

ORDINANCE NO. 129

AN ORDINANCE AMENDING ORDINANCE NO. 106, AN ORDINANCE ADOPTING SPECIFIC BUILDING CODES AND CITY OF BETHEL HEIGHTS MUNICIPAL CODE, TITLE 11, SECTION 11.28.04, TO INCLUDE STEP AND STEG INTERCEPTOR TANK REQUIREMENTS AND INCLUDING ADOPTING CODES AND FEES

WHEREAS, the City Council of Bethel Heights, Arkansas has determined that in the best interest of the citizens of the City of Bethel Heights, Arkansas to include requirements for construction and installation of STEP and STEG interceptor tanks.

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

ARTICLE 1. Adopted by reference. There is hereby adopted by reference an Ordinance adopting specific building codes to include STEP and STEG interceptor tank requirements.

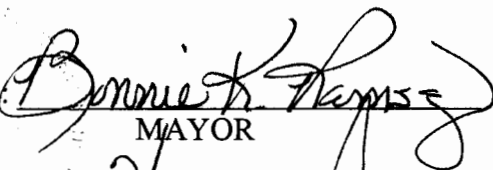
- Section 1. Definitions
- Section 2. Application Permit Required
- Section 3. Connection Fees
- Section 4. Materials and Manner of Construction
- Section 5. Building Sewers
- Section 6. Interceptors/Traps
- Section 7. Disposal of Private Sewage
- Section 8. Failure of Conventional Septic System
- Section 9. Code Adoption
- Section 10. Permit Fees
- Section 11. Severability
- Section 12. Emergency

ARTICLE 2. THEREFORE, that the remainder of Ordinance No. 106 shall remain in full force and effect.

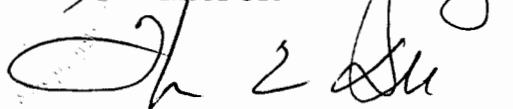
NOW THEREFORE, Be it ordained by the City Council of the City of Bethel Heights, Arkansas, Ordinance No. 129 is necessary for the immediate preservation of the public peace, health, and safety of the City of Bethel Heights, and an emergency is hereby declared to exist and Ordinance No. 129 shall be in full force and effect from and after its passage.

Passed and Approved this 20th day of August, 2002.

APPROVED:


MAYOR

ATTEST:


CLERK/RECORDER/TREASURER

ORDINANCE NO. 129

AN ORDINANCE AMENDING ORDINANCE NO. 106, AN ORDINANCE ADOPTING SPECIFIC BUILDING CODES AND CITY OF BETHEL HEIGHTS MUNICIPAL CODE, TITLE 11, SECTION 11.28.04, TO INCLUDE STEP AND STEG INTERCEPTOR TANK REQUIREMENTS AND INCLUDING ADOPTING CODES AND FEES.

WHEREAS, the City Council of Bethel Heights, Arkansas has determined that in the best interest of the citizens of the City of Bethel Heights, Arkansas to include requirements for construction and installation of STEP and STEG interceptor tanks.

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

SECTION ONE: DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Applicant: Property Owner

Building Drain: That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside and 5 feet beyond the walls of the building and conveys it to the interceptor tank.

Building Sewer: A sewer privately owned and constructed in conformance with the provision hereof, which connects the building drain with the interceptor tank.

Commercial: Shall include all sewer users, except residential.

Connection Fee: The fee charged by the City for inspection and connection to the sewage system.

Engineer: Engineer or Superintendent of the Bethel Heights Sewer System, his authorized assistants and inspectors.

Grease Trap: A device designed to retain grease from one to a maximum of four fixtures.

Industrial Waste: Shall mean the liquid wastes from industrial process as distinct from sanitary sewage.

Interceptor (Clarifier): A device designed and installed so as to separate and retain deleterious, hazardous, or undesirable matter from normal waste and permit normal sewage or liquid waste to discharge into the STEP or STEG interceptor tank.

Interceptor Tank: See STEP and STEG interceptor tank.

Manager: Superintendent or designated representative of the City.

May: Is Permissive.

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, partnership, company, association, society, corporation, group, or trust and the heirs, successors, and assigns of any such defined person.

