

RESOLUTION 2020-05-22 draft changes

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PINWOOD SANITARY DISTRICT OF COCONINO COUNTY, ARIZONA, PROVIDING FOR THE ADOPTION OF UPDATED AND REVISED RULES & REGULATIONS FOR THE OPERATION OF THE DISTRICT'S SEWAGE COLLECTION, TREATMENT AND DISPOSAL SYSTEM

WHEREAS, under A.R.S. § 48-2011, the Pinewood Sanitary District (District) of Coconino County, Arizona has the power and authority to promulgate Rules and Regulations relating to the operation of its sewage collection, treatment and disposal system.

WHEREAS, in accordance with A.R.S. § 48-2027(H), a public hearing was held on June 02, 2018, at which time all interested persons had the opportunity to appear and be heard on any matter relating to the amount of the fees or the method of determining the fees.

WHEREAS, the District deems it desirable from time to time to update and revise such Rules and Regulations.

WHEREAS, such Rules and Regulations are in conformity with all applicable Federal, State and County laws and regulations applicable thereto;

NOW, THEREFORE, BE IT RESOLVED that the District adopts the following revised Rules and Regulations governing the operation of its sewage collection, treatment and disposal system, said Rules and Regulations hereinafter to be known as the PSD Sanitary Code: (Revision 2018-06-14)

ARTICLE I

DEFINITIONS

The following definitions shall apply unless expressly defined otherwise.

1. "ADJACENT" A parcel of property shall be deemed adjacent to a sanitary sewer line when any portion of the easement or public way containing the sanitary sewer is coterminous with the parcel or any extension of the parcel created by an easement for utilities or a roadway easement.
2. "APPLICABLE FEES" Those fees which according to this Resolution must be paid as a condition for the issuance of any permit, license, permission, approval, or the conduct of any inspection, plan review or other activity by the District, all set forth in this PSD Sanitary Code.

3. "B.O.D" Denoting biochemical oxygen demand. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at twenty (20) degrees Celsius, expressed in parts per million (P.P.M.).
4. "BOARD" The Board of Directors of the Pinewood Sanitary District.
5. "CONNECTION FEE" The initial sewer connection charge as set forth herein shall apply to all sewer connections to the public sewer after effective date of "Resolution94-9"except as modified by this Resolution, except for those parcels assessed for sewer construction as part of an Improvement District or Special Assessment District.
6. "CAPACITY FEE" A fee based on the cost of developing the sewage, treatment and effluent disposal facilities required to treat the flow of sewage which enters the sewage system from a particular sewer connection.
7. "CONSTRUCTION FEE" A fee based on final construction costs divided by the number of residential and/or commercial properties being served or to be served (also referred to as debt service fee).
8. "DISTRICT" The Pinewood Sanitary District.
9. "EXCESSIVE FLOWS" A flow rate of wastewater in a sanitary sewer which
  1. Exceeds the flow rate of 160 gallons per residential unit per day when coming from a residential development, subdivision, parcel, or lot OR
  2. Exceeds the estimate of the normal flow rate made by the Sanitary District for a particular type of nonresidential connection.
- 10."FLOW" Liquids and suspended solids of all types which are found in the sewer.
- 11."FLOW RATE" The total volume of flow which would accumulate in 24 hours. Flow rate shall be expressed in gallons per day.
- 12."GARBAGE" Solid wastes from the preparation, cooking and dispensing of food and the handling, storage, and sale of produce.
- 13."INDUSTRIAL WASTES" All wastewaters of the community excluding sanitary sewage and uncontaminated water.
- 14."MAY" Permissive.
- 15."pH" The common logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

16."PERMIT" Any written authorization required pursuant to this or any other regulations of the District for the installation of any sewage works or connection of any sewage works to those of the District.

17."PRIVATE SEWER" A sewer, generally on private land, connecting a sewage source to the public sewer.

18."PROPERLY SHREDED GARBAGE" Garbage that has been shredded to a degree that all articles will be carried freely under the flow conditions prevailing in the District's sewers.

19."PUBLIC SEWER" A sewer controlled by Public Authority.

20. "SANITARY SEWER" A sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

21. "SEWAGE" or "SANITARY SEWAGE" Any and all waste substances, liquids, or solids associated with human habitation, excluding storm, surface, ground waters, and industrial waste.

22. "SEWAGE TREATMENT PLANT" Any arrangement of devices and structures used for treating sewage.

23. "SEWER" A pipe or conduit for carrying sewage.

24. "SEWER WORKS" All facilities for collecting, pumping, treating, and disposing of sewage.

25. "SHALL" Mandatory.

26. "STORM SEWER" or "STORM DRAIN" A sewer which carries storm and surface waters and drainage but excludes sewage or industrial wastes.

27. "SUSPENDED SOLIDS" Solids that either float on the surface or are suspended in water, sewage, or other liquids and which are removable by laboratory filtering.

28. "USER" The person or entity legally responsible for payment of sewer fees.

29. "USER FEE" Fees which are proportional shares of the cost of the operation, maintenance, and replacement of the wastewater collection, treatment, and effluent disposal system.

30. "WATER COURSE" A channel in which a flow of water occurs either continuously or intermittently.

