

ORDINANCE NO. 2021-06-07

AN ORDINANCE ESTABLISHING REVISED RATES AND FEES FOR WATER AND SEWER CUSTOMERS OF THE CITY OF KEO, ARKANSAS, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EFFECTIVE DATE; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES

SECTION 1. That the following monthly rates and charges which the City Council hereby finds and declares are fair, reasonable and minimum rates to be charged for water services be, and they are hereby, fixed as rates to be rendered by the System.

SECTION 2. (a) Monthly Water Rates. The water usage of each customer shall be determined each month by meter measurement and the amount to be paid by each customer shall be computed on the basis of the following schedule of rates, subject to the minimum amounts per meter measurement as hereinafter set forth:

For the first 1,000 gallons of water consumption per month, or portion thereof	\$16.78 (minimum)
For each additional 1,000 gallons of water consumption per month, or portion thereof	\$ 8.95

The amount of \$0.40 per meter, per month shall be collected to cover the expenses of the Clean Water Act and this amount passed to the Arkansas Department of Health as required by State Statute.

(b) Monthly Sewer Rates: All sewer charges shall be based on water consumption and the amount to be paid by each customer, connected to the System sewer, shall be computed on the basis of the following schedule of rates:

For the first 1,000 gallons of water consumption per month, or portion thereof	\$9.67 (minimum)
For each additional 1,000 gallons of water consumption per month, or portion thereof	\$ 9.67

SECTION 3. That the rates shall never be reduced below an amount sufficient to provide the operation and maintenance of the water and wastewater systems, when necessary, be increased to provide for operation and maintenance. This includes a **2%** increase in the years of 2022, 2023, and 2024 commencing on July 1 in each of those years.

SECTION 4. When a customer notifies the Keo Waterworks about a higher than usual water bill that may be related to a leak, the policy is to provide consideration for leak adjustments for water and wastewater or water only usage caused by a leak that occurred on the

customer's side of the meter. In order to be eligible for the adjustment, customers must provide written explanation, proof of materials and repair. Customers are limited to one time per year adjustments due to a water leak. Each adjustment will be voted on by a majority vote by the Keo City Council.

SECTION 5. All ordinances and resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. The City hereby establishes a Fee Schedule to be charged for services furnished by and voted on June 07, 2021 by the Keo City Council finds and declares to be reasonable and necessary.

METER DEPOSIT FEE: The "meter set only" fee covers only delivery of the meter and tightening the connections to the existing setter by city personnel. This fee is unavailable if anything other than meter-set work is required or requested. In such cases, the regular applicable "meter set and tap" fee will apply.

Homeowner- \$100.00

Renter- \$150.00

METER SET and TAPPING FEES: The "meter set and tap" fee covers the costs of: excavating and tapping the main, furnishing and installing service pipe from the main to the lot line; or any other work required for connection and setting the meter. Additional fees will be the customer's responsibility if a street cut or road bore and encasement are required. **The meter and tapping costs will be reviewed annually or adjusted as needed.** The water and sewer systems of Keo Water & Sewer System can only be tapped by city personnel, or licensed contractor hired by the utility to perform such work.

Water Tap: \$750 for standard 5/8" x 3/4" meter, 1" meter \$850, 2"meter \$2800

Sewer Tap: \$1500

T-off Existing Water Tap: \$250

RETURN CHECK CHARGE: \$50

Customer's deposit will not be returned until service is discontinued and the final bill is calculated and settled. If a customer's service is disconnected for non-payment, before the customer's service will be reconnected, a meter deposit fee equal to the present meter deposit rate must be on deposit with the City.

SECTION 7. The due date for water and sewer service issued during any month is due and payable before the 1st day of the month following when the bills are issued. A ten (10) percent penalty shall be added to any bill if payment is not received by 4:30 p.m. on the 25th day of the month said bill is issued. *Payments authorized.* The city hereby authorizes the acceptance of credit card payments for water and wastewater bills, via PayPal.com to keowaterandsewer@gmail.com. The actual costs charged by the third party vendor of electronic payment services will be paid by the customer. Three (3) dollars shall be added, by

the customer, to any bill paid via PayPal. Customers can also remit payment to Keo Water & Sewer, PO Box 181, Keo, AR 72083 or drop their payment in the secure door mail slot at Keo City Hall.

