

HIGH VALLEY RANCH DOMESTIC WASTEWATER IMPROVEMENT DISTRICT
RESOLUTION AND ORDINANCE
NO. 2013-1

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

WHEREAS, the Board of Directors of the High Valley Ranch Domestic Wastewater Improvement District desire to assure that the use of the sanitary wastewater system in the High Valley Ranch Domestic Wastewater Improvement District, operated by the District will conform to the best sanitary engineering practices, and

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

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

Dated this 21 day of August, 2013.

HIGH VALLEY RANCH DOMESTIC WASTEWATER IMPROVEMENT DISTRICT

BY: _____
Betty Higgins, Chairperson

ATTEST:

BY: _____
Jennifer J. Bartos, District Clerk

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ARTICLE I
DEFINITIONS AND ABBREVIATIONS

Section 101

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

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

ANNEXATION: The addition of territory to the District.

HIGH VALLEY RANCH DOMESTIC WASTEWATER IMPROVEMENT DISTRICT: The name of the District in which the wastewater collection system is located. The District's collection system discharges to the City of Prescott wastewater system for treatment.

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

BOARD OF DIRECTORS: The Board of Directors of the High Valley Ranch Domestic Wastewater Improvement District.

CAPACITY: The of volume of ERU's designated for use in the District's wastewater collection system. The capacity and the right to sewer capacity runs with the land and are limited to the approved and paid for capacity.

DISTRICT: The High Valley Ranch Domestic Wastewater Improvement District.

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

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

DISTRICT OFFICE: c/o Improvement District Services, Inc., 1965 Commerce Center Circle, Suite A, Prescott, AZ 86301 (800) 659-7149 or (928) 443-9484 / FAX (928) 443-9486

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

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

G.P.D.: Gallons Per Day.

INDUSTRIAL USER: Any non-residential user identified in Divisions A, B, D, E, or I of the Standard Industrial Classification Manual or any user which discharges wastewater potentially containing toxic or poisonous substances which cause interference in the sanitary wastewater system.

LATERAL LINE: A sewer line serving an individual structure, from the sewer mainline connection through the building plumbing system, running mostly through private property or private easements but may also cross a public right-of-way or District easement to access the sewer mainline.

MAY: is permissive.

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

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

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

PROPERLY SHREDDED GARBAGE: Garbage that has been shredded to such a degree that all particles will be carried freely under flow conditions normally prevailing in the wastewater sewers.

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

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

SEWERLINE: A pipe or conduit for carrying wastewater.

SHALL: is mandatory.

STRENGTH: The sewage leaving a facility contains a load (or solids) of many materials including fecal matter, food, chemicals, and grease. These additives to the flow constitute the strength.

ARTICLE II **GENERAL PROVISIONS**

Section 201 - Purpose

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

Section 202 - Short Title

This Ordinance may be cited as the High Valley Ranch Ordinance or District Ordinance.

Section 203 - District Office

All correspondence, applications, and inquiries should be addressed to: Jennifer Bartos, District Clerk, c/o Improvement District Services, Inc., 508 South Montezuma Street, Prescott, AZ 86303.

Section 204 - Relief on Application

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

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

Section 205 - Relief on Board's Motion

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

Section 206 - Administration

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

Section 207 - Notice of Violations

Any person found in violation of this Ordinance, will be served with a notice stating the nature of the violation and providing a time limit of 48 hours, or an alternate time limit determined by the Board of Directors, for compliance. Such notice will be in writing and will be served in person or by certified mail. The notice will be sent to the last address of the owner of record known to the Administrator. If satisfactory action is not taken in the time allotted by the notice, Section 208 of this Ordinance shall be implemented.

Section 208 - Penalty for Non-Compliance

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

Section 209 - Inspections

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

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

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

While performing the necessary work on private property, the District representatives will observe all reasonable safety rules established by the owner or occupant of the property and applicable to the premises.

