

ORDINANCE 11-02
CITY OF HIGHLAND, ARKANSAS

1 | Page

AN ORDINANCE PROHIBITING THE DEPOSIT OF CERTAIN ITEMS AND MATERIALS INTO THE SEWER SYSTEM OF HIGHLAND, ARKANSAS; PROHIBITING DAMAGING OR TAMPERING WITH THE SANITARY SEWER SYSTEM; AND ESTABLISHING PENALTIES AND COSTS FOR VIOLATIONS

WHEREAS, THE CITY OF HIGHLAND, ARKANSAS, owns and operates a sanitary sewer system for the benefit of the residents of the City that was designed and constructed to carry off the human waste and household wastewater of the users of the system, but which was not designed for the introduction of any items that are not human waste or household wastewater; and

WHEREAS, THE CITY OF HIGHLAND, ARKANSAS, is responsible for the upkeep and maintenance of its sanitary sewer system so that the system will operate as designed; and

WHEREAS, THE CITY OF HIGHLAND, ARKANSAS, has had experience with certain users of the sanitary sewer system depositing items and materials into the sanitary sewer system that the system was not designed to handle resulting in damage to the system; and

WHEREAS, THE CITY OF HIGHLAND, ARKANSAS, desires to regulate what items and materials may be lawfully deposited into the sanitary sewer system and specifically prohibit certain items and materials from being deposited into the sanitary sewer system and to prevent damage or tampering with the sanitary sewer system;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND, SHARP COUNTY, ARKANSAS, THAT:

SECTION ONE: Prohibited items and materials. Certain items and materials are prohibited and are not to be introduced into the sanitary sewer system either directly through a drain or indirectly through a waste disposal or by any other means at any time. These prohibited items and materials include:

- A. glass, metal and plastic
- B. diapers, sanitary napkins or tampons
- C. socks, rags or clothes
- D. explosives or flammable material
- E. lubricating oils or grease
- F. cooking oil or animal fat in such quantities as to obstruct the sewer system
- G. strong chemicals or gasoline
- H. any other item or material that will cause damage to the sanitary sewer system or obstruct the normal operation of the sanitary sewer system.

SECTION TWO: Any user of the sanitary sewer system who causes damage to or obstruction of the sanitary sewer system by introducing any prohibited item of material or by allowing any prohibited item or material to enter the sanitary sewer system shall pay for all costs of repairing the damage or clearing the obstruction, including without limitation the costs of repairing or replacing or freeing from obstructions any grinder

pump damaged or obstructed by such prohibited item or material being deposited into the sanitary sewer system.

SECTION THREE: It is the responsibility of each homeowner or owner of property on which a grinder pump is located to prevent the introduction of any prohibited item or material into the sanitary sewer system. The homeowner or other owner of the property on which any damaged or obstructed grinder pump is located shall be responsible for any damage to such grinder pump caused by the introduction of any prohibited item or material into the sanitary sewer system.

SECTION FOUR: Civil Penalties. Any user who is found to have willfully violated this ordinance by depositing any prohibited item or material into the sanitary sewer system so as to cause damage to the system or obstruction of the system shall be fined not less than Twenty-Five Dollars (\$25.00) nor more than Two Hundred Fifty Dollars (\$250.00) for each offense. Each day on which a violation shall occur shall be deemed a separate and distinct offense.

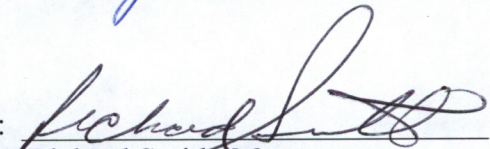
SECTION FIVE: No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sanitary sewer system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct and/or causing damage to or destruction of property.

SECTION SIX: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND,
ARKANSAS

Passed and approved this 12 day of April, 2011.

APPROVED:


Richard Smith, Mayor

ATTEST:


Mary R. Wiles, Recorder/Treasurer



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PASSED AND ADOPTED THIS 12 DAY OF APRIL 2011

ATTEST:

Richard Smith, Mayor

Mary Ruth Wiles, Recorder/Treasurer

AREAWIDE MEDIA

HIGHWAY 62 EAST
P.O. BOX 248
SALEM, ARKANSAS 72576
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FAX: 870-895-4277

TO: City of Highland
DATE : July 27, 2011

I, Janie Flynn, do solemnly swear that I am General Manager of Areawide Record and that the advertisement charged for in the attached invoice was published in said publication as follows:

1st insertion 27th day of July, 2011
2nd insertion _____ day of _____
3rd insertion _____ day of _____
4th insertion _____ day of _____
5th insertion _____ day of _____

The cost of this publication is computed according to established rates and/or state law, whichever is applicable.

TOTAL PRICE \$360.00

(over)

Janie Flynn
General Manager

Subscribed and sworn before me this
27th day of July, 2011

Debra K. Perryman
Notary Public

Notary Public
State of Arkansas
County of Fulton
Debra K. Perryman
My appointment expires June 15, 2021
#12382703