All grinder pump type systems must receive City council approval prior to installation. Low-pressure sewer systems must meet all Arkansas Health Department and Mayflower Waterworks Department requirements. (Ord. No. 2000-03, Sec. 2.)

<u>10.08.23</u> Financial Management System A financial management system shall be established and maintained by the city to document compliance with federal regulations pertaining to the city's bonded debt. Such system will account for all revenues generated and expenditures for operation and maintenance (including repairs). (Ord. No. 01-4, Sec. 2.)

<u>10.08.24</u> Review of user charges Any user who feels his user charge is unjust and inequitable may make written application to the City's Water and Sewer Committee requesting a review of his user charge. Said written request shall, where necessary, show the actual or estimated average flow and/or strength of his wastewater in comparison with the values upon which the user charge is based, including how the measurements or estimates were made.

Review of the request shall be made by the City's Water and Sewer Committee and if substantiated, the user charge for that user shall be recomputed based on the revised flow and/or strength data and the new charges shall be applicable to the next billing cycle/period. (Ord. No. 01-4, Sec. 2.)

# **CHAPTER 10.12**

# WATER RATES

#### Sections:

Water rates
Reduction of rates
Meters; revenue
Tampering with equipment

<u>10.12.01 Water rates</u> Water rates shall be set by the City Council and shall be modified or amended, from time to time, without necessity of an ordinance, as the City Council may deem it necessary. Rates are monthly rates determined by meter measurement of water furnished by the waterworks system of the city of Mayflower, Arkansas. Each customer connected and served by the water system shall make and maintain a service deposit to assure the prompt payment of the customer's monthly water bill. There shall be a connection fee for each customer who connects with and uses the system. Both service deposit and the connection fee shall be set by the City Council and shall be modified or amended, from time to time, without necessity of ordinance, as the City Council may deem it necessary. (Ord. No. 85-2, Sec. 2.)

Minimum monthly charge	\$13.50
(Ord. No. 2012-1, Sec. 1)	
Per 1,000 gallons	\$6.98

That in order to cover the cost of the yearly water charge increases by Community Water, the water rate for the water furnished will be increased in the same amount of any increases charged the Water Department by Community Water.

(Ord. No. 2016-01, Sec. 1)

<u>10.12.02 Reduction of rates</u> The said rates shall never be reduced below an amount sufficient to provide for the operation and maintenance of said waterworks system and for the prompt payment of the principal of and interest on the Waterworks Revenue Improvement Bonds, and shall, when necessary, be increased to provide for said operation and maintenance and for the payment of the principal of and interest on the said bonds. (Ord. No. 60, Sec. 2.)

<u>10.12.03 Meters: revenue</u> The facilities or services afforded by the waterworks system shall be furnished to the customer only through a meter; no meter shall serve more than one customer and none of the facilities or services shall be furnished without a charge being made therefore. In the event that the city or any department, agency, or instrumentality thereof shall avail itself of any of the facilities or services afforded, by the waterworks system, the reasonable

value thereof shall be charged against the city, or such department, agency, or instrumentality, and shall be paid for as the charges therefore accrue. The revenues so received from the city shall be deemed to be revenues from the operation of the waterworks system, and shall be used and accounted for in the same manner as any other revenues derived from its operation; provided, however, that nothing herein shall be construed as requiring the city or any department, agency, or instrumentality thereof to avail itself of the facilities or services afforded by the waterworks system. (Ord. No. 60, Sec. 3.)

10.12.04 Tampering with equipment

- A. From and after the passage and approval of this ordinance, if shall be unlawful for any person, firm, business or company that has water service established or not, within the Mayflower Waterworks system to access, tamper with, or steal a meter box, blow-off, fire hydrant or any other apparatus belonging to the Mayflower Waterworks.
- B. Any person, firm, business or company who shall violate the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than Two Hundred Fifty Dollars (\$250.00), and not more than One Thousand Dollars (\$1,000.00). Each day's violation shall be considered a separate offense.
- C. The Mayflower Police Department is hereby authorized to enforce the provisions of this ordinance. (Ord. No. 2008-3, Secs. 1-3.)

