

ORDINANCE NO. 126

AN ORDINANCE REQUIRING SEWER CHECK VALVES ON PROPERTIES AS A PREREQUISITE TO FILING CLAIMS AGAINST THE CITY OF BARLING FOR SEWER BACK-UP DAMAGE.

BE IT ORDAINED and enacted by the Board of Directors of the City of Barling, Arkansas:

Section 1. That from and after the date of the passage of this ordinance, all property within the City of Barling, Arkansas, wherein the sewer lines of the City of Barling are being used or are available for use, shall have installed and properly maintained a check valve(s) at or about the tie-on point of said properties to said sewer line(s) for the purpose of preventing sewer back-ups to said properties. The said check valve(s) must be maintained and operating properly before the City of Barling will consider reimbursement for any damages done to buildings, construction or other improvements to properties as a result of sewer back-ups.

Section 2. That henceforth all new construction in the City requiring hook-ups to the sewer system shall be equipped with sewer check valves, as approved by the City, before hook-up to the said sewer line is allowed by the City.

Section 3. This ordinance shall in no way restrict or otherwise affect the tort immunity provided to the City by law.

Section 4. This ordinance being necessary for the preservation of the public health, comfort, convenience, safety and welfare of the citizens of Barling, an emergency

is declared to exist and this ordinance shall be in full force and effect from and after the date of this approval.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED by the Board of Directors on this 3rd day of March, 1981.

APPROVED:

Jerry Barling
Mayor

ATTEST:

Shaila Forget
City Clerk