

CHAPTER 16 WASTEWATER TREATMENT AND COLLECTION SYSTEM CODE

(Ord. No. 10-01)

(Ord 91-02/91-04/92-04/94-06)(Res 91-09/92-04/94-22)

ARTICLE 16-1 SEWER SERVICE

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Section 16-1-1 Definitions

For the purpose of this article, the following words and terms shall have the following meanings unless the context indicates otherwise:

1. **“A.A.C.”** means the Arizona Administrative Code.
2. **A.D.E.Q.** means the Arizona Department of Environmental Quality.
3. **“Approved laboratory procedures”** means the measurements, tests and analyses of the characteristics of water and wastes in accordance with analytical procedures determined acceptable by Federal Guidelines as established in Title 40, Code of Federal Regulations, Part 136, or as approved by the Regional Administrator, U.S. Environmental Protection Agency.
4. **“A.R.S.”** means the Arizona Revised Statutes.
5. **“Average quality”** means the arithmetic average (weighted by flow value) of all the “daily determinations of concentration,” as that term is defined herein, made during a calendar month.
6. **“BOD (biochemical oxygen demand)”** means the oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five days at a temperature of twenty degrees Centigrade, reported in milligrams per liter.

7. **“Building sewer”** means those drains commencing at and connecting one or more plumbing fixtures, usually within a structure, to a point approximately five feet outside the foundation of the structure.
8. **“Calculated design capacity”** means the maximum capacity of the treatment plant as determined by calculations used in standard engineering practice.
9. **“Calculated discharge”** means the discharge from a user which is calculated based upon estimated waste/sewage flow rates as published by the latest edition of the Uniform Plumbing Code.
10. **“Capital reserve”** means the funds remaining on an annual basis from revenue collected from connection, monthly user fees and septage fees after payment of all wastewater treatment system expenses including debt service.
11. **“Certified cost”** means all costs as published in the Engineering News Record for Phoenix, Arizona, on the closest date to the first of January in each year. (See total development cost).
12. **“Clean out”** means a device which provides access from the surface to an underground sewer line.
13. **“COD (chemical oxygen demand)”** means the series of pipes, manholes and pumping stations, if applicable whose function it is to gather wastewater from divergent sources and deliver same to one central location.
14. **“Collection system”** means the series of pipes, manholes and pumping stations, if applicable, whose function it is to gather wastewater from divergent sources and deliver same to one central location.
15. **“Connection fees”** means those fees collected in return for the right to connect a “source” to the collection system.
16. **“Cooling water”** means the clean wastewater discharged from any heat transfer system, such as condensation, air conditioning, cooling or refrigeration.
17. **“Daily composite sample”** means a sample of wastewater continuously collected over a normal operating day.
18. **“Daily composite sample quality”** means the concentration of some parameter tested in a “daily composite sample,” as that term is defined herein, and reported proportional to flow.
19. **“Daily determination of concentration”** means for composite samples, **“daily determination of concentration”** shall be the same as **“daily composite sample quality,”** as that term is defined herein. For grab samples, the **“daily**

determination of concentration” shall be the arithmetic average (weighted by flow value) of all **“grab sample qualities,”** as that term is defined herein, determined by any calendar day.

20. **“Department”** means the Town’s Department of Public Utilities.
21. **“Discharge”** means the deposit of sewage, water or any liquid from any sewer user into the sewer system.
22. **“Domestic waste”** means a typical, residential type waste which requires no pretreatment under the provisions of this article before discharging into the sanitary sewer system, excluding all commercial manufacturing and industrial wastes.
23. **“Downflow”** means the direction of flow in a sewer line.
24. **“Equivalent plumbing units”** means the method of calculating probable discharge based upon the quantity and/or size of plumbing fixtures on the property of a user.
25. **“Equivalent residential unit”** means the method of calculating discharge to the sewer based upon the average flow from a typical residence, set at 200 gallons per day per residence.
26. **“Establishment, plant”** means any establishment or plant producing liquid waste, with or without suspended solids, required to be discharged into the sewer system.
27. **“Exterior invert”** means the transition from sewer pipe to manhole at the entrance or “upstream” side of any manhole.
28. **“Garbage”** means solid waste generated by owner-users.
29. **“Grab sample”** means an individual sample of sewage collected in less than fifteen minutes.
30. **“Grab sample quality”** means the concentration of some parameter tested in a grab sample, as that term is defined herein.
31. **“Industrial user”** means any non-governmental, non-residential user of the sewer system which discharges any industrial waste and is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions: A, B, D, E, I.

32. **“Industrial waste”** means any liquid, free-flowing waste, including cooling water, resulting from any industrial or manufacturing process or from the development, recovery or processing of natural resources, with or without suspended solids.
33. **“Inflation factor”** means a modification in construction costs to achieve, as closely as possible constant January 1, 1993, dollars.
34. **“Inflow”** means water other than wastewater that enters a sewer system (including sewer service connections) from sources such as roof leaders, cellar drains, foundation drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewer and sanitary sewers, catch basins, cooling towers, storm sewers, surface runoff, street wash waters or drainage.
35. **“Interference”** means inhibition or disruption of the sewer system, treatment processes or operations which contribute to a violation of any requirement of a National Pollutant Discharge Elimination System permit pursuant to Sections 307(b) and (c) of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977.
36. **“Lateral collection system”** means that sewer line or series of sewer lines which connect two or more “sources” lying wholly within the property lines of a “user”. A “Lateral Sewer System” is constructed by or for and is maintained by or for a single “user”.
37. **“Lateral sewer line”** means that portion of a sewer system commencing at a point five feet outside of the foundation of a “source” being served to the connection of another “Lateral Sewer Line” after which the combined line shall be referred to as a “Lateral Collection System” or to the property line of the “user”. A “Lateral Sewer Line or Collection System” is constructed by or for and maintained by or for a single “user”.
38. **“Maintenance”** means keeping the treatment works in a state of repair, including expenditures necessary to maintain the capacity (capability) for which said works were designed and constructed.
39. **“Management contract”** The town may by contract employ professional services to perform the duties and functions of the department as provided herein.
40. **“Manhole”** means a structure located at regular intervals along a sewer pipe line of sufficient size for a work person to enter for the purpose of cleaning or maintaining the collection system.
41. **“Master lease,”** or the authority appointed by the town, may lease the entire wastewater treatment system. This lease shall be described as the master

lease.

42. **“Municipal Utility Administrative Committee,”** appointed by the Council, the committee shall consist of Council Members and others appointed by the Council to serve as administrative body for the wastewater treatment system and shall present findings and recommendations on a regular basis to the Council for necessary action.
43. **“Outfall sewer”** means that series of pipes, manholes and pumping stations, if applicable, necessary to convey the wastewater from the end of the collection system to the wastewater treatment plant.
44. **“Permittee, permit holder”** means any person, firm, association, corporation or trust which owns, operates, processes or controls an establishment or plant being operated under a valid industrial waste permit to discharge waste into the sewer system.
45. **“Producer”** means any person, firm, association, corporation or trust which owns, operates, possesses or controls an establishment or plant, whether or not a permittee.
46. **“Property line”** means the boundary between the property owned by a user and property owned by the town or the wastewater treatment system.
47. **“Replacement”** means those expenditures made for obtaining and installing equipment, accessories and/or appurtenances during the useful life of the treatment works, which are necessary to maintain the capacity and performance of the treatment works for which they were designed and constructed.
48. **“Residential units”:**

Family. A family means one or more person occupying a premise and living as a single housekeeping unit as distinguished from a group occupying a boardinghouse, lodging house or hotel.

Single family dwelling. A single family dwelling means a building or pre-manufactured structure designed for occupancy by one family.

Two family dwelling. A two family dwelling means a building designed for occupancy by two families.

Multiple family dwelling. A multiple dwelling means a building or portion thereof designed for occupancy by three or more families.

Mobile home dwelling/Integrated Home. Mobile home dwelling means a structure transportable in one or more sections, which is built on a permanent

chassis and designed to be used as a dwelling with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical system contained therein.