# **CHAPTER 10.16**

# WATER EXTENSIONS

## Sections:

10.16.01	Individual service connections
10.16.02	Approval of Council
10.16.03	Ouitclaim Deed

<u>10.16.01 Individual service connections</u> New individual water utility tie-ons shall only be allowed where the land in question meets adopted city zoning and subdivision regulations for the area. Provided further, that in no event shall a water utility tie-on be allowed for any of said property within the city of Mayflower's extraterritorial jurisdiction unless said property is first annexed to the city; or the owner(s) of said land agree to execute an acceptable pre-annexation agreement with the city providing for the future annexation of said land at a time to be determined by the city; or as approved by the City Council. The City Council will determine on an individual basis where extraordinary exceptions to this resolution may justify tie-ons as determined by established criteria designed to ensure the orderly growth of the city of Mayflower. (Ord. No. 99-6, Sec. 2.)

# 10.16.02 Approval of Council

- A. No new sewer utility main extension or individual tie-ons submitted to the city by the Mayflower Planning Commission and the Water Commission shall be allowed in incorporated or unincorporated areas outside of the city of Mayflower without the prior approval of the Mayflower City Council.
- B. No new water main extensions or individual tie-ons submitted to the city by the Mayflower Planning Commission and the Water Commission shall be allowed in areas outside the city of Mayflower's extraterritorial jurisdiction without the prior approval of the Mayflower City Council. (Ord. No. 99-6, Sec. 3-4.)

<u>10.16.03 Quitclaim Deed</u> The Mayor and City Recorder are hereby authorized to execute a Quitclaim Deed, attached hereto as exhibit #1, to the Community Water System Inc., to 0.03 acres of city property more particularly described in the Deed and on the survey attached hereto as exhibit #2. (Ord. No. 94-6, Sec. 1.)

# **CHAPTER 10.20**

# **CROSS-CONNECTION**

Sections:

10.20.01	Purpose
10.20.02	Definitions
10.20.03	Operation criteria
10.20.04	Facilities requiring backflow prevention
10.20.05	Approval of backflow prevention devices
10.20.06	Non-compliance, disconnection, notice and consent to entry
10.20.07	Ownership
10.20.08	Installation and costs
10.20.09	Testing and maintenance
I0.20.10	Water meters
10.20.11	Compliance deadlines

<u>10.20.01 Purpose</u> The three purposes of this ordinance are: (1) To provide for the protection of the public potable water supply. (2) To isolate at the service connection any actual or potential pollution or contamination within the consumers' premises. (3) To provide a continuous, systematic and effective program of cross-connection control. (Ord. No. 96-4, Sec. 1.)

<u>10.20.02</u> <u>Definitions</u> As used in this ordinance, a BACKFLOW shall mean the unapproved flow of water or other liquids, mixtures or substances into the distribution pipes of the Mayflower Water System, specifically flows from unintended sources.

An AUXILIARY WATER SUPPLY is any source of water other than the Mayflower Water System.

A BACKFLOW PREVENTER shall mean a device or means to prevent BACKFLOW. Two different assemblies may be used as a BACKFLOW PREVENTER:

A. "Double-check valve assembly" is an device composed of two (2) single, independently acting, approved check valves, including tightly closing shutoff valves located at each end of the assembly and suitable test cocks for testing the water-tightness of each check valve. B. "Reduced-pressure-principle backflow prevention assembly" is a device containing a minimum of two (2) independently acting, approved check valves, together with an automatically operated pressure differential relief valve located between the check valves. (This assembly will include two (2) cut-off valves and four (4) test cocks.) (Ord. No. 96-4, Sec. 2.)

<u>10.20.03</u> Operation criteria It is the primary responsibility of the Mayflower Water System to evaluate the hazards inherent in supplying a consumer's water system, i.e., determine whether solid, liquid or gaseous pollutants or contaminants are, or may be, handled on the consumer's premises in such a manner as to possibly permit contamination of the public water system. When a hazard or potential hazard to the public water system is found on the consumer's premises, the consumer shall be required to install an approved BACKFLOW PREVENTER at each public water service connection to the premises in accordance with this ordinance. The type of BACKFLOW PREVENTER shall depend on the degree of hazard involved, as described in AWWA Manual M-14 or as described below (A-E). Where more than one type of protection is possible, the actual method utilized shall be at the discretion of the City of Mayflower and based on a physical inspection of the hazard.

