

TITLE 10

UTILITIES

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- 10.04 Sewer Regulations
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CHAPTER 10.04

SEWER REGULATIONS

Sections:

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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 (20°) 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, also called house connection.

Easement shall mean an acquired legal right for the specific use of land owned by others.

Floatable oil is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly treated and the wastewater does not interfere with the collection system.

Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.

Industrial wastes shall mean the wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

May is permissive.

Natural outlet shall mean any outlet, including storm sewers and combined sewer overflows, that discharges into a watercourse, pond, ditch, lake or other body of surface water or ground water.

Ph shall mean the logarithm of the reciprocal of the weight of hydrogen concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^7 .

Properly shredded garbage shall mean the wastes 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 common sewer controlled by a governmental agency or public authority.

Sanitary sewer shall mean a sewer which carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

Sewage shall mean the spent water of a community. The preferred term is wastewater.

Sewer shall mean a pipe or conduit for carrying wastewater.

Shall is mandatory.

Slug shall mean any discharge of waste or wastewater which in concentration of any given constituent or in quantity of flow exceeds for fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flow during normal operation.

Storm-drain (sometimes termed storm sewer) shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

Superintendent shall mean the Superintendent of wastewater facilities of the city of Foreman, or his authorized deputy, agent, or representative.

Suspended solids shall mean total suspended matter that either floats on the surface of, or is in suspension in water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in *Standard Methods for the Examination of Water and Wastewater* and referred to as non-filterable residue.

Unpolluted water shall mean water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

Wastewater shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions.

Wastewater facilities shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

Wastewater treatment works shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant."

Watercourse shall mean a natural or artificial channel for the passage of water either continuously or intermittently. (Ord. No. 212, Art. 1.)

10.04.02 Use of public sewers required.

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited on public or private property within the city of Foreman 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 of Foreman or in any area under the jurisdiction of the city, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance. The issuance of a valid National Pollutant Discharge Elimination System permit covering such discharges into a natural outlet shall be considered as meeting all requirements of this section.

- 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 wastewater.
- D. The owner(s) 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 the owner's expense to install suitable toilet facilities therein, and to connect such facilities either through a septic tank or directly to the proper public sewer in accordance with the provisions of this chapter, within sixty (60) days after date of official notice to do so, provided that the public sewer is within three hundred (300) feet of the building. (Ord. 212, Art. 2.)

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 wastewater disposal system complying with the provisions of this article.
- B. Before commencement of construction of a private wastewater disposal system the owner(s) shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications, and construction permits approved by the Arkansas Department of Health. The minimum lot area for a single-family residence shall be 8,700 square feet in order for a private disposal permit to be issued. A permit and inspection fee of Fifteen Dollars (\$15.00) shall be paid to the city at the time the application is filed.
- C. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. The Superintendent shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the Superintendent.
- D. The type, capacities, location, and layout of a private wastewater disposal system shall comply with all recommendations approved by the Arkansas Department of Health. No septic tank shall be permitted to discharge to any natural outlet.
- E. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in this section, a direct connection from the building, or the septic tank, shall be made to the public sewer within 60 days in compliance with this chapter.

The requirements of this section shall not apply to owners discharging such sewage under the provisions of a valid Natural Pollution Discharge Elimination System permit

- F. The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the city.
- G. No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the County Sanitarian. (Ord. No. 212, Art. 3.)

10.04.04 Building sewers and connections.

- A. No unauthorized person(s) 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(s) 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 of Twenty-Five Dollars (\$25.00) for a residential or commercial permits and One Hundred Dollars (\$100.00) for an industrial permits 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(s). The owner(s) 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 front building sewer 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 tested by the Superintendent, to meet all requirements of this ordinance.
- F. All new sewers and related construction work must be properly designed and constructed. For all collectors, interceptors, building sewers, and septic tanks the

size, slope, alignment, materials or construction of a building sewer, and the methods used for excavating, placing, jointing, testing and backfilling, shall all conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the city and the state of Arkansas. 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(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.
- I. The connection 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 and shall be verified by proper testing.
- J. The applicant for the building sewer permit shall notify the Superintendent when the building sewer (and septic tank) is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Superintendent or his representative.
- K. All excavations for building sewer installation shall be adequately guarded with barricades and warning lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.
- L. Any person responsible for discharges through a building sewer carrying industrial wastes shall, at his own expense:
 - 1. install an accessible and safety located control manhole;
 - 2. install meters and other appurtenances to facilitate observation, sampling, and measurement of the waste; and
 - 3. maintain the equipment and facilities.

