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K. HARNESSORDINANCE NO. 159

AN ORDINANCE DESIGNATING AUTHORIZED AGENTS FOR COMPLIANCE WITH THE RULES AND REGULATIONS SET FORTH BY THE CITY OF GREENLAND FOR ITS WATER AND SEWER SYSTEM; FOR REGULATIONS FOR PROSECUTION FOR TAMPERING WITH ANY PORTION OF THE WATER AND SEWER SYSTEM WITHIN THE CITY OF GREENLAND, ARKANSAS; FOR REGULATIONS OF DISCHARGE AND PRETREATMENT FOR THE SEWER SYSTEM WITHIN THE CITY OF GREENLAND, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City Council deems it necessary that regulations be set forth naming the authorized agents for work to be done or improvements made to the water and sewer within the City of Greenland, Arkansas; and

WHEREAS, the City Council has determined provisions need to be enacted for the prosecution for tampering with the water and sewer within the City of Greenland, Arkansas; and

WHEREAS, the City Council has determined that regulations need to be enacted to be within Federal guidelines and City of Fayetteville guidelines for the discharge and pretreatment of sewage within the City of Greenland, Arkansas.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF GREENLAND, ARKANSAS:

SECTION 1: That only authorized agents for the City of Fayetteville and/or the City of Greenland, are authorized to enter any and all properties for inspection where the possibility of violation of plumbing ordinances, rules and regulations may exist.

SECTION 2: It shall be unlawful for any person other than a person authorized by the water and sewer superintendent of the City of Fayetteville, Arkansas, to make connection with the sewer collection system in Greenland, or to tamper with any manhole or any appurtenance to the sewer collection system in Greenland. Nothing in this ordinance shall be solely constructed as to prevent any person when acting under the authority of the superintendent of the Water and Sewer Department of the City of Fayetteville, Arkansas, from changing, altering or otherwise

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working with any portion of the sewer system located in Greenland

SECTION 3: That the City of Greenland hereby adopts the discharge and pretreatment regulations (see attachment A) enacted by the City of Fayetteville as if they were set forth in this Ordinance word for word.

SECTION 4: Severability. Should any term of this Ordinance be held null and void or rescinded by Court of Competent Jurisdiction, the remaining terms of this Ordinance will be unaffected and enforceable.

SECTION 5: That a violation of this Ordinance shall be prosecuted and punished as a Class A misdemeanor as defined in A.C.A. § 5-1-107. For the purpose of this Ordinance, each day of a continuing violation may be deemed a separate violation.

SECTION 6: The water/sewer contract between the City of Fayetteville and the City of Greenland requires enactment of an Ordinance containing the provisions of this Ordinance within 6 months of the signing of the contract. And whereas, the six month period will expire before the next three Council meetings. An emergency is hereby declared to exist and this Ordinance being necessary for the health, safety and welfare of the citizens of Greenland, Arkansas, shall be in full force and effect from the date of its passage and approval.

PASSED AND APPROVED this 14th day of August, 1995.

Ray Barrett
MAYOR

ATTEST:

Donna Cheevers
TREASURER/RECORDER

APPROVED AS TO FORM:

Michael Blonk
CITY ATTORNEY

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Subscribed and sworn to before me this August, 1995.

Patricia L. [Signature]

Commission expires 1-26-2000

