

BIG PARK DOMESTIC WASTEWATER IMPROVEMENT DISTRICT
ORDINANCE NO. 2021-1

THE ATTACHED ORDINANCE IS TO establish rates and fees; to regulate the use and construction of sewers within the District.

WHEREAS, the Board of Directors of the Big Park Domestic Wastewater Improvement District desires to assure that the use of the sanitary wastewater system in the Big Park Domestic Wastewater Improvement District, operated by the District, will conform to the sound sanitary engineering practices, and

WHEREAS, the Board of Directors desires to regulate the use of the sanitary wastewater system operated by the District;

THEREFORE, BE IT RESOLVED by the Board of Directors of the Big Park Domestic Wastewater Improvement District, Yavapai County, Arizona, that an Ordinance be adopted as attached.

Dated this 20th Day of May, 2021

BIG PARK DOMESTIC WASTEWATER IMPROVEMENT DISTRICT

BY: Signature on file
David Sheets, Chairman

ATTEST:

BY: Signature on file
Jennifer J. Bartos, District Clerk

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ARTICLE I
DEFINITIONS AND ABBREVIATIONS

Section 101

The definitions of certain words and abbreviations used in this Ordinance shall be as follows:

ADMINISTRATOR: The person(s) designated by the Board of Directors to manage the administration of the District or his/her authorized representative.

ANNEXATION: The addition of territory to the District.

ADEQ: The Arizona Department of Environmental Quality

AWWA: The American Water Works Association

BIG PARK DOMESTIC WASTEWATER IMPROVEMENT DISTRICT: The name of the District in which the wastewater treatment plant and collection system is located. The District is geographically located approximately 8 miles south of Sedona, Arizona, and encompasses the Village of Oak Creek.

BEDROOM: One room (intended to be used as a sleeping room) that includes a closet.

BOARD OF DIRECTORS: The Board of Directors of the Big Park Domestic Wastewater Improvement District.

CAPACITY: The number of ERUs designated for use in the District's Wastewater System. The capacity and the right to sewer capacity runs with the land and is limited to the approved and paid for capacity.

COLLECTION SYSTEM: Any system of wastewater or sewer lines connected to the District system.

DISTRICT: The Big Park Domestic Wastewater Improvement District.

DISTRICT CLERK: A person appointed as the Clerk of the District Board of Directors.

DISTRICT ENGINEER: A qualified engineer appointed or employed as District Engineer.

DISTRICT FEES: All District fees run with the land and are the sole responsibility of the property owner, whether occupied by the owner or a lessee. It is the property owner's responsibility to notify the District and the Yavapai County Assessor's Office of address changes. If communication mailed from the District is returned by the Post Office as undeliverable the District shall attempt to research Yavapai County records for another address. Research fees will apply.

DISTRICT OFFICE: c/o Improvement District Services, Inc., 3603 Crossings Drive, Prescott, Arizona 86305
(800) 659-7149 or (928) 443-9484 / FAX (928) 443-9486.

ERU: An ERU (Equivalent Residential Unit) is a unit of measure for wastewater based upon the average discharge of flow and strength from an average residential dwelling. An ERU for each user class contains an industry-wide average for sewage flow that includes strengths.

GARBAGE: The solid animal and vegetable wastes resulting from the domestic or commercial handling, storage, dispensing, preparation, cooking, and serving of foods.

G.P.D.: Gallons Per Day.

INDUSTRIAL USER: Any non-residential user identified in the Standard Industrial Classification Manual or any user discharging wastewater potentially containing corrosive, toxic or other substances, which cause interference or increased operating costs in the sanitary wastewater system.

LATERAL LINE: A sewer line serving an individual structure, from the sewer mainline connection to the building foundation. The lateral line shall run directly from the structure to the sewer mainline and shall not cross another person's property. The lateral line may, however, intersect the right-of-way easement for connection to the sewer mainline.

LIFT STATION: The equipment and facility used to lift and/or transport wastewater to a location where gravity flow is again possible.

MAG: Maricopa Association of Governments Uniform Standard Specifications and Details publication.

MAY: is permissive.

MANHOLE: A mainline access point on the sewer line including base with formed invert, barrel sections, cone section, frame and lid.

NACOG: Northern Arizona Council of Governments

OWNER: A person holding legal or equitable title in any real property subject to this Ordinance.

OPERATOR: The person, or their authorized representative, that is a State Certified Wastewater Operator (minimum grade required by law), designated by the Board of Directors to manage the operation and maintenance of the District's wastewater system.

pH: Chemically, the logarithm of the reciprocal of the hydrogen ion concentration expressed in moles per liter of solution. It is a measure of the acidity or alkalinity of water.

PROPERLY SHREDED GARBAGE: Garbage that has been shredded to such a degree that all particles will be carried freely under flow conditions normally prevailing in the wastewater sewers, with no particle greater than 1/2 inch in any dimension.

RESIDENTIAL UNIT: A room (or group of rooms) designed for one or more persons living as one socially homogeneous body (including relatives and servants, if any) and containing sleeping accommodations. Including townhouses, condominiums and apartments.

SANITARY WASTEWATER: Liquid wastes or water from dwellings, commercial buildings, industrial facilities and institutions, together with incidental infiltration and inflow from ground or surface water sources, but exclusive of storm sewers and other facilities designed to collect and dispose of storm water.

SANITARY WASTEWATER SYSTEM: District owned and maintained sewers, treatment facilities and other appurtenances required to collect, treat and dispose of sanitary wastewater.

SEWER LINE: A pipe or conduit for carrying wastewater.

SHALL: is mandatory.

STRENGTH: The sewage leaving a facility contains a load (or solids) of many materials including fecal matter, food, chemicals, and grease. These additives to the flow constitute the strength. The treatment plant must treat and process these loads. As the strength increases the cost of treating the sewage also increases.

STORM SEWER: A sewer for conveying storm, surface, and other unpolluted waters, but which is not intended to carry sanitary wastewater.

SURFACE RUN-OFF: Water, which occurs when the rate of precipitation exceeds the rate at which water may infiltrate into the soil.

UPC: Uniform Plumbing Code

YAG: Yavapai Association of Governments Standards publication.

ARTICLE II
GENERAL PROVISIONS

Section 201 - Purpose

The purpose of this Ordinance is to provide for the maximum possible beneficial public use of the District's sanitary wastewater system through regulation of sewer construction, sewer use, and sanitary wastewater discharges; to provide procedures to insure compliance with the requirements contained in this Ordinance; and to establish rates and fees for connection to the District's sanitary wastewater system.

Section 202 - Short Title

This Ordinance may be cited as the Big Park Ordinance or District Ordinance.

Section 203 - District Office

All correspondence, applications, and inquiries should be addressed to: Jennifer Bartos, District Clerk, c/o Improvement District Services, Inc., 1965 Commerce Center Circle, Suite A, Prescott, Arizona 86301.

Section 204 - Relief on Application

When any person by reason of special circumstances is of the opinion that any provision of this Ordinance is unjust or inequitable as applied to his premises, he may make written application to the Board stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision complained of, as applied to his premises.

Based on such application and its review of the situation, the Board may suspend or modify the provision complained of, as applied to such premises, which suspension or modification shall be limited to the period that the justifying special circumstances continue.

Section 205 - Relief on Board's Motion

If the Board, on its own motion, finds that by reason of special circumstances any provision of this Ordinance should be suspended or modified as applied to a particular premise may suspend or modify such provision. Such action shall apply only so long as the justifying special circumstances prevail.

Section 206 - Administration

The Administrator shall administer, implement, and enforce the provisions of this Ordinance.

Section 207 - Federally Designated Management Authority

The District has been granted status as a Federally Designated Management Authority as specified in the Northern Arizona Council of Governments (NACOG) 208 Plan under Section 208 of the Clean Water Act, and as such is required to approve all septic and sewer system to be installed within its designated area. This area is defined as: Township 17 North, Range 5 East: 35 & 36, Township 16 North, Range 5 East, Sections: 10,11,12,13,14,15,22,23,24,25,26,27, Township 16 North, Range 6 East, Sections: 7,8,9,16,17,18,19,20,21,28,29, & 30.

Section 208 - Notice of Violations

Any person found in violation of this Ordinance will be served with a notice stating the nature of the violation and providing a time limit of 48 hours, or an alternate time limit determined by the Board of Directors, for compliance. Such notice will be in writing and will be served in person or by certified mail. The notice will be sent to the last address of the owner of record known to the Administrator. If satisfactory action is not taken in the time allotted by the notice, Section 209 of this Ordinance shall be implemented.