Such control manhole, meters, and other monitoring appurtenances shall be lockable, and accessible by the city. (Ord. No. 212, Art. 4.)

10.04.05 Use of public sewers.

- A. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage or cooling water to any sanitary sewer.
- B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the city.
- C. No person(s) 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 liquid, solid, or gas;
 - 2. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
 - 3. Any water or wastes having a pH lower than 6.0 or in excess of 9.0, 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 other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, 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, egg shells, etc., either whole or ground by garbage grinders.
 - 5. No substance will be added which would preclude the selection of the most cost effective alternative for wastewater treatment and sludge disposal.
- D. The following described substances, materials, waters or wastes shall be limited in discharges to municipal system to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have

an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Superintendent may set limitations more stringent than the limitations established in the regulations below if in his opinion such limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Superintendent will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharge to the sanitary sewer which shall not be violated without approval of the Superintendent are as follows:

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 in excess of fifty (50) 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 (0.56 KW) 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, which are capable of causing any damage or corrosion in the sewers or the sewage treatment plant or interfering with the sewage treatment process.
5. Any waters or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the city 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 city 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 city in compliance with applicable state or federal regulations;

8. 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 volume of flow or concentration of wastes constituting "slugs" as defined herein.
9. Any waters or wastes containing toxic materials or heavy metals in concentrations exceeding the following limits:

<u>Element</u>	<u>Composite Concentration (mg/l)*</u>
Arsenic	0.05
Barium	5.00
Boron	1.00
Cadmium	0.02
Chromium (total)	0.05
Copper	0.02
Lead	0.10
Manganese	0.5
Mercury	0.002
Nickel	0.08
Selenium	0.02
Silver	0.01
Zinc	0.05
Cyanide	0.05

10. Any waters or wastes containing any measurable trace of the following:

Antimony	Uranylion
Beryllium	Rhenium
Bismuth	Strontium
Cobalt	Tellerium
Molybdenum	Herbicides
Fungicides	Pesticides

11. Chlorinated solvents.
12. Wastes containing sulfides over 5.0 mg/l.

13. Septic tank sludge.
 14. Any dissolved solids in excess of 600 mg/l.
 15. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
 16. Specific attention should be given to toxic materials and heavy metals. These materials constitute an immediate hazard to humans, animals and aquatic life and, in addition, may have cumulative effects. Dilution of such materials in lieu of treatment (removal) is not an acceptable policy.
- E. No person shall discharge or cause to be discharged materials which exert or cause BOD in excess of 250 mg/l, suspended solids in excess of 250 mg/l, or oil and grease in excess of 50 mg/l, without prior approval of the Superintendent and without paying an abnormal sewage surcharge.
- F. The storage of any material in areas draining into the city sewer which, may create a hazard to the sewage works or treatment processes, or constitute a hazard to human beings or animals, or the receiving stream shall be subject to review by the Superintendent. He may require reasonable safeguards to prevent discharge or leakage of such materials into the sewers.
- G. 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 city may:
1. reject the wastes;
 2. require pretreatment to an acceptable condition for discharge to the public sewers in accordance with an approved implementation schedule; and/or
 3. require control over the quantities and rates of discharge. If the city permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to requirements of all applicable codes, ordinances and laws, and U.S. Environmental Protection Agency guidelines for pretreatment; and/or

4. *require that a wastewater effluent retention basin be provided of adequate volume to insure that slugs of concentrated pollutants are not discharged into the public sewer. If the city requires the retention of wastewater effluent, the design and installation of the retention basin shall be subject to the review and approval of the city.*
- H. Grease, oil and trap 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.
- I. 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.
- J. When directed to do so by the city, the owner of any property discharging industrial wastes shall, have a qualified testing laboratory collect a representative sample of the wastewater and have the appropriate physical, chemical, and biological tests performed on this sample. Qualified testing laboratories selected by the owner shall be acceptable to the city. The purpose of such tests shall be to determine the conformance of the wastewater characteristics to this ordinance. A report shall be made in writing to the city by the laboratory stating the results of the tests. Required sampling and testing shall be performed in accordance with the provisions of Section K of this Article.
- K. 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. 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. (Ord. No. 212, Art. 5.)

