

SANITARY SEWER CONSTRUCTION, CONNECTIONS AND FEES

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13.20.010 - Purpose.

The purpose of this chapter is to regulate connections to the Pima County public sanitary sewerage system by establishing requirements and procedures for design and construction of public gravity sanitary sewer lines by an applicant, the construction and/or implementation of wastewater pumping systems by an applicant, connection to the public sanitary sewerage system, fees and charges, credits and rebates.

13.20.020 - Definitions.

The following definitions apply throughout this chapter:

1. "Applicant" means the owner or a representative of the owner of the property or unit requesting connection to the public sanitary sewerage system of Pima County.
2. "Approved" or "approval" means approved or approval in writing.
3. "Area under development" means the property for which sanitary sewerage service is requested by the applicant, and the rights-of-way and easements that abut this property.
4. "Assignment" means the conveyance of sanitary sewer connection fee credits by the credit-holder to a subsequent purchaser of all or any part of the area under development specified in the credit agreement.
5. "Augmentation" means the construction of public sanitary sewerage facilities adjacent to or in replacement of existing public sanitary sewerage facilities for the purpose of increasing the capacity of the public system.
6. "Base sanitary sewerage facility size" means the minimum capacity sewage conveyance facility that is required to convey the predicted peak dry-weather wastewater flow from the area under development without exceeding a flow depth of $0.75 d/D$ (where d is the depth of flow and D is the diameter of the pipe) based on the Manning Equation using an "n" value of 0.013.
7. "Building connection sewer" or (BCS) means the private sewer between the commercial or industrial building or any building that does not qualify as Residential under this ordinance and the public or private sewer collection line.
8. "Ccf" means one hundred cubic feet of flow or approximately seven hundred forty-eight gallons.
9. "Chemical oxygen demand (COD)" means the chemically oxidizable material in wastewater as represented by the reduction of dichromate ion, measured according to the procedures in Standard Methods.

10. "Combined sewer" means a sewer for the conveyance of both wastewater and storm flow or surface water. Combined sewers are not authorized in Pima County.
11. "Commercial/industrial/non-residential" means a property zoned or used for recognized commercial, industrial, or non-residential uses. Commercial/industrial/non-residential uses include, but are not limited to, restaurants, bars, Laundromats, hotels, motels, offices, in-home businesses with rest room facilities provided primarily for customer use, service stations, barber shops, beauty salons, hospitals, nursing homes, schools, churches, all penal institutions, utilities, car washes, medical and dental laboratories, pet clinics, bakeries, industries, manufacturing, machinery and meat packing.
12. "Connection fee" means the fee paid to Pima County for permission to connect to the public sanitary sewerage system, as set forth in Section 13.20.040.
13. "Connection fee credit" means a credit for eligible construction and engineering costs, not including easement costs, of over-sizing public sanitary sewerage facilities to be applied against an applicant's sewer connection fees.
14. "Connection Fee Discount" means a reduction in the connection fees charged as compensation for the cost of constructing a qualifying public sewer improvement.
15. "County" means Pima County, Arizona.
16. "Credit agreement" means an agreement between an applicant and Pima County for reimbursement by connection fee credits for the credit eligible construction costs of over-sizing or augmenting public sanitary sewerage facilities directed by the Department.
17. "Currently served area" means any property that abuts an existing public gravity sanitary sewer.
18. "Department" means Pima County Regional Wastewater Reclamation Department.
19. "Developer" means one or more individuals or incorporated entities that pay the costs of connection fees, and constructing qualifying public sanitary sewerage system improvements if required.
20. "Development" means one or more properties in common ownership.
21. "Director" means the director of the Department or any employee of the Department to whom the Director may by order delegate the authority to carry out his functions under this Section, or any person who shall by operation of law be authorized to carry out such functions.
22. "Disposal systems" means a device or system for the treatment or disposal of sanitary sewage, either by surface or underground methods, and includes the associated sewage plumbing systems, treatment works, disposal wells and other systems.
23. "Fixture unit equivalent" means a unit of measure which expresses the potential loading on the public sanitary sewerage system of different kinds and sizes of plumbing fixtures.
24. "Flow-through reach of sanitary sewer" means that part of a sanitary sewer that is located within a development, extends through to the upstream boundary of the development and terminates at a standard manhole.
25. "Gpd" means gallons per day.
26. "House connection sewer" means the private sewer between the residential building and the public or private collection sewer.
27. "Individual disposal system" means a privately owned and maintained device or system for the treatment or disposal of sewage from a single housing or business unit.
27. "Letter Agreement" means a written agreement between the Department and Applicant that specifies the required improvements and development time period for the Applicant to construct on-site or minor off-site improvements in exchange for the Department's commitment to provide sewer service.
- 28 "Mg/l" means milligrams per liter, a weight-to-volume relationship; for dilute aqueous solutions, the milligrams per liter relationship is closely equivalent to parts-per-million.
29. "Model plan" means a standard set of construction drawings for buildings which builders may use on several lots within a development.
30. "Multi-Family" means any development with more than one residential unit, and where each unit is not individually served by a dedicated water meter maintained by the water provider.
30. "Off-site sanitary sewerage improvements" means all sanitary sewerage construction necessary to connect on-site facilities to an existing public sanitary sewerage system as required by the department.

