

100-715  
 100-715  
 Permit # 75-1-1

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF San Francisco  
 THAT:

Section 1. Building Permits

The owner of any land situated within the incorporated limits of the City of San Francisco shall neither construct nor allow construction of placement, on such land, of any building or structure of a type set forth in Sub-paragraphs (a) through (c) below, without having obtained a building permit from the City of San Francisco for such construction.

- (a) Single-family residence.
- (b) Multiple-family residence.
- (c) Any building in which, or from which, any business, commercial enterprises, or manufacturing process is to be conducted, or which is to be used for related storage or warehousing purposes.

Section 2. Application for Building Permit

The application for any building permit required by this ordinance will be submitted by the landowner concerned to the mayor of San Francisco at City Hall, in duplicate copy, and shall contain as a minimum the following:

- (a) Name, mailing address, and telephone number of the applicant.
- (b) Type building to be constructed (as listed in Section 1 of this ordinance).
- (c) Location of the building site.
- (d) Outside dimensions of the proposed building.
- (e) Construction materials to be used for the foundation, floor, and exterior walls.
- (f) Manner in which the proposed building will be anchored to the foundation.
- (g) Height of the first floor level above the ground level, as measured from the highest point of the ground level.
  - (1) Prior to any grading or leveling.
  - (2) After grading and leveling.
- (h) Date on which construction is proposed to begin.

Section 3. Fees for Building Permits

A fee of \$ 15 will be charged for each building permit issued. Payment of said amount will accompany each permit application submitted, with such payment to be returned in event the application is denied.

Section 4. Issuance of Building Permits

The mayor will present each permit application to the city council for its approval or other disposition at its next regular or called meeting, with

the exception that no application will be presented for the council's consideration until it has been reviewed by the City Building Inspector and bears his recommendation as to approval or disapproval. In each case the permit shall be granted unless found to be in violation of any flood zone ordinance or other ordinance heretofore or hereinafter adopted by the city.

Any building permit issued under the provisions of the ordinance will remain valid only for a period of 90 days from its date of issue, and becomes void if construction has not begun within that period, or unless it is renewed within that period.

Section 5. Penalty for Violation

Any person receiving written notification from the City of John A. Kelly that he is in violation of the provisions of this ordinance shall have a period of 30 days following his receipt of such notice in which to effect compliance, or otherwise will upon conviction be subject to a fine of no more than \$10 per day for so long as he remains in violation.

Section 6. Effective Date and Repeal of Ordinance

This ordinance shall be in full force and effect thirty (30) days from and after the passage and publication of this ordinance, and no ordinance or resolution shall be deemed repealed hereby except to the extent of any conflict herewith.

PASSED AND APPROVED this 2 day of July, 1975.

APPROVED:

James M. Kelly  
Mayor

ATTEST:

Betty Lewis  
City Clerk

**BUILDING PERMIT**

Number \_\_\_\_\_

Date of Issue \_\_\_\_\_

Issued to \_\_\_\_\_

The City of Calico Rock hereby grants a permit to the above listed party for building or construction as requested in their request to the city, dated \_\_\_\_\_, and is limited only to the structure specified in such request. This permit was authorized by action of the City Council of Calico Rock at its meeting on \_\_\_\_\_.

APPROVED:

\_\_\_\_\_  
Mayor of Calico Rock

AN ORDINANCE TO PROHIBIT THE MOVING OF BUILDINGS WITHIN THE LIMITS OF THE CITY OF ELM SPRINGS, ARKANSAS, WITHOUT COMPLIANCE WITH CERTAIN REQUIREMENTS.

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

Section 1. It shall be unlawful to move, draw, propel, pull, transport or carry over, along or upon any street, avenue, alley, public road or highway within the city limits of the City of Elm Springs, Arkansas, any building which is intended for new or continued use as the living quarters of any person, including but not limited to all structures which may be moved from the foundations upon which they are presently situated, or which may be moved from any part of the city to another, or which may be moved from outside the city limits unless a permit is first obtained from the Recorder of the City of Elm Springs.

Section 2. Any person, firm or corporation desiring to move any structure as aforesaid shall make application to the Recorder for a permit, and such application shall be considered by the City Council at its next regularly scheduled meeting, at which time the applicant and all interested persons may appear. If, after such hearing, the City Council determines that such moved structure would be habitable and not substandard, and would not be detrimental to the area into which same is to be moved and the citizens of such area, and the citizens of Elm Springs in general, then such application shall be approved, and a permit shall be issued. If such application is denied, it shall be unlawful to move such structure.

Section 3. Any person who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$25.00, nor more than \$250.00. Each and every day that such offense is permitted to exist shall constitute a separate offense.

Section 4. It is further found that this ordinance is necessary for the preservation of the public peace, health, safety and general welfare, and an emergency is declared to exist, and this ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED this 5 day of May, 1975.

Attest: . . .



ORDINANCE NO. 87-11-1

AN ORDINANCE AUTHORIZING THE MAYOR TO REPAIR THE CITY'S MAIL DAMAGED BUILDINGS, AND TO DECLARE AN EMERGENCY.

WHEREAS, three buildings owned by and located in the City of Elm Springs, Arkansas were damaged last year by hail to the extent they require repair before inclement weather arrives; and

WHEREAS, the City's insurance carrier responsible for the repairs has satisfied itself as to fair and proper costs of repair by obtaining estimates for the work to be performed; and

WHEREAS, the City Council of the City of Elm Springs deems it to be in the best interests of the citizens of Elm Springs to waive competitive bidding and retain the company or person chosen by the City's insurance carrier to perform the necessary repairs on the City's three hail-damaged buildings, as it is not feasible or practical to take competitive bids due to the insurance carrier's procedure for estimates having been followed, and so that such repairs may be made immediately to prevent further and more costly damage.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS that the Mayor and City Clerk be authorized to employ the company or person chosen by the City's insurance carrier pursuant to estimates obtained to repair the City's damaged buildings as soon as is possible, and that competitive bidding be waived as it is not feasible or practical to take competitive bids under the present circumstances.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists and that this ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Elm Springs, Arkansas, become effective immediately upon its passage, approval and publication.

PASSED AND APPROVED this 6th day of November, 1989.

APPROVED:

Don Allen Clark  
Acting City Clerk

Jack Hellstern  
Jack Hellstern, Mayor

ORDINANCE NO. 70-5-1

AN ORDINANCE TO REQUIRE BUILDING PERMITS AND APPLICABLE PROCEDURE AND FEES, AND TO DECLARE AN EMERGENCY.

WHEREAS, it has come to the attention of the City Council of the City of Elm Springs, Arkansas that the Building Permit Ordinance, Ordinance No. 75-1-1, for the City of Elm Springs is in need of immediate amendment regarding fees to bring the fee requirements for the City in line with current economic factors; and

WHEREAS, it is deemed to be in the best interests of the citizens of Elm Springs for such fee structure to be in effect immediately;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elm Springs, Arkansas that Ordinance No. 75-1-1 be amended as follows:

Section 1. Building Permits

The owner of any land situated within the incorporated limits of the City of Elm Springs shall neither construct nor allow construction or placement, on such land, of any building or structure of a type set forth in subparagraphs (a) through (c) below, without having obtained a building permit from the City of Elm Springs for such construction.

Building permits shall be issued for the following categories of building or structure:

- (a) Single-family residence.
- (b) Multiple-family residence (duplex, triplex, or apartment house).
- (c) Commercial/Manufacturing.
- (d) Single garage, small shed or outbuilding.
- (e) Double garage, large shed or outbuilding.

Section 2. Application for Building Permit

The application for any building permit required by this ordinance shall be submitted by the landowner to the city inspector for the City of Elm Springs, Arkansas at City Hall, in duplicate copy, and shall contain as a minimum the following:

- (a) Name, mailing address, and telephone number of the applicant.
- (b) Type building to be constructed (as listed in Section 1 of this ordinance.)
- (c) Location of the building site.
- (d) Outside dimensions of the proposed building.
- (e) Construction materials to be used for the foundation, floor, and exterior walls.
- (f) Manner in which the proposed building will be anchored to the foundation.
- (g) Height of the first floor level above the ground level, as measured from the highest

point of the ground level,  
(1) Prior to any grading or leveling.  
(2) After grading and leveling.

(h) Date on which construction is proposed to begin.

Section J. Fees for Building Permits

The fees to be charged for each building permit issued shall be as follows:

(a) Single-family residence or barn:	\$25.00
(b) Multiple-family residence:	50.00
(c) Commercial/Manufacturing:	100.00
(d) Single garage, small shed or outbuilding:	10.00
(e) Double garage, large shed or outbuilding:	20.00

Payment of such fee will accompany each permit application submitted, with such payment to be returned in the event the application is denied.

