

AN ORDINANCE OF THE TOWN OF SAN LUIS, ARIZONA REPEALING ORDINANCE 49 AND ESTABLISHING A NEW ORDINANCE, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SAN LUIS, ARIZONA, AS FOLLOWS:

SECTION 1: Ordinance 49 adopted January 9, 1985 is hereby repealed.

SECTION 2: There is hereby established Chapter 13 of the Town Code, titled SEWER

ARTICLE 13-1. SEWAGE COLLECTION AND DISPOSAL SERVICE

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13-1-1 DEFINITIONS:

The following definitions are given for the purpose of establishing standard interpretations of the terms as used in the Town of San Luis's Rules and Regulations and Agreements and/or Contracts. Unless the contents specifically indicate otherwise, the meaning of the following terms wherever they are used in these Rules and Regulations shall be defined as follows:

Applications: The written instrument by which a Developer or a Customer applies for sewer service of any sort.

Approving Authority: Shall mean the Town Council or its designated representative.

Board Of Review: Shall be the members of the Town Council or its designated committee.

Bod (Denoting Biochemical Oxygen Demand): Shall mean the quantity of oxygen utilized in biochemical oxydation of organic matter under standard laboratory procedure in five (5) days at 20 C, expressed in milligrams per liter.

Branch Sewer: Means an arbitrary term for a sewer which receives sewage from lateral sewers from a relatively small area.

Building: Any structure containing sanitary facilities use for human habitation, a place of business, recreation, or like purpose.

C: Shall mean centigrade degrees.

COD (Denoting Chemical Oxygen Demand): A measure of the oxygen - consuming capacity of inorganic and organic matter present in water or wastewater under standard laboratory procedures expressed in milligrams per liter.

Connection Charge: A charge for the proposed usage of the Town's facilities paid by a developer or a customer for utilizing portions of the Town's sanitary sewer system funded by the Town.

Construction Connection Charge: A charge, payable to the Town of San Luis, for a developer's utilization of oversized facilities paid for by other parties, including the Town.

Construction Cost: The cost to a developer, less the Town's oversizing costs, if any, described herein, for the design and construction of all facilities as required to serve the developer's property and to connect to the Town's sanitary sewer system.

Consulting Engineers: The engineer or engineering firm or corporation responsible for professional engineering services provided for an assignment.

Control Manhole: Shall mean a structure that is accessible for the purpose of maintaining a building sewer. A control manhole may be used as an inspection chamber.

Cooling Water: Shall mean the water discharge from any system of condensation, air conditioning, cooling, refrigeration, or other sources. It shall contain no pollution substances which would produce BOD or SS which in excess of ten parts per million by weight, or toxic substances as limited in this Code or other polluting substances which may be limited in this Ordinance.

County: Yuma

Customer or Consumer: Any individual, corporation, partnership, firm or association furnished sewage disposal service by the Authority.

Developer: Any individual, corporation, partnership, firm or association developing a property or properties for self use, resale, rental or lease, at or to which sewage disposal service is to be rendered by the Town of San Luis, and who shall have the legal right to negotiate for said service. Where applicable, any individual, corporation, partnership, firm or association applying for the extension of sewers or force mains in order to serve a certain property.

Director: The executive officer of the Public Works Department.

Domestic Sewage or Sanitary Sewage: Shall mean sewage derived principally from dwellings, business buildings, industries, institutions and the like, originating as wastes from kitchens, water closets, lavatories, bathrooms and showers.

Domestic User: Shall mean all users of sewage treatment facilities not classified as industrial users.

Effluent: Shall mean sewage, water or other liquid after some degree of treatment, flowing out of any treatment device or facilities.

Force Main: A pressure sewer pipe line for the transmission of sewage. Such pipe cannot receive sewage, except under pressure by pumping.

Frontage: The actual width, normally expressed in feet, of a property in respect to a street or avenue but without relation to the front, side or rear of any structure located on the property along which the proposed sewer or force main is installed. In the case of a corner lot, frontage is calculated as the longer of the sides involved. For irregular shaped lots, or acreage, frontage will be calculated by taking the square root of the number of square feet of property involved.

Garbage: Shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

Grease or Fats: Shall mean any material which is extractable from an acidified sample of a waste by hexane or other designated solvent.

Ground Garbage: Means solid wastes from the preparation, cooking and dispensing of food that has been shredded or cominuted to such a degree that all particles will be carried freely in suspension in public sewers, with no particle greater than one-half inch in any dimension.

Hauler: Shall mean any person engaged in transportation or conveyance of liquid wastes to Sewage Treatment Plant or other location in the sewerage system for disposal.

Industrial Cost Recovery: Shall mean recovery by the Sewer District of an amount allocable to the treatment and/or transmission of wastes from industrial users of a treatment works

Industrial User: (A) Any nongovernmental, nonresidential user of a publicly owned treatment works which discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary wastes and which is identified in the Standard Industrial Classification Manual 1982, Office Management and Budget, as amended and supplemented under one of the following divisions:

Division A. Agriculture, Forestry, and Fishing

Division B. Mining

Division D. Manufacturing

Division E. Transportation, Communications, Electric, Gas, & Sanitary Services.

Division I. Services

(B) Any nongovernmental user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has any adverse effect on the waters receiving any discharge from the treatment works.

Industrial Waste: Shall mean any liquid, solid, or gaseous substance of form of energy, or combination thereof, resulting from any process of industrial, commercial, governmental and institutional concerns, manufacturing, business, trade, or research, including the development, recovery, or processing of natural resources, or from sources identified in the Standard Industrial Classification Manual of the U.S. Office of Management and Budget as amended.

Influent: Shall mean sewage, raw or partly treated, flowing into any sewage treatment devise, pumping station or related facilities.

Inspection Chamber: Shall mean an accessible structure through which sewage from a building sewer flows and from which samples of said sewage may be collected for the purpose of being tested.

Interceptor: A large size gravity flow sewer or force main for the transmission of sewage, which has been designed to receive sewage from one or more collecting sewers or pumping stations.