31. "On-site sanitary sewerage improvements" means all sewerage system facilities within the area under development.
32. "Over-sizing" means the increase in size of a public sanitary sewerage facility which is required to serve property not owned by the applicant.
33. "Owner" includes one possessing an option to purchase.
34. "Private low pressure sewer system" means a complex form of a private sanitary sewage conveyance system that typically serves several properties; each property operates its own private wastewater pumping system that pumps to a common pressure sewer that, in turn, conveys the wastewater to the public sanitary sewage conveyance system.
35. "Private sanitary sewage conveyance system" means a sewer connecting a residence or other building to the public sanitary sewer system. The term includes house connection sewer (HCS) building connection sewer, private wastewater pumping system, and private low pressure sewer system.
36. "Private wastewater pumping system" means a pump and pressure sewer system built to pump wastewater from one or more private properties to the public sanitary sewage conveyance systems.
37. "Property" means a contiguous parcel of land either in common ownership or as identified by a single county tax code number.
38. "Public sanitary sewage conveyance system" means those parts of the public sanitary sewerage system that convey sanitary sewage from the points of connection of any private sanitary sewage conveyance system to the public wastewater treatment and disposal facilities.
39. "Public sanitary sewerage system" means the system owned by Pima County including all gravity sanitary sewer mains; wastewater pumping systems; treatment and disposal facilities; and all appurtenances required to collect, transport, treat, store, reclaim, discharge or recharge the liquid and solid phases of wastewater.
40. "Qualifying public sewer improvement" means an addition to the public sewer system conforming to the requirements of section 13.02.045(C).
41. "Rebate" means the repayment to an applicant by Pima County of the cost of a public sewer facility installed by the applicant.
42. "Rebate line" means a line constructed to provide service to an area under development which also provides at least fifty-one percent of its residual capacity to currently unsewered properties which did not participate in the cost of its construction.
43. "Residential" means a building or portion of a building designed to be used as a dwelling and that normally qualifies under US Postal Service Rules for an individual address. This dwelling may be a mobile home, manufactured home, single family home, duplex, townhouse, or condominium or apartment building with individual water meters service each dwelling and serviced by the water provider.
44. "Residual capacity" means the difference between the predicted peak dry-weather flow from the development constructing the facility and the theoretical flow in the facility at $0.75 d/D$ (where d is the depth of flow and D is the diameter of the pipe) based on the Manning Equation using an "n" value of 0.013.
45. "Sanitary sewage" means the wastes from toilets, baths, sinks, lavatories, laundries, drains, and other plumbing fixtures in residences, institutions, public and business buildings, mobile homes and other places of human habitation, employment or recreation.
46. "Sanitary sewer" means a separate sanitary sewer (and not a combined sewer) for conveyance of sanitary sewage or industrial wastewaters, and into which there is no intentional admission of storm, surface, or ground water, or of industrial wastes toxic to treatment processes unless, authorized by the department.
47. "Sewerage facilities" and "sewerage systems" means both sanitary sewage conveyance and treatment facilities and the associated appurtenant systems.
47. "Sewer service agreement" means a formal agreement executed by the Applicant and Department that specifies the required improvements that will be made by the Applicant. The Sewer service Agreement shall also document requirements for over-sizing, augmentation; flow-through or connection fee discounts (13.20.045(B)).

48. "Standard methods" means the most recent edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation.
49. "Strength" means the relative difficulty of treatment of wastewater, expressed in terms of chemical oxygen demand and suspended solids.
50. "Submission" means the complete presentation of the required documents and fees to the department.
51. "Total solids" means the total solids content of wastewater which is all the matter that remains as residue from a sample upon evaporation at one hundred three degrees to one hundred five degrees Celsius according to the procedures in Standard Methods.
52. "Transfer" means the ability to use connection fee credits on any property owned by the credit holder in Pima County except as otherwise specified or limited in a credit agreement.
53. "Unit" means an element of property development, either dwelling, fixture or building, which can be identified as an individual entity for purposes of wastewater flow calculations and connection fee assessment.
53. "Up gradient"
54. "Wastewater" means sanitary sewage.
55. "Wastewater system" means the sanitary sewerage systems and wastewater treatment works of Pima County.
56. "Wastewater treatment facility" means any plant, disposal field, lagoon, pumping station, incinerator, or other works used to treat or stabilize sanitary sewage.

13.20.025 - Access to the public sanitary sewage conveyance system.

No person shall open or enter the public sanitary sewage conveyance system, or insert any object or dump any solid or liquid material into the public sanitary sewage conveyance system, or allow any object or any solid or liquid material to enter the public sanitary sewage conveyance system, except as authorized in advance by the department in accordance with established departmental directives. Swimming pool drainage and back wash waters may be discharged to the sewers as authorized by the department.

13.20.026 - Planning for expansion and/or extension of public sanitary sewerage system.

A. Development within Currently Served Area. The following process shall be followed when an applicant is proposing development of a parcel or parcels of land within an area that is already served by the public sanitary sewerage system:

1. Request for Capacity Analysis. The applicant shall submit a request for capacity analysis that specifies the amount and type of development contemplated and the time frame when capacity and service will be needed. The department shall provide the applicant with an analysis of the current availability of conveyance and treatment capacity. Should capacity not be currently available, the department shall inform the applicant as to when capacity will be available and the specific projects that will provide the needed capacity. If there are no projects planned to provide the needed capacity, the department shall inform the applicant as to what the applicant shall need to do to provide the needed capacity.
2. Over-sizing, Augmentation and/or Flow-through. The department shall inform the applicant of any requirements for over-sizing, augmentation and/or flow-through. The applicant shall be required to design and construct these improvements in addition to the on-site sewers required to serve the proposed development.
3. Sewer Service Agreement. The department and the applicant may enter into an agreement requiring the applicant to construct improvements. Applicant's failure to complete construction of the specified improvements or of the development within the time period specified by the agreement shall render void the department's commitment to provide sewer service to the undeveloped portion of the area under development. The requirements for over-sizing, augmentation, flow-through or granting of

connection fee discounts shall be documented in any formal sewer service agreement executed by the applicant and department. Those projects that require only on-site sewer construction shall be documented by letter agreement.

B. Development Outside Currently Served Area. The following process shall be followed when an applicant is proposing development of a parcel or parcels of land outside the area that is served by the public sanitary sewerage system:

1. Request for Capacity Analysis. The applicant shall submit a request for capacity analysis that specifies the amount and type of development contemplated and the time frame when capacity and service will be needed. The department shall provide the applicant with an analysis of the current availability of conveyance and treatment capacity. Should capacity not be currently available, the department shall inform the applicant as to when capacity will be available and the specific projects that will provide the needed capacity. If there are no projects planned to provide the needed capacity, the department shall inform the applicant as to what the applicant will need to do to provide the needed capacity.

2. Basin Study. The applicant may be required to prepare a basin study evaluating the potential flows and pipe sizes required to convey the anticipated flows from the proposed development and any upstream tributary areas. Over-sizing of pipes to accommodate anticipated flows from upstream tributary areas shall be documented in the basin study. The basin study will identify the proposed routing and pipe sizes required to convey the anticipated flows. The basin study will also evaluate the need for flow-through and any over-sizing and augmentation of the downstream collection and conveyance system.

3. Sewer Service Agreement. The department and the applicant may enter into an agreement that specifies the required improvements that will be made by the applicant. The requirements for over-sizing augmentation, flow-through or granting of connection fee discounts shall be documented in any formal sewer service agreement executed by the applicant and department. Those projects that require only minor off-site construction in addition to on-site sewer construction shall be documented by letter agreement.

13.20.030 - Construction or modification of public sanitary sewerage facilities.

