

CHAPTER 11 SEWER

Article 11-1 DEFINITIONS

In this chapter unless the context otherwise requires:

- A. **“B.O.D.”**, biochemical oxygen demand, means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees centigrade expressed in part per million (p.p.m.) in weight.
- B. **“Branch Sewer”** means a sewer which received sewage from lateral sewers from relatively small areas.
- C. **“Building”** means any structure used for human habitation or a place of business, recreation or other purpose containing sanitary facilities.
- D. **“Building Sewer or House Sewer”** means the extension from the building drain to the sewer connection or other place of disposal.
- E. **“Combined Sewer”** means a sewer receiving both surface runoff and sewage.
- F. **“Consumer”** means the recipient of wastewater treatment services.
- G. **“Developer”** means any person engaged in the organizing and financing of a sewage collecting system within an area contributing to a trunk sewer of the Town sewer system. Such may be either a subdivider or a legally constituted improvement district.
- H. **“Garbage”** means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
- I. **“Industrial Wastes”** means the liquid wastes from industrial processes as distinct from sanitary sewage.
- J. **“Lateral Sewer”** means a sewer which discharges into a branch or other sewer and has no other common sewer tributary to it.
- K. **“Main Sewer”** means a sewer which receives sewage from one or more branch sewers as tributaries.
- L. **“Natural Outlet”** means any outlet into a watercourse, ditch or other body of surface or ground water.

CHAPTER 11 SEWER

- M. **“Permit”** means any written authorization required pursuant to this chapter or any other regulation of the Town for the installation of any sewage works.
- N. **“PH”** means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- O. **“Properly Shredded Garbage”** means garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-fourth inch in any dimension.
- P. **“Public Sewer”** means a sewer controlled by public authority.
- Q. **“Sanitary Sewage”** means any and all waste substances, liquids or solids associated with human habitation, but excluding storm, surface groundwater and industrial waste.
- R. **“Sanitary Sewer”** means a sewer which carries sewage and to which storm, surface and groundwater are not intentionally admitted.
- S. **“Sanitation Department”** means those officers and agents of the Town supervising sewer operations of the Town.
- T. **“Sewage”** means a combination of the water carried wastes from residences, business buildings, institutions and industrial establishments together with such ground, surface and storm waters as may be present.
- U. **“Sewage Treatment Plant”** means any arrangement of devices and structures used for treating sewage.
- V. **“Sewage Works”** means all facilities for collecting, pumping, treating, and disposing of sewage.
- W. **“Sewer Connection”** means the connection to the public sewer and the extension therefrom from the sewer to the property line at the alley or the curb line of the street, whichever is applicable, depending on the location of the public sewer.
- X. **“Sewer Connection Fee”** means the initial sewer connection charge as set forth in Article 11-2 of this chapter and shall apply to all sewer connections to the public sewer.
- Y. **“Storm Sewer or Storm Drain”** means a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

CHAPTER 11 SEWER

- Z. **“Suspended Solids”** means solids that either float on the surface of, or are in suspension in, water, sewage or other liquids and which are removable by laboratory filtering.
- AA. **“Trunk Sewer”** means a sewer which receives sewage from many tributary main sewers and serves as outlet for a large territory.
- BB. **“User Charge”** means the charge made to the recipient of sanitary sewer services by the Town to defray the costs of operation, maintenance and replacement of the sewage collection and treatment facilities by the Town.
- CC. **“Watercourse”** means a channel in which a flow of water occurs either continuously or intermittently.

Article 11-2 SEWER SERVICE

- 11-2-1 Application for Service
- 11-2-2 Minimum Charges, Rates and Payments.

Section 11-2-1 Application for Service

No sewer connection connecting the Town sanitary sewer system to any consumer shall be made or used by any person or the Town except upon written application furnished to the Town by the owner, or his authorized agent, of the premises to which sanitary sewer service is to be furnished. An initial sewer connection fee shall be required in addition to a quarterly rental charge for such sanitary sewer connection according to the rates fixed by the Town until the service is discontinued by order of the sanitation department or written order of the owner or his authorized agent. A charge shall be made for replication of service to an existing connection. The initial sewer connection fee is non-refundable.

Section 11-2-2 Minimum Charges, Rates and Payments

The initial sewer connection fee and user charges shall be established from time to time by resolution of the Council.