Section 4. Issuance of Building Permits

The building permit application shall be submitted to the city inspector, who shall contact the flood ordinance administrator. Upon approval by both the building inspector and flood ordinance administrator, the building inspector shall issue the requested building permit unless the proposed building is found to be in violation of state or federal law or any ordinance of the city.

Any building permit issued under the provisions of this ordinance will remain valid only for a period of six (6) months from its date of issue, and becomes void if construction has not begun within that period, or unless it is renewed within that period.

Section 5. Penalty for Violation

Any person receiving written notification from the City of Elm Springs that he is in violation of the provisions of this ordinance shall have a period of thirty (30) days following his receipt of such notice in which to effect compliance, or otherwise will upon conviction be subject to a fine of not less than \$50.00 per day, and not more than \$250.00 per day, for so long as he remains in violation.

**EMERGENCY CLAUSE:** It is hereby declared that an emergency exists and that this ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Elm Springs, Arkansas, become effective immediately upon its passage, approval and publication.

THIS ORDINANCE passed this 26 day of May,  
1990.

ATTEST:

/s/  
City Clerk

/s/  
Mayor

ORDINANCE NO. 91-10-7

AN ORDINANCE PROVIDING FOR THE ADOPTION OF THE LATEST VERSIONS, AND SUPPLEMENTS OF THE SOUTHERN STANDARD BUILDING CODE, THE STANDARD MECHANICAL CODE, THE NATIONAL ELECTRICAL CODE, AND THE ARKANSAS STATE PLUMBING CODE AND DECLARING AN EMERGENCY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ELM SPRINGS, ARKANSAS:

Section 1: That there is hereby adopted by the City of Elm Springs, Arkansas, certain regulations known as the Southern Standard Building Code, 1991 edition; the Standard Mechanical Code, latest edition with latest revisions; the National Electrical Code, 1990 edition; and the Arkansas State Plumbing Code, latest edition with latest revisions; each of which of the required copies have been and are now on file in the office of the City Clerk of the City of Elm Springs, Arkansas and the same are hereby adopted and incorporated herein as if set out at length herein, AND, from the date upon which this ordinance shall take effect, the provisions of each thereof shall be controlling on all dwellings and premises and lands within the corporate limits of Elm Springs, Arkansas.

Section 2: That Section 105 of the Southern Standard Building Code dealing with the Board of Adjustment and Appeals is hereby amended to read that the City Council of the City of Elm Springs will be the Board of Adjustment and Appeals with the same powers, privileges and obligations as Section 105 of the Southern Standard Building Code sets out for the Board of Adjustment and Appeals.

Section 3: That all provisions of all other ordinances which are inconsistent or contradictory with the provisions of this ordinance shall be null and void at the time and date of the



passage of this ordinance.

Section 4: That all parts of this ordinance are separate and severable, and any parts found unenforceable, illegal or unconstitutional shall not affect the other legal, constitutional and enforceable portions of this ordinance.

Section 5: That this ordinance being necessary for the immediate health, safety, and welfare of the citizens of Elm Springs, Arkansas, there is therefore an emergency declared to exist and this ordinance shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this 7<sup>th</sup> day of Oct., 1991.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk

ORDINANCE NO. 92-1

AN ORDINANCE PROVIDING FOR THE ADOPTION OF SETBACKS FOR ALL STRUCTURES HERE AND AFTER CONSTRUCTED IN ELM SPRINGS, ARKANSAS BUT FOR MOBILE HOMES AS ADDRESSED IN ORDINANCE NO. 89-7-2 AND DECLARING AN EMERGENCY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ELM SPRINGS, ARKANSAS:

SECTION 1. That there is here and after created, for application to all structures constructed in the City of Elm Springs, Arkansas, a minimum setback from the boundaries here and after stated.

SECTION 2. Said setback shall apply to all structures, constructed in the City of Elm Springs, for whatever purpose, to be measured from the farthest protruding element of any structures.

SECTION 3. That the setback shall be a minimum of ten (10) feet from the adjoining property line (s) to the farthest protruding element of any structure. Said minimum setback of ten (10) feet shall be increased to a minimum of twenty (20) feet from the edge of any existing road right of way. Said right of way (s) defined as any right of way dedicated to, claimed by, or maintained by the City of Elm Springs, the State of Arkansas, or Washington County.

SECTION 4. That this Ordinance shall apply only to new construction constructed within the city limits of the City of Elm Springs after the date of the passage of this Ordinance.

SECTION 5. That this Ordinance specifically does not address or infringe upon Ordinance No. 89-7-2, dealing with mobile home setbacks.

SECTION 6. That this Ordinance is declared necessary for the immediate health, safety, and welfare of the citizens of the City of Elm Springs, Arkansas and therefore an emergency is declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND APPROVED THIS 6<sup>th</sup> DAY OF Jan. 1992.

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK

ORDINANCE NUMBER 95-3-2

AN ORDINANCE TO ADOPT VARIOUS STANDARD CODES RELATING TO INSPECTION ACTIVITIES OF THE CITY OF ELM SPRINGS, WASHINGTON COUNTY, ARKANSAS AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES.

SECTION 1: WHEREAS, it is the desire of the City Council of Elm Springs, Arkansas to adopt, in all respects, the various Standard Codes relating to amusement devices, building, fire prevention, gas, housing, mechanical, plumbing and swimming pools and;

WHEREAS, the adoption of these Codes is done to facilitate proper inspection activities by the City of Elm Springs, Washington County, Arkansas relating to construction and to maintenance of buildings within said City of Elm Springs, Washington County, Arkansas and relating to public safety, health and general welfare;

NOW, THEREFORE, BE IT ORDAINED BY the City Council of Elm Springs, Arkansas that the following Codes are hereby adopted by reference, save and excepted the portions thereof as are hereinafter delegated, modified or amended as though they were copied herein fully:

Standard Amusement Device Code - 1985 Edition  
Standard Building Code - 1994 Edition and  
Standard Building Code Appendices A, B, C, D,  
E, F, G, H, I, J, K, L and M - 1994 Edition  
Standard Existing Building Code - 1988 Edition  
Standard Fire Prevention Code - 1991 Edition  
Standard Gas Code - 1991 Edition  
Standard Housing Code - 1991 Edition  
Standard Mechanical Code - 1991 Edition  
Standard Plumbing Code - 1991 Edition  
Standard Swimming Pool Code - 1991 Edition  
Standard Unsafe Building Abatement Code - 1985 Edition  
Arkansas State Plumbing Code - 2nd Edition 1991  
Arkansas State Gas Code - 2nd Edition 1991  
Arkansas State Mechanical Code  
National Electrical Code - 1993 Edition

SECTION 2: BE IT FURTHER ORDAINED by the City Council of Elm Springs, Arkansas, that any matters in said Codes which are contrary to existing Ordinances of the City of Elm Springs, Arkansas shall prevail.

SECTION 3: BE IT FURTHER ORDAINED THAT within said Codes, when reference is made to the duties of a certain official named herein, that designated official of the City of Elm Springs, Arkansas, who has duties corresponding to those of the named official in said Code shall be deemed to be the responsible official insofar as enforcing the provisions of said Code are concerned. Further, that three (3) copies of each of the Codes adopted hereinabove shall be kept at the office of the City Clerk in Elm Springs and shall be available for inspection by the public during regular business hours.

SECTION 4: BE IT FURTHER ORDAINED that this Ordinance shall take effect and be in force and effect from and after its passage.

SECTION 5: IT IS HEREBY DECLARED that an emergency exists and this Ordinance being necessary for the preservation of the health, safety, and welfare of the citizens of Elm Springs, Arkansas, and it shall become effective upon its passage, approval and publication.

PASSED AND APPROVED this 16<sup>th</sup> day of March February, 1995

ATTEST:

Barbara A. Dillard  
BARBARA A. DILLARD  
CLERK/TREASURER/RECORDER

\_\_\_\_\_  
ED THEESSE, MAYOR

ORDINANCE NO. 96- 4-1

**AN ORDINANCE REQUIRING ALL PROPERTY OWNERS WITHIN THE CITY LIMITS OF ELM SPRINGS, TO POST THEIR 911 ADDRESS NUMBER; AND DEFINING AND DESCRIBING THE MINIMUM REQUIREMENTS FOR SUCH POSTING**

**WHEREAS**, the ability of emergency responders to addresses within the city limits is greatly impaired when the physical location of a 911 address cannot be found because of failure to post said address, and;

**WHEREAS**, it is necessary to protect the citizens, including surrounding property owners and all citizens from fire, health and safety emergencies;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ELM SPRINGS, ARKANSAS.**

**SECTION I:** 911 address number required to be clearly visible from the public access roadway.

(A) **INTENT AND PURPOSE.** This ordinance is hereby declared to be remedial, and shall be construed to secure the beneficial interests and purposes hereof, which are the public safety, health and general welfare of the residents of the city of Elm Springs through the prevention and alleviation of confusion, risk to safety of life and property from fire, bodily injury and other hazards incident to the inability of emergency responders to quickly and accurately respond to emergencies within the city.