A. Construction of Public Facilities.

1. The department may grant permission for an applicant to construct public sanitary sewerage facilities. The director is authorized to decide whether all or part of a sanitary sewerage system will be accepted into the public system. Applicant may be required to design and construct the public sanitary sewerage facilities so as to provide capacity and service to all up gradient property. The applicant may be required to augment existing downstream public sanitary sewerage facilities in order to provide capacity for the applicant's development. All on-site and off-site public facilities shall be designed in conformance with the latest edition of Pima County Regional Wastewater Reclamation Department's Manual of Engineering Standards and Procedures and the latest edition of the Pima County/City of Tucson Standard Specifications and Standard Details for Public Improvements, as modified by Department directive. Public sanitary sewers shall also meet the design requirements of state of Arizona Administrative Code Title 18 Chapter 9. Public sanitary sewerage facilities and related improvements shall be constructed at the sole expense of the applicant. The size and location of public gravity sanitary sewage conveyance facilities shall be not less than eight inches in internal diameter and shall be routed so as to be positioned beneath the paved portions of public roads, streets, avenues, alleys and public rights-of-way, or within dedicated public sewer easements under paved private streets, to the maximum degree possible in order to maximize visual access and to maximize unrestricted 24-hour maintenance vehicle access over and to the public sanitary sewerage facilities. The location of public sanitary sewerage facilities in easements or in areas with restricted vehicular access may be allowed on a case-by-case basis only if no alternative alignment is deemed feasible by the department. In those instances where new sewers are not placed beneath the paved portions of

roads/streets, surface improvements sufficient to provide the department's sewer maintenance vehicles with unrestricted year round, all-weather access to the public sanitary sewerage facilities may be required at the Director's discretion. The required surface improvements shall accommodate the weight and turning radii of the department's sewer maintenance vehicles, and include turnaround areas as specified by the department.

2. Applicant shall submit for review by the department or its designated agent any and all plans that apply to the type of project being proposed including tentative subdivision plats, final subdivision plats, development plans, landscape plans, paving and grading plans, and public sanitary sewer construction plans. Applicant shall pay a review fee for each submittal. For each type of plan or plat the fee for the first submittal is \$166 plus \$50 per sheet. The second submittal is \$50 per sheet. Third and subsequent submittals are \$39 per sheet.

B. Modification of Existing Public Facilities.

1. The department may grant permission for an applicant to modify existing public sanitary sewage facilities. The applicant shall prepare and submit plans and specifications to the department for review and approval, and pay the requisite review fees in accordance with the following schedule:

Utility Plan Review Fee Schedule

Requests for information, project notification, or preliminary plans	no charge
Plans that are 30% to 50% complete	\$30/sheet
Plans that are 51 % to 100% complete	\$60/sheet
Plans that are 51 % to 100% complete for which there has been a previous submittal	\$30/sheet

The department may require the applicant to modify the design of the project in order to provide unrestricted 24-hour maintenance vehicle access to public sewer manholes, cleanouts and other system structures.

2. Plans are valid for two years after approval. The fees for the review of expired plans are the fees in effect at the time of the resubmittal.

3. No fee shall be refunded. All plans that are not complete, including fee payment at the time of submission, shall be rejected.

4. Once the department has approved the plans, the applicant shall make application to the Arizona Department of Environmental Quality or its delegated representative for a construction authorization as required by Arizona Administrative Code Title 18, Chapter 9. Upon completion of construction, the applicant shall submit to the department as-built drawings, and engineer's certificate of completion, leakage test results, and all other documentation required by Arizona Administrative Code Title 18, Chapter 9 to obtain a discharge authorization from the Arizona Department of Environmental Quality.

5. The modification shall not be accepted into the public sewerage system until any necessary discharge authorization from the Arizona Department of Environmental Quality or its delegated representative has been submitted to the department.

C. Site Grading Over Existing Public Sanitary Sewer.

Regardless of whether or not physical modifications to an existing public sanitary sewer are proposed, any proposed modification of the ground surface elevation in or near an existing public sanitary sewer shall be reviewed by the Department. The Department may require modification of the proposed grading plan if changes in existing ground surface elevation will hamper access of maintenance vehicles, increase the potential for surface water runoff over sanitary sewer manholes or cleanouts, or reduce the burial depth of the public sanitary sewer below established design minimums.

D. Permits for Construction.

1. Public sewerage facilities project construction permits. Prior to constructing or contracting for the construction, rehabilitation, relocation, reconstruction, augmentation, repair or installation of a gravity sanitary sewer, wastewater pumping system, sanitary sewer system extension or wastewater treatment facility, in whole or in part, the applicant shall obtain a project construction permit from the department. At least three working days prior to commencement of construction, the applicant's contractor shall attend a preconstruction conference with staff of the wastewater management field engineering office. Failure to do so may result in the rejection of any public sewerage facilities constructed prior to the time that the preconstruction conference is held. The field engineering office may require the applicant's contractor to submit a construction schedule at the time of the preconstruction conference. If the contractor subsequently modifies the construction schedule or delays the work in excess of two weeks without prior notification to the field engineering office, the construction permit may be terminated by specific notice to the local offices of the applicant's contractor. If the construction permit has been terminated or if the construction for which the permit is issued is not completed within the approved period of time, the applicant shall renew the construction permit for an additional period of time and shall pay a renewal fee, as provided in Section 13.20.030(D)(1)(f). The public sewerage facilities project construction permit shall not be issued until the following requirements have been met:

- a. Approval of the project concept, which may include approval of location, alignment, maintenance accessibility, necessity, capacity, conditions of hydraulic flow, mitigation of odors, points and methods of connection and other significant factors has been granted by the department or its delegated representative. The approval of the project concept for projects involving more than one hundred forty-four fixture unit equivalents of capacity requirement potential may be incorporated in a sewer service agreement entered into between the applicant or owner of record and the county;
- b. Acceptance by the department, or its delegated representative, that the plans and specifications for the proposed construction or installation, signed by a licensed professional engineer, are in compliance with department standards and specifications as well as the general and specific department conditions for the project;
- c. Submission of letter of application and affirmation of cost for review and approval by the department;
- d. Submission of copies of itemized bids signed by the contractor and by the applicant;
- e. Submission of evidence that all required easements, whether permanent or temporary (for the purposes of construction), have been approved and recorded;
- f. Payment of project construction permit fees, which shall be an administrative fee of \$25 plus two and one-half percent of the affirmed contract price for construction of the sanitary sewerage facilities. Renewal of an expired project construction permit shall require payment of an additional inspection fee which shall be one percent of the affirmed contract price of the construction;
- g. Submission of a "construction authorization" for the project from the Arizona Department of Environmental Quality or its delegated representative.