- A. On any premises where there is an AUXILIARY WATER SUPPLY there shall be no physical connection between this AUXILIARY WATER SUPPLY and the consumer's water system, while being served by the Mayflower Water System. Where such connections are found, the AUXILIARY WATER SUPPLY shall be disconnected immediately. To protect against the possibility of future reconnection, the Mayflower Water System will also be disconnected until an approved reduced-pressure-principle backflow prevention assembly is installed at the public water service connection.
- B. On any premises where there is water or any substance that would be objectionable, but not hazardous to health, if introduced into the Mayflower Water System, the public water system shall be protected by an approved double-check valve backflow prevention assembly.
- C. On any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the Mayflower Water System, the public water system shall be protected by an approved reduced pressure-principle backflow prevention assembly.
- D. On any premises where there are "uncontrolled" cross-connections, either actual or potential, the Mayflower Water System shall be protected by an approved reduced-pressure principle backflow prevention assembly at the service connection.
- E. On any premises where it is impossible or impractical to make a complete in-plant cross-connection survey or physical inspection of the hazard, the Mayflower

Water System shall be protected by the installation of an approved reducedpressure principle backflow prevention assembly at the service connection. (Ord. No. 96-4, Sec. 3.)

<u>10.20.04 Facilities requiring backflow prevention</u> The following is a partial list of facilities which may require reduced-pressure-principle backflow preventers at the service connection. This requirement is based upon the degree of hazard afforded the Mayflower Water System.

- A. Car/Truck wash
- B. AUXILIARY WATER SUPPLY
- C. Exterminators
- D. Commercial boilers or chilled water systems
- E. Fire protection systems, including sprinklers
- F. Hospitals, medical buildings, sanitariums, morgues, mortuaries, autopsy facilities, nursing and convalescent homes, medical clinics, and veterinarian clinics.
- G. Irrigation systems
- H. Laundries
- I. Radiator shops
- J. Restricted, classified or other closed facilities
- K. Sand and gravel pits
- L. Wastewater treatment plants, pump stations and storm water pumping facilities
- M. Structures in floodplain or waterfront ofrivers or lakes
- N. In-ground swimming pools
- 0. Others, as found with suspected high hazards

The following is a partial list of facilities which may require double-check valve backflow prevention assemblies. This requirement is based upon the degree of hazard afforded the Mayflower Water System.

- A. Multi-family housing
- B. Beauty parlors and barber shops
- C. Physician and dental offices or clinics
- D. Greenhouses and nurseries
- E. Hotels and motels
- F. Laundries
- G. Restaurants, food service, and butcher shops
- H. Automobile/truck service stations
- I. Pet shops, kennels and pet grooming
- J. Others, as found with suspected low hazards (Ord. No. 96-4, Sec. 4.)

<u>10.20.05 Approval of backflow prevention devices</u> Any backflow prevention device or assembly required by this ordinance shall be a type in accordance with AWWA specifications C506-78, or its latest revision, the Arkansas Department of Health Regulations and the City of Mayflower. (Ord. No. 96-4, Sec. 5.)

#### 10.20.06 Non-compliance, disconnection, notice and consent to entry

- A. In emergency situations, when the public water supply is being contaminated or is in immediate danger of contamination, the offending water consumer's premises shall be immediately disconnected from the Mayflower Water System.
- B. No water service connection with the Mayflower Water System shall be installed on the premises of any consumer unless it can be determined that the public water system is protected, as required by this ordinance.
- C. Delivery of water to the premises of any consumer may be discontinued by the Mayflower Water System if any BACKFLOW PREVENTER required by this ordinance has not been installed, or is defective, or has been removed or bypassed. Water service shall not be resumed until conditions at the consumer's premises have been abated or corrected to the satisfaction of the Mayflower Water System.
- D. Upon discovery of a violation of this ordinance, written notice shall be given to the water consumer. If violations are not corrected by the date and time as stated on the written notice, the Mayflower Water System will be disconnected from the premises.
- E. For the purpose of making any inspections or discharging the duties imposed by this ordinance, the Mayflower Water System and the Mayflower Code Enforcement Officer shall have the right to enter upon the premises of any water consumer. Each water consumer, as a condition of continued delivery to the premises of water from the Mayflower Water System, shall be considered as having stated full consent to the entry upon the premises by the Mayflower Water System or the Mayflower Code Enforcement Officer for the purpose stated herein. (Ord. No. 96-4, Sec. 6.)