49. **“RV dwelling”** means a transportable structure which is designed to be used as a dwelling with or without a permanent foundation, when connected to the required utilities and has RV-type self containment, which means grey water, black water, and fresh water tanks.
50. **“Segment”** means a portion of a sewer line commencing at the exterior upflow invert of a manhole and including all of that sewer line upflow to, and including, the next manhole.
51. **“Septage and scavenger waste”** means any discharge of concentrated wastewater into the system from a non-continuous source and shall include sludge removed from septic tanks and the accumulated waste from RV’s.
52. **“Service line”** means the sewer line from the property line of a customer to the point in the collection system where the discharge from the customer joins the discharge from one or more additional customers.
53. **“Shall”** means mandatory.
54. **“Source”** means that point, located at or within five feet of a structure from whence wastewater initially enters the wastewater collection system.
55. **“Standard industrial classification”** means a coded classification of industries based upon economic activity developed by the U.S. Department of Commerce as published in Standard Industrial Classifications Manual, 1972, Office of Management and Budget and its amendments.
56. **“Standard methods”** means the procedure as described in the most current edition of Standard Methods for the Examination of Water and Wastewater, published by the American Health Association, or the most current edition of Manual of Methods for Chemical Analysis of Water and Wastes published by the U.S. Environmental Protection Agency.
57. **“Suspended solids (SS)”** means solids measured in milligrams per liter that either float on the surface of or are in suspension in water, wastewater or other liquids and which are largely removable by a laboratory filtration device, as defined in the “Standard Methods” as defined herein.
58. **“System design capacity”** means the design capacity for normal domestic wastewater as established by accepted engineering standards.
59. **“Total developed cost”** means the total cost of materials, labor, design, finance,

property acquisition and management necessary to complete all or a portion of a collection system or treatment plant.

60. **“Total organic carbon (TOC)”** means the total of all organic compounds expressed in milligrams per liter as determined by the combustion-infrared method prescribed by approved laboratory procedure.
61. **“Town engineer”** means a registered professional engineer qualified in all applicable aspects of standard sewer design.
62. **“Treatment parameter”** means a fundamental characteristic of sewage around which treatment is designed, such as but not limited to flow, BOD, suspended solids and phosphorus.
63. **“Upflow”** means the direction in a sewer line opposite the direction of flow.
64. **“User”** means any person, lot, parcel of land, building, premises, municipal corporation or other political subdivision that discharges, causes or permits the discharge of wastewater in the sewer system.
65. **“User fees”** means the monthly fees collected from each “user” in return for treating the “wastewater” produced by the “source”.
66. **“Wastewater treatment plant”** means that portion of a wastewater treatment system commencing at manhole one, the most downstream manhole, and including all devices, holding areas, buildings, property and equipment involved in the actual treatment of the wastewater and the disposal of the effluent.
67. **“Wastewater treatment system”** means all facilities including the “wastewater treatment plant” and “collection system” for collecting, pumping, treating and disposing of wastewater, the residue thereof and the effluent water. A “wastewater treatment system” is owned by the “wastewater treatment system owner”. A “collection system may be maintained by a wastewater treatment system manager or the wastewater treatment system owner.”
68. **“Water closet”** means toilet existing within a residential or commercial structure connected directly to a sanitary sewer system. This shall exclude recreational vehicle toilets that are connected to a holding tank.
69. **“Wastewater treatment department”** means the town or such person, firm, authority or department as may be designated by the town to be the responsible administrative body of the wastewater treatment system.
70. **“Wastewater treatment system owner”** means the individual, company or municipality who at any given time holds title to the improvements described as the “wastewater treatment system”.

Section 16-1-2 Sewer Connection Permit Requirements; Fees
(Res. No. 01-06)

- A. Connection Authorization Required. It is prohibited for any person to tap or connect or cause to be tapped or connected any service, drain or other pipe to the sewer system or to connect its property to or with any such tap, drain or other pipe connected with said sewer system without first applying for and obtaining connection authorization from the department in coordination with the Town building department. This authorization is to be issued prior to any Town building permit required for any construction to be conducted in connection therewith.
- B. It is the duty of the Town, before issuing said authorization to connect, to investigate and inquire into the conditions of all proposed connections to such sewer system for the purpose of ascertaining whether same can be made in a proper manner. In the event the department finds that the proposed connection can be made or installed in a proper manner and upon receipt of a properly prepared and executed application and upon receipt by the department of the applicable fee as computed in accordance with Section 16-1-3 herein, it shall be the department's duty to issue to the applicant a permit to make or install said proposed connection in accordance with the adopted fee schedule. The permit shall apply to the type of user specified on the permit and shall not be transferable. The permit will expire in the event that a change of use occurs, a new structure is constructed or an old structure is enlarged.
- C. The department shall keep a record of all permits issued and all taps and connections made. The records shall include the names of owners of the property, their agent, or to whom the permit was issued or for whom the tap or connection was made.
- D. All applications for service which would result in the actual total system capacity exceeding the system design capacity, will be rejected.
- E. The Council, on the recommendation of the Municipal Utility Administrative Committee, may prescribe by resolution such additional regulations and requirements governing connections and the use of said sewer system as may be proper and expedient.

Section 16-1-3 Sewer Capacity Fee (Connection Fees)
(Res 95-16/96-05/98-09/01-06)

- A. Property owners requiring sewer connection for phase I prior to October 3, 1994 shall be connected without charge. After October 3, 1994 any property owner within the Phase I service area shall be required to pay all designated fees including the connection charge.
- B. All properties connecting to the sewer shall connect all structures: RV spaces, mobile homes, commercial establishments or facilities which generate

wastewater within that property. No portions or partial service will be allowed.

- C. The actual rates and categories will be set by resolution which may be amended from time to time. The rates will be established in compliance with the public hearing requirements of A.R.S. § 9-511.01.

Section 16-1-4 Connection Required; Expenses; Abatement of Existing Facilities (Ord 98-04)

- A. All persons owning, leasing or using real property, buildings or fixtures within the service area of the wastewater treatment system may cause all structures located on said property to be connected with said sewer system by submitting the appropriate application and paying the appropriate fees. All expenses of such connection within the property line (lateral lines) shall be borne by the owner of said property or building, or the person using or leasing the same.
- B. It is prohibited for any person who connects to the wastewater treatment system to fail to abate, in conformance with the applicable standards, all cesspools, septic tanks, leach lines, privies and open and unconnected drains within structures and property connected to the wastewater system. All abated cesspools, septic tanks, leach lines and privies shall be inspected and approved by a department or town representative prior to final connection to the wastewater system.
- C. All lots, parcels, or tracts by which the sewer line passes or whose property line is within 200 feet of the sewer which are not connected to the sewer in accordance with Section 16.1.2 *shall* connect to the sewer within 90 days of notice Any line extensions from the sewer to the lot's, parcel's, or tract's property line shall be at the expense of the Town. As to any provisions of this chapter that conflict with or contravene this subsection, this subsection *shall* prevail and be construed as if to give a consistent meaning to such sections. Violations shall consist of a criminal penalty of a Class I misdemeanor punishable by imprisonment for not more than one hundred and eighty (180) days, or a fine of up to \$2,500, or both fine and imprisonment. Exemptions shall be given by the Town when the cost of connection is not financially viable. A sewer line extension is generally determined to be financially viable if that extension generates sufficient flow in sewage and subsequent connection fees and monthly user fees to cover associated development costs, debt retirement, and its pro rata share of operation and maintenance costs as determined by the department.
- D. All new residential, commercial or industrial developments shall connect to the sewer if the sewer is within 200 feet of the property line and *shall* pay the appropriate fees. Violations may consist of a criminal penalty of a Class I misdemeanor punishable by imprisonment for not more than one hundred and eighty (180) days, or a fine of up to \$2,500, or both fine and imprisonment. Exemptions shall be given by the Town when the cost of connection does Not meet cost effectiveness.

- E. After completion of any new sewer line development, property owner connecting to the sewer shall have six months to connect to the system. For those property owners who may require additional time, a written request for a maximum three month extension shall be submitted to the Public Utilities Department for consideration. The request *shall* be presented sixty days prior to the imposed connection time limit.
- F. Any parcel produced from a parcel split shall be required to connect to the sewer, as per Section 16-1-4-D.
- G. Any existing non-conforming use parcel of land shall be required to connect to the sewer, as per Section 16-1-4-D.

Section 16-1-5 Public Sewer System Extensions (Ord. 00-04)

- A. Size Requirements for Public Sewer and Service Laterals.
 - 1. Gravity public sewers shall be 8 inches in diameter, or larger, to be accepted as part of the Town of Quartzsite Wastewater Collection System, except as provided in subparagraph 2.
 - 2. Six inch diameter public sewers will be accepted as part of the Town of Quartzsite Wastewater Collection System when:
 - a. The sewer serves only a small restricted area and is designed so that it cannot be extended to serve any additional area: or
 - b. The service does not exceed 250 feet in length; or
 - c. A manhole is located at the upstream terminus of the sewer.
 - 3. The minimum size of a service lateral connecting to a public sewer shall be 4 inches in diameter.
- B. Engineering Requirements.
 - 1. The design and engineering of all public sewers *shall* be in conformance with the Town of Quartzsite's Standard Specifications for Utility Installations.
 - 2. All public sewers must be of a size to provide adequate capacity to service a specific designated area.
 - 3. Construction drawings for such public sewers shall be certified by a registered engineer and *shall*

be submitted to the Town Engineer for approval.