2. Discharges prohibited prior to completion of acceptance testing. No person shall discharge sanitary sewage into a new sewage conveyance facility before a discharge authorization has been issued by the appropriate regulatory agency for that facility. An applicant or an applicant's contractor that allows the discharge of sanitary sewage to a new sewage conveyance facility prior to completion of acceptance testing shall clean the affected length of the conveyance facility and restore the interior of the conveyance facility to a like-new condition. Arizona Department of Environmental Quality discharge authorization must be obtained before a new public sewer can be placed in service.

3. Cease Construction Order. When just cause exists, the director, or an authorized representative, is empowered to issue a cease construction order for any project that has been issued a public sewerage facilities project construction permit or a small construction activity permit. A written cease construction order shall be addressed to the permittee, if any, and to the contractor's official

responsible for the performance of the contractor. Delivery of a written cease construction order shall be accomplished by hand delivery, electronic delivery or by postal delivery and shall be effective upon receipt. The cease construction order, whether oral or written, shall state the reason for which the order is given. Upon receipt of a cease construction order, the permittee, if any, and the contractor shall stop work immediately and within three working days schedule a meeting with the department to discuss remedies available to cure the reason for which the cease construction order was given and to affect a rescission of the cease construction order.

a. A cease construction order may be an oral order given to the contractor's senior on-site representative when required to protect the life, health or safety of any person or the state of the environment, or to prevent the introduction of unallowable (in type and/or quantity) foreign material into an active public sanitary sewage conveyance facility to the detriment of the public sanitary sewerage system or its ability to convey or treat sanitary sewage, or to prevent the immediate introduction of any surface water into an active public sanitary sewage conveyance facility, or to prevent damage to existing public sanitary sewage conveyance system facilities from construction activities. An oral cease construction order shall be effective when given, and shall be ratified by a written cease construction order delivered within twenty-four hours by hand delivery or by postal delivery to the permittee or project owner and to the contractor.

b. The director, or an authorized representative, may issue a written cease construction order when required to stop an ongoing and serious disregard of the construction contract documents (as approved by the department) and after successive oral or written notifications to the permittee or the permittee's on-site representative or to the contractor or the contractor's on-site representative that the construction contract documents, as approved by the department, are being disregarded.

c. Failure of a permittee or of a contractor to cease construction immediately upon receipt of a cease construction order may result, at the discretion of the director, in the revocation of the project construction permit.

E. "As-built" Construction Drawings. "As-built" construction drawings for all public sanitary sewer construction, whether for new conveyance system facilities or for the repair, replacement, or rehabilitation of existing conveyance system facilities, are required to be submitted to Arizona Department of Environmental Quality and wastewater management for review and approval prior to release of the sewer for use. Emergency repairs are exempt from the prior approval requirement but not from the requirement to submit as-builts. As-builts shall show the "Arizona State Plane Coordinates" provided by conventional land surveying techniques, on Survey Grade Global Positioning systems, referenced to the specified datums for each structural facility constructed.

F. Bill of Sale. Upon completion of construction and final approval by the department of the sanitary sewerage facilities previously agreed by the department to be added to the public sanitary sewerage system, and upon delivery to the department of all required approved and recorded easements and the required number of sets of operations and maintenance manuals for wastewater pumping facilities and "as built" drawings of sanitary sewerage facilities to be conveyed to the county, applicant shall convey all of its right, title and interest in and to the newly constructed sanitary sewerage facilities to Pima County, free and clear of liens, claims, charges and encumbrances. The transfer of the right, title and interest in and to the sewerage facilities shall be accomplished by a bill of sale prepared by Pima County. The applicant shall warrant that all work shall be free from any defects due to poor workmanship or materials for a period of one year from the acceptance of a bill of sale by the department on behalf of the Board of Supervisors. The applicant shall make necessary repairs to correct the defects as determined by the county at applicant's sole cost and expense.

13.20.035 - Private sanitary sewerage conveyance systems.

A. A private sewage conveyance system may connect to the public sewerage system only at a location and in a manner approved by the department prior to any connection.

- B. If required by Arizona Administrative Code Title 18, Chapter 9, a construction authorization for the private sanitary sewage conveyance system shall be obtained from the Arizona Department of Environmental Quality or its delegated representative before any permit shall be issued to connect the private conveyance system to the public sewerage system.
- C. A private sewage conveyance system under construction shall be mechanically plugged at the point of connection to the public sewerage system and shall not discharge into the public sewerage system until:
1. Discharge authorization required by Arizona Administrative Code Title 18, Chapter 9 has been obtained;
 2. Any necessary approvals required by other appropriate regulatory authorities have been obtained;
 3. The department has inspected and approved the connection to the public sewerage system.
- D. The owner, or an authorized homeowners' association, shall be responsible for the maintenance, operation and repair or replacement of a private gravity or pressure sewage conveyance system. This responsibility extends from the point of physical connection to the public sanitary sewage conveyance main in the adjacent street, alley or easement to and including the plumbing fixtures within the connected building.
- E. A building connection permit shall not be issued for any building in a multiple unit subdivision or development that incorporates a private wastewater pumping system, as part of a private sanitary sewage conveyance system, until:
1. The private wastewater pumping system has received final inspection and has been approved by the appropriate regulatory agency;
 2. A homeowners' association has been duly formed and is a matter of public record; and
 3. The homeowners' association has either directly employed or has contracted for the services of a trained wastewater pumping system operator that has a valid state of Arizona certification to operate the private wastewater pumping system. The building connection permits shall be conditioned on the continued services of a certified operator to operate and maintain the private sewage conveyance system for the owner or homeowners' association.
- F. The person responsible for the construction of a private sanitary sewage conveyance system that includes manhole or cleanout structures shall install covers with the words "private sanitary sewer" cast into the metal.
- G. A property owner shall be responsible for funding and expeditiously taking all actions necessary to correct all private sanitary sewage conveyance system occurrences that result in sanitary sewer overflow events, exfiltration of wastewater, or cause nonwastewater infiltration or inflow to the public sanitary sewerage system.
- H. Private sanitary sewers shall meet the design requirements of Arizona Administrative Code Title 18, Chapter 9, when the design flow is equal to or greater than 3,000 gpd.
- I. Building and house connection sewers shall be designed in accordance with the appropriate building or plumbing codes administered by the jurisdiction within which the development is located.