(B) **DUTIES OF PROPERTY OWNERS AND PERSONS INHABITING OR USING STRUCTURES WITHIN THE CITY LIMITS.** All property owners and those persons renting or otherwise using structures within the city of Elm Springs such as residents, lease holders, tenants and renters, are hereby required to post permanent 911 address numbers as required by this ordinance.

**SECTION II:** Definitions

(A) **PERMANENT NUMBERS.** Address numbers that are raised numbers, made of metal, wood, plastic or masonry/tile and are nailed or screwed into the building or are part of the masonry siding. These numbers are those assigned to the building by Washington County 911 operations.

(B) **STICK ON NUMBERS.** Address numbers with adhesive backing that are designed, or were originally designed, to stick on to a surface.

(C) **TEMPORARY NUMBERS.** Address numbers that are permanent numbers as defined above, and are placed on a board, and staked into the ground and rise from 3 to 4 feet above the ground. Temporary numbers may also be painted onto a board and staked into the ground.

**SECTION III:** When, where, and how numbers are to be displayed.

- (A) Permanent numbers must be attached to the building as set out in the above referenced definition for "permanent numbers" and must be clearly visible from the street. If a number as defined by this ordinance cannot be seen from the street then that number must be posted at the entrance of the driveway to that building.
- (B) All numbers shall be installed at the expense of the owner and shall be maintained at the owners expense.
- (C) No "STICK ON" numbers shall be accepted on buildings.
- (D) All numbers must be made of metal, plastic, wood, or masonry/tile if they are part of the buildings masonry siding.
- (E) All numbers must be at least 3 3/4" in height.
- (F) All numbers must be contrasting in color to the background on which they are posted.
- (G) Numbers displayed on a building must be displayed on the front of the building, or on the side that faces the public access roadway and is easily visible from the roadway.
- (H) Commercial establishments must have permanent numbers nailed or screwed into the building. Commercial establishments with glass fronts may have painted numbers on the glass, but only if there is no where possible to nail or screw permanent numbers into the building.
- (I) Commercial establishments that have individual suites must have permanent numbers on the building ("building number") and also permanent numbers on each suite ("suite number").
- (J) Mobile homes must have permanent address numbers nailed or screwed into the mobile home. The numbers must be affixed to the side or end of the mobile home that faces the roadway.
- (K) Mobile home parks must have the park address number displayed at the entrance to the park (The park may have permanent or painted numbers affixed to the park entrance sign), and the park must also have permanent, individual space numbers affixed to each mobile home.
- (L) Apartment buildings must have the building number permanently affixed to each building, and must also have individual apartment numbers permanently affixed to each apartment.
- (M) On every building assigned a 911 address number, where such numbers would not be visible from the roadway if they were posted on the building, must have permanent numbers nailed or screwed into a board and posted at the entrance of the driveway, either on a post or on a mailbox. Numbers which are posted at the entrance of the driveway must rise from 3-4 feet above the ground, and be clearly visible from the roadway. If two or more buildings are on the same drive, permanent numbers must be nailed or screwed into each individual building, as well as numbers posted at the entrance of the driveway. STICK ON numbers may be used on mailboxes. Where one or more buildings are at a location but only one such building has been assigned a 911 address number, only that building must display the number on it and at the entrance to the driveway if the building and its number are not clearly visible from the street.
- (N) Construction sites where the building is not complete enough to affix permanent address numbers, must display temporary numbers at the construction site where they are clearly visible from the street.

**SECTION IV:** Penalties

(A) Any violation of this ordinance by a property owner, a tenant, a lease holder a resident of the property, are punishable by: a fine of not less than five dollars (\$5), nor more than five hundred dollars (\$500), and double that amount for a repeated and willful violation of the same ordinance; or a fine of not less than one dollar (\$1) nor more than two-hundred fifty dollars (\$250) for each day of a continued violation.

Persons failing and refusing to pay a fine and cost to prosecution for violation of a city ordinance shall be committed until same is paid, or the parties are discharged by due process of law. Provided however, that punishment for an offense made a misdemeanor by state law shall be neither more nor less than that provided by state law.

**SECTION V:** Procedure

(A) The city of Elm Springs may and will attempt to contact any property owner, resident, tenant or renter residing on a property or in a building not meeting the requirements of this ordinance in order to voluntarily gain their compliance with the requirements of this ordinance. However, this ordinance may be enforced even if the city fails to make this attempt at getting voluntary compliance.

(B) Any property owner, resident, lease holder or tenant to whom the request for voluntary compliance has been sent shall, and any property owner, resident, tenant or lease holder who has not been sent a request for voluntary compliance may be cited to the Elm Springs Municipal Court by any law enforcement officer authorized to enforce the ordinances of the city of Elm Springs or by the city building inspector for violation of this ordinance.

**WHEREAS**, it is necessary for the efficient operation of the city of Elm Springs and to enhance and improve the safety of the citizens of the city of Elm Springs by preventing confusion, delay or other tragic consequences of emergency responders being unable to locate an address at which an emergency may be occurring;

**NOW, THEREFORE**, an emergency is hereby declared to exist and this ordinance being necessary for the preservation of the public peace, health, and safety shall take effect and be enforced from and after its passage and approval.

DATED this 1<sup>st</sup> day of April, 1996.

ATTEST:

Barbara Dillard  
Barbara Dillard, City Clerk

Ed Thiese  
ED THIESE, Mayor



I CERTIFY THIS IS A TRUE AND  
CORRECT COPY OF THE ORIGINAL DOCUMENT  
DATED THIS 12<sup>th</sup> DAY OF October  
1976  
COURT CLERK

ORDINANCE NUMBER 96-7-1 K

AN ORDINANCE TO SET PROCEDURES FOR  
REMOVAL OF UNSAFE STRUCTURES, TO DECLARE  
AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, the City Council for the City of Elm Springs deems it necessary to determine procedures for the removal of unsafe buildings of any type which are hazardous to the health and safety of the citizens of Elm Springs; and

WHEREAS, it is deemed to be in the best interest of the citizens of the City of Elm Springs to set forth the City's procedures for removing unsafe or substandard structures after notice to property owners; and

WHEREAS, this ordinance is to provide for the control of the use, maintenance, safety, repair, and aesthetic value, and occupancy of all dwellings, dwelling units and/or structures of every type within the area of jurisdiction of the City of Elm Springs so as to ensure the public safety, health, aesthetic and general welfare of the residents of the City of Elm Springs;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF ELM SPRINGS, ARKANSAS THAT:

#### SECTION I: UNSAFE STRUCTURES

All buildings or structures which are unsafe, unsanitary, or not provided with adequate egress, or which are substandard, constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, abandonment, or severely in contemplation of this section, are unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the following provisions:

- (a) Whenever the Building Official shall find any building or structure or portion thereof to be unsafe, as defined in this section, he shall, in accordance with established procedure for legal notices, give the owner, agent, or person in control of such building or structure written notice stating the defects thereof. This notice shall require the owner within thirty (30) days to purchase a building permit and to commence specified repairs or improvements, or to demolish and remove the building or structure or portion thereof. The Building Official shall set the time allowed to complete such repairs or removal. If the person to whom such notice and order is addressed cannot be found after diligent search, then such notice shall be posted in a conspicuous place on the premises to which it relates. Such mailing and posting shall be deemed adequate service.
- (b) Any owner, agent, or person in control of such building or structure who shall fail, neglect, or refuse within the stated time to comply with said notice from the building official to repair, rehabilitate, or to demolish said building or structure or portion thereof, shall be guilty of a misdemeanor and shall be subject to penalties set out in Section 3 of this Ordinance.
- (c) In case the owner, agent, or person in control cannot be found within the stated time, or, if such owner, agent, or person in control shall fail, neglect, or refuse to comply with notice to repair, rehabilitate, or to demolish and remove said building or structure or portion thereof, the building official shall refer the matter of removing said building to the City Council. If the City Council deems the structure unsafe and that it is in the best interest of the City to proceed with removal of the unsafe structure, it shall enact an Ordinance ordering the property owner to raze and remove the unsafe structure, with work thereon to commence within ten (10) days and be completed within thirty (30) days. If the property owner fails to do so, the Mayor of his authorized representative shall cause the unsafe structure to be razed and removed. The cost thereof shall be charged against said premises and shall constitute a lien thereon.

