

## Chapter 13.28 - MT. LEMMON SEWER CONNECTIONS

### 13.28.005 - ~~Applicability~~ Purpose of 2004 amendments.

~~The provisions of this Chapter apply only to seventy-seven (77) Users authorized by the United States Forest Service Special Use Permit, as amended, to connect to the Public Sewage Conveyance System. The Mt. Lemmon Sewerage System serves forty-seven properties identified in a United States Forest Service Special Use Permit. Based on the 2003 reported flows, the sewerage system is capable of treating wastewater from up to approximately thirty additional connections without exceeding discharge limits imposed by the Forest Service, the United States Environmental Protection Agency, and ADEQ. In order to mitigate effects to the Mt. Lemmon watershed of the continued use of a large number of on-site sewage treatment systems within the Mt. Lemmon communities, the Board of Supervisors adopts changes to the Mt. Lemmon Sewer Connections Ordinance to enumerate the procedure by which the Department may connect Mt. Lemmon property owners previously not served by the sewerage system.~~

### 13.28.010 - Definitions.

~~Unless an alternate definition is provided in this Chapter, the definitions of Chapter 13.20 – Sanitary Sewer Construction, Connection, and Fees and 13.24 – Sanitary Sewer User Fees are incorporated herein by reference. As used in this chapter:~~

~~A. "Standby Status" means a priority issued to certain Properties with existing, permitted connections to the SCS but from which there are no current discharges because there are no improvements on the connected properties. If improvements are constructed on a Property while it is on Standby Status, the Owner may begin discharging following establishment of an active User Fee account. "ADEQ" means the State of Arizona Department of Environmental Quality.~~

~~B. "Summerhaven" means the unincorporated community located on Mt. Lemmon. "Commercial user" means one discharging wastewater from establishments operated for profit including, but not limited to, hotels, motels, restaurants and bars, and establishments operated to serve the public including, but not limited to, governmental offices and health clinics.~~

~~C. "Department" means the county wastewater management department.~~

~~D. "Director" means the director of the department.~~

~~E. "Residential user" means a user who discharges domestic wastewater from a dwelling unit which includes, but is not limited to, single family dwellings, cabins, apartments, condominiums, townhouses, mobile homes and manufactured homes regardless of whether the mobile home or manufactured home is located on a separate~~

~~residential lot or within a mobile or manufactured home park. Schools are included under this definition for the purpose of this code.~~

~~F. "Sewerage system" means the county wastewater collection, Mt. Lemmon Wastewater Treatment Facility and disposal system operated by the department exclusive of any piping located beyond the outside diameter of mainline or lateral sewers serving more than one property, regardless of whether the piping is within public right-of-way or within private property.~~

~~G. "USFS" means the United States Forest Service.~~

~~H. "User" means one who discharges wastewater into the public sewerage system.~~

~~I. "Wastewater" means liquid discharge resulting from the use of water for domestic, commercial or industrial purposes.~~

~~J. "Water meter" means an enclosed, mechanical device approved by the county and of a type which measures and records the quantity of water flow through the device so that a reading of the cumulative quantity of flow can be obtained at any time by any person without special equipment or permission.~~

~~K. "Water system" means the source of water and all facilities for collection, producing, conditioning, storing or distributing water directly for all purposes except plant or crop irrigation, which includes, but is not limited to, the following uses: drinking or production, processing, storing, handling, serving or transportation of food or drink or washing of related utensils, equipment or food contact surfaces or bathing, oral or sanitary hygiene, washing of clothes or dishes.~~

13.28.020 - Inclusion by Reference~~Moratorium pending construction.~~

A. Unless specifically modified in this Chapter, the provisions of Chapter 13.20 – Sanitary Sewer Construction, Connection, and Fees apply to all connections to the SCS within Summerhaven.

B. Unless specifically modified in this Chapter, the provisions of Chapter 13.24 – Sanitary Sewer User Fees apply to all Wastewater customers within Summerhaven.

