

TITLE 10

WATER AND SEWER

Chapters:

- 10.04 Water Works and Sewer Commission
- 10.08 Fluoride
- 10.12 Water Rates and Fees
- 10.16 Sewer Rates
- 10.20 Sewer Regulations
- 10.24 Ditch, Sewer, Drains
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- 10.48 Wellhead Protection
- 10.52 Identity Theft Program

CHAPTER 10.04

WATER WORKS AND SEWER COMMISSION

Sections:

- 10.04.01 Abolished
- 10.04.02 Authority
- 10.04.03 References deleted

10.04.01 Abolished The Sewer and Water Commission for the city of Stuttgart, Arkansas, also known as the Waterworks Commission, is hereby abolished. (Ord. No. 1310,, Sec. I)

10.04.02 Authority The City Council for the city of Stuttgart, Arkansas, shall be and is hereby vested with all powers, obligations and authorities previously held by the Sewer and Water Commission a/k/a/ Waterworks Commission. (Ord. No. 1310, Sec. II)

10.04.03 References deleted Title 10 of the Stuttgart Municipal Code is hereby amended in the following manner: All references to the "Waterworks Commission", the "Stuttgart Water and Sewer Commission" and "The Commission" shall be deleted from all chapters and sections contained in Title 10 of the Stuttgart Municipal Code and in the place of such terms, there shall be inserted the words "the city of Stuttgart". (Ord. No. 1310, Sec. III)

CHAPTER 10.08**FLUORIDE****Sections:**

10.08.01 Introduction of

10.08.01 Introduction of The city of Stuttgart is hereby authorized and directed to provide the means and to proceed with the introduction of fluoride into the drinking water supply of the city in such quantities as are required to maintain throughout the pipe distribution system a concentration of approximately one and one-half (1.5) parts per million as approved by the Arkansas State Board of Health provided, plans and specifications for necessary equipment, installation, application, control and operations involved in such introduction be first submitted and approved by the Arkansas State Board of Health. All subsequent fluoridation shall be in all things in accordance with and subject to all rules, requirements and regulations of the Arkansas State Board of Health. (Ord. No. 673, Sec. 1)

CHAPTER 10.12**WATER RATES AND FEES****Sections:**

10.12.01 Monthly service charge
 10.12.02 Exchange
 10.12.03 Payment
 10.12.04 Regulations
 10.12.05 Meter inspection fee
 10.12.06 New water tap

10.12.01 Monthly service charge From and after the effective date of this ordinance, water rates shall be as follows:

<u>Water Rates</u>	<u>Per 100 CF</u>
First 300 CF Per Month	\$13.80 (Min)
Next 500 CF Per Month	\$3.70
Next 500 CF Per Month	\$2.90
Next 148,700 CF Month	\$2.40
All over 150,000 CF Per Month	\$2.20

(Ord. No. 1926, Sec. 1.)

New Water Tap

5/8"	\$500.00
1"	\$600.00
1 – ½ "	\$800.00
2"	\$1,200.00
3"	\$1,700.00

In excess of 3" - \$375.00, plus actual cost of meter and installation charges.

In new subdivision where water and sewer services have been provided by the owner, a reduced fee of \$150.00 per connection will be required before receiving city water and sewer services. (Ord. No. 1784, Sec. 1.)

The sprinkler rate for private sprinkler systems shall be Fifty Dollars (\$50.00) annually for one thousand (1,000) sprinkler heads and Five Cents (\$.05) annually for each additional sprinkler head.

10.12.02 Monthly Service Charge Every water meter, excluding dedicated fire lines and irrigation meters, shall pay ten dollars (\$10.00) per month to be utilized in the repayment of loans and set aside for future infrastructure maintenance and repairs to the waste and sewer lines of the City of Stuttgart. (Ord. No. 1926, Sec. 2)

10.12.02 Exchange Water service is for the exclusive use of the customer and shall not be resold or shared with others. In the case of compound meters, customer will be required to pay for actual cost of meter. (Ord. No. 488, Sec. 6)

10.12.03 Payment Bills shall be rendered monthly and shall be due and payable within ten (10) days from the date of the bill. If any monthly bill is not so paid, the city shall have the right to suspend service. The city shall collect from the customer the Arkansas Retail Sales Tax under the provisions of Acts 154 and 386 of the Acts of the 1937 and 1941 Legislature. (Ord. No. 488, Sec. 6)

10.12.04 Regulations Service under this schedule is subject to the Service Regulations of the city as they are now on file and as they may be amended in the future. (Ord. No. 488, Sec. 6)