<u>10.20.07</u> Ownership The water consumer shall purchase, own and maintain all backflow prevention devices installed at the point of delivery to the consumer's water system. (Ord. No. 96-4, Sec. 7.)

<u>10.20.08</u> Installation and costs Customers of the Mayflower Water System requiring backflow prevention devices or assemblies shall pay all costs associated with installation of the appropriate size and type of device under private contract. New installations for new construction or remodeling shall be completed prior to the final plumbing inspection, so that the required backflow prevention device or assembly can be included as a part of the inspection. Any such devices or assemblies shall be installed above ground in a location that is readily accessible for maintenance and testing and should be located not less than twelve inches (12") above ground or more than thirty inches (30") above the ground. (Ord. No. 96-4, Sec. 8.)

#### 10.20.09 Testing and maintenance

- A. The required backflow prevention device or assembly must be installed by a licensed plumber. If the licensed plumber is also certified by the Arkansas Health Department to test backflow prevention installations, then the same licensed plumber may test and provide the Mayflower Water System with a certificate of such satisfactory testing. If the licensed plumber lacks certification from the Arkansas Health Department to perform such tests, a certified backflow assembly tester shall test the installation within ten (10) days after installation and provide the required certificate of such satisfactory testing to the Mayflower Water System.
- B. The water consumer shall be responsible for the required annual testing of the backflow prevention device or assembly by contract with a certified backflow assembly tester. The water consumer will annually furnish the Mayflower Water System with a certificate of such satisfactory testing by the anniversary date of the approval of the installation.
- C. In instances where the Mayflower Water System or Code Enforcement Officer deems the hazard to be serious and worthy, testing may be required at more frequent intervals with the associated costs being borne by the water consumer. Any maintenance fees required as a result of inspections or testing shall also be paid by the water consumer through private contract. Records of inspections, testing or repairs shall be kept by the Mayflower Water System and made available to the Arkansas Department of Health. (Ord. No. 96-4, Sec. 9.)

<u>10.20.10 Water meters</u> Pursuant to and consistent with an agreement between the city of Mayflower and an Agency of the Federal Government, each dwelling and each business consuming water from the Mayflower Water System shall have a single water meter. Multiple residences and multiple business on a shared water meter cannot be allowed. Water consumers that do not return significant amounts of water to the public sewer system, such as farm irrigation and in-ground swimming pools, may elect to separately meter such uses to avoid being charged for sewer use. Such metering will be at the expense of the water consumer. Multi-family housing and mobile home parks may continue with master metering, provided they agree to pay the commercial rate for water. (Ord. No. 96-4, Sec. 10.)

### 10.20.11 Compliance deadlines

- A. All new construction, not having received a final plumbing inspection, shall comply with this ordinance upon the passage of this ordinance. Likewise, all provisions of Section 6 of this ordinance are effective and in full force upon the passage of this ordinance.
- B. All existing water consumers of the Mayflower Water System with an AUXILIARY WATER SUPPLY are urged to remove any cross-connection

immediately. Such existing water consumers shall comply with this requirement by May  $1^{st}$ , 1996.

C. All other existing water consumers of the Mayflower Water System shall be in compliance with this ordinance by December 31<sup>st</sup>, 1996. (Ord. No. 96-4, Sec. 11.)

