

TITLE 10

UTILITIES

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CHAPTER 10.04

SEWER REGULATIONS

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Article I

10.04.01 Definitions Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance 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 procedure in five (5) days at 20 degrees Celsius, 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 outside the inner face of the building walls.

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 runoff and sewage.

Garbage shall mean solid wastes 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 distinguished from sanitary sewage.

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

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 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 (1/2) 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 groundwaters 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 stormwaters as may be present.

Sewage Population Equivalent shall mean the characteristics of industrial wastes as compared to accepted standards of domestic sewage on a per capita per day basis.

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

Sewer Works and **Sewerage** shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Sewer shall mean a pipe or conduit for carrying sewage.

Commission shall mean the duly appointed Water and Sewer Commission, appointed and acting by authority of the City Council of the city of Huntsville, Arkansas, in accordance with all applicable laws.

Sewer Connection or **Sewer Tap** shall be the physical connection of a Sewer Service line or Building sewer to a city sewer main for a fee as established by the city.

Sewer Service Charge shall be the charge assessed and collected monthly with the customer's water bill as fixed by Ordinance or Commission action.

Sewer Service Line shall mean the customer's sewer line extending from the customer's property line to the city sewer main installed for a fee as established by the city.

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 of 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.

Executive Director shall mean the Executive Director employed by the Commission or his authorized deputy, agent or representative.

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

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

City shall mean the city of Huntsville in the county of Madison in the state of Arkansas.

Huntsville Water Utilities shall mean the water and sewer services and the offices and personnel employed by the Water and Sewer Commission to provide said services. (Ord. No. 00-6, Art. I.)

Article II

10.04.02 Use of sewer 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. (Ord. No. 00-6, Art II, Sec. 1.)

10.04.03 Specifically designed sewers Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Executive Director. Industrial cooling water or unpolluted process waters may be discharged on approval of the Executive Director, to a storm sewer, combined sewer, or natural outlet. (Ord. No. 00-6, Art. II, Sec. 2.)

10.04.04 Prohibited substances No person shall discharge or cause to be discharged any of the following described substances, waters, or wastes to any public sewers:

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- B. 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 sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including, but not limited to, cyanides in excess of two (2) milligrams per liter (mg/l) as CN in the wastes as discharged to the public sewer.
- C. Any waters 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.

- D. 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 sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, egg shells, shavings, metal, glass, rags, feathers, tar, oil, grease, fats, 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. (Ord. No. 00-6, Art. II, Sec. 3.)

10.04.05 Other prohibited substances No person shall discharge or cause to be discharge the following described substances, materials, waters, or wastes, if it appears likely in the opinion of the Executive Director that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or an otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Executive Director 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:

- A. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit. (65 degrees Celsius.)
- B. Any water or waste containing fats, wax, grease or oils, in excess of one hundred milligrams (100 mg/l) or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit, (0 and 65 degrees Celsius.)
- C. Any garbage that has not been properly shredded.
- D. Any waters or wastes containing strong acid pickling wastes, or concentrated plating solution whether neutralized or not.
- E. 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 such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Executive Director or Ordinances 85-2 and 93-1 for such materials.
- F. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentration exceeding limits which may be established by the Executive Director as necessary after treatment of the composite sewage, to meet the requirements of the Arkansas Pollution Control and Ecology

Commission, Arkansas Department of Environmental Quality or the Environmental Protection Agency of the United States Government, or of Ordinance 93-1, for such discharge to the receiving waters.

- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Executive Director, Ordinance 93-1, the Arkansas Pollution Control and Ecology Commission, the Arkansas Department of Environmental Quality or the Environmental Protection Agency of the United States Government.
- H. Any waters or wastes having a pH in excess of 9.
- I. Materials which exert or cause:
 - 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - 3. Unusual BOD, oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - 4. Unusual volume of low or concentration of wastes constituting “slugs” as defined herein.
- J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or 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. (Ord. No. 2000-6, Art. II, Sec. 4.)
- K. The following surcharges shall apply to wastewater discharged to the system:

	mg/L allowed	Cost per pound
Biological Oxygen Demand	200	.35
Total suspended solids	250	.07
Total Kehldahl Nitrogen	25	.70
Oil and grease	100	.07

A ten percent (10%) penalty shall be applied if payment is not received on or before the tenth (10th) of the month as authorized by the city of Huntsville Ord. No. 65-3 as amended. (Ord. No. 2014-2, Secs. 1-2.)