31. "WATER INFRASTRUCTURE FINANCE AUTHORITY" WIFA

## ARTICLE II

### DISTRICT ADMINISTRATION

#### SECTION 1. DUTIES OF SANITARY DISTRICT BOARD

It shall be the duty of the Board to plan, control, and oversee all matters pertaining to the Sewage Collection, Treatment, and Disposal System of the District in conformity with all applicable Federal, State, County, and local laws and regulations applicable thereto. The Board shall have general oversight responsibility for the District's Sewer System, all real and personal property connected therewith and employees thereof.

#### SECTION 2. AMENDMENTS TO THE CODE

This Code may be amended at any time by a resolution duly adopted by the Board of Directors of the District, provided that notice of the same is duly given, as may be required by law.

#### SECTION 3. FINANCIAL ASSISTANCE

Before the time, any fee, levied, or assessment, is due, the Board shall receive and consider applications from individual lot or parcel owners for financial assistance in paying connection fees, hookup fees and capacity charges. The application shall be in a form approved by the Board, and the applicant shall provide reasonable evidence that the applicant lacks the financial capacity to pay the connection fees, hookup fees and capacity charges. The Board shall appropriate monies from any source to provide assistance for any person by having the Sanitary District pay the individual fees and have the applicant provide an instrument, secured by the encumbrance on the applicant's property, which provides for repayment to the District of the monies paid by the District. This section applies only to applicants who own fewer than three (3) parcels or lots within the District.

#### SECTION 4. SERVICE BY CONTRACT

The District may provide sewer service to improvements located outside the District boundaries. In such cases, the owner of the property or the improvements shall enter into a contract with the District for the provisions of such service. The contract shall set forth the conditions of service and further shall incorporate these regulations as the same may apply.

#### SECTION 5. ENFORCEMENT

The District hereby authorizes its attorneys, agents, and employees to take all lawful steps as are necessary to enforce these Rules and Regulations. Any person, firm, or corporation violating any provision of these regulations shall become liable to the District for any expense, loss, or damages incurred by the District by reason of such violation, including bringing an action for injunction or any other civil action against any person who violates these rules.

#### SECTION 6. SEVERABILITY

If any section, paragraph, subdivision, sentence, clauses, or phrase of these Rules and Regulations are found to be unenforceable or invalid, it shall not affect the validity of the remaining portions of these Rules and Regulations. The Board of Directors of the Pinewood Sanitary District hereby declare that the District would have adopted these Rules and Regulations, each and every section, paragraph, subdivision, sentence, clause, or phrase thereof, irrespective of the fact that any one (1) or more sections, paragraphs, subdivisions, sentences, clauses, or phrases of these rules or regulations may be held illegal, invalid, or unenforceable.

### ARTICLE III

#### ANNEXATION

##### SECTION 1. Application.

Private property not currently within the Pinewood Sanitary District boundary that meets the adjacency requirements of the state statutes may apply to the Board of Directors for annexation into the District. The written application must identify the legal description of the property and state the intended use of the property so annexed. The following provisions apply to annexed property.

##### SECTION 2. Cost.

- A. All costs associated with the sewerage of annexed property, as so determined by the District, shall be borne by the owner of the property annexed or to be annexed, including, without limitation, historical, current and future costs to provide sewers to the area, costs for access and connections to the property, cost of related improvements, actual and imputed interest, and all other costs.
- B. All such costs associated with the sewerage of annexed properties shall be recovered from the owner of such properties annexed, or to be annexed before or at the time that connection of the property to the system is first available and the District is able to accept sewage from the property (whether or not connection of the property has been completed or flow has commenced.). No connection shall be

made unless and until the owner have paid such costs or have elected to participate in paying costs over time pursuant to section 2 below if WIFA funding is available, and the owner have complied with all other requirements of the District and the owner have no outstanding balance with the District.

1. The owner of property annexed or to be annexed may elect to prepay projected cost before or at annexation or at such other times, determined in the District's discretion. Such amounts are subject to adjustment at the discretion of the District based on actual costs incurred or expected to be incurred.
2. To the extent that WIFA loan funds are available and are used to pay such costs, and owners of property annexed or to be annexed elect to participate before or at annexation, when construction is not completed, or at such other times determined in the District's discretion, the cost plus interest shall be repaid over a period of fifteen (15) years of the remaining life of the loan at the time connection is first available and the District is able to accept sewage, whichever is shorter. For such owners, interests shall occur at the manner and at the rates and shall commence at the time of the WIFA loan.
3. The owners of property annexed or to be annexed who have not prepaid costs or timely elect to participate in the WIFA loan funds for payment over time (section Two [2], above) when annexation is initially available, shall prepay all costs associated with the sewerage of their properties before or at annexation, or at such other times determined in the District's discretion. Alternatively, to the extent that funds are available under the WIFA loan and the loan has not expired, the owner may make a "catch up" payment before or at annexation representing the cost plus interest not paid from January 1st, 2014 to the date of annexation as determined by the District, and therefore shall pay the balance of the costs plus interest over time, as indicated in section 2, above.
4. Do the extent that costs associated with sewerage property annexed or to be annexed have been paid with District or other funds and not with the WIFA loan funds, owners of property annexed or to be annexed, shall pay such costs in the same manner, at the same times, and with the same interest rates, as noted in sections One (1) through Three (3) above.

