

TITLE 10

WATER AND SEWER

Chapters:

- 10.04 Sewer Regulations
- 10.08 Sewer Rates
- 10.12 Waterworks & Sewer Commission
- 10.16 Water Rates
- 10.18 Solid Waste
- 10.20 Water Quality and Safety

CHAPTER 10.04

SEWER REGULATIONS

Sections:

GENERAL PROVISIONS

- 10.04.01 Purpose and Policy
- 10.04.02 Administration
- 10.04.03 Abbreviations
- 10.04.04 Definitions

GENERAL SEWER USE REQUIREMENTS

- 10.04.05 National Categorical Pretreatment Standards
- 10.04.06 Modification of Federal Categorical Pretreatment Standards
- 10.04.07 State Pretreatment Standards
- 10.04.08 Local Limits
- 10.04.09 City's Right of Revision
- 10.04.10 Dilution

PRETREATMENT OF WASTEWATER

- 10.04.11 Pretreatment Facilities
- 10.04.12 Additional Pretreatment Measures
- 10.04.13 Accidental Discharge/Slug Control Plans
- 10.04.14 Hauled Wastewater

WASTEWATER DISCHARGE PERMIT APPLICATION

- 10.04.15 Wastewater Analysis
- 10.04.16 Wastewater Discharge Permit Requirement
- 10.04.17 Wastewater Discharge Permitting: Existing Connections
- 10.04.18 Wastewater Discharge Permitting: New Connections
- 10.04.19 Wastewater Discharge Permit: Application Contents

10.04.20 Application Signatories and Certification

10.04.21 Wastewater Discharge Permit Decisions

WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS

10.04.22 Wastewater Discharge Permit Duration

10.04.23 Wastewater Discharge Permit Contents

10.04.24 Wastewater Discharge Permit Appeals

10.04.25 Wastewater Discharge Permit Modification

10.04.26 Wastewater Discharge Permit Transfer

10.04.27 Wastewater Discharge Permit Revocation

10.04.28 Wastewater Discharge Permit Reissuance

10.04.29 Regulation of Waste Received from Other Jurisdictions

REPORTING REQUIREMENTS

10.04.30 Baseline Monitoring Reports

10.04.31 Compliance Monitoring

10.04.32 Reports on Compliance with Categorical Pretreatment Standard Deadline

10.04.33 Periodic Compliance Reports

10.04.34 Reports of Changed Conditions

10.04.35 Reports of Potential Problems

10.04.36 Reports from Unpermitted Users

10.04.37 Notice of Violation/Repeat Sampling and Reporting

10.04.38 Notification of the Discharge of Hazardous Waste

10.04.39 Analytical Requirements

10.04.40 Sample Collection

10.04.41 Timing

10.04.42 Record Keeping

COMPLIANCE MONITORING

10.04.43 Right of Entry: Inspection and Sampling

10.04.44 Search Warrants

10.04.45 Confidential Information

10.04.46 Publication Of Users In Significant Noncompliance

ADMINISTRATIVE ENFORCEMENT REMEDIES

10.04.47 Notification of Violation

10.04.48 Consent Orders

10.04.49 Show Cause Hearing

10.04.50 Compliance Orders

10.04.51 Cease and Desist Orders

10.04.52 Administrative Fines

10.04.53 Emergency Suspensions

10.04.54 Termination of Discharge

JUDICIAL ENFORCEMENT REMEDIES

- 10.04.55 Injunctive Relief
- 10.04.56 Civil Penalties
- 10.04.57 Criminal Prosecution
- 10.04.58 Remedies nonexclusive

SUPPLEMENTAL ENFORCEMENT ACTION

- 10.04.59 Water Supply Severance

AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

- 10.04.60 Upset
- 10.04.61 Prohibited Discharge Standards
- 10.04.62 Bypass
- 10.04.63 Pretreatment Charges and Fees

10.04.01 Purpose and Policy

This ordinance sets forth uniform requirements for users of the Publicly Owned Treatment Works for the *City of Blytheville* and enables *the City* to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code § 1251 et seq.) and the General Pretreatment Regulations (40 code of Federal Regulations Part 403). The objectives of this ordinance are:

- A. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
- B. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- C. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- D. To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
- E. To provide for fees for the equitable distribution of the cost of operation, maintenance. and improvement of the Publicly Owned Treatment Works; and

- F. To enable *the City* to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject:

This ordinance shall apply to all users of the Publicly Owned Treatment Works. The ordinance authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities establishes administrative review procedures requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein. (Ord No. 1594, Sec. 1 (1.1))

10.04.02 Administration

Except as otherwise provided herein, the *Pretreatment Coordinator* or *Superintendent* shall administer, implement, and enforce the provisions of this ordinance. Any powers granted to or duties imposed upon the *Pretreatment Coordinator* or *Superintendent* may be delegated by the *Pretreatment Coordinator* or *Superintendent* to other *City/Department* personnel. (Ord. No. 1594, Sec. 1(1.2))

10.04.03 Abbreviations

The following abbreviations, when used in this ordinance, shall have the designated meanings: (Ord. No. 1594, Sec. 1(1.3))

- BOD - Biochemical Oxygen Demand**
- CFR - Code of Federal Regulations**
- COD - Chemical Oxygen Demand**
- EPA - U.S. Environmental Protection Agency**
- Gpd - gallons per day**
- mg/l - milligrams per liter**
- NPDES - National Pollutant Discharge Elimination System**

POTW -	Publicly Owned Treatment Works
RCRA -	Resource Conservation and Recovery Act
SIC -	Standard Industrial Classification
TSS -	Total Suspended Solids
U.S.C.-	United States Code

10.04.04 Definitions Unless a provision explicitly states otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated. (Ord. No. 1594, Sec. 1(1.4))

- A. **Act or “the Act.”** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 set seq.
- B. **Approval Authority.** The State of Arkansas Department of Environmental Quality.
- C. **Authorized Representative of the User.**
 - (1) If the user is a corporation:
 - (a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy of decision-making functions for the corporation: or
 - (b) The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (2) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.
 - (3) If the user is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3, above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

D. **Biochemical Oxygen Demand or BOD.** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l).

E. **Categorical Pretreatment Standard or Categorical Standard.** Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

F. **City.** [The City of Blytheville] or [the City Council of Blytheville].

G. **Environmental Protection Agency or EPA.** The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or oilier duly authorized official of said agency.

H. **Existing Source.** Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

I. **Grab Sample.** A sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

J. **Indirect Discharge or Discharge.** The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act.

K. **Instantaneous Maximum Allowable Discharge Limit.** The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

L. **Interference.** A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation. of the City's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act,

including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

M. **Medical Waste.** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

N. **New Source.**

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

(a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or

(b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source: or

(c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(a) Begun, or caused to begin, as part of a continuous onsite construction program

(i) Any placement, assembly, or installation of facilities or equipment

Or

(ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

O. Noncontact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

P. Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permit, including an increase in the magnitude or duration of a violation.

Q. Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

R. pH. A measure of the acidity or alkalinity of a solution expressed in standard units.

S. Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor);

T. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

U. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

V. Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

W. **Prohibited Discharge Standards or Prohibited Discharges.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.1 of this ordinance.

X. **Publicly Owned Treatment Works or POTW.** A "treatment works," as defined by Section 212 of the Act (33 U.S.C. §1292) which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

Y. **Septic Tank Waste.** Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Z. **Sewage.** Human excrement and gray water (household showers, dishwashing operations, etc.).

AA. **Significant Industrial User.**

- (1) A user subject to categorical pretreatment standards, or
- (2) A user that:
 - (a) Discharges an average of twenty-five thousand (2,500) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
 - (b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (c) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (3) Upon a finding that a user meeting the criteria in Subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

BB. **Slug Load or Slug.** Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 2.1 of this ordinance.

CC. **Standard Industrial Classification (SIC) Code.** A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

DD. **Storm Water.** Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

EE. **Pretreatment Coordinator or Superintendent.** The person designated by the City to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this ordinance. or a duly authorized representative.

FF. **Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

GG. **User or Industrial User.** A source of indirect discharge.

HH. **Wastewater.** Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

II. **Wastewater Treatment Plant or Treatment Plant.** That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

10.04.05 National Categorical Pretreatment Standards

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471 are hereby incorporated.

A. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Pretreatment Coordinator may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).

B. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Pretreatment Coordinator shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e).

C. A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.

D. A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15. (Ord. No. 1594, Sec. 2(2.2))

10.04.06 Modification of Federal Categorical Pretreatment Standards

Where the City's wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the City may apply to the Approval Authority for modification of specific limits in the Federal Pretreatment Standards. "Consistent Removal" shall mean reduction in the amount of pollutant or alternation of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system 95 percent of the samples taken when measured according to the procedures set forth in Section 403.7(c)(2) of (Title 40 of the Code of federal Regulations, Part 403) "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act. The City may then modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR, Part 403, Section 403.7, are fulfilled and prior approval from the Approval Authority is obtained. (Ord. No. 1594, Sec. 2(2.3))

10.04.07 State Pretreatment Standards

State pretreatment standards and limitations on discharges shall apply in any case where they are more stringent than Federal Requirements and limitations of this Ordinance.(Ord No. 1594, Sec. 2 (2.4))

10.04.08 Local Limits

The Pretreatment Coordinator will develop and assign specific permit discharge limitations for pollutants for any users based on appropriate criteria. This criterion has been developed and is contained in Section 2 of the City's Pretreatment Program. The specific permit limits shall ensure that the local limit pollutant concentrations will protect the wastewater treatment plant from upset. The Local Limits shall apply to the total flow or total discharge from the Industrial Users. In developing specific permit limits, the Pretreatment Coordinator may impose mass limitations in addition to or in place of specific concentration-based limits. The Pretreatment Coordinator may develop specific discharge limitations for any toxic pollutants which the Pretreatment Coordinator may determine to be of sufficient quantity to cause the POTW interference and/or pass through, endanger the health and safety of the POTW personnel or the public health, cause a POTW permit violation or render the POTW sludges unacceptable for economic reuse or reclamation.

The above limitations shall apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for "total" metal unless indicated otherwise. The Pretreatment Coordinator may impose mass limitations in addition to, or in place of the concentration-based limitations. (Ord. No. 1594, Sec 2, (2.5))

10.04.09 City's Right of Revision

The City reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW. (Ord. No. 1594, Sec. 2 (2.6))

10.04.10 Dilution

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Pretreatment Coordinator may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements. or in other cases when the imposition of mass limitations is appropriate. (Ord. No. 1594, Sec. 2 (2.7))

10.04.11 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and time prohibitions set out in Section 2.1 of this ordinance within the time limitations specified by EPA, the State, or the Pretreatment Coordinator, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Pretreatment Coordinator for review and shall be acceptable to the Pretreatment Coordinator before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this ordinance. (Ord. No. 1594, Sec. 3 (3.1))

10.04.12 Additional Pretreatment Measures

A. Whenever deemed necessary, the Pretreatment Coordinator may require users to restrict their discharge during peak flow periods designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this ordinance.

B. The Pretreatment Coordinator may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.

C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Pretreatment Coordinator, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil or sand: except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the Pretreatment Coordinator and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly as needed, by the user at their expense.

D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter. (Ord. No. 1594, Sec. 3 (3.2 A-D))

10.04.13 Accidental Discharge/Slug Control Plans

At least once every two (2) years, the Pretreatment Coordinator shall evaluate whether each significant industrial user needs an accidental discharge/slug control plan. The Pretreatment Coordinator may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Pretreatment Coordinator may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including non-routine batch discharges:
- B. Description of stored chemicals:
- C. Procedures for immediately notifying the Pretreatment Coordinator of an accidental or slug discharge as required by Section 6.6 of this ordinance: and
- D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment measures for containing toxic organic pollutants including solvents, and/or measures and equipment for emergency response. (Ord. No. 1594, Sec. 3 (3.3 A-D))

10.04.14 Hauled Wastewater

A. Septic tank waste may be introduced into the POTW only at locations designated by the Pretreatment Coordinator, and at such times as are established by the Pretreatment Coordinator. Such waste shall not violate Section 2 of this ordinance or any other requirements established by the City. The Pretreatment Coordinator may require septic tank waste haulers to obtain wastewater discharge permits.

B. The Pretreatment Coordinator shall require haulers of industrial waste to obtain wastewater discharge permits. The Pretreatment Coordinator may require generators of hauled industrial waste to obtain wastewater discharge permits. The Pretreatment Coordinator also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this ordinance.

C. Industrial waste haulers may discharge loads only at locations designated by the Pretreatment Coordinator. No load may be discharged without prior consent of the Pretreatment Coordinator. The Pretreatment Coordinator may collect samples of each hauled load to ensure compliance with applicable standards. The Pretreatment Coordinator may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

D. Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

10.04.15 Wastewater Analysis

When requested by the Pretreatment Coordinator, a user must submit information on the nature and characteristics of its wastewater within sixty (60) days of the request. The Pretreatment Coordinator is authorized to prepare a form for this purpose and may periodically require users to update this information. (Ord. No. 1594, Sec. 4 (4.1))

10.04.16 Wastewater Discharge Permit Requirement

A. No significant industrial user shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the Pretreatment Coordinator, except that a significant industrial user that has filed a timely application pursuant to Section 4.3 of this ordinance may continue to discharge for the time period specified therein.

B. The Pretreatment Coordinator may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this ordinance.

C. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to the sanctions set out in Sections 10 through 12 of this ordinance. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State pretreatment standards or requirements or with any other requirements of Federal, State, and local law. (Ord. No. 1594, Sec. 4 (4.2 A-C))

10.04.17 Wastewater Discharge Permitting: Existing Connections

Any user required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this ordinance and who wishes to continue such discharges in the future, shall within ninety (90) day's after said date apply to the Pretreatment Coordinator for a wastewater discharge permit in accordance with Section 4.5 of this ordinance, and shall not cause or allow discharges to the POTW to continue after one hundred twenty (120) days of the effective date of this ordinance except in accordance with a wastewater discharge permit issued by the Pretreatment Coordinator.

This ordinance except in accordance with a wastewater discharge permit issued by the Pretreatment Coordinator. . (Ord. No. 1594, Sec. 4 (4.3))

10.04.18 Wastewater Discharge Permitting: New Connections

Any user required to obtain a wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with Section 4. 5 of this ordinance, must be filed at least sixty (60) days prior to the date upon which any discharge will begin or recommence. (Ord. No. 1594, Sec. 4 (4.4))

10.04.19 Wastewater Discharge Permit: Application Contents

All users required to obtain a wastewater discharge permit must submit a permit application. The Pretreatment Coordinator may require all users to submit as part of an application the following information:

- A. All information required by Section 6.1(B) of this ordinance;
- B. Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
- C. Number and type of employees, hours of operation, and proposed or actual hours of operation;
- D. Each product produced by type, amount, process or processes, and rate of production;
- E. Type and amount of raw materials processed (average and maximum per day);

- F. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
- G. Time and duration of discharges; and
- H. Any other information as may be deemed necessary by the Pretreatment Coordinator to evaluate the wastewater discharge permit application.

Incomplete or inaccurate applications will not be processed and will be returned to the user for revision. (Ord. No. 1594, Sec. 4 (4.5 A-H))

10.04.20 Application Signatories and Certification

All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user and contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate; and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." (Ord. No. 1594, Sec. 4 (4.5))

10.04.21 Wastewater Discharge Permit Decisions

The Pretreatment Coordinator will evaluate the data furnished by the user and may require additional information. Within thirty (30) days of receipt of a complete wastewater discharge permit application, the Pretreatment Coordinator will determine whether or not to issue a wastewater discharge permit. The Pretreatment Coordinator may deny any application for a wastewater discharge permit. (Ord. No. 1594, Sec. 4 (4.7))

10.04.22 Wastewater Discharge Permit Duration

A wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Pretreatment Coordinator. Each wastewater discharge permit will indicate a specific date upon which it will expire. (Ord. No. 1594, Sec. 5, (5.1))

10.04.23 Wastewater Discharge Permit Contents

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Pretreatment Coordinator to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

A. Wastewater discharge permits must contain:

(1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five (5) years.