4. A letter of acknowledgement *shall* be submitted by the developer concurrently with the submittal of proposed project design drawings. Included in the letter will be:
 - a. Identification of the proposed project.
 - b. Identification of the project developer.
 - c. Acknowledgment of the project developer that:
 - 1) The developer shall cause his professional engineer to submit all documents, required by the Arizona Department of Environmental Quality (ADEQ) Engineering Bulletin No. 10, as applicable, to the ADHS for review and approval and to obtain all permits required to facilitate completion of the proposed project.
 - 2) The developer *shall* contract a professional engineer to provide detailed construction inspection services for the proposed project. Upon completion of the project, the developer's engineer shall complete the ADEQ "Approval of Construction" documentation. Concurrently, the developer's engineer *shall* forward a copy of same, including one (1) set of mylar, reproducible as-built drawings, affixed with the developer's engineer's seal, and one electronic file to the Town of Quartzsite, Department of Public Utilities and Town Engineer for review and approval.
 - 3) Upon issuance of the Approval of Construction by ADEQ, final acceptance of the facility will be acknowledged by the Town of Quartzsite and the one-year warranty period *shall* commence.

C. Conditions of Public Sewer Extensions.

1. All extensions to the Town of Quartzsite Wastewater Collection System shall begin at the nearest adequate public sewer, as determined by the Department and the Town Engineer.
2. A public sewer extension shall be required to extend across the total frontage of the property or development to be served.
3. Where the property or development is on a corner and includes two frontages, total frontage *shall* mean extension across one exterior side of the property or of the development, as determined by the Town Engineer in accordance with Sanitary Sewer Collection System Master Plan. All

public sewer extensions will be eligible for reimbursements as provided in Section 16-1-6.

4. The extension shall terminate at an upstream manhole, as determined by the Town with respect to the complete system, rather than at the end of the particular extension.
5. Public sewer extension shall be installed only in public streets, alleys, roads, highways, and other public and private property where satisfactory rights-of-way can be obtained by the Town.
6. The Town has no responsibility to maintain or repair the surface of any right-of-way or easement other than to restore it to its original condition following installation of any sewer extension.

D. Public Sewer Extensions Within or Bounding a Development.

1. Public sewers *shall* be installed to size, grade, and location as approved by the Town Engineer and in conformance with Town & ADEQ standards. Service laterals shall be installed to each lot within the development prior to paving the adjacent street. Where it is necessary to extend public sewer from an existing adequate sewer to the development, the developer will be required to pay full cost of the line extension. The Town will enter into a reimbursement agreement with the developer as provided in Section 16-1-6.
2. The developer *shall* install service laterals, manholes and other Appurtenances including, but not limited to, sewer clean out, shut off valve at his expense concurrently with the public sewer construction in the development. All sewer improvements installed by a developer shall be guaranteed by the developer against any and all defects for a period of 1-year after acceptance of the installation by the Town & ADEQ.
3. The developer *shall* be responsible for ensuring that all conditions specified on the approved construction drawings have been met and certified by the Town Engineer prior to final acceptance of the system by the Town.
4. In the event that a public sewer is planned by a developer, and the area served by the development is smaller in size than the maximum area to be serviced by the proposed public sewer extension and its ultimate branches and laterals, the public sewer line *shall* be designed, engineered and constructed to service the maximum service area, as defined by the Sanitary Sewer Collection System Mater Plan.

5. In the event that the area to be developed is smaller than the maximum area to be serviced by the proposed public sewer, the Town may enter into a reimbursement agreement with the developer under provisions of Section 16-1-6.
- E. Trunk Sewer Extension by Others.
1. Conformed to Requirements of Section 16-1-5:
 - a. Trunk sewer extensions, when undertaken by others, *shall* conform to the requirements of Section 16-1-5A through F inclusive.
 2. Sanitary Sewer Collection Master Plan:
 - a. All trunk sewer extension shall conform to the Sanitary Sewer Collection System Master Plan.
 3. Plans and Specifications:
 - a. The Town of Quartzsite *shall* not perform field engineering or provide detailed plans and specifications for the developer.
 - b. Final detailed plans and specifications, easements and agreements for the trunk sewer extension and/or connection(s) must be signed and approved by the Town of Quartzsite & ADEQ before construction begins.
 - c. The construction shall meet Town of Quartzsite & ADEQ specifications, and will be subject to inspection by the Town Engineer during this construction.
 4. Adequate Capacity:
 - a. The maximum area to be served by any proposed trunk sewer extension and its ultimate branches *shall* be determined by the Town of Quartzsite based on the Sanitary Sewer Collection System Master Plan & ADEQ approval.
 5. Contracting for Construction.
 - a. Sealed bids *shall* be required for any proposed trunk sewer line on which a reimbursement agreement is to be written. The bids *shall* be submitted to the Town for review after having been received and reviewed by the developer.

- b. The Town as well as the developer *shall* have the right to reject any and all bids. Project construction cost shall be approved by the Town prior to commencement of construction.
 - c. Collector sewers, serviced laterals, and their appurtenances *shall* not be included in the trunk sewer project.
6. Reimbursement of Costs Where Applicable.
- a. No costs will be reimbursed except on the basis of a reimbursement agreement in accordance with provisions of Section 16-1-6.

Section 16-1-6 Reimbursement Agreements (00-04)

A. Eligibility.

- 1. When a public sewer extension is installed outside or abutting the applicant's lot, lots, subdivision or development, the applicant may be eligible for a public sewer extension reimbursement.
- 2. The Town will enter into an agreement with the original applicant of the public sewer extension and will collect and return to the applicant, as provided in the agreement, a public sewer reimbursement charge from parties wishing to make lateral connection to the sewer extension.
- 3. To be eligible for a reimbursement agreement, the original applicant for the public sewer extension must submit the certified costs of the extension as prescribed in Section 16-1-6-B within one hundred twenty (120) days from the date of acceptance of the line extension by the Town of Quartzsite. Eligibility must be established in a timely manner so that project records and the utility atlas are fully updated. The applicant will be notified in writing of the availability of a reimbursement agreement by the Public Utilities Department.

B. Reimbursement Charge.

- 1. A public sewer reimbursement charge will be based on either one-half the cost per lineal foot of the sewer main extension abutting the premises of the part desiring to obtain a connection or connections to the main, or by an agreed upon fee per acre for the area served by the connection.
- 2. A certified cost per lineal foot of the sewer main extension *shall* be obtained by taking the total cost of construction of the extension divided by the total lineal feet of the sewer main extension installed.

3. The per parcel cost for reimbursement shall be obtained by one of the following methods, as appropriate:
 - a. Dividing the total cost of construction of the sewer main extension by the total number of parcels to be served by the extension, and subtracting the number of parcels to be served in the applicant's development; or
 - b. Determining the difference between the total cost of construction of the sewer main extension and the cost for constructing an extension adequate to serve only the area of the applicant's development, and dividing the difference by the number of parcels served in addition to the applicant's development.

C. Cost of Construction.

1. The cost of construction of a main extension *shall* include in addition to the actual materials and installation costs of piping, manholes, wyes, and other appurtenances, including but not limited to, sewer clean out shut off valve and the engineering costs for preparation of plans and specifications, and costs for inspection and staking. The cost of service laterals shall not be included in the cost of construction of the sewer main extension for reimbursement purposes.

D. Payment by Applicant for Service Connection.

1. Every applicant for a service connection from a public sewer which is subject to a reimbursement agreement shall pay the appropriate public sewer reimbursement charge.
2. Applicants *shall* pay the public sewer reimbursement charge before construction of their connection to the sewer extension. This charge *shall* be in addition to all other applicable charges provided by these regulations, including the direct connection charge, inspection fees, and capacity charges.

E. Maximum Amount of Reimbursement.

1. *The maximum amount of any reimbursement shall be identified in the agreement and shall not exceed 100% of the total certified construction cost of the extension plus accumulated interest. Interest to be compounded yearly and calculated based on the interest rate of U.S. Government Treasure Bills dated January 1 of each year following the date of acceptance of the line extension. The interest rate for the last months of a reimbursement period, if short of a full year, shall be at the interest rate as of January 1 of that year*

2. *The reimbursement cost shall be calculated using the reimbursement charge and multiplying it by the appropriate interest for each one year period or portion of one-year period. Interest begins at the date of acceptance of the line, and ends at the date of connection to that line by adding the calculated interest to be calculated in the succeeding year's period to the reimbursement charge amount before that period's interest is calculated. The reimbursement cost will then be the sum of the reimbursement charge and each of the period's interest amounts. (Resolution No. 2644)*

F. Terms of Reimbursement Agreement.

The reimbursement agreement *shall* have a maximum term of five (5) years and shall close at the end of that period whether or not the total amount of reimbursement has been made.

G. Applicability.

All reimbursement agreements shall comply with the above terms.