10.04.06 Protection from damage 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 4 of this Article, and which in the judgment of the Executive Director, may have a deleterious effect upon sewerage works processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Executive Director may:

- A. Reject the wastes,
- B. Require pretreatment to an acceptable condition for discharge to the public sewers,
- C. Require control over the quantities and rates of discharge, and/or
- D. Require payment to cover the added cost of handling and treating the wastes not covered by ordinary sewer charges under the provisions of Sections 10 and 11 of this Article, or Ordinance 88-9.

If the Executive Director permits the pretreatment or equalization of waste flow the design and installation of the plants and/or equipment shall be subject to the review and approval of the Executive Director, and subject to the requirements of all applicable codes, ordinances and laws, and the Arkansas State Board of Health regulations. (Ord. No. 00-6, Art. II, Sec. 5.)

10.04.07 Traps Grease, oil, and sand interceptors or traps shall be provided when in the opinion of the Executive Director, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that traps shall not be required for private living quarters or dwelling units. All such traps shall be of a type and capacity approved by the Executive Director, and shall be located as to be readily and easily accessible for cleaning and inspection. (Ord. No. 00-6, Art. II, Sec. 6.)

10.04.08 Maintaining facilities 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. (Ord. No. 00-6, Art. II, Sec. 7.)

10.04.09 Control manhole When required by the Executive Director, 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 Executive Director. 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. (Ord. No. 00-6, Art. II, Sec. 8.)

10.04.10 Sampling All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance 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 manhole. 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 to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effects of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a grab sample or samples should be taken. Normally, but not always, BOD and solids analyses are obtained from 24-hour composites of all outfalls whereas pH’s are determined from periodic grab samples.) (Ord. No. 00-6, Art. II, Sec. 9.)

10.04.11 Sewer service charge As provided in existing rate or sewer service charge ordinances, or as amended, all users of the city sewerage system shall pay a monthly sewer service charge as determined by action of the Commission. (Ord. No. 00-6, Art. II, Sec. 10.)

10.04.12 Record Sheet All sewer service charges fixed by the Commission or by ordinance shall be shown in an appropriate location on the customer’s water meter readings record sheet and shall be included as a separate coded item on each water bill rendered each month. (Ord. No. 00-6, Art. II, Sec. 11.)

Article III

10.04.13 Damaging equipment No unauthorized person shall maliciously, willfully, or negligently break, tap, damage, destroy, uncover, deface or tamper with any sewer main, structure, appurtenance, or equipment which is a part of the sewerage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct, and punished as in cases of misdemeanors. (Ord. No. 00-6, Art. III, Sec. 1.)

10.04.14 Connections Connections to the sanitary sewer system shall only be made by the city upon application on forms to be provided by the Commission, and payment of a “Tapping Fee” for a minimum four (4) inch sewer service line, as provided by city ordinance and Commission regulations. (Ord. No. 00-6, Art. III, Sec. 2.)

10.04.15 Connection application A sewer connection application shall be made to the city at the Huntsville Water Utilities office by the property owner, contractor or licensed plumber. Application and Receipt forms shall show the correct name of the owner and/or tenant, if other than the owner, and who will be responsible for paying the sewer service charges, the complete address, whether or not the sewer main is located on a paved street, the type of (4” minimum size) building sewer pipe used, and such other information as the Executive Director or Commission shall designate. (Ord. No. 00-6, Art. III, Sec. 3.)

10.04.16 Costs Labor and material to be furnished by the city in installing sewer service lines shall be that required to excavate, install pipe, tap to main, connect at the property line, compacted backfill, and other incidentals necessary to install in a satisfactory manner a sewer service line from the sewer main to the Applicant's property line. Sewer service lines of larger than 4" pipe or longer than 80 feet shall be paid for at actual cost by the applicant; in such cases connection cost shall be estimated by the Executive Director and paid by the applicant with refund or additional payment made upon completion to provide the city with actual cost of each such connection. Care shall be exercised by the city to construct the service line to the location and grade on the customer's property line that best serves his needs and in accordance with minimum grade requirements of the Plumbing Code and Arkansas State Board of Health regulations. Upon completion of the installation it shall be maintained in satisfactory and usable condition by the customer. No sewer customer nor his plumber shall dig or excavate in a city street right of way to maintain a sewer service line without first having obtained permission for said street cut from the Street Department. The Executive Director shall coordinate the activities of the customer, the Huntsville Water Utilities, Street and/or other departments as may be in the best interest of the city and its citizens. (Ord. No. 00-6, Art III, Sec. 4.)