Laboratory Determination: Shall mean the measurements, tests, and analysis of the characteristics of waters and wastes in accordance with the provisions of 40 CFR Part 136 - Guidelines Establishing Test Procedures for the Analysis of Pollutants. These methods are contained in the latest edition of three publications: (1) Standard Methods For Examinations Of Water & Wastewater, a joint publication of the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation; (2) ASTM, which means "Annual Book Of Standards, Part 23, Water Atmospheric Analysis, 1972", a publication of the American Society For Testing Materials; (3) EPA Methods, which means "Methods For Chemical Analysis Of Water & Wastes", a publication of the Environmental Protection Agency; or in accordance with any other equivalent methods prescribed by the Director.

Lateral Sewer Line: A branch sewer line connected to the main sewer line. A lateral sewer is normally eight (8) inches in size or larger.

Main Sewer Line: A major gravity line in any specific development, to which one or more lateral sewers may be tributary.

Meter Measurement: Shall mean the act of or result of determining the quantity of water supplied or being discharged by a user and determined by an instrument or device used for such measurements and approved by the Director.

Municipalities: Shall mean any city, town or village, wholly or partly within Yuma County.

Off-Site Sewers: Sewer lines totally outside a development.

On-Site Sewers: Sewer lines in streets or rights-of-way, or easements totally within a development and those sewer collection lines in peripheral streets constructed for use by that development.

Operation & Maintenance: Shall mean the process and act of keeping all facilities for collecting, pumping, treating and disposing of sewage, in normal operation and in a good state of repair including the replacement of said facilities when necessary.

Oversized Sewer: A sewer extension in, through, or past a development which, because of future extensions or other reasons, is larger than required for the immediate development to be served.

Planned Extension: Future sewer extensions scheduled by the Authority with special provisions for payments therefore.

pH: Shall mean the logarithm of the reciprocal of the hydrogen - ion concentration in grams, per liter of solution.

Plumbing: All pipes, fittings, and appurtenances on the property owners's side of the property line or outside easement areas. This includes the property owners's extension from the sewer lateral up to an including the house plumbing.

ppm: Shall mean part per million by weight and/or milligrams per liter.

Pretreatment Facilities: Shall mean structures, devices or equipment for the purpose of removing deleterious wastes from sewage generated from a premises prior to its discharge into a public sewer.

Private Sewer: Shall mean any sewer or system of sewers, exclusive of building sewers, which is not owned by the municipality in which it is located or any other public authority or private utility.

Property Owner: The record title holder of premises served or to be served with a sewer connection by the Authority

Public Law 92-500 (PL 92500): Shall mean the Federal Water Pollution Control Act of 1982 and as amended.

Public Sewer: Shall mean a sewer which is owned and/or controlled by public authority or private utility

Public Works Director: Shall mean the Town's Public Works Director or his authorized representative.

Sampling: Shall mean the periodic collection of sewage for testing.

Scavenger Waste: Shall mean any liquid waste from sources such as septic tanks, package plants or industrial processes which are removed from a premises by means other than a sewer.

Service Lateral: Sewer connection extending from the collecting sewer in the street to a Customer's property line or from the collecting sewer in an easement to the easement line often referred to as a "house connection."

Sewage: Shall mean a combination of the water -- carried wastes from residences, business buildings, institutions, and industrial establishments, together with such infiltration as may be present. Often referred to as "wastewater".

Sewage Disposal Plant: The physical facilities for the treatment of sewage before discharge into a canal, ocean, lake or injection well.

Sewage Disposal Service: The service provided by the Town for the disposal of sewage, including transmission, treatment and effluent disposal.

Sewage Disposal Service Charge (also known as Sewer Charge): The charge established for the disposal of sewage.

Sewage Disposal System: All facilities required to transport sewage to a treatment plant for treatment and effluent disposal, including gravity sanitary sewers, interceptors, force mains, pumping stations, treatment plants, outfalls, and disposal wells.

Sewerage System: Shall mean all facilities for collecting, pumping, transmission, treatment, and disposal of sewage

Sewage Flow Meter: Shall mean a device that measures and records the flow of sewage. It may, also, measure the rate of flow.

Sewer (also known as Collection Sewer): The gravity flow sloping pipe facility installed in public streets, rights-of-way, and easements for the collection of sewage.

Sewer District: All that portion, inside or outside the Town now or hereafter reached by the sewer system.

Sewer System Of The Town: The sanitary sewer collection system within the corporate limits of the Town of San Luis that is operated by the Town

Sewer System Outside The Town: The sanitary sewer collection system outside the corporate limits of the Town of San Luis that is operated by the Town

Slug: Shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Suspended Solids: Shall mean solids that are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

System: Shall mean the entire sewerage system (Sewer District) of the Town of San Luis and all treatment and disposal facilities and interceptor sewers owned and operated by the Town and all sewerage collection systems connected thereto.

Surcharge: Shall mean that part of the sewer service charge which shall be applied to extra strength wastes to cover added operation and maintenance costs.

Testing: Shall mean the analysis of samples of sewage

Town: Is the Town of San Luis, Arizona.

Toxic Substance: Shall mean any substance whether gaseous, liquid, or solid, which when discharged to the sewer system in sufficient quantities may tend to interfere with any sewage treatment process, or to constitute a hazard to human beings or animals, or inhibit aquatic life or create a hazard to recreation in the receiving waters of the effluent from the sewage treatment plant

Unpolluted Water: Means water discharged in its original state or water discharged which, after use for any purpose, is at least equal chemically, physically, and biologically to the water from its original source, i.e., potable water, ground water, river and stream water.

User: Shall mean any person or premises receiving waste disposal services.

User Charge: Shall mean charges assigned to each user which defray a proportionate share of the cost of operation and maintenance of the sewerage system, often referred to as sewage disposal service charge

Wastewater: A term interchangeable with sewage as defined herein

13-1-2 SEWER DISTRICT ESTABLISHED:

For the better protection of the health and convenience of the inhabitants, all that portion of the Town now or hereafter embraced within the district reached by the sewer system is hereby declared to be a sewer district. All persons owning real property adjoining the streets or alleys in which there are sewer lines or lateral,

branch, main or trunk sewers of said sewer system, and all persons owning, leasing or using real property or buildings or fixtures thereon which can be served by sewers, shall cause to be connected all privies, cesspools and open or unconnected drains, with the sewer system, at such time and in such manner as hereinafter provided, and as the Council by resolution may require. All expenses of such connection shall be borne by the owner of the real property or building and the person leasing or using same. It is unlawful to fail to abate all such privies, cesspools and open or unconnected drains, at the time and in the manner herein required and in the manner required by the Council by resolution.