Section 16-1-7 Specific Sewer Service Areas and Area-Specific Sewer Line Extension Fees (00-04)

- A. The department may recommend to the Council the acceptance of a specific sewer service area and the establishment of an area-specific sewer extension fee if:
1. An applicant for a permit to construct and extend a sewer line requests that the department approve construction of a sewer line with a capacity in excess of the size required to serve his development.
 2. The department finds that such construction is:
 - a. In accordance with the sewer service plan of the town.
 - b. That the construction is in the public interest.
 - c. That the sewer line extension would have sufficient capacity to serve property not owned by applicant.
 3. The owner of the development submits plans and specifications for construction of the sewer in that service area to the department for review and approval.
- B. The department may establish a specific sewer service area and an area-specific sewer line extension fee. A specific sewer service area and/or fee shall contain the following:

1. A description or map showing the specific sewer service area.
 2. The cost of construction and installation of the sewer line and related facilities or a method to determine those costs.
 3. A requirement that all landowners or other persons who connect to the sewer line extension shall pay, to the department an amount equal to their pro rata share of the connection fee (in accordance with Section 1) or a fee based on parcel, lot, or tract or another appropriate method approved by the Town. These payments will pay for the cost of the plant, the collections system, and related facilities and administrative costs of the department incurred in administering the specific sewer service area.
- C. Prior to connection of the wastewater treatment system lines to the sewer line extension and area-specific sewer line, the department *shall* require such persons to pay their pro rata share of the cost as set forth in subsection B, paragraph 3 of this section.
- D. Upon the recommendation of the department, the wastewater treatment system may advance a portion, or all, of the costs of construction of a sewer line extension or a sewage lift station with a capacity to serve a specific sewer service area and may establish an area-specific sewer line extension fee pursuant to subsection C of this section. The area-specific sewer line extension fee shall be utilized to reimburse the department for the cost of construction of the sewer line extension and/or lift station.
- E. Sewer line extensions may be granted by the department at no cost to the user based on the financial viability of the extension and the projected user fees to be collected from additional system users connected to extension. A sewer line extension is generally determined to be financially viable if that extension generates sufficient flow in sewage and subsequent connection fees and monthly user fees to cover associated development costs, debt retirement and its pro rata share of operation and maintenance costs as determined by the department.
- F. If the developer is required to pay for an oversized sewer in order to facilitate future connections between the Town interceptor and the newly developed property, the Town will enter into a development agreement with the developer which will outline reimbursement for the cost of the oversized portions of the sewer.

Section 16-1-8 Water Closet Required

It is prohibited for any person to occupy a residence or dwelling permanently connected to the wastewater treatment and collection system unless such residence or dwelling is

equipped with a water closet in good working order, properly connected with the sanitary sewer where such sanitary sewer is available, or connected to an on-site wastewater disposal facility in good working order.

Section 16-1-9 Unlawful Acts

- A. Any person who interferes with the officers or agents of the department in the discharge of their duties or who violate any of the provisions of this article is guilty of a misdemeanor. Such interference's include, but are not limited to:
1. The tapping of either main or lateral sewer pipe belonging to the system.
 2. Laying, connecting, inspecting or repairing of either main or lateral sewer pipes.
 3. The excavating, either directly or indirectly, of a street or alley for the purpose of connecting with the sewer system without first obtaining a permit from the department and the Town Building Department.
 4. Illegal use of the wastewater treatment and collection system including, but not limited to:
 - a. Illegal deposit of any liquid or solid waste known to be not in compliance within acceptable waste treatment requirements.
 - b. Illegal connection of additional sources of sewer system i.e., RV,s connected to single-family residential sewer laterals.
 - c. Illegal operation of a commercial dump station connected to the wastewater system without first obtaining a dump station operation permit.
 5. It is unlawful for any person whose property is connected to the wastewater system to allow any individual to dump septage into the wastewater system through their lawful connection without first paying the appropriate connection fees and monthly user fees.
- B. No person shall discharge the contents of a swimming pool into a sanitary sewer.
- C. No person shall connect roof drains or storm water drains to the sanitary sewer.

Section 16-1-10 Penalties

- A. Any person found violating the provisions of the Town of Quartzsite Wastewater Treatment System Code *shall* be subject to the following penalties and cost recovery:

1. Fines *shall* be those as set forth for a Class I misdemeanor.
2. In addition to the fine, costs equal to the remedy of the violation *shall* be assessed. Those costs include, but are not limited to:
 - a. Uncovering, inspecting, reinstalling (where required) and covering the tap.
 - b. Uncovering, inspecting, relaying or repairing the sewer.
 - c. Testing, re-excavating (where required), inspecting, backfilling and compacting of a street or alley excavated without a permit.
 - d. Correcting or repairing any physical damage caused by an illegal discharge.
 - e. Correcting any process malfunctions and the resultant ADEQ fines (if assessed) caused by an illegal discharge.

ARTICLE 16-2 WASTEWATER TREATMENT, DISCHARGE & REQUIREMENTS

- 16-2-1 Authority of Wastewater Treatment Department
- 16-2-2 Sewer Fees (Res no. 10)
- 16-2-3 Industrial User Requirements
- 16-2-4 Septic Tank, Scavenger Waste Haulers and Commercial Dump Stations
- 16-2-5 Accidental Discharges
- 16-2-6 Discharge Restriction
- 16-2-7 Industrial Pretreatment Requirements
- 16-2-8 Penalties and Remedies
- 16-2-9 Easements

Section 16-2-1 Authority of Wastewater Treatment Department

- A. Design, Review and Issuance of Construction Permit. The Town wastewater treatment department, in conjunction with the Town building department, shall review all designs, plans, specifications, etc., relating to connection systems, pumping structures, monitoring stations, pretreatment works and sewer connections prior to issuing a construction permit. The department, in conjunction with the Town building department, shall issue a construction permit only if they are satisfied that all documents are in compliance with this code and the connection systems, pumping structures, monitoring stations, pretreatment works and sewer connections will operate in a safe and sanitary manner. Prior to the issuance of a construction permit, the owner shall pay all fees assessed by the Town.
- B. Inspection.

1. *Inspectors:* Inspections of every facility that is involved either directly or indirectly with the discharge of wastewater to the sewer system may be made by the Town engineer, the wastewater treatment department, the Town building department or their designate as they may deem necessary.
 - a. These facilities shall include, but not be limited to, sewer, sewage pumping plants, pollution control plant, all industrial processes, industrial wastewater generation, conveyance and pretreatment facilities, devices, connecting sewers and all similar sewage facilities. Inspections may be made to determine that such facilities are maintained and operated properly and are adequate to meet the provisions of this article.
 - b. Access to all of the above facilities, or to other facilities directly or indirectly connected to the sewage systems, *shall* be given to authorized personnel of the department and/or the Town at all reasonable times, including those occasioned by emergency conditions. Any permanent or temporary obstruction to easy access to the sewage facility to be inspected shall promptly be removed by the facility user or owner at the written or verbal request of the Town department or its designate.
 - c. No person shall interfere with, delay, resist, or refuse entry to an authorized department or Town inspector attempting to inspect any wastewater generation, conveyance, or treatment facility connected directly or indirectly to the sewage system.
2. *Construction inspections:* All sewers to be attached directly to a sewer shall be inspected by personnel of the wastewater treatment department and Town building department during construction. At least forty-eight hours prior to taping the sewer, the wastewater treatment department and Town Building Department shall be notified. In making a connection to a sewer, no physical alteration of the facilities *shall* commence until an inspector is present. No wastewater shall be discharged into any sewage facility prior to obtaining inspections and approval of construction from the Town department. Following satisfactory completion of construction, the department *shall* issue a construction inspection certificate.

C. Collection of Fees and Miscellaneous Powers. Fees levied pursuant to this code *shall* be collected by the department. The department shall enforce such rules and regulations the Council authorizes as for the safe, economical and efficient management and protection of the system; for construction and use of the sewers and connection to the sewer system; and for the regulation, collection, rebating and refunding of such sewer fees.

Section 16-2-2 Sewer Fees (Res. No. 01-06/Ord No. 09-36)

- A. Necessity for Charges. It is hereby deemed necessary for the protection of the public's health, safety and welfare that this system conform with federal, state and local laws and regulations. It is also necessary that a system of charges for sewer service be established which allocates the cost of providing sewer service to each user in such a manner that the allocated costs are proportionate to the cost of providing sewer service to that user, insofar as those costs can reasonably be determined.
- B. Charges Established. Sewer charge categories will include, but are not limited to:
1. Sewer system capacity fee.
 2. Sewer user deposit.
 3. Sewer use charges.
 4. Hook-up fees.
 5. Tap fees.
 6. Septage or scavenger waste fees.
 7. Industrial cost recovery fees.
 8. Administration fees (inspection, plan review and permits).
 9. Special assessments.
 10. Delinquent charges.

The actual rates and categories will be set by resolution which *shall* be amended from time to time. The rate will be established in compliance with the public hearing requirements of A.R.S. § 9-511.01.