10.12.05 Meter inspection fee

- A. Inspection Fee Increased: In accordance with Act 903 of 1993, passed by the Legislature for the state of Arkansas which amends A.C.A. 20-28-104 (a) (1) and 20-28-105 (b), the annual meter inspection fee assessed by the state Department of Health in the amount of Fifteen Cents (\$0.15) per service connection per month is hereby increased to the rate of Twenty-Five Cents (\$0.25) per service connection per month. (Ord. No. 1488, Sec. 1.)
- B. Local Fee Assessed: To correspond with this state imposed fee increase, the city of Stuttgart shall continue to expend the sum of Fifteen Cents (\$0.15) per service connection per month from its Water Department Budget and will establish and assess a fee in the sum of Ten Cents (\$0.10) per service connection per month to be levied as an increase of the customer's current monthly water and sewer charges. (Ord. No. 1438, Sec. 2)

CHAPTER 10.16**SEWER RATES****Sections:**

10.16.01	Rates
10.16.02	Connection, renewal, new deposits charges
10.16.03	Billing

10.16.01 Rates From and after the effective date of this ordinance, sewer rates shall be as follows:

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<u>Sewer Rates</u>	<u>Per 100 CF</u>
First 300 CF Per Month	\$13.20 (Min)
Next 500 CF Per Month	\$3.05
Next 500 CF Per Month	\$2.70
Next 6,700 CF Per Month	\$2.30
All Over 8,000 CF Per Month	\$2.10
(Ord. No. 1926, Sec. 1)	

10.16.02 Connection, renewal, new deposits charges From and after the effective date of this ordinance, connection fees, sewer taps and late penalties shall be as follows:

New Sewer Tap

4"	\$500.00
6"	\$800.00

In new subdivision where water and sewer services have been provided by the owner, a reduced fee of \$150.00 per connection will be required before receiving city water and sewer services. (Ord. No. 1784, Sec. 1.)

Sewer Renewal Charge \$250.00, plus \$60.00 Street cut (if needed)

New Deposits

Residential \$75.00

CWA (Clean Water Act) \$0.30

Late Penalty after 4:30 p.m. on 26th \$25.00

Fee for Tempering \$25.00

Returned Check Fee \$25.00

Transfer Fee \$15.00

(Ord. No. 1784, Sec. 1.)

10.16.03 Billing All bills for sewer service shall be rendered monthly and shall cover the same period as the corresponding monthly water bill. All bills shall be rendered in the net amount due. Under the provisions of Section 19-4113, Arkansas Statutes, a lien is fixed upon the land for any unpaid sewer service charge, even though the use of the sewer system may be by a tenant or lessee instead of the owner, but vacant unoccupied property not actually using the sewer system shall not be subject to a service charge. The burden of proving non-use during vacancy shall rest upon the owner of the property. If any charge is not paid before the tenth (10th) day of the month following the month in which the service was rendered, a penalty of ten percent (10%) shall be added and if not paid within thirty (30) days after the month in which the service was rendered, suit shall be brought to enforce the lien for the delinquent payment. (Ord. No. 432, Sec. 1)

CHAPTER 10.20**SEWER REGULATIONS**Sections:

10.20.01	Definitions
10.20.02	Use of public sewer required
10.20.03	Private sewage disposal system
10.20.04	Building sewers and connections
10.20.05	Use of public sewers
10.20.06	Power and authority of Superintendent
10.20.07	Protection from damage
10.20.08	Penalty for violation
10.20.09	Control of backflow and cross-connection

10.20.01 Definitions Unless the context specifically indicates otherwise, the meaning of the terms used shall be as follows:

1. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20) C, expressed in milligrams per liter (mg/).
2. "Building Drain" shall mean that part of the lowest horizontal piping of drainage system which receives the discharge from soil, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

3. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
4. "Combined Sewer" shall mean receiving both surface run-off and sewage.
5. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of product.
6. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
7. "Natural outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
8. "Person" shall mean any individual, firm, company., association, society, corporation or group.
9. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
10. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch (1.27 centimeters) in any dimension.
11. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.
12. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
13. "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
14. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
15. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
16. "Sewer" shall mean a pipe or conduit for carrying sewage.

17. "Shall" is mandatory; "May" is permissive.
18. "Slugs" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
19. "Storm-Drain" (sometimes termed storm sewer) shall mean a sewer which carries storm surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
20. "Superintendent" shall mean the City Engineer or his authorized agent, deputy, or representative.
21. "Suspended Solids" shall mean solids that either float on the surface, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
22. "Watercourses" shall mean a channel in which a flow of water occurs, either continuously or intermittently. (Ord. No. 623, Article 1)

10.20.02 Use of public sewers required

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the City or in any area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment had been provided in accordance with subsequent provisions of this chapter.
- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- D. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the City, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within the City

after date of official notice to do so, provided that said public sewer is within 300 feet of the property line. (Ord. No. 623, Article 2)