13-1-3 RESPONSIBILITY OF OFFICERS:

For the convenience, best administration and operation of the sewer system of the Town, it is hereby made the duty of the Town officers and employees to operate, manage and control the sewer system

13-1-4. CLASSES OF SEWAGE DISPOSAL SERVICE AVAILABLE:

The Town renders sewage disposal service of two general classes:

- (1) Customers Within The Town: A resident or property owner in the Town who is either receiving sewage disposal service or has it available for connection from his property to the Sewer System of the Town.
- (2) Industrial Wastes: Sewage or liquid wastes from any manufacturing or industrial plant, building or premises, not including storm water, which shall be such as to impose a burden upon the Sewage Disposal System in addition to the burden imposed by the average sewage entering the sewer system; charges for disposal of said sewage entering the sewer system; charges for disposal of said sewage are fixed by contract, and by special charge in unusual cases. In lieu of said special charge, the Town has the right to require pre-treatment of industrial wastes

13-1-5. REQUESTS FOR SERVICE:

- (1) Within The Town: Connections to the Sewer System of the Town, except to interceptors, must be authorized by the Public Works Director in advance of said connections.
- (2) Connections To Interceptors: Connections of service laterals directly to the Interceptor system shall not be permitted.
- (3) Connection To Sewers: Where existing service laterals have been provided, the Customer shall pay the entire expense of connection to the facilities within his property. Where service laterals have not been provided, the Sewer District shall be responsible for extending a lateral connection from the sewer to the edge of the street right-of-way for existing lots accessible to the sewer main until May 31, 1985. After this date, the customer must pay the Town for the cost of putting in any new lateral connection from the sewer main to the edge of the street right-of-way. All such connections shall be subject to inspection by authorized personnel of the Town. In addition, the customer shall pay all connection and construction connection charges, if any.
- (4) Service Availability From Existing System: Sewer service to any structure upon any given property shall only be rendered from Town owned sewers in public rights-of-way abutting said property. The determination as to the availability of service from existing facilities shall be at the sole discretion of the Public Works Director. The Town shall have the right to require extensions

of its facilities for proper service or to require such permanent legal agreements which the Town deems necessary in order to carry out the intent of this section.

13-1-6. AGREEMENTS OR CONTRACTS FOR SERVICE:

- (1) Sewer Service Application: Applications for sewage disposal service can be made at Town Hall. When sewage disposal service is available to the property, connection to the sewer is mandatory.
- (2) New Sanitary Sewer Service Installations: Agreements or contracts for sewage disposal service are effective thirty (30) days after the installation of a new sewer abutting the property within the Town. Customers along that installation have thirty (30) days within which to connect to the sewer. After that period everyone, even those not actually connected to the sewer, will be charged the monthly sewer fee.
- (3) Large Volume Sewage Disposal Agreements: Sewage disposal service on a volume basis may be obtained by means of cost sharing arrangements outlined in contractual agreements with the Town.
- (4) Developer Agreements: Agreements for the provision of sewage disposal service for properties requiring the construction of sewer facilities shall, upon request by a developer, be prepared by the Public Works Director (see SEWER EXTENSIONS OTHER THAN PLANNED EXTENSIONS, Section 13-1-8). Final zoning approval of a property must be obtained prior to the Town's preparation of the agreement.
- (5) Limitation Or Use: In no case shall a customer extend his plumbing across a street, alley, lane, court, avenue or other highway, or property line without unity of title, in order to furnish service for adjacent property through one service lateral, even though such adjacent property is owned by him. In case of such unauthorized connection, the customer's service shall be subject to discontinuance until such unauthorized connection has been discontinued and full payment has been made of all bills for service, calculated under proper classifications and rate schedules, and until reimbursement in full has been made to the Town for all extra expenses incurred for clerical work, testing and inspections.

13-1-7. CONTINUITY OF SERVICE

The Town will at all times use reasonable diligence to provide continuous service, and having used reasonable diligence, will not be liable to the customer for failure or interruption of service. The Town will not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accidents, litigation, shutdowns for repairs or adjustments, interference by governmental agencies, failures of electric power, acts of God or other causes beyond its control.

13-1-8. EXTENSIONS:

- (1) Planned Extensions: The Town may from time to time, through the creation by Yuma County of special taxing districts or by other means, plan sewer extensions in specific areas of the County. The costs of those extensions and terms of payment may be set forth individually by County ordinance or resolution.
- (2) Sewer Extensions Other Than Planned Extensions: Where properties are to be served by extensions which are not Planned Extensions, sewer facilities shall be extended on the following basis

A) Application (By Developers Or Others): An application shall be required for extension of sewer service under the provisions hereof, and shall be in writing and signed by the Developer or Developers desiring Town sewer service. Said application shall be filed with the Public Works Director and shall include a legal description of the property and shall indicate the name, street address, lot and block number, and the street frontage of each site, along with the proposed usage. Each applicant shall agree to connect to and use the Town sewer service for his property. No sewers, or connections to sewers, will be extended until the charges for sewer service, as further outlined, have been provided for.

B) Processing Of Application: Upon receipt by the Public Works Director of a proper application requesting a sewer main extension, it will be evaluated, and if not feasible, returned with the proper explanation. If feasible, the cost to the Developer will be estimated and submitted to the Developer for consideration. If the Developer decides to proceed further with the project and final zoning of the project has been approved, at the Developer's request, the Public Works Director shall prepare and submit an agreement specifying all terms and conditions for service and related costs to the Developer.

C) Basis Of Payment For Extensions: The cost to the Developer shall be the payment of the connection charges and construction costs as further outlined. The allocation of costs for oversizing sewers and rebates in regard to off-site sewers are outlined in Section 13-1-9 (E) and (H) hereinafter.