# **CHAPTER 10.24**

# STORM DRAINAGE SYSTEM

#### Sections:

10.24.01	Purpose/Intent
10.24.02	Definitions
10.24.03	Applicability
10.24.04	Responsibility for Administration
10.24.05	Ultimate Responsibility
10.24.06	Discharge Prohibitions
10.24.07	Suspension of MS4 Access
10.24.08	Industrial or Construction Activity Discharges
10.24.09	Monitoring of Discharges
10.24.10	Best Management Practices
10.24.11	Watercourse Protection
10.24.12	Notification of Spills
10.24.13	Enforcement
10.24.14	Appeal of Notice of Violation
10.24.15	Enforcement Measures After Appeal
10.24.16	Cost of Abatement of the Violation
I0.24.17	Injunctive Relief
10.24.18	Compensatory Action
10.24.19	Violations Deemed a Public Nuisance
10.24.20	Criminal Prosecution
10 24 21	Remedies not Exclusive

- 10.24.21Remedies not Exclusive
- 10.24.22 Adoption of Ordinance

<u>10.24.01</u> Purpose/Intent The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of <u>Mayflower</u> through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are:

- (1) To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by stormwater discharges by any user.
- (2) To prohibit illicit Connections and Discharges to the municipal separate storm sewer system.
- (3) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance.
   (Ord. No. 2013-01, Sec. 1)

<u>10.24.02</u> Definitions For the purposes of this ordinance, the following shall mean:

*Authorized Enforcement Agency-* any employee or designee of the Mayor of the City of Mayflower are designated to enforce this ordinance.

**Best Management Practices (BMPs)** - schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

*Clean Water Act-* The federal Water Pollution Control Act (33 U.S.C.§ 1251 et seq.), and any subsequent amendments thereto.

**Construction Activity** - Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of **1** acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

*Hazardous Materials-Any* material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

*Illegal Discharge* - Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Section X of this ordinance.

*Illicit Connections* - An illicit connection is defined as either of the following:

Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any 120.1

connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or, Any drain or conveyance connected from a commercial or industrial land use to the storm drai:q system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

*Industrial Activity* - Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

*National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit* - means a permit issued by EPA (or by a State under authority delegated pursuant to 33 USC§ 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

*Non-Storm Water Discharge* -Any discharge to the storm drain system that is not composed entirely of storm water.

**Person** - means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

**Pollutant** - Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

*Premises* - Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

*Storm Drainage System* - Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

*Stormwater* - Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting form such precipitation.

*Stormwater Pollution Prevention Plan (SW3P)* - A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant

discharges to Stonnwater, Stormwater Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

*Wastewater-Any* water or other liquid, other than uncontaminated storm water, discharged from a facility. (Ord. 2013-01, Sec.2)

<u>10.24.03</u> Applicability This ordinance shall apply to all water entering the storm drainage system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency. (Ord. No. 2013-01, Sec. 3)

<u>10.24.04</u> Responsibility for Administration The [authorized enforcement agency] shall administer, implement, and enforce the provisions of this ordinance. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated in writing by the Director of the authorized enforcement agency to persons or entities acting in the beneficial interest of or in the employ of the agency. (Ord. No. 2013-01, Sec. 4)

<u>10.24.05</u> Ultimate Responsibility The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore, this ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants. (Ord. No. 2013-01, Sec. 6)

### 10.24.06 Discharge Prohibitions

Prohibition of Illegal Discharges - No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

- (a) The following discharges are exempt from discharge prohibitions established by this ordinance: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, noncommercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated - typically less than one PPM chlorine), firefighting activities, and any other water source not containing Pollutants.
- (b) Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.
- (c) Dye testing is an allowable discharge, but requires a verbal notification to the authorized enforcement agency prior to the time of the test.

(d) The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

Prohibition of Illicit Connections -

- (a) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.
- (b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (c) A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

(Ord. No. 2013-01, Sec. 7)

## 10.24.07 Suspension of MS4 Access

Suspension due to Illicit Discharges in Emergency Situations -

• The [authorized enforcement agency] may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize damage to the MS4 or Waters of the United States, or to minimize damage to persons.

Suspension due to the Detection of Illicit Discharge -

- Any person discharging to the MS4 in violation of this ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the authorized enforcement agency for a reconsideration and hearing.
- A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the authorized enforcement agency. (Ord. No. 2013-01, Sec. 8)

<u>10.24.08</u> Industrial or Construction Activity Discharges Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the [authorized enforcement agency] prior to the allowing of discharges to the MS4. (Ord. No. 2013-01, Sec. 9)

### 10.24.09 Monitoring of Discharges

## A. Applicability

This section applies to all facilities that have storm water discharges associated with industrial activity, including construction activity.