SECTION 8. If said bill is not paid by the first day of the following month, a Shut-off notice shall be issued. If payment is not received by 4:30 p.m. on the 10th day of the month in which the Shut-off notice is issued, a twenty-five dollars (\$25.00) fee shall be assessed and services shall thereafter be terminated. In order for services to be restored, the outstanding bill, ten (10) percent penalty, twenty-five dollars (\$25.00) fee and any additional charges will have to be paid in full prior to restoration of the services. If full payment, including the outstanding bill, ten (10) percent penalty, twenty-five dollars (\$25.00) fee and any additional charges are paid prior to physically shutting off services, then services may or may not be shut off. The fee to reconnect will be \$50 if after 5pm.

SECTION 9. If a written request for discontinuation of water service is not submitted to Keo Water & Sewer, all charges will continue to be billed to the active account holder for the service address. If the water service is not disconnected/shut-off, but the property is vacant, all charges will continue to be billed.

SECTION 10. All the rates set out in this Ordinance will be effective with the first billing cycle which occurs after the adoption and publication of this Ordinance, if adopted pursuant to an emergency clause, if not so adopted, it will be effective upon passage and publication, but not earlier than the 31st day after its passage.

SECTION 11. This Ordinance shall have full force and effect from and after its date of passage. Any ordinance or parts thereof in conflict with this ordinance is hereby repealed.

SECTION 12. Cross Connection Control Program.

Part A

Section 1 Purpose

Section 2 Affected Users

Section 3 User Classification

Section 4 Hazard Classification

Section 5 Assembly Approval

Section 6 Existing Systems

Section 7 New, Modified or Expanded Systems

Part B

Section 1 Administration

Section 2 Installation

Section 3 Compliance Time

Section 4 Noncompliance

Cross-Connection Control

In compliance with the Arkansas Department of Health's "Rules and Regulations Pertaining to Public Water Systems", Section VII E, Cross-Connection Program, it is the responsibility of the Keo Waterworks, PWS 337, to protect its drinking water by instituting and enforcing a CROSS-CONNECTION CONTROL PROGRAM.

The provisions contained within this CROSS-CONNECTION CONTROL PROGRAM (CCC PROGRAM) are in keeping with the provisions of the Federal Safe Drinking Water Act of 1974; the National Interim Drinking Water Regulations of 1977; The Arkansas State Plumbing Law, Act 200 of 1951, as amended; the Laws of the State of Arkansas Act 96 of 1913; Arkansas Statutes 1947, Section 82-110 and the United States Environmental Protection Agency and the SDWA Amendments of 1986.

A CROSS-CONNECTION is any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other water or other substances of unknown or questionable safety, whereby water may flow from one pressure differential to the other between the two systems.

BACKFLOW is the flow of water, other liquids, gases, mixtures or substances, under positive (back pressure) or reduced pressure (backsiphonage) into the distribution pipes of a potable water supply from any source other than its intended source.

CROSS-CONNECTION CONTROL is the use of backflow prevention assemblies, methods and procedures to prevent the contamination of a potable water supply through cross-connections.

A CROSS-CONNECTION CONTROL PROGRAM (CCC PROGRAM) is the Utility's policies and procedures for controlling cross-connections to the potable water system of the Utility. At a minimum, the CCC PROGRAM will include the identification of all HIGH HAZARD commercial facilities, the requirement of an approved backflow prevention assembly to be placed on the USER'S service line between the HIGH HAZARD facility and the public water system, and the requirement that these assemblies be evaluated on a yearly basis to determine if the assembly functions properly.

Part A

SECTION I

PURPOSE OF THE CROSS-CONNECTION CONTROL PROGRAM

Each instance where a cross-connection exists within a USER'S property creates the possibility of backflow. This is especially significant because such cross-connections may easily result in the contamination of the City water supply system. Such situations may result in the public water

system becoming a transmitter of disease, toxic materials or other hazardous substances which may adversely affect the citizens of Keo.

The purposes of the CCC PROGRAM are:

A) To protect the potable water supply of the City of Keo from the possibility of contamination from backflow or back-siphonage into the public water system by requiring each FACILITY (USER) WITH BACKFLOW POTENTIAL to install an approved backflow prevention assembly located on the outlet end of the facility's water meter at allocation approved by the Utility. The type of assembly shall depend on the degree of hazard involved. This method of control is called CONTAINMENT.

B) To provide for a continuing program of cross-connection control that will systematically and effectively prevent the contamination of the Utility's potable water system.

