CITY OF MULBERRY, ARKANSAS

ORDINANCE 2024-09

AN ORDINANCE TO PROVIDE FOR BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL FOR THE COMMERCIAL, INDUSTRIAL, AND IRRIGATION CUSTOMERS OF THE POTABLE WATER SUPPLY OF THE CITY OF MULBERRY, ARKANSAS.

WHEREAS, the City Council recognizes that a backflow and cross-connection program for commercial, industrial, and irrigation customers will substantially reduce the risk of hazardous chemicals or pollutants entering the potable water supply of the City of Mulberry; and

WHEREAS, the City wishes to comply with all regulations of the Arkansas Department of Health regarding backflow prevention and cross-connection control; and

WHEREAS, the City of Mulberry deems it necessary to require that the results of backflow prevention device testing be provided to the City to ensure compliance with state and local regulations for commercial, industrial, and irrigation customers.

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

SECTION 1. This ordinance shall protect the potable water supply of the City of Mulberry by providing a program that effectively addresses any hazard, real or potential, by isolating it in the customer's plumbing through the use of a backflow prevention device installed between the water meter and the first connection in the customer's line. This ordinance applies only to commercial, industrial, and irrigation customers, not residential customers.

SECTION 2. The type of backflow prevention device required for each commercial, industrial, or irrigation customer's service shall be determined by the Water Superintendent and/or Building Inspector of the City of Mulberry after inspection. The device must comply with all applicable laws and regulations of the Arkansas Department of Health.

SECTION 3. Customers found to be non-compliant with this ordinance will receive a notification letter, and a date and time will be set for compliance.

A. The time allowed for compliance will be determined by the Water Superintendent and/or Building Inspector based on the level of hazard or potential hazard.
B. Failure to comply after proper notification will result in disconnection of the customer's service from the City's potable water supply until compliance is achieved.
C. If access to the property for inspection is denied, the customer will be deemed non-compliant and will be required to install a "Reduced Principal Backflow Prevention Assembly" after notification as per subsection A of this section.

SECTION 4. The responsibility for installation, testing, and maintenance of backflow devices rests with the commercial, industrial, or irrigation customer and must comply with the following:

A. The device shall be installed in a location accessible for routine maintenance and testing, no less than 1 foot and no more than 2 feet 6 inches above ground level.
B. The customer shall ensure that the backflow prevention device is tested and maintained annually by a person certified by the State of Arkansas.
C. The customer must submit a copy of the backflow test results to the City of Mulberry within 10 days of the test. If the hazard level is deemed significant by the Water Superintendent and/or Building Inspector, more frequent testing may be required.
D. The customer must notify the City of Mulberry of any backflow event immediately and follow any additional testing or remediation steps as required by the City and the Arkansas Department of Health.

SECTION 5. All new commercial, industrial, and irrigation construction wishing to connect to the City's potable water system must be in compliance with this ordinance before service is connected. Existing commercial, industrial, and irrigation services must achieve compliance within six (6) months of the passage of this ordinance.

SECTION 6. All ordinances or resolutions in conflict with this ordinance are hereby repealed.

SECTION 7. Emergency Clause.

In order to preserve the safety, health, and welfare of the residents served by the City of Mulberry potable water supply, this ordinance and its provisions shall be in full force and effect immediately upon passage.

PASSED AND APPROVED THIS 15TH DAY OF October, 2024.

APPROVED: _____

Gary D. Baxter, Mayor

ATTEST: _____

Carla Dickerson, Recorder/Treasurer

Mulberry
Arkansas