- C. Rate Establishment Procedures. Rates for each type of sewer charge and associated fees shall be reviewed periodically by the department and/or the Municipal Utility Administrative Committee. If the department recommends changes to the fee structure, they *shall* issue a request to the Council with a recommendation for fee modification. The Council shall then act upon the recommendation in accordance with the A.R.S. § 9-511.01. The rate schedules adopted by the Council shall be based upon the following factors:
1. Annual debt service charge for the retirement of project debt.
 2. The total applicable cost of salaries and benefits of employees engaged in providing sewer service.
 3. Applicable operating expenses, including parts, materials and services incurred in providing sewer service.
 4. Applicable equipment replacement costs necessitated by the provision of sewer service.

5. Appropriate indirect costs of the department and other Town departments in rendering sewer related services, such as purchasing, accounting, billing and administration and insurance.
6. Other pertinent factors as determined by the Municipal Utility Administrative Committee and/or the Council.
7. Any shortfalls of operating revenue in prior operating period(s).
8. Any reserve funds required by funding agencies.

D. Sewer Use Charge.

1. For the purposes of determining the sewer use charge, the charge *shall* be based upon equivalent residential units. Each contributor on the system *shall* be evaluated as to their flow contribution and set as their proportionate share of the equivalent residential unit. Sewer use charges shall commence when connection of the sewer line to the facility being served is no longer physically connected to the Town sewer line. The service charge shall be collected from the property owner whether or not said unit is occupied during the building period or any period when the property is not occupied.
2. *Billing and Payment.* Sewer service charges in this section *shall* be billed and paid monthly. Property owners *shall* be required to pay a deposit equivalent to one month when sewer service is requested. If monthly payments are made on time for twelve months, the deposit will be refunded, upon written request, by the owner.
3. *Rate Schedule.* The actual rates and categories will be set by resolution which *shall* be amended from time to time. The rate *shall* be established in compliance with the public hearing requirement of A.R.S. § 9-511.01.

Industrial rates shall be based upon volume of wastewater discharged and BOD and SS of the wastewater discharged. The actual rates and categories *shall* be set by resolution which may be amended from time to time. The rates *shall* be established in compliance with the public hearing requirements of A.R.S. § 9-511.01.

- E. Sewer Use Charge; Determination of Payments and Charges. A proportionate charge shall be made to all users who discharge wastewater, either directly or indirectly into the sewer system based upon equivalent residential units.
- F. Determination of Wastewater Quality. For industrial discharges, wastewater quality *shall* be determined from actual testing or from historical data; whichever

is appropriate. The Council on recommendation of the Municipal Utilities Administrative Committee, *shall*, as necessary, modify these determinations and/or revise classifications in a continuing attempt to maintain equitable charges for the service required.

1. Testing by direct sampling, utilizing recognized field techniques, equipment and procedures *shall* be used for all industrial users. The BOD5 test shall be considered the standard test; however COD or TOC tests may be substituted in cases where it has been determined by the wastewater treatment department that the BOD5 test is not representative of actual wastewater loading. Wastewater characteristics shall be determined by the wastewater treatment department on the basis of monitored wastewater discharged, a certified statement from the user, or on the best available data as to the characteristics of such discharges.
 2. Any change in the ongoing process(es) employed by a user contributing industrial waste which results in a variation of more than twenty-five percent in one or more of the effluent loading concentrations shall be reported to the wastewater treatment department within thirty days of such change.
 3. If it is determined through testing that a significant variation exists between the user's certified data and the discharge characteristics monitored by the wastewater treatment department, the department *shall* adjust the sewer use charge based on the monitored data from the original date of certification, unless written communication has occurred, notifying the wastewater treatment department of changes in loading and giving specific dates of changes.
 4. Designated Discharge: Where sampling and gauging of a specific user is not practical for physical, economic, safety or other reasons, the wastewater treatment department *shall* designate values for concentrations of the wastes discharged into the sewer system for all users in the same standard industrial classification or sub-classification.
- G. Sewer System Capacity Fee. For the purpose of providing revenue to assist in the financing and to more equitably distribute the cost of the construction of necessary additions to the sewer system and the sewage treatment facilities, it is hereby determined and declared necessary to provide for the establishment, exaction and regulation of a sewer capacity charge as hereinafter determined, with such charge to be in addition to any and all other fees which *shall* be imposed with respect to the said sewer system.

The funds received from the collection of such charge, as it is herein authorized, shall be deposited daily with the Town who shall credit them to a special fund from which the Council may take appropriations for the payment of the cost and

expense of the construction of the sanitary sewer system, pump stations and sewage treatment works and for the payment of the cost and expense of extensions to, or the enlargement of same.

The department director shall be and is hereby authorized and directed to charge and collect a sewer system capacity charge whenever:

1. A sewer system agreement has been executed by the parties.
2. Application is made for the issuance of a sewer permit to provide sanitary sewer service to a new structure.
3. At the time an existing structure is enlarged or its use changes.
4. When an existing structure is removed and a new structure built and reuse is made of an existing sanitary sewer service or a new sanitary sewer service is constructed, where such property is or will be tributary, directly or indirectly to any sanitary sewer built by the Town.

Credit for any existing structure which has a use change, or for an existing structure enlarged or removed, may be applied against the system capacity imposed in the amount of the original structure charge up to, but not more than, the current charge.

- H. Tap Fees. If a sewer tap is required to connect any building sewer or house sewer to the sewer system, a deposit for such tap *shall* be paid prior to the tap construction. The actual rates and categories *shall* be set by resolution which *shall* be amended from time to time. The rate *shall* be established in compliance with the public hearing requirements of A.R.S. § 9-511.01.
- I. Special Assessments. This fee is applicable in the event of an unusual industrial Connection (see Section 16-2-4, or in the event of a specific sewer service area or area-specific line extension see Section 16-1-3), or in the event of an unforeseen event which *shall* require specific consideration.
- J. Septage and Scavenger Waste Fees. Fees and charges for treatment of normal scavenger wastes shall be based on the costs of providing such services and on the expected overall average characteristics of such discharges, which shall be designated as 500 mg/l BOD and 500 mg/l suspended solids. The department *shall* designate characteristics on which to base charges in special situations such as discharges from sewage holding tanks on submission of proof that waste discharges have other than expected overall average concentrations and with provision of positive identification procedures. Charges *shall* be billed to licensed haulers at monthly intervals or at the discretion of the Council and shall be considered delinquent if not paid within 30 days of the billing date. Delinquency in payment shall be basis for revocation of permit.

K. Administrative Fees. Administrative fees *shall* include, but not be limited to:

1. Reimbursable expenses of the department.
2. Bad check charges
3. Lien recording fees.
4. Account transfer fees.
5. Plan review fees.
6. Inspection fees.

The actual rates and categories will be set by resolution which *shall* be amended from time to time. The rate will be established in compliance with the public hearing requirements of A.R.S. § 9-511.01.

L. Special Assessment Fees. For properties not within the present service area of the sewer system, the applicable fees shall include a connection fee payable on a lot or per parcel basis, which *shall* be established by the Council, similar in amount to the costs of construction of an equivalent collector sewer system adjacent to the landowner's property, including the cost of construction, engineering, legal and administrative services, and in accordance with the benefit received plus a fee for administrative services and in accordance with the benefit received, plus a fee for each lateral constructed in the public right-of-way to service the property; said money to be paid directly to the department in cash prior to the time of the connection to the department sewer system. Said money so collected is to be used to pay all or part of the cost of installing other main line sewers in the Town as and when designated by the Council, or the costs of construction of additional sewage capacity. When said monies are not being expended for that purpose they are to be invested or spent at the discretion of the Council. The actual rates and categories *shall* be set by resolution which *shall* be amended from time to time. The rate *shall* be established in compliance with the public hearing requirements of A.R.S. § 9-511.01.

M. Delinquent Charges.

1. All rates and service charges are due and payable when rendered and *shall* be delinquent fifteen days after the date of the billing. Any delinquent account requiring special collection effort *shall* be assessed a delinquent collection charge. The actual rates and categories *shall* be set by resolution which *shall* be amended from time to time. The rate *shall* be established in compliance with the public hearing requirements of A.R.S. § 9-511.01. If the total of such delinquent charges is not received within five days after date of delinquency and notice of delinquency having been given, sewer service *shall* be disconnected, after notice, to the premises of the delinquent consumer and a delinquent disconnect fee charged to the customer's account. The delinquent disconnect fee, plus the total amount of the bill due, and any deposit used to remedy the

delinquency *shall* be collected before providing sewer service again to delinquent customer.