13.20.040 - Connection to the public sanitary sewerage system.

A. Application for New Service. An applicant wishing to connect a new structure or structures to the public sanitary sewerage system shall submit plans either previously approved by the Department or a sewer layout plan depicting the direct connection of a BCS or HCS to the department showing the method and location of the proposed connection and documentation stating the water meter size(s) to serve planned structure(s). The department shall review the plans and approve them if not previously approved, notify the applicant in writing of the approval of the submitted plans, or notify the applicant in writing of modifications necessary for approval. Once the plans have been approved by the department, the department shall calculate the applicable sewer connection fees.

1. Payment of Sewer Connection Fees. Sewer connection fees shall be paid or Applicant shall have entered into a suitable payment schedule with the County prior to issuance of any plumbing or building permit. No temporary or final occupancy permits shall be issued until connection fees have

been paid for the structure to be occupied. The department may refuse to provide service to the property if connection fees have not been paid. HCS only, foundation, pad, grading or any other permit that is issued without payment of connection fees shall be clearly labeled by the permitting agency that sewer connection fees have not been paid and that proof of payment of sewer connection fees is required prior to occupancy of the structure or structures. Should occupancy occur prior to payment of sewer connection fees, the owner and permitting agency shall be liable for payment of an administrative fee, legal and collection costs, and applicable interest in addition to the required sewer connection fees.

2. Private Pumping Systems. No private pumping system shall connect to the public sewer system unless connection fees have been paid or Applicant shall have entered into a suitable payment schedule with the County for each dwelling and commercial/industrial facility discharging to the private sewer system. The department may require that the applicant obtain an industrial wastewater control permit if the private pumping system is intended to serve a commercial/industrial facility or more than two residential dwelling units. The department shall require the owner to design and operate the private pumping system so that it does not release deleterious or noxious gasses or liquid wastes prohibited by the Industrial Wastewater Control for release to the public sanitary sewerage system or the environment.

3. Conversion from Private On-site Sewage Disposal System. Whenever an applicant requests conversion of a structure from a private on-site sewage disposal system connection to a public sanitary sewerage system connection, the department shall inspect the structure to document the water meter size in order to assess the appropriate connection fees. If the structure has a commercial or industrial use, the applicant may be required to obtain an industrial wastewater control permit before being allowed to connect to the public sanitary sewerage system.

4. Water meters.

a. Water Supplied by Municipal Corporation, Special Taxing District, or Private Water Company. For purposes of determining connection fees, Applicant will provide one of the following to the Department for connection fee calculation and payment prior to issuance of a building permit:

- i. water provider receipt showing size of purchased water meter
- ii. water provider receipt for meter security deposit showing meter size
- iii. approved plumbing plan indicating engineer's estimated water meter size or standard fixture unit equivalent count using the Uniform Plumbing Code.
- iv. capacity assurance approval by the Department.

b. Water Supplied by Private Wells. No connection to the public sewerage system will be allowed unless Applicant installs a permanent, accurate meter in the water supply line between the private well and dwellings and commercial/industrial buildings that discharges to the public sewer or, in the alternative, installs a wastewater metering device on the private sanitary sewage conveyance line discharging to the public sewer. The Department shall inspect the structures and associated pipes to document the water or wastewater meter size.

B. Modification, Demolition or Replacement of Structures. No additional connection fees are due for a physical change to the plumbing system or plumbing fixtures of a structure or structures on a property that is connected to the public sanitary sewerage system provided the water meter size does not increase or provided that there is not a change in property use. In the event that a change in service is proposed and that change will result in an increase in water meter size or result in a shift in the structure use from residential to commercial/industrial, Applicant will submit an application to the Department explaining the proposed change. Applicant will pay the difference in connection fees between the two meter sizes at the time of application. The Department may disapprove the application if the proposed change may result in downstream treatment or conveyance capacity exceedances. The Department shall disapprove the application if Applicant has not paid the difference in connection fees due between the new use or water meter size and the old.

1. Small Construction Activity Permits. Except as provided in Section 13.20.030(D)(3), the applicant shall obtain a small construction activity permit, with an approved period of construction stated thereon, before commencing or contracting for the construction or installation of a new public manhole, or for tapping a public manhole or a public gravity sanitary sewer. Small Construction Activity Permits are issued for a specified period of time based on the applicant's statement of when the connection construction activity will be accomplished. The permit shall provide the telephone number of the county agency responsible for the inspection of the small construction activities, and a copy of the permit shall be sent to the county agency responsible for such inspection. It is the applicant's responsibility to contact the inspecting agency to determine at what stage of construction the inspections are required. If the applicant fails to complete the work within the approved time on the initial permit, the permit shall expire and a renewal of the permit is required. The applicant shall obtain a first renewal of the permit at no cost. If the applicant fails to complete the work within the approved time on the first renewal permit, the first renewal permit shall expire and a second renewal of the permit is required at the applicant's additional cost as shown in the following table. Subsequent renewals are at the applicant's additional cost as indicated in the table.

- a. A small construction activity permit is required for tapping public gravity sanitary sewer when the local jurisdiction that issues the building permit does not inspect the physical connection of the HCS to the public gravity sanitary sewer for the department.
- b. Small construction activity permit fees.

Construction Activity	First Construction Activity Permit	First Renewal Permit	Each Added Renewal Permit
HCS tap or stubout into public sanitary sewer of 12-inch or less diameter	\$100.00	\$0.00	\$50.00
Large sanitary sewer tap requires special approval	\$150.00	\$0.00	\$75.00
Existing manhole tap	\$150.00	\$0.00	\$75.00
New manhole over existing sewer; no corrosion protection	\$200.00	\$0.00	\$100.00
New manhole over existing sewer; with corrosion protection	\$300.00	\$0.00	\$150.00

Payment of any small construction activity permit fee does not relieve the applicant from paying sewer connection fees pursuant to Section 13.20.045.

c. The small construction activity permit shall not be issued until the following requirements have been met:

- i) Approval of the construction concept by the department or its delegated representative. Consideration may be given to location, alignment, maintenance accessibility, necessity, capacity, conditions of hydraulic flow, mitigation of odors, points and methods of connection and other significant factors; and
- ii) Submission of evidence that all necessary easements, whether permanent or temporary, for the purposes of construction, have been approved and recorded.
- iii) Payment of the applicable small construction activity permit fee.