Section 209 - Penalty for Non-Compliance

Any person who continues to violate the provisions of this Ordinance beyond the time limit provided for in the "Notice of Violation" may be charged a penalty. The penalty shall be up to \$500.00 for each day the violation continues. The District may disconnect the property's service connection from its system and assess re-connection fees of \$500.00 plus District costs upon re-establishment of service. The property owner will be responsible for replacement and/or repair of landscaping disturbed during line excavation. The District may also initiate a court action to recover costs and attorney's fees. Re-connection shall not be allowed until all violations have been rectified.

Section 210 - Inspections

District representatives, bearing proper credentials and identification, shall be permitted to enter properties of users served by District wastewater facilities at any reasonable time for the purposes of inspection, observation, measurement, and sampling of the wastewater discharge to ensure that the discharge of wastewater to the District's wastewater facilities is in accordance with the provisions of this Ordinance.

District representatives, bearing proper credentials and identification, shall be permitted to enter all private property through which the District holds an easement for the purposes of inspection, observation, measurement, sampling, repair, and maintenance of any of the District's wastewater facilities lying within the easement.

All entry and any subsequent work within an easement shall be done in full accordance with the terms of the easement pertaining to the private property involved.

While performing the necessary work on private property, the District representatives will observe all reasonable safety rules applicable to the premises and the work being performed.

Where users served by the sanitary wastewater system do not provide wastewater monitoring facilities as required by this Ordinance, or where such facilities are not cost effective, the Administrator is authorized to obtain information from the owner which would provide a direct indication of the kind and source of wastewater discharge to the District's wastewater facilities.

Any requested information, which is claimed to be confidential by the owner, will be so honored by the Administrator and District representatives.

Section 211 - Authorization to Alter, Use, or Disturb the District Wastewater System

No person shall uncover, make any connections with or opening into, use, alter, or disturb any District sewer or appurtenances without first receiving the appropriate required permits and the approval from the District Administrator.

Section 212 - Damage to the District Wastewater System

Any person who causes damage to the District's wastewater system shall be liable to the District for all costs incurred to correct the damage. Damage may be defined as, but is not limited to, the need for repairs and/or additions to, spillage of sewerage from, and illegal discharges to the District's wastewater system. Failure to notify the District, or correct the damage, or reimburse the District for the costs incurred shall be considered in violation of this Ordinance.

Section 213 - Vandalism

Any person who tampers with or destroys any District property or structure, which is part of the District's wastewater facilities, shall be criminally prosecuted.

Section 214 - Property Owner's Responsibility

It is the sole responsibility of the property owner to: make all notifications to the District, including but not limited to, any changes in property use, ownership, occupation of the property, and property owner's current mailing address; obtain applications and approvals from the District; make payment of fees, fines, reimbursable expenses, and damage claims to the District; assure proper use of the District's wastewater system.

Section 215 - District Records

District records that are not confidential are available for public inspection upon request. Arrangements to view District documents may be made by contacting the District Office. Copies of District documents may be charged at .25 cents per page, plus any additional expenses and postage necessary for delivery of such documents.

Section 216 – Use of District Property

The use of District owned property shall be restricted to activities, which are compatible with District operations, and the community plan, and provide a net benefit to the District.

ARTICLE III
BUILDING SEWERS AND CONNECTIONS

Section 301 - General

No person shall uncover, make any connections with or opening into, use, alter, or disturb any District sewer or appurtenances without first receiving the appropriate required permits and the approval from the District Administrator.

Section 302 - Lateral Line Connections

The design, installation, repair, maintenance, and replacement of lateral lines are the sole responsibility of the property owner.

A cleanout shall be installed at the property line.

The District Board of Directors may consider the design and installation of lateral stub-outs, from the District's sewer mainline to the edge of the public right-of-way or District easement, be included in a District sewer mainline construction project. The cost for design and installation shall be borne by the property owner. The repair, maintenance, and replacement of the lateral lines remain the sole responsibility of the property owner.

Lateral lines shall be run directly from the structure to the sewer mainline without crossing another person's property. The lateral line may, however, intersect the right-of-way easement for connection to the sewer mainline.

The lateral line connection (or tap) to the District's sewer mainline shall be inspected by the District's authorized representative prior to backfilling. All such connections shall be made gas tight and watertight, using approved fitting designed for this purpose, and shall not protrude beyond the tap into the sewer mainline. The District's representative may verify air tests. The applicant shall notify the administrative office when the lateral line is ready for inspection. The District representative shall inspect the connection within two (2) working days from the date the inspection request was submitted.

Any connection to the District's system backfilled prior to inspection by the District shall be exposed within 48-hours at the applicant's expense.

It is the applicant's responsibility to confirm that the inspection has been performed and approved prior to backfill.

Expenses incurred by the District for damages caused to the District's sewer mainline and/or system, by improperly installed connections, shall be the sole responsibility of the property owner. The District may invoice the property owner for expenses incurred. The property owner shall reimburse the District within 30 days of the invoice.

Section 303 - Sewer Expansion Process - Constructing or Acceptance of Existing Sewer Systems (sewer extension project)for District Acceptance

A property owner, or their designated representative, may make application to the District to construct or convey an existing sewer extension, that may include sewer lines, sub-mainlines, and lift stations, that may be conveyed to the District for acceptance into the District's sewer system. The District Board may accept ownership and maintain the additional system upon acceptance.

New manholes or existing manholes with new connections are required to be sealed on all inside surfaces with 2 coats of a protective coating from the following list:

- A. Raven Lining Systems #405
- B. Superior Environmental Products SP2000R or SL100
- C. Sauereisen Sewergard N-210
- D. Permaform COR+GARD
- E. Or approved equal as determined by the District Engineer.

Manhole surfaces shall be cleaned and prepared in accordance with the coating manufacturer's recommendations prior to application of any coatings.

The District's participation in this Sewer Expansion Process is restricted to the sewer system only. The construction of the sewer extension, blue stakes, utility re-routing, road construction, or any other type of construction shall be the sole responsibility of the applicant.

The District is not liable in any way for any part of a sewer extension project. Upon final District acceptance, the District will begin to maintain the lines. This maintenance does not relieve the applicant of warranty work.

The applicant shall be responsible for notification of District requirements to all parties affected, including but not limited to the applicant's contractors.

The applicant shall be the designated contact to the District for the entire sewer expansion process.

Capacity Fees, as determined by the District, shall be paid in full prior to making application to the District.

Approvals shall be issued prior to the start of construction or acceptance of an existing system.

Whenever possible, a gravity flow system shall be installed. Lift station construction shall be limited to extreme necessity. The District Engineer shall determine if the necessity exists in new construction. The system shall be designed in accordance with ADEQ requirements, Arizona Administrative Code Title 18 and applicable Y.A.G. Standards. The District requires tracer wire on all newly installed pipe(s). Curved sewers are not allowed. Rebar is required in all manhole collars.

Easements

The applicant shall be responsible for obtaining all easements necessary for the construction of and permanent placement of the sewer extension. The easements shall include a legal description certified by an Arizona Registered Surveyor. All expenses to obtain such easements shall be borne by the applicant. All permanent easements shall be conveyed to the

District prior to final acceptance of the additional sewer system. The minimum width of the permanent easement conveyed to the District shall be 15-feet.

Expenses

All expenses incidental to the design, construction and inspection of the sewer extension and the District's Sewer Expansion Process shall be borne by the applicant.

The applicant shall be billed for expenses incurred by the District for the Sewer Expansion Process. Upon completion of the plan review the District Engineer shall provide the applicant, upon written request, a written estimate of the anticipated expenses to be incurred for the remaining Sewer Expansion Process. These expenses may include administration, inspection, plan review.

The District shall invoice the applicant for expenses incurred on a monthly basis. This invoice shall be due and payable within 30 days. An interest rate of 10% per annum shall be charged on outstanding account balances due after 30 days.

All invoices shall be paid in full prior to final acceptance by the District.

Initial Plan Review / Approval To Construct New Facilities

Upon the District Engineer's approval of the submittals, he shall issue a letter giving an Approval to Construct based on the information supplied. Any modifications to approved plans shall be submitted in writing to the District Engineer for review and approval prior to making the modifications.