10.04.17 Arkansas State Plumbing Code All sewer mains, building sewers, and sewer service lines installed and connected to the City sewerage system shall be constructed in accordance with accepted standards, installed in accordance with pipe manufacturer's recommendations, of the minimum pipe diameter of four (4") inches.

This city's Plumbing Code hereby adopted by reference is the Arkansas State Plumbing Code, and its provisions pertaining to "Approved Materials." All building sewers on private property shall be subject to the inspection and approval of the City Plumbing Inspector for conformance with this ordinance and all other local and state laws governing plumbing. All sewer service lines installed in public streets shall be subject to inspection and approval by the Executive Director, or his authorized representative, to insure conformance with this Ordinance and Rules and Regulations of the Arkansas Board of Health. Any sewer service line in unsatisfactory condition and not conforming to the requirements of this ordinance shall be replaced by the city at actual cost to the property owner or customer. The city shall not be responsible for maintenance of existing sewer service lines or those installed in violation of this ordinance, and in no case shall the City be responsible for building sewer lines on private property. (Ord. No. 00-6, Art. III, Sec. 5.)

10.04.18 Maintenance It shall be the responsibility of the Commission and the Executive Director to maintain the city sewerage system consisting of sewer mains, laterals, interceptors, outfalls, manholes, force-mains, lift stations, pump stations, sewage treatment facilities equipment and buildings in first class operational and efficient condition as economically as possible. The Huntsville Water Utilities shall conform to all the accepted standards of practice in maintenance and operation of the sewerage system and shall abide by all the rules, regulations and requirements of the Arkansas State Board of Health, the Arkansas

Pollution Control and Ecology Commission, the Department of Environmental Quality and the Environmental Protection Agency of the United States Government. (Ord. No. 00-6, Art. III, Sec. 6.)

Article IV

10.04.19 Inspection The Executive Director and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance. The Executive Director or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment. (Ord. No. 00-6, Art. IV, Sec. 1.)

10.04.20 Entry to easement The Executive Director 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 an easement for the purposes of, but not limited to, inspection, observation, measurement, 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 easement pertaining to the private property involved. (Ord. No. 00-6, Art. IV, Sec. 2.)

Article V

10.04.21 Rules and regulations The Commission is hereby given authority to prepare such rules and regulations relative to Huntsville Water Utility operations and maintenance, as is found to be in the best interest of the city. Said rules and regulations shall be presented to the City Council for their approval, and shall be binding upon the citizens and/or users of the city sewerage system. Said rules and regulations shall be used to fix policy, usage, charges, revise existing charges, revise existing rules and regulations, and for other purposes pertaining to the city's public sewerage system so long as they are not in clear and direct violation of this or any other ordinance, or state or Federal law. (Ord. No. 00-6, Art. V, Sec. 1.)

Article VI

10.04.22 Built-up areas The Commission shall extend the sanitary sewer mains and sewer service to currently "built-up" areas not served inside the city as rapidly as funds therefor become available provided such extensions are economically feasible. (Ord. No. 00-6, Art. VI, Sec. 1.)

10.04.23 Extensions The Commission shall require that any extensions of sewer mains shall be properly engineered with plans and specifications prepared by a registered professional engineer of the state of Arkansas. The Commission shall have the right to approve or disapprove said plans and specifications or to require their alteration to conform to standards, locations,

main size, materials proposed, or otherwise to meet the Commission's requirements prior to construction. Also after being approved for the city said plans and specifications shall be approved by the Arkansas State Board of Health prior to construction. (Ord. No. 2000-6, Art. VI, Sec. 2.)

10.04.24 Property of the city Any sewer main extensions shall upon approval, completion, and connection to the sewerage system, become the property of the City and shall be subject to all applicable rules and regulations and ordinances of the city. (Ord. No. 2000-6, Art. VI, Sec. 3.)