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(d) The amount of the lien may be determined at a hearing before the City Council held after thirty (30) days written notice by certified mail to the owner of the property if the name and whereabouts of the owner is known. If the name of the owner cannot be determined, then the amount will be determined only after publication of notice of the hearing once a week for four (4) consecutive weeks. The determination of the City Council is subject to appeal by the property owner to the Chancery Court. The amount so determined at the hearing, plus ten percent (10%) penalty for collection, shall be certified by the City Council by Ordinance to the tax collector of the county in which the property is located, to be placed on the tax books as delinquent taxes, and collected accordingly. The amount, less three percent (3%) thereof, when so collected shall be paid to the City by the County Tax Collector. In the alternative, the lien provided for pursuant to this chapter and state law may be enforced in the Chancery Court at any time within eighteen (18) months after work has been done.

(e) In cases of emergency which, in the opinion of the Building Official, involve imminent danger to human life or health, he shall promptly cause such building, structure or portion thereof to be made safe or removed, whether the procedure prescribed in this section has been instituted or not. For this purpose he may at once enter such structure or land on which it stands, or abutting land or structures, with such assistance and at such cost as he may deem necessary. He may vacate adjacent structures and protect the public by appropriate fence or such other means as may be necessary, and for this purpose may close a public or private way.

## SECTION II: CONSTITUTIONALITY

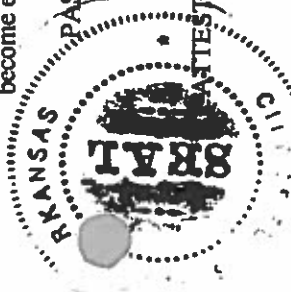
If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

## SECTION III: VIOLATIONS AND PENALTIES

Whenever it is found that any person is violating any of the provisions or requirements set out in this Ordinance, a written notice stating the offense and setting time limit for the correction thereof shall be served upon the offender in person or by certified mail by the chief city inspector. If the offending party is not the owner of record of the tract upon which said dwelling or dwellings are being constructed, a copy of such notice shall also be served on the owner of record. The offender shall within this time limit set in the notice served upon him forever cease all violations. Any person who shall continue to violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than twenty-five dollars (\$25.00) nor more than two hundred-fifty (\$250.00). Each day any such violation may continue shall be deemed a separate offense.

## SECTION IV: EMERGENCY CLAUSE

The City Council hereby determines that there are currently existing unsafe structures within the city limits of Elm Springs which constitute a continuing detriment to the public safety and welfare and determines that unless the provisions of this Ordinance are put into effect immediately, the public health, safety and welfare of the citizens of Elm Springs will be adversely affected. Therefore, It is hereby declared that an emergency exists and that this Ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Elm Springs, Arkansas, become effective immediately upon its passage, approval and publication.



PASSED AND APPROVED this 1<sup>st</sup> day of July, 1996

  
MAYOR

  
TREASURER/RECORDER

96041222

**ORDINANCE NO. 00-1**

FILED FOR RECORD

**AN ORDINANCE ORDERING THE RAZING AND  
REMOVAL OF AN UNSAFE STRUCTURE AND  
THE ABATEMENT OF UNSIGHTLY CONDITIONS AT  
100 SOUTH ELM, AND 104 SOUTH ELM.**

NOV 11 11 33  
WASHINGTON CO AR  
K. HARRISS

WHEREAS, Oren Paris III is the owner of the real property at the address in the City of Elm Springs, Arkansas known as: 100 South Elm, and 104 South Elm.

WHEREAS, the City Council of the City of Elm Springs Arkansas has determined that the structures located on said property have not been properly maintained, are dilapidated, unsightly, unsafe, are a nuisance, and are detrimental to the public health, safety and welfare; and

WHEREAS, the City Council has further determined that said property is littered with trash and debris; and

WHEREAS, the owner of said property, after having been given thirty (30) days notice by certified mail, has neglected and refused to raze and remove said unsafe structures and to abate said unsightly conditions.

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

Section 1. That Oren Paris III is hereby ordered to raze and remove the dilapidated, unsightly and unsafe structures located on the aforesaid real property; and is further ordered to abate the unsightly conditions and clear the area of debris and trash on said property. Said work shall commence within ten (10) days and shall be completed within thirty (30) days from the passage of this ordinance. The manner of removing said structure shall be: dismantled by hand or machine and disposing of all debris in a manner consistent with local, state and federal regulations.

Section 2. If the aforesaid work is not commenced within ten (10) days or completed within ninety (90) days, the Mayor or his authorized representative is hereby directed to cause the aforesaid structure to be razed and removed and the unsightly conditions to be abated; and the City of Elm Springs shall have a lien upon the aforesaid real property for the cost of razing and removing said structure and abating said unsightly conditions.

2000027586

Section 3. The City Council hereby determines that the aforesaid unsafe structure constitutes a continuing detriment to the public safety, sanitation, and welfare and determines that unless the provisions of this ordinance are put into effect immediately, the public health, safety and welfare of the citizens of Elm Springs, Arkansas will be adversely affected. Therefore, an emergency is hereby declared to exist and this ordinance being necessary for the public health, safety and welfare shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 6th day of March, 2000.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK/RECORDER

2000027587

**AN ORDINANCE AMENDING ORDINANCE NO. 95-3-2] THE SAME BEING 03  
THE ORDINANCE TO ADOPT VARIOUS STANDARD CODES RELATING  
TO INSPECTION ACTIVITIES OF THE CITY OF ELM SPRINGS, CO AR  
WASHINGTON COUNTY, ARKANSAS AND ENFORCEMENT OF BUILDING  
PROVISIONS AS PROVIDED IN SAID CODES.**

WHEREAS, the City Council of Elm Springs, Arkansas deems it necessary from time to time, to adjust certain standards for buildings and structures, which could be implemented in keeping with the City's adopted Building Code Ordinance, and this ordinance is required for the purpose of preventing the overuse and overloading of septic systems which are designed for limited levels of use, and to prevent the overcrowding of dwellings, and for promoting the health, safety, and general welfare of the citizens of Elm Springs, Arkansas; and

WHEREAS, the Elm Springs City Council has prepared an ordinance amending Ordinance No. 95-3-2, the same being the ordinance to adopt various standard codes relating to inspection activities of the city of Elm Springs, Arkansas.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, ARKANSAS IN REGULAR SESSION ASSEMBLED AS FOLLOWS:

SECTION 1. Ordinance No. 95-3-2 of the City of Elm Springs, being an ordinance providing for adoption of Building Codes within the City of Elm Springs is amended as hereinafter set forth.

SECTION 2. Add the word "Electrical" to the last line of the first paragraph of Section 1 of Ordinance No. 95-3-2.

SECTION 3. Increase the Minimum Square footage required per person in residential use structures to 250 square feet per person from 200 square feet per person.

SECTION 4. All provisions of said ordinance No. 95-3-2 not hereby amended shall remain in full force and effect. All provisions of all codes and appendices listed in Ordinance 95-3-2 including title, scope, and administration, shall remain in full force and effect as though they were copied herein fully word for word.

SECTION 5. It has been found and is hereby declared by the City Council of the City of Elm Springs, Arkansas, in regular session assembled, that this ordinance is immediately required in order to prevent the overuse and overloading of septic systems, secure safety from fire and other dangers; to provide adequate light and air; to prevent the overcrowding of dwellings; to clarify language and to insure the orderly development of the community for the general welfare of the citizens; and that the provision of this ordinance is essential to protect the health and welfare of the public; and that the immediate passage of this ordinance is necessary to adequately accomplish these purposes. Therefore, an emergency is hereby declared to exist and this ordinance being necessary for the public welfare shall be in full force and effect from and after its passage approval, and publication.

PASSED AND APPROVED THIS 3<sup>d</sup> DAY OF April, 2000.



MAYOR

ATTEST: Wanda Lottus  
RECORDER/TREASURER

2000027585

**ORDINANCE NO. 2001-05**

**An Ordinance Amending Ordinance No. 95-3-2, the Building Code, to require watertight septic systems to be installed in all new installations and any replacements, declaring an emergency, and for other purposes**

WHEREAS, the City Council of the City of Elm Springs and the Planning Commission of Elm Springs have evaluated the various options available for managing the community's wastewater collection and treatment needs, and

WHEREAS, the City Council has determined that the Preliminary Engineering Report prepared for Elm Springs by PMC Engineering offers reasonable solutions for managing wastewater within the City of Elm Springs in a cost effective, responsible and environmentally acceptable manner, and

WHEREAS, the City Council has directed PMC Engineering to submit said report to the appropriate authorities for consideration and funding, and

WHEREAS, certain types of septic tanks fitted, designed, constructed and properly installed offer special benefits of environmental integrity and cost effectiveness related to compatibility with the planned wastewater management system.