10.20.03 Private sewage disposal.

- A. Where a public sanitary or combined sewer is not available under the provisions of Sec. 10.20.02, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this chapter.
- B. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Superintendent. A permit and inspection fee of Five (\$5.00) Dollars shall be paid to the City Clerk at the time the application is filed.
- C. A permit for a private sewage disposal shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and in any event the applicant for the permit shall notify the Superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice by the Superintendent.
- D. Whenever connection to a public sanitary sewer is not required as provided for in Section 10.20.03 hereof, a private subsurface sewage disposal system may be installed if such installation is approved by the Superintendent and can be accomplished in conformance with standards established and specified in "Bulletin No. 9 Septic Tank Systems, Arkansas State Board of Health, Bureau of Sanitary Engineering".
- E. At such time as a public sewer becomes available to a property served by private sewage disposal system, as provided in Section 10.20.03 a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cess pools, and similar private sewage disposal facilities shall be abandoned and filled with suitable materials.
- F. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.
- G. No statement contained in this chapter shall be construed to interfere with any additional requirements that the Health Officer may impose.
- H. When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned

of sludge and filled with clean bank-run gravel or dirt. (Ord. No. 623, Article 3)

10.20.04 Building sewers and connections.

A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance therein without first obtaining a written permit from the Superintendent.

B. There shall be two classes of building sewer permits:(1)for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee as established by Chapter 11.08 for a residential or commercial building sewer permit and Twenty-five (\$25.00) Dollars for an industrial building sewer permit shall be paid to the City at the time the application is filed.

C. All costs and expenses incident to the installation and connection of the building sewer shall be born by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

D. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may extend to the rear building and the whole considered as one building sewer.

E. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this chapter.

F. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, joining, testing, and backfilling the trench, shall all conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the City.

In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice, No. 9 shall apply.

G. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too

low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

H. No person shall make connection of roof downspouts, exterior foundation drains, or other sources of surface runoff or groundwater to building sewer of building drain which in turn is connected directly or indirectly to a public sanitary sewer.

I. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

J. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.

K. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City. (Ord. No. 623, Article 4)

10.20.05 Use of public sewers

A. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process water to any sanitary sewer.

B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet.

C. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, soil, or gas.

2. Any waters or wastes containing toxic or poisonous solids, liquids, or

gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewer treatment process, or any part of the sewer treatment facilities or sanitary sewerage works, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/L as CN in the wastes as discharged to the public sewer.

3. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewage works.

4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or pumping facilities, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, pauch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

D. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, having an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than 150 degrees F (65C).

2. Any water or wastes containing fats, wax, greases, or oils, whether mulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees F (0 to 65 degrees C).

3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the City.

4. Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solution whether neutralized or not.

5. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceed the limits established by the City for such materials.
6. Any waters or wastes containing phenols or other taste-odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations.
8. Any waters or wastes having a pH excess of 9.5.
9. Materials which exert or cause: 1. Unusual concentrations of inert suspended solids (such as but not limited to Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as but not limited to sodium chloride, sodium sulfate). 2. Excessive discoloration (such as but not limited to dye, wastes and vegetable tanning solutions). 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load in the sewage treatment works. 4. Unusual volumes of flow or concentration of wastes constituting "slugs" as defined herein.
10. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

11. In addition to all of the provisions of this ordinance including, but not limited to permitting and testing provisions; car washes, truck washes and any other facility with wash racks connecting to the sanitary sewer system shall be required to install sandtraps, in accordance with state and local plumbing codes, with a minimum of 8 to we minutes detention time at peak flow. Permits shall be obtained as required herein and in Ord. No. 1128, all of the provisions of which shall also be applicable to all car washes, truck washes and any other facility with wash racks connecting to the sanitary sewer system. Each sandtrap shall be constructed so as to provide a place for sampling and testing down stream from the sandtraps. (Ord. No. 1685, Sec. 1.)
- E. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which contain the substances or possess the characters enumerated in Section 10.20.05, part 4, in which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may: (a) reject the wastes, (b) require pretreatment to an acceptable condition for discharge to the public sewers, (c) require control over the quantities and rates of discharge, and/or (d) require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of part 10 of this section.

If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances and laws.

- F. Greases, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing greases in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.
- G. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- H. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
- I. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manholes. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property.
- J. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefor by the industrial concern. (Ord. 623, Article 5)

10.20.06 Power and authority of Superintendent.

A. The Superintendent and other duly authorized employees of the City bearing credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurements, sampling, and testing in accordance with the provisions of this chapter. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways of facilities for waste treatment.

B. While performing the necessary work on private property referred to in part one (1) above, the Superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless from injury or death to city employees except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 10.20.05, part 8.

C. The Superintendent and other duly authorized employees of the City bearing credentials and identifications shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage, and works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Ord. No. 623, Article 7)

10.20.07 Protection from damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewer works. Any person violating this provision shall be subject to a fine. (Ord. No. 623, Article 6)

10.20.08 Penalty for violation.

A. Any person found to be violating any provision of this chapter except Section 10.20.07 shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Any person who shall continue any violation beyond the time limit provided for in part I of this section shall be fined in the amount not exceeding Twenty-Five Dollars (\$25.00) for each violation. Each day in which such violation shall continue shall be deemed a separate offense.