SECTION II

USERS AFFECTED BY THE CCC PROGRAM

WATER USERS affected by the CCC PROGRAM shall be any commercial, institutional or industrial facility with backflow potential where

- 1) there is an auxiliary water supply which is, or can be, connected to the potable water piping
- 2) there is piping for conveying piping is under pressure and piping
- 3) there is intricate plumbing which makes whether or not cross-connections exist
- 4) its impractical to ascertain
- 5) there are cross-connections or potential cross-connections
- 6) there are chemicals used or mixed with the system's potable water
- 7) all lawn or farming irrigation systems.

SINGLE-FAMILY RESIDENTIAL DWELLING units, unless involved in commercial operations or have lawn irrigation systems connected to their water service line, are exempt from the requirements of this CCC PROGRAM.

SECTION III

CLASSIFICATION OF WATER USERS

- COMMERCIAL (0) WATER USER

A business or other non-residential establishment with water meters water service lines 2-inches or less with water use of a and DOMESTIC nature only.

- **COMMERCIAL (I) WATER USER**

A business or other non-residential establishment with water service lines or water meters 2-inches or less and with **LOW HAZARD BACKFLOW POTENTIAL**.

- **COMMERCIAL (II) WATER USER**

A business or other non-residential establishment with water service lines and water meters 2-inches or less and with **HIGH HAZARD BACKFLOW POTENTIAL**.

- **COMMERCIAL (III) WATER USER**

A facility of a **COMMERCIAL** or **INDUSTRIAL** nature with water service lines or water meters 2-inches or larger with water used in manufacturing processes involving chemicals, pollutants or other contaminants. All **INDUSTRIAL WATER USE** will be assumed to have **HIGH HAZARD BACK FLOW POTENTIAL** unless it can be proven otherwise.

- **FARMSTEAD WATER USER AND RESIDENTIAL WATER USER**

with water use to farming operations connected through the same meter or with the potential of connecting farming operations to the residential service lines. All **FARMSTEAD WATER USE** will be assumed to have **HIGH HAZARD BACKFLOW POTENTIAL** unless it can be proven otherwise. (It would be advisable for the safety of the domestic use to either be separated entirely or the **BACKFLOW** Assembly be located in a position to protect the residential use.)

- **RESIDENTIAL WATER USER**

A single-family dwelling used only for the occupancy and use of families or individuals.

- **LAWN IRRIGATION/SPRINKLER SYSTEMS**

Any **COMMERCIAL** or **RESIDENTIAL WATER USERS** with an underground sprinkler or irrigation system. All sprinkler and irrigation systems shall be classified as having **HIGH HAZARD BACKFLOW POTENTIAL**.

- FIRE PROTECTION SYSTEMS

Dedicated connections to the public water supply systems for any fire connections or fire sprinkler systems and not for public use.

SECTION IV

CLASSIFICATION OF HAZARDS AND REQUIRED BACKFLOW PROTECTION

- HIGH HAZARD BACKFLOW POTENTIAL are those facilities where the substance which could backflow is hazardous to human health.
- LOW HAZARD BACKFLOW POTENTIAL are those facilities where the substance which could backflow is objectionable from an aesthetic point-of-view, but does not pose an unreasonable risk to human health and there is no possibility of back pressure in the downstream piping system

WATER USER	HAZARD CLASSIFICATION	MINIMUM REQUIRED BACKFLOW ASSEMBLY
RESIDENTIAL	NONE	NONE
COMMERCIAL (0)	NONE	NONE
COMMERCIAL (I)	LOW	DCVA
COMMERCIAL (II)	HIGH	RPZA - AG
COMMERCIAL (III)	HIGH	RPZA - AG
IRRIGATION & LAWN SPRINKLERS (ALL)	HIGH	RPZA - AG
WHOLESALE USER	HIGH	RPZA - AG
FARMSTEADS	HIGH	RPZA - AG
SOLAR HEATING SYSTEMS (I)	NONE	NONE
SOLAR HEATING SYSTEMS (II)	HIGH	RPZA - AG
SEWER & STORM WATER PUMPING	HIGH	RPZA - AG
FIRE HYDRANTS USED AS TEMPORARY SERVICES	HIGH	RPZA - AG

It shall be the total responsibility of the WATER USER to prove to the UTILITY a backflow assembly of lesser protection than determined by the UTILITY will suffice.