10.04.06 Protection from damage.

- A. No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the wastewater facilities.

- B. No unauthorized person shall cover any manhole on a public sewer with earth or paving, or otherwise render it inaccessible.
- C. No unauthorized person shall remove the earth cover from a public sewer so that less than two (2) feet of earth cover remains over the pipe bells. Approval to remove subsequent cover shall require written consent from the Superintendent. (Ord. No. 212, Art. 6.)

10.04.07 Power and authority of Superintendent.

- A. The Superintendent and other duly authorized employees bearing proper credentials 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.
- 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. The city employees shall observe all safety rules applicable to the premises established by the company. The city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Art. 5.
- C. The Superintendent and other duly authorized employees of the city bearing proper credentials shall be permitted to enter all private properties through which the city holds a 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. (Ord. No. 212, Art. 7.)

10.04.08 Penalty for violation.

- A. Any person found to be violating any provision of this chapter except Section 10.04.06 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 and/or any person who shall be found to be violating the provisions of 10.04.06 of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding One Thousand Dollars (\$1,000.00) for each violation or double that sum for each repetition of such offense or violation, and if the act is continuous in nature, in any sum not more than Fifty Dollars (\$50.00) for each day that the same shall be unlawfully continued.
- C. Any person violating any of the provisions of this chapter shall become liable to the city for any expenses, loss or damage occasioned the city by reason of such violation.
- D. In cases of repeated violations, the city may revoke the permission for discharge of wastes into the sewer system and effect the discontinuation of water service, sewer service, or both. (Ord. No. 212, Art. 8.)

CHAPTER 10.08

WATER RATES

Sections:

- 10.08.01 Water rates
- 10.08.02 Tapping fee
- 10.08.03 Metered system
- 10.08.04 Meter deposit
- 10.08.05 Reconnection charge
- 10.08.06 Regulations for the Water Department

10.08.01 Water rates. The following rates and charges which the City Council of the city of Foreman, Arkansas, hereby finds and declares are fair, reasonable and necessary minimum rates, be and they are hereby fixed as water rates to be charged for services to be rendered by the water facilities of the system:

- A. Monthly water rates Except as provided in Section (B) below, the water usage of each customer shall be determined each month by meter measurement, and the amount to be paid by each customer shall be computed on the basis of the following schedule of rates:

For the first 1,000 gallons of water consumption per month, or portion thereof	\$19.90 (minimum)
For the next 4,000 gallons of water consumption per month, or portion thereof	\$4.68 per 1,000 gallons
For the next 20,000 gallons of water consumption per month, or portion thereof	\$3.03 per 1,000 gallons
For all monthly water consumption in excess of 25,000 gallons (Ord. No. 291, Sec. 1.)	\$2.75 per 1,000 gallons

- B. If more than one residence/business is currently on a water meter, there shall be an additional charge of \$19.90 for each additional residence/business.
- C. Taxes shall be added to all charges.
(Ord. No. 291, Sec. 1.)

10.08.02 Tapping fee There shall be a tapping fee for each customer who connects to the water facilities of the system in the amount of Two Hundred Dollars (\$200.00). Prior to connection to the system, any residence must have a septic system before a water meter can be set. (Ord. No. 291, Sec. 2.)

10.08.03 Metered system The operation of the system shall be on a fully metered basis. All bills for water services shall be rendered in the net amount due. If any water bill is not paid by the 10th day of the month after the bill shall be rendered, a 10% penalty shall be added, and if the bill is not paid by the 20th day of the month, water service shall be disconnected. A Fifteen Dollar (\$15.00) charge will be placed on all returned checks. The city reserves the right to require payment in cash or by money order on any account and to refuse payment by personal check. No third party checks will be accepted. (Ord. No. 291, Sec. 3.)