C. Any person violating any of the provisions of this chapter shall become liable to the City for any expenses, loss or damage occasioned the City by reason of such violation. (Ord. No. 623, Article I)

10.20.09 Control of backflow and cross-connection. The regulations providing for the control of backflow and cross connections within the City of Stuttgart, Arkansas, three (3) originals of which are on file with the office of the City Clerk are hereby adopted by reference. (Ord. No. 1452)

Chapter 10.24

DITCH, SEWER, DRAIN

Sections:

10.24.01 Placing of obstruction prohibited
10.24.02 Penalty

10.24.01 Placing of obstruction prohibited. No person shall throw or place any trash, or any wooden, metal, or other substances whatever in any ditch, sewer or drain in the City. (Ord. No. 58, Sec. 1)

10.24.02 Penalty. Any person violating Section 10.24.01 shall be fined not less than Five (\$5.00) Dollars nor more than Twenty-five (\$25.00) Dollars. (Ord. No. 58, Sec. 2)

Chapter 10.28

OBSTRUCTING PUBLIC DRAINS

Sections:

10.28.01 Installation of structures regulated
10.28.02 Application
10.28.03 Arbitration
10.28.04 Authority of Street Commissioner
10.28.05 Additional authority
10.28.06 Penalty

10.28.01 Installation of structures regulated. It shall be unlawful for any person to place any bridge, culvert, or pipe in or across any natural or artificial open ditch, gutter, drain or storm

sewer without first obtaining a permit therefor from the City Clerk, upon written application. (Ord. No. 421, Sec. 2)

10.28.02 Application. Such written application shall state the location of the drain proposed to be bridged or otherwise altered, and shall describe the character of the proposed work, including the size and type of culvert or pipe, if any, proposed to be used. The City Clerk shall immediately submit such application to the Street Commissioner and it shall be his duty to examine the application and the location of the proposed work. If such proposed work conforms to the city's drainage plan, and will not create an obstruction, he may endorse his approval on said application. If he rejects the application, he shall advise the applicant of his reasons for rejection and his requirements for approval. (Ord. No. 421, Sec. 3)

10.28.03 Arbitration. If a dispute arises between any property owner and the Street Commissioner as to any drainage requirement, such dispute shall be submitted to the City Engineer, whose decision shall be final. (Ord. No. 421, Sec. 5)

10.28.04 Authority of Street Commission. It is the duty of the Street Commissioner to keep all public drainage facilities free from obstructions. To accomplish this, he is hereby authorized to remove without notice any bridge, culvert, pipe or other object placed in or across any gutter, ditch, drain or storm sewer not in compliance. (Ord. No. 421, Sec. 6)

10.28.05 Additional authority. The Street Commissioner is further authorized to give notice to any property owner who has placed any structure, object or obstruction in or across any such drain, requiring such owner to remove such obstruction, or to so modify it as to permit the free flow of water. The notice shall describe the action required and shall be served on the property owner by the Chief of Police or his authorized agent. If such property owner has not complied with said requirements within ten (10) days after service of such notice, the Street Commissioner shall remove said structure or obstruction, and no person shall replace the same except upon compliance with Section 10.28.01. In cases of non-resident property owners, the Street Commissioner may mail such written notice by registered mail to such property owner at his last known address. (Ord. No. 421, Sec. 7)

10.28.06 Penalty. Any person violating this chapter shall be fined not less than Five (\$5.00) Dollars nor more than Twenty-five (\$25.00) Dollars. (Ord. No. 421, Sec. 8)

CHAPTER 10.32

SEPARATE REST ROOMS

Sections:

- | | |
|----------|----------|
| 10.32.01 | Required |
| 10.32.02 | Penalty |

10.32.01 Required. All rooming houses, hotels, tourist courts, office buildings, public buildings, theaters, factories, trailer courts and other premises where the use or occupancy is not as a family home, shall provide a minimum of one commode in a private compartment for use by males, and one commode in a compartment for use by females. This section shall not apply to private residences renting rooms to members of one sex only or to private residences of less than ten (10) rooms where room renting is secondary to occupancy as a family home. Neither shall it apply to single offices occupying an entire business building, nor to any business building normally having an occupancy of six (6) persons or less; provided, however, any state law or regulation requiring a higher degree of sanitation facilities than herein prescribed, as such law or regulation may apply to any particular business or occupancy, shall be controlling hereunder. (Ord. No. 462, Sec. 6)

10.32.02 Penalty. Any person violating any part of Section 10.32.01 shall be fined not less than One Dollar (\$1.00) nor more than Twenty-Five Dollars (\$25.00) for each offense and each day such violation continues shall be deemed a separate offense. (Ord. No. 462, Sec. 7)

