

ORDINANCE NO. 2006- 03

AN ORDINANCE AMENDING SEPTIC TANK REGULATIONS FOR THE CITY OF ELM SPRINGS, ARKANSAS, AND DECLARING AN EMERGENCY

WHEREAS, on about August 18, 2003, the City Council of the City of Elm Springs, on recommendation of the Sewer Committee, adopted Septic Tank Regulations; and,

WHEREAS, the Sewer Committee has now recommended an amendment to the regulations, to require that only fiberglass tanks be used; and,

WHEREAS, the adoption and application of this amendment to the regulations is vital to the continuing sewer project and the health and safety of the citizens of Elm Springs, Arkansas.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Elm Springs:

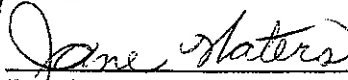
Section 1: The Septic Tank Requirements, as passed by the City of Elm Springs, are hereby amended, at section five (5), to delete concrete tanks as a choice for installation in Elm Springs. The specifications for concrete tanks, found in section six (6) shall no longer apply. A copy of this ordinance shall be attached to the existing regulations, and no builder or developer shall receive a permit for further construction until all construction is fully compliant with those regulations, as amended by this ordinance

Section 2: All other parts of the previous adopting ordinance and the tank regulations shall remain in full force and effect.

Section 3. This Ordinance shall take effect and be in force and effect from and after its passage, and that this Ordinance supercedes and replaces any other Ordinances in conflict herewith. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a Court of Law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.


Section 4: Emergency Clause. It has been found and hereby is declared by the City Council that this ordinance is immediately required for the safe handling of liquid wastes and for protection of the soils and environment of Elm Springs, and an emergency is hereby declared to exist and this ordinance being necessary for the preservation of the orderly development of the City and for the health and safety of its citizens shall be in full force and effect from the date of its passage and approval.

PASSED AND APPROVED this 3/20 day of 2006.



Jane Waters, Mayor

Attest:



Glenda Pettus, City Clerk

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Waters and Glenda Pettus, do solemnly swear that as Mayor and City Clerk, respectively, of and for the City of Elm Springs, Washington County, Arkansas that a certified copy of Ordinance No. 2006-030 (the "Amend Septic Tank Regulations Ordinance") was, on the 27 day of March, 2006, duly posted in five (5) separate and distinct places inside the corporate limits of the City in accordance with Ordinance No. 01-10 and that the Ordinance remained posted for thirty (30) days.

DATED this 27 day of March, 2006.

Jane Waters
Mayor

Glenda Pettus
City Clerk

(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 27 Day of March, 2006.

Linda L. McVittie
Notary Public

My Commission Expires:
8-24-08