~~A moratorium on new connections to the public sewerage system is in effect except that, upon receipt of amendments to the USFS special use permit and applicable ADEQ permits regulating treatment discharge from the sewerage facility, a limited number of property owners to establish new sanitary sewer connections to the sewerage system may be established as provided in § 13.28.055 through 13.28.095.~~

13.28.030 - Approval to Connect~~Requirements—Vacant properties.~~

In addition to the provisions of Chapter 13.20, aAll of the following requirements must be met by an Applicant before Approval of a Private Connection to the Summerhaven SCSany connection of properties, vacant at the time of enactment of the ordinance codified in this chapter, can be made to the sewerage system:

A. There must be an unallocated connection remaining of the maximum seventy-seven (77) connections authorized by the U.S. Forest Service permit. Private Connection submittals will be reviewed in order of date of submittalThe property must be entitled to the county sewer service as evidenced by a connection permit or payment of sewer bills over a period of three years or more.

B. All property improvements must incorporate industry-recognized, low-flow toilets, shower heads, and faucet aeratorsThe property shall have installed a water meter in the water system serving the premises.

C. ~~All property improvements must be designed to incorporate industry recognized low flow toilets, shower heads and faucet aerators so as to achieve a significant reduction in the flow of wastewater to the sewerage system from that expected of like improvements designed without a concern for reduction of flow in wastewater. The design shall identify all devices proposed to reduce wastewater flow and the department, and other departments of the county as may have separate jurisdiction, shall approve their use before the connection to the new sewerage system is initiated.~~

#### 13.28.040 - Properties on Standby StatusRequirements—Improved properties.

Properties on Standby Status as of the effective date of this ordinance retain Standby Status only through June 30, 2023. As of July 1, 2023, Standby Status will be eliminated. Any property on Standby Status which has not established a User account as of that date will forfeit any existing rights resulting from Standby Status and must reapply for permission to connect to the SCS as required by section 13.28.030.All of the following requirements must be met by improved properties as a condition of service by the sewerage system:

A. ~~Only those properties to which the county is required to provide wastewater collection, treatment and disposal services as evidenced by a connection permit shall be permitted to connect to the sewerage system.~~

B. ~~All properties shall have installed a water meter in the water system serving the premises.~~

C. ~~Should the owner of title to a property, or his authorized agent or contractor, perform major plumbing modifications or rehabilitations, then they shall incorporate industry recognized low flow toilets, shower heads and faucet aerators so as to achieve a significant reduction in the flow of wastewater to the sewerage system. The department,~~

and other departments of the county as may have separate jurisdiction, shall approve the use of all devices proposed to reduce wastewater flow before such modification or rehabilitations are initiated.

~~13.28.050—Adopted provisions.~~

The following list of sections of this title, as adopted and amended by the board of supervisors, or such ordinance(s) as may succeed the following referenced sections, shall be incorporated in this chapter and made a part hereof, except as may conflict with the provisions of this chapter:

~~13.20.020 Definitions.~~

~~13.20.025 Access to the Public Sanitary Sewer Conveyance System.~~

~~13.20.030 Construction of public sanitary sewerage facilities.~~

~~13.20.035 Private sanitary sewerage conveyance system.~~

~~13.20.040 Connection to public sanitary sewerage system.~~

~~13.20.045 Connection fees.~~

~~13.20.050 Credits and rebates.~~

~~Requirements of Chapters 13.24 and 13.32 shall also be incorporated into this chapter.~~

~~13.28.055—Request for sewer service connection.~~

~~Beginning January 17, 2005, an owner of property not connected to the sewerage system which otherwise meets the requirements for establishing connection to the sewerage system under this chapter may file with the Department a request for sewer service connection, together with a processing fee of one hundred dollars. The processing fee is non-refundable but may be applied to the sewer service connection fee if the property owner establishes service. The Department shall record the date and time that applications are received by the Department.~~

~~13.28.060—Comfort station connection.~~

~~Upon the Department's receipt of amendments to the USFS special use permit and applicable ADEQ permits regulating treatment discharge from the sewerage facility authorizing an increase to the number of properties to which the Department may offer~~

~~sewer service through the sewerage system, the Department shall connect the comfort station to the sewerage system if sufficient treatment capacity exists.~~

~~13.28.065—Number of additional permitted sewer connections.~~

~~Upon the Department's receipt of amendments to the USFS special use permit and applicable ADEQ permits regulating treatment discharge from the sewerage facility authorizing an increase to the number of properties to which the Department may offer sewer service through the sewerage system, the Department shall use good engineering practices to determine the number of connections possible under the amended permits that may be made to the sewerage system in addition to the previously authorized connections and the comfort station.~~

