



STATE OF ARKANSAS

ORDINANCE NO. 2023-10

AN ORDINANCE PROVIDING FOR PLUMBING INSPECTIONS FOR ALL PLUMBING ORIGINATING FROM OR USING THE CITY OF BROOKLAND, ARKANSAS WATER SYSTEM; PROVIDING FOR PLUMBING INSPECTORS; PROVIDING FOR ADOPTION OF THE STATE OF ARKANSAS PLUMBING CODE; FIXING FEES FOR SUCH PLUMBING INSPECTION; PROVIDING FOR DISCONTINUANCE OF WATER SERVICE; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY; AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Brookland, Arkansas, owns and operates in a governmental capacity, a water **and wastewater system** as a municipal utility; such system having plants, pumps, and transmission lines within and without the corporate limits of the City of Brookland, Arkansas, and

WHEREAS, certain firms and individuals not within the corporate limits of the City of Brookland, Arkansas, are purchasers of water from the said water system, and

WHEREAS: the City of Brookland, Arkansas, is very desirous of maintaining a pure water system.

BE IT THEREFORE ORDAINED BY THE TOWN COUNCIL OF THE CITY OF BROOKLAND, ARKANSAS:

Section 1: **PLUMBING DEFINITION:** Plumbing means:

- (a) All piping, fixtures, appurtenances, and appliances:
 - (i) In connection with a supply of water within or adjacent to any building, structure, or conveyance on the premises and to the connection with a utility water meter or other public water utility property or other source of supply;
 - (ii) For sanitary drainage or storm drainage facilities, including venting systems for facilities, within or adjacent to any building, structure, or conveyance and connected with a public disposal or private disposal system or other point of disposal; or
 - (iii) Used in the installation of natural gas; and

(b) The installation, repair, maintenance, and renovation of all piping, fixtures, appurtenances, and appliances for a supply of water or for the disposal of wastewater, liquid waste, or sewage within or adjacent to any building, structure, or conveyance on the premises and to the utility water meter or other public utility property or point-of-disposal waste.

Section 2: **STATE CODE:** The provisions and regulations of the State of Arkansas Plumbing Code, and amendments thereto, adopted by the State Board of Health of Arkansas, and any new additions thereof, are made a part of this ordinance by reference, three certified copies of which shall be on file in the office of the **Building Inspector, Code Enforcement Officer, City Hall**, and shall extend over and govern the installation of all plumbing installed, altered or repaired within or without the City of Brookland, Arkansas, wherever water and/or sewage service originating from the municipal water and/or sewer system is furnished.

Section 3: **INSPECTION:**

(a) The City of Brookland shall employ a City Code Enforcement Officer or Plumbing Inspector.

(b) The City Code Enforcement Officer or plumbing inspector or inspectors shall have experience in plumbing to the extent that enables **them** to know when plumbing is installed correctly.

(c) The City Code Enforcement Officer or plumbing inspector or inspectors shall not be directly connected in any way with any person, firm, corporation, directly or indirectly engaged in the business of plumbing, or plumbing suppliers.

(d) The City Code Enforcement Officer or plumbing inspector or inspectors shall receive as full compensation for his services a salary designated by the City of Brookland, Arkansas.

(e) It shall be the duty of the City Code Enforcement Officer or plumbing inspector or inspectors to enforce all provisions of this ordinance, and such officer or inspector or inspectors are hereby granted the authority to enter all buildings within or without the corporate limits of the City of Brookland, Arkansas, when such buildings are connected, or to be connected to the municipal water and/or sewage system.

(f) The City Code Enforcement Officer or 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 City Code Enforcement Officer or plumbing inspector to inspect all plumbing work for, compliance with this ordinance and its adopted plumbing code, and to enforce changing of such installations that do not meet the requirements. It further shall be his/her duty to see that all persons installing or altering plumbing shall be qualified by Arkansas State Law.

Section 4: **APPLICATIONS: PERMITS:**

(a) Before beginning any work in the City of Brookland, Arkansas, the person installing or altering plumbing, shall apply to the City of **Brookland Inspection Department** or other designated official and obtain a permit to do such work. Only those persons legally authorized (**State Plumbing License**) to do plumbing may be issued permits. A permit may be issued to a homeowner to install or alter plumbing in a single-family residence, provided the homeowner does the work himself and that such work shall meet the Arkansas Plumbing Code requirements.