2. Customer's sewer service *shall* be disconnected for nonpayment of a bill for sewer services rendered at a previous location provided such bill is not paid.
3. Any expense caused to the department for the repair or replacement of damaged, stolen, tampered or misused sewer facilities shall be charged against and collected from the person who caused the expense.
4. When a user of the sewer system has been notified of amount of sewer use charges remaining due after the deduction of his user deposit and payment of the same has not been received within five days, the department *shall* assign the account to a bona fide collection agency.
5. Before sewer service will be provided to any premises, all charges against the premises then due and payable to the department, as required by this code, or including any of the following items must have been paid; on account of labor supplied or materials furnished by the department in the installation of service pipes connecting the premises with the town sewer mains or for tapping the system sewer line; on account of service of sewer service previously supplied to the premises, whether used by the applicants or by some previous occupant of the premises; or on account of the assessment of any fine or penalty; or for turning sewer service off or on; or for repair or replacement of damaged, stolen or misused sewer works facilities.
6. Before disconnecting sewer for nonpayment of any sewer user charge, deposit or other assessment provided for in this code, the department shall give written notice of the discontinuance to the person and afford them or their designee an opportunity to appear before the department on any disputed matter relative to the discontinuance of sewer service.
7. A water/sewer customer who defaults in his or her obligation for the payment of utility monies owed to the Town of Quartzsite is liable for any and all fees and charges assessed by a collection agency that is licensed pursuant to Title 32, Chapter 9, Article 2, Arizona Revised Statutes, and that is engaged by the Town of Quartzsite to collect and enforce such payment. The collection fees and charges assessed by the collection agency shall be added to the sum or sums due from and chargeable against the customer.

N. Distribution of Sewer System Revenue and Establishment of Special Funds.

1. There *shall* be established the following funds into which the sewer

charges, as levied herein, shall be distributed:

- a. *Sewer System Operations, Maintenance and Capital Outlay Fund.* The sewer system operations, maintenance and capital outlay fund shall be used exclusively for debt service, operational expenses and equipment replacement expenses associated with the provision of sewer system services.
 - b. *Renewal and Replacement Fund.* The sewer system renewal and replacement fund shall be used as follows:
 - (1) To fund any budget shortages in the sewer system operations, maintenance and capital outlay fund.
 - (2) Funds collected in the renewal and replacement fund in excess of 1.25 times the annual system debt service and operation and maintenance costs shall be utilized within the system as deemed appropriate by the Council on recommendation by the Municipal Utility Administrative Committee and the department.
 - c. *Sewer System Users Deposit Fund.* The sewer system users deposits shall be utilized exclusively for the purpose of temporarily paying a customer's delinquent fees.
2. The distribution of sewer charges shall be as follows:
- a. *Sewer System Capacity Charges.* All Sewer system capacity fees (connection fees) will be deposited in the renewal and replacement fund.
 - b. *Sewer System User Charges.* Sewer user fees shall be allocated to the sewer system operations and capital outlay fund.
 - c. *Sewer System User Deposits.* One hundred percent of the sewer user deposit fund shall be used to assure payment of monthly users fees by customer, as follows:
 - (1) If a customer is delinquent (see Section 16-2-2 N) in paying their monthly user fee, then the department may utilize a portion of that user's deposit to bring the account current.
 - (2) The customer will be considered delinquent until the deposit is returned to the full amount.
 - (3) If a customer in good standing is disconnected and/or sells

their property, the total amount of the deposit will be refunded upon written request.

d. *Special Assessments.*

- (1) Special assessments *shall* be utilized in accordance with the agreement between the wastewater department and the customer.
- (2) Additional connection applications *shall* not be accepted after the plant reached “calculated design capacity” without review and approval by department confirming that actual maximum measured flow and treatment capacity does not exceed design capacity.

Section 16-2-3 Industrial User Requirements

- A. Sewer Charges. Industrial users shall be required to pay a user fee. The actual rates and categories *shall* be set by resolution which *shall* be amended from time to time. The rate will be established in compliance with the public hearing requirements of A.R.S. § 9-511.01.
- B. Permits Required. All industrial users, as defined herein, *shall* obtain a permit for connection and discharge to The Town’s sewer system from the department.
- C. Permit Application Requirements and Conditions:
1. An industrial user *shall* make application for a permit on a form provided by the department.
 2. The application will not be accepted unless the fee is paid.
 3. An applicant, upon compliance with the terms and conditions established by this code for the issuance of industrial wastewater discharge permits and upon payment of established fees, *shall* be issued an industrial wastewater discharge permit which *shall* be valid for a period of one year from the date of issuance.
 4. An applicant, upon continued compliance with the terms and conditions discharge permits, *shall* file an application for renewal of an industrial wastewater discharge permit, *shall* pay the town the appropriate renewal fees and shall be issued a renewed industrial wastewater discharge permit which shall be valid for a period of one year from the date of issuance of the renewal

5. An applicant seeking an industrial wastewater discharge permit must submit, as part of its application, the results of an analysis, compliance with standard methods, as that term is herein defined, and conducted by a professional testing laboratory acceptable to the department of a grab sample or a daily composite sample, as those terms are defined herein, of the effluent discharge from the applicant's plant.
6. An applicant *shall* submit, as part of its application for a permit, a discharge report which must include but not be limited to, nature of process, volume, rates of flow, production quantities or any other information that is relevant to the generation of waste, including substances and concentrations in the wastewater discharge.
7. An applicant *shall*, as part of its application for a permit, submit a plat showing location and size of on-site sewers, sampling points, pretreatment facilities, sewers and any other pertinent details.
8. An applicant *shall*, as part of its application for a permit, list each product reproduced by type, amount and rate of production and the chemical components and quantity of liquid or gaseous materials stored on site, even though they may not normally be discharged into the sewer system.
9. In the event a producer of industrial waste who is authorized to make a connection to the sewer for industrial waste disposal under the provisions hereof, is sold, leased or whose operation is assumed or taken over by another person other than that named in the permit, a new application for permit *shall* be made by the new owner, lessee or operator. No permit issued under the provisions hereof shall be assignable, and a violation of this provision *shall* be grounds for summary suspension or revocation of such permit by the wastewater treatment department.
10. It *shall* be a condition of the permit that the department may at any time test any of the wastes being discharged by the company or plant for quality or quantity. A duly authorized department representative may enter the permittee's premises at any time during business or operation hours for the purpose of inspecting plant operations to estimate quality and quantity of wastes as defined herein.
11. It *shall* be a condition of a permit that the permittee will install facilities (sampling well) at the permittee's expense for the purpose of the wastewater department's representative inspecting, observing and sampling representative flows.
12. It *shall* be a condition of the permit that periodic reports, hereinafter set forth or as required by the department, be submitted to the department.

13. Issuance of an industrial wastewater discharge permit *shall* not release the permit holder from the obligation to comply with all other provisions of this section.
14. The department *shall* change the conditions of any permit from time to time as circumstances, laws or regulations enacted by the state or federal government may require.

D. Industrial Agreements. Agreements between an industrial user and the department shall be entered into when any of the following conditions exists.

1. The user desires to reserve excess capacity in the sewer system. In such a case, the industrial user may be obligated to pay user charges on the capacity reserved for a minimum period of time as agreed to by the parties.
2. The user is a significant user as defined in this section.

E. Waste Monitoring Program.

1. In order to insure continuing compliance with the limitations and restrictions set forth in this article, each industrial user *shall* monitor its discharge to the sewer system by testing the discharge with sufficient frequency to insure that such limitations are not exceeded and such restrictions not violated. Such testing may be accomplished by a professional laboratory, or in cases where the user has sufficient testing capability, facilities, and expertise by the user itself.
2. The department *shall* require a laboratory analysis of a user's discharge at any time. Such analysis *shall* be performed by:
 - a. An independent laboratory acceptable to the department.
 - b. An department laboratory operated by the department.
 - c. The user itself.

The authority to determine who shall perform the analysis rests with the department. The department *shall* require that all costs associated with such analysis be borne by the user.

The user shall permit access to the sampling point or sampling well to the department's representative or the independent laboratory for the purpose of obtaining a sample during any hours of operation by the plants.

F. Reporting Requirements. A verified report shall be filed annually by all users with

industrial wastewater discharge permits. Those users seeking renewal of an industrial wastewater discharge permit *shall* file said report with the application for renewal. The report shall include, at a minimum, the following:

1. The results of the test of quantity, using measuring equipment as required by this article.
2. A statement as to whether or not the applicant has made any changes in its operations that has or will, within the terms of the permit, increase the strength, volume or any other characteristic of the applicant's discharge into the sanitary sewer system.
3. If the applicant has made changes in its operations that have or will increase, during the term of the permit, the strength, volume or any other characteristics of the user's discharge into the sewer system, then:
 - a. The applicant shall describe the changes in operation that alter the strength, volume or any other characteristics of the discharge.
 - b. The applicant shall, if the department so requires, submit an analysis complete with standard methods and conducted in accordance with this section.

It *shall* be prohibited for a permit holder to change its industrial process without approval of the department if such change results in the user exceeding the levels for flow and discharge quality stated in the user's permit.

