

ORDINANCE NO. 2007-06

AN ORDINANCE PROVIDING FOR THE APPROVAL AND PERMITTING OF THE MAINTAINENCE AND REPAIR OF SEWAGE SEPTIC SYSTEMS IN THE CITY OF CHEROKEE VILLAGE, FULTON AND SHARP COUNTIES, ARKANSAS.

BE IT ORDAINED by the City Council of the City of Cherokee Village, Arkansas, an Ordinance to define what the responsibilities of the Planning and Zoning Commission for the review and inspection of the repair of sewage septic systems within the City of Cherokee Village, Fulton and Sharp Counties, Arkansas.

SECTION 1: APPROVAL AND INSPECTION. A penult is required before any repair to an existing sewage septic system may begin. The City of Cherokee Village shall issue a permit upon application by the property owner or his or her designated representative and the payment of the applicable fee.

The Planning and Zoning Commission of the City of Cherokee Village shall inspect the repair of all existing sewage septic systems to ensure that the repair is conducted in compliance with the Arkansas Department of Health regulations. The leaching field and or sand filter of a sewage septic system shall continue to be regulated and inspected by the Arkansas Department of Health.

SECTION 2: EMERGENCY REPAIRS. Emergency repairs to existing sewage septic systems may be performed as necessary. The property owner or his or her designated representative must apply for a permit no later than the next business day after the emergency work has been started.

SECTION 3: AEROBIC FILTER. All aerobic filters must be maintained per the manufacturer's specifications. The property owner is required to maintain appropriate proof of proper maintenance of all aerobic filters. This proof shall be provided to any inspector of the City upon written request.

SECTION 4: SIZE OF SEPTIC TANKS. All sewage septic systems shall have a tank with a minimum capacity of 750 gallons for a two bedroom house, with an additional 250 gallon capacity for each and every additional bedroom. Any existing sewage septic system being repaired shall be brought into compliance with this standard if it is below the specified minimum size for the septic tank.

SECTION 5: VARIANCE. A variance from the provisions of this ordinance may be obtained upon application and evidence of necessity, with the approval of the Arkansas Department of Health and the Designated Representative.

SECTION 6: PENALTY. Any person, contractor, firm, corporation, partnership, association of persons, owner, occupant, agent, or anyone having supervision or control over the property which shall violate a provision of this Ordinance, or fail to comply with its requirements, shall be deemed guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense

for each and every day, or portion thereof, during which any violation of any provision of this Ordinance is committed or continued. Upon conviction of any such violation, such person(s) shall be punished by a fine, not to exceed \$500.00 for the first offense, and not more than \$100.00 for each day the offense continues.

SECTION 7: SEVERABILITY. If any section of this ordinance is held to be invalid, that part shall be deemed to be severable and the invalidity thereof shall not affect the remaining sections of the ordinance.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL.

DATED: 11-15-07

APPROVED:

ATTEST:

SIGNATURES ON FILE AT CITY OF CHEROKEE VILLAGE CITY HALL