Public Sewer: A pipe or conduit for carrying sewage, placed or accepted by the City, consisting of all conduits, interceptor tanks, pumping facilities service lines, system piping and control panels, but not including the building sewer which connects the building with the interceptor tank.

Residential: One or more rooms designed for occupancy by one family and with not more than one cooking facility.

Sanitary Sewer: A sewer, which carries sewage, and from which storm, surface, and ground waters are prohibited.

Sewage: Means water-carried human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, or other places, together with such groundwater infiltration, surface waters or industrial waste as may be present.

Sewerage System: The words "Sewerage System" as used in this ordinance means the system of sanitary sewers of the City of Bethel Heights, Arkansas.

Shall: Is mandatory.

STEP Interceptor Tank: (Septic Tank Effluent Pumping) a septic tank structure, which contains facilities for pumping effluent. The STEP tank will be of a design and size (minimum 1500 gallon) approved by the Arkansas Department of Health and the City of Bethel Heights.

STEG Interceptor Tank: (Septic Tank Effluent Gravity) A septic tank structure which gravity flows and contains effluent filters. The STEG tank will be of a design and size (minimum 1500 gallon) approved by the Arkansas Department of Health and the City of Bethel Heights.

Superintendent: The designated representative of the City responsible for the sewer system.

Words used in the present tense shall include the future, the singular number includes the plural, and the plural includes the singular.

SECTION TWO: APPLICATION PERMIT REQUIRED. No person, firm, or corporation shall make a connection to any part of the sanitary sewer system of the City of Bethel Heights, without first making an application and securing a permit therefore, and then only by using an approved connection, in accordance with the provisions of this ordinance.

Application for sewer connection permits shall be made in writing to City Hall in a form prescribed by the City and shall give the location of the property, street number of the buildings to be connected, name of the person, and statement as to whether or not the premises to be connected were in the past assessed for the construction of a sanitary sewer onto which the applicant desires to connect, and such other information or plans as may be required by the City.

Application for a permit to connect to the system should also include an easement from the lot owner as is required of the initial users for maintenance purposes.

SECTION THREE. CONNECTION FEES:

(a) All applications for connection to the sanitary sewer system shall be accompanied by a payment of an advance deposit in an estimated amount for all costs, including engineering construction management, excavation, installation, materials, backfill, street repair, and overhead, as determined by the City for a STEP or STEG system on each lot, connection permit, and inspection fee; the amount of such fees shall be set from time to time by Ordinance and made a part hereof as though fully set forth herein. In addition to the above, applicant shall obtain a City plumbing permit.

If the property to which the applicant desires to make a sanitary sewer connection has never been assessed for sewer improvement, then, in addition to the service and inspection fee, the applicant shall pay a connection fee, which said fee shall also be set by Ordinance, from time to time, and such Ordinance shall become a part hereof as though fully set forth herein.

(b) The connection fees imposed by this section pertain to sewerage system service to existing buildings and to people who apply, and in the judgment of the City of Bethel Heights, who may reasonably be served by such system. Fees for connections of existing buildings to the system shall be due within thirty (30) days of the date fixed by the City of Bethel Heights by motion or Ordinance as the date of starting of construction of the system. Connection fees for buildings outside the City limits, and buildings within the City limits shall be payable in amounts established by Ordinance.

Applicants for connections to be made after completion of construction of the system shall pay all costs of making the connection plus all fees. When one connection serves two or more buildings or residential units, each building or residential unit shall pay a connection fee.

(c) Connections for buildings located outside the City limits shall be made by the owners of such buildings. The connection fee for such connection shall be twice the rate that applies to buildings within the City limits as set forth above.

(d) Vacant Lots: Residential connections of tanks and service facilities will only be installed after issuance of a permit for building construction and substantial work has been completed.

SECTION FOUR. MATERIALS AND MANNER OF CONSTRUCTION:

(a) All building sewer installations shall be constructed to conform to the provisions of the 1995 Arkansas State Plumbing Code and the 1997 standard plumbing code of the Southern Building Code International, Incorporated, (including appendixes thereto) Including the International Private Sewage Disposal Code. Connections within public right-of-way shall be made only by a licensed plumber of the State of Arkansas and be supervised by the City of Bethel Heights inspector. Proof of a valid permit will be required prior to construction.

