

TITLE 10

UTILITIES

Chapters:

- 10.04 Sewer Regulations
- 10.08 Water and Sewer Rates
- 10.12 One Call Center
- 10.16 Cross Connection Program
- 10.20 Gas Rates

CHAPTER 10.04

SEWER REGULATIONS

Sections:

- 10.04.01 Definitions
- 10.04.02 Use of public sewers required
- 10.04.03 Private sewage disposal system
- 10.04.04 Building sewers and connections
- 10.04.05 Use of public sewers
- 10.04.06 Power and authority of Superintendent
- 10.04.07 Protection from damage
- 10.04.08 Penalty for violation

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

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

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

"Combined Sewer" shall mean a sewer receiving both surface run off and sewage.

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

"Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

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

"Person" shall mean any individual, firm, company, association, society, corporation or group.

"Ph" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

"Properly Shredded Garbage" shall mean the waste from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch (1.27 centimeters) in any dimension.

"Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

"Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

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

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

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

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

"Shall" is mandatory; "may" is permissive.

"Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

"Storm-Drain" (sometimes termed storm sewer) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

"Superintendent" shall mean the City Engineer or his authorized agent, deputy, or representative.

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

"Watercourses" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

10.04.02 Use of public sewers required.

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the city or in any area under the jurisdiction of the city, any human or animal excrement, garbage or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.
- C. 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.
- D. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the city and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the city, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within thirty (30) days after date of official notice to do so, provided that the public sewer is within three hundred (300) feet of the property line.

10.04.03 Private sewage disposal system.

- A. Where a public sanitary or combined sewer is not available under the provisions of Section 10.04.02, the building sewer shall be connected to a private sewage disposal system complying with the provisions of State Health Department Rules and Regulations.
- B. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in this section, a direct connection shall be made to the public sewer in compliance with this chapter, within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.
- C. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city.
- D. No statement contained in this chapter shall be construed to interfere with any additional requirements that the Health Officer may impose.

10.04.04 Building sewers and connections.

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereon without first obtaining a written permit from the Superintendent.
- B. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee as established by Chapter 11.08 for a residential or commercial building sewer permit and Twenty-Five Dollars (\$25.00) for an industrial building sewer permit shall be paid to the city at the time the application is filed.
- C. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- D. A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway. The building sewer from the front

building may extend to the rear building and the whole considered as one building sewer.

- E. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this chapter.
- F. The size, slope, alignment, materials or construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.
- G. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- H. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- I. The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gas-tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.
- J. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.
- K. All excavations for building sewer installation shall be adequately guarded with barriers and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

10.04.05 Use of public sewers.

- A. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process water to any sanitary sewer.
- B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewer or storm sewers or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer or natural outlet.
- C. No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewer:
 - 1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquids, oil, or gas;
 - 2. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either simply or by interaction with other wastes, to injure or interfere with any sewage treatment process, or any part of the sewer treatment facilities or sanitary sewage works, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as SN in the wastes as discharged to the public sewer;
 - 3. Any water or wastes having a Ph lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
 - 4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or pumping facilities, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- D. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process or equipment, having an adverse effect on the receiving stream, or otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent

will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F. (sixty-five (65) degrees C);
2. Any water or wastes containing fats, wax, gases, or oils, whether emulsified or not, in excess of one hundred (100) mg/l; or containing substances which may solidify or become viscous at temperatures between thirty- two (32) and one hundred fifty (150) degrees F (0 to sixty-five 65 degrees C);
3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent;
4. Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solution whether neutralized or not;
5. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials;
6. Any waters or wastes containing phenols or other taste or odor producing substances in such concentration exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters;
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations;
8. Any waters or wastes having a Ph in excess of 9.5;
9. Materials which assert or cause:

- a. Unusual concentration of inert suspended solids (such as but not limited to Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as but not limited to sodium chloride and sodium sulfate).
 - b. Excessive discoloration (such as but not limited to dye, wastes and vegetable tanning solutions).
 - c. Unusual BOD (biochemical oxygen demand) or chlorine requirements in such quantities as to constitute a significant load in the sewage treatment works.
 - d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein; and
10. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- E. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 10.04.05 part 4 hereinabove and which, in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:
- 1. reject the wastes;
 - 2. require pretreatment to an acceptable condition for discharge to the public sewers;
 - 3. require control over the quantities and rates of discharge; and/or
 - 4. require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of part 10 of this section.