(b) All applications for permits shall be made on suitable forms provided. The application shall be accompanied by fees in accordance with the following schedule:

PLUMBING PERMITS: Base fee of \$50 plus \$5.50 per fixture

NATURAL GAS PRESSURE TEST PERMIT: Base fee of \$30 - 2.5" or larger gauge must be used to determine accurate reading for pressure test

SEWER TAP INSPECTION FEE: Base fee of \$50

MOBILE HOME SET-UP INSPECTION PERMITS: Base fee of \$150 includes electrical, HVAC, plumbing and footing inspection

RE-INSPECTION FEE: Base fee of \$50 per re-inspection. A stop work order will be issued if re-inspection fee is not paid in full within 24 hours of inspection date.

Section 5: **STREET OPENINGS:** Shall follow **ORDINANCE 2021-09**

AN ORDINANCE TO REGULATE THE OPENING OR CUTTING OF PUBLIC STREETS, ALLEYS, AND SIDEWALKS; THE REQUIREMENT FOR PERMIT BEFORE WORK IS TO BEGIN; REGULATING RESTORATION MATERIALS FOR COMPLETION; REQUIRING BARRIERS AND LIGHTS IN CONNECTION WITH SUCH EXCAVATION; PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR RELATED PURPOSES.

Section 6: **CROSS CONNECTIONS - BACK FLOW:**

(a) The City Water Department of the City of Brookland, Arkansas and the City Code Enforcement Officer or plumbing inspector of the City of Brookland, Arkansas, are hereby authorized to discontinue or cause to be discontinued all water 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 **2018 International Plumbing Code** and the regulations of the Arkansas State Board of Health having not been complied with.

(b) The City Water Department of the City of Brookland, Arkansas, and the city plumbing inspector of the City of Brookland, Arkansas, is hereby authorized and directed to take such steps as necessary to determine all potential hazards to the purity or potability of the Brookland city water supply which exist. Upon determining said potential hazards it shall be the duty of said department and said inspector or officer to immediately cause notice to go to the owner or such other person responsible for said premises, specifying that if said hazard is not corrected immediately from the date of said notice, all water services shall be discontinued thereafter until the requirements of the Arkansas State

Plumbing Code, and the regulations of the Arkansas State Board of Health have been complied with.

Section 7: **PENALTIES:**

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 one hundred (\$100.00) dollars nor more than five hundred (\$500.00) dollars, together with the costs of such prosecution. Each day during which violation continues shall be a separate offense.

Section 8: **MISCELLANEOUS:**

- (a) Landowner's water and sewer service to lot
 - (1) If a bore under a street is needed, quotes will be received from boring companies and the current rates will be charged once approved by the landowner/developer.
 - (2) Sewer services lines will be the landowner's responsibility. Such lines will be inspected by city employees and will be a schedule #40 sewer line.
 - (3) In NO CASE SHALL a residential building water/wastewater service be allowed to connect to the same water/wastewater service line or building drain of another residential or commercial building; from the point of utility source and in NO CASE SHALL be interconnected with the plumbing system of another privately owned property.
 - (4) Whereas the City of Brookland recognizes that structural Safety should be uniform across the board and does hereby adopt AMENDMENT C of the State of Arkansas Plumbing Code.
- (b) Subdivisions
 - (1) Before any water or sewer is accepted hereafter, the casings will be put down for the service lines to the lots that are on the opposite side of the street from the mains at the developer's expense.
- (c) Drainage
 - (1) If the City Council condemns an existing culvert that is not large enough to handle the flow of water as determined by the City Code Enforcement Officer or Plumbing inspector, the City will replace the culvert and back fill it at the City's expense.
 - (2) Upon the approval of the council, if the landowner desires a larger culvert, he is to supply the culvert and other needed materials and the City will supply the needed labor to remove **and replace** said culvert.

Section 9: **CONFLICTING ORDINANCES REPEALED:**

- (a) All ordinances of parts of ordinances conflicting with any of the provisions of this ordinance are hereby repealed.

- (b) This ordinance being for the regulation of plumbing and for the protection of the public, their provisions hereof are declared to be separable, and the invalidity of any clause, sentence paragraph or section hereof shall not affect the validity of the remainder of this ordinance.

Section 10: **EMERGENCY CLAUSE:**


It is hereby determined that the establishment of a plumbing code, plumbing inspection and enforcement is of utmost importance to the health, safety, and welfare of the citizens of Brookland, Arkansas, and an emergency is hereby declared to exist, and this ordinance shall be effective from the date of its passage.

1st Reading April 8th, 2023, Posted 30-day Public Notice
2nd Reading June 12th, 2023, Suspended Reading Rule Requirement
3rd Reading June 12th, 2023, Final Reading

PASSED AND ADOPTED THIS 12th DAY of June 2012.


Kenneth D. Jones, Mayor

ATTEST:


Julie Thomas, Clerk/Treasurer