(b) A separate and independent electrical circuit shall be provided for every STEP interceptor tank.

(c) Existing building sewers and building plumbing may be used in connection with new buildings only when they meet all requirements of the applicable plumbing code.

(d) The size, slope, alignment, materials of 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 State or City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the 1995 Arkansas State Plumbing Code as adopted by the Arkansas Department of Health and the 1997 Standard Plumbing Code of the Southern Building Code Congress International, Incorporated (including all appendixes thereto) Including the International Private Sewage Disposal Code shall apply.

- (e) 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 interceptor tank, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer and the property owner shall provide a backwater valve to prevent backflow sewage. The City shall not be liable for any damage caused by backflow.
- (f) No person(s) shall make connection of roof downspouts, 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.
- (g) The connection of the building sewer into the interceptor tank shall conform to the requirements of the applicable plumbing code. All such connections shall be made gastight and watertight and verified by proper testing. The superintendent before installation must approve any deviation from the prescribed procedures and material.
- (h) The applicant for the sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the interceptor tank. The connection and testing of the interceptor tank shall be made under the supervision of the superintendent or his representative in cooperation with the County building official. After installation, the STEP/STEG tank should be tested for water-tightness to include all connections to the tank. Any leakage should be eliminated or the tank replaced.
- (i) All excavations for sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of me work shall be restored in a manner satisfactory to the City, County, or State as appropriate.
- (j) Plumbing within newly constructed houses, buildings, or structures shall be so oriented unless otherwise approved by the inspector as to allow the building sewer to stem from the side closest to the system piping.
- (k) Upon sale of a subdivided or partitioned parcel with a house, building or structure utilizing an interceptor tank common to another house, building or structure which was not included in the sale or located on the parcel after division, another interceptor tank, control panel and proper piping shall be installed so that each parcel has independent sewerage facilities.

SECTION 5. BUILDING SEWERS: Materials and workmanship for building sewer construction shall meet the Standards established by the City as modified from time to time or the applicable provisions of the Arkansas State Plumbing Specialty Code and Administrative Rules. Where in conflict, the higher standard shall apply. No backfill shall be placed until the Inspector has inspected the work. (Caution: different standards apply to the construction of public and private sewers.)

Whenever possible, all building drains and building sewers shall not be installed closer than ten (10) feet of a potable water supply. In the event that this provision cannot be complied with, applicant will proceed only under special permit, and under the direction of the Inspector. When circumstances force the installer to cross potable waterlines and gas lines with sewer lines, the sewer lines shall be installed under the water or gas lines, and as near possible to 90 degree angle. Cast iron pipe with caulked and leaded joints shall be fused in crossing water mains unless the following requirement is met:

- (1) The bottom of the water piping at all points shall be at least eighteen (18) inches above the top of the sewer piping.

SECTION SIX. INTERCEPTORS/TRAPS: Oil, grease, and sand interceptors or grease traps shall be provided by hotels, restaurants, cafes, lunch counters, cafeterias, bars and clubs, hospitals, factories or school kitchens, filling and service stations, laundries, processing plants, metal fabrication plants, and other places when they are necessary for the proper handling of liquid wastes, sand, and other harmful ingredients, except that such interceptors/traps shall not be required for private living quarters or

dwelling units.

All interceptors/traps shall be of a type, design and capacity as described by the applicable provisions of the Arkansas State Plumbing Code and approved by the City and shall be located so as to be readily and easily accessible for cleaning and inspection.

Grease, oil interceptors and grease traps shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperatures. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place shall be watertight.

SECTION SEVEN. DISPOSAL OF PRIVATE SEWAGE: Where a public sanitary sewer is not within 300 feet of property line of any building to be connected to such sewer, the building sewer shall be connected to a private sewer disposal system complying with the provisions of this ordinance.

Before commencement of construction of a private sewage disposal system, or before issuance of a permit, if such system is planned to be constructed, whichever is prior, the owner shall first obtain a written permit signed by the inspector as required by ordinance of the City. Before issuing such permit, the inspector shall approve the plans and shall also have the plans approved by the Arkansas Department of Health.

