

BILL NO. _____

ORDINANCE NO. 51

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR FOR THE CITY OF
ARCADIA, MISSOURI, TO ENTER INTO A CONTRACT FOR RESIDENTIAL SOLID
WASTE COLLECTION AND DISPOSAL.

WHEREAS, pursuant to the authority set forth in Section 260.215 RSMo, the Cities of Ironton, Arcadia and Pilot Knob, and the County of Iron, Missouri have combined to form the Arcadia Valley Sanitation Board; and

WHEREAS, the City has authorized its representative upon said Arcadia Valley Sanitation Board, to represent the interest of the City in contracting for residential solid waste collection and disposal; and

WHEREAS, the Arcadia Valley Sanitation Board has contracted with Republic Industries, Inc., d/b/a CWI of Missouri, for the residential collection and disposal of solid waste within the City; and

WHEREAS, the Board of Alderman have reviewed the proposed Contract for Residential Solid Waste Collection and Disposal between said Arcadia Valley Sanitation Board and Republic Industries, Inc., d/b/a CWI of Missouri, and finds that said Contract is in the best interest of the City and will serve the best interest of the citizens of the City; and

WHEREAS, the Board of Alderman is desirous of approving said Contract and authorizing the Mayor to vote, as a member of the Arcadia Valley Sanitation Board, in favor of said Contract and to further execute said Contract, a copy of which is attached hereto, marked Exhibit A and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ARCADIA, MISSOURI, AS FOLLOWS:

Section 1. Approval and Authorization of Mayor to Execute Contract. The Board of Alderman hereby authorize the Mayor to vote in favor of the Contract for Residential Solid Waste Collection and Disposal to be entered into by Arcadia Valley Sanitation Board and Republic Industries, Inc., d/b/a CWI of Missouri, and to further execute said Contract, a copy of which is attached hereto, marked

Exhibit A, and incorporated herein by reference. The Board of Alderman further hereby approve the terms of said Contract and understand and agree that the City, as a member of Arcadia Valley Sanitation Board, and as an individual municipality, shall be legally bound to comply with the terms of said Contract and shall also be legally authorized to enforce the terms of said Contract. Accordingly, the Mayor is hereby instructed to vote in favor of said Contract at the next meeting of the Arcadia Valley Sanitation Board and to further execute said Contract as so stated and authorized by the Contract.

Section 2. Severability. The sections, paragraphs, sentences, and clauses of this ordinance are severable; and if any section, paragraph, sentence, or clause of this ordinance is declared to be unconstitutional by a court of competent jurisdiction, such unconstitutionality shall have no effect upon the remaining sections, paragraphs, sentences and clauses of this ordinance.

Section 3. Repeal Conflicting Ordinances. All ordinances or parts of ordinances in conflict herewith shall be, and the same are hereby, repealed; and this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Section 4. Effective Date. This ordinance shall take effect immediately upon its final passage by the Board of Aldermen of the City of Arcadia, Missouri.

THIS ORDINANCE HAVING BEEN READ IN FULL ON THIS 12th DAY OF January, 1998, THE BOARD OF ALDERMEN VOTED AS FOLLOWS:

Alderman G. Dennison	<u>YEA</u>
Alderman Scarbrough	<u>YEA</u>
Alderman Boren	<u>YEA</u>
Alderman S. Dennison	<u>YEA</u>

THIS ORDINANCE HAVING BEEN READ BY TITLE ONLY THE SECOND TIME ON THIS 12th DAY OF January, 1998, THE BOARD OF ALDERMEN VOTED AS FOLLOWS:

Alderman G. Dennison	<u>YEA</u>
Alderman Scarbrough	<u>YEA</u>
Alderman Boren	<u>YEA</u>
Alderman S. Dennison	<u>YEA</u>

THIS ORDINANCE HAVING BEEN READ BY TITLE ONLY THE THIRD TIME
ON THIS 12th DAY OF January, 1998, THE BOARD OF ALDERMEN
VOTED AS FOLLOWS:

Alderman G. Dennison	<u>YEA</u>
Alderman Scarbrough	<u>YEA</u>
Alderman Boren	<u>YEA</u>
Alderman S. Dennison	<u>YEA</u>

WHEREUPON, this ordinance was declared by the Mayor of the
City of Arcadia, Missouri, to have been enacted and the Clerk is
hereby ordered to enroll the same in the records of the ordinances
of the City of Arcadia, Missouri.