(2) A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with Section 5.5 of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;

(3) Effluent limits based on applicable pretreatment standards;

(4) Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law; and

(5) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

B. Wastewater discharge permits may contain, but need not be limited to, the following conditions:

(1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

(2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;

(3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;

(4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

- (5) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
 - (6) Requirements for installation and maintenance of inspection and sampling facilities and equipment:
 - (7) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and
 - (8) Other conditions as deemed appropriate by the Pretreatment Coordinator to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations.
- (Ord. No. 1594, Sec. 5 (5.2))

10.04.24 Wastewater Discharge Permit Appeals

The Pretreatment Coordinator shall provide public notice of the issuance of a wastewater discharge permit. Any person, including the user, may petition the Pretreatment Coordinator to reconsider the terms of a wastewater discharge permit within thirty (30) days of notice of its issuance. (Ord. No. 1594, Sec. 5 (5.3 A-E))

A. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.

B. In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the wastewater discharge permit.

C. The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.

D. If the Pretreatment Coordinator fails to act within twenty (20) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit shall be considered final administrative actions for purposes of judicial review.

E. Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a complaint with the District Court for the Chickasawba District of Mississippi County, Arkansas within the time permitted by law.

10.04.25 Wastewater Discharge Permit Modification

The Pretreatment Coordinator may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons: (Ord. No. 1594, Sec. 5 (5.4))

A. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;

B. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;

C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

D. Information indicating that the permitted discharge poses a threat to the City's POTW, city personnel, or receiving waters;

E. Violation of any terms or conditions of the wastewater discharge permit;

F. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;

G. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;

H. To correct typographical or other errors in the wastewater discharge permit; or

10.04.26 Wastewater Discharge Permit Transfer

Wastewater discharge permits may not be transferred to a new owner or operator. (Ord. No. 1594, Sec. 5 (5.5))

10.04.27 Wastewater Discharge Permit Revocation

The Pretreatment Coordinator may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons: (Ord. No. 1594, Sec. 5 (5.6))

A. Failure to notify the Pretreatment Coordinator of significant changes to the wastewater prior to the changed discharge;

B. Failure to provide prior notification to the Pretreatment Coordinator of changed conditions pursuant to Section 6.5 of this ordinance;

- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- D. Falsifying self-monitoring reports;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the Pretreatment Coordinator timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the wastewater discharge permit application;
- L. Failure to provide advance notice of the transfer of business ownership of a permitted facility: or
- M. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this ordinance.
- N. Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user.

10.04.28 Wastewater Discharge Permit Reissuance

A user with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 4.5 of this ordinance, a minimum of sixty (60) days prior to the expiration of the user's existing wastewater discharge permit. (Ord. No. 1594, Sec. 5 (5.7))

10.04.29 Regulation of Waste Received from Other Jurisdictions

A. If another municipality, or user located within another municipality, contributes wastewater to the POTW, the Pretreatment Coordinator shall enter into an intermunicipal agreement with the contributing municipality. (Ord. No. 1594, Sec. 5 (5.8))

B. Prior to entering into an agreement required by paragraph A, above, the Pretreatment Coordinator shall request the following information from the contributing municipality;

(1) A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;

(2) An inventory of all users located within the contributing municipality that are discharging to the POTW: and

(3) Such other information as the Pretreatment Coordinator may deem necessary.

C. An intermunicipal agreement, as required by paragraph A, above, shall contain the following conditions:

(1) A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this ordinance and local limits which are at least as stringent as those set out in Section 2.4 of this ordinance. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the City's ordinance or local limits;

(2) A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;

(3) A provision specifying which pretreatment implementation activities, including wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Pretreatment Coordinator; and which of these activities will be conducted jointly by the contributing municipality and the Pretreatment Coordinator;

(4) A requirement for the contributing municipality to provide the Pretreatment Coordinator with access to all information that the contributing municipality obtains as part of its pretreatment activities;

(5) Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;

(6) Requirements for monitoring the contributing municipality's discharge;

(7) A provision ensuring the Pretreatment Coordinator access to the facilities of users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Pretreatment Coordinator; and

(8) A provision specifying remedies available for breach of the terms of the intermunicipal agreement.

10.04.30 Baseline Monitoring Reports

A. Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the Pretreatment Coordinator a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the Pretreatment Coordinator a report which contains the information listed in paragraph B, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged. (Ord. No. 1594, Sec. 6 (6.1))

B. Users described above shall submit the information set forth below.

(1) Identifying Information. The name and address of the facility, including the name of the operator and owner.

(2) Environmental Permits. A list of any environmental control permits held by or

(3) Description of Operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.

(4) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

(5) Measurement of Pollutants.

(a) The categorical pretreatment standards applicable to each regulated process.

- (b) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Pretreatment Coordinator, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 6.10 of this ordinance.
- (c) Sampling must be performed in accordance with procedures set out in Section 6.11 of this ordinance.

(6) Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.

(7) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 6.2 of this ordinance.

(8) Signature and Certification. All baseline monitoring reports must be signed and certified in accordance with Section 4.6 of this ordinance.

10.04.31 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 6.1(B)(7) of this ordinance: (Ord. No. 1594, Sec. 6 (6.2))

A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation):

B. No increment referred to above shall exceed nine (9) months;

C. The user shall submit a progress report to the Pretreatment Coordinator no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason

for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and

D. In no event shall more than nine (9) months elapse between such progress reports to the Pretreatment Coordinator

10.04.32 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the Pretreatment Coordinator a report containing the information described in Section 6.1(B) (4-6) of this ordinance. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 4.6 of this ordinance. (Ord. No. 1594, Sec. 6)

10.04.33 Periodic Compliance Reports

The Pretreatment Coordinator may sample and analyze user discharges in lieu of requiring the users to conduct sampling and analysis. (Ord. No. 1594, Sec. 6.4))

A. All significant industrial users may be required, at a frequency determined by the Pretreatment Coordinator but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with Section 4.6 of this ordinance.

B. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times the failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

C. If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Pretreatment Coordinator, using the procedures prescribed in Section 6.11 of this ordinance, the results of this monitoring shall be included in the report.

10.04.34 Reports of Changed Conditions

Each user must notify the Pretreatment Coordinator of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least ten (10) days before the change. (Ord. No. 1594, Sec. 6 (6.5))

A. The Pretreatment Coordinator may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 4.5 of this ordinance.

B. The Pretreatment Coordinator may issue a wastewater discharge permit under Section 4.7 of this ordinance or modify an existing wastewater discharge permit under Section 5. 4 of this ordinance in response to changed conditions or anticipated changed conditions.

C. For purposes of this requirement, significant changes include, but are not limited to, flow increases of ten percent (10%) or greater, and the discharge of any previously unreported pollutants.

10.04.35 Reports of Potential Problems

A In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the Pretreatment Coordinator of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.

B. Within five (5) days following such discharge, the user shall, unless waived by the Pretreatment Coordinator, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.

C. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph A above, Employers shall ensure that all employees who may cause such a discharge to occur are advised of the emergency notification procedure. (Ord. No. 1594, Sec. 6 (6.6 A-C))

10.04.36 Reports from Unpermitted Users

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the Pretreatment Coordinator as the Pretreatment Coordinator may require. (Ord. No. 1594, Sec. 6 (6.7))

10.04.37 Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a user indicates a violation, the user must notify the Pretreatment Coordinator within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Pretreatment Coordinator within thirty (30) days after becoming aware of the violation. The user is not required to resample if the Pretreatment Coordinator monitors at the user's facility at least once a month, or if the Pretreatment Coordinator samples between the user's initial sampling and when the user receives the results of this sampling. (Ord No. 1594, Sec. 6 (6.8))

10.04.38 Notification of the Discharge of Hazardous Waste

The City of Blytheville prohibits the discharge of hazardous wastes. (Ord No. 1594, Sec. 6 (6.9))

10.04.39 Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 1-0 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA. (Ord No. 1594, Sec. 6 (6.10))

10.04.40 Sample Collection

A. Except as indicated in Section B, below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Pretreatment Coordinator may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.

B. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques. (Ord No. 1594, Sec. 6 (6.11 A-B))

10.04.41 Timing

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern. (Ord No. 1594, Sec. 6 (6.12))

10.04.42 Record Keeping

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the City, or where the user has been specifically notified of a longer retention period by the Pretreatment Coordinator. (Ord. No. 1594, Sec. 6 (6.13))

10.04.43 Right of Entry: Inspection and Sampling

The Pretreatment Coordinator shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this ordinance and any wastewater discharge permit or order issued hereunder. Users shall allow the Pretreatment Coordinator ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

A. Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Pretreatment Coordinator will be permitted to enter without delay for the purposes of performing specific responsibilities.