Section 16-2-4 Septic Tank, Scavenger Waste Haulers and Commercial Dump Stations

- A. It is unlawful to discharge or to allow to discharge septage and/or scavenger wastes into the system without a septage discharge permit.
- B. Permit to Discharge. All person or companies wishing to operate a commercial dump station, or to discharge septage or scavenger wastes into the sewer system must first obtain a scavenger waste discharge permit from the department. Permit applications *shall* include information on company ownership, identification and license number of all trucks to be used for delivery of waste to sewer facilities. It *shall* also include truck capacity and other information relating to the method of metering the septage or scavenger wastes into the system. Permit applications shall be signed by a responsible owner or manager of the company applying for permission to discharge. All waste hauling equipment and waste collection tanks operated by companies with permits *shall* be registered with the department and shall be identifiable by display of an assigned registration number and the truck or tank capacity in gallons.

- C. Permit to Operate Dump Station. All persons wishing to operate a dump station for the purpose of collection of septage from non-continuous sources shall first apply for and receive a dump station permit from the department. All dump stations must consist of holding tanks with the capability of being sealed and locked, thus prohibiting collection when not in use. Each tank must be independently connected to the wastewater collection system and contain a lockable valve by which the discharge of the collected septage *shall* be regulated.
1. The permits provided for in this section *shall* be issued by the department to all applicants who comply with the terms and conditions set forth in this section and who pay the permit fee set annually by Council resolution, which fee reasonably corresponds to the expenses incurred in processing the application, and which fee is proportionally greater for accepting septic and/or scavenger wastes for discharge into the system.
 2. The permits issued, as provided for in this section, *shall* expire one year after the date of issuance.
 3. Non-compliance with any part of this section or subsequent regulations shall subject the permit holder to revocation of permit to utilize the services of the Town sewer system for disposal of septic and/or scavenger wastes. Re-issuance of permit to discharge after revocation shall be at the discretion of the department and *shall* be made subject to such conditions as it deems appropriate.
- D. Regulations. The Council, by resolution, *shall* establish such regulations as deemed necessary to control the discharge of scavenger wastes to the sewer system.
- E. Provision of Services Normal wastes from septic tanks, sewage treatment plants, etc., *shall* with the appropriate permit be discharged routinely. Permission to discharge other wastes that are not readily biodegradable or are not known to be compatible to the operation of wastewater treatment plants shall be refused. Special request *shall* be made to the department prior to discharge of any material of questionable acceptability. Some specific reasons for refusal of service shall include:
1. Material deleterious to treatment plant operation or operators, such as oils, greases, gasoline, toxins, volatile solvents, sand, metallic particles or paints.
 2. Materials which would cause unusual expense in handling and treatment unless prior arrangements have been made for the payment of additional

costs of service.

3. Materials which would inhibit the performance of the treatment plant, such as acids, plating wastes or toxic materials.

The discharge of septic and/or scavenger wastes shall be permitted only at locations and during such hours as *shall* be established by the department. The discharge of septic and/or scavenger wastes to the sewer system at any other location is prohibited.

F. Dump Stations. Discharge of septage into the wastewater collection system from commercial dump station collection tanks shall be supervised by a department representative according to the following procedure:

1. Amount of septage collected in tank(s) shall be verified by department representative. Tank(s) shall then be sealed by department representative to prevent further collection of septage.
2. Tank(s) will be opened to allow septage discharge into collection system at an acceptable discharge rate to be determined by department representative based upon current system loading.
3. Upon notification that tank(s) are empty, department representative *shall* unseal tank for acceptance of septage.

G. Fees and Charges. Fees and charges for treatment of normal septage and/or scavenger wastes *shall* be based on the costs of providing such services and on the expected overall average characteristics of such discharges which *shall* be designated as 500 mg/l BOD and 500 mg/l SS. The department *shall* designate characteristics on which to base charges in special situations, such as discharges from sewage holding tanks, on submission of proof that waste discharges have other than expected overall average concentrations and with provision of positive identification procedures. Charges *shall* be billed at monthly intervals or at the discretion of the department and *shall* be considered delinquent if not paid within thirty days of billing date. Delinquency in payment shall be on the basis of revocation of permit. The actual rates and categories will be set by resolution which *shall* be amended from time to time. The rate *shall* be established in compliance with the public hearing requirements of A.R.S. § 9-511.01.

The fees shall be set periodically and shall be based upon:

1. The actual measured discharge or truck capacity as appropriate.
2. The amount of BOD contained in the discharge.
3. The amount of suspended solids contained in the discharge.
4. A service fee for each load discharged.

5. Such other factors as are determined by the Council as pertinent.

Section 16-2-5 Accidental Discharges

- A. Each permittee *shall* provide protection from accidental discharge of prohibited materials or other wastes regulated by this code.
- B. For countermeasures to be taken by the department to minimize damage to the sanitary sewer system and/or degradation of the receiving waters, permittee *shall* notify the department immediately upon accidentally discharging wastes in violation of this code. This notification shall be followed within fifteen days of the date of occurrence by a detailed written statement describing causes of the accidental discharge and the measures being taken to prevent future occurrence. Such notification will not relieve permittee of liability for any expense, loss or damage to the sanitary sewer system or for any fines imposed on the department on account thereof and/or for any enforcement action pursuant to this occurrence.
- C. In order that officers, agents and employees of permittees be informed of the department's requirements, permittee *shall* make available to their employees copies of this code, together with such other wastewater information and notices which may be furnished by the department from time to time for the purpose of improving and making more effective water pollution control. A notice *shall* be furnished and permanently posted on the permittee's bulletin board advising officers, agents and employees whom to call in case of an accidental discharge in excess of the limits authorized by the permit.
- D. Any possible connection or entry point for a hazardous and/or prohibited substance to the permittee's plumbing or drainage system *shall* be appropriately labeled to warn operating personnel against discharge of such substance in violation of this section.

Section 16-2-6 Discharge Restrictions

- A. The department *shall* determine the acceptability or unacceptability of any discharge to the system. Such a determination shall be made on the basis of sound engineering and operational evaluations, taking into consideration the nature and concentration of the discharge, its point of entry into the system, its compatibility with other discharges in the system, its compatibility with the treatment facility receiving it and all other factors pertinent to the effect of the discharge on any part of the system or treatment process. The department shall impose charges on any user of the sewage works who discharges wastes having a strength greater than normal sewage or containing non-permissible quantities or prohibited substances into the public sewer system. The charges so imposed shall be based on the extra costs incurred by the department in surveillance, sampling and testing of the discharges, additional operating and maintenance

expenses and any other actions required to identify, handle, process or supplement normal activities due to the unauthorized discharge of excessive strength or unusual character wastes, plus overhead charges. Failure by a user to pay the charges and to provide such corrective measures as may be required to prevent further unauthorized discharges, after due notice by the department and being given a reasonable time to comply, *shall* be sufficient cause to discontinue sewer service to the premises.

- B. Unacceptable discharges shall include but not necessarily be limited to those which have been determined by the department to:
1. Contain materials or substances which would constitute a hazard to life of personnel engaged in inspection, maintenance and operation of the system.
 2. Contain materials or substances which are toxic, as defined in this code.
 3. Contain materials or substances which are in any way deleterious to any part of the system.
 4. Contain concentrations of any toxic or deleterious materials or substances in excess of any limits set thereon, in accordance with this code.
 5. Cause the department to incur excessive expense in the handling or treatment thereof.
 6. Be incompatible with the treatment process or inhibit the performance of the treatment process at the town wastewater facility.
 7. Be of such volume or contain such BOD, suspended solids or other material load which could cause the treatment facility to exceed its design capabilities.
 8. Cause a treatment facility of the department to fail to meet effluent requirements set by state and federal regulatory agencies or cause such effluent to have a degrading effect on the receiving body of water.
 9. Contain viable pathogenic organisms in such quantities as to be a hazard to public health.
- C. The department *shall* refuse the service of the facilities to any person whose discharge is determined by the department to be unacceptable in accordance with the provisions of this code.
- D. No person *shall* release or cause to be released or allow to run, leak or escape into the sewer system any discharge containing any materials or substances

considered by the department to be toxic, as defined in this code, or to be in any way deleterious to any part of the sewer system or treatment process. Certain materials shall by their nature be considered by the department to be toxic or deleterious except in small quantities or concentrations. Such materials or substances shall include but not necessarily be limited to:

1. Construction materials, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, fur, waste or any solid or viscous substance capable of or causing obstruction to the flow in sewers or other interference with the proper operation of the sewer system.
 2. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases.
 3. Steam or hot water above 105° Fahrenheit (40° Centigrade).
 4. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 33°F. and 150°F. (1° C. and 65° C.).
 5. Any water or wastes having a pH lower than 5.5 or higher than 9.5 or having any other corrosive property apt to cause damage or hazard to structures, equipment of the sewer system or personnel employed in its operation.
 6. Any water or waste contain readily releasable cyanide (cyanide released at a temperature of 150° F./65° and pH=2.5) in excess of 2 mg/l; any water or water containing total cyanide in excess of 5mg/l.
 7. Coal tar, its derivatives and waste.
 8. Any liquids or wastes containing toxic, radioactive, poisonous or other substances in sufficient quantities or rate of flow as to injure or interfere with any of the sewage treatment process, to cause corrosive structural damage, to constitute a hazard to human beings or animals or to create any hazard in the receiving waters.
 9. Any storm water, surface water, ground water, roof runoff, surface drainage, cooling water or unpolluted process water.
- E. Certain toxic substances and pathogenic bacteria, admission of which into the system would otherwise be prohibited, shall be acceptable in a discharge if 1) reduced by treatment at the source to a point that it will meet the general purposes of these rules and regulations or come within any applicable standards

set thereon now or hereafter in accordance with these regulations, or 2) discharge in such small concentrations so as to not be injurious to personnel; sewers; any biochemical, biological or other sewage treatment process or receiving water. Such substances shall include but not necessarily be limited to:

1. Any alcoholic, antibiotics, arsenic, bromine, iodine, chlorine, copper, copper salts, creosols, creosotes, fluorine, formaldehyde's, mercury, phenols, phenol derivatives, silver, silver compounds, toxic dyes (organic or mineral) or zinc.
2. Any strong oxidizing agents, such as chromate's, dichromate's, permanganates or peroxides.
3. Any chemical compounds producing toxic, flammable or explosive gases either upon acidification, alkalization, oxidation or reduction.
4. Any strong reducing agents such as nitrates, sulfides, sulfites and thiosulfates.
5. Any waste from industrial process, hospital procedures or commercial processes containing viable pathogenic organisms.

F. Table A lists the maximum allowable values of certain materials in or characteristics of wastewater entering the sewer system. The department reserves the right to establish standards for substances not contained in this list. In setting additional standards, the department will generally follow the standards of the Water Pollution Control Federation. In defining and interpreting the values of Table A, reference shall be made to Standard Methods for the Examination of Water and Wastewater, American Water Works Association, latest edition.

G. Any discharge to the sewer system containing garbage may be made acceptable by means of grinding and dilution, provided, however, that the installation of and operation of any garbage grinder equipped with a motor are subject to review and approval by the department prior to such installation and operation and are subject to periodic inspection by the department thereafter.

TABLE A

<u>Material or Characteristic</u>	<u>Maximum Allowable Value</u>	
Arsenic	0.1	ppm
Boron	1.0	ppm
Barium	10.0	ppm
Chromium, total	10.0	ppm
Copper	10.0	ppm
Cyanides	2.0	ppm

Cadmium	2.0	ppm
Lead	0.1	ppm
Manganese	0.5	ppm
Mercury	0.05	ppm
Nickel	10.0	ppm
Selenium	0.1	ppm
Silver	0.5	ppm
Zinc	10.0	ppm
Iron	25.0	ppm
Phenols	0.5	ppm
Temperature	105° F.	

The above limitations are intended to apply generally to all industrial users within the sewer system. If and when State and Federal regulatory agency regulations require a specific pretreatment concentration for a specific industry, whichever is the more stringent concentration level between these regulations shall apply.

Section 16-2-7 Industrial Pretreatment Requirements

- A. Pretreatment will be required in the following instances and the department shall submit to the applicant the pretreatment levels which must be obtained.
1. If the department determines upon the initial application for a permit under this section that the proposed industrial waste must be pretreated by the applicant to lower the level of any of the components of the industrial waste discharge to the sewer.
 2. In the event that the department must improve the discharge from its wastewater treatment plant or plants, the department shall require that a permit holder install or enlarge pretreatment facilities to lower the affected component of the permittee's industrial waste discharge.
 3. If any wastewater prohibited under the conditions of this code is produced, such producer shall pretreat the wastewater to the extent required to comply with the standards established herein before discharging to any sewer.
 4. The acceptability of a pretreatment method for any given discharge, an application for which has been made in accordance with this section and the terms for the installation and use thereof, shall be reviewed by the department. Such a review shall be made on the basis of sound engineering and operational evaluation, taking into consideration all factors pertinent to the effect of the discharge, both before and after pretreatment on any part of the system.

5. Pretreatment facilities shall at all times be subject to inspection by the department in order to determine if such facilities are efficiently performing the function for which they are installed.
6. If the department determines that a permittee, because of plant expansion and/or changes in plant operations, has increased either the strength or volume of the discharge, the department may require additional pretreatment to lower the level of the volume and/or any components of the industrial waste before discharge, unless such permittee has previously made industrial cost recovery payment for reservation of additional industrial capacity.

Pretreatment facilities required under the foregoing subsections *shall* be provided, operated and maintained at the permit holder's expense.

- B. Any sludge or other material removed from the industrial waste by the pretreatment facility shall be disposed of in accordance with applicable federal, state and local laws.
- C. Dilution of waste discharged to the sanitary sewer system is prohibited, whether accomplished by the combination of two or more waste streams by a producer or producers, or by the addition of other liquids solely for the purpose of diluting the quality of the waste discharge.

One or more producers may, upon application and approval by the department, combine industrial waste streams prior to discharge to the town sanitary sewer system if, and only if, such combination of industrial waste streams produces a combined discharge of better quality than the two industrial waste streams would have been if discharged separately. However, if one or more producers are allowed to mix industrial waste streams to produce a better discharge, the user charge established herein, based on the quality of its industrial waste streams prior to combination, *shall* be paid to the town.

- D. Detailed plans showing any pretreatment facilities shall be submitted to the department for approval before construction of the facilities. The review of such plans will in no way relieve such permit holders from the responsibility of modifying and operating the facilities to produce an effluent complying with the established conditions of the permit and federal regulations. Any subsequent, significant changes in the approved facilities or methods of operation *shall* be reported to the department and must be reviewed and approved by the department as complying with the provisions herein established. Furthermore, all facilities, methods of operation and discharges must comply with the rules and regulations contained in 40 C.F.R., Part 402.
- E. After the construction plans for such pretreatment plants have been approved and a permit issued, the plans *shall* be placed on file in permanent reproducible

form with the department without cost to the department before a connection permit will be issued.

Section 16-2-8 Penalties and Remedies (Ord. 98-04)

- A. There shall be a penalty imposed for violation of any of the following requirements, conditions, limitations or restrictions established in this code. The fines *shall* be those as set forth for any code violation.
1. Exceed quantity discharge limitations as set forth herein or as made part of an industrial wastewater permit.
 2. Permit the discharge of excessive concentrations of substances limited by this article or by an industrial wastewater permit issued pursuant to this code.
 3. Permit the discharge of any substance prohibited by this code or by a permit issued pursuant to this article.
 4. Fail to pay any applicable sewer charge established by this code.
 5. Knowingly misrepresent or omit any pertinent information from application permits or reported required by this code.
- B. The imposition of a fine pursuant to this code shall not preclude the department from taking any other action necessary to recover fees, penalties or damages due and owing and arising out of the same occurrence.

Section 16-2-9 Easements

- A. All property owners desiring the connection of the improvements on their property to the sewer system of the Town shall grant to the Town, at no charge, those easements necessary to properly effectuate the sewer connection desired.
- B. All easements granted to the Town shall be subject to the following restrictions and conditions of use:
1. No person, firm or corporation having charge of property subject to easement in favor of the Town shall hereafter construct, build or establish a building upon the property subject to said easement. A building means a house, commercial building, industrial building or any structure of a size or construction that the moving thereof would cause great inconvenience to any person.
 2. Should the owner of the property subject to an easement in favor of the Town construct a building thereon in violation of this code, the Town *shall*

employ individuals to clear said property and charge the costs of the same to the owner of the property. Nothing contained herein *shall* obligate the Town to compensate the owner of the property subject to the easement for the value of a “building” cleared. The Town *shall* take those steps as are required to work in the easement and preserve the improvement, rather than clear the improvements.

3. No person shall excavate deeper than three feet upon the property subject to the easement in favor of the Town without having first obtained a permit therefore as herein required. Such permit *shall* be issued by the Town. Applications for a permit to excavate upon property subject to easement in favor of the Town *shall* be made in writing to the Town and *shall* state thereon specifically the size of the space intended to be excavated and the purpose for the excavation.
4. No person shall plant any trees or shrubbery upon the property subject to the easement in favor of the Town without having secured a permit therefore. Applications for such permit *shall* be made to the Town. All trees and shrubs so planted *shall* be placed subject to the direction and approval of the Town. No boulders, benches or fences *shall* be built or maintained upon the property subject to the easement unless approved by the Town.
5. In the event any improvements are constructed within the boundaries of the easement and these create any additional costs to the Town because it must incur additional expenses to repair, install or replace its sewer, the property owner *shall* be charged all additional costs incurred.