C. In lieu of payment of individual sewer connection fees, an area under development served by a private independent sanitary sewerage system may be connected at the discretion of the director upon payment of an appropriate system transfer fee.

D. Pima County-owned Facility. Where structures to be connected to the public sanitary sewerage system are on property that is owned or operated by Pima County or a Pima County special taxing district, the director may enter into a written agreement for the payment of connection fees. Interest shall be charged on an annualized basis at a rate comparable to the interest received on funds invested in the local government investment pool managed by the treasurer of the state of Arizona.

E. Temporary connections. The director may authorize, in writing, issuance of a permit for a unit to be temporarily connected to a nearby sewer. All permits issued and installations made pursuant to this section shall be on a temporary basis only and shall be subject to the following terms and conditions:

1. An applicant for sewer service for a period not to exceed two years may be issued a temporary permit. The permit may not be renewed. The prevailing connection fee rate shall be charged the applicant for this permit. The connection fees paid may be credited against the sewer connection fees for a permanent connection replacing the temporary connection within the two-year period. If a permanent connection is not achieved within the two-year time period, the temporary connection permit shall expire, the physical connection shall be eliminated, and the connection fees shall not be returned.
2. An applicant for sewer service for a period not to exceed thirty calendar days may be issued a thirty-day temporary permit. The applicant may apply to the public services counter of the Department at the City/County Public Works Center, 201 North Stone Avenue, for a thirty-day temporary sewer connection permit.
3. The cost of a thirty-day temporary permit is \$25 per 24-hour day (or any part thereof) for the term of the temporary permit, plus either:
 - a. \$100 per permit when the connection is to the public sanitary sewerage system at a public manhole or cleanout; or
 - b. \$50 per permit when the connection is to a private building connection sewer draining to the public sanitary sewerage system.

F. Determination of house connection sewer stubout location. After a property owner has applied and exhausted all means and methods to locate a building connection sewer by excavation techniques, then upon application to the department and upon payment of a nonrefundable two hundred fifty-dollar stub-out locating fee, the department shall apply closed circuit television techniques to determine the location of all house connection sewer stub-outs that might exist at the main line of the public sanitary sewage conveyance facility that could serve the property identified on the application. Should the application identify multiple adjacent and contiguous properties for which more than one house connection sewer stub-out is sought, the nonrefundable stub-out locating fee shall be increased by fifty dollars for each additional property over the first property to be served. Identification of the property to be served shall be by legal description (i.e., lot and block) and by street address for each property. If one or more stub-outs are located that would serve the property, the department shall mark the ground surface location of all stub-outs using marking paint, or some other appropriate means, and shall notify the applicant by first-class mail of the locations that were found. Neither the owners of the involved properties nor their contractors shall access the public sanitary sewage conveyance system for the purpose of determining the locations of house connection sewer stubouts.

13.20.045 - Connection fees.

A. Connection Fee Rates. Except as otherwise provided in this section, persons connecting to the public sanitary sewer system shall pay the following connection fee:

1. Residential:

Water Meter Size	Amount
5/8", 3/4", or 1"	\$4,066

2. Commercial and Industrial:

Water Meter Size	Amount
5/8" or 3/4"	\$4,066
1"	\$8,480
1 1/2"	\$27,030
2"	\$69,790
3"	\$162,510
4"	\$363,690

Connection fees for commercial/industrial dischargers with water meters greater than 4" in size will be calculated on a case-by-case basis using the following formula where "C" represents the cost of capacity factor of \$16.02 per gallon to convey and treat wastewater, "G" represents the estimated number of gallons of wastewater produced during a peak flow day, and "I" represents a system inflow and infiltration rate factor of 1.17.

$$\text{Connection fee in dollars} = C \times G \times I$$

B. Connection fee discount; schedule of values for construction of sewer improvements.

The construction of a qualifying public sewer improvement shall, as provided in this subsection B, qualify the developer for a discount against the connection fee otherwise due per dwelling unit or per commercial/industrial/non-residential/Multi-family facility. Except as provided in this subsection B, the amount of the discount from each such eligible residential connection fee shall be \$1,100 for the construction of a qualifying public sewer collection or conveyance improvement and \$250 for the construction of a qualifying public sewer treatment improvement. For residential projects, one (1) dwelling unit will be granted connection fee discount status for each 25 feet of qualifying public sanitary sewer line installed by the developer. For commercial/industrial/non-residential/multi-family projects, each project shall be granted cumulative connection fee discounts for each 25 feet of qualifying public sanitary sewer installed by the developer.

2. Once the aggregate connection fee discounts received for an area under development exceed the net construction cost of the qualifying public sewer conveyance improvement constructed by a developer of the area under development, no further connections within the area under development shall receive connection fee discounts based on the construction of that qualifying public sewer improvement. Notice of this event need not be provided to the developer. For purposes of this subsection B, net construction cost shall mean the difference between the actual construction cost paid by a developer and any credits granted for the construction pursuant to 13.20.050(A).

3. The department shall maintain a schedule of values for the construction of sewer improvements to the public sewerage system to be used in determining the cost of construction of qualifying public sewer improvements in connection with a parcel's eligibility for connection fee discounts. The department may update the schedule of values once per year or as directed to do so by the County Administrator.

4. If the developer demonstrates, in a form and manner acceptable to the department, that the schedule of values undervalues by twenty-five percent or more the aggregate cost of the constructed qualifying public sewer improvement, the determination of eligibility for a connection fee discount will be based on the actual construction cost.

5. Any lot qualifying for a "Participating" connection fee rate under an executed agreement with the county shall qualify for a connection fee discount subject to the provisions of this subsection. Under

these same agreements, the difference between what the developer has paid in "Participating" connection fees versus what the connection fees would have been paid had the County assessed "Non-Participating" connection fees for all fixture units connected by the developer within the area under development shall be considered connection fee discounts for purposes of this subsection B.