Dated this 12th day of January, 1998.

Roy Carr
Roy Carr, Mayor

ATTEST:

Mary Johnson
Mary Johnson, City Clerk

APPENDIX A

DEFINITIONS

1. "Air gap separation" means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the overflow level rim of the receptacle, and shall be at least double the diameter of the supply pipe measured vertically above the flood level rim of the vessel, but in no case less than one inch.
2. "Auxiliary water supply" means any water source or system, other than the public water supply, that may be available in the building or premises.
3. "Backflow" means the flow other than the intended direction of flow, of any foreign liquids, gases, or substances into the distribution system of a public water supply.
4. "Backflow prevention assembly" means any double check valve or reduced pressure principle backflow preventer having resilient-seated shut-off valves on both the upstream and downstream end and the necessary test cocks as integral parts of the assembly.
5. "Consumer" means the owner or person in control of any premises supplied by or in any manner connected to a public water system.
6. "Containment" means protection of the public water supply by installing a backflow prevention assembly or air gap separation on the main service line to a facility.
7. "Contamination" means an impairment of the quality of the water by sewage, process fluids, or other wastes to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.
8. "Cross connection" means any physical link between a potable water supply and any other substance, fluid, or source, which makes possible contamination of the potable water supply due to the reversal of flow of the water in the piping or distribution system.
9. "Hazard, Degree of" means an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.
 - a. Hazard, Health - any condition, device, or practice in the water supply system and its operation which could create or may create a danger to the health and well-being of the water consumer.
 - b. Hazard, Plumbing - a plumbing type cross connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air gap separation or backflow prevention assembly.

- c. Hazard, Pollutational - an actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.
 - d. Hazard, System - an actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system, or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.
- 10. "Industrial process system" means any system containing a fluid or solution, which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutational, or plumbing hazard if introduced into a potable water supply.
 - 11. "Isolation" means protection of a facility's internal plumbing system by installing a backflow prevention assembly, air gap separation, or other backflow prevention device on an individual fixture, appurtenance, or system.
 - 12. "Pollution" means the presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.
 - 13. "Public potable water system" means any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the Missouri Department of Natural Resources.
 - 14. "Service connection" means the terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.
 - 15. "Water purveyor" means the owner, operator, or individual in responsible charge of a public water system.

APPENDIX B

TYPES OF FACILITIES REPRESENTING CROSS CONNECTION HAZARDS

1. Aircraft and missile manufacturing plants;
2. Automotive plants including those plants which manufacture motorcycles, automobiles, trucks, recreational vehicles and construction and agricultural equipment;
3. Potable water dispensing stations which are served by a public water system;
4. Beverage bottling plants including dairies and breweries;
5. Canneries, packing houses and reduction plants;
6. Car washes;
7. Chemical, biological and radiological laboratories including those in high schools, trade schools, colleges, universities and research institutions;
8. Hospitals, clinics, medical buildings, autopsy facilities, morgues, mortuaries and other medical facilities;
9. Metal or plastic manufacturing, fabrication, cleaning, plating or processing facilities;
10. Plants manufacturing paper and paper products;
11. Plants manufacturing, refining, compounding or processing fertilizer, film, herbicides, natural or synthetic rubber, pesticides, petroleum or petroleum products, pharmaceuticals, radiological materials or any chemical which would be a contaminant to the public water system;
12. Commercial facilities that use herbicides, pesticides, fertilizers or any chemical which would be a contaminant to the public water system;
13. Plants processing, blending or refining animal, vegetable or mineral oils;
14. Commercial laundries and dye works;
15. Sewage, storm water and industrial waste treatment plants and pumping stations;
16. Waterfront facilities including piers, docks, marinas and shipyards;
17. Industrial facilities which recycle water;

18. Restricted or classified facilities or other facilities closed to the supplier of water or the department;
19. Fire sprinkler systems using any chemical additives;
20. Auxiliary water systems;
21. Irrigation systems with facilities for injection of pesticides, herbicides or other chemicals or with provisions for creating back pressure;
22. Portable tanks for transporting water taken from a public water system; and
23. Facilities which have pumped or repressurized cooling or heating systems that are served by a public water system, including all boiler systems.