If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances and laws.

- F. Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes

containing greases in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

- G. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- H. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
- I. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manholes. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property.
- J. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefore by the industrial concern.
- K.
 - 1. It is hereby declared to be a misdemeanor for any individual to damage the piping system or in any other manner to cause an opening to be made into the Hazen sewage treatment lines allowing the rain water to run into said lines.
 - 2. The penalty for violation of this ordinance shall be a fine of not more than \$100.00 for the first offense, and not more than \$300.00 for the second

and subsequent offenses. In addition, it should be the responsibility of any individual causing the damage to the Hazen Sewage Treatment Plant to pay the cost of repairing said piping in order to prevent any further leaking of the rain water into the sewage treatment system. (Ord. No. 254, Sec. 1.)

3. All car wash or wash racks shall be enclosed in a building or elevated where run-off water cannot infiltrate the sewer lines and be covered with a canopy. (Ord. No. 318, Sec. 1.)

10.04.06 Power and authority of Superintendent.

- A. The Superintendent and other duly authorized employees of the city of Hazen, Arkansas, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter. The Superintendent or his representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways of facilities for waste treatment.
- B. While performing the necessary work on private properties referred to in part A. above, the Superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to city employees except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 10.04.05 part H.
- C. The Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurements, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

10.04.07 Protection from damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewer works. Any person violating this provision shall be deemed guilty of a misdemeanor.

10.04.08 Penalty for violation.

- A. Any person found to be violating any provision of this chapter except Section 10.04.07 shall be served by the city with written notice stating the nature of the

violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

- B. Any person who shall continue any violation beyond the time limit provided for in part (A) of this section shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding Twenty-Five Dollars (\$25.00) for each violation. Each day in which 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.

CHAPTER 10.08

WATER AND SEWER RATES

Sections:

- 10.08.01 Water rates
- 10.08.02 Sewer rates
- 10.08.03 Tapping fees
- 10.08.04 Monthly billings
- 10.08.05 Operation and maintenance
- 10.08.06 Meters

10.08.01 Water rates For each user connected to and served by the Water System of the city of Hazen, Arkansas. Water charges consist of a minimum of \$10.00 per month paid by every customer with an unlocked meter. Rates are completely set forth below:

Effective Dates	Minimum Charges for 0 to 1000 gallons consumed	Over 1000 gallons consumed
January 1, 2016	\$12.00	\$4.55
January 1, 2017	\$12.60	\$4.75
January 1, 2018	\$13.25	\$5.00
January 1, 2019	\$13.90	\$5.25

(Ord. No. 470, Sec. 1.)

10.08.02 Sewer rates For each user connected to and served by the sewer system of the city of Hazen, Arkansas, sewer charges will be 90% of the monthly water bill. (Ord. No. 470, Sec. 2.)

10.08.03 Tapping fees

- A. Water tapping fees should be set at \$225.00 per tap for a 3/4" meter installation. For installations using a larger meter or service lines exceeding 100 feet in total length from the main to the customers piping; the tapping fee will be the actual cost of installation.
- B. Sewer tapping fees should be set at \$175.00 per sewer tap installation performed for a length of four inch diameter service line not to exceed thirty feet. Taps performed using length of service line exceeding thirty feet or a larger than four inch diameter pipe shall be the actual cost of installation. (Ord. No. 276, Sec. 3.)

10.08.04 Monthly billings Monthly billings for sewer services shall be made with and as a part of the waterworks billings and payment for water services shall not be accepted without payment for any sewer service due. All payments will be for the full amount due of water, sewer, and natural gas charges. For failure to pay for sewer services, water service will be disconnected as specified by resolution No. 217 passed on the 16th day of April 1963. (Ord. No. 442, Sec. 1.)

10.08.05 Operation and maintenance The said rates shall never be reduced below an amount sufficient to provide for the operation and maintenance of said waterworks and sewer system, for the prompt payment of the principal of, and interest on any waterworks and sewer revenue improvement bonds. When necessary rates shall be increased to provide for said operations, maintenance, and for the payment of the principal and interest on the said bond. (Ord. No. 276, Sec. 5.)

10.08.06 Meters 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 thereof. 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 and Sewer 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 and Sewer System, and shall be used and accounted for in the same manner as any other revenues derived from their 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 and Sewer System. (Ord. No. 276, Sec. 6.)