C. Qualifying Public Sewer Improvement.

1. Only dwellings and commercial/industrial facilities directly tributary to the qualifying public sewer improvements listed in this subsection that are being or have been constructed by the applicant or a previous developer of the property shall qualify for the connection fee discount. The connection fee discount status shall run with the property and may not be transferred to another property.
2. Property for which connection fee discount status is requested shall be clearly identified on the tentative plat, development plan and/or public sanitary sewage conveyance system facility construction plans when they are presented for review. The eligibility for a connection fee discount shall be confirmed in writing by the Director or the Director's designee. The connection fee discount may apply to:
 - a. A portion, or portions, of the development (including portions of individual buildings); or
 - b. Structures tributary to a segment of sewer; or
 - c. An individual sewage drainage basin within the overall development; or
 - d. The entire development.
3. The qualifying sanitary sewer shall have a minimum length of 25 feet as measured from the point of connection to the existing public sewerage system to the closest edge of the area under development for any dwelling units or commercial/industrial projects to be granted the connection fee discount. For the purpose of computing sewer length for connection fee discount status, the length of the qualifying sewer over 25 feet in length may be rounded to the next appropriate multiple of 25.
4. The types of public sewerage system improvements installed by the applicant or any previous developer that may qualify a property for the connection fee discount status are as follows:
 - a. Off-site, down gradient, gravity flow public sanitary sewers that serve other properties in addition to the area under development; or
 - b. A new fully accessible, public gravity flow sanitary sewer that replaces an existing inaccessible public sanitary sewer when the replacement is requested by the department and the sewer's inaccessibility is not the result of Applicant's or any previous developer or property owners' activities; or
 - c. Augmentation of an existing down-gradient, gravity flow public sanitary sewer of a size that provides sufficient capacity to serve the area under development. The augmentation sewer may also qualify for a credit or rebate pursuant to 13.20.050 if the augmentation is of a pipe size larger than that needed to serve the area under development.
 - d. Improvement in treatment capacity at the publicly owned treatment works serving the area under development or a portion of the area under development. The portion of the development qualifying for connection fee discount status shall be based on the design flows projected to be received from the area under development in relation to the amount of treatment capacity expansion provided.
5. The types of public sanitary sewers installed by the applicant or any previous developer that shall not qualify a property for the connection fee discount status are as follows:
 - a. Off-site public gravity sewer lines installed by the developer which cannot be used by any properties down gradient from the property under development; or
 - b. Off-site and on-site public sewers that do not serve the area under development that provide flowthrough from up-gradient properties; or
 - c. A public sanitary sewage pumping station and off-site force main.

6. For projects in which only a portion of the project is eligible for the connection fee discount, the connection fee discount status shall be given to the most down-gradient dwelling units of the proposed development which are directly tributary to the qualifying public sanitary sewer.

D. Special Facilities. If the property necessitates the construction of special facilities, and the department approves the construction of special facilities, the applicant shall provide these special facilities at its own expense. The cost to the applicant to provide any special facilities shall be in addition to connection fees established for the property, and the cost to operate the special facilities may be subject to special operating fees in accordance with Section 13.24.035.

7. The permit fee charged for a "model" permit, issued at the request of an applicant prior to the recording of a final plat, shall include an additional \$200 fee to cover the administrative costs associated with tracking the final lot designation or a final approved assigned address or both. A model permit will only be issued on the condition that the applicant, in writing, accepts full responsibility if the public sewer to which the "model" is to be connected is not available for service when "model" construction is complete.

E. Prevailing Rate. The connection fee charged shall be calculated using the rate prevailing at the time of payment, except when the Development Services Department has approved a Sewer Connection Fee Application within its computerized permitting system up to 30 days prior to the effective date of the new rate, and no changes have been made to the plans that change the number of fixture unit equivalents. In such situations, the older rate will be honored for a period not to exceed 60 days after the effective date of the new rate.

1. The connection right shall continue for the life of the structure, for the use originally permitted; however, if a conversion or change of use occurs which results in a change in meter size or a shift in use from residential to commercial/industrial, the difference in connection fees is due and immediately payable upon conversion or change of use. Conversions shall be reviewed for compliance with Industrial Waste Ordinance requirements.

F. Prepaid Connection Fees. Prepaid connection fees are deducted from the prevailing rate fee calculation.

G. Connection Fee Surcharge. The board of supervisors may, by resolution, institute a connection fee surcharge for a specific area to recover the costs of required facilities in that area.

H. Payment of Connection Fees.

1. The connection fee payment is due at the time of issuance of a plumbing or building permit. Fees are first applied to any unpaid fees owed by the applicant to the department. The total fees due may be rounded to the nearest dollar.

2. If no building or plumbing permit is issued, the connection fee is due prior to physically connecting or being able to discharge to the system.

2. Connection fee payment is due immediately upon receipt of the department's notification to the property owner that a discovery reveals that the property improvements were connected to the public sanitary sewerage system without payment of connection fees.

3. Interest charges shall be added to any unpaid connection fee and calculated at the rate of ten percent per year on the unpaid connection fee balance compounded daily. If the unpaid connection fee and any interest charges are not paid by the property owner within ten working days from the date of a notice of delinquency, the director may add to the amount due any legal or collection costs incurred.

I. Connection Fee Refunds. Upon written application to the department, a connection fee may be refunded if the physical connection for which the fee was paid has not been made. Connection fee refunds shall not be processed for payment for sixty days following receipt of the application for the refund to give the department the opportunity to verify the facts associated with the original connection fee application and the refund application. An administrative fee of one hundred twenty-five dollars shall be assessed for each connection fee refund authorized. The director shall have the authority to waive the payment of a refund administrative fee or to direct early payment of a connection fee refund in situations involving a structural addition to or the remodeling of an existing owner-occupied single-family residence where, for reasons

beyond the owner's control, the owner is not able to construct the addition to or start the remodeling of the residence.

J. Physical Connections. An applicant for public sewer service shall not make physical connection to the public sanitary sewerage system without prior written authorization from the county. In cases where the applicant is connecting to an existing public sanitary sewer, the connection permit issued upon payment of connection fees is deemed written authorization. In cases where the applicant is connecting to a new public sanitary sewer, written authorization is the connection permit issued upon payment of connection fees and notification to the applicant by the county that the county has received approval from Arizona Department of Environmental Quality to place the public sanitary sewer in service. An applicant who makes, or causes to be made, a physical connection to the public sanitary sewerage system without first obtaining written authorization from the county shall pay investigation and administration fees of \$2,500 plus any additional costs to the department up to \$5,000 in addition to the standard plan services and connection fees required by this chapter.

K. Connection Fee Payment Plan. As an alternative to payment in full of connection fees prior to the issuance of a building permit, Applicant may enter into a connection fee payment agreement with Pima County. Such agreement will use a form approved by the Director and will, at a minimum, include the following provisions:

1. Applicant must make, prior to issuance of the building permit, an initial payment of X% of the outstanding connection fee balance;
2. Property owner must agree to a lien on the property in the amount of the outstanding connection fees;
3. The payment period will not exceed __ months;
4. Interest on the outstanding connection fee balance will be one percent higher than the prime rate published at the time of agreement;
5. Applicant and property owner are jointly and severally liable for any lien enforcement costs;
6. County may, as an alternative to lien enforcement; withdraw sewerage service and capacity allocation to the property; and
7. The County will charge an administrative fee of \$___ to cover the cost of drafting and administering the agreement.