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

1. That Ordinance No. 95-3-2, adopting the Building Code for Elm Springs, be modified to add the Specifications attached hereto to the Building Code for construction within the City of Elm Springs, which Specifications are hereby incorporated into the Building Code of the City of Elm Springs; and
2. That from the date of the adoption of this ordinance, all persons, corporations, agencies, contractors, sole proprietorships, and other entities seeking to install or replace a septic system within the corporate limits of the City of Elm Springs shall be required to install only those septic tanks which fully comply with the provisions of the Specifications identified as Attachment A ("the Specifications"); and

3. That any such installation of septic systems shall include ~~a~~ water tight tanks as per the Specifications which shall be installed in accordance with the practices and procedures detailed therein; and
4. That the City Inspector is instructed to enforce the provisions of this Ordinance, and to assess the fines and penalties for non-compliance as are set forth in the Building Code for violation of the plumbing code; and
5. That the public health, safety and welfare ~~of~~ the citizens of the City of Elm Springs is protected by the enactment of this Ordinance, and therefore an emergency exists requiring the provisions of this ordinance be enacted immediately upon its adoption; and
6. That the Mayor is hereby authorized to issue such letters, memorandums or other communications as deemed necessary to officially notify the intent of the City of Elm Springs to enact these requirements and to enlist the cooperation of the Washington County Sanitarian and the Arkansas Department of Health and the Arkansas Department of Environmental Quality in assuring compliance with these provisions.

PASSED AND APPROVED BY the City Council of Elm Springs, Arkansas on the 1<sup>st</sup> day of October, 2001.

APPROVED:



ED THIESE, MAYOR

ATTEST:



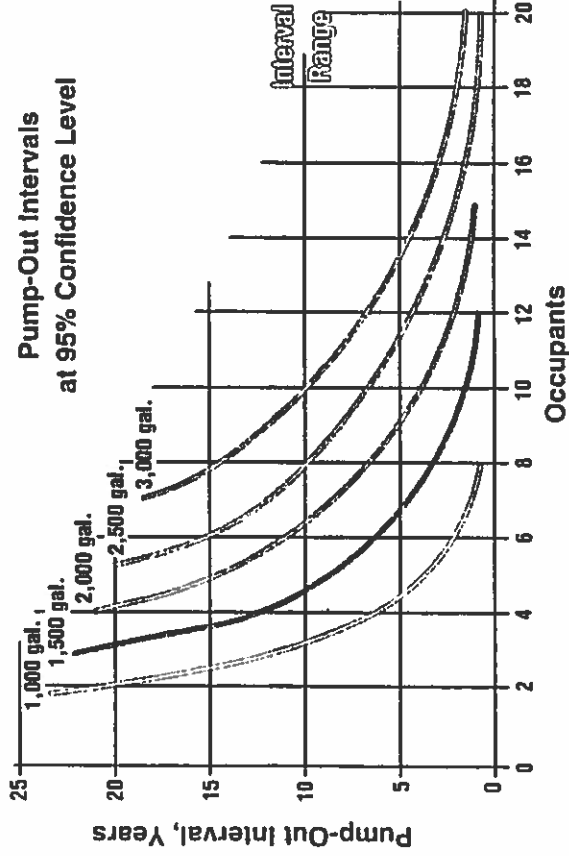
CITY CLERK



**A. ONSITE SEPTIC/INTERCEPTOR TANKS**

**1. General:**

- a. The manufacturer shall provide the structural design and certification to the City for review on request. The design shall be in accordance with accepted engineering practice. Precast concrete or fiberglass tanks shall have been approved by state or local regulatory agencies or authorities. To achieve effective performance and minimize pump-out occurrences, residential interceptor tanks shall have a nominal liquid capacity of 1000 gallons for up to 2 bedrooms, 1500 gallons for 3 bedrooms, 2000 gallons for 4 bedrooms, and, for more than 4 bedrooms, the sizing shall be determined based on an occupancy assessment and shall be in accord with Figure 1.



**Figure 1. Interceptor Tank Pump-Out Intervals**

Average flow ( $Q_a$ ) is based upon typical weekly discharges. Wastewater flows for single-family dwellings typically range from 40 to 60 gallons per capita per day (gpcd); 50 gpcd is a commonly used design parameter and is the value used in calculations herein. The number of individuals (capita) is assumed to average three per dwelling.

Attachment to Ordinance No. \_\_\_\_ Septic Tank Specifications (Continued)

b. Loading Criteria:

- There shall be 140 lbs./cu.ft. for minimum weight of saturated backfill, or 127 lbs./cu.ft. for unsaturated backfill (500 lbs./sq.ft.minimum).
- Minimum lateral loading shall be 62.4 lbs./cu.ft. Lateral loading shall be determined from ground surface.
- The tank shall also support a concentrated wheel load of 2500 lbs.

There are four (4) typical loading conditions that must be considered:

- 1) 4 ft. Bury + Full Exterior Hydrostatic Load
- 2) 4 ft. Bury + Full Exterior Hydrostatic Load + 2500 lb. Wheel Load.
- 3) 1 ft. Bury + 2500 lb. Wheel Load.
- 4) Tank Full, Interior Hydrostatic Load and Unsupported by Soil.

Load Case 4 represents the tank full of liquid at 62.4 lbs/cu.ft. This condition addresses seam and haunch stress-strain relationships that occur during watertightness testing, as well as poor soil bedding conditions that provide inadequate support.

- c. Tanks requiring deep burial (>48") or subject to truck or heavy traffic loading require special consideration. (A minimum soil cover of 12" shall be used, unless specified otherwise by manufacturer.)

- d. *All tanks shall be structurally sound and watertight and shall be guaranteed in writing by the tank manufacturer for a period of two years from the date of final acceptance. Manufacturer's signed guarantee shall accompany bids. The tank guarantee/warranty shall be furnished at the time of submittal. Tank warranty shall not be limited liability to replacement cost of the tanks. The septic tank shall be capable of withstanding long-term hydrostatic loading, in addition to the soil loading, due to a water table maintained at ground surface.*

- e. Tanks shall be manufactured and furnished with access openings 20" in diameter. Modification of completed tanks will not be permitted.

- f. Inlet plumbing shall include an inlet tee that penetrates 18" into the liquid from the inlet flow line. (The depth may vary depending on the tank's height; in all cases, though, the inlet should extend to a level below the bottom of the maximum scum depth.) The inlet plumbing shall allow for natural ventilation back through the building sewer and vent stack.

- g. Tanks shall be capable of successfully withstanding an aboveground static hydraulic test and shall be individually tested.

- h. All tanks shall be installed in strict accordance with the manufacturer's recommended installation instructions.

2. Concrete Tanks:

- a. Walls, bottom and top of reinforced concrete tanks shall be designed across the shortest dimension using one-way slab analysis. Stresses in each face of monolithically constructed tanks may be determined by analyzing the tank cross-section as a continuous fixed frame.
- b. The walls and bottom slab shall be poured monolithically; alternatively, water stops may be provided.
- c. Reinforcing steel shall be ASTM A-615 Grade 60,  $f_y = 60,000$  psi. Details and placement shall be in accordance with ACI 315 and ACI 318.
- d. Concrete shall be ready-mix with cement conforming to ASTM C150, Type II. It shall have a cement content of not less than six (6) sacks per cubic yard and maximum aggregate size of 3/4". Water/cement ratio shall be kept low ( $0.35 \pm$ ), and concrete shall achieve a minimum compressive strength of 4000 psi in 28 days. The Contractor shall submit a concrete mix design to the City for review and approval upon request. At the request of the City, three (3) concrete sample cylinders shall be taken and tested for each tank manufactured until the manufacturer and City are satisfied that the minimum compression strength is being obtained. To ensure compliance, the manufacturer shall then make and set three (3) sample cylinders for a minimum of 20% of the remaining tanks at the discretion of the City. If the minimum compressive strength is not being obtained, the manufacturer shall be required to make and test sample cylinders for each tank manufactured. Calcium chloride will not be allowed in the mix design. The cost of testing cylinders shall be the tank manufacturer's responsibility. The City may request the manufacturer to supply and utilize a Swiss Hammer to demonstrate any areas of non-uniformity.
- e. Tanks may be protected by applying a heavy cement-base waterproof coating (Thoroseal® or approved equal), on both inside and outside surfaces, in compliance with Council of American Building Officials (CABO) report #NRB-168; 6181; however, the tank should be watertight without the addition of seal coatings.
- f. Form release used on tank molds shall be Nox Crete™ or approved equal. Diesel or other petroleum products are not acceptable.
- g. Tanks shall not be moved from the manufacturing site to the job site until the tank has cured for seven (7) days or has reached two-thirds of the design strength.
- h. Tanks shall be manufactured and furnished with access openings of the size and configuration to accommodate individual packaged pump systems. For 24" diameter access risers, the tank manufacturer shall cast in place a flanged tank adapter to facilitate the bonding of a 24" diameter access riser. The flanged tank adapter shall be made of 1/4" thick ABS and shall have an outside