CHAPTER 10.12

ONE CALL CENTER

Sections:

- 10.12.01 Membership
- 10.12.02 Maps
- 10.12.03 Announcement of excavations
- 10.12.04 Notification

10.12.01 Membership The city of Hazen hereby will belong to the “Arkansas One Call Center, Inc.” and will participate in payment for services furnished by “One Call Center.” (Ord. No. 267, Sec. 1.)

10.12.02 Maps Plans, maps and drawings of all existing and proposed underground utilities and services, will be maintained in the Utility Department of the city of Hazen. (Ord. No. 267, Sec. 2.)

10.12.03 Announcement of excavations Plans for excavations, blasting, augering, boring, backfilling, drilling, grading, pile driving, plowing in, pulling in, trenching or tunneling inside of the city limits of Hazen, Arkansas, will be announced to all underground utility and service companies at least forty-eight (48) hours prior to construction. (Ord. No. 267, Sec. 3.)

10.12.04 Notification Any contractor, utility company or any individual working for hire that cuts, damages, breaks or disrupts services in underground utility service shall be held liable, unless all utility companies have been properly notified and lines marked or flagged as to their exact location. (Ord. No. 267, Sec. 4.)

CHAPTER 10.16

CROSS CONNECTION PROGRAM

Sections:

- 10.16.01 Purpose
- 10.16.02 Inspections
- 10.16.03 Protection
- 10.16.04 Backflow prevention device
- 10.16.05 Emergency situations

- 10.16.06 Facilities
- 10.16.07 Customers to pay
- 10.16.08 Annual testing
- 10.16.09 New construction
- 10.16.10 Discontinuing service
- 10.16.11 Penalties

10.16.01 Purpose The purpose of this ordinance is

- A. To promote the health, safety, and welfare of the people served by the water division of the utilities department
- B. To provide for the protection of the public water supply
- C. To isolate at the service connection any actual or potential pollution or contamination within the consumers premises
- D. To provide a continuous, systematic and effective program of cross-connection control. (Ord. No. 353, Sec. 1.)

10.16.02 Inspections It is the responsibility of the city of Hazen to conduct inspections of commercial and industrial consumers in order to determine whether solid, liquid, or gaseous pollutants or contaminants are 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 is found on the consumer's premises, an approved backflow prevention device will be installed by a licensed master plumber downstream of the meter at each public water service connection to the premises in accordance with this ordinance. The consumer shall be responsible for all costs of the Cross Connection Control device along with the cost of installation. (Ord. No. 353, Sec. 2.)

10.16.03 Protection The type of device shall depend on the degree of hazard involved as described in the AWWA manual M-14 or as described below. When more than one type of protection is possible, the actual method utilized shall be at the discretion of the city of Hazen following a physical inspection of the hazard.

- A. In the case of any premises where there is an auxiliary water supply connected to the consumer's water system served by the public water supply system. The water system shall be protected against the possibility of future reconnection by an approved Reduced Pressure Principle Backflow Prevention Device at the service connection.
- B. In the case of any premises where there is water or a substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved Double Check Valve Assembly.

- C. In the case of 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 public water system, the public water system shall be protected by an approved Reduced Pressure Principle Backflow Prevention Assembly.
- D. In case of any premises where there are “uncontrolled” cross-connections, either actual or potential, the public water system shall be protected by an approved Reduced Pressure Principle Backflow Prevention Assembly at the service connection.
- E. In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected by the installation of an approved Reduced Pressure Principle Backflow Prevention Assembly at the service connection. (Ord. No. 353, Sec. 3.)

10.16.04 Backflow prevention device Any Backflow Prevention Device required herein shall be a type in accordance with AWWA specifications C506-78 or its latest revision, the Arkansas Department of Health Regulation and the city of Hazen. (Ord. No. 353, Sec. 4.)