Article VII

10.04.25 Customer A customer or user of the sanitary sewer system is hereby defined as any, or each, residence, business, commercial, industrial, or other user connected to the sewer system and for which a separate water meter has been installed. In general, each household, tenant, business, lessee or owner shall have a separate water meter and shall constitute a sewer system customer and shall pay the prescribed sewer service charge established by rate ordinances. In cases of proposed customers located outside the city limits of the city, a sewer service charge amounting to 150% of the inside city rates shall be assessed for service and connection costs. (Ord. No. 2000-6, Art. VII, Sec. 4.)

10.04.26 Billing

- A. A sewer service bill shall be rendered to each user on or about the first of each month. Water and sewer service charges shall be subject to a ten (10%) percent penalty if not paid by the 10th of the month. Failure to pay the sewer service charge by the 15th of the month shall require a five day warning letter from the Water Utility, and if still not paid on the 20th of the month shall result in the disconnection and disabling of the user's water meter or terminating connection, if deemed advisable by the Executive Director. Reconnect charges shall be set by the Commission to cover operations and maintenance costs and to deter non-payment of sewer charges. (Ord. No. 2007-4, Sec. 1.)
- B. For each industrial consumer whose sewage effluent contains wastes with concentrations in excess of 200 milligrams per liter (MG/L) of biochemical oxygen demand (BOD), the monthly service charge on such consumer shall be 20 cents per pound of BOD in excess of 200 MG/L discharged into the Huntsville wastewater system.
- C. For each industrial consumer whose sewage effluent contains wastes with concentration in excess of 25 milligrams per liter (MG/L) of Kheldahl Nitrogen, the monthly service charge on such consumer shall be 30 cents per pound of Kheldahl Nitrogen in excess of 25 MG/L discharged into the Huntsville wastewater system. (Ord. No. 2002-2, Sec. 2.)

CHAPTER 10.08

WATER AND SEWER COMMISSION

Sections:

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10.08.05	Authority
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Article IX

10.08.01 Created There is hereby created a Water and Sewer Commission of the city, said Commission to have the powers with respect to the construction, operation, maintenance and improvement of the water and sewer systems of the city pursuant to A.C.A. 14-235-201 et seq., including powers granted to sewer committees by Secs. 2 and 3 of Act 132 of the Acts of the General Assembly for the State of Arkansas for 1933, A.C.A. 14-234-101 et seq. In addition to powers otherwise granted to said Commission, the Commission shall have the power to perform any contract or commitment heretofore made by the city with the United States of America or any agency thereof relative to the water and/or sewer system of the city and any contract with any engineer made by the city referable to the improvement of the water and sewer system. (Ord. No. 00-6, Art. IX, Sec. 1.)

10.08.02 Members The Commission as hereby created shall be composed of not less than three (3) nor more than five (5) citizens who are qualified electors of the city. The members shall be approved by the Commission and confirmed by a two-thirds vote of the City Council for terms of such duration as to assure that the terms of the five (5) commissioners will expire in successive years, with no two (2) terms expiring during any one (1) calendar year. The commissioners shall serve and be chosen as provided by A. C. A. sections 14-234-304. Commissioners may be removed as provided by A. C. A. sections 14-234-305. (Ord. No. 00-6, Art. IX, Sec. 2.)

10.08.03 Salaries The per diem compensation of the commissioners shall be Fifty Dollars (\$50.00) for each meeting of the Water and Sewer Commission. (Ord. No. 02-6, Sec. 1.)

10.08.04 Powers In addition to the powers otherwise provided for hereunder, the commissioners hereunder appointed shall have full and complete authority to manage, operate, perform, extend and maintain the municipal waterworks and distribution system and the municipal sewer system, together with the powers as provided by A. C. A. sections 14-234-306, et seq., and other applicable statutes pertaining to waterworks and sewer commissions. (Ord. No. 00-6, Art. IX, Sec. 4.)

10.08.05 Authority The Commission shall hire competent personnel for the satisfactory and economical operation and maintenance of the Huntsville Water Utilities. They shall have the authority to fix qualifications, establish salaries, discharge employees, purchase materials and equipment in compliance with state laws, extend and improve the systems and otherwise act as may be in the best interest of the city and its water utilities. (Ord. No. 00-6, Art. IX, Sec. 5.)