B. The Pretreatment Coordinator shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.

C. The Pretreatment Coordinator may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated annually to ensure their accuracy.

D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Pretreatment Coordinator and shall not be replaced. The costs of clearing such access shall be borne by the user.

E. Unreasonable delays in allowing the Pretreatment Coordinator access to the user's premises shall be a violation of this ordinance. (Ord. No. 1594, Sec. 7 (7.1 A-E))

10.04.44 Search Warrants

If the Pretreatment Coordinator has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Pretreatment Coordinator may seek issuance of a search warrant from the District Court for the Chickasawba District of Mississippi County, Arkansas. (Ord. No. 1594, Sec. 7 (7.2))

10.04.45 Confidential Information

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the Pretreatment Coordinator's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Pretreatment Coordinator, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction. (Ord. No. 1594, Sec. 8)

10.04.46 Publication Of Users In Significant Noncompliance

The Pretreatment Coordinator shall publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of the users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

A. Chronic violations of wastewater discharge limits, defined here as those in which sixty- six percent (66%) or more of wastewater measurements taken during a six- (6) -month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

B. Technical Review Criteria (TRC) violations, defined here as those in which thirty- three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6) month period equals or exceeds the product of the daily maximum limit or the

average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

C. Any other discharge violation that the Pretreatment Coordinator believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;

D. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment. or has resulted in the Pretreatment Coordinator exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s) which the Pretreatment Coordinator determines will adversely affect the operation or implementation of the local pretreatment program. (Ord. No. 1594, sec. 9 (A-H))

10.04.47 Notification of Violation

When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Pretreatment Coordinator may serve upon that user a written Notice of Violation. Within ten (10) days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Pretreatment Coordinator. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Pretreatment Coordinator to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation. (Ord. No. 1594, Sec. 10 (10.1))

10.04.48 Consent Orders

The Pretreatment Coordinator may enter into Consent Orders, assurances of voluntary compliance. or other similar documents establishing an agreement with any user responsible for

noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 10.4 and 10.5 of this ordinance and shall be judicially enforceable. (Ord. No. 1594, Sec. 10(10.2))

10.04.49 Show Cause Hearing

The Pretreatment Coordinator may order a user which has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the Pretreatment Coordinator and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least twenty (20) days prior to the hearing. Such notice may be served on any authorized representative of the user. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user. (Ord. No. 1594, Sec. 10 (10.3))

10.04.50 Compliance Orders

When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Pretreatment Coordinator may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user. (Ord. No. 1594, Sec. 10 (10.4))

10.04.51 Cease and Desist Orders

When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Pretreatment Coordinator may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- A. Immediately comply with all requirements; and

- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.
- C. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user. (Ord. No. 1594, Sec. 10 (10.5 A-C))

10.04.52 Administrative Fines

A. When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Pretreatment Coordinator may fine such user in an amount not to exceed \$1,000.00. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.

B. Unpaid charges, fines, and penalties shall, after thirty (30) calendar days be assessed an additional penalty of six percent (6%) of the unpaid balance, and interest shall accrue thereafter at a rate of one- and one-half percent (1.5%) per month. A lien against the user's property will be sought for unpaid charges, fines, and penalties.

C. Users desiring to dispute such fines must file a written request for the Pretreatment Coordinator to reconsider the fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. When a request has merit, the Pretreatment Coordinator may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The Pretreatment Coordinator may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

D. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user. (Ord. No. 1594, Sec. 10 (10.6 A-D))

10.04.53 Emergency Suspensions

The Pretreatment Coordinator may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Pretreatment Coordinator may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which present, or may present, an endangerment to the environment.

A. Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Pretreatment Coordinator may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Pretreatment Coordinator may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Pretreatment Coordinator that the period of endangerment has passed, unless the termination proceedings in Section 10.8 of this ordinance are initiated against the user.

B. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any further occurrence, to the Pretreatment Coordinator prior to the date of any show cause or termination hearing under Sections 10.3 or 10.8 of this ordinance:

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section. (Ord. No. 1594, Sec. 10 (10.8 A-B))

10.04.54 Termination of Discharge

In addition to the provisions in Section 5.6 of this ordinance, any user who violates the following conditions is subject to discharge termination:

- A. Violation of wastewater discharge permit conditions:
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge:
- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge:
- D. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or
- E. Violation of the pretreatment standards in Section 2 of this ordinance.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under section 10.3 of this ordinance why the proposed action should not be taken. Exercise of this option by the Pretreatment Coordinator shall not be a bar to, or a prerequisite for taking any other action against the user. (Ord. No. 1594, Sec. 10 (10.8 A-E))

10.04.55 Injunctive Relief

When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, The Pretreatment Coordinator may petition the District Court for the Chickasawba District of Mississippi County, Arkansas through its City Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this ordinance on activities of the user. The Pretreatment Coordinator may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user. (Ord. No. 1594, Sec. 11 (11.1))

10.04.56 Civil Penalties

A. A user who has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the City for a maximum civil penalty of \$1,000 per violation, per day. In the case of a monthly or long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

B. The Pretreatment Coordinator may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.

D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user. (Ord. No. 1594, Sec. 11 (11.2))

10.04.57 Criminal Prosecution

A. A user who willfully or negligently violates any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 per violation, per day, or imprisonment for not more than one (1) year, or both.

B. A user who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least \$1,000.00 or be subject to imprisonment for not more than one (1) year, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

C. A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this ordinance, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall, upon conviction, be punished by a fine of not more than \$1,000. 00 per violation, per day, or imprisonment for not more than one (1) years, or both.

D. In the event of a second conviction, a user shall be punished by a fine of not more than \$1,000.00 per violation, per day, or imprisonment for not more than one (1) years, or both. (Ord. No. 1594, Sec. 11 (11.3))

10.04.58 Remedies nonexclusive

The remedies provided for in this ordinance are not exclusive. The Pretreatment Coordinator may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the Pretreatment Coordinator may take other action against any user when the circumstances warrant. Further, the Pretreatment Coordinator is empowered to take more than one enforcement action against any noncompliant user. (Ord. No. 1594, Sec. 11 (11.4))

10.04.59 Water Supply Severance

Whenever a user has violated or continues to violate any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, water service to the user may be severed. Service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply. (Ord. No. 1594, Sec. 12 (12.3))

10.04.60 Upset

A. For the purposes of this section, “upset” means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standard because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

B. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of paragraph (C), below, are met.

C. A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An upset occurred, and the user can identify the cause(s) of the upset;
- (2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
- (3) The user has submitted the following information to the Pretreatment Coordinator within twenty-four (24) hours of becoming aware of the upset [if this information is provided orally, a written submission must be provided within five (5) days]:
 - (a) A description of the indirect discharge and cause of noncompliance;
 - (b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - (c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

D. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.

E. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.

F. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails. (Ord. No. 1594, Sec. 13 (13.1))

10.04.61 Prohibited Discharge Standards

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 2.1 (A) of this ordinance or the specific prohibitions in Sections 2.1(B)(3) through 2.1(B)(5) of this ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

- A. A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or
- B. No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the City was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements. (Ord. No. 1594, Sec. 13 (13.2))

10.04.62 Bypass

A. For the purposes of this section,

(1) “Bypass” means the intentional diversion of wastestreams from any portion of a user’s treatment facility.

(2) “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

B. A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (C) and (D) of this section.

C. (1) If a user knows in advance of the need for a bypass, it shall submit prior notice to the Pretreatment Coordinator, at least ten (10) days before the date of the bypass, if possible.