D) Sewer Extended Past Property Line: Each Developer may be required to extend one sewer line to an upstream limit of his property which will terminate at an upstream manhole determined by the Public Works Director with respect to the complete system, rather than at the end of the particular extension requested. At the discretion of the Public Works Director temporary cleanouts at the property line may be allowed in lieu of extension to a proposed manhole location. The charges or costs to the Developer will include the cost of sewer to the upstream property line of the development.

(3) Right To Refuse Service: The Town shall have the right at all times to refuse to extend service on the basis of a use detrimental to the sewer system, lack of payment of required fees, or for any reason which, in the opinion of the Public Works Director will cause the extension not to be in the public interest. No payment of any costs, submitting of any petition, or any other act to receive sewer service, shall guarantee sewer service.

13-1-9. CONSTRUCTION OF SEWERS; CONNECTIONS

(1) Sewer Construction By Developer: Sewers to be constructed by a Developer or his contractor shall be constructed in accordance with the following provisions:

A) Plat Approval: In the case of subdivisions, the application shall be accompanied by two copies of a recorded plat, or, in the case of a new subdivision, an approved tentative plat, or preferably a master tentative plat or a large scale development plan plus a plan showing locations of proposed sewer extensions.

B) Other Governmental Approval: Prior to final acceptance, all such sewer extensions shall be approved by the appropriate State agencies, and Yuma County Department of Public Health.

C) Materials & Construction Standards: All materials and labor shall meet the specifications currently required by the Town; all construction shall be performed under the inspection of the Town and in strict compliance with the standards of the Town and either Town or Yuma County Public Works Manual, whichever is applicable.

D) Costs: The Developer will pay all connection charges and construction costs prior to connecting to the Town's system unless otherwise specified in an agreement between the Developer and the Town. Construction cost will be the cost of sewer lines of sufficient capacity to collect the sewage in the proposed development and transport it to the nearest adequately sized Town sewer. Connection charges are defined in Section 13-1-12 (2) hereinafter.

E) Oversizing: The Town reserves the right to oversize any extension and will pay for such oversizing on the basis of additional costs beyond that necessary to serve only the subject development. The Town will pay an established unit amount based upon the pipe size of a facility multiplied by the length of that facility. The established unit amount will be determined by the Public Works Director based on the flow requirements of the Developer and the Town's study of current construction costs. The Town will credit the Developer for the cost of the Town's share of oversized sewers and this credit will be in the form of a reduction of the connection charge or a cash payment if the connection charge is more than offset. The Town also reserves the right to limit the amount of its participation in the cost of oversizing, depending on current economic conditions or other factors. The rates of credit related to the difference in diameter between the pipe required for the Developer's project and the pipe required by the Town to be installed are specified as follows:

<u>PIPE SIZE DIFFERENCE IN INCHES</u>	<u>CREDIT PER INCH DIAMETER PER LINEAL FOOT</u>
<u>Force Mains</u>	
8 and greater	\$1.35
<u>Gravity Sewer Mains</u>	
8 and greater	\$1.50

F) Maintenance Bond Sewers installed under this Section shall become part of the Town's system; however, before acceptance, contract bond, approved by the Town Council, equal in the amount of 100 per cent of the construction cost shall be required to guarantee all work and materials for a period of one year after acceptance by the Town. Terms and conditions of the bond must meet the Town's standards.

G) Construction Permit: A permit for construction must be obtained by the Developer from the appropriate governmental agency.

H) Repayment Policy: In those cases where a Developer does not utilize all of the capacity of a sewer extension he has paid for and which has not been oversized, other may connect into it. The Town will make every effort to collect applicable construction connection charges from those others and make repayments to the Developer but shall only be liable for monies collected. The rate utilized in computing the construction connection charge is specified in Section 13-1-9: A Developer shall not be repaid sums in excess of his original investment, less his use, in the sewer extension. Such repayments shall only be made during an eight (8) year period commencing with the date of an executed agreement between the Developer and the Town for sewer service.

- (2) Public Easement Required: No sewer facility will be installed under the provisions outlined herein and accepted by the Town for operation and maintenance unless it is in a public right-of-way or easement with a minimum width of twelve (12) feet. Conveyance of all easements shall be by a separate document in recordable form to be approved by the Town and shall be accompanied by a written certification by an attorney licensed to practice law in the State of Arizona that the Developer is the owner in fee simple of the property to be conveyed by the easements and that upon its execution by the Developer, a valid and enforceable easement in the Developer's property will be vested in the Town. No sewer facilities to be owned and operated by the Town shall be installed under any building or appurtenance thereto.
- (3) Conveyance & Ownership: All sewer facilities and appurtenances to be owned by the Town shall be conveyed to the Town by proper Bill of Sale immediately after the Town's acceptance, in writing, of the construction of said system. The Developer shall also provide copies of paid bills and/or lien waivers, releases or satisfactions together with a breakdown of the actual cost of said facilities. Concurrently with the documents required above, the Developer shall furnish the Town with one (1) set of mylar as-built drawings showing specific locations, depths, elevations to be on Town Elevation Datum, etc., of all sewer facilities and appurtenances. When accepted and properly conveyed to the Town for ownership, maintenance and operation, said facilities shall become and remain the property of the Authority, and no person shall by the payment of any charges provided for herein, or by causing any construction of facilities accepted by the Town, acquire any interest or right in any of these facilities, or any portion thereof, other than the privilege to have his property connected thereto for sewer service in accordance with these procedures and regulations
- (4) Minimum Size, Velocity, & Length Of Gravity Sewers: The minimum size of plumbing shall be as regulated by the Building Code.

The minimum size of a service lateral shall be four (4) inches in diameter.

The minimum size of all other sewer lines shall be eight (8) inches in diameter.

The maximum infiltration or exfiltration rate shall not exceed 200 gallons per day per inch diameter per mile of pipe.

The minimum design velocity in gravity sewers shall be two (2) feet per second.

The minimum depth of cut to invert shall be three (3) feet for service laterals and four (4) feet for main line sewers.

The minimum inside diameters of sewer manholes shall be twenty-three (23) inches for the cover frame opening and forty-eight (48) inches at the base.

