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ORDINANCE 2015-04

AN ORDINANCE TO ESTABLISH PROCEDURES TO REPAIR MINOR BREACHES IN THE WASTEWATER COLLECTION SYSTEM WHEN SUCH BREACHES ARE FOUND ON PRIVATE PROPERTY IN THE CITY OF COTTER, ARKANSAS.

WHEREAS: It is established by previous ordinance that each property owner in the City of Cotter, Arkansas is responsible to maintain their sewer connection to the main sewer line to insure no sewage escapes the line and no groundwater infiltrates the line; and

WHEREAS: It is common that sewer lines on private property may allow sewage to escape and ground water to infiltrate without the property owner having knowledge of the condition; and

WHEREAS: The Cities' Sewer Line Crew periodically conducts testing of the complete sewer collection system to ascertain where sewage may leak or water may infiltrate the system, and frequently this testing, using smoke or a camera, reveals breaches of the system on private property; and

WHEREAS: Breaches in the sewer collection system cause environmental problems and contribute greatly to the cost of operating the wastewater treatment plant; and

WHEREAS: Repair of breaches in the wastewater collection system benefits the entire City and promotes the common good.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTER, ARKANSAS:

That the following sections shall be operating procedures for the City of Cotter to remedy the harmful condition of damaged sewer lines found on private property.

SECTION 1. It is the property owner's responsibility to maintain the sewer line on their property, and this ordinance does not mitigate that responsibility but provides a convenient means for the property owner to cause repairs to be made to their sewer line.

SECTION 2. When the Cities' Sewer Line Crew locates a breach in the collection system, the Line Crew Foreman will issue a written notice to be submitted to the property owner or the property owner's legal agent.

SECTION 3. The notice will describe the location and nature of the breach and will also provide an offer to the owner that the Cities' Sewer Line Crew will repair the condition described, and the notice will tell the cost of the parts to make such repairs. Further the notice will require the owner or their legal agent to authorize permission for the Line Crew to work on the property, and the owner will agree to pay within thirty (30) days of the repair the price of the parts used for the repair. There will be no labor charge made by the City to the property owner.

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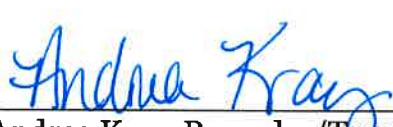
SECTION 4. The notice shall also state that if a property owner or their legal agent declines the offer of repair by the Cities' Sewer Line Crew, the owner or their legal agent must make the repairs within thirty (30) days' notice of the needed repairs given by the Cities' Sewer Line Crew. If repairs required exceed the scope of routine, manageable and relatively minor, the Line Crew Foreman shall notify the Mayor to prompt an additional notice (letter) to the property owner or their legal agent to take immediate action to make the necessary repairs.

SECTION 5. EMERGENCY CLAUSE The ordinance being necessary for the public safety, welfare and benefit to the Citizens of the City of Cotter, Arkansas and further for immediate repairs to be completed to the wastewater collection system, an emergency is hereby declared and this ordinance shall be enforced and effective upon passage date.

APPROVED: _____


Peggy Hammack, Mayor

ATTESTED: _____


Andrea Kray, Recorder/Treasurer

DATE: _____

9/29/15

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