10.08.06 Meetings The Commission shall have at least one meeting per month which shall be open to the public and at which minutes of all business conducted shall be recorded. The Commission may have as many such other meetings as they deem necessary; however, any official business conducted shall be recorded in the minutes of the next regular meeting. Roberts Rules of Order shall govern all conduct of all Commission meetings. (Ord. No. 00-6, Art. IX, Sec. 6.)

10.08.07 Bookkeeping system The Commission shall retain a CPA or firm of Certified Public Accountants that shall set up a bookkeeping system as required by city ordinances and/or all provisions and conditions of any private, local, or federal lending institution to which the city may be obligated. A certified audit shall be provided at least annually by the accountants, a copy of which with such other reports as the Commission may prepare, shall be presented to the City Council for its consideration and approval. (Ord. No. 00-6, Art. IX, Sec. 7.)

10.08.08 Records The Commission shall set up such records, office, billing and collection procedures as it may deem necessary to insure that all water and sewer customers receive and pay a regular monthly bill; and that no person, firm or corporation is receiving free service. (Ord. No. 00-6, Art. IX, Sec. 8.)

10.08.09 Rules and regulations The Water and Sewer Commission herein established shall with the assistance of the Executive Director of Huntsville Water Utilities, prepare such rules and regulations as it shall deem necessary for the satisfactory operation and maintenance of the Huntsville Water Utilities. All such rules and regulations shall be in agreement with policies, obligations, and requirements established by ordinances of the city. Rules and regulations of the commission shall be prepared under the authority of this ordinance and presented to the City Council for their approval and ratification. Said rules and regulations so approved by Resolution of the City Council shall, have the same force and effect as law and violations thereof shall be punishable as hereinafter provided as violations of this ordinance. (Ord. No. 00-6, Art., IX, Sec. 9.)

CHAPTER 10.12

WATER USE

Sections:

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Article X

10.12.01 Water customer As provided elsewhere in this Ordinance a Water and Sewer Commission is herein established and provisions made for rules and regulations for the operation and maintenance of the Huntsville Water Utilities in keeping with this and other ordinances. (Ord. No. 00-6, Art. X, Sec. 1.)

10.12.02 Definition A water customer is hereby defined as each separate water user obtaining water through a water meter of the Huntsville Water Utilities system. A water meter shall be installed for each customer, and there shall be a separate meter for each household, family, tenant, lessee, business, commercial or industrial establishment, located on a separate ownership or property. However, with the approval of the Commission, in cases of duplexes, apartment houses, office buildings, trailer parks, or other establishments under one ownership and for which separate plumbing for each tenant cannot be provided and only in such cases where the property owner shall assume full responsibility and pay all city charges for water and sewer service, one meter may be installed and one bill per month rendered to said owner. (Ord. No. 00-6, Art. X, Sec. 2.)

10.12.03 Water service connection Water service connections shall be provided by the city for all customers. A water service connection shall consist of all labor and materials necessary to furnish and install a tap to main, trenching, service pipe to property line, water meter yoke, cut-off valve, meter box, back-fill of trench, and repair of pavement. All service connections when completed shall become the property of the customer. Water meters shall be furnished by and remain the property of the city. All water service connections shall be furnished to customers after payment of a connection charge.

The cost of connections of greater length than 80 feet and/or for larger size than 2” meters shall be based on the actual cost of material and labor required and shall be covered by a bond as required by the Executive Director.

Service connection applications shall be made to the city at the Huntsville Water Utilities office by the property owner, contractor or authorized plumber. After connection but prior to furnishing of water service (by installing a water meter and turning on of city water), the plumbing shall be inspected and approved by the Plumbing Inspector, and the person, firm, or corporation responsible for paying the water and sewer bill shall have made a water meter deposit of twenty-five dollars (\$25.00) or as established by Commission regulations. (Ord. No. 2000-6, Art. X, Sec. 3.)

10.12.04 Service discontinued Water meters shall be read on or about the 15th of each month and water (and sewer) bills rendered on or about the first of each month. Bills so rendered shall be subject to a ten (10%) percent penalty if not paid by the 10th of the month and thereafter of the gross amount billed. If bills are not paid by the 15th of the month a warning of discontinuation shall be mailed to the customer. If still unpaid on the 20th of the month, service shall be discontinued and the water meter removed. In cases of discontinued service the customer deposit shall be forfeited in payment of the gross amount due. Before service can be restored the customer shall pay the total amount due the city for service, deposits, and other charges, plus a reconnect fee as provided by the rules and regulations adopted by the Commission and approved by the City Council. In the event a check tendered in payment of a water and sewer bill is dishonored by the bank, the Executive Director may immediately discontinue service to that customer, until the entire water and sewer bill plus interest and reconnect fees are paid at the offices of Huntsville Water Utilities in cash. (Ord. No. 2007-4, Sec. 2.)