New gravity sewers shall discharge into existing gravity sewers where possible. In the event that a pumping station is required, the design of the tributary gravity system shall be such as to permit the present or future extension of the system's gravity service area to the maximum practical extent. To this end the depth to invert at the pumping stations shall be in the range of 12 to 14 feet and shall permit extension of gravity lines not less than one-half (1/2) mile. New force mains shall discharge into existing force mains.

The design and layout of the system shall be subject to approval by the Public Works Director as to conformance with Town standards and its master sewer plan. The Developer shall include provisions required by the Town to carry out to intent of such master planning and will be reimbursed for the additional cost of oversized facilities.

- (5) Approvals: No sewer extension will be accepted by the Town without the approvals of the Public Works Director and the appropriate State Agency and Yuma County Department of Public Health.
- (6) Unauthorized Work On Sewer System: No person shall tamper with, work on, uncover, make connection with, or in any way alter or damage any Town sewer or sewer appurtenance without written permission of the Public Works Director or his appointed representative. Further, no unauthorized person shall cause storm water, ground water, or any other unauthorized water or material to enter the sanitary sewer system, including sanitary sewage from septic tank trucks. This shall include the tying of downspouts of air conditioning condensate lines into the sewer system, raising of manhole lids to allow for drainage, the dumping of garbage, refuse or other wastes in manholes, the draining of swimming pools into sewers or any other means of causing or allowing any substance not considered sanitary sewage or not legally paid for as sanitary sewage, to enter the sewer system. The offending person shall pay the total cost of all charges attributable to such tampering and be subject to all penalties as may be provided by law.
- (7) Common House Connections: A single connection serving two or more properties will not be permitted. In no case will common plumbing to two or more lots or parcels be allowed.
- (8) Extent Of Town Maintenance: The Town shall not be responsible for the repair and maintenance of house connections to the service laterals nor for privately owned pumping stations, force mains and sewers. The Town shall be responsible only for the repair and maintenance of all public sewers, pumping stations, and force mains in the Town's system and shall make a diligent effort to inspect and keep these facilities in good repair.
- (9) Customer's Maintenance: The Customer shall be responsible for the maintenance of the plumbing from the connection at the service lateral into and including the house plumbing, if a common lateral is utilized for two (2) adjacent properties. If a single lateral is utilized exclusively for one property, the customer shall be responsible for keeping the service lateral, in addition to the plumbing, free from obstructions. In either case, the Town shall have the right to inspect the house connection and plumbing and require any customer or property owner who fails to maintain the plumbing to the extent that it may or does cause harm to the sewer facilities to remedy the situation.

In the case of municipally or privately owned utilities, the Town's responsibility for the cost of maintenance ends at the point of connection to the Town system. The Town retains all rights to insist on proper maintenance of these facilities and to exclude infiltration and/or harmful wastes by the owners.

- (10) Connection To Sewer Required: For the better protection of the health and convenience of the inhabitants, all persons owning real property adjoining streets and alleys in which there are sewer pipes and mains of the sewer system, and persons owning, leasing, or using real property or buildings or fixtures thereon, which can be served by sewers, shall cause to be connected all privies, cesspools and open and unconnected drains, with the sewer system within thirty (30) days after receipt of verbal or written notice by the Town.

13-1-10. REGULATION OF DISCHARGES:

(A) Purpose: It is the purpose of this section to establish rules and regulations concerning discharges to the System, including the determination of the acceptability or unacceptability of discharges; the pretreatment of discharges; and establishing specific limitations on certain discharges.

(B) Access To Premises For Inspection Of Discharge Inspection Chamber May Be Required: The Director shall at all times have free access to the premises of any user of its facilities, and free access to the premises of any person reasonably believed by the Director to be a user or possible user of its facilities, for the purpose of inspecting, sampling, or testing the discharge emanating there from, or any discharge which may emanate there from in order to determine whether such discharge, or potential discharge, is acceptable or unacceptable to the Town. Where necessary, the Director may require the owner of any premises which discharges to the System to install a suitable inspection chamber together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the discharge, or potential discharge. Such chambers, when required, shall be constructed in accordance with plans approved by the Director. The chamber shall be installed at the owner's expense and shall be maintained by him so as to be safe and accessible at all times.

(C) Acceptability Or Unacceptability Of Discharge Determination By Public Works Director: The Director shall determine the acceptability or unacceptability of any discharge to the System. Such a determination shall be made on the basis of sound engineering and operational evaluations taking into consideration the nature and concentration of the discharge, its point of entry into the System, its compatibility with the treatment facility receiving it, and all other factors pertinent to the effect of the discharge on any part of the System or treatment process.

(D) Unacceptable Discharges: Unacceptable discharges shall include, but not necessarily be limited to those which have been determined by the Director to:

1. Contain materials or substances which would constitute a hazard to life and limb of personnel engaged in inspection, maintenance, and operation of the System.
2. Contain materials or substances which are toxic as defined in these regulations.
3. Contain materials or substances which are in any way deleterious to any part of the system.
4. Contain concentrations of any toxic or deleterious materials or substances in excess of any limits set thereon in accordance with these regulations.

5. Cause the Town to incur excessive expense in the handling or treatment thereof.
6. Be incompatible with the treatment process or inhibit the performance of the treatment process at a Town treatment facility.
7. Be of such volume or contain such BOD, suspended solids, or other material load which could cause the treatment facility to exceed its design capabilities.
8. Cause a treatment facility of the Town to fail to meet effluent requirements set by State and Federal Regulatory agencies or cause such effluent to have a degrading effect on the receiving body of water.
9. Contain viable pathogenic organisms in such quantities as to be a hazard to public health.
10. Cause a treatment facility of the Town to fail to meet effluent requirements as established under the Town's operation Permit for its sewage treatment plants.

(E) Unacceptable Discharges - Refusal Of Service: The director may refuse the service of the Town's facilities to any person whose discharge is determined by the Director to be unacceptable in accordance with the provisions of this chapter.

(F) Unacceptable Discharges - Pretreatment Permitted: Any person whose discharge has been determined by the Director to be unacceptable in accordance with the provisions of this chapter may apply to the Director for permission to pretreat such discharge by the use of a method of pretreatment designed to render said discharge acceptable.