CHAPTER 10.40

SEWER COMMITTEE

(Repealed By Ord. No. 1310)

CHAPTER 10.44

UTILITY CONNECTIONS OUTSIDE CITY LIMITS

Sections:

- | | |
|----------|-----------------------------------|
| 10.44.01 | Annexation required |
| 10.44.02 | Costs borne by applicant |
| 10.44.03 | Application to existing utilities |

10.44.01 Annexation required From and after the adoption of this ordinance, any person, firm, partnership, corporation, association, or any other entity of business or government, whether general or special in purpose, when applying for the connection to a city utility on lands contiguous to the city limits of the City of Stuttgart, shall prior to said application for connection, have the said lands annexed into the City of Stuttgart. (Ord. No. 1062, Sec. 1)

10.44.02 Costs borne by applicant That all costs of extending said city utility to the annexed property shall be borne by the applicant. (Ord. No. 1062, Sec. 2)

10.44.03 Application to existing utilities That there are presently existing city utilities beyond the city limits of the City of Stuttgart, and after the adoption of this ordinance, all extension of said utilities shall be in conformance with paragraphs 1 and 2 above, and further there shall be no further hook-ups, tie-ins or connections to those utilities already existing outside the city limits of the City of Stuttgart without conformance to paragraphs 1 and 2 above. (Ord. No. 1062, Sec. 3)

CHAPTER 10.48

WELLHEAD PROTECTION

Sections:

10.48.01	Statement of purpose
10.48.02	Implementation of the Wellhead Protection Program
10.48.03	Basis for delineating a Wellhead Protection Area
10.48.04	Lands to which this chapter applies
10.48.05	Administration
10.48.06	Severability
10.48.07	Conflict with other provisions
10.48.08	Miscellaneous

10.48.01 Statement of purpose It is the purpose of this section to:

- A. Promote the public health, safety and general welfare of the citizens of our city.
- B. Minimize the financial and other losses which would be incurred by contamination of the public water supply.
- C. Implement a wellhead protection program following guidelines of the Arkansas Department of Health that will help insure the provision of potable groundwater to our citizens now and in the future, and

D. Contribute to the general public effort of protecting and conserving the natural resource of our state for future generations. (Ord. No. 1429, Sec. B)

10.48.02 Implementation of the Wellhead Protection Program Implementation of the Wellhead Protection Program shall consist of several parts which may be phased in at the discretion of the City and over the time period deemed reasonable and adequate for the City. The parts shall include:

- A. Establishment of a Wellhead Protection Area around each well or well field.
- B. Inventory of the potential sources of contamination within the Wellhead Protection Area on a periodic basis.
- C. Restrictions, prohibitions or other kinds of controls of these potential sources as well as activities that could cause groundwater to become contaminated within the Wellhead Protection Area.
- D. Periodic monitoring of selected chemical parameters of the water from selected wells within the Wellhead Protection Area to provide early warning of contaminated groundwater moving towards public supply wells.
- E. Establishment of an emergency plan to be implemented if a contamination event should occur. (Ord. No. 1429, Sec. C)

10.48.03 Basis for delineating a Wellhead Protection Area The Wellhead Protection Area shall be delineated (i.e., its boundaries determined) by a qualified hydrogeologist using the methodology warranted by the kind, quality and quantity of the hydrogeologic data and information available or obtainable. However, the City retains the right to adjust the size and shape of the area according to its specific needs and goals. All delineations and subsequent changes must receive concurrence from the Arkansas Department of Health, Division of Engineering before final acceptance by the City.

If the new data should become available pertinent to well yield, hydrogeology and water-bearing characteristics of the aquifer used and this new data changes the size or shape of the original Wellhead Protection Area accepted by the City Council, then the City Council may deem by special vote or action the adjusted boundary to be the correct legal boundary of the Wellhead Protection Area. (Ord. No. 1429, Sec. D)

10.48.04 Lands to which this chapter applies This chapter shall apply to all lands located within the delineated Wellhead Protection Area as adopted by the City Council and within the jurisdiction of the City. (Ord. No. 1429, Sec. E)

10.48.05 Administration The policies and procedures for the administration of the Wellhead Protection Areas established in pursuance of this chapter, including application, variances, enforcement and penalties shall be determined by the City Council or the pertinent legally appointed entity. (Ord. No. 1429, Sec. F)

10.48.06 Severability It is hereby declared to be the intention of the city that the sections, paragraphs, sentences, clauses and phrases of this chapter are severable and if any such section, paragraph, sentence, clause or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this chapter since the same would have been enacted without the incorporation into this chapter of such unconstitutional or invalid section, paragraph, sentence, clause or phrase. (Ord. No. 1429, Sec. G)

10.48.07 Conflict with other provisions In the event that any provision, standard or requirement of this chapter is found to be in conflict with any provision of any other ordinance or code of the city, the provision which established the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents shall prevail. (Ord. No. 1429, Sec. H)

10.48.08 Miscellaneous

- A. As used in this chapter, words importing the masculine gender include feminine and neuter.
- B. Words used in the singular in this chapter include the plural and words in the plural include the singular.