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

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

Section 210 - Authorization to Alter, Use, or Disturb the District Wastewater System

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

Section 211 - Damage to the District Wastewater System

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

Section 212 - Vandalism

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

Section 213 - Property Owner's Responsibility

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

ARTICLE III **BUILDING SEWERS AND CONNECTIONS**

Section 301 - General

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

Section 302 - Lateral Line Connections

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

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

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

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

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

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

Section 303 - Sewer Expansion Process

All sewer mainline expansions and required specifications shall be approved by the Board of Directors prior to construction. All expenses incidental to the sewer expansion shall be borne by the property owner.

Section 304 – Interceptors / Grease Trap Approval Process

Interceptors Required: Grease, oil, sand, and grit interceptors or traps shall be provided when, in the opinion of the District, they are necessary for the proper handling of wastes containing grease, or any flammable wastes, sand, grit or other harmful ingredients; except that such interceptors shall not normally be required for a building used for private living quarters

or residential units. Grease traps shall be required at all public premises where food is served, such as restaurants, cafeterias, and boarding houses. All interceptors shall be of a type and capacity approved by the District, and shall be so located as to be readily and easily accessible for cleaning and inspection. All grease, oil, grit, and sand interceptors shall be maintained in a continuously maximal operational condition in accordance with the manufacturer's instructions, at the user's expense. The user shall produce records of maintenance and/or cleaning upon request.

A property owner, or their designated representative, shall make application to the District for review of an interceptor or grease trap design, specifications, and installation. Approvals by the District Engineer shall be issued prior to the start of the interceptor/grease trap installation. All expenses incidental to the design and installation of the interceptor/grease trap and the District Engineer's design review and inspection shall be borne by the applicant.

The applicant shall be billed for expenses incurred by the District for the interceptor/grease trap approval process.

The District shall invoice the applicant for expenses incurred on a monthly basis. This invoice shall be due and payable within 30 days. An interest rate of 10% per annum shall be charged on outstanding account balances due after 30 days. All invoices shall be paid in full prior to final acceptance by the District.

Section 305 - Separate Connection Required

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

Section 306 - Building Sewer Elevation

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

Section 307 - Building Sewer Line Back-Flow Prevention

Every building with plumbing fixtures of any type that is connected to the District's wastewater collection system shall install a back-flow device to prevent back-flow of sewage into the structure.

ARTICLE IV **NEW OR MODIFIED SEWER SERVICE**

Section 401 - General

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

Section 402 - Request for Capacity

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

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

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

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

The capacity and the right to sewer capacity runs with the land and are limited to the approved and paid for capacity.

Failure to make the capacity fee payment within 30 days of the approval date may void the approval.

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

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

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

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

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

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

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

ARTICLE V **DISTRICT FEES**

Section 501 - Capacity Fees

Definition of Capacity Fee

A Capacity fee is based on the cost of developing the wastewater collection, treatment and disposal facilities that are required to treat the flows and strengths into the system from a particular wastewater connection.

The District shall collect a capacity fee from property owners requesting sewer capacity in the District's wastewater system.

Additional capacity fees shall be collected if the property has or makes a change of use, expansion, or tenant improvement that require additional capacity as determined by the District, in accordance with the District Ordinance.

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

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

Failure to make the capacity fee payment within 30 days of the approval date may void the approval.

Formula for Calculation of Capacity Fee

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

ERU = 225 gallons per day plus strengths

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

Total Capacity ERU x Capital ERU Rate = Capacity Fee

Capacity Fee Rate

The capacity fee is established as \$ *insert rate here* per ERU.

Section 502 - Hookup Fees

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

Prior to construction and/or connection the property owner shall submit an Application for Sewer Service along with the hookup fee and any applicable capacity fees.

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

Hookup Fee Rate

Hookup fees are established as \$225.00 per Application for Sewer Service.

Section 503 - User and Availability Fees

User Fee Definition

User Fees are proportionate shares of the cost of operation, maintenance, and replacement of a wastewater collection system and may include the cost of administrators, surveyors, sanitation experts, engineers, legal counsel and other persons as are reasonably necessary for the operation, maintenance and replacement of the system.