The applicant shall notify the District Engineer 72-hours prior to the start of construction.

Submittals

The property owner shall submit a written notice stating the name of their designated representative and their knowledge of the Ordinance requirements and expenses. This notice shall also include an agreement to reimburse the District upon invoice in accordance with this section.

Each applicant shall provide the District Administrator an initial plan review submittal package containing two (2) complete sets of design plans and specifications, including testing plans, prepared and sealed by a professional engineer registered in the State of Arizona, and a construction schedule for the entire sewer system. Faxes, catalog sheets and revised drawings are not an acceptable format for submittals.

The District Administrator shall forward the initial plan review package to the District Engineer for review. The District requires a minimum of ten (10) working days, from the time of the complete submittal, for review.

If the submittals are found to be deficient, the District Engineer will document the deficiencies in writing to the applicant. The applicant's registered engineer will then correct the plans and/or specifications and present a complete re-submittal in original format for additional review.

Whenever possible, a gravity flow system shall be installed. Lift station construction shall be limited to extreme necessity. The District Engineer shall determine if the necessity exists. If a lift station(s) is deemed necessary see Section 304 Lift station Construction Requirements.

All submittals shall refer to the standards defined in the most current editions of the Uniform Plumbing Code (UPC), M.A.G. Standards, Y.A.G. Standards, AWWA Standards, District Ordinance, and/or other agency requirements. Submittals that do not address these requirements shall be considered deficient.

The design submittals shall include the size, slope, alignment, construction materials, trench excavation and backfill methods, pipe placement and jointing, lift station design and equipment specifications, and testing methods to be used in the construction of the additional sewer system. The design plans shall also show necessary permanent easement locations.

The system shall be designed in accordance with ADEQ requirements, Arizona Administrative Code Title 18 and applicable Y.A.G. Standards. The District requires tracer wire on all installed pipe. The District prohibits curved gravity sewers. Rebar is required in all manhole collars.

The applicant shall obtain all of the appropriate permits and approvals for the sewer system construction, including the Approval to Construct from Yavapai County, the Arizona Department of Environmental Quality, or other agencies as required by law. Once obtained the applicant shall forward a copy of these permits and approvals to the District Administrator.

Inspections and Testing for New Construction

All collection system additions will be tested and inspected in accordance with the most current editions of the Uniform Plumbing Code (UPC), MAG Standards, AWWA Standards, Big Park District Ordinance, Arizona Department of Environmental Quality (ADEQ) requirements, Arizona Administrative Code Title 18, and/or other agencies as required by law. The District Engineer, or his authorized representative, shall inspect the construction of the sewer system periodically during the construction process for observation purposes only. The District Engineer shall determine the frequency of the inspection schedule. The inspection by the District Engineer, or his authorized representative, does not remove any liability from the applicant for the quality of construction or the design.

The District Engineer shall approve the testing schedule, method of testing and testing limit requirements. The District Engineer, or his authorized representative shall be notified 24 hours in advance of testing and shall be present to observe testing, if it is deemed necessary by the District Engineer. The District Engineer requires the applicant to perform quality assurance testing as deemed necessary by the District Engineer. The District requires mandrel and air tests on all sewer lines. The District also requires vacuum testing of all manholes after manhole frame has been adjusted to grade and the manhole collar has been placed. The District Engineer's inspection does not relieve the owner's responsibility for quality control and project compliance.

The property owner is responsible to provide adequate inspections and reports for quality control and approval by State and County agencies. Any inspections made by the District Engineer shall be in addition to the owner's inspections. The District Engineer's inspections do not replace the owner's responsibility.

As-Built Plan Review / Approval of Construction for New Construction

Upon the District Engineer's approval of the submittals he shall issue a letter giving an approval of construction based on the information supplied.

The applicant shall notify the District Engineer within 24-hours after the completion of the construction.

Submittals

Upon completion of construction of the system the applicant shall provide the District Administrator an as-built plan review submittal package containing two (2) complete sets of as-built plans and specifications, test results, video of all lines, and permanent and/or temporary easements, prepared and sealed by a professional engineer registered in the State of Arizona. An Arizona registered engineer shall certify test results. Faxes, catalog sheets and revised drawings are not an acceptable format for submittals.

The District Administrator shall forward the as-built plan review submittal package to the District Engineer for review. The District requires a minimum of ten (10) working days, from the time of the complete submittal, for review.

If the submittals are found to be deficient, the District Engineer will document the deficiencies in writing to the applicant. The applicant's registered engineer will then correct the submittals and present a complete re-submittal in original format for additional review.

All submittals shall refer to the standards defined in the most current editions of the Uniform Plumbing Code (UPC), M.A.G. Standards, Y.A.G. Standards, ADEQ requirements, Arizona Administrative Code Title 18, AWWA Standards, District Ordinance, and/or other agency requirements. Submittals that do not address these requirements shall be considered deficient.

The as-built submittals shall include the size, slope, alignment, construction materials, trench excavation and backfill methods, pipe placement and jointing, manhole invert elevations, lift station construction and equipment specifications, and testing methods that were used in the construction of the additional sewer system. The as-built plans shall also show the permanent easement locations and include a legal description certified by an Arizona Registered Surveyor.

The as-built submittal shall include a digital format seamless drawing of the newly installed improvements. The drawing shall show manhole locations and pipe runs using State Plane Coordinates. This drawing shall be suitable for importation into the District's GIS database. The cost of importing the data into the District's GIS system and feature attribution of the features shall be borne by the developer/owner. Any additional survey required to correct incomplete or inaccurate coordinates of manholes and pipes shall be borne by the developer/owner.

The District Engineer may require additional testing, cleaning, inspection, and/or survey of the system prior to its acceptance. Such work shall be done at the expense of the owner.

The applicant shall obtain all of the appropriate permits and approvals for the sewer system addition, including the Approval of Construction and the Approval to Operate from Yavapai County, the Arizona Department of Environmental Quality, or other agencies as required by law. Once obtained, the applicant shall forward a copy of these permits and approvals to the District Administrator.

The applicant's engineer shall be responsible for the certification of the entire system addition to the District.

District Acceptance and Warranty

The newly constructed sewer system or an existing sewer system, along with the appropriate easements may be conveyed to the District.

A Bill of Sale and Warranty Deed for the sewer collection system shall be submitted to the District Engineer with adequate warranties against liens and encumbrances. The applicant shall warrant the system to be free from defects and shall be responsible for any losses, damages, or costs incurred by the District due to the design, construction, inspection, and testing of the additional sewer system. The warranty shall be valid for at least one-year following the date of acceptance of the system by the District.

Once the District Engineer and Administrator mutually agree that all applicable provisions of this section have been met and all fees have been paid in full to the District, the District Administrator may submit a recommendation to accept the sewer system and easements to the Board of Directors.

Upon the District Engineer and Administrator's recommendations the Board of Directors may consider acceptance of the newly constructed or existing sewer system and easements.

Section 304 - Lift station Construction Minimum Requirements

Whenever possible, a gravity flow system shall be installed, even in cases where a gravity system may increase the initial construction cost. Lift station construction shall be limited to extreme necessity. The District Engineer shall determine if the necessity exists. If a lift station(s) is deemed necessary it shall meet all ADEQ requirements, Arizona Administrative Code Title 18 Guidelines, District Staff requirements, and the following minimum requirements: submersible, redundant pump, auto start diesel fueled back-up generator with transfer switch, audio and visual alarms for high level, low level, AC power failure, pump off failure, generator failure, level control failure, moisture in motor, motor overheating. The station shall be equipped with an automatic telephone dialer, ultrasonic level control with back-up mercury float switches, lighting, potable water, odor control, and flow meter, signage (per District requirements); the underground access portion of the station shall be equipped with all safety items to allow safe entry of personnel including confined space entry blowers, ladder and safety cage; redundant pumps such that the station can meet peak demand with a pump out of service; proper drainage; security fencing and gate conducive to blending with the aesthetics of the surrounding area; landscaping with drip style sprinkler system conducive to

blending with the aesthetics of the surrounding area; as well as any other local, State, and/or Federal requirements. An approval of the style of fencing and landscaping should be obtained from the local homeowner's association, if applicable, prior to the design submittal to the District.

The District shall approve all equipment proposed for use in the lift station. The approval of the District shall not relieve the applicant of responsibility for insuring all equipment is compatible with the applicant's lift station design. The District recommends the applicant meet with the District staff during initial design stages of the lift station to discuss proposed equipment and design concepts.