diameter of 27" and an inside diameter of 22-3/4". The flanged adapter shall be Orenco Systems®, Inc. Model PRTA24 or City-approved equal. The adapter must have an overall height of no less than 3" to allow 1-1/2" exposed for sufficient bonding area once the adapter is installed in the tank. For 21" and 30" diameter access risers, either a grooved tank adapter plate (Model RRFTA or RRFTA30) or a flanged tank adapter (Model FRFTA30) may be installed in the tank. The adapter shall be manufactured of fiberglass or ABS and shall accommodate either a 21" or 30" diameter access riser.

- i. The septic tank and the top slab shall be sealed with a preformed flexible plastic gasket. The flexible plastic gasket shall be equal to the flexible butyl resin sealant congeal CS-102 or CS-202 as manufactured by Concrete Sealants, Inc. of New Carlisle, Ohio, and shall conform to federal specification SS-S-00210(2iOA) and AASHTO M-198.
- j. In order to demonstrate watertightness, tanks shall be tested twice prior to acceptance. Inlets to the septic tank will be watertight pipe seal Cast-A-Seal™ (Manufactured by Press-Seal Gasket Corporation) or approved equal. Each tank shall be tested at the factory, prior to shipping, by filling with water to the soffit and letting stand. After 24 hours, the tank shall be refilled to the soffit and the exfiltration rate shall be determined by measuring the water loss during the next two (2) hours. Any leakage shall be cause for rejection. After installation is completed, each tank shall be filled with water to a point 2" into the access riser and retested as previously described (the field test period may be reduced to not less than two (2) hours). Backfill of a depth equal to the water height in the riser must be in place over the tank to prevent damage due to hydrostatic uplift. No tank will be accepted if there is any leakage over the two (2) hour period.

### 3. Fiberglass Tanks:

- a. Method of Calculations:
  - 1) Fiberglass tanks shall be analyzed using finite element analysis for buried structures.
  - 2) Calculations shall address the following:
    - strength
    - buckling
    - deflection of 5% of the tank diameter, based on service load (including long-term deflection lag)
    - buoyancy
- 3) Performance testing

Material Properties and Laminates

The laminates considered in this analysis shall be of general-purpose ortho-polyester resin with E-type fiberglass reinforcement or higher grade. The thicknesses for different regions of the tanks shall be described and shown in shop drawings for each individual tank.

The laminate properties listed here, along with the minimum thicknesses as described herein, are considered typical design values that must be maintained during the manufacturing of the tanks.

Typical primary strength properties are listed below:

Tensile Modulus (psi)	1,000,000
Ultimate Tensile strength (psi)	10,000
Ultimate Compressive strength (psi)	21,000
Ultimate Flexural strength (psi)	18,000
Ultimate Shear In-Plane (psi)	7,800

- b. In lieu of calculations for fiberglass tanks, the supplier may elect in-situ performance testing.
- c. In-situ testing of each tank model shall include use of strain gauge and deflection gauge. The tank shall be subjected to external forces equal to twice the actual load.
- d. Maximum initial deflection based on test loading shall not exceed 3% of the tank diameter.
- e. Performance testing will be evaluated by a Registered Professional Engineer (P.E.). The Engineer will have the sole responsibility to determine the maximum external loading on any of the tank models.
- f. The tank shall be constructed with a glass fiber and resin content specified by the manufacturer and with no exposed glass fibers. Any permanent metal part shall be 300 series stainless steel.
- g. Inspections may be made by the City's representative in the supplier's yard, within the plant, upon delivery and again after installation. The minimum wall thickness shall be 3/16". If the wall thickness is suspected to be less than 3/16" or if delamination is suspected within any portion of the tank, the representative may drill a 1/4" diameter hole through the tank wall for inspection purposes. If the required minimum 3/16" thickness is not found and the tank is not rejected by the City, repair if feasible shall be the responsibility of the contractor. If repair is judged not feasible, the tank shall be rejected. If twenty percent (20%) or more of the tanks are rejected for any of the aforementioned reasons, each tank under this bid will become suspect of substandard quality and subject to rejection by the City. If the required minimum 3/16" thickness

Attachment to Ordinance No. \_\_\_ Septic Tank Specifications (Continued)

is found and no delamination is present, the repair of the inspection holes shall be the responsibility of the City.

- h. The City may specify the minimum weight of each tank model that will be allowed. The manufacturer shall permanently mark the weight of each tank on the top near the access hole.
- i. The minimum tank weight shall be indicated by the manufacturer.
- j. Holes specified for the tank shall be provided by the manufacturer. Resin or other appropriate sealant shall be properly applied to all cut or ground edges so that no glass fibers are exposed and all voids are filled.
- k. Orenco Systems' EPDM gaskets, or approved equal, shall be used at the inlet to join the tank wall and the inlet piping. Schedule 40 PVC pipe and fittings shall be used at the inlets.
- l. Inlet plumbing shall include an inlet tee that penetrates 18" into the liquid from the inlet flow line. (The depth may vary depending on the tank's height; in all cases, though, the inlet should extend to a level below the bottom of the maximum scum depth). The inlet plumbing shall allow for natural ventilation back through the building sewer and vent stack.
- m. Water testing shall be performed on each tank and shall be witnessed by the City's representative. Every tank shall be assembled by the manufacturer and filled with water to the brim of the access opening for a minimum of two (2) hours. The tank shall show no leakage from section seams, pinholes or other imperfections. Any leakage is cause for rejection.
- n. When leakage occurs, if the tank is not rejected by the City, an additional water test shall be made on the tank after repairs have been completed. The manufacturer shall be responsible for making all corrective measures in production or assembly necessary to ensure a completely watertight tank.
- o. After installation of tank with riser is completed, each tank shall be filled with water to a point 2" into the access riser and the water loss measured after a two-hour period. Every tank test shall be witnessed by the City's representative. Any leakage shall be cause for rejection. Backfill of a depth equal to the water height in the riser must be in place over the tank to prevent damage due to hydrostatic uplift.
- p. Each tank shall be marked in the uppermost surface above or near the outlet and include a permit or identification number, weight of tank, type of tank, and date of manufacture.
- q. Installation shall be in accordance with the manufacturer's recommendations, or as shown on the Contract Plans, whichever is more stringent--no variations.

## **B. RISERS & LIDS:**

### **1. Risers:**

Risers shall be required for access to internal vaults and access into the septic tanks for septage pumping. All risers shall be constructed watertight. The risers shall be attached to the tanks such that a watertight seal is provided. Risers shall extend 3" above original grade to allow for settlement and to ensure positive drainage away from the access. Risers for inspection ports shall be a minimum of 18" in nominal diameter. Risers containing pumping assemblies or electrical splice boxes shall be a minimum of 24" in diameter and shall be of sufficient diameter to allow removal of internal vaults without removing splice boxes, etc. Risers shall be a minimum of 30" in nominal diameter when the depth of bury is 36" or greater. All other risers shall be a minimum of 24" in nominal diameter and shall vary in height depending on the depth of bury on the various tanks. Adhesive required to adhere the PVC or fiberglass risers to either fiberglass or ABS tank adapter shall be either a two-part epoxy, Model MA320 or approved equal, or a single component adhesive Model ADH100 or approved equal. To ensure product compatibility, risers, lids, and attachment components shall be supplied by a single manufacturer.

### **2. Inlet Risers:**

Inlet risers (required only on two-compartment tanks and tanks with greater than 1500-gallon capacity) shall be ribbed PVC as manufactured by Orenco Systems®, Inc. or City-approved equal. The material shall be PVC as per ASTM D-1784 and tested in accordance with AASHTO M304M-89. The risers shall be constructed of non-corrosive material and designed to be buried in soil. Risers shall have a minimum stiffness of 10 psi, when tested according to ASTM D2412. Risers shall be capable of withstanding a truck wheel load (36 square inches) of 2500 pounds for 60 minutes with a maximum vertical deflection of 1/2". Risers shall extend to 2" above the ground surface to allow for settlement and shall have a minimum nominal diameter of 18".