C. Matters to be determined by the District or in the District's discretion shall be determined by the Board in its sole discretion.

D. Any owner who wishes to dispute any portion of the costs or interest related to his, her or its property shall first present to the District a comprehensive detail and complete statement of each item of cost, interest or other issue disputed, and each basis and reason for each such dispute for review and determination by the Board.

### SECTION 3. APPROVALS OF PLANS

All sewer connection system plans for annexed properties are subject to the approval of the District, including main lines and laterals, before construction of the system begins.

### SECTION 4. COLLECTION SYSTEM OWNERSHIP

All annexed areas connecting to the Pinewood sanitary system must dedicate the system installed in those areas to the District free of any cost. Appropriate easement access must also be provided for maintenance and repair to the system. The District shall perform all operation and maintenance of all mainlines after acceptance of the dedicated system.

## ARTICLE IV

### CONNECTION REQUIREMENTS

#### SECTION 1. COMPULSORY CONNECTIONS

All buildings within the District inhabited or used by human beings must be connected with the sewage system of the District.

#### SECTION 2. DECLARATION OF PUBLIC NUISANCE

Except as provided for in this article, the construction, maintenance or use of cesspools, septic tanks, privy, privy vaults, or facilities intended or used for sewage disposal is hereby declared a public nuisance. The District may abate such nuisances.

#### SECTION 3. SEPTIC TANKS USE AND DISCONTINUANCE OF USE

- A. Notwithstanding section one (1) of this Article, when a public sanitary sewer is not available within the District or in any area outside the jurisdiction of the District, a building sewer shall be connected to a private sewage disposal system which complies with the regulation of the Arizona Department of Environmental Quality (ADEQ), Department of Health Services (DHS), and Coconino County. Such private sewage disposal systems shall be constructed, maintained and operated at all times in accordance with regulatory requirements.
- B. Once any of the conditions set forth above do not apply, a direct connection shall be made to the public sewer in accordance with the provisions of this Code. Any septic tanks, cesspools or similar private sewage facilities shall be abandoned and filled with suitable material within ninety (90) days, as prescribed by the Uniform Plumbing Code and approved by the Proper Authority.

#### SECTION 4. BUILDING PERMITS AND PLANS AND SPECIFICATIONS

All property owners within the District who desire to construct any improvements that will connect to the District's sewer system must first submit plans and specifications for said improvements to the District for approval and pay all applicable fees to the District to obtain a District permit prior to applying for a building permit with Coconino County.

## ARTICLE V

### DISTRICT PERMIT REQUIREMENTS AND PROCEDURE

#### SECTION 1. APPLICATION

All persons required to or desiring to connect to the improvements located upon real property within the District may do so by making application in the name of the owner of the real property to the District upon such form as provided by the District, and upon payment of all applicable fees. No connection shall be made to the District sewer system without a permit to make such connection having been first issued by the District.

#### SECTION 2. PERMIT GENERAL CONDITIONS

All permits for connections to the sewer shall be subject to the following general conditions.

1. Adequacy of Design: The responsibility for the adequacy of the design or the materials used shall rest solely with the owner, and the issuance of a permit shall not relieve the owner of that responsibility. The issuance of a permit shall not be construed as approval of the concept or construction details of the proposed facilities and shall not absolve the owner, or design engineer, of any of their respective responsibilities.
2. Joint Construction and Operation Permits: Unless otherwise stated by special conditions, the issuance of a permit requires that the owner comply with all general, standard and special conditions of the District.
3. Allowable Discharges: Discharges into the sanitary sewer system constructed under the permit shall consist of sanitary sewage only. There shall be no discharge of industrial waste or septic waste in any form under the permit. Storm waters shall not be permitted to enter the sanitary sewer system.
4. Construction Inspection: All sewer materials and construction shall be inspected and approved by the District. No sewer trenches shall be backfilled except as authorized by the District after having been inspected and approved and the sewer installed.

The District shall inspect all construction of sewer systems in annexed areas before covering main lines and laterals. After connection to the PSD sewer system, all lines are



subject to inspection at any time. If inspections are not called in and completed by PSD prior to use, the installed sewer system can be rejected and shut down.

It shall be unlawful for any person or private contractor to connect a private sewer line or lines to any portion of the District sewer system. Licensed contractors will perform all connections to PSD's mainline with PSD's inspector onsite with District authorized, approved, and inspected lateral lines from the dwelling. All lines from the dwelling to the easement line shall be in accordance with the latest addition of the Uniform Plumbing Code and District specifications. Lines shall not be backfilled until inspected, tested and approved by the District, its agents or designees. All applicable fees shall have been submitted with building plans for approval and request for permit.

All sewer installations within the District boundaries shall be inspected in their entirety for approval and acceptance before being backfilled. Permit number and address must be given when calling for inspections. Ten (10) business days notice is required for inspections. For inspections, call 928-286-9166.

5. Maintenance: The sewer connections, private sewer lines, systems or facilities shall be properly maintained and operated at all times in accordance with all applicable requirements. It is understood that the responsibility for maintenance shall run as an obligation against the property served, as well as the owner or the operator of the facilities, and said responsibility shall not be discharged nor in any way affected by change of ownership of said property.

