

ORDINANCE NO. 79-16

AN ORDINANCE AUTHORIZING AND DIRECTING PERMIT AND INSPECTIONS SYSTEM TO ENSURE PLUMBING CODE COMPLIANCE WITH REFERENCE TO WATER UTILITY SERVICE PROVIDED BY FORT SMITH IN CRAWFORD COUNTY AND ESTABLISHING FEES THEREFORE.

WHEREAS, the Rules and Regulations pertaining to public water systems promulgated by the Arkansas State Board of Health prohibit public water systems from providing new service to any building or residence in the absence of written documentation that the service line and building plumbing are inspected by a certified plumbing inspector and found to be in substantial compliance with the State Plumbing Code;

WHEREAS, the General Assembly has provided in legislation codified as Ark. Code Ann. § 17-38-204 that cities operating a public water system shall set up a system of permits and inspections to protect public health and safety and authorized rules and regulations not in conflict with State rules and regulations to be adopted by ordinance or placed into effect by consumer contract; and

WHEREAS, Fort Smith Ordinance 96-05 established a plumbing inspection system applicable to an area of water service in the Greenwood District of Sebastian County, which plumbing inspection system should be applicable to Fort Smith water service in Crawford County;

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT

SECTION 1: The plumbing inspection system of permits, inspections, and fees established by Sections 1 and 2 of Ordinance 96-05 is hereby adopted and made applicable to all water system users (and the users' service connections) of the Fort Smith water utility facilities located in Crawford County.

SECTION 2: The provisions of Section 1 shall not be applicable to municipalities or water associations purchasing water from the Fort Smith water utility facilities pursuant to approved contract.

SECTION 3: Emergency Clause. It is hereby determined that an emergency exists by reason of the need to assure conformance with the Arkansas Plumbing Code of Fort Smith's water service in Crawford County. Therefore, the provisions of this Ordinance, being necessary for the protection of health, safety and welfare, shall be in full force and effect commencing from and after adoption.

This Ordinance adopted this 15th day of November, 2016.

APPROVED:

Sandy Samson
Mayor

ATTEST:

Shari Gard
City Clerk

Approved as to form:

Jerry Langford
City Attorney
publish 1 time