10.08.04 Meter deposit Each customer, other than a renter, who connects with the water facilities of the system shall pay a minimum deposit of Sixty Dollars (\$60.00). However, renters shall be required to pay a deposit in the amount of One Hundred Dollars (\$100.00). An increase of such deposit amount may be requested and required at the discretion of the Water Department based upon a past history of unpaid, late or delinquent bills. The deposit shall be retained to assure prompt payment of monthly water bills. (Ord. No. 291, Sec. 4.)

10.08.05 Reconnection charge In the event any premises are disconnected from the water facilities of the system, the customer concerned, prior to reconnection, shall pay all delinquent charges together with a minimum reconnection charge of Thirty Dollars (\$30.00) for each reconnection of the premises to the water facilities of the system. It is further provided that in the event that meter service shall be disconnected for non-payment that any deposits required under 10.08.04 shall be subject to a Forty Dollars (\$40.00) increase each time a reconnection is made in addition to the reconnect fee and payment of any delinquencies. (Ord. No. 291, Sec. 5.)

10.08.06 Regulations for the Water Department

- A. The Water Department and Street Department of the city of Foreman, Arkansas, will maintain a worksheet stating specifically where each employee is working during such day's operations so that such employees may be contacted in the event of an emergency need.
- B. It is the general policy of the city of Foreman, Arkansas, that any employee of the Water Department working on a water project will not be removed to do other types of work.
- C. No employee of the Water Department will set a meter until a deposit for such meter has been paid in advance.
- D. The Water Department shall repave any and all damages caused to the streets or right-of-ways of the city due to water trouble in or under such street or right-of-way.
- E. All meter readings shall be performed by the Water Department Superintendent and one regularly employed Water Department employee.
- F. No water lines shall be installed or laid outside of the city limits of Foreman, Arkansas, by the city employees without the written approval in advance of four (4) members of the City Council.
- G. The Superintendent of the Water Department shall keep a record of any and all culverts installed as of the date of enactment of this ordinance forward, which records shall specifically show the location of such culvert and the date of installation and the individual for whom such culvert was installed, together with the amount paid for such installation. (Ord. No. 157, Secs. 1-8.)

CHAPTER 10.12

SEWER RATES

Sections:

- 10.12.01 Sewer rates
- 10.12.02 Billing
- 10.12.03 Financial management system
- 10.12.04 Review
- 10.12.05 Notification of sewer use rate
- 10.12.06 Customer appeal
- 10.12.07 User charge system

10.12.01 Sewer rates

- A. The city hereby establishes as rates, to be charged for services furnished by the system, which the City Council finds and declares to be fair, reasonable and necessary, to be charged to all users who contribute wastewater to the system. The proceeds of such charges so derived will be used for the purpose of operating and maintaining, including replacement (OM&R), the system's wastewater treatment works. (Replacement is defined as expenditures for obtaining and installing equipment, accessories or appurtenances during the useful life of the treatment works necessary to maintain the capacity and performance for which they were designed and constructed.) (Ord. No. 211, Sec. 1.)
- B. All users of the system shall be charged \$1.35 per 1,000 gallons or portion thereof of metered water consumption for the operation and maintenance including replacement. The sewer charge for each month will be based upon the average monthly metered water consumption for the months of January, February and March of the same year. The sewer charge for the months of January, February and March will be the same as for the last nine (9) months of the preceding year. In the case of users not on a meter basis, the manager of the system (the "Manager") shall establish water consumption based on a comparison of the non-metered user with a metered user of similar class. Example: a non-meter family of four (4) will be compared to a typical family of four (4) with a water meter to establish water consumption.

All sewer users shall be classified by the Manager as residential, commercial or industrial.

User Charge Methodology:

Total annual OM&R
Cost in \$/1,000 gal. =
(Ord. No. 258, Sec. 1.)

Total annual OM&R \$
No. of 1,000 gal. sold annually

- C. Excessive Strength Charges For any user, when the BOD exceeds *250 mn/1, the suspended solids exceed 250 MG/1, or when other pollutant concentrations exceed the range of concentrations of these pollutants in normal domestic sewage, a surcharge shall be added to the basic charge. This surcharge shall be calculated by the following formula:

$$C_s = (B_c (B) + S_c (S) + P_c (P)) V_u$$

C_s = a surcharge for wastewaters of excessive strength.