(2) A user shall submit oral notice to the Pretreatment Coordinator of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within Five (5) days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Pretreatment Coordinator may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

D. (1) Bypass is prohibited, and the Pretreatment Coordinator may take an enforcement action against a user for a bypass, unless

- (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- (c) The user submitted notices as required under paragraph (C) of this section

(2) The Pretreatment Coordinator may approve an anticipated bypass, after considering its adverse effects, if the Pretreatment Coordinator determines that it will meet the three conditions listed in paragraph (D)(l) of this section. (Ord. No. 1594. Sec. 13 all subparts)

10.04.63 Pretreatment Charges and Fees

The City may adopt reasonable fees for reimbursement of costs of setting up and operating the City's Pretreatment Program which may include:

- A. Fees for wastewater discharge permit applications including the cost of processing such applications;
- B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge and reviewing monitoring reports submitted by users;
- C. Fees for reviewing and responding to accidental discharge procedures and construction;
- D. Fees for filing appeals; and
- E. Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines, and penalties chargeable by the City. (Ord. No. 1594, Sec. 15 (15.1))

CHAPTER 10.12

WATERWORKS & SEWER COMMISSION

Sections:

- 10.12.01 Created
- 10.12.02 Power

10.12.01 Created. That Ordinance No. 964 creating and establishing the Blytheville Waterworks Commission is hereby repealed in its entirety on the effective date of this Ordinance. (Ord. No. 1573, Sec. 2)

10.12.02 Power.

That all of the duties and responsibilities previously carried out by the Blytheville Sewer Commission and/or Sewer Committee and the Blytheville Waterworks Commission shall be the responsibility of the Mayor and City Council of Blytheville, Arkansas, and their designees, as may be appointed from time to time. (Ord. No. 1573, Sec. 3)

That the Blytheville Sewer Commission and/or Sewer Committee and the Blytheville Waterworks Commission shall be dissolved and shall not function in any manner whatsoever, other than to assist in the transition of the transfer of responsibilities from each said Commission to the Mayor and City Council. (Ord. No. 1573, Sec. 4)

This Ordinance shall be effective on January 1, 2004, and the current Commissioners of the Blytheville Sewer Commission and/or Sewer Committee and the Blytheville Waterworks Commission shall continue in office until the effective date of this Ordinance, when their terms shall all expire.(Ord. No. 1573, Sec. 5)

The Mayor of the City of Blytheville, Arkansas, shall be authorized to appoint department heads for each said Commission, who shall be responsible for operating the day-to-day functions of said Commissions and shall serve at the pleasure of the Mayor and City Council (Ord. No. 1573, Sec. 6)

CHAPTER 10.16

WATER RATES

Sections:

- 10.16.01 Established
- 10.16.02 Meter Access
- 10.16.03 Federal Safe Drinking Water Act Fee
- 10.16.04 Lawn Irrigation Systems

10.16.01 Established. That the monthly rates set forth below be, and they are hereby, fixed as the initial rates to be charged for water furnished by the Waterworks System of the City of Blytheville, Arkansas, which rates the council finds and declares to be reasonable and necessary minimum rates to be charged:

GENERAL: That the following monthly rates and charges which the City Council hereby finds and declares are fair, reasonable and minimum rates to be charged for water services, are hereby fixed as rates to be rendered by the System. (Ord. No. 1687, Sec. 1)

Customers Inside City Limits
(Excluding Wholesale Customers)

First 1,000 gallons or portion thereof	Minimum
Next 49,000 gallons or portion thereof	\$2.00 per 1,000 gallons
Next 50,000 gallons or portion thereof	\$1.88 per 1,000 gallons
All over 100,000 gallons	\$1.76 per 1,000 gallons

(Ord. No. 1807, Sec. 1)

Customers Outside City Limits
(Excluding Wholesale Customers)

Rates for customers outside the City Limits shall be 50% over corresponding rates for customers within the City. (Ord. No. 1687, Sec. 2)

Wholesale Customers (Sales to other water suppliers)

\$250 per 1,000 gallons. (Ord. No. 1772, Sec. 1)

That the minimum monthly charge shall be based on meter size, shall include the first step with the rates in Section 1 above and shall be as follows: (Ord. No. 1687, Sec. 2)

Domestic Customers:	
3/4 inch meter	\$10.03
Commercial and Industrial Customers:	
3/4 inch meter	13.33

Domestic, Commercial and Industrial Customers

1 inch meter	\$19.99
1 ¼ inch meter	28.88
1 ½ inch meter	36.50
2 inch meter	69.54
3 inch meter	148.31
4 inch meter	267.73
6 inch meter	797.54
8 inch meter	1079.69

Bills are to be rendered monthly for residential, commercial, industrial and municipal accounts. Customers paying by the due date shall pay the net amount as shown on the bill.

Payments received after the due date shall be charged a 10% late fee. After fifteen (15) days, the payment due shall be delinquent and service may be discontinued. A twenty-dollar (\$20.00) penalty charge will be assessed on all delinquent accounts. (Ord. No. 1687, Sec. 3)

Private fire hydrant service is hereby fixed at \$110:00 per hydrant per year. (Ord. No. 1687, Sec. 4)

Hose Reels are fixed at \$15.97 per year. (Ord. No. 1687, Sec. 4)

All water used through fire protection facilities for any purpose other than for fire protection shall be provided and billed under regular rates. (Ord. No. 1687, Sec. 4)

A deposit of \$75.00 will be required for service to all customers unless a change is approved by the City Council. (Ord. No. 1687, Sec. 5)

Meters or service less than 2 inches on open order. Meters 2 inches or larger are subject to minimum contract for one year. Where new construction is required, contract may be increased. (Ord. 1687, Sec. 6)

MINIMUM CHARGE: The minimum monthly charge shall be based on the size of meter, shall include the first step of the above rates and shall be as follows:

Domestic Customers:

3/4 in. Meter \$ 3.86 per month

Commercial and Industrial

Customers:

3/4 in. Meter \$ 3.81 per month

Domestic, Commercial and

Industrial Customers:

1 in. Meter \$ 9.71 per month

13-4 in. Meter 14.51 per month

11-2 in. Meter 19.30 per month

2 in. Meter 38.72 per month

3 in. Meter 77.53 per month

4 in. Meter 116.26 per month

6 in. Meter 465.10 per month

8 in. Meter 629.87 per month

PAYMENT: Bills are rendered bimonthly for all accounts. If customer pays within ten (10) days of billing, he pays the net bill. After ten (10) days, there is a five percent (5%) penalty; after twenty (20) days, the bill is delinquent. The city reserves the right to discontinue service for delinquent bills. There will be a Five Dollar (\$5.00) reconnect charge to reinstate the service.

<u>FIRE PROTECTION:</u> Municipal Fire Hydrants	\$ 41.46 each per year
Private Fire Hydrants	77.53 each per year
Sprinkler Service, 4 in. per customer up to 1,000 heads, \$.05 each additional head	116.26 per year
Sprinkler Service, 6 in. per customer up to 1,000 heads, \$.05 each additional head.	193.79 per year
Sprinkler Service, 8 in. per customer up to 1,000 heads, \$.05 each additional head	445.78 per year
Hose Reels	14.51 per reel per year

All water used through fire protection facilities for any other purpose other than for fire protection shall be billed at regular rates.

DEPOSITS: A deposit of Twenty Dollars (\$20.00) or more will be required for service for all customers; the city may require larger deposits for larger units. (Ord. No. 1057, Sec. 1.)

10.16.02 Meter access

Maintaining Meter Accessibility

- A. User shall not permit any impediment to the free access, at all times, to their water meter for reading and maintenance, including but not limited to plants, trees, fences, locked gates, vehicles, structures, etc. Animals shall not be kept near enough to the meter to present a danger to the Waterworks employee. Waterworks employees shall not be required to make any special arrangements with user or unlock or remove any impediment to obtain free access.
- B. Upon notification from the Waterworks by registered mail, user shall permanently remove all impediments in a timely manner, not to exceed 30 days.
- C. Waterworks may relocate water meter at user's request to obtain free access. User shall pay a deposit prior to the meter relocation based on an estimate of material and installation costs, including any service line relocations, prepared by the Waterworks. Upon completion of the meter relocation, the actual cost of materials and installation will be calculated. If the actual cost is less than the deposit, the

difference will be refunded to the user. If the actual cost is greater than the deposit, the difference will be billed to the user. Water shall be supplied by the Waterworks only upon payment of the final calculated meter relocation fee.

- D. If user fails to permanently remove all impediments to meter access in a timely manner after notification by the Waterworks of such impediments, Waterworks may terminate water service five days after notice of such termination is sent by registered mail. Water service shall not be restored until all impediments have been removed by the user and all charges for discontinuing and restoring water service have been paid. (Ord. No. 1674, Sec. 1.)