This Wellhead Protection Ordinance shall be effective as of the 20th day of April, 1993. (Ord. No. 1429, Sec. I)

CHAPTER 10.52**IDENTITY THEFT PREVENTION PROGRAM****Sections:**

10.52.01	Title
10.52.02	Purpose
10.52.03	Definitions
10.52.04	Findings
10.52.05	Process of establishing a covered account
10.52.06	Access to covered account information
10.52.07	Sources and types of red flags
10.52.08	Prevention and mitigation of identity theft
10.52.09	Updating the program
10.52.10	Program administration
10.52.11	Outside service providers
10.52.12	Purpose
10.52.13	Definitions
10.52.14	Policy
10.52.15	Furnishing consumer's address to consumer reporting agency
10.52.16	Methods of confirming consumer accounts

10.52.01 Title This article shall be known as the Identity Theft Prevention Program.
(Ord. No. 1826, Sec. 1.)

10.52.02 Purpose The purpose of this article is to comply with 16 CFR 681.2 in order to detect, prevent and mitigate identity theft by identifying and detecting identity theft red flags and by responding to such red flags in a manner that will prevent identity theft. (Ord. No. 826, Sec. 2.)

10.52.03 Definitions For purposes of this article, the following definitions apply:

City means the city of Stuttgart, Arkansas.

Covered account means

- A. An account that a financial institution or creditor offers or maintains, primarily for personal, family, or household purposes, that involves or is designed to permit multiple payments or transactions, such as a credit card account, mortgage loan,

automobile loan, margin account, cell phone account, utility account, checking account, or savings account; and

- B. Any other account that the financial institution or creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the financial institution or creditor from identity theft, including financial, operational, compliance, reputation, or litigation risks.

Credit means the right granted by a creditor to a debtor to defer payment of debt or to incur debts and defer its payment or to purchase property or services and defer payment therefore.

Creditor means any person who regularly extends, renews, or continues credit; any person who regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit and includes utility companies and telecommunications companies.

Customer means a person that has a covered account with a creditor.

Identity theft means a fraud committed or attempted using identifying information of another person without authority.

Person means a natural person, a corporation, government or governmental subdivision or agency, trust, estate, partnership, cooperative, or association.

Personal Identifying Information means a person's credit card account information, debit card information bank account information and drivers' license information and for a natural person includes their social security number, mother's birth name, and date of birth.

Red flag means a pattern, practice, or specific activity that indicates the possible existence of identity theft.

Service provider means a person that provides a service directly to the city.
(Ord. No. 826, Sec. 3.)

10.52.04 Findings

- A. The city is a creditor pursuant to 16 CFR 681.2 due to its provision of maintenance of covered accounts for which payment is made in arrears.

- B. Covered accounts offered to customers for the provision of city services include water, sewer, trash and mosquito.
- C. The city's previous experience with identity theft related to covered accounts is as follows: Bringing someone else's identification into the office to start a service without that person being present.
- D. The processes of opening a new covered account, restoring an existing covered account, making payments on such accounts have been identified as potential processes in which identity theft could occur.
- E. The city limits access to personal identifying information to those employees responsible for or otherwise involved in opening or restoring covered accounts or accepting payment for use of covered accounts. Information provided to such employees is entered directly into the city's computer system and is photocopied.
- F. The city determines that there is a moderate risk of identity theft occurring in the following ways:
 - 1. Use by an applicant of another person's personal identifying information to establish a new covered account;
 - 2. Use of a previous customer's personal identifying information by another person in an effort to have service restored in the previous customer's name;
 - 3. Use of another person's credit card, bank account, or other method of payment by a customer to pay such customer's covered account or accounts;
 - 4. Use by a customer desiring to restore such customer's covered account of another person's credit card, bank account, or other method of payment.
(Ord. No. 1826, Sec. 4.)

10.52.05 Process of establishing a covered account As a precondition to opening a covered account in the city, each applicant shall provide the city with personal identifying information of the customer consisting of two (2) identifications, with one requiring a photo, to be photocopied and valid driver's license or state identification (photo), Social Security card, work identification, insurance card, Medicaid card, Housing Authority card, W-2's or birth

certificate. Such information will be entered directly into the city's computer system and shall be photocopied. (Ord. No. 1826, Sec. 5.)

10.52.06 Access to covered account information

- A. Access to customer accounts shall be password-protected and shall be limited to authorized city personnel.
- B. Such password(s) shall be changed by the Office Manager on a regular basis, shall be at least eight (8) characters in length and shall contain letters, numbers and symbols.
- C. Any unauthorized access to or other breach of customer accounts is to be reported immediately to the Department Head or Office Manager and the password changed immediately.
- D. Personal identifying information included in customer accounts is considered confidential and any request or demand for such information shall be immediately forwarded to the Department Head or Office Manager and the City Attorney. (Ord. No. 1826, Sec. 6.)