6. Third parties: The permit does not grant the right or authority to the owner; (a) to construct or encroach upon any land of the District or of any other parties, (b) to construct outside of the territorial boundaries of the District, or (c) to construct or encroach upon the territorial boundaries of any units of local government within the District.

7. Costs: The facilities for which the permit is issued shall be constructed, operated and maintained by the permittee at no cost to the District, unless a Deed of Sewer, along with all necessary easements, be deeded to and accepted by the District.

8. Other construction: The District reserves the right to privilege and authority to, in the District's discretion, allow others to reconstruct, change, alter and replace all sewers and appurtenances thereto at the point of connection of any private sewer to a District sewer or in public rights-of-way or District easements, and to introduce additional sewage flow through this construction into the sewers of the District.

9. Change of use: The permit shall be incorporated into the building and occupancy permit for the building or buildings served under this permit. The owner or occupant of any building served under the permit shall not cause, or permit, a change of use of the building

to a use other than that indicated in the permit without first having obtained written permission from the District.

10. Sewer overloading: The District serves notice that its sewers may flow full and may surcharge the system, causing flooding of current or proposed individual systems. The District advises that the owner assumes sole risk of such flooding. The District requirement for a check valve in the laterals will help prevent such flooding. (See Article VI)

11. Non-transferability: The permit runs with the land and may not be assigned or transferred.

12. Expiration: The permit shall expire on the date shown on the face of the permit. Construction under an expired permit is deemed construction without a permit. All construction under the permit shall be completed on or before the expiration date of the permit. If conditions so warrant, the proper District authorities may grant a new permit. There shall be no refunds of any permit fees.

13. Revocation: In issuing a permit, the District is entitled to rely upon the statements and representations made by the owner or their agent. Any incorrect statements or representations shall be cause for revocation of the permit, and all rights of the owner here under shall immediately become null and void.

14. Compliance with plans and specifications: All construction shall be in accordance with the plans and specifications, if any, submitted for the permit, the general specifications of the District and the Uniform Plumbing Code. No changes in, or deviation from the plans and specifications which affect capacity, maintenance, design requirements, service area, or permit requirements shall be permitted, unless revised plans shall have been submitted to and approved by the District. The permit, together with a set of the plans and specifications, (revised plans and specifications, if any), shall be kept on the job site at all times during construction until final inspection and approval by the District.

15. Testing and approval: All construction under the permit shall be inspected, tested and approved by the District. Upon satisfactory completion of construction, the owner shall submit, or cause to be submitted, a request for approval on the form prescribed by the District. No sewer or other facilities shall be put in service until all the conditions of the permit have been satisfactorily met.

16. Compliance with Rules and Regulations: The owner is responsible for meeting the requirements of all applicable rules, regulations, ordinances, and laws of local, state and federal authorities. Issuance of the permit shall not constitute a waiver of any applicable requirements.

17. Rights Upon Expiration or Termination: The owner agrees that immediately upon receipt of written notice of termination of the permit for any reason, it will stop all operations, discontinue any discharges, and disconnect the sewer system or facility constructed under the permit. If the owner fails to do so, the District shall have the right to disconnect said system. The owner hereby agrees to pay for any costs incurred by the District for said disconnections. The various rights and remedies of the District contained in the permit shall be construed as cumulative, and no one of them shall be construed as exclusive of any one or more of the others, or exclusive of any other rights or remedies allowed by applicable rules, regulations, ordinances and laws. Any election by the District to enforce any one or more of its rights of the District to pursue any other rights or remedies provided shall not be construed as a waiver of the rights of the District to pursue any other rights or remedies provided under the terms and provisions of this permit or under any applicable rules.

18. Required "As Built" Plans: All parties receiving a permit for connection of sewage facilities to the Pinewood Sanitary District shall provide to the District upon completion of the installations of the sewer system installed by such parties, a copy of reproducible "as built" plans and specifications for the sewer system installed in accordance with the Plans and Specifications submitted at the time of application for the permit.

19. Required County Building Permit: All parties shall have a valid current 'Permit of Occupancy' issued by Coconino County prior to making the physical connection to the sewer.

20. Property transfer: Unless the District has conducted an inspection within the prior six (6) months, when property is transferred, an inspection of the lateral shall be made to ensure the integrity of the lateral from the dwelling to the easement line. This must be inspected by the District and shall ascertain:

1. That there are no leaks in the lateral.
2. That there is a check valve in the line.
3. That there is a Clean Out.
  - a. At the easement line.
  - b. At any ninety degree (90°) turn.
  - c. At two to ten (2 to 10) feet of the dwelling.
  - d. Every fifty (50) feet.

Any deficiency in the above items will require correction prior to inspection approval.

## ARTICLE VI

### SEWER CONNECTION TECHNICAL REQUIREMENTS

#### SECTION 1. PRIOR TO STARTING WORK

Any person desiring to make a sewer installation must first fill out an application for a permit before starting work. (See Article V). The permit must be posted in a conspicuous place near the installation. All work two (2) feet beyond the exit from the building or the structure shall be the building sewer and shall be inspected by the Sanitary District in its entirety.

#### SECTION 2. PIPE AND FITTINGS

All building sewers and buildings shall be an approved type with material meeting the Uniform Plumbing Code minimum requirements, including but not limited to.