(G) Acceptable Methods Of Pretreatment - Review By Public Works Director - Refusal Of Pretreatment Method: The acceptability of a pretreatment method for any given discharge, an application for which has been made in accordance with these regulations and the terms for the installation and use thereof shall be reviewed by the Director. Such a review shall be made on the basis of sound engineering and operational evaluations taking into consideration all factors pertinent to the effect of the discharge both before and after pretreatment on any part of the System. The Federal Pretreatment Regulations, 40 CFR part 403, shall be enforced as applicable.

(H) Inspection Of Pretreatment Facilities By Public Works Director: Pretreatment facilities shall at all times be subject to inspection by the Director in order to determine if such facilities are efficiently performing the function for which they are installed.

(I) Cost Of Pretreatment To Be Borne By User: All costs incident to pretreatment and all expenses incident to the acquisition, installation, operation, maintenance, and repair of pretreatment facilities shall be borne by the user. In addition, any extraordinary administrative or investigative expenses incurred by the Town as a result of the installation and use of pretreatment facilities shall be charged to the user.

(J) Discharge Of Certain Materials & Substances Prohibited: No person shall release or cause to be released or allow to run, leak, or escape into the Authority's sewerage system any discharge containing any materials or substances considered

by the Public Works Director to be toxic as defined in these regulations or to be in any way deleterious to any part of the Authority's sewerage system or treatment process. Certain materials shall by their nature be considered by the Public Works Director to be toxic or deleterious except in small quantities or concentrations. Such materials or substances shall include, but not necessarily be limited to:

1. Construction materials, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, fur, wax, or any solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system;
2. Any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquids, solids, or gases;
3. Steam or hot water above 150 Fahrenheit (65 Centigrade);
4. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/1 or containing substances which may solidify or become viscous at temperatures between 33 and 150 F (1 C and 65 C);
5. Any Waters or wastes having a pH lower than 5.5 or higher than 10 or having any other corrosive property apt to cause damage or hazard to structures, equipment of the sewerage system, or personnel employed in its operations;
6. Any water or waste containing readily releasable cyanide (cyanide released at a temperature of 150 F (65 C and pH = 2.5) in excess of 2 mg/1; any water or waste containing total cyanide in excess of 5 mg/1;
7. Coal tar, its derivatives and waste;
8. Any liquids or wastes containing toxic or poisonous substances in sufficient quantities or rate of flow as to injure or interfere with any of the sewage treatment process. to constitute a hazard to human beings or animals, or to create any hazard in the receiving waters

(K) Discharge Of Certain Materials Permitted Conditionally: Certain toxic substances and pathogenic bacteria, admission of which into the System would otherwise be prohibited, shall be acceptable in a discharge if, (1) reduced by treatment at the source to a point that will meet the general purposes of these rules and regulations or come within any applicable standards set thereon now or hereafter in accordance with these regulations or, (2) discharged in such small concentrations so as to not be injurious to personnel; sewers, any biochemical, biological, or other sewage treatment process; or receiving waters. Such substances shall include, but not necessarily be limited to:

1. Any alcohols, antibiotics, arsenic, arsenicals, bromine, iodine, chlorine, copper, copper salts, cresols, creosotes, fluorine, formaldehydes, mercury, mercuricals, phenols, phenol derivatives, silver, silver compounds, silver-mides, toxic dyes (organic and mineral), or zinc;
2. Any strong oxidizing agents such as chromates, dichromates, permanganates, or peroxides;

- 3 Any chemical compounds producing toxic flammable, or explosive gases either upon acidification, alkalization, oxidation, or reduction;
- 4 Any strong reducing agents such as nitrates, sulphides, sulfites, and thiosulphates;
- 5 Any waste from industrial processes, hospital procedures or commercial processes containing viable pathogenic organisms.

(L) Specific Limitations On Certain Materials & Substances In Discharges - Compatibility With Regulatory Agency Requirements: Table A lists the maximum allowable values for certain materials in, or characteristics of, wastewater entering the Town's sewerage systems. The Town reserves the right to establish standards for substances not contained in this list. In setting additional standards the Town will generally follow the standards of the Water Pollution Control Federation. In defining and interpreting the values in Table A, reference shall be made to Standard Methods for the Examination of Water and Wastewater, American Water Works Association, latest edition.

TABLE A

<u>MATERIAL OR CHARACTERISTIC</u>	<u>MAXIMUM ALLOWABLE VALUE</u>
Boron	1.0 ppm
Chromium, Total	10.0 ppm
Coper	10.0 ppm
Cyanides	2.0 ppm
Cadmium	2.0 ppm
Lead	0.1 ppm
Mercury	2.0 ppm
Nickel	10.0 ppm
Zinc	10.0 ppm
Iron	25.0 ppm
Phenols	0.5 ppm
BOD	210.0 ppm
Suspended Solids	210.0 ppm
pH	5.5---10
Temperature	150 F

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

(M) Discharges Containing Ground Garbage - Approvals Of Certain Size Grinders Required: Any discharge to the Town's sewerage system containing garbage may be made acceptable by means of grinding and dilution, provided however that the installation of and operation of any garbage grinder equipped with a motor of three-fourth (3/4) horsepower (0.76 h p metric) or greater shall be subject to review and approval by the Public Works Director prior to such installation and operation and to periodic inspection by Town thereafter.

(N) Discharges Containing Acids & Bases - Neutralization Required: Any water or wastes which are unacceptable pursuant to these regulations shall be neutralized, diluted or subjected to some other acceptable method of pretreatment in order to render it acceptable to the Town in accordance with the provisions of this chapter prior to its discharge to the System. If necessary, the use of automatically operating diluting or neutralization and monitoring equipment shall be required. If, upon neutralization, the discharge is sufficiently high in ionic strength as to continue to be unacceptable, further pretreatment shall be required.

(O) Discharge Of Odors - Control By Owner Required: It shall at all times be the responsibility of the owner to eliminate or control the emission of offensive odors from building sewers to the System or the development of offensive odors in the System as the result of a discharge. Whenever the Director determines that offensive odors emanating from building sewers or resulting from a discharge are present in the System, he shall require the owner to take whatever steps are necessary to eliminate such odors from the System. The cost of any devices which may be necessary to eliminate or control such odors and all attendant expenses shall be borne by the owner.

