

Faulkner County
Quorum Court
(501) 450-4900
Conway, Arkansas 72034

FILED

FAULKNER COUNTY QUORUM COURT

2009 FEB 19 P 2:41

ORDINANCE 09-03

MELINDA REYNOLDS
COUNTY CLERK

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF FAULKNER, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED: AN ORDINANCE REQUIRING PROPERTY OWNERS WHOSE GEOGRAPHICAL PROPERTY BOUNDARIES ARE LOCATED WITHIN 300 FEET OF A PUBLIC SEWER SYSTEM AND FOR OTHER PURPOSES.

WHEREAS, the Faulkner County Waterworks and Sewer Public Facilities Board (hereinafter "the Board") was created by the Faulkner County Quorum Court; and

WHEREAS, the Board, in conjunction with the Arkansas Department of Natural Resources and the Arkansas Department of Economic Development has begun funding and financing a public sewer system in Faulkner County; and

WHEREAS, in consideration of the environmental quality needs of Faulkner County and, specifically, Faulkner County's Lake Conway Water Basin, the Board funded and constructed a public sewer system to serve the specifically delineated aforementioned geographical area; and

WHEREAS, in furtherance of addressing the above-stated environmental quality needs, and pursuant to Arkansas Department of Health Rules and Regulations Pertaining to General Sanitation § 7(C), connection to the public sewer system is required of all homes and businesses located within 300 feet of the public sewer system and having adequate access.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF FAULKNER COUNTY, ARKANSAS, THAT:

Section 1: The owner, whether in fee simple or some lesser estate, of all houses, buildings, or properties situated within Faulkner County and used for human occupancy, employment, recreation, or other purposes, the property line of which is now, or may be within the future, within 300 feet of a public sanitary or combines sewer system of the County or the County's Public Facilities Board is hereby required to, at the owner(s)' own expense, install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance within 30 days after the date of official notice to perform such act.

Section 2: Any person found to be in violation of any provision of this Ordinance shall be served with written notice identifying specifically the nature of the violation and affording the person in violation 30 days within which to satisfactorily remedy the violation. Any person who willfully fails to satisfactorily remedy the violation shall be guilty of a misdemeanor and, upon

Section 3: No provider of water services shall provide water to a person in violation of this ordinance if said agency is notified by Faulkner County.

Section 4: Severability – In the event any portion of this ordinance is declared or adjudged invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this ordinance and the remaining portions of the ordinance shall be executed fully and faithfully.


Section 5: All ordinances in conflict herewith are repealed to the extent of the conflict.

Section 6: An emergency is hereby declared to exist as this Ordinance is necessary for the proper and timely conduct of county operations and this Ordinance shall be in force and take effect upon passage and publication.

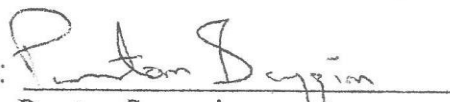
Dated: February 17, 2009

Dated: February 17, 2009

Attest:


Jeff Johnston
Quorum Court Secretariat
Faulkner County, Arkansas

Affirm:


Preston Scroggin
Faulkner County Judge
Faulkner County Arkansas