1. Four (4) inch plastic PVC or ABS sewer pipe (ASTM D-3034) with PVC or ABS glue respectively used on couplings. Cleanouts must be standard four (4) inch with screw in plugs.
2. PVC or ABS (ASTM D-2661) or their equivalent in the corresponding tap size, must be run from the tap on the main line to the property line before change in size or type of pipe.
3. Cast iron on slopes.

#### SECTION 3. CLEANOUTS

All building connection to the sewer shall be provided with a cleanout at:

1. Each connection must have a cleanout not less than two (2) feet or more than ten (10) feet from the building.
2. Intervals not to exceed fifty (50) feet as measured along the center line of pipe.
3. All ninety degree (90°) turns. Note: when a cleanout is to be located under any permanent paved surface, it shall be brought to finished grade and provided with a brass cap cleanout.
4. At the easement line.

#### SECTION 4. BUILDING DRAIN CONNECTIONS

Where a sewer line is connected to the building drain or wherever there is a change in joint material, the following types of connections are approved:

1. Ceramic, Weld coupling.
2. The use of rubber reducers with stainless steel bands are acceptable adapters for change in pipe sizes or types.

#### SECTION 5. SEWER GRADE

All building sewers shall be laid to a grade of not less than one-fourth (1/4) inch per foot. All pipes shall be laid without a brake, upgrade from the sewer lateral with socket ends of pipe upgrade. Pipe shall be laid with uniform bearing under full length of the barrel of the pipe.

#### SECTION 6. SEWER DEPTH

The slope of the property shall govern the depth of the building sewer at the property line. In case there is less than four (4) feet of cover at the easement. District approval must be obtained prior to covering.

#### SECTION 7. INSTALLATION

Sewer lines may not be laid in the same trench as any other utility lines.

#### SECTION 8. CHECK VALVES (BACKFLOW VALVES)

Check valves shall have cast iron, plastic or brass bodies, non-corrosive bearings, seats, and self-aligning discs and shall be constructed as to ensure a positive mechanical seal and to remain closed, except when discharging waste. Such valves shall sufficiently open during periods of low flows to avoid screening of solids and shall not restrict capacities or cause excessive turbulence during peak flows. Valve access covers shall be equipped with a gasket and each valve shall bear the manufacturer's name cast into body and cover. Check valves shall be installed no more than ten (10) feet from any structure whenever possible.

#### SECTION 9. TAPS

The Sanitary District will install all taps onto the sewer mains. A connection fee will be charged. If a street cut is necessary to install the tap, the District will get the permit from the County. The Sanitary District will provide the saddle, epoxy and labor for installation.

#### SECTION 10. DEVIATIONS

Any deviation from these specifications will require the express prior approval of the District.

#### SECTION 11. WATER OTHER THAN SEWAGE PROHIBITED

No person shall discharge or cause to be discharged any storm water, service water, groundwater, roof runoff, or sub-surface drainage cooling water, water used for air cooling purposes or unpolluted industrial process waters into any sanitary system.

#### SECTION 12. CERTAIN SUBSTANCES PROHIBITED

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes into any public sewer.

1. Any liquid or vapor having a temperature higher than one hundred fifty (150)°F.
2. Any water or waste which may contain more than one hundred (100) parts per million of fat, oil, or grease.
3. Any gasoline, benzene, naphtha, fuel, oil or other flammable or explosive, liquid, solid or gas.
4. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, punch, manure, or any other solids or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
5. Any garbage that has not been properly shredded.
6. Any water or waste having a pH lower than six and one half (6.5) or higher than nine (9.0) or having any other corrosive property capable of causing damage or hazard to structures, equipment, and or personnel of the sewage works.
7. Any waters or waste containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process constitute a hazard to humans or animals or create any hazard in the receiving waters of the sewage treatment plant.
8. Any water or waste containing suspended solids of such character and quantity that unusual attention or expense is required to handle such material at the sewage treatment plant.
9. Any nauseous or malodorous gas or substance capable of creating a public nuisance.
10. Any water or waste containing high levels of ammonia, sulfides, or any other constituents that interferes with proper treatment processes per state and federal discharge regulations.

#### SECTION 13. SEWAGE REQUIRING SPECIAL TREATMENT OR MATERIALS

- A. In cases where the character of sewage will damage the sewer or cannot be treated satisfactorily in the wastewater treatment plant, the District shall require such users to dispose of such waste and prevent it from entering the system.
- B. In such cases where the character of the sewage is such that it imposes an unreasonable burden upon said sewer system or treatment plant greater than imposed by the average sewage entering said sewage system. The District may require the user of the sewer to pretreat such sewage in such a manner as defined in this section.
- C. There shall be no admission into the public sewers of any water or wastes having:
  - 1. A five (5) day BOD greater than two hundred fifty (250) parts per million. Or
  - 2. Containing more than two hundred fifty (250) parts per million of suspended solids. Or
  - 3. Any quantity or substances that have the characteristics described in section 12 of this Article. Or
  - 4. Where necessary, in the opinion of the proper District authorities, the owner shall provide, at his or her own expense, such preliminary treatment as required. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the proper District authorities, The State Department of Health and the Arizona Department of Environmental Quality (ADEQ). No construction of such facilities shall be commenced until said approvals are obtained in writing. Federal pretreatment guidelines shall be enforced as applicable.