Section 305 – Pressure Sewer Mainlines in Lieu of Gravity Flow

Gravity sewers are preferred by the District in all cases. If a property owner can demonstrate to the satisfaction of the District Engineer that gravity sewer installation on his/her project is more than three times the cost of pressure sewer installation, then the District Board may consider a property owner's request on a case-by-case basis. However, if the property owner cannot demonstrate to the satisfaction of the District Engineer that a gravity sewer is at least three times as expensive as a pressure sewer, the District will not accept or maintain the sewer system. The system shall be designed in accordance with all relevant provisions of the Arizona Administrative Code. The District requires tracer wire on all installed pipe.

In all cases, the District does not accept any responsibility for the construction, repair, replacement, operation or maintenance of any grinder pump or on-site lift station that serves individual properties.

Section 306 - Interceptors / Grease Trap Approval Process

Interceptors / Grease Traps Required:

Grease traps/interceptors shall be in accordance with Yavapai County Health Department and ADEQ. Sizing calculations prepared and sealed by an Engineer or Architect registered in the state of Arizona shall be submitted to the District Engineer for review. Additional information required for review are construction plans, details and manufacture cut sheets for the proposed grease trap or interceptor.

Grease, oil, sand, and grit interceptors or traps shall be provided when, in the opinion of the District, they are necessary for the proper handling of wastes containing grease, or any flammable wastes, sand, grit or other harmful ingredients; except that such interceptors shall not normally be required for a building used for private living quarters or residential units. Grease traps shall be required at all public premises where food is served, such as restaurants, cafeterias, and boarding houses as well as laundry facilities, service stations, auto repair shops, car washes or any other facilities that have the potential to discharge high levels of grease, oils or solids into the district's wastewater system. All interceptors shall be of a type and capacity approved by the District, and shall be so located as to be readily and easily accessible for cleaning and inspection. All Interceptors shall provide a four-inch clean-out on the effluent side of the grease trap or grease interceptor or kitchen wastewater discharge line for sampling purposes. All grease, oil, grit, and sand interceptors shall be maintained in a continuously maximal operating condition in accordance with the manufacturer's instructions, at the owner's expense. The owner shall produce records of maintenance and/or cleaning upon request. See Section 705 for additional information on required grease trap maintenance inspections.

Businesses or private citizens utilizing chemicals containing regulated metals or substances in their process or hobbies shall install appropriate interceptors designed to prevent any discharge of the regulated metals or substances to the District sewer system.

The owners or operators of those facilities needing to install such a device shall contact the District.

A property owner, or their designated representative, shall make application and pay the applicable fees for a Grease Trap/Interceptor Permit to the District along with design plans, sizing calculations, specifications and testing methods for review.

The District is not liable in any way for any part of an interceptor or grease trap design, installation, or maintenance.

The applicant shall be responsible for notification of District requirements to all parties affected, including but not limited to the applicant's contractors.

The applicant shall be the designated contact to the District for the entire interceptor/grease trap design and installation.

A District permit and approval by the District Engineer shall be issued prior to the start of the interceptor/grease trap installation.

Expenses

All expenses incidental to the design and installation of the interceptor/grease trap and the District Engineer's design review and inspection shall be borne by the applicant.

The applicant shall be billed for expenses incurred by the District for the interceptor/grease trap approval process. Upon completion of the design review the District Engineer shall provide the applicant, upon written request, a written estimate of the anticipated expenses to be incurred for the remaining interceptor/grease trap installation process.

The District shall invoice the applicant for expenses incurred on a monthly basis. This invoice shall be due and payable within 30 days. An interest rate of 10% per annum shall be charged on outstanding account balances due after 30 days.

All invoices shall be paid in full prior to final acceptance by the District.

Initial Plan Review / Approval To Construct

Upon the District Engineer's approval of the submittals he shall issue a letter giving an Approval to Construct based on the information supplied. Any modifications to approved design plans shall be submitted in writing to the District Engineer for review and approval prior to making the modifications.

The applicant shall notify the District Engineer 48-hours prior to the start of construction.

Submittals

The property owner shall submit a written notice stating the name of their designated representative and their knowledge of the Ordinance requirements and expenses. This notice shall also include an agreement to reimburse the District upon invoice in accordance with this section.

Each applicant shall provide the District Administrator an initial design review submittal package containing two (2) complete sets of design plans, sizing calculations and specifications, including testing methods, prepared and sealed by a professional engineer registered in the State of Arizona, and an installation schedule. Faxes, catalog sheets and revised drawings are not an acceptable format for submittals.

The District Administrator shall forward the initial design review package to the District Engineer for review. The District requires a minimum of ten (10) working days, from the time of the complete submittal, for review.

If the submittals are found to be deficient, the District Engineer will document the deficiencies in writing to the applicant. The applicant's registered engineer will then correct the design plans, calculations and/or specifications and present a complete re-submittal in original format for additional review.

All submittals shall refer to the standards defined in the most current editions of the Uniform Plumbing Code (UPC), M.A.G. Standards, Y.A.G. Standards, ADEQ requirements, Arizona Administrative Code Title 18, AWWA Standards, District Ordinance, and/or other agency requirements. Submittals that do not address these requirements shall be considered deficient.

The design submittals shall include all information deemed necessary by the District Engineer including but not limited to design plans, sizing calculations, equipment specifications and testing methods to be used in the installation of the interceptor/grease trap.

The applicant shall obtain all of the appropriate permits and approvals for the interceptor/grease trap installation as required by law and/or the District Ordinance. Once obtained the applicant shall forward a copy of these permits and approvals to the District Administrator.

Inspections and Testing

All collection system additions will be tested and inspected in accordance with the most current editions of the Uniform Plumbing Code (UPC), M.A.G. Standards, Y.A.G. Standards, AWWA Standards, Big Park District Ordinance, Arizona Department of Environmental Quality, and/or other agencies as required by law. The District Engineer, or his authorized representative, shall inspect the interceptor/grease trap installation. The inspection by the District Engineer, or his authorized representative, does not remove any liability from the applicant for the quality of construction or the design.

The District Engineer shall approve the testing schedule, method of testing and testing limit requirements. The District Engineer, or his authorized representative shall be notified 24 hours in advance of testing and shall be present to observe testing, if it is deemed necessary by the District Engineer. The District Engineer may perform quality assurance testing as deemed necessary by the District Engineer. The District Engineer's inspection does not relieve the owner's responsibility for quality control and project compliance.

As-Built Plan Review / Approval of Construction

Upon the District Engineer's approval of the submittals he shall issue a letter giving an Approval of Installation based on the information supplied.

The applicant shall notify the District Administrator within 24-hours after the completion of the construction.

Submittals

Upon completion of the installation the applicant shall provide the District Administrator an as-built submittal package containing two (2) complete sets of as-built plans and specifications, and test results, prepared and sealed by a professional engineer registered in the State of Arizona. Faxes, catalog sheets and revised drawings are not an acceptable format for submittals.

The District Administrator shall forward the as-built submittal package to the District Engineer for review. The District requires a minimum of ten (10) working days, from the time of the complete submittal, for review.

If the submittals are found to be deficient, the District Engineer will document the deficiencies in writing to the applicant. The applicant's registered engineer will then correct the submittals and present a complete re-submittal in original format for additional review.

All submittals shall refer to the standards defined in the most current editions of the Uniform Plumbing Code (UPC), M.A.G. Standards, Y.A.G. Standards, ADEQ requirements, Arizona Administrative Code Title 18, District Ordinance, and/or other agency requirements. Submittals that do not address these requirements shall be considered deficient.

The as-built submittals shall include all information deemed necessary by the District Engineer including but not limited to as-built plans, equipment receipts (or proof of purchase) and testing results used in the installation of the interceptor/grease trap.

The District Engineer may require additional testing, cleaning, and inspection of the interceptor/grease trap prior to his approval. Such work shall be done at the expense of the owner.

The applicant shall obtain all of the appropriate permits and approvals for the completed interceptor/grease trap installation as required by law and/or the District Ordinance. Once obtained the applicant shall forward a copy of these permits and approvals to the District Administrator.

The applicant's engineer shall be responsible for the certification of the interceptor/grease trap installation and operation to the District.