- B. Access to Facilities
  - (a) The [authorized enforcement agency] shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.
  - (b) Facility operators shall allow the [authorized enforcement agency] ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.
  - (c) The [authorized enforcement agency] shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's storm water discharge.
  - (d) The [authorized enforcement agency] has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
  - (e) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the [authorized enforcement agency] and shall not be replaced. The costs of clearing such access shall be borne by the operator.

- (f) Unreasonable delays in allowing the [authorized enforcement agency] access to a permitted facility is a violation of a storm water discharge permit and of this ordinance. A person who is the operator of a facility with a NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this ordinance.
- (g) If the [authorized enforcement agency] has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction.

(Ord. No. 2013-01, Sec. 10)

<u>10.24.10 Best Management Practices</u> [Authorized enforcement agency] will adopt requirements identifying Best Management Practices for any activity operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the fu1iher discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit. (Ord. No. 2013-01, Sec. 11)

<u>10.24.11</u> Watercourse Protection Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that;would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. (Ord. No. 2013-01, Sec. 12)

<u>10.24.12</u> Notification of Spills Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the authorized enforcement agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the [authorized enforcement agency] within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. (Ord. No. 2013-01, Sec. 13)

## 10.24.13 Enforcement

## A. Notice of Violation.

Whenever the [authorized enforcement agency] finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the authorized enforcement agency may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

- (a) The performance of monitoring, analyses, and reporting;
- (b) The elimination of illicit connections or discharges;
- (c) That violating discharges, practices, or operations shall cease and desist;
- (d) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; and
- (e) Payment of a fine to cover administrative and remediation costs; and
- (t) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator. (Ord. No. 2013-01, Sec. 14)

<u>10.24.14</u> <u>Appeal of Notice of Violation</u> Any person receiving a Notice of Violation may appeal the determination of the authorized enforcement agency. The notice of appeal must be received within 30 days from the date of the Notice of Violation. Hearing on the appeal before the appropriate authority or his/her designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the municipal authority or their designee shall be final. (Ord. No. 2013-01, Sec. 15)

<u>10.24.15</u> <u>Enforcement Measures After Appeal</u> If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or in the event of an appeal, within 30 days of the decision of the municipal authority upholding the decision of the authorized enforcement agency, then representatives of the authorized enforcement agency shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or-designated contractor to enter upon the premises for the purposes set forth above. (Ord. No. 2013-01, Sec. 16)

<u>10.24.16</u> <u>Cost of Abatement of the Violation</u> Within 30 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within 30 days. If the amount due is not paid within a timely manner as determined by the decision of the municipal authority or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the city by reason of such violation. The liability shall be paid in not more than 12 equal payments. Interest at the rate of 6 percent per annum shall be assessed on the balance beginning on the 30<sup>th</sup> day following discovery of the violation. (Ord. No. 2013-01, Sec. 17)

<u>10.24.17</u> Injunctive Relief It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. If a person has violated or continues to violate the provisions of this ordinance, the authorized enforcement agency may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation. (Ord. No. 2013-01, Sec. 18)

<u>10.24.18</u> Compensatory Action In lieu of enforcement proceedings, penalties, and remedies authorized by this Ordinance, the authorized enforcement agency may impose upon a violator alternative compensatory action, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc. (Ord. No. 2013-01, Sec. 19)

<u>10.24.19</u> Violations Deemed a Public Nuisance In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken. (Ord. No. 2013-01, Sec. 20)

<u>10.24.20 Criminal Prosecution</u> Any person that has violated or continues to violate this ordinance shall be liable to criminal prosecution to the fullest extent of the law, and shall be subject to a criminal penalty of 500 dollars per violation per day and/or imprisonment for a period of time not to exceed zero days.

The authorized enforcement agency may recover all attorney's fees court costs and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses. (Ord. No. 2013-01, Sec, 21)

<u>10.24.21</u> <u>Remedies not Exclusive</u> The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies. (Ord. No. 2013-01, Sec. 22)

<u>10.24.22</u> <u>Adoption of Ordinance</u> This ordinance shall be in full force and effect 30 days after its final passage and adoption. All prior ordinances and parts of ordinances in conflict with this ordinance are hereby repealed. (Ord. No. 2013-01, Sec. 23)