#### SECTION 14. INDUSTRIAL WASTE

No industrial waste will be allowed into the Pinewood Sanitary Collection, Treatment and Disposal System.

#### SECTION 15. SEPTIC WASTES

No septic waste will be allowed into the Pinewood Sanitary Collection, Treatment and Disposal System.

#### SECTION 16. WATER TEST AS TAKEN FROM THE UNIFORM PLUMBING CODE

The water test shall be applied to the private sewer either in its entirety or sections. If applied to the entire system, all openings in the piping shall be tightly closed except the highest opening and the system filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest opening in the section under test, and each section shall be filled with water, but no section shall be tested with less than a four (4) foot head of water in testing successive sections. At least the four (4) foot of the next proceeding section shall be tested so that no joint or pipe except the uppermost four (4) foot of the system shall have been submitted to a test of less than four (4) feet head water. The water shall be kept in the system or in the portion under test for at least fifteen (15) minutes before inspection starts. The system shall then be tight at all points. The water test is the responsibility of the contractor or person doing the job and shall be inspected by the Pinewood Sanitary District.

#### SECTION 17. TRAPS.

When, in the judgment of the Sanitary District personnel, waste pretreatment is required, an approved type grease and or sand trap shall be required before connection to any sewer system.

#### SECTION 18. INTERCEPTOR AND GREASE TRAPS

1. Grease traps shall be required at all public premises where food is prepared and/or served, including but not limited to restaurants, schools, commercial kitchens, cafeterias and boarding houses. All grease traps shall be of a type specified by the Uniform Building Code or an equivalent approved by the District. Owners of all public premises requiring a grease trap are subject to an inspection by the District as needed. Inspections are to be conducted during normal business hours.
2. Grease, oil and sand interceptors shall be installed when required. They are necessary for the proper handling of liquid waste containing excess grease or any flammable waste, sand or other harmful ingredients. All interceptors shall be of a type and capacity approved by the District Engineer and be located as to be readily and easily accessible for cleaning and inspection where installed. All grease, oil and sand interceptors shall be maintained by the owner at the owners' expense and continuously efficient operation at all times.

#### SECTION 19. EXCESSIVE FLOWS

1. Flows from residential or predominantly residential developments, subdivisions, parcels, or lots shall be deemed excessive when flow rates exceed the normal



maximum flow rate of one hundred sixty (160) gallons per residential dwelling unit per day. Flows from other properties or developments shall be metered.

2. All excessive flows shall be measured and recorded in a manner sufficient to establish the instantaneous and average flows for a period over twenty-four (24) hours or more. All flow amounts over the established maximum flow rate for the class of connection shall be caused for the notification to the property owner or occupant responsible for the excessive flow. The Board shall review the issue for any remedy needed.

3. The owner of the property from which the excessive flows are emanating and the owner of the sewer system from which such excessive flows are entering the District's sewer system. If it is not, the property owner shall take corrective action to reduce flow rates and volume to non-excessive levels, when notified by the District of the existence of such excessive flows. Such repairs and other corrective actions as approved by the District must be taken under a schedule approved by the District. If the property owner or sewer owner fails to adhere to the approved schedule, the District may disconnect the sewer or connection from where the excessive flows are emanating to the District sewer system. The disconnect will be at the owners expense.

4. If, at any time the public health, safety, or welfare is threatened or injured because of flow entering the District sewer system through a sewer connection, the District may, without notice to the owner of the property or the sewer in question, terminate the sewer connection.

#### SECTION 20. CHECK VALVES

A check valve (backflow valve) in the lateral from all connected residents to the sewer system is required at the owner's expense. This applies to existing connections and all new connections.

#### SECTION 21. LIFT STATIONS AND SPECIAL FACILITIES

If the hookup in any parcel requires a lift station or other special facility, said lift station or other special facility shall be installed in accordance with the specific specifications of the Sanitary District at the expense of the owner. If such lift station or other facility is dedicated to the District, it shall be maintained and operated by the District at no cost to the owner as long as said lift stations are installed in utility easements or dedicated right of ways.

### ARTICLE VII

#### FEES

## SECTION 1. ESTABLISHMENT AND REVIEW OF FEES

Pursuant to Arizona Revised Statutes Title 48 § 48-2027 (H), all fees shall be initially determined and annually reviewed by the Board of Directors following a public hearing at which all interested persons may appear and be heard on any matter relating to the amount of fees or the method of determining the fees. Not less than twenty (20) or more than thirty (30) days before the public hearing, the Board of Directors shall publish a notice of the time and place of the hearing and a statement of the rates to be considered or reviewed. Any person wishing to object to the establishment or continuation of the rates before the date set for the hearing, may file an objection with the Chairman of the Board of Directors.

## SECTION 2. PURPOSE

To provide funds for the District to develop and expand the sewage collection, treatment and disposal facilities necessary to accommodate the demands for service resulting from the growth and development of the community. All new hookups to the sewer occurring after the date of adoption of the Resolution shall be required to pay any and all fees in accordance with this Resolution.

## SECTION 3. FEE SCHEDULE

The schedule of all fees currently collected by the District is contained in Exhibit A attached to this code and made a part thereof.