~~13.28.070—Notification of capacity.~~

~~The Department shall notify in the order the requests for sewer service connection were received a corresponding number of requesting property owners of the Department's preliminary approval to establish a new sewer service connection. In the event of a material tie, the Department shall determine by drawing the property owner to whom to give preliminary approval. The Department shall give the property owners five days notice of the time and place of the determination by drawing. The Department shall not notify any property owner of the Department's preliminary approval to connect to the sewerage system if such connection would violate sewerage system permitting conditions and shall not allow any property owner to connect to the sewerage system if such connection would violate sewerage system permitting conditions.~~

~~13.28.075—Construction standards and review; submission of as-built plans.~~

~~Each property owner who receives from the Department preliminary approval to establish a private connection to the sewerage system shall submit plans to the Department showing the method and location of the proposed private sewer service connection and any required public sewer improvements, which shall be designed in accord with applicable building and plumbing codes and the building and design requirements of § 13.20.035. The Department shall review the plans and, within twenty days, take one of three actions: approve them or notify the property owner in writing of the denial of the submitted plans or modifications necessary for approval. In no case will the Department approve plans until it receives amendments to the USFS special use permit and applicable ADEQ permits regulating treatment discharge from the sewerage facility authorizing an increase to the number of properties to which the Department may offer sewer service through the sewerage system. Upon completion of construction, the property owner must submit two copies of the as-built plans for the private sewer service connection and public sewer improvements.~~

~~13.28.080—Connection fee required.~~

~~Once plans for a proposed private sewer service connection have been approved by the Department, the Department shall calculate the sewer connection fees in accord with § 13.20.045 and issue a connection permit. A payment made pursuant to § 13.28.060 shall be a credit against the calculated sewer connection fee. No property owner may discharge into the sewerage system without first paying the applicable sewer service connection fee.~~

~~13.28.085—Property fronting existing public sanitary sewer system.~~

~~Each property owner whose property fronts an existing sanitary sewer line who receives the Department's preliminary approval to connect and whose connection plans have been approved shall receive the Department's final approval if, within one year of the date the Department notified the property owner of the preliminary approval to establish a sewer service connection, the property owner constructs the private sewer service connection, establishes the physical connection, obtains upon inspection Departmental approval of the connection, and activates sewer service. The Department's preliminary approval and the issued connection permit shall automatically expire if the property owner fails to complete these steps within one year of the date the Department issued its preliminary approval, except that this deadline shall be extended once by twenty days for any property owner who requests activation of sewer service within thirty days of the expiration of this deadline. If the property owner fails to obtain the Department's final approval, the Department shall then refund the reimbursable portion of the property owner's connection fees under § 13.20.045(K).~~

~~13.28.090—Property not fronting existing public sanitary sewer system.~~

~~Each property owner, or each of a group of property owners acting jointly, whose property does not front an existing sanitary sewer line who receives the Department's preliminary approval to connect and whose connection plans have been approved shall receive the Department's final approval if, within one year of the date the Department notified the property owner(s) of the preliminary approval to establish a sewer service connection, the property owner(s) constructs the private sewer service connection, constructs in accordance with Department standards any required public sewer necessary to achieve connection to the existing mainline public sewer, establishes the physical connection, obtains upon inspection Departmental approval of the connection and any public sewer line construction, and activates sewer service. The Department's preliminary approval and the issued connection permit shall automatically expire if the property owner or owners fail to complete these steps within one year of the date the Department issued its preliminary approval, except that this deadline shall be extended once by twenty days for any property owner or owners who request activation of sewer service within thirty days of the expiration of this deadline. If the property owner fails to obtain the Department's final approval, the Department shall then refund the reimbursable portion of the property owner's or owners' connection fees collected pursuant to § 13.20.045(K).~~

~~13.28.095—Evaluation of capacity.~~

~~If the Department determines at any time that sufficient capacity exists to accommodate an additional connection to the sewerage system with the sewer age system effluent discharge limits, it shall follow the procedures established in this chapter to so increase the number of properties connected to the sewerage system.~~