Charges For Inability To Access Meter

- A. If Waterworks cannot access meter for reading, user shall be charged 150 percent of the normal usage fee for water consumption by the user during the same time period the preceding year. If user has not been a customer of the Waterworks for 12 months, user shall be charged 150 percent of the average usage fee for water consumption during the same time period of Waterworks water services of an equivalent meter size.
- B. If user permanently removes impediment to meter reading by the next normal meter reading time, the additional 50 percent usage fee. shall be refunded and user shall be charged the normal usage fee for total water consumption obtained by the meter read.
- C. If Waterworks terminates water service due to failure of user to permanently remove all impediments to meter access, user shall pay the Waterworks a charge of \$100.00 for discontinuing and restoring water service before water service is restored. (Ord. No. 1674, Sec. 2.)

10.16.03 Federal Safe Drinking Water Act Fee There is hereby established a fee in the amount of \$0.30 per service connection per month which shall be collected from each user of the Blytheville public waterworks system. That the fee set forth hereinabove shall be included on each statement for water and other services sent to users of the Blytheville Waterworks each month.

That this fee set forth above shall be collected each month beginning the 1st day of May 2008, until amended as required by law or as determined by the City Council of Blytheville, Arkansas.

10.16.04 Lawn Irrigation Systems

- A. Lawn Sprinklers and Irrigation Piping systems are to be installed as recommended by the Arkansas Department of Health.
- B. Customers will reimburse Blytheville Waterworks for the cost of materials as needed to install a separate meter and backflow prevention device.
- C. Bills are to be rendered monthly for residential, commercial, industrial and municipal accounts. Customers paying by the due date shall pay the net amount as shown on the bill. Payments received after the due date shall be charged a ten percent (10%) late fee; after fifteen (15) days the payment due shall be delinquent and service may be discontinued; a penalty charge of \$20.00 will be assessed on all delinquent accounts. (Ord. No. 1698, Sec. 1.)
- D. Each customer who has an irrigation system as set forth hereinabove shall be billed each month at least the minimum amount for the size of their respective irrigation system, plus any water usage they may have in any particular month. The bill for water usage and a separate bill for the minimum irrigation system charge plus any usage of the irrigation system shall be billed at the same time but shall be separate bills. Customers will be billed the minimum amount for their irrigation system, plus any usage during each month their irrigation system remains turned on. In the event a customer does not want to pay at least the minimum charge for their irrigation system, they must make a request in person to the water company specifying the date that their irrigation system should be turned off. The customer shall also be required to make a request in person to the water company when they want their irrigation system turned back on and specify the date their irrigation system should be turned back on. A certificate showing that an RPZ (Reduced Pressure Zone) test has been performed must be presented within seven (7) business days after the request is made or the system will be turned off. (Ord. No. 1698, Sec. 2.)

CHAPTER 10.18

SOLID WASTE

Section:

- 10.18.01 Collection Fees
- 10.18.02 Collection Time, Preparation
- 10.18.03 Recycling, Requirements For
- 10.18.04 Collection Of Other Than Garbage
- 10.18.05 Payment-Person Responsible
- 10.18.06 Collection- Monthly Residential Fees
- 10.18.07 Exclusive Service, Restriction

- 10.18.08 Penalty
- 10.18.09 Commercial Dumpsters
- 10.18.10 Recycling Program

10.18.01 Collection Fees

RESIDENTIAL

The fees to be charged and paid for the collection and disposal of residential garbage and trash will be on a monthly basis as follows:

	Monthly Fee
Each residence or apartment occupied by one family, separate metered	Garbage: \$9.84
	Trash: \$7.24
	Total: <u>\$17.08</u>
Apartment buildings or trailer parks not served by individual water meters, each apartment or trailer.	Garbage: \$9.84
	Trash: \$7.24
	Total: <u>\$17.08</u>

COMMERCIAL INDUSTRIAL

The fees to be charged and paid for the collection and disposal of commercial garbage will be as follows:

Dumpsters:

Uncompacted Per Cubic Yard:

All fees will be billed monthly. Dumpster fees will be computed by the number of pickups (customer will be charged for the full capacity of the dumpster each time it is emptied) based on Five Dollars and Ninety-five Cents (\$5.95) per uncompacted cubic yard. No dirt, sand, rocks, concrete, lumber limbs, construction materials, appliances, furniture, or similar debris may be placed in dumpsters for pickup.

Cans Monthly Fees:

For each commercial business using cans with a maximum capacity of 90 gallons, the minimum fee for one to four cans will be Sixty-three Dollars and Eighty-four Cents (\$63.84) quarterly, billed monthly on the water bill at Twenty-one Dollars and Twenty-eight Cents (\$21.28). The City Collector will bill any business not serviced by Waterworks. Any business requiring more than four cans will be required to acquire an approved dumpster with either two, four, six or eight cubic yard capacity.

Home Occupations:

All home occupations including existing beauty shops located at a residence will be billed as commercial customers, with a minimum quarterly charge of Sixty-three Dollars and Eighty-four Cents (\$63.84), billed monthly on the water bill at Twenty-one Dollars and Twenty-eight Cents (\$21.28). (Ord. No. 1754, Sec. 1.)

10.18.02 Collection Time, Preparation

- A. Garbage will be collected from business and commercial dumpsters as deemed necessary. The Sanitation Department will collect trash and garbage from private residences and apartments once a week as scheduled by the Sanitation Department. Each residence and apartment complex (unless otherwise noted) shall be required to own and use a city-approved 90-gallon solid waste receptacle for their garbage. Receptacles are available for purchase from the City at the amount of cost incurred by the City for the purchase of the receptacles. Residence owners must pay the City Collector prior to delivery of the receptacle.
- B. It is made the duty of the occupants of every residence in the City to have garbage on their premises properly placed in the approved receptacle and available for collection by the Sanitation Department on the scheduled day of pickup. All receptacles shall be placed within five (5) feet of the curbside. Receptacles should not be curbside before 6:00 P.M. the day preceding the collection day and must be removed from the curb no later than 6:00 P.M. the day of collection.
- C. If a resident is disabled or for any reason unable to meet curbside requirements the resident must notify the Sanitation Department and be able to produce reasonable evidence of disability.
- D. No garbage, waste or refuse will be collected unless same is in plastic bags in a covered container with a maximum capacity of ninety (90) gallons or a dumpster with a maximum capacity of six (6) cubic yards, both of which must be approved by the City of Blytheville. No explosives, ashes, cinders, animal or human waste, grass or hedge clippings or non-compactable items will be placed in solid waste receptacles or dumpsters. All collections will be made from the street side curb of dwellings in residential districts. All garbage will be drained of liquids before being placed in garbage containers. (Ord. No. 1754, Sec. 2.)

10.18.03 Recycling, Requirements For

- A. All yard waste, such as leaves, grass, hedge clippings and tree limbs will be prepared for collection separate from garbage and other household trash. Yard waste will be bagged for collection separate from all other trash.

- B. Residences and commercial businesses will comply with all publicized recycling programs, whether pilot or city-wide, including proper preparation and placement of required recyclable items. (Ord. No. 1754, Sec. 3.)

10.18.04 Collection Of Other Than Garbage

- A. As part of its duty, the Sanitation Department may collect and haul large or excessive accumulations of weeds, limbs, vegetation, refuse, debris or other like substances as set forth in Ordinance No. 1726 from an alley or premises of any person or business and said responsible party will be removed to pay for such services the sum of One Hundred Fifty Dollars (\$150.00) per load. Public Works will notify the City Collector the amount and person to be billed. The City Collector will receive payment for such services.
- B. It is distinctly provided that this Ordinance does not in any way obligate the city employees or city trucks to clean or pickup refuse or debris resulting from construction or any other contracted work. The removal of construction debris is the responsibility of the contractor. However, this refuse may be removed by the Sanitation Department at a charge of One Hundred Fifty Dollars (\$150.00) per load. (Ord. No. 1754, Sec. 4.)

