

ORDINANCE NO. 2003-07

AN ORDINANCE TO REPEAL ORDINANCE NO. 70 AND ORDINANCE NO. 2001-06 AND TO ESTABLISH THE CITY OF CLINTON PLUMBING CODE SO AS TO PROVIDE FOR PLUMBING AND SEWER INSPECTIONS AND PERMITS FOR ALL WATER AND SEWER LINE INSTALLATIONS, CONNECTIONS, AND REPAIRS AND AFFIXING THE FEES THEREFORE; PROVIDING FOR THE ADOPTION OF THE ARKANSAS STATE PLUMBING CODE; PROVIDING FOR THE DISCONTINUANCE OF WATER OR SEWER; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the City of Clinton, Arkansas, adopted a Plumbing Code in Ordinance No. 70 and amended it in Ordinance No. 2001-06; and

WHEREAS, the City of Clinton, Arkansas, owns and operates in a governmental capacity, a Water System and a Sewer System as a Municipal Utility; such systems having plants, pumps and transmission lines within and without the corporate limits of the City of Clinton, Arkansas; and

WHEREAS, certain municipalities, private companies, governmental agencies, firms, and individuals not within the corporate limits of the City of Clinton, are purchasers, or may be purchasers, of water from the said Water System, or customers of the Sewer System; and

WHEREAS, the City of Clinton, Arkansas, is very desirous of continuing to maintain a pure water supply; and

WHEREAS, the Plumbing Code needs to be rewritten and updated;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLINTON, ARKANSAS:

Section 1. Ordinance No. 70 and Ordinance No. 2001-06 are hereby repealed.

Section 2. This Ordinance may be cited as the Clinton Plumbing Code.

Section 3. State Code:

- a) The provisions and regulations of the Arkansas State Plumbing Code, and amendments thereto, now adopted, or adopted in the future, by the State Board of Health of Arkansas are made a part of this ordinance by reference, three certified copies of which shall be on file in the office of the City Clerk, and shall extend over and govern the installation of all plumbing installed, altered or repaired within or without the City of Clinton, wherever water and/or sewer service originating from the Municipal Water and/or Sewer System is furnished.

- b) Plumbing for the purposes of this ordinance is hereby defined as the definitions of Act 200 of 1951 of Arkansas and the Arkansas State Plumbing Code. Eighth Edition 1999 or any future code adopted by the State of Arkansas.

Section 4. Inspection and Supervision:

- a) There is hereby created the position of plumbing inspector or inspectors who shall be employed by the City of Clinton, Arkansas.
- b) The plumbing inspector and inspectors shall have experience in plumbing to the extent that enables him to know when plumbing is installed correctly.
- c) The plumbing inspector or inspectors shall not be directly connected in anyway with any person, firm, corporation, directly or indirectly engages in the business of plumbing, or plumbing suppliers.
- d) The inspector shall receive as full compensation for his services, a salary designated by the City of Clinton, or its Water and Sewer Commission.
- e) It shall be the duty of the plumbing inspector or inspectors to enforce all provisions of this ordinance, and such inspector or inspectors is hereby granted the authority to enter all buildings within or without the corporate limits of the City of Clinton, when such buildings are connected, or to be connected to the Municipal Water and/or Sewer System.
- f) The plumbing inspector shall prepare or cause to be prepared suitable forms for applications, permits, inspection reports and other such materials,
- g) It shall be the duty of the plumbing inspector to inspect and test all plumbing work for compliance with the ordinance and its adopted plumbing code, and to enforce changing of such installations that do not meet the requirements. It further shall be his duty to see that all persons installing or altering plumbing shall be qualified by State Law.

Section 5. Application Permits:

Before beginning any work in the City of Clinton, Arkansas, the person installing or altering same, shall apply to the plumbing inspector or other designated official and obtain a permit to do such work. Only those persons legally authorized to do plumbing may be issued permits. A permit may be issued to homeowner to install or alter plumbing in a single family residence, providing that home owner does the work himself and that the building is owned and

occupied by the owner as his home. All such work shall meet the code requirements.

Section 6. Bond.

Every Master Plumber doing business in the City of Clinton, Arkansas, shall execute and deliver to the city a bond with a surety bonding company in the sum of \$5,000.00 to indemnify the city or any citizen for any damage caused by the failure of such master plumber to comply strictly with the provisions of this ordinance. No plumbing permit shall be issued to any master plumber unless this bond has been delivered to the city and is in full force and effect and a copy of the bond and current license is placed on file at the Water and Sewer Commission.