SECTION V

APPROVAL OF BACKFLOW PREVENTION ASSEMBLIES

All BACKFLOW PREVENTION ASSEMBLIES shall be approved by the UTILITY before it is installed and shall be certified as being accepted and approved for use by the Arkansas Department of Health. (See Section 10.5.3, ARKANSAS STATE PLUMBING CODE)

SECTION VI

EXISTING BACKFLOW PREVENTION SYSTEMS

All existing and active backflow prevention assemblies and assemblies in service on the date of this CCC PROGRAM that do not meet the requirements of the CCC PROGRAM but were approved assemblies for the purposes described herein at the time of installation and have been properly maintained, shall, except for the inspection, testing and maintenance requirements, be excluded from the requirements of these regulations so long as it is assured that they will satisfactorily protect the WATER SYSTEM. If the existing assembly is moved or requires more than minimum maintenance, or the UTILITY, determines the operation or maintenance of this assembly constitutes a hazard, the assembly shall be replaced by an approved system as required for new systems.

All facilities with existing and active backflow prevention assemblies in service on the date of this CCC PROGRAM shall have the assembly tested in accordance with this CCC PROGRAM and a report forwarded to the Utility or present to the UTILITY a certified test report from a licensed TESTER showing the assembly has passed the testing requirement of this CCC PROGRAM within the past twelve (12) months.

SECTION VII

NEW, MODIFIED OR EXPANDED FIRE PROTECTION SYSTEMS

Shall conform to the Arkansas Department of Health's latest publication, POLICY for CROSS-CONNECTION CONTROL on FIRE PROTECTION SYSTEMS. (APPENDIX B)

Part B

ADMINISTRATION OF THE CCC PROGRAM

The Council hereby authorizes and directs the Keo Waterworks, PWS 337 to conduct a CROSS-CONNECTION CONTROL PROGRAM (CCC PROGRAM) to protect the potable water supply of the City of Keo from the possibility of contamination from backflow or back-siphonage of contaminants into the public water system by requiring each COMMERCIAL, INDUSTRIAL, INSTITUTIONAL AND LAWN IRRIGATION FACILITIES (WATER USERS) WITH HAZARDOUS BACKFLOW POTENTIAL to install an approved backflow prevention assembly and to provide for a continuing maintenance and testing program of cross-connection control to systematically and effectively prevent the contamination of the Utility's potable water system.

The UTILITY is hereby authorized to:

Identify all existing COMMERCIAL WATER USERS classified as HIGH HAZARD and require the facility to be separated from the public water system by an approved Reduced Pressure Zone Assembly (RPZA) backflow prevention assembly or an Air Gap (AG).

Identify all existing COMMERCIAL WATER USERS classified as LOW HAZARD and require the facility to be separated from the public water system by an approved Double Check Valve Assembly (DCVA) and to evaluate facility every five (5) years to verify continuing LOW HAZARD status.

Classify all new and remodeled facilities as to the level of hazard they present and to require the appropriate backflow protection.

Require all required backflow prevention assemblies to be tested initially and annually thereafter, according to the ARKANSAS STATE PLUMBING CODE, Section 10.

Set up and maintain records of all required backflow prevention assemblies as to

- 1) name and address of facility
- 2) date facility surveyed
- 3) hazard level determination
- 4) make, model, serial number and location of installed
- 5) date assembly installed and initially tested
- 6) subsequent annual or needed test results

Accept only CERTIFIED ASSEMBLY TESTING TECHNICIANS test results of backflow assemblies

SECTION II

INSTALLATION OF BACKFLOW ASSEMBLYS AND COSTS

Cross-connections and potential cross-connections, created and maintained by a WATER USER, endanger the health and safety of all who depend upon the public water supply. Therefore, WATER USERS who create a cross-connection problem shall bear the expense of providing necessary backflow protection, annual and special testing, maintenance and any other expense necessary for keeping the protective measures in good working order.

By-passes of water services require the same degree of protection as the main service line.

MAINTENANCE OF BACKFLOW ASSEMBLYS

The WATER USER is responsible for the maintenance of the backflow assembly. In the event maintenance is required, it shall be repaired by a CERTIFIED ASSEMBLY REPAIR TECHNICIAN. Repaired backflow assemblies must be tested in accordance with the CCC PROGRAM and a certificate of such satisfactory testing be furnished the UTILITY before the assembly is put-on-line.

If the UTILITY suspects a backflow assembly in a HIGH HAZARD condition is not operating properly, the UTILITY may require the WATER USER have the assembly tested.

