

ORDINANCE NO. 93-9 A

City of Elm Springs, Arkansas

AN ORDINANCE ESTABLISHING SEPTIC TANK REQUIREMENTS IN THE CITY OF ELM SPRINGS, ARKANSAS; ESTABLISHING A PENALTY THEREFOR AND DECLARING AN EMERGENCY.

WHEREAS, it is deemed necessary by the City Council, City of Elm Springs, Arkansas, that all septic tank systems situated within the corporate limits of the City of Elm Springs, Arkansas, should be regulated; and,

WHEREAS, under the laws of the State of Arkansas, any tracts of land 10 acres or larger, are not subject to the Arkansas Health Department regulations pertaining to installation of individual sewage disposal systems; and,

WHEREAS, it is deemed important and necessary by the City Council of the City of Elm Springs, Arkansas, that no exceptions to regulation of such septic tank systems be made to property situated within the corporate limits of the City of Elm Springs, Arkansas;

NOW, THEREFORE, be it enacted by the City Council of the City of Elm Springs, Arkansas, as follows:

Section 1: That no individual sewage disposal system shall be installed within the corporate limits of the City of Elm Springs, Arkansas, unless the said shall conform to the requirements of the Arkansas Department of Health as established in Act 402 of 1977 (Ark. Code Ann. § 14-236-101 et seq.), and a permit obtained from the Washington County Health Unit.

Section 2: That all such sewage systems installed within the corporate limits of the City of Elm Springs, Arkansas, must be installed by a licensed septic system installer.

Section 3: That the City Building Inspector shall be authorized to require any property owners in violation of this ordinance to take the necessary action to correct the non-complying individual sewage disposal systems within 30 working days of being notified, after which, each day's failure to take corrective action shall be punishable by a fine of not less than \$5.00, nor more than \$15.00, for each day the system is in violation.

Section 4: That it is hereby established and declared that the health, safety and welfare of the residents and citizens of the City of Elm Springs are in danger from malfunctioning individual sewage disposal systems within the corporate limits of