### **3. Outlet Risers:**

Outlet risers shall be ribbed PVC as manufactured by Orenco Systems®, Inc. or City-approved equal. The material shall be PVC as per ASTM D-1784 and tested in accordance with AASHTO M304M-89. The risers shall be constructed of non-corrosive material and designed to be buried in soil. Risers shall have a minimum stiffness of 10 psi, when tested according to ASTM D2412. Risers shall be capable of withstanding a truck wheel load (36 square inches) of 2500 pounds for 60 minutes with a

maximum vertical deflection of 1/2". Risers shall be at least 12" high, shall have a minimum nominal diameter of 24" for simplex pumping applications or 30" when used in a duplex pumping application and shall be factory-equipped with the following:

- a. **Electrical and Discharge Grommets:** when applicable, Orenco Systems' EPDM grommets shall be installed by the manufacturer for discharge piping, vent piping, and/or the electrical conduit to assure a watertight seal. The grommets shall be installed at the factory by the manufacturer of the access risers.
- b. **Adhesive:** When bonding to concrete or fiberglass grooves, a two-part epoxy, one pint required per 18" or 24" diameter riser and one quart required per 30" diameter riser, Model ADHP10 or ADHQ10, or approved equal shall be used. When bonding to a flanged riser tank adapter, either a two-part epoxy, Model MA320 or approved equal, or a single component adhesive Model ADH100 or approved equal shall be used.

**4. Riser-To-Tank Attachment:**

Risers shall be attached to tanks with one of the following attachment systems, or approved equal:

- (1) Orenco Systems®, Inc. Model RUBDKIT attachment kit; (2) Orenco Systems®, Inc. Model PRTA24 tank adapter used with Model PRTA24BDK1T bolt down kit, and Model MA320 or ADH100 adhesives; (3) Orenco Systems®, Inc. Model RRFTA tank adapter used with Model RRFTABDKIT bolt down kit and Model ADHP10 adhesive; (4) Orenco Systems®, Inc. Model FRTA30 tank adapter used with Model FRTA30BDK1T bolt down kit and Model ADH100 adhesive.

All attachment components shall be constructed of waterproof, non-corrosive materials, such as PVC, ABS, fiberglass, or stainless steel. Adhesives and sealants shall be waterproof, corrosion resistant and approved for the intended application. The riser-to-tank connection shall be watertight and structurally sound. The riser-to-tank connection shall be capable of withstanding a vertical uplift of 5000 pounds to prevent riser separation due to tank settlement, frost heave, or accidental vehicle traffic over the tank.

**5. Lids:**

One lid shall be furnished with each access riser. Lids shall be Orenco Systems®, Inc. Model FL18G-4BU, FL21G, FL24-4B, FL24G-4BU, or FL30G or City-approved equal, as appropriate, fiberglass with green non-skid finish, and provided with stainless steel bolts, and wrench. Manufacturer shall provide evidence that lids have been used successfully in continuous field service for a minimum of five years to demonstrate long-term integrity and suitability for the application. Lids shall be waterproof, corrosion resistant and UV resistant. Lids shall be flat, with no noticeable upward dome.



Attachment to Ordinance No. \_\_\_ Septic Tank Specifications (Continued)

A crown or dome of no more than 1/8" is allowable. Lids shall not allow water to pond on them. Lids shall have a green non-skid finish. Self-lubricating plastics, such as polyethylene, shall not be considered non-skid without addition of a non-skid coating. Lids shall form a watertight seal with the top of riser. Lids shall be capable of withstanding a truck wheel load (36 square inches) of 2500 pounds for 60 minutes with a maximum vertical deflection of 1-1/2". Lids shall be provided with tamper-resistant stainless steel fasteners and a tool for fastener removal. Tamper-resistant fasteners include recessed drives, such as hex, Torx, and square. Fasteners that can be removed with common screwdrivers, such as slotted and Phillips, or fasteners that can be removed with standard tools, such as pliers or crescent wrenches, are not considered tamper-resistant. To prevent a tripping hazard, fasteners shall not extend above the surface of the lid.

**Traffic bearing lid:** The traffic bearing lid shall be a cast iron frame and cover, part number 6024, 3060, 4036, as manufactured by Sather Manufacturing Co., Inc., or approved equal, which will fit over a standard lid. The cover shall have the word SEWER cast into it.

**6. Insulation (if required):**

Rigid closed-cell foam insulation of 2" or 4" thickness shall be mechanically attached to the underside of the lid. All fasteners shall be made of corrosion resistant stainless steel. The insulation shall have an R-value of no less than 10 per 2" increment.

**7. Riser Installation:**

Riser installation shall be accomplished according to the manufacturer's instructions.

## City of Elm Springs - Water Quality & Fire Protection Plan

A financial analysis

No sewer, same inadequate fire protection & fire insurance rates

Do Nothing and cease to be a City thru Act 779 deannexations

Option 1 - Do Nothing

Wastewater Collection System - Septic Tank Effluent Pumping & Treatment System

Option 2 - Complete System

Hooks up all residents

Option 3 - Phased Construction

Hooks up 20% of residences but installs complete collection & treatment facilities

???????????

3,226,274.72

1,445,153.49

Approximate Cost per new Fire Hydrant & Lines \$ 3,500.00

Includes \$2,500 per hydrant plus \$1,000 for each related excavation, R.O.W., design & inspection cost

Number of Fire Hydrants needed (approximate) 50

Total Cost - Fire Protection Improvements \$ 175,000.00

Total Project Cost - All sewer & all water now \$ 3,401,274.72

Total Project Cost - Phased Sewer & all water \$ 1,620,153.49

The complete system alternative has been studied and found to be too expensive to

undertake with the existing population and rate base available. The following alternatives

are provided based upon best available engineering estimates. Interest rates and loan fees

were provided by the Arkansas Soil & Water Conservation Commission on 9/17/2001.

The estimated number of total residences as determined by the Preliminary Engineering

Study was 400. Springdale Water currently serves 373 customers. Approximately 27 other

residences use wells. For purposes of analysis, the 400 residences will be used as the rate

base. It is assumed that all residents will pay the monthly service charges, but only 20% will initially

be hooked up to sewer. All residents will benefit from improved fire protection ratings and

reduced property insurance rates. As part of the program, a periodic inspection and installation

program for septic systems would be implemented, first targeting failing systems.

Bond money is available from the following sources:

Soil & Water Commission General Obligation Bonds Rate 5.5% Term 30 yrs

Pollution Control Revolving Funds Rate 3.25% Term 20 yrs

RDA Bonds Rate 5.16% Term 40 yrs

The City Council and the study committee chose the Revolving Fund loans for the rate and term.

Calculations below assume the costs of the water system

are rolled into loan. City is anticipating capital contributions of \$250,000 plus \$50,000 yr

ITEM	Estimated Costs
Total Project Cost incl. Origination	\$ 1,620,153.49
Net + 3% Origination Fee	\$ 1,666,738.09
6 months debt service reserve	\$ 50,000.00
Less Capital Contributions from City General Fund	\$ (250,000.00)
Loan Amt (PV)	\$ 1,466,738.09
Interest Rate (i)	3.25%
Term in years (n)	20
Loan Points	3%
Market Interest Rate	0.00%

Effective Loan Amount after Points \$ 1,424,685.35

Monthly Payment \$ 8,330.73

Number of Residences 400

Monthly Debt service per customer \$ 20.83

Operations & Maintenance Costs (Annual) \$ 25,000.00

Continuing Installation & Administration \$ 25,000.00

City Contribution to cover O & M, Installation & Administration \$ 50,000.00

Base Monthly Fee - All residences \$ 20.83

User surcharge \$ 5.17

Monthly User Fee for Normal Usage \$ 26.00

Connection Fee \$ 1,000.00

Low & Moderate Income Reduction (< \$20,000 annual) \$ (800.00)

Connection Fee after first year \$ 1,500.00

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Ed Thiers and Linda Lettice 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. 2007-05 (the "Septic System Ordinance") was, on the 13<sup>th</sup> day of May, 2007, 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 13<sup>th</sup> day of May, 2007.

Edward Thiers  
Mayor

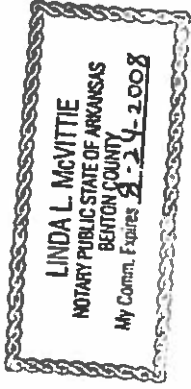
Linda Lettice  
City Clerk

(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 13<sup>th</sup> day of May, 2007.