SECTION III

TIME SCHEDULE FOR COMPLIANCE WITH THE CCC PROGRAM

EXISTING FACILITIES

All facilities with HIGH HAZARD BACKFLOW POTENTIAL must have the appropriate backflow assembly installed and tested within sixty (60) days from notification by the UTILITY.

All facilities with LOW HAZARD BACKFLOW POTENTIAL must have the appropriate backflow assembly installed and tested within ninety (90) days from notification by the UTILITY.

NEW CONSTRUCTION OR FACILITIES BEING REMODELED

Required backflow prevention assemblies for new and installations being remodeled shall be completed and tested prior to "final" plumbing inspection and shall be included as part of the inspection. Water to the completed facility will not be connected until all requirements for backflow are met.

IN-ACTIVE ACCOUNTS (Existing accounts not-in-use) Required backflow assemblies for inactive WATER USERS shall be tested or installed and tested prior to water service being connected to the facility.

SECTION IV

NONCOMPLIANCE

Failure to comply with any requirements of the CCC PROGRAM, installation, testing, maintenance and reporting of backflow assemblies can lead to the water service to the WATER USER being terminated.

Upon discovery of a violation of this CCC PROGRAM, written notice shall be given to the WATER USER and a time frame for correcting the violation given. If violations are not

corrected by the date and time as stated on the notice, the water supply will be discontinued until the requirements of this program are met.

HIGH HAZARD situations will not be allowed to continue unprotected if required backflow assemblies are not installed, properly maintained, or fails testing. The UTILITY shall discontinue water service to HIGH HAZARD WATER USERS until the backflow assembly is operating properly and passed testing.

If the UTILITY determines at any time that a serious threat to the public exists, the water service shall be terminated immediately.

DATED: June 07, 2021

Stephanie White
MAYOR

ATTEST: Clara Hughes, Recorder/Treasurer

**Keo Water & Sewer
PO Box 181
Keo, AR 72083
501.285.5051**

Date: _____ **SSN:** _____ (copy required)
Acct: _____ **DL:** _____ (copy required)

I _____ (Rent/Own, circle one)

hereby make an application to the Keo Water & Sewer Department for Water/Sewer (circle one or both) at:

Property Street

Address: _____.

Billing

Address: _____

Your phone #: _____

Owner of

Property: _____

Owner's

Address: _____

Phone # _____

Renter/Owner's Previous Address for Water

Service: _____

_____.

Previous water service will be verified fully paid before Keo Water & Sewer will connect your water.

Renter/Owner's Employer Address and Phone #:

Next of Kin not living at your new address:

Name: _____

Address:

Phone: _____

Number of People Living in Residence: _____. **Single/Married (circle one)**

Meter Deposit Renter: \$150

Meter Deposit Homeowner: \$100

Amount Paid: _____

Upon customer notification and termination of water services, your deposit will be returned to you within 30 days after final payment of bill.

Keo Water & Sewer Department
City of Keo
PO Box 181
Keo, AR 72083
501.285.5051

Date:

Name
Address
City, State Zip

RE: SHUT-off Notice for Account Number:

Service Address:

NOTICE: THIS IS THE FINAL NOTICE BEFORE WATER SERVICES ARE SHUT OFF

According to our records, your bill is past due. You must bring your account current by the 10th of MONTH or **water service will be terminated without any further notice.** Your current balance is \$ AMOUNT.

In order to have your service reconnected you will have to pay all past due and late fees plus an additional reconnect fee of \$25 before your service is restored. If you do not have a deposit or only a partial deposit on file then you will be required to pay that as well, to have services restored. You can reach us at 501.285.5051 if you have questions.

Thank you,

Stephanie White
Mayor of Keo

Helpful Links

Arkansas State Board of Health, Rules Pertaining to Public Water Systems

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiTqsa0w-jwAhUWCc0KHZ3jCiQQFjACegQIBxAE&url=http%3A%2F%2Fwww.healthy.arkansas.gov%2Feng%2Fdocs%2Fpwsregsfinal.doc&usg=AOvVaw125A4tCToq4B0usSqwzCaO>

Arkansas Public Water System Compliance Summary

<https://www.healthy.arkansas.gov/images/uploads/pdf/drinking-water-ComplianceSummary.pdf>

Arkansas Department of Health, Minimum Standards for a Cross-Connection Control Program

<https://www.healthy.arkansas.gov/images/uploads/pdf/drinking-water-xcminstd.pdf>