Section 307 - Separate Connection Required

A separate and independent lateral line connection shall be provided for every building, except where one building stands at the rear of another on an interior lot and no lateral line can be reasonably constructed to the rear building through an adjoining alley or easement. In the latter event, the building sewer from the front building may be extended to the rear building and the whole considered as one lateral line connection. The District will not assume any obligation or responsibility for damage caused by or resulting from any such single building sewer, which serves two buildings.

Section 308 - Building Sewer Elevation

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. All buildings, which are too low to permit gravity flow to the District sewer line, shall have wastewater lifted by an approved means and discharged to the building sewer.

Section 309 - Building Sewer Line Back-Flow Prevention

Every building having either a partial or full basement with plumbing fixtures of any type shall install a back-flow device to prevent back-flow of sewage into the structure. Every building with a threshold elevation lower than the rim elevation of the next upstream manhole shall install a back flow prevention device.

ARTICLE IV
NEW OR MODIFIED SEWER SERVICE

Section 401 - General

No person shall uncover, make any connections with or opening into, use, alter, or disturb any District sewer or appurtenances without first receiving the appropriate required permits and the approval from the District Administrator.

Section 401.A – Mandatory Connection

Any property inside the district boundaries located within 200 feet of an existing sewer mainline, and having legal access, shall be required to connect to the District wastewater system if any of the following conditions apply.

1. New construction of any home, building or structure.
2. Replacement of an existing private wastewater system due to failure or the expansion of an existing home, building or structure.

All cost associated with the connection to the District wastewater system shall be the responsibility of the property owner.

Section 402 - Request for Capacity

Prior to making application for a building, tenant improvement, or change of use permit with Yavapai County the property owner shall obtain the adequate capacity in the District's wastewater system. In the case of an existing structure the capacity shall be obtained prior to making Application for Sewer Service. All user fees must be paid current before additional capacity may be requested.

The adequate amount of capacity ERUs and the capacity fee shall be determined by the District, in accordance with the District Ordinance, based on the applicant's stated intended use of the property.

A written request for capacity in the District's wastewater treatment system shall be submitted by the property owner to the District office. This request shall include the intended use of the property, the number of capacity ERUs being requested, and a statement of the owner's agreement to pay the capacity fee amount within 30 days of the approval date. The request shall be supplemented by information considered important in the judgment of the Administrator.

The District Administrator may present the request to the Board of Directors at a regular Board Meeting for their consideration. Upon approval of capacity the District will invoice the property owner. An Application for Sewer Service will be included with the invoice. The property owner shall submit the completed Application for Sewer Service along with their capacity fee and hookup fee payment.

The capacity and the right to sewer capacity runs with the land and is limited to the approved and paid for capacity. Failure to make the capacity fee payment within 30 days of the approval date may void the approval.

Section 403 - Application for Sewer Service – New Service and Modifications to Existing Sewer Service

An Application for Sewer Service form may be obtained by contacting the District office.

Prior to making application for a building, tenant improvement, or change of use permit with Yavapai County the property owner, or their designated representative, shall obtain adequate capacity in the wastewater system and an approved Application for Sewer Service from the District. In the case of an existing structure the capacity and approved Application for Sewer Service shall be obtained prior to making a connection.

An application shall be submitted for each connection, or in the case of properties making modifications for expansion, tenant improvement, and/or change of use, an application shall be submitted for each modified property.

The property owner shall submit a completed Application for Sewer Service in the District's sanitary wastewater system. The application shall be supplemented by information considered important in the judgment of the Administrator. The property owner shall pay a hookup fee and any outstanding capacity fees for each application to the District prior to or at the time of receiving an approved application. The hookup fee shall be calculated in accordance with the District Ordinance.

All Hookup and Capacity Fees shall be paid in full to the District prior to an application approval.

When applying for a building permit with Yavapai County, the property owner, or their designated representative, shall submit one copy of the completed and approved application for sewer service to the County.

ARTICLE V
DISTRICT FEES

All District fees run with the land and are the sole responsibility of the property owner, whether occupied by the owner or a lessee. It is the property owner's responsibility to notify the District and the Yavapai County Assessor's Office of address changes. If communication mailed from the District is returned by the Post Office as undeliverable the District shall attempt to research Yavapai County records for another address. Research fees will apply.

Section 501 - Capacity Fees

Definition of Capacity Fee

A Capacity fee is based on the cost of developing the wastewater collection, treatment and disposal facilities that are required to treat the flows and strengths into the system from a particular wastewater connection. The District shall collect a capacity fee from property owners requesting sewer capacity in the District's wastewater system. Additional capacity fees shall be collected if the property has or makes a change of use, expansion, or tenant improvement that require additional capacity as determined by the District, in accordance with the District Ordinance. No additional capacity will be approved for accounts with delinquent user fees. Unused capacity will not be made available unless all user fees are paid current.

The capacity fee is based on a calculation pursuant to the District Ordinance for the specific requested use. The revenue collected from capacity fees may be used for the District's capital expenditures necessary to provide proper capacity, capital wastewater system projects, and capital equipment purchases.

The capacity fees are the responsibility of the property owner and the right to sewer capacity runs with the land and is limited to the approved and paid for capacity.

Failure to make the capacity fee payment within 30 days of the approval date may void the approval. For use in design and monitoring plant capacity: 1 ERU = 150 gallons per day multiplied by the strengths as listed in Article X.

Formula for Calculation of Capacity Fee

All User Classes that apply to one account will be combined for calculation of fees.

No. of units x ERU per unit = Total Capacity ERU

Total Capacity ERU x Capacity ERU Rate = Capacity Fee

Capacity Fee Rate

The capacity fee rate is established at a rate per ERU, as set forth in the most current Resolution.

Section 501A – Line Upgrade Fee

In designated areas a one-time main line upgrade fee is collected in addition to the capacity fee. This revenue collected is used for the District's expenditures necessary for upgrade and replacement of sewer mainlines or lift stations.

Section 502 - Hookup Fees

Hookup Fees are for connection to the District Wastewater system, not including the cost of the actual physical connection. This fee is to cover the District's administrative and operational costs involved to process the permit application and inspection.

Prior to applying for a building permit, construction and/or connection the property owner shall submit a Permit Application for Sewer Service along with the hookup fee and any applicable capacity fees.

All hookup and capacity Fees shall be paid in full to the District prior to the permit application approval.

Hookup Fee Rate

Hookup fees are established at a rate per Permit Application for Sewer Service, as set forth in the most current Resolution.

Section 503 - User Fees

User Fee Definition

User Fees are proportionate shares of the cost of operation, maintenance, and replacement of a wastewater treatment and disposal system, including a system for the treatment and use of effluent, and may include the cost of administrators, surveyors, sanitation experts, engineers, legal counsel and other costs as are reasonably necessary for the operation, maintenance and replacement of the systems. These costs shall be allocated among all properties connected to the wastewater system, whether or not they are discharging sewerage into the system. Billing may begin when the connection is made to the system. All user fees run with the land and will be billed to, and are the sole responsibility of the property owner, whether occupied by the owner or a lessee. It is the property owner's responsibility to notify the District and the Yavapai County Assessor's Office of address changes. If communication mailed from the District is returned by the Post Office as undeliverable the District shall attempt to research Yavapai County records for another address. Research fees will apply.

Minimum User Fee: User fees for connected commercial properties, but whose usage falls below the minimum cost per account for the District's operation and maintenance expenses, shall be charged the Minimum Charge per account per month.

Quarterly Billing Cycle and Interest

User Fee charges are for calendar quarters and will be billed on or before the 25th day of the first month in each quarter and due by the 1st day of the third month in each quarter. Such charges will be delinquent if not paid by said due date.

Delinquent service charges shall bear an interest charge pursuant to the most current Arizona Revised Statute. Any and all unpaid service charges, penalties may be collected by court action, together with all costs of action and attorney's fees.

Formula for Calculation of User Fees

The District Ordinance Table A shall be used to determine quarterly user fees based on the rate per ERU, or a minimum charge may apply. All User Classes that apply to one account will be combined for calculation of fees.

No. of units x ERU per unit per day x strength factor = Daily ERU

Daily ERU x Daily Rate = Daily User Fee

Daily User Fee x 30 = Monthly User Fee

Monthly User Fee x 3 = Quarterly User Fee

User Fees Rates

The User Fee Rate is established at a rate per ERU per day, as set forth in the most current Resolution.