User fees shall be charged to all properties connected to the District's wastewater system.

All user fees will be billed to, and are the sole responsibility of, the property owner.

Availability Fee Definition

An Availability Fee is

User Fees: User fees for structures connected to the District's wastewater system shall be charged at the User Fee Rate.

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

Availability Fees: Availability fees for properties with reserved capacity, not discharging wastewater to the system, shall be charged at the Availability Fee Rate. The account will be billed the inactive user fee based on the reserved ERU for that particular account. An Availability fee will be billed to the account until the connection is made or when final inspection is received by Yavapai County Planning and Building, whichever comes first. Active user fee billing shall begin at the time of connection. It is the sole responsibility of the property owner to notify the District when the structure becomes connected.

Quarterly Billing Cycle and Interest

User Fee charges are for calendar quarters and will be billed on or before the 25th day of the first month in each quarter and due by the 15th day of the second month in each quarter. Such charges will be delinquent if not paid within 15 days of such said due date. Delinquent service charges shall bear an interest charge of 10% per annum. Any and all unpaid service charges, penalties may be collected by court action, together with all costs of action and attorney's fees.

Formula for Calculation of User Fees

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

ERU = 150 gallons per day plus strengths
No. of units x ERU per unit = Daily ERU
Daily ERU x Daily Rate = Daily User Fee
Daily User Fee x 30 = Monthly User Fee
Monthly User Fee x 3 = Quarterly User Fee

District Fees Rates

The User Fee Rate is established as \$. *insert rate here* per ERU per day.

The Minimum User Fee Rate is established as \$ *insert rate here* per account per month.

The Availability Fee Rate is established as \$ *insert rate here* per ERU per day.

Section 504 - User Deposits

All deposit and service charges shall be billed to, and the sole responsibility of, the property owner. A deposit equivalent to one quarterly user fee for each account shall be made by the property owner to the District at or before the time the sewer service is connected, which deposit is to be retained by the District as a guarantee for payment to the District of the quarterly user fee.

The guarantee deposit shall be credited without interest to sewer accounts with four consecutive full quarters of current user fee payments, upon written request by the property owner. The credit shall be applied to the next quarterly billing cycle.

OR

Such guarantee deposit, without interest, shall be credited to the depositor in the event the property is transferred to a new owner. It is the responsibility of the property owner to notify the District, in writing, of changes of ownership. The deposit shall be used to offset any outstanding balance due at the time of the change of ownership, or any fees disputed due to lack of change of ownership notification.

Section 505 - Lateral Fees

The District Board of Directors may consider the design and installation of lateral stub-outs, from the District's sewer mainline to the edge of the public right-of-way or District easement, be included in a District sewer mainline construction project. The cost for design and installation shall be borne by the property owner and may be determined on a case-by-case basis.

Section 506 - Delinquencies, Liens, and Interest

For accounts with user fees delinquent in excess of 180 days the District may proceed with collections pursuant to the applicable Arizona Revised Statutes as follows:

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

The unpaid user fees are a lien on the property from the date of recording in the office of the County Recorder in the County in which the property is located until the fees and all costs are paid.

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

Unpaid user fees pursuant to this article accrue interest at the rate of 10% per annum.

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

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

Section 507 - Return Check Charge

The District may charge a \$25.00 return check charge for all checks returned for Insufficient Funds

ARTICLE VI **ANNEXATION OF TERRITORY TO THE DISTRICT**

Section 601

Requests for annexation will be processed in accordance with State Law. Annexation requests shall be made to the District Clerk and must be approved by the Board of Directors prior to admittance into the District. All expenses incidental to the annexation shall be borne by the property owner. Annexation into the District is required prior to connection to the District's wastewater system.