10.16.05 Emergency situations

- A. In emergency situations when the public potable water supply is being contaminated or is in immediate danger of contamination water service will be discontinued by the city of Hazen.
- B. No water service connection shall be installed on the premises of any consumer unless the water system is protected as required by this article.
- C. Delivery of water to the premises of any consumer may be discontinued by the city of Hazen if any protective device has not been installed, defective or removed. Water service will not be resumed until problems have been corrected.
- D. When a violation is discovered, written notice will be given to the consumer, if violations are not corrected by the date and time on the notice, the water will be shut off and the violation will be referred to the Mayor for action.
- E. For the purpose of making any inspections or discharging the duties imposed by this article, the city of Hazen, the Health Department and/or plumbing inspector shall have the right to enter upon the premises of the consumer. Each consumer as a condition of the continued delivery of water shall be considered as having stated his consent to the entry upon his premises of the utilities manager, Health Department, plumbing inspector for the purpose stated herein. (Ord. No. 353, Sec. 5.)

10.16.06 Facilities The following is a partial list of facilities that may require reduced pressure principal backflow prevention at the service connection: car washes, dental offices, doctors offices, nursing homes, funeral homes, radiator shops, high schools, wastewater treatment facilities, water treatment facilities using system water for surface wash, and any other facilities where toxic materials or chemicals are regularly stored or used. Also, any other facility listed in the Arkansas Department of Health minimum standards for cross connection control program as required at the Arkansas Department of Health Bureau of Environmental Health Services Division of Engineering. (Ord. No. 353, Sec. 6.)

10.16.07 Customers to pay Customers of the city water division requiring backflow prevention devices will pay all costs to the city associated with installation of the appropriate size and type of device. Devices shall be installed above ground downstream of the meter location that is readily accessible for maintenance and testing and should be located not less than 12" above ground, or more than 30". (Ord. No. 353, Sec. 7.)

10.16.08 Annual testing The consumer can hire the city of Hazen or a certified backflow tester to test the Backflow Prevention Device. Either way the consumer will be responsible for all costs associated with the testing. If the city of Hazen performs the test, the customer will be invoiced and will be given 30 days to pay all charges. If payment is not received within that time period, the city of Hazen reserves the right to disconnect service until all charges are paid in full.

The city of Hazen charges are as follows per device:

Pressure Vacuum Breaker (PVC)	\$35.00
Double Check Valve Assembly (DCVA)	\$45.00
Reduced Pressure Assembly (RP)	\$50.00

In the event that the certified backflow tester finds a problem that requires maintenance, the consumer will be responsible for hiring a master plumber certified for backflow prevention repair. It will be the customer's responsibility to provide certification to the city of Hazen that the maintenance has been done.

In cases where the city of Hazen and/or Plumbing Inspector deems the hazard to be great enough, testing may be required at more frequent intervals. The costs of which would be borne by the consumer. Records of inspections, testing or repairs shall be kept by the city of Hazen and made available to the Health Department, and the consumer. (Ord. No. 353, Sec. 8.)

10.16.09 New construction All new construction within the city of Hazen shall be effective upon the passage of this ordinance. All existing consumer premises shall be in compliance with this ordinance by June 30, 2002. (Ord. No. 353, Sec. 9.)

10.16.10 Cross connections; backflow

- A. The City Water Department of the city of Hazen, Arkansas, and the city plumbing inspector of the city of Hazen, Arkansas, are hereby authorized to discontinue or

cause to be discontinued all water service or services to any and all premises, lands, buildings or structures where it is found that an immediate hazard exists to the purity or potability of the city water supply, by reason of the requirements of the Arkansas State Plumbing Code and the City Plumbing Code and the regulations of the Arkansas State Board of Health having not been complied with.

- B. The City Water Department of the city of Hazen, Arkansas, and the city plumbing inspector of the city of Hazen, Arkansas, are hereby authorized and directed to take such steps as necessary to determine all potential hazards to the purity or potability of the city water supply which exists. Upon determining said potential hazards it shall be the duty of said department and said inspector to immediately cause notice to go to the owner or such other person responsible for said premises, specifying said hazards, and notifying said person that in the event that said hazard is not corrected within thirty (30) days from the date of said notice, all water services shall be discontinued thereafter until the requirements of the Arkansas State Plumbing Code, and the regulations of the Arkansas State Board of Health have been complied with. (Ord. No. 237, Sec. 7.)

10.16.11 Penalties Any person, firm or corporation found guilty of violating any of the provisions of this ordinance shall be subject to a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00), together with the costs of such prosecution. Each day during which violation continues shall be a separate offense. (Ord. No. 237, Sec. 8.)