The Minimum User Fee Rate for commercial accounts is established at a rate per account per month, as set forth in the most current Resolution.

Section 504 - Activation Fee

All activation fees and service charges shall be billed to, and the sole responsibility of the property owner. An activation fee for each account shall be paid by the property owner to the District at or before the time the sewer service is connected or upon transfer of ownership. This non-refundable fee is charged to cover the District's cost to activate or transfer a sewer account.

Section 505 - Delinquencies, Liens, and Interest

All fees run with the land and are the sole responsibility of the property owner, whether occupied by the owner or a lessee.

No additional capacity will be approved for accounts with delinquent user fees. Unused capacity will not be made available unless all user fees are paid current. For accounts with user fees delinquent in excess of 90 days the District may proceed with collections as follows:

The District may file a lien on property for the nonpayment of user fees for services provided to the property if the fees are delinquent for more than ninety days. At least thirty days before filing the lien, the District shall provide written notice to the owner of the property and shall include a notice of an opportunity for a hearing before the Board of Directors or their designated officer. The notice of lien shall be personally served on the property owner or mailed by certified mail to the property owner's last known address or to the address to which the most recent property tax assessment was mailed. If the property owner does not reside on the property, the notice shall be mailed by certified mail to the owner's last known address according to the Yavapai County Recorder's records.

Collection Procedures

At each level of collection, additional collection fees will be charged to the property owner's account according to the most current District Resolution.

At each billing cycle delinquent accounts with a past due balance shall be stamped "Past Due" and charged according to the most current Resolution.

Accounts with a past due balance shall be notified as follows:

A 30-day notice shall be mailed to the property owner as listed in the Yavapai County Recorder's records, by certified, return receipt and regular mail. If returned as undeliverable the notice shall be mailed (2nd Lien Notice) to a second address if one is available.

It is the property owner's responsibility to notify the District and the Yavapai County Assessor's Office of address changes.

If communication mailed from the District is returned by the Post Office as undeliverable the District shall attempt to research Yavapai County records for another address. Research fees will apply.

The notice shall include the delinquent amount to be paid, the final date in which payment must be received, an opportunity to request a hearing and the consequences of ignoring or not complying with the notice, which includes a lien on the property and possible disconnection of sewer service.

Collection costs for this notice will be added to the account per the most current Resolution.

If by the Lien Notice deadline date the payment or a written request for a hearing is not received in the District office, the District shall file a lien on the property for the amount due plus penalties and collection costs; the disconnection process begins.

Collection costs for this notice will be added to the account per the most current Resolution.

Disconnection of Sewer Service:

A limited title search shall be ordered from a title company. All interested parties listed on the report, including mortgage companies, shall be mailed by regular mail a copy of the original 30-day notice with an additional 30 days to pay the balance.

The cost for the title search and notifications shall be added to the account per the most current Resolution.

The District will send a notice to the Yavapai County Public Works and Health Departments with a disconnection date.

A notice may be mailed to the homeowner's association or managing company, if applicable, giving notice that the District will be disconnecting sewer service to this property, which may include entering private property.

A District representative, accompanied by security if necessary, may hand deliver a notice to the property location by a letter or door hanger stating the date for disconnection.

The cost for the notifications and delivered notice shall be added to the account per the most current Resolution.

After the notification deadline has passed, the District will order a licensed contractor to locate, excavate and physically plug or install an Elder Valve in the sewer connection to the property.

All fees, penalties and costs for collection and disconnection, along with the estimated cost of reconnection shall be added to the account and shall be paid prior to reconnection.

After full payment to the District has cleared, the contractor will be contacted to schedule a date for reconnection. Actual cost of reconnection shall be applied to the account and a charge or credit will be issued for the balance.

Once delinquent amounts are paid current, a lien release shall be created and recorded. The cost for the filing a Lien Release shall be added to the account per the most current Resolution.

A sale of the property to satisfy a lien assessed pursuant to this section shall be made on a judgment of foreclosure and order of sale. The District may bring an action to foreclose the lien in the Superior Court in the County in which the property is located any time after recording. Failure to foreclose the lien does not affect its validity. The recorded unpaid user fees are prima facie evidence of the truth of all matters recited in the recording and of the regularity of all proceedings before the recording.

Unpaid user fees pursuant to this article accrue interest at the rate pursuant to the Arizona Revised Statutes. .

The District shall add all costs incurred by the District including interest, attorney and administrative fees and costs in filing and enforcing the lien, to the unpaid user fees, and the costs are a liability of the property owner payable from the proceeds of the sale.

Prior assessment of unpaid user fees pursuant to this section does not bar a subsequent assessment pursuant to this section, and any number of liens on the same parcel of property may be enforced in the same action.

Additional capacity requests will not be considered on properties with delinquent user, hookup or capacity fees.

Section 506 - Return Check Charge

The District may charge a return check charge for all checks returned for insufficient funds.

ARTICLE VI
ANNEXATION OF TERRITORY TO THE DISTRICT

Section 601

Requests for annexation will be processed in accordance with State Law. Annexation requests shall be made to the District Clerk and must be approved by the Board of Directors prior to admittance into the District. All expenses incidental to the annexation shall be borne by the property owner and reimbursed to the District. A \$400.00 deposit shall be submitted at the time of application. Reimbursement fees will be deducted from the deposit and the remaining amount will be refunded, or if the costs exceed \$400.00 then the remaining fees must be paid in full prior to approval of the annexation and connection to the District's wastewater system. Annexation into the District is required prior to connection to the District's wastewater system.

A Petition for Annexation may be obtained by contacting the District office.

ARTICLE VII
PROPER USE OF THE SANITARY WASTEWATER SYSTEM

Section 701 - Restricted Uses of the Sanitary Wastewater System

No storm sewer, connection, drain, downspout or arrangement which will permit surface run-off to enter the sanitary wastewater system is allowed.

No swimming pool or spa waters are allowed to discharge into or enter the sanitary wastewater system.

Section 702 - Restricted Discharges

Where necessary in the opinion of the District Staff, any user of the District wastewater system shall provide, at his own expense, such preliminary treatment as may be necessary to reduce objectionable characteristics or constituents to within the maximum limits provided for in this article. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the District Engineer. No construction of such facilities shall be commenced until the District Engineer's approval has been obtained in writing. The completed facilities shall not be placed in service until they have been inspected for conformance to the approved plans and the final construction approved by the District Engineer. The approval of the plans and inspection of construction shall not relieve the owner from complying with discharge limitations set forth in this chapter.

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in the satisfactory and effective operation by the owner at his expense.

No person shall discharge or cause to be discharged to the sanitary wastewater system any substances, materials, waters, or wastes in such quantities or concentrations as will:

1. Create a fire or explosion hazard including, but not limited to, gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas;
2. Cause corrosive damage or hazard to structures, equipment, or personnel of the wastewater facilities, but in no case shall discharges with pH lower than 5.0 be made unless the Operator determines the facilities can accommodate such discharges;
3. Cause obstruction to the flow in sewers, or other interference with the operation of wastewater facilities due to accumulation of solid or viscous materials;
4. Constitute a rate of discharge substantially above normal rates or strengths of discharge of wastewater sufficient to cause interference in the operation of the sanitary wastewater system;
5. Contain heat in amounts which will accelerate the biodegradation of wastes and thereby the formation of hydrogen sulfide in the sewer system or inhibit biological activity in the wastewater treatment facilities, but in no case heat in such quantities that the temperature at the wastewater treatment facilities influent exceeds 40 degrees centigrade (104 degrees F) unless the Operator determines the facilities can accommodate such heat;
6. Contain more than 25 milligrams per liter of non-biodegradable oils of mineral or petroleum origin;
7. Contain more than 100 milligrams per liter of oils, fats, or grease;
8. Contain any noxious or malodorous gas or substance which either singly or by interaction with other wastes, is capable of creating a hazard to life, or preventing human entry into manholes for their maintenance and repair, or causing a public nuisance;
9. Contain any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Operator in compliance with applicable State or Federal regulations;
10. Contain any garbage that has not been properly shredded;
11. Contain any odor or color producing substances exceeding concentration limits, which may be established by the Operator.
12. Result in a treatment plant effluent that cannot meet the requirements of the District's permits as issued by the Department of Environmental Quality;
13. Cause a hazard to human life, be deleterious to waste treatment structures or processes, or create a public nuisance;
14. Contain regulated metals such as silver, lead, mercury, selenium, barium, and arsenic.
15. Contain Federally regulated substances in quantities sufficient to cause increased treatment effort and/or impact sludge classification and disposal costs.
16. Contain Septage (defined as a concentrated substance removed from a wastewater or any other type of holding tank, including but not limited to RV's, septage haulers, and any discharges into a sewer lateral cleanout.)