10.18.05 Payment-Person Responsible

- A. The fees chargeable against dwelling houses and other establishments are levied on and collected from the person as named on the monthly statement from the Blytheville Waterworks or by such entity as may be contracted by the City.
- B. The owners of any trailer park or apartment complex or such other entity as may be contracted by City in the City of Blytheville, where trailer's or apartments are occupied as residences and are not served by an individual water meter, will be responsible for the payment of sanitation fees for each unit. The owner will provide an appropriate size dumpster and will pay the City Collector, or such other entity as may be contracted by City the commercial dumpster rate. Any other dwelling in the City of Blytheville not serviced by the water meter will be billed through the City Collector's office. (Ord. No. 1754, Sec. 5.)

10.18.06 Collection- Monthly Residential Fees

- A. The Blytheville Waterworks is hereby directed to collect the garbage fee in the City of Blytheville for each residential customer. Said fees will be listed as separate items on every residential water bill at the rate of Nine Dollars and Eighty-four Cents (\$9 .84) per month for garbage, and Seven Dollars and Twenty-Four Cents (\$7.24) per month for trash, for a total of Seventeen Dollars and Eight Cents (\$17.08) per month for sanitation service per residential unit.

- B. Late fees will be assessed on the trash and garbage services at the same rate and on the same schedule as the Waterworks.
- C. The Blytheville Waterworks will issue a check to the City Collector of the City of Blytheville no later than the 10th of each month for all monies collected the previous month.
- D. Can commercial, industrial and home occupation fees will be billed and collected by the City water department or such other entity as may be contracted by City. (Ord. No. 1754, Sec. 6.)

10.18.07 Exclusive Service, Restriction All garbage, waste, trash and refuse in the City of Blytheville will be collected by the Sanitation Department of the City of Blytheville, Arkansas, or by such other entity as may be exclusively contracted by City. (Ord. No. 1754, Sec. 7.)

10.18.08 Penalty Any person, firm, corporation or association of persons violating any provision of this Ordinance or failing to pay any of the fees herein provided, will be deemed guilty of a misdemeanor, and upon conviction in the District Court of Mississippi County - Chickasawba District, will be fined any sum not exceeding Five Hundred Dollars (\$500.00) for each violation. (Ord. No. 1754, Sec. 10.)

10.18.09 Commercial Dumpsters

- A. From and after the passage and approval of this Ordinance it shall be unlawful for the owner(s), occupant, agent, or anyone having supervision or control of multi-unit residential buildings, commercial and industrial, not to have a fence, wall, gate or shrubbery, or a combination thereof, to accomplish the screening of a bulk trash containers (Dumpsters) from view.
- B. All bulk trash container (Dumpsters) used to service multi-unit residential buildings, commercial, and industrial uses must be screened on all sides by approved fencing materials to create a permanent sight obstructing fence with a minimum height of 6 feet. One side of the storage area may be furnished with an opaque, lockable gate. No fencing is required when the applicant can demonstrate to the Code Enforcement Officers that all trash facilities will be enclosed within the principal building or within an accessory structure such as a garage. Where feasible, all dumpsters and trash containers must be located behind a building and set back so refuse trucks are completely off the public right-of-way when servicing the facility.
- C. Upon passage of this Ordinance, owner(s), occupant, agents, or anyone having supervision or control of multi-unit residential buildings Industrial, or commercial buildings will have (6) six months to cause a fence, wall, gate or shrubbery to be erected around Commercial Dumpsters.

- D. The following persons shall be authorized to issue citations for violation of this Ordinance: Code Enforcement Officers; Officers of the Blytheville Police Department; and any other person designated by the Mayor or City Council.
- E. Any person found to be in violation of this Ordinance by the District Court of Blytheville, Arkansas: Upon being found guilty of a misdemeanor shall be fined the minimum of One Hundred Dollars (\$100.00), and a maximum of One Hundred Fifty Dollars (\$150.00). (Ord. No. 1851, Secs. 1-2.)

10.18.10 Recycling Program

- A. The City of Blytheville, Arkansas, shall establish a recycling program to include recycling of cardboard, glass, tin, aluminum, newspapers, plastic and all paper products. (Ord. No. 1695, Sec. 1.)
- B. Each owner or occupant of a residence in the City of Blytheville, Arkansas, shall be required to separate all designated recyclables from other refuse and shall further be responsible for delivering said recyclables to a designated drop off site as determined by the Department of Public Works. (Ord. No. 1695, Sec. 2.)
- C. The recycle sites shall be provided by Nu-Way Recycling whose primary place of business is located on Division Street at the Blytheville Incinerator. (Ord. No. 1695, Sec. 3.)
- D. Newspaper and other paper products shall be deposited at Nu-Way or at the Courier News located in the City of Blytheville. (Ord. No. 1695, Sec. 4.)
- E. Motor Oil shall be delivered to the Department of Public Works for disposal. (Ord. No. 1695, Sec. 5.)
- F. That prior to the effective date of said recycling as set forth hereinabove, the City Council and the Blytheville Chamber of Commerce shall embark on a program to educate the citizens of Blytheville about the requirements for recycling. (Ord. No. 1695, Sec. 6.)

CHAPTER 10.20

WATER QUALITY AND SAFETY

Section:

- 10.20.01 Fluoride to be added to city water
- 10.20.02 Cross Connection Control Program

10.20.01 Fluoride to be added to city water. The Blytheville Water Company is hereby authorized and directed to provide the means and to proceed with the introduction of fluoride (fluoride ion) into the drinking water supply of the city, in such quantities as are required to maintain throughout the pipe distribution system a concentration approximately one and two-tenths (1.2) part per million, as

designed by the Arkansas State Board of Health; provided, plans and specifications for necessary equipment, installation, application, control and operations involved in such introduction be first submitted and approved by the Arkansas State Board of Health. The original introduction and all subsequent fluoridation shall be in all things in accordance with and subject to all rules, requirements and regulations of the Arkansas State Board of Health. (Ord. No. 765)

10.20.02 Cross Connection Control Program Be it ordained by the City Council of Blytheville, Arkansas, that the Rules and Regulations of the Arkansas Department of Health To Public Water Systems pertaining to public water systems, Section VII. E, attached hereto as Exhibit "A" is adopted in its entirety. (Ord. No. 1762, Sec. 1.)

CHAPTER 10.24

WELLHEAD PROTECTION PROGRAM

Section:

- 10.24.01 Authorization
- 10.24.02 Statement of Purpose
- 10.24.03 Implementation of the Wellhead Protection Program
- 10.24.04 Basis for Delineating a Wellhead Protection Area
- 10.24.05 Lands to Which This Ordinance Applies
- 10.24.06 Administration

10.24.01 Authorization Whereas, the City Council has reviewed and examined the proposed Wellhead Protection Ordinance as set out herein, and

Whereas, the City Council has expressed the desires of the community it represents to protect as fully as it deems feasible its present and future sources of groundwater supply. (Ord. No. 1658, Sec. A.)

10.24.02 Statement of Purpose It is the purpose of this Ordinance to (1) promote the public health, safety, and general welfare of the citizens of our city, to (2) minimize the financial and other losses which would be incurred by contamination of the public water supply, to (3) implement a wellhead protection program following guidelines of the Arkansas Department of Health and in the future, and to (4) contribute to the general public effort of protection and conserving the natural resource of our state for future generations. (Ord. No. 1658, Sec. B.)

10.24.03 Implementation of the Wellhead Protection Program Implementation of the Wellhead Protection Program shall consist of several parts which may be phased in at the discretion of the city and over the time period deemed reasonable and adequate for the city. The parts shall include:

1. Establishment of a Wellhead Protection Area around each well or well field;
2. Inventory of the potential sources of contamination within the Wellhead Protection Area on a periodic basis;
3. Restrictions, prohibitions, or other kinds of controls of these potential sources as well as activities that could cause groundwater to become contaminated within the Wellhead Protection Area;
4. Periodic monitoring of selected chemical parameters of the water from selected wells within the Wellhead Protection Area to provide early warning of contaminated groundwater moving towards public supply wells;
5. Establishment of an emergency plan to be implemented if a contamination event should occur. (Ord. No. 1658, Sec. C.)