Section 7. Fees.

- a) -Plumbing inspection permit \$40.00
(Includes Rough in, top out, final and gas inspections)
- Water or sewer service line (if done separate from plumbing) \$10.00
- Each plumbing fixture and/or water, waste discharging device \$ 1.00 per fixture

To include, but not limited to:

- | | |
|-----------------|---------------------|
| Water Closets | Urinals |
| Sinks | Water Heaters |
| Lavatories | Water Connection |
| Shower | Sewer Connection |
| Bath Tubs | Back Flow Preventer |
| Washing Machine | Gas Service |
| Dishwasher | Gas Riser |
| Floor Drain | |

- b) Inspection permits for the installation, repair or replacement of water or sewer lines - \$1.00.
- c) An additional fee of \$10.00 shall be charged for each additional trip on the part of the plumbing inspector, caused by the negligence of the plumber of not being ready for inspection or a return for inspection of a corrected installation.

Section 8. Street Openings:

- a) All openings, cuts or excavations made in the public streets or alleys to repair, replace, install plumbing or sewer lines must be made as carefully as possible and all materials excavated from the trenches shall be removed or placed where the least inconvenience to the public will be caused.

- b) All openings cuts or excavations must be replaced in precisely the same condition as before the excavation started and all rubbish and material must be removed at once, leaving the street or sidewalks clean and in perfect repair, level with the surface of the street or road.
- c) All openings shall be marked with sufficient barriers. Flares or red lamps shall be maintained around the opening at night and all other precautions shall be taken by the plumber or excavator to protect the public from damage to person or property.
- d) All openings, cuts or excavations must be repaired even with the grade of the road with concrete, unless an alternative method is approved by the Water and Sewer Commission.

Section 9. Cross Connections- Back Flow:

- a) The Water and Sewer Commission of the City of Clinton, Arkansas, and the city plumbing inspector of the City of Clinton, Arkansas, be and they are hereby authorized to discontinue or cause to be discontinued all water or preexisting service or services to any and all premises, lands, buildings or structures where it is found that an immediate hazard exists to the purity or potability of the city water supply, by reason of the requirements of the Arkansas State Plumbing Code and the City Plumbing Code and the regulations of the Arkansas State Department of Health having not been complied with.
- b) The Water and Sewer Commission of the City of Clinton, Arkansas, and the city plumbing inspector of the City of Clinton, be and they are hereby authorized and directed to take such steps as necessary to determine all potential hazards. It shall be the duty of said department and said inspector to immediately cause notice to go to the owner or such other person responsible for said premises, specifying said hazards, and notifying said person that in the event that said hazard is not corrected within thirty (30) days from the date of said notice, all water service shall be discontinued, thereafter until the requirements of the Arkansas State Plumbing Code, and the regulations of the Arkansas State Department of Health having been complied with.

Section 10. Sewer Connections:

- a) All connections made to the sewer system of the City of Clinton shall be made

with the use of PVC and fittings manufactured for use therewith, or with cast iron pipe and fittings manufactures for use therewith. Premises using other types of pipe shall not be connected to said sewer system.


- b) No connection shall be made to the sewer system of the City of Clinton until the ditch and the pipe serving the premises to be connected have been inspected and approved by a city plumbing inspector.

Section 11: Any person, firm or corporation found guilty of violating any of the provisions of this ordinance shall be subject to a fine of not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars per day, together with the costs of such prosecution. Each day during which violation continues shall be a separate offense.

Section 12. Emergency Clause:

The continued efficient operation of the Water System of the City of Clinton, Arkansas is essential to the public health, safety and welfare. In addition, the continuing efficient operation and management of the Water System of the City of Clinton, Arkansas, required that rules and regulations regarding the plumbing inspector be in place. It is important that the provisions of this ordinance go into effect quickly as to comply with State statutes and regulations. An emergency is therefore declared to exist and this ordinance shall be in full force and effect from and after the date of its adoption.

PASSED: June 12, 2003.




Chip Ellis, Mayor

ATTEST:



Merl Eoff, City Clerk

APPROVED AS TO LEGAL FORM:



Brad A. Cazort, City Attorney