10.52.07 Sources and types of red flags All employees responsible for or involved in the process of opening a covered account, restoring a covered account or accepting payment for a covered account shall check for red flags as indicators of possible identity theft and such red flags may include:

- A. Suspicious documents Examples of suspicious documents include:
 - 1. Documents provided for identification that appear to be altered or forged;
 - 2. Identification on which the information is inconsistent with the appearance of the applicant or customer;
 - 3. Identification on which the information is inconsistent with information provided by the applicant or customer;
 - 4. Identification on which the information is inconsistent with readily accessible information that is on file with the financial institution or creditor, such as a signature card or a recent check; or

5. An application that appears to have been altered or forged, or appears to have been destroyed and reassembled.
- B. Suspicious personal identification, such as suspicious address change Examples of suspicious identifying information include:
1. Personal identifying information that is inconsistent with external information sources used by the financial institution or creditor. For example:
 - a. The address does not match any address in the consumer report; or
 - b. The Social Security Number (SSN) has not been issued, or is listed on the Social Security Administration's Death Master File.
 2. Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer, such as a lack of correlation between the SSN range and date of birth.
 3. Personal identifying information or a phone number, or address, is associated with known fraudulent applications or activities, as indicated by internal or third-party sources used by the financial institution or creditor.
 4. Other information provided, such as fictitious mailing address, mail drop addresses, jail addresses, invalid phone numbers, pager numbers or answering services, is associated with fraudulent activity.
 5. The SSN provided is the same as that submitted by other applicants or customers.
 6. The address or telephone number provided is the same as or similar to the account number or telephone number submitted by an unusually large number of applicants or customers.
 7. The applicant or customer fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.

8. Personal identifying information is not consistent with personal identifying information that is on file with the financial institution or creditor.

C. Unusual use of or suspicious activity relating to a covered account Examples of suspicious activity include:

1. An account that has been inactive for a long period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).
2. Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's account.
3. The city is notified that the customer is not receiving paper account statements.
4. The city is notified of unauthorized charges or transactions in connection with a customer's account.
5. The city is notified by a customer, law enforcement or another person that it has opened a fraudulent account for a person engaged in identity theft.

D. Notice from customers, law enforcement, victims or other reliable sources regarding possible identity theft or phishing relating to covered accounts (Ord. No. 1826, Sec. 7.)

10.52.08 Prevention and mitigation of identity theft

- A. In the event that any city employee responsible for or involved in restoring an existing covered account or accepting payment for a covered account becomes aware of red flags indicating possible identity theft with respect to existing covered accounts, such employee shall use his or her discretion to determine whether such red flag or combination of red flags suggests a threat of identity theft. If, in his or her discretion, such employee determines that identity theft of attempted identity theft is likely or probable, such employee shall immediately report such red flags to the Office Manager. If, in his or her discretion, such employee deems that identity theft is unlikely or that reliable information is available to reconcile red flags, the employee shall convey this information to the

Office Manager, who may in his or her discretion determine that no further action is necessary. If the Office Manager, in his or her discretion, determines that further action is necessary, a city employee shall perform one or more of the following responses, as determined to be appropriate by the Office Manager:

1. Contact the customer;
 2. Make the following changes to the account if after contacting the customer it is apparent that someone other than the customer has accessed the customer's covered account:
 - a. Change any account numbers, passwords, security codes, or other security devices that permit access to an account; or
 - b. Close the account.
 3. Cease attempts to collect additional charges from the customer and decline to sell the customer's account to a debt collector in the event that the customer's account has been accessed without authorization and such access has caused additional charges to accrue;
 4. Notify a debt collector within twenty-four (24) hours of the discovery of likely or probable identity theft relating to a customer account that has been sold to such debt collector in the event that a customer's account has been sold to a debt collector prior to the discovery of the likelihood or probability of identity theft relating to such account;
 5. Notify law enforcement in the event that someone other than the customer has accessed the customer's account causing additional charges to accrue or accessing personal identifying information; or
 6. Take other appropriate action to prevent or mitigate identity theft.
- B. In the event that any city employee responsible for or involved in opening a new covered account becomes aware of red flags indicating possible identity theft with respect an application for a new account, such employee shall use his or her discretion to determine whether such red flag or combination of red flags suggests a threat of identity theft. If, in his or her discretion, such employee determines that identity theft or attempted identity theft is likely or probable, such employee

shall report such red flags to the Office Manager. If, in his or her discretion, such employee deems that identity theft is unlikely or that reliable information is available to reconcile red flags, the employee shall convey this information to the Office Manager who may, in his or her discretion, determine that no further action is necessary. If the Office Manager, in his or her discretion, determines that further action is necessary, a city employee shall perform one or more of the following responses, as determined to be appropriate:

1. Request additional identifying information from the applicant;
2. Deny the application for the new account;
3. Notify law enforcement of possible identity theft; or
4. Take other appropriate action to prevent or mitigate identity theft – flag address. (Ord. No. 1826, Sec. 8.)