A private sewage disposal system shall not be used until the installation is completed to the satisfaction of the Building Permits Division and the Department of Health. The work shall be inspected at any stage of construction, and, in any event, the applicant shall notify the Building Permits Division when work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within one (1) day of receipt of the notice, excluding Saturdays, Sundays, and legal holidays.

The type, capacity, location and layout of a private sewage disposal system shall comply with all requirements of this ordinance. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 36,670 sq. ft. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

At such time as a public sewer is within 300 feet of the property line of a property served by a private disposal system, a direct connection shall be made to the public sewer in compliance with this ordinance. Upon failure of existing septic systems, owners will be required to connect to the public sewer system, and any septic tanks, cesspools, and similar sewage disposal facilities shall be abandoned, cleaned, and filled with suitable materials.

All individual, private sewage disposal systems shall comply with the following requirements:

- (a) In determining a suitable location for the system, consideration shall be given to the size and shape of the land area available, type of soils, slope of natural and finished grade, depth of groundwater, proximity to existing or future water supplies, and possible expansion of the system.
- (b) The sewage disposal system shall consist of a house sewer and a septic or treatment unit approved by the Arkansas State Department of Health and State Plumbing Code.
- (c) The system shall be designed to receive all sewage excluding footing, surface and roof drainage.
- (d) The system shall have adequate capacity to dispose of the maximum daily sewage flow properly.
- (e) Bulldozers, motor vehicles, trucks or any other heavy equipment shall not be driven over the system during or after the construction.

SECTION EIGHT. Upon failure of a conventional septic tank, owners will be required to install a STEP or STEG Interceptor Tank approved by the inspector for future public sewer service. A

permit will be issued for all septic tank replacements. "Failure or Fails" are defined or designated as the inability of the private owned sewer system (tank and leach field) to operate for the purpose and/or to the extent for which it was designed and installed in such a manner that raw sewage escapes from the system in violation of City Ordinance: which implement and enforce the requirements and regulations of the Arkansas State Department of Health as to privately owned systems. The failure is determined by personnel of the Arkansas State Health Department in the same manner, as they would make the determination required for violation of the City Ordinance.

SECTION NINE. CODE ADOPTION: The City of Bethel Heights, Arkansas hereby amends Ordinance No. 106 SECTION 5: 2., and does hereby adopt The 1997 edition of the STANDARD PLUMBING CODE of the Southern Building Code Congress International, Incorporated (including all appendixes thereto) and The International Private Sewage Disposal Code, regulating and controlling the design, construction, quality of materials, erection, installation, alternation, repair, location, relocation, replacement, addition to, use or maintenance of sewage systems in the City of Bethel Heights, Arkansas: providing for the issuance of permits and collection of fees and The 1999 edition of the LIFE SAFETY CODE of the National Fire Protection Association, therefore; repealing parts of Ordinance No. 106 of the City of Bethel Heights, Arkansas that are in conflict therewith.

SECTION 10. PERMIT FEES: Amending Ordinance No. 106 SECTION THREE: A and C.

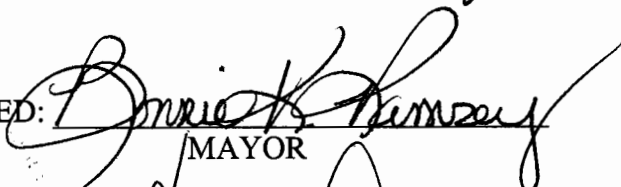
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| A. 1. Meter service inspection/per meter | \$20.00 |
| 2. Miscellaneous (Specify) | \$20.00 |
| C. New construction, multifamily: | |
| 1. First Unit | \$ 45.00 |
| 2. Additional Units: Add per Unit | \$ 40.00 |

SECTION 11. SEVERABILITY: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distance and independent provision and such holdings shall not affect the validity of the remaining portions thereof.

SECTION 12. EMERGENCY: This ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Bethel Heights, and to secure financing for the system and an emergency is hereby declared to exist. This ordinance shall take effect and be in full force and effect from and after its passage.

THEREFORE, that the remainder of Ordinance No. 106 shall remain in full force and effect

Approved and passed this 20th day of August, 2002

APPROVED: 
MAYOR

ATTEST: 
CLERK/RECORDER/TREASURER