(P) Prevention Of Accidental Release Of Unacceptable Substances: There shall be no connection to the System from any vessel, tank, container, or receptacle of any kind used to receive, hold, store, or in any other way handle any toxic or deleterious materials or substances, the discharge of which is prohibited by these regulations through which quantities of such materials or substances could accidentally or otherwise be discharged directly or indirectly into the System. Persons who in the course of their business or otherwise transport, store, receive, ship, or in any other way handle or process any such materials or substances shall take precautions to prevent accidental spillage of such substances to any connection to the System by way of floor drains, basins, catch basins, down spouts, gutters, manholes, or any other such connection. Whenever the Director determines that accidental spillage has occurred through any connection to the System as described above, he shall require the owner to eliminate the connection.

(Q) Accidental Release Of Unacceptable Discharge - Notification - Charges: In the event of any accidental release to the System of any unacceptable discharge or of any substances or materials considered by the Public Works Director to be toxic or deleterious as provided in this chapter, it shall be the responsibility of the user to notify the Public Works Director immediately, and in no case later than one (1) hour following such a discharge, at telephone number 627-8882, so that remedial action can be taken. Costs incurred to correct any damage resulting from such a discharge shall be charged to the user and failure to report such a discharge shall result in an additional charge of \$1,500.00 in addition to costs of correction. Each such discharge shall be considered separately and costs and charges levied accordingly. Each day on which there is such a discharge shall be and is hereby deemed to be a separate discharge and charges shall be levied accordingly. Such charges shall be collected by the Town in the same manner as all other charges set by the Town.

(R) Special Agreements - Application To District: Whenever necessary or expedient in order to carry out the provisions of these regulations, the Public Works Director may enter into special agreements with users of the Town's facilities setting forth terms under which the discharge of such users will be acceptable to the Town. Such agreements shall be made only in accordance with the application therefore made to the Board of Review pursuant to these regulations.

(S) Discharge Of Unpolluted Water Where Storm Sewer Is Available: Whenever separate storm and sanitary sewers are provided, required, or in use in any area of the Town, all unpolluted water including all storm water, surface water, ground water, roof-runoff, uncontaminated cooling water, subsurface drainage or unpolluted industrial process water shall be discharged to the storm sewer. Whenever, in such areas any such unpolluted water is found to be discharged to sanitary sewer, the Director shall require such discharge to be connected to the storm sewer at the expense of the user.

(T) Appeal From Determination Regarding Discharge: Any industrial user whose discharge has been determined by the Director to be unacceptable in accordance with these regulations or who disagrees with any other determination of the Director hereunder may apply to the Town's Council for a review thereof in accordance with these regulations.

(U) Failure To Comply With Discharge Regulations - Charges: Any failure to comply with any provision of this chapter in this Code shall result in an additional charge against the person or premises so failing to comply in the amount of \$500.00; in addition, said person or premises shall be liable for any damages which occur to the system as a result of such failure to comply with any provision of these regulations, and each such failure to comply shall be and is hereby deemed to be a distinct and separate failure and charges shall be applied accordingly. Such charges shall be collected by the Town in the same manner as all other charges set by the Town.

13-1-11: BILLING PROCEDURES:

- (1) Applicability: This section applies only to customers served directly by sewage disposal plants operated by the Town, except where special rates are provided in acquisition of other utilities; charges and deposits for other customers are governed by the special rate schedules in effect in their area.
- (2) Billing Periods; Due Date: Bills for sewage disposal service will be rendered monthly.
- (3) Sewer Charges: Each bill for sewage disposal service rendered to the customers on the Sewer System of the Town shall be as determined by Section 13-1-12 "Rates and Charges"
- (4) Delinquent Bills: Bills are due when rendered, and if not paid within twenty (20) days after the original bill is mailed by the Town, a 10% additional charge (penalty) shall be added to the bill.

Sewer service, as such, will not be discontinued under any normal circumstances; however, in cases where discontinuance is required for any reason including but not limited to nonpayment, the Town shall instead discontinue the sewer service.

13-1-12 RATES & CHARGES:

- (1) Sewer User Classification: For the purposes of determining the monthly sewer use charge and connection charge, users shall be assigned by the Manager to one of the following classifications:
- (A) Residential: Every single family dwelling, or each unit in a duplex, triplex or fourplex structure, regardless of the number of such structures on one given lot.
 - (B) Retail/Wholesales Stores: Businesses retailing or wholesaling services or materials, but sell no prepared foods and whose sole sewerage effluent consists of restroom type discharge.
 - (C) Restaurants: Food preparation facilities which may discharge garbage, grease or fats into the system.
 - (D) Manufacturing: Business which combines components in making a product.
 - (E) Grocery Stores: Retail sales of food stuffs and similar items.
 - (F) Apartments: A group or cluster of attached or unattached residences or rooms, where people stay with the intent to be at least semi-permanent. Any such residences or rooms where 3/4 of said residences or rooms are intended for persons staying 3 months or longer.
 - (G) Trailer Parks: A licensed location providing electrical, water and sanitary connections for trailers, mobile homes and or motor homes where the intent of the owners and the space renter is to remain for 3 months or longer.
 - (H) Motel/Hotel: A group of rooms either attached or unattached designed for non-permanent residence. The maximum length of stay at a Motel/Hotel would be less than 3 months.
 - (I) Laundries: A business with washing machines and/or dryers whether self-serve or service purchase.
 - (J) Car Wash: Business facilities either automated or hand operated for washing and cleaning of automobiles and trucks.
 - (K) Schools: Regular school facilities established through a School District.
 - (L) Border Station: —
 - (M) Churches: Buildings where solely worship and other related services are held, no permanent residence.
 - (N) Gas Stations/Auto Repair Facilities: Facilities providing services from gas and oil, and or mechanical repair.
- (2) Monthly User & Connection Charges:
- (A) Residential: Each single facility residence must pay a connection charge, regardless of the number of single family residences on any given lot.