10.52.09 Updating the program The City Council shall annually review and, as deemed necessary by the Council, update the Identity Theft Prevention Program along with any relevant red flags in order to reflect changes in risks to customers or to the safety and soundness of the city and its covered accounts from identity theft. In so doing, the City Council shall consider the following factors and exercise its discretion in amending the program:

- A. The city's experiences with identity theft;
- B. Updates in methods of identity theft;
- C. Updates in customary methods used to detect, prevent, and mitigate identity theft;
- D. Updates in the types of accounts that the city offers or maintains; and
- E. Updates in service provider arrangements.
(Ord. No. 1826, Sec. 9.)

10.52.10 Program administration The Office Manager is responsible for oversight of the program and for program implementation. The Mayor is responsible for reviewing reports prepared by staff regarding compliance with red flag requirements and with recommending material changes to the program, as necessary in the opinion of the Mayor, to address changing

identity theft risks and to identify new or discontinued types of covered accounts. Any recommended material changes to the program shall be submitted to the City Council for consideration by the Council.

- A. The Office Manager will report to the Mayor at least annually on compliance with the red flag requirements. The report will address material matters related to the program and evaluate issued such as:
 - 1. The effectiveness of the policies and procedures of city in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
 - 2. Service provider arrangements;
 - 3. Significant incidents involving identity theft and management's response; and
 - 4. Recommendations for material changes to the program.
- B. The Office Manager is responsible for providing training to all employees responsible for or involved in opening a new covered account, restoring an existing covered account or accepting payment for a covered account with respect to the implementation and requirements of the Identity Theft Prevention Program.
- C. The Office Manager shall exercise his or her discretion in determining the amount and substance of training necessary. (Ord. No. 1826, Sec. 10.)

10.52.11 Outside service providers In the event that the city engages a service provider to perform an activity in connection with one or more covered accounts, the Office Manager shall exercise his or her discretion in reviewing such arrangements in order to ensure, to the best of his or her ability, that the service provider's activities are conducted in accordance with policies and procedures, agreed upon by contract, that are designed to detect any red flags that may arise in the performance of the service provider's activities and take appropriate steps to prevent or mitigate identity theft. (Ord. No. 1826, Sec. 11.)

Treatment of Address Discrepancies

10.52.12 Purpose Pursuant to 16 CFR 681.1, the purpose of this article is to establish a process by which the city will be able to form a reasonable belief that a consumer report relates

to the consumer about whom it has requested a consumer credit report when the city has received a notice of address discrepancy. (Ord. No. 1826 as amended by Sec. 2.)

10.52.13 Definitions For purposes of this article, the following definitions apply:

City means city of Stuttgart.
(Ord. No. 1826 as amended by Sec. 2.)

10.52.14 Policy In the event that the city receives a notice of address discrepancy, the city employee responsible for verifying consumer addresses for the purpose of providing the municipal service or account sought by the consumer shall perform one or more of the following activities, as determined to be appropriate by such employee:

- A. Compare the information in the consumer report with:
 - 1. Information the city obtains and uses to verify a consumer's identity in accordance with the requirements of the Customer Information Program rules implementing 31 U.S.C. 5318(1);
 - 2. Information the city maintains in its own records, such as applications for service, change of address notices, other customer account records or tax records; or
 - 3. Information the city obtains from third-party sources that are deemed reliable by the relevant city employee.
(Ord. No. 1826 as amended by Sec. 3.)

10.52.15 Furnishing consumer's address to consumer reporting agency

- A. In the event that the city reasonably confirms that an address provided by a consumer to the city is accurate, the city is required to provide such address to the consumer reporting agency from which the city received a notice of address discrepancy with respect to such consumer. This information is required to be provided to the consumer reporting agency when:
 - 1. The city is able to form a reasonable belief that the consumer report relates to the consumer about whom the city requested the report;
 - 2. The city establishes a continuing relation with the consumer; and

3. The city regularly and in the ordinary course of business provides information to the consumer reporting agency from which it received the notice of address discrepancy.
- B. Such information shall be provided to the consumer reporting agency as part of the information regularly provided by the city to such agency for the reporting period in which the city establishes a relationship with the customer.
(Ord. No. 1826 as amended by Sec. 4.)

10.52.16 Methods of confirming consumer addresses The city employee charged with confirming consumer addresses may, in his or her discretion, confirm the accuracy of an address through one or more of the following methods:

- A. Verifying the address with the consumer;
- B. Reviewing the city's records to verify the consumer's address;
- C. Verifying the address through third party sources; or
- D. Using other reasonable processes.
(Ord. No. 1826 as amended by Sec. 6.)