CHAPTER 11 SEWER

Article 11-3 DEPARTMENT AND CONSUMER RESPONSIBILITIES

- 11-3-1 Sanitation Department Responsibilities and Liabilities
- 11-3-2 Consumer Responsibility
- 11-3-3 Interference with Sanitation Department or Building Inspector; Digging Up Streets without Permit
- 11-3-4 Unsanitary Disposal of Excrement Prohibited
- 11-3-5 Private Sewage Systems
- 11-3-6 Tampering with Equipment Prohibited
- 11-3-7 Permit Required
- 11-3-8 Application
- 11-3-9 Inspection and Approval by Sanitation Department or Building Inspector
- 11-3-10 Records to be Kept by Sanitation Department

Section 11-3-1 Sanitation Department Responsibilities and Liabilities

- A. The sanitation department shall not be responsible for the installation, maintenance or inspection of the consumer's service line, piping and apparatus or for any defects therein.
- B. The sanitation department shall have the right to refuse service, unless the consumer's lines or piping are installed in such manner as to prevent cross connections or backflow.
- C. Under normal conditions, the consumer shall be notified of any anticipated interruption of service.
- D. The sanitation department shall not be responsible for the negligence of third persons or forces beyond the control of the sanitation department resulting in any interruption of service or damage to the property of the consumer.
- E. The sanitation department may refuse service to any prospective consumer when the capacity of the sewer system will not permit additional loads being placed thereon.
- F. The sanitation department may discontinue its service for the following reasons:
 - 1. To prevent fraud or abuse.
 - 2. The consumer's willful disregard of or refusal to comply with this chapter or other rules as may be adopted by the Council.

CHAPTER 11 SEWER

- G. Prior to terminating service for nonpayment of amounts due, the Town will give written notice to the consumer and provide an opportunity for a hearing for such consumer with a Town Officer as designated by the Council.

Section 11-3-2 Consumer Responsibility

- A. Building or house sewer connections on the consumer's premises shall be so arranged as to provide service to one lot. If additional service is required, it will be considered as a separate and individual account.
- B. The consumer's house or building service line, sewer connection and apparatus shall be installed and maintained by the consumer, at the consumer's expense, in a safe and efficient manner and in accordance with the sanitation department's rules and regulations and in full compliance with the regulations of the State Department of Health Services.
- C. The consumer shall safeguard the sanitation department's property placed on the consumer's premises and shall permit access to it only by the authorized representatives of the sanitation department.
- D. In the event that any loss or damage to the property of the sanitation department or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the consumer, his agents or employees, the cost of necessary repairs or replacements shall be paid by the consumer to the sanitation department and any liability otherwise resulting shall be assumed by the consumer. The amount of such loss or damage or the cost of repairs may be added to the consumer's bill, and, if not paid, service may be discontinued by the sanitation department after providing notice and an opportunity for a hearing as specified in Section 11-3-1.
- E. When services to a consumer shall require the laying of any Town sewer lines or the installation of any other Town property on, under, across or over the consumer's property, the consumer will grant to the Town an easement, right-of-way or license for such installation.

Section 11-3-3 Interference with Sanitation Department or Building Inspector; Digging up Streets without Permit.

It is unlawful for any person:

CHAPTER 11 SEWER

- A. To interfere in any way with the officers of the Town sanitation department or building inspector in the discharge of any of their duties, either in the tapping of any sewer pipe, main or lateral belonging to the Town, or in the laying or connecting of such pipe, main or lateral.
- B. To dig up or cause to be dug up any street or alley in the Town for the purpose of connection with the sewer system of the Town without first obtaining a permit from the sanitation department.
- C. Who, having a permit, to dig up any portion of any street or alley of the Town for the purpose of connecting with the sewer system of the Town to fail or neglect to place the street or alley in its original condition under the supervision of the sanitation department and as required by it.

Section 11-3-4 Unsanitary Disposal of Excrement Prohibited

It is unlawful for any person to deposit or permit to be deposited in an unsanitary manner upon public or private property within the Town, or in any area under the jurisdiction of the Town, any human or animal excrement or other objectionable waste.