## SECTION 4. TYPES OF SPECIAL FEES

### A. Capacity Fee.

1. All capacity fees will be charged according to the listings in Exhibit A attached to this code. See definition in Article 1, paragraph 6.
2. All property owners in the District are deemed to have the right to connect to the District sewer system. Any property owner who wishes to connect improvements that produce an excess of the allowable amount as defined in the type of property connected (See Exhibit A) shall submit plans and specifications to the District and pay additional fees.
3. The capacity fees are payable to the District prior to receiving a building permit, a change in zoning or any other step necessary for the development of the property and shall be at the expense of the owner/developer. All costs of increasing the capacity of the District sewer treatment plant, effluent disposal system and all facilities appurtenant thereto shall be at the expense of the owner/developer.
4. The capacity fee shall apply to all parcels of property brought into the District.

5. The Board of Directors of the District may adjust the capacity fee as necessary.
6. If the District Engineer determines that a new or existing development will contribute flow to the District sewers that is in excess of the design capacity of the sewers, or that it will require a disproportionate percentage of the capacity of the sewer at the point where the development will connect to the sewer, the owner shall pay to the District the cost of additional sewer line capacity or, with the District's approval, shall construct a new sewer line that shall connect to the District sewer at a point where the interceptor has the design capacity to handle the additional flow attributed to the proposed development, and shall pay the applicable charge therefore. Payment therefore must be made prior to the District issuing an agreement to provide sewer service or at the time of issuing the connection permit, whichever first occurs.
7. Any person desiring to increase the number of residential units or change the use of the property which contains improvements existing on the date of the adoption of these Rules and Regulations, or thereafter. Whether connected to the sewer or not, shall submit to the District at the time of applying for a connection or if the property is already connected, at the time of changing the use the following information:
  - a. The size and location of the parcel of property owned.
  - b. The proposed changes.
  - c. Preliminary and final plans for the development of property.

B. Account establishment fee. The fee to open an account with Pinewood Sanitary District.

C. Residential connection fee. The fee to connect a residential lateral to the main sewer line.

D. Plan Check Fee

1. Before any preliminary or final plans for new sewer connections or hookups are approved by the District Engineer, the applicant must have paid the Plan Check fee and Connection fee.

2. The Commercial Plan Check fee for each application will be determined by the District based upon the District engineers estimate of the cost of the Plan Check in light of the conditions, quality and complexity of the plans. This fee shall be paid prior to the District Engineers Plan Check and shall be separately charged and collected for each set of plans submitted to the District by the applicant or by Coconino County when acting upon a request by the applicant for subdivision or other approval.

E. Commercial Connection Fee. The fee charged to connect a Commercial lateral to the main line.

F Disconnect and reconnect fees.

1. If any sewer charge shall remain unpaid for thirty (30) days or more after the due date, the District may serve written notice upon the owner in their quarterly mailing. If said delinquency is not corrected within thirty (30) days from the date of service or mailing of said notice, the District may disconnect the owner from the sewer system. The fee for this disconnect will be shown in the Exhibit A attached to this resolution.

2. Whenever the District shall have disconnected any sewer service for failure to pay the sewer charge, the property shall not be reconnected to the sewer system until all delinquent sewer charges are paid in full, including a reconnection charge as listed in Exhibit A, unless other arrangements have been made with the District. In addition to said reconnection charge, the District may require a security deposit to cover future sewer service charges before the property is reconnected to the sewer system equal to the sum of the user fees for the three months prior to disconnection. The District will also check the property to ensure that cleanouts and check valves are properly installed.

## SECTION 5. MONTHLY FEES

A. Operation and Maintenance Fees: The District will review annually the wastewater contributions of users and user classes, the total cost of operations and maintenance of the treatment works and its approved user charge system. The District's shall revise the charges for users or user classes to accomplish the following:

1. Maintain the proportionate distribution of operation and maintenance cost among users and user classes, as required herein.
2. Generate sufficient revenue to pay the total operation and maintenance costs necessary to the proper operation and maintenance of the sanitary system.
3. Apply excess revenues collected from a class of users to the cost of operation and maintenance attributable to that class for the next year and adjust the rate accordingly.
4. Current rates for operation and maintenance are listed in Exhibit A attached to this code.

B. Debt Service Fees. A portion of the monthly fees is reserved for the retirement of the debt obligations of the District. The amounts are listed in Exhibit A attached to this resolution. These debts may consist of general obligation bonds, WIFA loans or any other

loans that pertain to construction costs, rehabilitation costs, or any other costs incurred for the purpose of new plant facility construction, collection system construction, and existing system rehabilitation or improvement costs.

C. Future connections to system in 2014 WIFA loan areas: In addition to capacity and connection fees, all future residential and commercial connections made after the adoption date of Resolution 2018-06-14 in areas of the District covered by existing WIFA loans will be required to either:

1. Pay in full the entire construction cost for that project. Owners will then be responsible for the monthly operation and maintenance fee for that property, OR
2. Pay the property's share of the WIFA loan and/or construction fees, including interest, up to the current amortization point of that loan. Owners will then be responsible for the current monthly operation and maintenance fees and WIFA loan fees for their property.
3. No connections will be made until full payment under either paragraph C1 or C2 is completed.