13.20.050 - Credits and rebates.

A. Credits. The county may enter into a credit agreement with an applicant for sewer service for the additional construction costs incurred for the installation of either a public sanitary sewer facility of a size larger than would be required to collect or treat the waste from the area under development, or a facility in addition to the system required to serve the area under development. These additional costs are the difference in eligible construction and engineering costs between the base sewerage facility size required to serve the area under development and the sewerage facility size actually installed at the direction of the department; the department shall determine the base sewerage facility size for the area under development and the additional required sewerage facility size. The credits shall be applied as an offset to connection fees to be paid by the applicant. The credits shall not be in the form of a cash refund or rebate. The credits shall be usable for ten years from the execution of the agreement by the board of supervisors. The board may designate a longer usable life for the credits for good cause. The agreement shall specify either that the credits are granted to the applicant for use on any property owned by the applicant within Pima County, except as otherwise specified or limited in the credit agreement, or that the credits are usable only within the area under development and are assignable to future owners. The credits awarded for such over-sizing shall not exceed the total connection fees to be collected from the area under development as set forth in Section 13.20.040

B. Rebates for Collection or Conveyance System Improvements. In the event an applicant installs a public gravity sanitary sewer collection or conveyance system improvement which provides at least fifty-one percent residual capacity for property other than the area under development, an agreement for refund of the cost of the residual capacity may be made with the applicant. The refund shall be made until the full sum has been paid, or for a maximum of ten years from the date of the refund agreement, whichever shall first occur. The full sum paid shall not exceed the cost of the residual capacity less any connection fee discounts granted to the applicant pursuant to 13.20.045(B) for the construction of the residual capacity. In the event the full sum due the applicant has not been refunded within the ten-year period, any balance remaining shall be considered canceled and the county shall be fully discharged from any further obligation under the rebate agreement.

C. Rebates for Treatment Facility Improvements. In the event an applicant installs a public treatment facility improvement, an agreement for refund of the cost of the facility may be made with the applicant. The refund shall be made until the full sum has been paid or for a maximum of fifteen years from the date of the refund agreement, whichever shall first occur. In the event the full sum due the applicant has not been refunded within the fifteen-year period, any balance remaining shall be considered canceled and the county shall be fully discharged from any further obligation under the rebate agreement.

13.20.060 - Septage disposal.

A. Definitions. For the purposes of this section, unless the context indicates otherwise, certain words and phrases used in this section are defined as follows:

"Hazardous waste." Hazardous waste shall have the same meaning as defined in 40 CFR 261.3.

"Permit" means the industrial wastewater discharge permit.

"Septage" means anaerobic wastewater originating from a domestic source, be it from a residential, commercial, or industrial facility, that is not hazardous waste and is compatible with the biological wastewater treatment plant process.

B. Permits. No person shall discharge to or place in the county sewerage system any septage without a septage disposal permit issued by the director in accordance with the requirements of Title 13, Chapter 36, or by another permit authorized by the director. Application for a permit shall be made on a form prescribed by the director. The permit fee shall be \$75.

C. Disposal of septage. Permit holders shall dispose of septage only at the Roger Road Septage Receiving Facility, 2600 West Sweetwater Drive, unless otherwise authorized in writing by the director.

D. Industrial wastewater ordinance compliance. All users of the septage receiving station shall comply with the requirements of Title 13, Chapter 36, Industrial Wastewater.

E. Hazardous waste. Hazardous waste shall not be disposed of in any county facility.

F. Septage disposal fee. All users of the septage receiving station shall pay a septage fee for the costs of sampling and accepting, treating and disposing of the septage through the wastewater system. The fee shall be \$90 per each 1,000 gallons of available septage capacity of the septage hauling vehicle, regardless of the actual quantity of septage to be disposed. The fee shall be reviewed periodically by the department to ensure that it generates sufficient revenue to pay the costs of construction, operation, maintenance, repair and replacement of the septage receiving station and the associated costs to treat the septage.

G. Billing.

1. A permit holder shall pay septage fees through a monthly billing arrangement.

2. Any permit holder in arrears on a monthly billing may be required to provide a cash deposit or bond in a reasonable amount as determined by the director to continue monthly billings. The director may apply the deposit or bond against any amount unpaid sixty days after the date of billing. The director may terminate a monthly billing privilege at any time and require the hauler to pay at the time of delivery.

3. A user discharging through special authorization of the director shall be billed at the septage receiving station subsequent to the acceptance of the load and shall pay the fee prior to the discharge of the septage.

H. Illegal discharge. Any person who disposes of any septage in county facilities without a permit shall be liable for a permit fee of one thousand dollars. In addition, violations of this section shall be treated as violations of Chapter 36, Industrial Wastewater, including the assessment of penalties.

13.20.070 - Repair and Replacement of House Connection Sewers

A. The Owner of Residential Property owns and shall be responsible for the cleanout, repair, and replacement of the House Connection Sewer serving said Property.

B. In the event that the House Connection Sewer has been damaged, the Owner may request that the Department repair the damaged portion of the House Connection Sewer located within the public right-of-way.

C. The Department shall repair or replace that portion of the damaged House Connection Sewer located within the public right-of-way provided:

1. Department funds are available for the repair or replacement; and

2. The damage to the House Connection Sewer was not caused by the Owner or his agents.

D. For purposes of this section, a "damaged" House Connection Sewer means that portion of the House Connection Sewer that has been structurally deformed, offset, cracked or broken.

E. Disputes as to location, extent of damage or the method of repair or replacement of the damaged House Connection Sewer shall be resolved at the sole discretion of the Director.

F. Funds available for repair or replacement of damaged House Connection Sewers shall be limited to those funds specifically approved for such purposes by the Board of Supervisors each year in the approved Operations and Maintenance budget. However, for Fiscal Year (FY) 2007/08, the approved amount shall be \$75,000.

G. County's repair or replacement of any portion of a House Connection Sewer pursuant to this Section shall not change the ownership of said sewer.

H. The Department shall not be responsible for damages caused to homeowner and third party property resulting from County's failure to perform or to timely perform repair or replacement of building connection piping.