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

ARTICLE VII **PROPER USE OF THE SANITARY WASTEWATER SYSTEM**

Section 701 - Restricted Uses of the Sanitary Wastewater System

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

Section 702 - Restricted Discharges

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

1. Create a fire or explosion hazard including, but not limited to, gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas;
2. Cause corrosive damage or hazard to structures, equipment, or personnel of the wastewater facilities, but in no case shall discharges with pH lower than 5.0 be made unless the District Operator and the City of Prescott determines the facilities can accommodate such discharges;
3. Cause obstruction to the flow in sewers, or other interference with the operation of wastewater collection system due to accumulation of solid or viscous materials;
4. Constitute a rate of discharge substantially above normal rates of discharge of sludge volumes;
5. Contain heat in amounts which will accelerate the biodegradation of wastes and thereby the formation of hydrogen sulfide in the sewer system or inhibit biological activity in the wastewater treatment facilities, but in no case heat in such quantities that the temperature at the wastewater treatment facilities influent exceeds 40 degrees centigrade (104 degrees F) unless the District Operator and the City of Prescott determines the facilities can accommodate such heat;
6. Contain more than 25 milligrams per liter of non-biodegradable oils of mineral or petroleum origin;
7. Contain any noxious or malodorous gas or substance which either singly or by interaction with other wastes, is capable of creating a hazard to life, or preventing human entry into manholes for their maintenance and repair, or causing a public nuisance;
8. Contain any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District Operator and the City of Prescott in compliance with applicable State or Federal regulations;
9. Contain any garbage that has not been properly shredded;
10. Contain any odor or color producing substances exceeding concentration limits;
11. Cause a hazard to human life, be deleterious to waste treatment structures or processes, or create a public nuisance.

Interceptors Required: Grease, oil, sand, and grit interceptors or traps shall be provided when, in the opinion of the District, they are necessary for the proper handling of wastes containing grease, or any flammable wastes, sand, grit or other harmful ingredients; except that such interceptors shall not normally be required for a building used for private living quarters or residential units. Interceptor/grease traps shall be required at all public premises where food is served, such as restaurants, cafeterias, and boarding houses. All interceptors shall be of a type and capacity approved by the District, and shall be so located as to be readily and easily accessible for cleaning and inspection. All grease, oil, grit, and sand interceptors shall be maintained in a continuously maximal operational condition in accordance with the manufacturer's instructions, at the user's expense. The user shall produce records of maintenance and/or cleaning upon request.

Section 703 - Federal Standards

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

ARTICLE VIII
SEVERABILITY

Section 801

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

ARTICLE IX
ORDINANCE TABLE A

Section 901 - Ordinance Table A Definition

The Ordinance Table A is a list of commonly known user classes. Each user class has an assigned ERU. The ERU includes strength and flow that are typically based on an industry-wide average and/or actual water flow figures with strengths added. The ERU's listed for each user class in Ordinance Table A shall be utilized in calculating average and maximum daily flows. An ERU for average daily flow equals 150 gallons per day plus strength, an ERU for maximum daily flow equals 225 gallons per day plus strength.