B_c = Operation and Maintenance (O&M) cost for treatment of a unit of BOD.

B = concentration of BOD from a user above a base level.

S_c = O&M cost for treatment of a unit of SS.

S = Concentration of SS from a user above a base level.

P_c = O&M cost for treatment of a unit of any pollutant.

P = Concentration of any pollutant from a user above a base level.

V_u = Volume contribution from a user per unit of time.

*Maximum limit for average domestic waste.

- D. Charges for Extraneous Flows The costs of O&M for all flows not directly attributable to users (such as infiltration/inflow) shall be distributed among users on the same basis as O&M charges.
- E. Toxic Pollutants Charges Each user that discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the system's treatment works shall pay for such increased costs. (Ord. No. 211, Sec. 1.)
- F. Debt Service All users of the system shall be charged monthly fee of \$6.30. This charge represents the debt retirement for the sewer improvement and the bond coverage. (Ord. No. 258, Sec. 2.)
- G. Administrative Charge A fixed charge of \$.50 per month shall be added to each bill to pay for administrative overhead. (Ord. No. 211, Sec. 1.)

- H. Total Minimum User Charge The minimum bill per user of the system shall be \$8.50 calculated as follows: OM&R for 1,000 gal. (minimum) (\$1.35) + Debt Service (flat fee) \$6.30 + Debt Service per 1,000 gal. \$.35 + Administrative Charge \$.50 = \$8.50. (Ord. No. 258, Sec. 3.)
- I. Tapping Fee The tapping fee is Two Hundred Dollars (\$200.00).
- J. None of the sewer facilities or services afforded by the system shall be furnished without a charge being made therefore. (Ord. No. 211, Sec. 1.)

10.12.02 Billing Users of the system will be billed on a monthly basis with payment due ten (10) days after the date of billing. Users on metered water service will be billed on the same notice as water charges and will be designated as a separate entry. Users not on metered water service will be billed monthly on an individual notice for service based upon the water consumption established by the system.

Users with delinquent accounts of 30 days will be notified in writing by the city where, during which hours of the day, and before whom disputed bills appropriately may be considered. If the user waives the opportunity to be heard, the services will be discontinued until such bill is paid. A charge of Thirty Dollars (\$30.00) plus the payment of all arrears shall be required before any premises shall be again connected to the system. (Ord. No. 211, Sec. 2.)

10.12.03 Financial management system A financial management system shall be established and maintained by the city to document compliance with federal regulations pertaining to the grant. Such system will account for all revenues generated and expenditures for operation and maintenance and replacement. (Ord. No. 211, Sec. 3.)

10.12.04 Review This ordinance shall be reviewed not less often than every year regarding the wastewater contribution of users and user classes, the total costs of the operation and maintenance and replacement of the treatment works of the system, and its approved user charge. The charges for users or user classes shall be revised to accomplish the following:

- A. Maintain the proportionate distribution of operation and maintenance costs among users and user classes;
- B. Generate sufficient revenue to pay the total costs necessary to the proper operation and maintenance (including replacement) of the treatment works of the system;
- C. 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 the rates shall be adjusted accordingly; and

- D. Revenues from the sewer improvements (e.g., sale of treatment related by-product; lease of the land; or sale of crops grown on the land purchased under the federal grant agreement for the sewer improvements) shall be used to offset the cost for the OM&R and the city shall proportionately reduce all use charges. (Ord. No. 211, Sec. 4.)

10.12.05 Notification of sewer use rate Each user shall be notified at least annually, in conjunction with the regular bill, of the sewer use rate and the portion of the user charges which are attributable to wastewater treatment. Costs shall be broken down to show the operation and maintenance costs attributable to that user. (Ord. No. 211, Sec. 5.)

10.12.06 Customer appeal

- A. Any user who feels his user charge is unjust and inequitable may make written application to the Manager 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 charge is based, including how the measurements or estimates were made.
- B. Review of the request shall be made by the Manager and if substantiated, the user charges 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. 211, Sec. 6.)

10.12.07 User charge system The user charge system from the sewer treatment facilities of the system shall take precedence over any terms or conditions of agreement contracts between the city and any of the users which are inconsistent with applicable federal regulations regarding such user charge systems. (Ord. No. 211, Sec. 7.)