Interceptors Required:

A property owner, or their designated representative, shall make application for a Grease Trap/Interceptor Permit to the District along with design plans, calculations, specifications and testing methods for review.

The District is not liable in any way for any part of an interceptor or grease trap design, installation, or maintenance.

The applicant shall be responsible for notification of District requirements to all parties affected, including but not limited to the applicant's contractors.

The applicant shall be the designated contact to the District for the entire interceptor/grease trap design and installation.

A District permit and approval by the District Engineer shall be issued prior to the start of the interceptor/grease trap installation. Grease, oil, sand, and grit interceptors or traps shall be provided when, in the opinion of the District, they are necessary for the proper handling of wastes containing grease, or any flammable wastes, sand, grit or other harmful ingredients;

except that such interceptors shall not normally be required for a building used for private living quarters or residential units. Interceptor/grease traps shall be required at all public premises where food is served, such as restaurants, cafeterias, and boarding houses as well as laundry facilities, service stations, auto repair shops, car washes or any other facilities that have the potential to discharge high levels of grease, oils or solids into the districts wastewater system. All interceptors shall be of a type and capacity approved by the District, and shall be so located as to be readily and easily accessible for cleaning and inspection. A food preparation or food handling facility with a seating capacity of up to one hundred persons shall install a grease interceptor with a minimum one thousand gallon holding capacity. Owners of facilities requiring larger interceptors or traps shall contact the District to determine the appropriate size required. All Interceptors shall provide a four-inch clean-out on the effluent side of the grease trap or grease interceptor or kitchen wastewater discharge line for sampling purposes. The owners or operators of those facilities needing to install such a device shall contact the District. All grease, oil, grit, and sand interceptors shall be maintained in a continuously maximal operational condition in accordance with the manufacturer's instructions, at the user's expense. The user shall produce records of maintenance and/or cleaning upon request.

Businesses or private citizens utilizing chemicals containing regulated metals or substances in their process or hobbies shall install appropriate interceptors designed to prevent any discharge of the regulated metals or substances to the District sewer system.

Section 702.1 – Permit Limitations for Wastewater Discharge

Wastewater discharge from Grease traps or grease interceptors shall not exceed one hundred milligrams per liter (100 mg/L) for total suspended solids (TSS), one hundred milligrams per liter (100 mg/L) for biochemical oxygen demand (BOD) and one hundred milligrams per liter (100 mg/L) for oil and grease.

Section 702.2 - Monitoring Requirements

The District wastewater inspector may sample wastewater discharge from a grease trap grease interceptor when noncompliance with this article is suspected. If the analytical testing indicates a violation of the TSS and BOD limitation, the food preparation or food handling or grease receiving or grease treatment facilities owner shall be responsible for the cost of analytical testing and subject to payment of surcharge and fines as specified herein.

Where violations of discharge permit limitations have occurred, the frequency for additional sampling and testing shall be determined by the District Board of wastewater management.

Grease receiving or grease treatment facilities:

1. There shall be no discharge of floating solids or visible foam in other than Trace amounts from grease receiving or treatment facilities.
2. Samples taken in compliance with the monitoring requirements specified in this section shall be taken at the discharge point from the final treatment unit.

Section 702.3 - Reporting Requirements

All permitted food preparation or food handling facilities and grease receiving or grease treatment facilities shall submit copies of analytical tests if required as a result of current or previous discharge permit violations for wastewater discharge.

It shall be the responsibility of the owner of any food preparation or food handling facility to maintain a manifest of the grease trap maintenance performed and have available to the District at the time of a wastewater inspection. Failure to submit a waste manifest at time of wastewater inspection is a violation of this article.

A completed grease trap or grease interceptor waste manifest shall include the following information:

1. Name and address of person, company or other legal entity pumping and transporting grease trap or grease interceptor waste.
2. Number of gallons pumped from grease trap or grease interceptor.
3. Holding capacity of pumper truck.
4. Name and address of person, company or other legal entity receiving grease trap or grease interceptor waste.
5. Dates showing when grease trap or grease interceptor was pumped and delivered to final disposal site.
6. Waste manifest number.
7. The signatures of the owner or agent of the food preparation or food handling facility, owner or agent of pumper and the person receiving the waste shall be placed on the manifest.

Failure to provide this information to the District Engineer or his representative at the time of inspection is a violation of this Ordinance and Owner shall be subject to the penalties described in section 705 or any other sections of the Ordinance as appropriate.

Section 702.4 - Surcharge for Excessive Strength Discharge

Food preparation or food handling facilities and grease receiving or grease treatment facilities that discharge excessive strength BOD and SS shall be charged a surcharge of two hundred fifty dollars per a day until such time that the strength of discharge is no longer determined to be excessive, in addition to the penalty provided in Section 209 of this Ordinance.

Section 703 - Damage to the Wastewater System

Any person who causes damage to the District's wastewater system shall be liable to the District for all costs incurred to identify the cause and correct the damage. The definition of damage may include but is not limited to repairs, additions, spillage of sewerage, and illegal discharges. Failure to notify the District, or correct the damage, or reimburse the District for the costs incurred shall be considered in violation of this Ordinance.

Section 703.1 - Discharges to be reported: Accidental / Discharges: Tests and analyses

Every user of the District wastewater system shall immediately report to the District any accident, negligent act or other occurrence that occasions a discharge to the District wastewater system of any wastes or process waters that exceed the permissible limits for such wastes established by the District. All tests and analyses of the characteristics of waters and wastes shall be determined in accordance with the ADEQ Standards.

Section 703.2 - Remedies

In addition to any criminal fine which may be imposed for violation of any provision of this section, the user shall be liable for all charges which may be assessed by the District on any user of the District wastewater system who discharges wastes containing impermissible quantities of prohibited substances into the District wastewater system. The District will assess charges based on the costs incurred by the District in surveillance, sampling and testing of the discharges, for additional operating and maintenance expenses, or for any other action required to identify, handle, process or supplement normal activities due to the unauthorized discharge of wastes.

If the discharge is a threat to the public health, safety or welfare, the District may initiate an enforcement action without giving notice.

Upon notice of the final determination by the District of an assessment or order to correct an unauthorized discharge, the responsible party shall tender the amount assessed within ten days of the date ordered and discontinue the unauthorized discharge as ordered by the District. In the event the unauthorized discharge is not corrected or the assessment is not tendered, continued operation resulting in a discharge is unlawful, and the discharge will be a public nuisance which may be adapted by order of a court of competent jurisdiction. This remedy shall be in addition to any other remedy.

Section 704 - Federal Standards

In the event that the Federal government promulgates rules or regulations applicable to the District specifying the quantities or concentrations of substances or pollutants which may be discharged by a user, that Federal regulation shall supersede the affected portions of Section 702 above.

Section 705 – Grease Trap Inspections

Interceptor/grease traps shall be required at all public premises where food is served, such as restaurants, cafeterias, and boarding houses as well as laundry facilities, service stations, auto repair shops, car washes or any other facilities that have the potential to discharge high levels of grease, oils or solids into the districts wastewater system. All interceptors/grease traps shall be of a type and capacity approved by the District, and shall be so located as to be readily and easily accessible for cleaning and inspection. All interceptor/grease traps shall be maintained, at the owner's expense, in a continuously maximal operational condition in accordance with the manufacturer's instructions or at a minimum of every three months (whichever is less). The user shall maintain records of maintenance and/or cleaning on standard log forms provided by the District and stored on the premises for inspection upon request by the District.

The District reserves the right to inspect interceptor/grease traps at any time. If the interceptor/grease trap is found to be in a condition not considered in continuously maximal operational condition the owner shall make all necessary repairs within 10 days and contact the District for a reinspection to assure the repair has been made.

If the District determines it necessary, the maintenance/cleaning schedule may be adjusted based on amounts of grease and solids found at time of inspection.