Section 902 - Ordinance Table A Formula

Formula to determine ERU

Annual Water Consumption divided by 360 days = Daily Use

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

Daily Use per Unit divided by (150 or 225) = Flow

Flow x strength = ERU

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

An ERU for Maximum Daily Flow = 225 gallons per day plus strength

Section 903 - Modifications to the Table A for Commercial User Classes

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

Section 904 - ERU Table - Ordinance Table A

High Valley Ranch Domestic Wastewater Improvement District Ordinance Table A

	<u>User Class</u>	<u>Unit for Charge</u>	<u>Strength Factor</u>	<u>ERU</u>
1	Animal Centers/Kennels	per kennel	1.00	0.17
2	Auto Assembly/Body Shop	per connection	1.08	1.08
3	Auto/Boat Sales/Service	per connection	0.96	0.96
4	Barber Shops (w/o sinks-as Bus. Office)	per connection	1.00	0.67
5	Bars w/o Food Service	per connection	1.05	2.80
6	Bars with Food Service	per connection	1.49	7.44
7	Beauty Salons	per connection	1.00	1.50
8	Business Offices	per person/empl.	0.14	0.21
9	Car Washes - with recycle	per bay	0.64	2.12
10	Car Washes - without recycle	per connection	1.00	16.67
11	Church or Lodges w/o kitchens	per connection	1.00	2.17
12	Church or Lodges with kitchens	per connection	1.34	2.90
13	Dry Cleaners	per connection	1.00	1.66
14	Entertainment - Bowling Alleys	per connection	1.00	3.33
15	Entertainment - Health Clubs	per connection	1.00	6.67
16	Entertainment - Theaters	per theater	1.00	3.33
17	Entertainment - Amusements	per connection	1.00	2.33
18	Food Stores w/o grinder	per connection	1.00	3.50
19	Food Stores-Convenience	per connection	1.00	1.50
20	Food Stores-over 5000 sf w/Grinder	per connection	2.65	49.61
21	Food Stores-under 5000 sf w/Grinder	per connection	2.65	22.08
22	Health Facilities Spas with showers	per connection	1.28	66.73
23	Health Facilities without showers	per fixture	1.00	1.50
24	Heating/Plumbing/Welding Shops	per connection	0.96	0.96
25	Hospitals	per bed	1.00	0.83
26	Hotels / Motels	per bedroom	1.29	0.86
27	Hotels / Motels with Restaurants	per bedroom	1.69	1.13
28	Laundromats	per machine	0.81	2.17
29	Laundry - Commercial	per machine	1.49	5.45
30	Library/Museums	per connection	1.00	2.67
31	Lumber/Hardware/Home Improvement	per connection	0.96	0.96
32	Machine Shops	per connection	1.08	1.08
33	Manufacturing/Assembly	per connection	1.40	7.00
34	Medical/Dental Office	per unit/Dr.Dentist	1.00	1.50
35	Mortuary/Cemetery	per connection	2.65	7.95
36	Nursing/Convalescent Homes	per bed	1.00	1.33
37	Parks & Open Spaces	per fixture	1.00	0.80
38	Photo/Photo Finishing	per connection	1.09	3.26
39	Photocopy/Print Shops	per connection	1.10	2.56
40	Pools	per pool	0.73	2.34
41	Public Assembly Facilities	per connection	1.00	10.83
42	Public Building (Firehouse, Post Ofc)	per connection	1.00	3.33
43	Public Restrooms-Per Toilet/Sink	per toilet/fixture	1.14	1.71
44	Residential - Condominium	per unit	1.00	1.00

45	Residential - Mobile Home	per unit	1.00	1.00
46	Residential - Multi Family	per unit	1.00	1.00
47	Residential - Single Family (3 bdrm)	per connection	1.00	1.00
48	Residential - Single Family (4+ bdrm)	per connection	1.00	1.25
49	Restaurant	per seat	2.65	0.20
50	Restaurant/Addition with Patio Seats	per seat	2.65	0.20
51	Restaurants - Fast Food	per meal	2.65	0.05
52	Retail Bakery	per connection	2.45	16.33
53	Retail Nursery/Gardener Shops	per connection	0.96	0.96
54	Retail Shoe/Appliance/Other	per connection	0.95	0.95
55	Retail Stores(General)	per person/empl.	0.14	0.21
56	Retail Stores-Shopping Centers	per unit	0.86	1.29
57	Schools - w/o kitchen & gym	per student	1.00	0.10
58	Schools - with gym facilities only	per student	1.00	0.13
59	Schools with Kitchen & Gym Facilities	per student	1.24	0.17
60	Schools with Kitchen Facilities Only	per student	1.29	0.18
61	Service Stations w/o Car Wash	per connection	1.04	1.73
62	Service Stations with RV Disposal	per connection	1.16	3.88
63	Timeshare	per unit	1.00	1.25
64	Warehousing	per connection	1.00	1.50