Section 11-3-5 Private Sewage Systems

- A. Compliance with Article: Except as provided in this article, it is unlawful to construct or maintain within the Town any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- B. When Permitted; Sanitation: Where a public sanitary or combined sewer is not available within the Town or in any area under the jurisdiction of the Town, the building sewer shall be connected to a private sewage disposal system, which complies with the regulations of the State Department of Health Services. Such private sewage disposal system shall be constructed, maintained and operated at all times in a sanitary manner.

Section 11-3-5.5 Initial Service For Existing Developed Properties

- A. User Fee: Commencing June 13, 2003, the monthly user fee for sanitary sewer service shall be imposed on all serviceable developed properties and shall commence on the date that the sewer connection is completed by the property owner or no later than one year after public sewer service is available, whichever comes first.

CHAPTER 11 SEWER

B. Connection Requirements: It shall be mandatory that when a public sewer becomes available within three hundred feet of any property served by a private sewage disposal system, a direct connection shall be made to the public sewer in accordance with the provisions of this chapter. Connection will be mandatory when any one or more of the following conditions applies after the date specified for that condition:

1. If the property's current private sewage facility or system fails in any manner. **(Effective June 13, 2000)**
2. If a building permit is applied for in which the value of the construction activity exceeds five thousand dollars (\$5,000), or as a condition of a permit allowing replacement of a mobile home. **(Effective date of June 13, 2003)**
3. If improvements made to the property require the private sewage system to be expanded in any way. **(Effective June 13, 2003)**
4. If the property is sold. **(Effective June 13, 2003)**
5. It shall be mandatory for all properties that are served by the public sewer system to hook up to the system within three years after sewer service is available to the subject property. **(Effective June 13, 2003)**

Septic tanks, cesspools and similar private sewage facilities shall be abandoned and filled with suitable material in accordance with the rules and regulations of the Yavapai County Board of Health, the Arizona Department of Health Services, and/or the Arizona Department of Environmental Quality.

C. Hardship: If a property owner believes that the requirement for connection under any of the above conditions creates an undue hardship, he/she may appeal to the Town Council. Upon a finding by the Town Council that undue hardship does exist, the Council may waive or modify the applicable condition. A determination of the existence of a hardship, or non-enforcement or deferred enforcement by the Town of the requirements to connect to the public sanitary system shall not constitute a waiver to the imposition of the user charges or the wastewater development fee if applicable.

Section 11-3-6 Tampering with Equipment Prohibited

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or

CHAPTER 11 SEWER

tamper with any structure, appurtenance or equipment which is a part of the municipal sewage system.

Section 11-3-7 Permit Required

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the sanitation department.
- B. Prior to an extension of main sewer facilities, a civil engineer registered in Arizona must perform the necessary field engineering and prepare detailed plans and specifications for the main sewer extension. The final detailed plans and specifications for the main sewer extension must be approved by the Arizona Department of Health Services (ADHS) and by the Town before construction begins. The design and engineering will be in accordance with the specifications of ADHS and the Town prior to construction. The construction shall meet the Town's specifications, requirements and approval and will be subject to inspection by the Town's agents during construction.
- C. Standard sewer design and construction specifications as provided in the Uniform Plumbing Code adopted in Chapter 7 of this code shall be enforced.
- D. The maximum allowable infiltration/ex-filtration rate for new sewers shall be no more than 200 gallons per day per inch diameter of sewer per mile.
- E. The Town shall provide for testing of the sewers for compliance with this section.

Section 11-3-8 Application

Upon issuance of a required permit to any person, each and every permit issued shall be presented by the person to the sanitation department and application made for the building connection.

Section 11-3-9 Inspection and Approval by Sanitation Department or Building Inspector

No building sewer will be connected to the building connection until it has been inspected and approved by the Sanitation Department or Building Inspector.

CHAPTER 11 SEWER

Section 11-3-10 Records to be Kept by Sanitation Department

The sanitation department shall keep a record of all building connections made, the purpose for which they are to be used, together with the name of the owner of the property, his agent or representative.