D. Fee Deposits. Pursuant to Arizona Revised Statutes § 48-2027 (C), revenue collected under subsections A, B and C of this section shall be paid into County Treasury to be credited first to the bond or loan fund of the District to be used in the payment of principal and interest on the bonds or loans. If the proceedings relative to the issuance of the bonds or loans provide for a pledge of such revenues, or if the District has budgeted all or a portion of such revenues to the payment of the bonds or loans in the certificate submitted to the Board of Supervisors pursuant to ARS § 48-2025 subsection C and second to the operating fund of the District.

## ARTICLE VIII

### MISCELLANEOUS

#### SECTION 1. NON-ASSESSED PARCELS

All parcels within the District that were not assessed for sewer improvement will be charged a capacity fee before being connected to the sewer system. (see definitions in Article 1, paragraph 8.)

#### SECTION 2. EASEMENTS

1. All property owners desiring the connection of the improvements on their property to the sewer system of the District shall grant to the District, and at no charge to the District, those easements necessary to properly effect the sewer connection desired.

2. In the event, any improvements are constructed within the boundaries of the easement, and these create an additional cost to the District because it must incur additional expenses to repair, install, or replace its sewers, the property owner shall be charged all additional costs incurred.

3. Nothing herein shall prohibit the location of a mobile home on or over all or a portion of any easement of the Pinewood Sanitary District, provided that in the event it becomes necessary for the District to do any work within said easement, the property owner shall pay the cost of moving the mobile home if necessary, or all additional costs incurred if the work is done without moving the mobile home.

4. District's Responsibility: The District's responsibility is limited to the sewer main line up to the tap connection.

5. Property Owners' Responsibility: The property owner is responsible for the maintenance of the sewer lines from the dwelling to the tap connection. In the event that any improvements are constructed within the boundaries of the easement and result in additional expenses for repair, installation, maintenance or replacement of sewer lines. The property owner shall be charged all additional costs incurred. If the improvement is within an easement shared by two property owners, they shall split the cost.

6. Ingress and Egress Within Easement: Within any sewer utility easement, whether they are 15, 20, 30 feet wide, etcetera, the District reserves the right of ingress and egress to all sewer main lines within said easement. Property owners are prohibited from obstructing easements with items. Any such obstacles must be removed from the easement and not replaced. In the event that property owners place items that obstruct the easement, items must be moved at the owner's expense. Items are not limited to, but include fences, decks, sheds, boulders, landscaping, mobile homes, etcetera. All property owners seeking to connect property improvements to the District's sewer system shall provide the necessary easement access to the District at no cost to the District.

7. Inspection Rights Within Easement: The District reserves the right to inspect sewer lines at any time necessary to ensure the operation and maintenance of a safe environment, thus avoiding sanitary sewer overflows (SSO). The District reserves the right to inspect, maintain, and repair all sewer infrastructure within said easement. In the event that property owners place items that obstruct the easement, items must be moved at the owner's expense with no cost to the District. Items are not limited to, but include fences, decks, sheds, boulders, landscaping, etcetera. Property owners will be responsible for expenses associated with locating any object within the easement. Additionally, there will be no additional cost to the District to repair or replace its infrastructure.

8. Boulders: The District will remove all boulders and other from within easements due to the additional weight bearing load above sewer mainline.

### SECTION 3. CONSTRUCTION SPECIFICATIONS

All sewer laterals, house laterals, or other connections or connecting sewers that adjoin or connect into any portion of the District sewer system shall be constructed in accordance with this resolution.

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These regulations aim to clarify responsibilities, ensure unimpeded access to sewer infrastructure, and maintain a safe and functional sewer system for the community.

2020-05-22 draft changes

PASSED AND ADOPTED by the Board of Directors of the Pinewood Sanitary District of Coconino County, Arizona, the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Bill Spain

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CHAIRMAN OF THE BOARD

Mark Giebelhaus

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Clerk of the Board



Exhibit A.

SCHEDULE of Fees for the Pinewood Sanitary District.

The fees contained in this Exhibit A are made a part of the PSD sanitary code and are approved by the Board effective as of the date of the signed resolution enacting the code. The PSD board may make modifications to this exhibit at any time by a modifying resolution to this code.

The following tables list the various fees levied upon the users of the District. The tables are in two (2) parts, Residential users Schedule One (1) and Commercial users Schedule Two (2). There are several types of fees in both the residential and commercial listings. The fees concerning connection, disconnection, account establishment, and other miscellaneous items may appear in both Schedule One (1) and Schedule Two (2) as applicable. Capacity fees concern newly annexed users that are not a part of the existing District and represent purchase of that part of the capacity of the processing plant needed for their sewage. Operation and maintenance fees concern the ongoing cost to operate the plant and collection systems. Debt burden fees concern lot owners of the original District and reflect the continuing repayment of loans for plant purchase and upgrade. Additional debt service acquired by the District for all costs associated with sewerage annexed property will be bore by the property owners. See definitions of fees in Article 1.

Capacity fees for all users are based on the number of equivalent residential units assessed to the particular type of user involved. A residential unit is defined as a single residential dwelling with an assumed sewage flow rate of 160 gallons per day. The gallons of flow per day for the various nonresidential users are obtained from guideline data suitably modified for the month park area.