Any person who continues to violate the provisions of this Ordinance beyond the time limit provided for above may be charged a penalty. The penalty shall be up to \$500.00 for each day the violation continues. The District may disconnect the property's service connection from its system and assess re-connection fees of \$500.00 plus District costs upon re-establishment of service. The property owner will be responsible for replacement and/or repair of landscaping disturbed during line excavation. The District may also initiate a court action to recover costs and attorney's fees. Re-connection shall not be allowed until all violations have been rectified.

ARTICLE VIII
DISCHARGE OF INDUSTRIAL WASTES

Section 801 - Information Requirements

The Administrator, Operator, or District Engineer may require industrial users to provide information needed to determine compliance with this Ordinance.

These requirements may include:

1. Wastewater discharge peak daily flow;
2. Representative chemical analyses of wastewater;
3. Information on raw materials, processes, and products affecting wastewater volume and quality;
4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;
5. A plan of sewers on the user's property showing sewer and pretreatment facility location.
6. Details of wastewater pretreatment facilities.
7. Details of facilities operated or planned to prevent or control the losses of materials through spills to the sanitary waste water system.

Section 802 - Provision for Monitoring; Access to Records

When required by the Administrator, Operator, or District Engineer, the owner of any property serviced by a building sewer carrying industrial wastes shall provide suitable access and such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastewater. Such access shall be in a readily and safely accessible location and shall be provided in accordance with plans approved by the Administrator. The access shall be provided and maintained at the owner's expense so as to be safe and accessible at all times.

The owner shall maintain records of the quantity and type of industrial waste released to the sewer system.

ARTICLE IX
SEVERABILITY

Section 901

If any provision of this Ordinance is finally adjudicated invalid, the remaining provisions of this Ordinance shall not be affected thereby.

ARTICLE X
Capacity

Section 1001 - Ordinance Table A Definition

The Ordinance Table A is a list of commonly known user classes. Each user class has an assigned ERU. The ERU includes strength and flow that are typically based on an industry-wide average and/or actual water flow figures with strengths added. The ERUs listed for each user class in Ordinance Table A shall be utilized in calculating average and maximum daily flows. An ERU for average daily flow equals 150 gallons per day plus strength.

Section 1002 - Ordinance Table A Formula

Formula to determine ERU

Annual Water Consumption divided by 360 days = Daily Use

Daily Use divided by unit for charge = Daily Use per Unit

Daily Use per Unit divided by 150 = Flow

Flow x strength = ERU

An ERU for Daily Flow = 150 gallons per day plus strength

Section 1003 - Modifications to the Table A for Commercial User Classes

Modifications may be heard by the Board of Directors at a public hearing annually, or at other times deemed necessary by the Board of Directors. If a commercial user class property owner requests and receives Board approval for a special hearing, other than a hearing called specifically by the Board of Directors, they may be required to reimburse the District for expenses incurred resulting from the request for hearing, regardless of the results. Such expenses may include, but are not limited to, attorney fees, administration costs, publishing, posting, and printing. An estimate of the anticipated expenses may be provided to the property owner upon request. It is the sole responsibility of the property owner to reimburse the District within 30 days of invoice.

Modifications may be considered on a single commercial user class basis, upon written request by the property owner or a Board member. The property owner shall contact the Water Company and request a record of their water usage be submitted to the District office. The strength will be applied to a minimum of 12 consecutive months of active business water flow records, obtained from the local Water Company within the District, to determine the ERU. For user classes with two or more customers currently in operation on the system, research results may be combined for the ERU modification consideration. To be considered the modification should be 10% or more above or below the adopted ERU.

Big Park Domestic Wastewater Improvement District
Ordinance Table A

	<u>User Class</u>	<u>Unit for Charge</u>	<u>Strength</u>	
			<u>Factor</u>	<u>ERU</u>
1	Animal Centers/Kennels/Grooming	per employee	1.00	0.17
2	Auto Assembly/Body Shop	per connection	1.08	1.08
3	Auto/Boat Sales/Service	per connection	0.96	0.96
4	Barber Shops (w/o sinks-minimum chrg)	per connection	1.00	0.67
5	Bars w/o Food Service	per connection	1.05	2.80
6	Bars with Food Service	per connection	1.49	7.44
7	Beauty Salons / Nail Salons	per connection	1.00	1.50
8	Business Offices	per person/employee	1.00	0.21
9	Car Washes - with recycle	per bay	0.64	2.12
10	Car Washes - without recycle	per bay	1.00	16.67
11	Church or Lodges w/o kitchens	per connection	1.00	2.17
12	Church or Lodges with kitchens	per connection	1.34	2.90
13	Dry Cleaners	per connection	1.00	1.66
14	Entertainment - Bowling Alleys	per connection	1.00	3.33
15				
16	Entertainment - Theaters	per theater	1.00	3.33
17	Entertainment - Amusements	per connection	1.00	2.33
18	Food Stores w/o grinder	per connection	1.00	3.50
19	Food Stores-Convenience	per connection	1.00	1.50
20	Food Stores-over 5000 sf w/Grinder	per connection	2.65	49.61
21	Food Stores-under 5000 sf w/Grinder	per connection	2.65	22.08
22				
23	Health Facility/Spa/Club w/o showers	per connection	1.00	6.67
23a	Health Facility/Spa/Club add Shower	per fixture	1.00	0.20
24	Heating/Plumbing/Welding Shops	per connection	0.96	0.96
25	Hospitals	per bed	1.00	0.83
26	Hotels / Motels / B&B	per bedroom	1.29	0.86
26A	Hotel/Motel room with Kitchenette	per room	1.29	1.00
	Hotels/Motels w/restaurant, Laundry, etc.	Add by user class		
27	Laundromats	per machine	0.81	2.17
28	Laundry - Commercial	per machine	1.49	5.45
29	Library/Museums	per connection	1.00	2.67
30	Lumber/Hardware/Home Improvement	per connection	0.96	0.96
31	Machine Shops	per connection	1.08	1.08
32	Manufacturing/Assembly	per connection	1.40	7.00
33	Medical/Dental Office	per Dr./Dentist	1.00	1.50
34	Mortuary/Cemetery	per connection	2.65	7.95
35	Nursing/Convalescent Homes	per bed	1.00	1.33
36	Parks & Open Spaces	per fixture	1.00	0.80
37	Photo/Photo Finishing	per connection	1.09	3.26
38	Photocopy/Print Shops	per connection	1.10	2.56
39	Pools	per pool	0.73	2.34
39A	Separate Spas	gpd capacity	0.73	sum
40	Public Assembly Facilities	per connection	1.00	10.83
41	Public Building (Firehouse, Post Ofc)	per connection	1.00	3.33
42	Public Restrooms-Per Toilet/Sink	per toilet/fixture	1.14	1.71
43	Residential - Condominium	per residential unit	1.00	1.00
44	Residential - Mobile Home	per residential unit	1.00	1.00

45	Residential - Multi Family	per residential unit	1.00	1.00
46	Residential - Single Family (3 bdrm)	per connection	1.00	1.00
47	Residential - Single Family (4+ bdrm)	per connection	1.00	1.25
48	Restaurant	per seat	2.65	0.20
49	Restaurant/Addition with Patio Seats	per seat	2.65	0.20
50	Restaurants - Fast Food - prior to 9/2019	per meal	2.65	0.08
50A	Restaurants - Fast Food/Deli - after 9/2019	per employee	2.65	1.50
51	Retail Bakery	per connection	2.45	16.33
52	Retail Nursery/Gardener Shops	per connection	0.96	0.96
53				
54	Retail Stores (General)	per employee	0.86	1.29
55	Retail Stores-Shopping Centers	per unit	0.86	1.29
56	Schools - w/o kitchen & gym	per student	1.00	0.10
57	Schools - with gym facilities only	per student	1.00	0.13
58	Schools with Kitchen & Gym Facilities	per student	1.24	0.17
59	Schools with Kitchen Facilities Only	per student	1.29	0.18
60	Service Station - Gas Only	per pump	1.00	0.50
60a	Service Station - Automotive Repair	per pump	1.00	1.00
61	Service Stations with RV Disposal	per connection	1.16	3.88
62	Timeshare Lockout w/Kitchen & Laundry	per unit	1.29	1.00
62A	Timeshare Lockout w/o Kitchen & Laundry	per unit	1.29	0.86
63	Warehousing	per connection	1.00	1.50
64	Washing Machine - Additional	per connection	1.00	0.50
65	Individual Shower (non-residential)	per fixture	1.00	0.20
66	Yoga / Dance Studio	per employee	1.00	1.50