Article 11-4 USE OF PUBLIC SEWERS

11-4-1	Prohibited Substances
11-4-2	Interceptors Required
11-4-3	Authority of Sanitation Department
11-4-4	Preliminary Treatment
11-4-5	Manholes
11-4-6	Tests and Analyses
11-4-7	Special Agreements with Industrial Concerns
11-4-8	Industrial Cost Recover (ICR) System

Section 11-4-1 Prohibited Substances

- A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

- B. Except as provided in this section no person shall discharge or cause to be discharged any of the following described waters or wastes into any public sewer:
 - 1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit.
 - 2. Any water or waste which may contain more than fifty parts per million by weight of fat, oil or grease.
 - 3. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
 - 4. Any garbage that has not been properly shredded.
 - 5. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, grits such as brick, cement, onyx, carbide or any other solid or viscous substance capable of causing

CHAPTER 11 SEWER

obstruction to the flow in sewers or other interference with the proper operation of the sewer works.

6. Any waters or wastes having a pH lower than five and one half or higher than nine or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
 7. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans, or animals, or create any hazard in the receiving waters of the sewage treatment plant.
 8. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
 9. Any noxious or malodorous gas or substance capable of creating a public nuisance.
- C. Storm water and all other unpolluted drainage shall be discharged to such sewers or drains as are specifically designated as such or to natural outlet approved by the Town.

Section 11-4-2 Interceptors Required

- A. Grease, oil and sand interceptors shall be provided when, in the opinion of the sanitation department, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand and other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units.
- B. Grease and oil interceptors shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gas tight and watertight.
- C. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.
- D. Grease traps shall be required at all public premises where food is served, such as restaurants, cafeterias and boarding houses.

CHAPTER 11 SEWER

Section 11-4-3 Authority of Sanitation Department

The admission into the public sewers of any waters or wastes having any of the following characteristics shall be subject to the review and approval of the sanitation department:

- A. A five day biochemical oxygen demand (B.O.D.) greater than three hundred parts per million by weight.
- B. Containing more than three hundred fifty parts per million by weight of suspended solids.
- C. Containing any quantity of substance having the characteristics described in Section 11-4-1.
- D. Having an average daily flow of greater than two percent of the average daily sewage flow of the Town.

Section 11-4-4 Preliminary Treatment

- A. Required: Where necessary in the opinion of the sanitation department, the owner shall provide, at his expense, such preliminary treatment as may be necessary to:
 - 1. Reduce the B.O.D. to three hundred parts per million and the suspended solids to three hundred fifty parts per million by weight.
 - 2. Reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 11-4-3.
 - 3. Control the quantities and rates of discharge of such waters or wastes.
- B. Approval: Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for approval of the sanitation department and the Arizona State Department of Health Services. No construction of such facilities shall be commenced until such approvals are obtained in writing.
- C. Maintenance of Facilities: Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

CHAPTER 11 SEWER

D. Federal pretreatment regulations shall be enforced as applicable.

Section 11-4-5 Manholes

When required by the sanitation department, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation and sampling of wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the sanitation department. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Section 11-4-6 Tests and analyses

All tests and analyses of the characteristics of waters and wastes, to which reference is made in Sections 11-4-1, 11-4-3 and 11-4-5, shall be determined in accordance with “standard methods for examination of water and sewage” and shall be determined at the control manhole provided for in Section 11-4-5 or upon suitable samples taken as such control manhole.

Section 11-4-7 Special Agreements with Industrial Concerns

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for Treatment, subject to payment therefor by the industrial concern.

Section 11-4-8 Industrial Cost Recovery (ICR) System

At such time as industrial wastes as defined under Section 35.905-8 of the Construction Grant Regulations, 40 CFR Part 35, are discharged to the facilities constructed under EPA Grant No. C040150, Town of Clarkdale shall develop and adopt an ICR system acceptable to the U.S.E.P.A. The cost recovery system shall comply with the requirements of P.L. 92-500 and all regulations and guidelines pertaining thereto.

CHAPTER 11 SEWER

Article 11-5 (Removed Ordinance #303 8/27/07)

Article 11-6 Setbacks from Odor Producing Facilities

(Created by Ordinance #345, approved 11/01/12; effective 12/1/12)

Section 11-6-1 Setbacks at the Clarkdale Wastewater Treatment Plant

The Town of Clarkdale shall maintain a 25 foot set-back from odor-producing facilities that are constructed without noise or aesthetic controls located on Assessor's Parcel Number 400-07-002. Such setback shall be measured from the location of the odor producing facility and extend 25' from the outside edges of said odor producing facility.