In case of habitual offenders the Commission may increase the meter deposit required prior to restoration of service. (Ord. No. 2000-6, Art. X, Sec. 4.)

10.04.05 Outside service Water service when available to prospective outside-the-city customers may be obtained by the payment of fees, charges, and water rates amounting to 150% of those charged to customers inside the city. (Ord. No. 2000-6, Art. X, Sec. 5.)

10.04.06 Extension to outside the city The Commission shall extend the water system to existing prospective customers inside the city limits when economically feasible and funds are available from current operating revenues. To be economically feasible at least one customer shall be served for each one hundred (100) feet of water main extension. The Commission may contract with private owners of subdivisions or undeveloped areas to permit said private owners to extend the water mains into areas to be developed inside the city. In such cases the interested parties shall pay all costs of such extensions as are required. All such extensions prior to construction shall have approval of plans and specifications by the Commission, and the Arkansas State Board of Health. Any such extension upon completion and connection to the city water system shall become the property of the city. (Ord. No. 2000-6, Art. X, Sec. 6.)

Article XI

10.12.07 Penalties Any person violating any provision of this ordinance shall be guilty of a misdemeanor, and on conviction thereof shall be fined in an amount not exceeding One Hundred Dollars (\$100.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. (Ord. No. 00-6, Art. XI, Sec. 1.)

10.12.08 Liability to the city Any person violating any provision of this ordinance shall become liable to the city by reason of such violation, and conviction under the preceding section shall not bar the city or Commission from recovery of damages from such person for any cause of action the city or Commission may have against such person. (Ord. No. 00-6, Art. XI, Sec. 2.)

CHAPTER 10.16

WATER AND SEWER RATES

Sections:

- 10.16.01 Established rates
- 10.16.02 Billing

10.16.01 Established rates The following monthly rates and charges which the City Council hereby finds and declares are fair, reasonable and necessary minimum rates are hereby fixed as rates to be charged for services to be rendered by the system.

- A. Monthly water and sewer rates All water and sewer charges shall be based on the water consumption and usage and the amount to be paid by each customer shall be computed on the basis of the following schedules of rates:

Water

Water	Inside City	Outside City
First 1,000 gal.	\$14.86 (Minimum)	\$22.29
Next 4,000 gal.	\$3.19 per 1,000 gal.	\$4.79
Next 90,000 gal.	\$3.16 per 1,000 gal.	\$7.75
Next 200,000 gal.	\$2.85 per 1,000 gal.	\$4.28
All over 295,000 gal.	\$2.70 per 1,000 gal.	\$4.05

(Ord. No. 2017-01, Sec. 1.)

Sewer

The following sewer rate schedule shall be and hereby is to take effect from and after January 15, 2017.

Sewer	Inside City	Outside City
First 2,000 gal.	\$13.27 (Minimum)	\$19.90
Next 2,000 gal.	\$4.55 per 1,000 gal.	\$6.82
Next 96,000 gal.	\$3.76 per 1,000 gal.	\$5.64
All over 100,000 gal.	\$2.79 per 1,000 gal.	\$4.19

(Ord. No. 2017-01, Sec. 1.)

- B. Tapping fee There shall be a tapping fee in an amount equal to One Hundred Fifty Dollars (\$150.00) each for every customer who connects with the system.
- C. None of the facilities or services afforded by the system shall be furnished without a charge being made therefore. (Ord. No. 04-6, Sec. 1.)

10.16.02 Billing All bills for services of the system shall be rendered monthly in the net amount due and must be paid by the 10th day of the month. If not so paid then a 10% penalty shall be added and a notice shall be sent by the city notifying such customer that his or her water service will be terminated. If any charge is not paid within 25 days after the bill is rendered, the water service may be disconnected and suit may be brought to collect the amount due, together with a reasonable attorney's fee, plus a penalty of 10%. A reconnection charge of all arrears shall be required before any premises so disconnected shall be again connected to the system. (Ord. No. 04-6, Sec. 2.)