CHAPTER 10.20

GAS RATES

Sections:

- 10.20.01 Gas rates amendment
- 10.20.02 Replacement
- 10.20.03 Rates
- 10.20.04 Connection charge
- 10.20.05 Meter deposit
- 10.20.06 Carrying charge
- 10.20.07 Monthly billings
- 10.20.08 Operation and maintenance
- 10.20.09 Meters

10.20.01 Gas rates amendment That Section 3 of Ord. No. 125 of the city of Hazen, Arkansas, entitled “An ordinance providing the distributing system for natural gas to serve the

city of Hazen, Arkansas, providing for the issuance of gas transmission and distributing system revenue construction bonds by the city of Hazen to pay the cost of construction: fixing rates for gas to be furnished by the transmission line and distributing system: declaring an emergency, and for other purposes”, as amended by previous ordinances, is hereby amended as to the monthly rates to be charged for natural gas furnished to residential, commercial, and large commercial users, said amendment to be as follows: (Ord. No. 352, Sec. 1.)

10.20.02 Replacement This ordinance replaces Ord. 218 and 268, and 269, and it supersedes any other ordinance that may be in conflict. The provisions of this ordinance shall be effective retroactively since October 1, 2001. (Ord. No. 352, Sec. 2.)

10.20.03 Rates The following monthly rates to be fixed as rates to be charged for gas to be furnished by the gas transmission lines and distribution system of the city of Hazen, Arkansas. The Mayor and the City Council find these rates reasonable and necessary minimum rates to be charged:

For Residential Users:

First 500 cu. ft. per month	\$10.00
All over 500 cu. ft. per month	\$4.00 over and above total monthly billing per MCF to the city of Hazen, Arkansas
Minimum Charge	\$10.00

Wheeling Charge

Charge for DeValls Bluff	\$1.05 per MCF
Charge for Arkla Biscoe (Ord. No. 474, Sec. 1.)	\$1.05 per MCF

The rates shall be adjusted monthly at the date of increase or decrease received from M.R.T.C.

10.20.04 Connection charge At the time of connection to the Gas Transmission lines and Distributing System, for each 3/4" line and 1" line connection the fee shall be \$175.00.

In the event a connection is more than a one inch line, the connection fee shall be the actual cost of the installation. (Ord. No. 352, Sec. 3.)

10.20.05 Meter deposit Each customer connected to and served by the Gas Transmission System shall make and maintain a meter deposit in the amount of \$100.00. No interest will be paid on the deposit.

A \$150.00 deposit shall be required for all rice well users.

The City Council of the city of Hazen, Arkansas, further finds and declares that such rates as set out will produce a total revenue sufficient to pay the total operation and maintenance expense of the gas transmission and the distribution system. (Ord. No. 474, Sec. 1.)

10.20.06 Carrying charge The following monthly rates are fixed as rates to charge for gas the city will transport for others through the city's natural gas distribution system and deliver to an end-use consumer. Said rate will apply only to each end-use consumer who has made arrangements to purchase their own gas and deliver such gas through M.R.T.C. present tap now serving Hazen.

10.20.07 Monthly billings Monthly billings for gas distribution services shall be made with and as a part of the waterworks billings, and payment for water services shall not be accepted without payment for any gas service due. Payment is due by the 20th of the month for the full amount due of water, sewer, and natural gas charges. If payment is not made by the twentieth (20th) of the month, a ten percent (10%) penalty is added. If payment of all utility bills and penalties is not made in full by the thirtieth (30th) day of the month, all such utility service will be discontinued and physically disconnected. For failure to pay for gas services, water service will be disconnected and charges of Twelve Dollars (\$12.00) for disconnection and Twelve Dollars (\$12.00) for reconnection along with all outstanding balances must be paid before service will be reconnected. (Ord. No. 442, Sec. 2.)

10.20.08 Operation and maintenance The said rates shall never be reduced below an amount sufficient to provide for the operation and maintenance of said gas transmission lines and distribution system, and for the prompt payment of the principal of, and interest on any gas transmission lines and distribution system revenue improvement bonds. When necessary, rates shall be increased to provide for said operations and maintenance, and for the payment of the principal and interest on the said bonds. (Ord. No. 125, Sec. 3.)

10.20.09 Meters The facilities or services afforded by the Gas Transmission and Distribution 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 Gas Transmission Lines and Distribution 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 Gas Transmission and Distribution System, and shall be used and accounted for in the same manner as any other revenues derived from their 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 Gas Transmission and Distribution System. (Ord. No. 125, Sec. 4.)