10.24.04 Basis for Delineating a Wellhead Protection Area The Wellhead Protection Area shall be delineated (i.e., its boundaries determined) by a qualified hydrogeologist using the methodology warranted by the kind, quality, and quantity of the hydrogeologic data and information available or obtainable. However, the city retains the right to adjust the size and shape of the area according to its specific needs and goals. All delineations and subsequent changes must receive concurrence from the Arkansas Department of Health, Division of Engineering before final acceptance by the city.

If new data should become available pertinent to well yield, hydro geology and water-bearing characteristics of the aquifer used, and his new date changes the size or shape of the original Wellhead Protection Area accepted by the City Council, then the City council may deem by special vote of action the adjusted boundary to be the correct legal boundary of the Wellhead Protection Area. (Ord. No. 1658, Sec. D.)

10.24.05 Lands to Which This Ordinance Applies This Ordinance shall apply to all lands located within the delineated Wellhead Protection Area(s) as adopted by the City Council, and within the jurisdiction of the city. (Ord. No. 1658, Sec. E.)

10.24.06 Administration The policies and procedures for the administration of the Wellhead Protection Area established in pursuance of this Ordinance, including application, variances, enforcement, and penalties, shall be determined by the City Council of the pertinent legally appointed entity. (Ord. No. 1658, Sec. F.) Seventy-five (75) percent of the collected fees shall be placed in City's General Fund, and the remaining twenty-five (25) percent shall be placed in a special fund for use by the Blytheville Police Department for Radio Equipment Repair and Replacement, according to ACA 21-6-307. (Ord. No. 1596, Sec. 3)

The Mayor and the City Clerk be and are hereby authorized on behalf of the City of Blytheville to negotiate and execute a Contract Agreement for the collection of delinquent fines owed to the City of Blytheville pursuant to A.C.A. Section 16-13-709. (Ord. No. 1672)

That Section 1 of Ordinance No 1564 entitled COLLECTION FEES-COMMERCIAL INDUSTRIAL be amended as follows:

(d) DUMPING FEES

The following rates will apply to loads of trash or construction waste brought to Public Works by individuals:

One half (1/2) ton truck	\$20.00	
Three quarter (3/4) ton truck	\$25.00	
One ton truck	\$35.00	
Single axle trailer	\$25.00	
Double axel trailer	\$35.00	(Ord. No. 1673)

That any expenses associated with providing water service to new or existing customers, including but not limited to tapping fees, shall be assessed at the rate of the cost of supplies and labor provided by the Blytheville Waterworks. (Ord. No. 1675)

To simplify the procedure for procuring a renovation permit for residential roofing, the following will be added to the fee schedule under "Renovations": All Residential Roofing Permits: \$25.00. Commercial and Industrial roofing permits fees will continue to be categorized as a general renovation permit. (Ord. No. 1680, Sec.s 1 & 2)

An ordinance repealing ordinance 1564, 1605, 1673 and any other conflicting ordinance setting up sanitation fees and regulations for the city of Blytheville, Arkansas. (Ord. No. 1688, Sec.s 1-11)

A temporary fee of ten dollars (\$10.00) per customer will be assessed on the water bills of each resident for the months of April, May, and June 2009 to help the City defray the extra costs involved in the debris removal. (Ord. No. 1689, Sec. 1)

That Section 1 of Ordinance No. 1482 be amended to read an additional fine of twenty dollars (\$20.00) shall be levied and collected from each defendant who pleads guilty or nolo contendere to or is found guilty of, or forfeits bond for any misdemeanor or traffic violation, or violation of a City Ordinance in the District Court of Mississippi County, Arkansas-Chickasawba District, Blytheville, Arkansas, pursuant to Act 209 of 2009. (Ord. No. 1692 (Amending Ord. No. 1482)

A five-dollar (\$5.00) charge will be levied each month per user for a period not to exceed five years, which shall be an additional charge on each monthly statement for water and other services. This amendment will automatically sunset at the end of five (5) years from its passage if not terminated sooner by the City Council. (Ord. No. 1701, Amend Ord. 1686, Sec. 1-2)

An ordinance amending ordinance no. 1635 setting fees for building permits, gas, plumbing and sewer inspections, providing for the amount thereof. Section 1 is hereby deleted and replaced by the attached fee schedule. (Ord. 1716)

New Construction or Rehabilitation

	<u>Residential</u>		
Permit	Sq. Ft fee	Sq. Ft	Cost
Building	\$ 0.05	2125	\$ 106.25
Electric	\$ 0.05	2125	\$ 106.25
Gas	\$ 0.05	2125	\$ 106.25
Plumbing	\$ 0.05	2125	\$ 106.25
Sewer	\$ 0.05	2125	\$ 106.25
HVAC	\$ 0.05	2125	\$ 106.25
CO	\$25.00	\$ 25.00	
Total	\$25.30	2125	\$ 662.50

	<u>Commercial</u>		
Permit	Sq. Ft. Fee	Sq. Ft.	Cost
Building	\$ 0.05	15000	\$ 750.00
Electric	\$ 0.05	15000	\$ 750.00
Gas	\$ 0.05	15000	\$ 750.00
Plumbing	\$ 0.05	15000	\$ 750.00
Sewer	\$ 0.05	15000	\$ 750.00
HVAC	\$ 0.05	15000	\$ 750.00
CO	\$50.00		\$ 50.00
Total	\$50.30	15000	\$4,550.00

	<u>Industrial</u>		
Permit	Sq. Ft. Fee	Sq. Ft.	Cost
Building	\$ 0.05	50225	\$ 750.00
Electric	\$ 0.05	50225	\$ 750.00
Gas	\$ 0.05	50225	\$ 750.00
Plumbing	\$ 0.05	50225	\$ 750.00
Sewer	\$ 0.05	50225	\$ 750.00
HVAC	\$ 0.05	50225	\$ 750.00
CO	\$75.00		\$ 75.00
Total	\$75.30	50225	\$15,142.50

<u>Renovations</u>			
	Residential	Commercial	Industrial
Permit	\$ 10.00	\$ 15.00	\$ 20.00
Cost Per Thou	\$ 2.00	\$ 5.00	\$ 5.00
All Inspections	\$ 20.00	\$ 25.00	\$ 30.00
Sewer Connection	\$ 20.00	\$ 20.00	\$ 20.00
Meter Loop	\$ 5.00	\$ 7.50	\$ 10.00
Gas Per 10 outlets	\$ 5.00	\$ 7.50	\$ 10.00
HVAC per unit	\$ 2.00	\$ 5.00	\$ 10.00
Plumbing per 5 fixtures	\$ 5.00	\$ 10.00	\$ 15.00
After hour inspections	\$ 20.00	\$30.00	\$40.00

Holiday and weekend inspection fee: \$75.00 plus \$25.00 per hour after first hour

Upon payment of the license fee the City Collector or any authorized veterinarian as set forth hereinabove shall issue to the owner a license certificate and a metallic tag for each dog or cat licensed. The tag shall be changed every year as noted in the previous section and the owner is required to provide each dog or cat with a collar to which the license tag must be affixed and shall see that the collar and tag are constantly worn. In case the tag is lost or destroyed, a duplicate will be issued by the City Collector or an authorized veterinarian only upon presentation of a receipt showing payment of the license fee for the current year issued by the CITY or an authorized veterinarian and payment of Two Dollars (\$2.00) fee for such duplication. Dog or cat tags shall not be transferable from one dog or cat to another, and no refunds shall be made on any license fee because of death of the dog or cat, transfer of ownership, or the owner leaving the City of Blytheville before the expiration of the license period.”(Ord. No. 1724, Sec. 4)

The City Council has determined that Ordinance No. 1687 should be amended as follows:
Section 1. “Wholesale Customers (Sales to other water suppliers): \$250 per 1,000 gallons. (Ord. No. 1772, Sec. 1)

Section 1 of Ordinance No. 1172 is hereby amended and restated in its entirety and shall hereafter be read as follows:

The Telephone Company shall pay quarterly to the City a fee equal to 4.25% of its quarterly gross revenues for the prior year’s quarter for providing “basic local exchange service” within the corporate limits of the City. The fee will be forwarded to the City quarterly by March 31, June 30, September 30, and December 31 each year. The Company shall exempt offices of the City of Blytheville, Arkansas, from this charge.

The City of Blytheville shall provide Company with its current city boundaries, including all areas annexed since the passage of Ordinance 1172. (Ord. No. 1788, Sec.s 1 & 2)