Linda L. McVittie  
Notary Public

My Commission Expires: 8-24-2008



**ORDINANCE NO. 2003- 06**

**AN ORDINANCE TO ADOPT VARIOUS STANDARD CODES RELATING TO THE INSPECTION ACTIVITIES OF THE CITY OF ELM SPRINGS, WASHINGTON AND BENTON COUNTIES, ARKANSAS, AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES, AND DECLARING AN EMERGENCY.**

WHEREAS, it is the desire of the City Council of the City of Elm Springs, Arkansas to adopt the various Standard Codes relating to building, fire prevention, swimming pools, and electrical; and

WHEREAS, the adoption of these Codes will facilitate proper inspection activities by the City of Elm Springs, Washington and Benton Counties, Arkansas relating to construction and to maintenance of buildings within said City relating to public safety, health and general welfare.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, ARKANSAS IN REGULAR SESSION ASSEMBLED, AS FOLLOWS:

SECTION 1. The following Codes are hereby adopted by reference, save and except the portions thereof as are hereinafter modified or amended, as though they were copied herein fully:

- 1997 Standard Building Code (SSBCD)(Appendix B only, Section B)
- Fire Prevention Code, 2002 Edition, Vol. I, II and III (pertaining to Fire Prevention, Building Code and Residential Code)
- International Building Code, Chapter 47 only pertaining to Swimming Pools
- National Electrical Code, 2002 Edition

SECTION 2. The above Codes are hereby amended to require that the minimum permit fee shall be Twenty Five Dollars and No/100 (\$25.00), and to require that the minimum square footage per person requirement in residential use structures is 250 square feet. These codes are also amended to remove any appeals procedures or removal or appointment of officials or employee procedures which may be contained therein.

SECTION 3. When reference is made within said Codes to the duties of a certain official named therein, that designated official of the City of Elm Springs, Arkansas, who has duties corresponding to those of the named official in said Code shall be deemed to be the responsible official insofar as enforcing the provisions of said Code are concerned. Further, three (3) copies of each of the Codes adopted hereinabove shall be kept at the

office of the City Clerk in Elm Springs and shall be available for inspection by the public during regular business hours.

SECTION 4. 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, except that nothing contained in this Ordinance, or the codes adopted hereby, shall in any way alter or effect the "employment at will" status of all employees of the City of Elm Springs, including any and all employees who will apply and administer these codes.

SECTION 5. 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 6. It is hereby declared that an emergency exists because the most current Standard Codes directly govern the safety of the structures built in the City of Elm Springs, and it is necessary for the preservation of the health, safety and welfare of the citizens of Elm Springs, Arkansas, that the most current Standard Codes be adopted for this purpose, and that this Ordinance shall become effective upon its passage, approval and publication.

PASSED AND APPROVED THIS 21<sup>st</sup> DAY OF July, 2003.

Jane Waters  
Jane Waters, Mayor

ATTEST

Glenda Pettus  
Glenda Pettus, City Clerk

PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Glenda Little and Jane Waters 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. 2003-06 (the "Standard Leds Ordinance") was, on the 1<sup>st</sup> day of August, 2007, 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 1<sup>st</sup> day of August, 2007.

Jane Waters  
Mayor

Glenda Little  
City Clerk

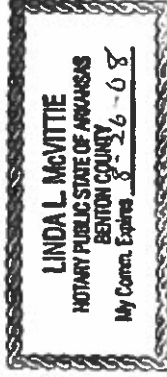
(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 1<sup>st</sup> day of Aug, 2007.

Linda L. McVittie  
Notary Public

My Commission Expires:

8-26-08



PROOF OF POSTING OF ORDINANCE

STATE OF ARKANSAS

COUNTY OF Washington

We, Jane Waters and Wendie Lettner, 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. 2005-16 (the "Subdivision Readjustment Ordinance") was, on the 2nd day of December, 2005, 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 2nd day of December, 2005.

Jane Waters  
Mayor

Wendie Lettner  
City Clerk

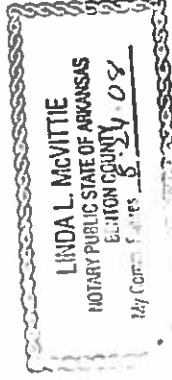
(SEAL)

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 2  
Day of Dec, 2005.

Linda L. McVittie  
Notary Public

My Commission Expires:

8-24-08



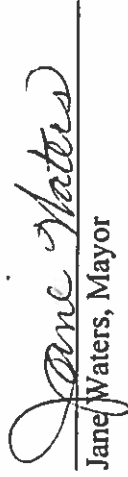
Section 3. All ordinances, and or parts of ordinances in conflict herewith are hereby repealed and this Ordinance shall be in full force and effect from and after its passage, approval and publication. In the event any one or more of the provisions contained in this Ordinance shall for any reason be 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 is hereby declared that an emergency exists because the pressures for developing land within the corporate limits and planning boundaries of the City of Elm Springs has increased to a point that is heretofore unprecedented in the memory of this council. It is therefore necessary that these fees take effect so that the City of Elm Springs will have sufficient resources to ensure that real estate development conforms to all planning and zoning regulations in the City of Elm Springs and that the health, safety and welfare of the City of Elm Springs is protected.

**THEREFORE**, this ordinance shall be effective upon its passage, approval and publication.

**PASSED AND APPROVED** this 21 day of November, 2005.

**APPROVED:**

  
Jane Waters, Mayor

Attest:

  
Glenda Pettus, City Clerk



ORDINANCE NO. 2005- 16

CITY OF ELM SPRINGS, WASHINGTON AND BENTON COUNTIES, ARKANSAS

AN ORDINANCE AMENDING THE SUBDIVISION REGULATIONS FOR THE CITY OF ELM SPRINGS, ARKANSAS PROVIDING FOR AN ADJUSTMENT IN FEES REQUIRED FOR SUBMISSIONS MADE TO THE CITY CLERK, CODE ENFORCEMENT OFFICER OR PLANNING COMMISSION AND DECLARING AN EMERGENCY

WHEREAS, the significant increase in rate and volume of development in the City of Elm Springs has resulted in the need for more resources and assistance in reviewing the various plats and plans including the improvements proposed by real estate developers and engineers; and

WHEREAS, the Planning Commission has studied the fees which are being charged prior to this amendment and have found that they are in some places inadequate and in other places too high to serve the purpose of encouraging submissions of plans as wells as providing for sufficient fees to support the thorough review which is necessary to ensure that all proposed developments correspond to the subdivision ordinance requirements for the City of Elm Springs and that the health, safety, and welfare of the citizens of Elm Springs is protected; and

WHEREAS, it is the desire of the City Council of Elm Springs to accept the recommendations of the Planning Commission and adopt revisions to the fees required to meet these purposes and to promote good and safe development in the City of Elm Springs.

**NOW THEREFORE, BE IT ORDAINED**, by the City Council of the City of Elm Springs, as follows:

Section 1. The City of Elm Springs' Subdivision Ordinance is amended to alter the fees required as follows:

1. the fee for a sketch plan or concept plat shall be \$0.00;
2. the Fee for a lot split shall be \$75.00;
3. the Fee for a preliminary plat submission shall be \$500.00; and
4. the Fee for a final plat submission shall be \$250.00.

These fees shall be inserted and substituted at any place in the subdivision ordinance or regulations or any city ordinance where a different fee for one of these submissions appears.

Section 2. These fees will be used to cover any administrative costs including, but not limited to, costs for engineering review of the submitted plans or diagrams.

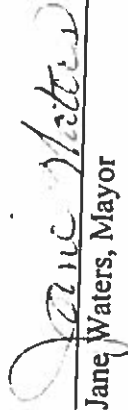
Section 3. All ordinances, and or parts of ordinances in conflict herewith are hereby repealed and this Ordinance shall be in full force and effect from and after its passage, approval and publication. In the event any one or more of the provisions contained in this Ordinance shall for any reason be 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 is hereby declared that an emergency exists because the pressures for developing land within the corporate limits and planning boundaries of the City of Elm Springs has increased to a point that is heretofore unprecedented in the memory of this council. It is therefore necessary that these fees take effect so that the City of Elm Springs will have sufficient resources to ensure that real estate development conforms to all planning and zoning regulations in the City of Elm Springs and that the health, safety and welfare of the City of Elm Springs is protected.

**THEREFORE**, this ordinance shall be effective upon its passage, approval and publication.

**PASSED AND APPROVED** this 21 day of November, 2005.

**APPROVED:**

  
Jane Waters, Mayor

Attest:

  
Glenda Pettus, City Clerk