As a special incentive for residential property owners to pay the total connection fee at one time, from Feb. 1, 1985 through April 15, 1985, single family residents can receive a 15% discount off the \$300.00 connection charge if they pay the entire amount. This discounted fee would be \$255.00 per residence.

From April 1, 1985 through June 28, 1985, the connection fee will be \$300.00 per residence.

Persons so desiring may make payment on the \$300.00 connection fee by paying at least one-fourth (\$75.00) upon application, and signing a promisory note for payment of the remainder at least on a quarterly basis, over the next calendar year.

As of July 1, 1985 the connection fee will increase to \$400.00 per residence.

The monthly user fee for all single family residents will be \$12.00 per month per residence. The monthly user fee is to be paid one month in advance, and is due and payable by the 1st working day of the new month.

Residences not connecting to the Town sewer by June 29, 1985 will be automatically billed for monthly sewer user fees starting April 1, 1985.

(B) Commercial/Business:

	<u>Type</u>	<u>Monthly</u>	<u>Connection</u>
1.	Retail/Wholesale Stores (no prepared foods), warehouses, office buildings and other commercial business...	\$12.00	\$ 300.00 (\$400 after 7/1/85)
2	Restaurants	\$24.00	\$ 700.00
3	<u>Grocery Stores:</u>		
	a) Major market (full meat, produce and grocery lines)	\$24.00	\$ 700.00
	b) Major market combined with restaurant	\$32.00	\$1,200.00
	c) Small market (limited grocery limited meat or produce)	\$12.00	\$ 300.00 (\$400 after 7/1/85)
4.	<u>Apartments (Cost Per Room)</u>		
	1-5 rooms	\$10.00	\$175/room
	6-10 "	10.00	150/room
	11-15 "	10.00	125/room
	16-30 "	10.00	100/room
	Over 30 "	10.00	Negotiable

	<u>Type</u>	<u>Monthly</u>	<u>Connection</u>
5.	<u>Trailer Parks (Cost Per Space)</u>		
	1-5 space	\$10.00	\$175/space
	6-10 "	10.00	150/space
	11-15 "	10.00	125/space
	16-30 "	<u>10.00</u>	100/space
	Over 30 "	10.00	Negotiable
6.	<u>Motel/Hotels (Cost Per Room)</u>		
	1-5 room	\$ 6.00	\$100/room
	6-10 "	6.00	75/room
	11-15 "	6.00	50/room
	16-30 "	6.00	25/room
	Over 30 "	6.00	Negotiable
7	<u>R V. Parks (Cost Per Space)</u>		
	1-5 space	\$ 8.00	\$125 /space
	6-10 "	8.00	100 /space
	11-15 "	8.00	75 /space
	16-30 "	8.00	50 /space
	Over 30 "	8.00	Negotiable
8.	Gas Station/Auto Repair Facility	\$18.00	\$450.00
9.	Manufacturing	Each Case Negotiable (Base \$12/Mo. & \$300 Connection)	
10.	<u>Laundries (Cost Per Washing Machine)</u>		
	1-5 Washing Machine	\$ 5.00	\$100/each
	6-10 "	5.00	75/each
	11-20 "	5.00	50/each
	Over 20 "	5.00	Negotiable
11	Car Wash (Self Service)	\$10.00/stall	\$175/stall

Persons vacating their residence or business for a several month period may sign an affidavit of vacancy with Town Hall so as not be charged a monthly fee during that period of time. Failure to notify Town Hall and resume monthly fees upon return to the residence or business will result in payment due for all the previous vacant period and forfeiture of any future waiver.

(3) Exceptions: A subdivider or property owner in a subdivision may connect into an approved subdivision sewer without fee providing that a previous subdivider has paid the entire connection charges and construction costs for the sewers in the subdivision.

(A) Other Charges: Miscellaneous charges shall be made for any work done by the Town beyond normal maintenance or extension charges as outlined previously. This work, which will include such items as moving connections, relocating manholes, or any other work done at the property owner's request for the benefit of the

property owner, shall be charged for at direct cost plus appropriate overhead. Payment in full for the estimated cost will be required prior to doing this type of work with appropriate refunds, if any, when the work is completed. Work will not commence until a written understanding between the parties has been executed.

13-1-13 PERMITS:

- (1) Any person desiring to deposit or discharge, or who is now depositing or discharging any industrial waste into the sanitary sewers shall make application for the disposal of industrial waste to the Public Works Director. The Public Works Director shall approve such applications only when evidence is submitted by the applicant that the discharge into the sanitary sewer will comply with all of the requirements of this Code.
- (2) Should any person fail to secure a permit or fails to have his or its application approved or is subsequently found to be exceeding the limits set forth in his or its permit, the Town Officer in charge of the sewer system's operation upon twenty-four hour notice, shall have his connection with the Town Sewer System severed, such service will only be restored at such person's expense.

13-1-14. ADDITIONAL REGULATIONS:

The Council may from time to time, by resolution, prescribe such additional regulations and requirements governing connections to and the use of said sewer system as may be proper or expedient.

SECTION 3. EMERGENCY:

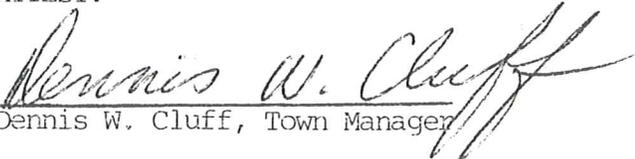
To preserve the public peace, health and safety within the Town of San Luis, it is necessary that this Ordinance become immediately operative. It is therefore, declared to be an emergency measure and shall be exempt from the provisions of the referendum and shall take effect and become operative from and after its passage by the Town Council, approved by the Mayor and publication as required.

PASSED AND ADOPTED this 27th day of February, 1985.



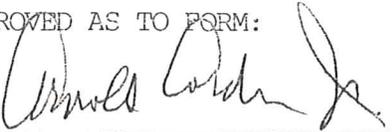
Marco Antonio Reyes, Mayor

ATTEST:



Dennis W. Cluff, Town Manager

APPROVED AS TO FORM:



Arnold Cordova Jr., Attorney

Publication Dates: _____