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#### **ARTICLE 4-1 CITY STREETS**

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##### **4-1-1 Purpose**

This Article is intended to protect the public's safety and general welfare and promote orderly growth. It is the purpose of this Article to establish the specific standards by which the City of Holbrook will accept a street dedicated to the City.

##### **4-1-2 Definitions**

- A. "Owner" means the person or persons holding title by deed or as vendee under contract, or holding any other title of record, either legal or equitable.
- B. "Street" means a way for vehicular or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, freeway, road, boulevard, avenue, land, place or highway otherwise designated and shall include any such way upon any map or plat filed or recorded in the office of the County Recorder and shall include all of the land between the right of way lines on any map or plat. Streets shall be further designated as follows:

1. "Arterial Street" means any such way or road which conveys traffic between towns, or other urban areas. An arterial street can only be designated as such by resolution of the Council.
2. "Collector Street" means any street which provides for traffic movement between neighborhoods and arterial streets. A collector street provides access to arterial streets.
3. "Primary Street" means any street which provides for traffic movement from neighborhoods to collector or arterial streets. Due to location, signage, and topography the primary street does not carry the traffic volume of a collector street.
4. "Secondary Street" means any other street, including those which provide access to residential, commercial, industrial or other lands, or which connects to any collector or arterial street, and includes cul-de-sac streets, which are any local streets having one end permanently terminated.
5. "Alley" means any public service way used to provide secondary vehicular or pedestrian access to properties otherwise abutting upon a street, or used to provide pedestrian access between streets or public areas.

4-1-3 Standards

- A. Widths - All streets shall be designed and constructed with the following widths:

Streets	Right of Way Width	Minimum Paving Width
Arterial Streets	80 ft.	60 ft.
Collector Streets	60 ft.	40 ft.
Primary Streets Secondary Streets	50 ft.	32 ft.
Alleys	20 ft.	
Easements	16 ft.	

- B. Intersections - Street intersections with more than four legs and Y-type oblique intersections where legs meet at acute angles of less than sixty (60) degrees shall be avoided. All intersections shall have a minimum curve radius of thirty feet.
- C. Cul-de-Sac - Cul-de-sacs or dead end streets shall be terminated by a turn around area not less than one hundred (100) feet in diameter. The maximum length of

cul-de-sac streets shall be three hundred (300) feet.

- D. Alleys - Alleys are not required but may be constructed in residential, commercial or industrial zones. Surface treatment of all alleys shall be provided to minimize chuck holes, dust and drainage problems. Public utilities, including gas, electricity, telephone, water, and sewer may be located in alleys.

#### 4-1-4 Street Surface

- A. Arterial streets shall have a twenty four (24) inch gravel base, the bottom twenty (20) inches of which shall be select materials and the top four (4) inches of which shall be ABC rock.
- B. Collector streets shall have an eighteen (18) inch base, the bottom fourteen (14) inches of which shall be select materials, and the top four (4) inches of which shall be ABC rock.
- C. Local streets shall have a twelve (12) inch gravel base, the bottom of which shall be select materials, and the top four (4) inches of which shall be ABC rock.
- D. All streets shall be surfaced with four (4) inches of asphaltic or bituminous cake.
- E. Alleys and pedestrian ways need to be surfaced only with six (6) inches of compacted gravel base, unless otherwise directed by the Street Superintendent.
- F. The above standards may be modified with geotechnical investigation or engineering designs approved by the City Council or by the City Engineer.

#### 4-1-5 Curbs and Gutters

Curbs and gutters shall match existing installations or, if none exist, shall conform to the engineering standard details outlined in Maricopa Association of Governments (MAG) specifications and be installed in accordance with specifications and type set forth by the City Engineer. The City Engineer may waive the required curb and gutter requirements.

#### 4-1-6 Sidewalks

Concrete sidewalks shall normally be required on both sides of streets and shall be constructed to a width, line and grade in accordance with specifications and standards set forth by the City Engineer.

#### 4-1-7 Easements

The owner is responsible to obtain all the necessary easements for public utilities, storm drains

and flood control channels.

4-1-8 Council Approval

- A. Prior to the acceptance of any street dedicated to the city, the owner shall make all of the necessary improvements to meet the specific standards of this Chapter, or any other section this Code.
- B. It is the city council's decision to accept or reject any street dedicated to the city.

**ARTICLE 4-2 UTILITIES**

- 4-2-1 Council to Set Rates
- 4-2-2 Control of City Utilities
- 4-2-3 Creation and Composition

4-2-1 Council to Set Rates

All rates charged to users of the city utilities which include water, wastewater and sanitation systems shall be set by resolution from time to time by the city council in accordance with applicable state law.

4-2-2 Control of City Utilities

The city council may from time to time by ordinance or resolution, as may be appropriate, amend and change the regulations to govern its city utilities. The city manager and department heads of the utilities may make such other rules as are necessary to properly administer and enforce this chapter.

4-2-3 Creation and Composition

- A. There is hereby created the following utilities: The City of Holbrook Water Department, the City of Holbrook Sanitation Department and the City of Holbrook Wastewater Department.
- B. The City Manager may appoint a superintendent over the departments who shall be responsible for the operation of said department and the enforcement of this chapter.

**ARTICLE 4-3 UTILITY CHARGES AND ACCOUNTING SYSTEM**

4-3-1	Annual Estimates; User Charges Imposed
4-3-2	Monthly Charges
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4-3-5	Cost Distribution
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4-3-8	Annual Cost Review and Revisions
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4-3-17	Payment Responsibility
4-3-18	Monies to be Placed in Utility Fund
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4-3-20	Utility Bills
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4-3-24	Commencement of Charges
4-3-25	Records
4-3-26	Contract Responsibility
4-3-27	Discontinuance Under Certain Conditions

4-3-1 Annual Estimates; User Charges Imposed

- A. The city manager may annually prepare an estimate of anticipated costs for each category of user-charge or user-fee for the City utilities for the forthcoming fiscal year. These estimates shall be made in the form of a rate resolution and may be proposed to the city council for enactment by July 1st of each year.
  
- B. A bill shall be produced and submitted to each user every month on a billing cycle established by the city. Utility service charges and fees are imposed upon all users of the utility system of the city whenever service is turned on whether or not the property is occupied in accordance with council policies covering rates.

4-3-2 Monthly Charges

- A. The monthly charges and fees for all utility services shall be part of the utility bill

each month. Such charges shall become delinquent upon the same date as the utility bill upon which same is charged.

- B. If the fee for any utility service is not paid when due, utility services to the premises may be shut off, as in case of delinquency in payment of utility bill, and such service shall not be restored without payment in full to date plus the reconnection charge.

#### 4-3-3 Charges as Personal Debt

Every charge or fee levied by the council shall become, from the time they are due and payable, a personal debt of the user, to or from whom such service is supplied and may be collected by action in court instituted in the name of the city by its attorney upon the request of the city manager. Such remedy shall be in addition to any other existing remedies provided by this code.

#### 4-3-4 Charges as Lien

Each charge or fee levied by or pursuant to this code is a lien upon the real property of the users to or for whom such services are supplied. Such lien shall attach immediately upon the providing of the service pursuant to this code. If such charge or fee is not paid within thirty days after it shall become due and payable, the city may issue a notice and claim a lien setting forth the name of the user owing such charge or fee, the amount owed, the penalty accrued, if any, the period for which fees are due and stating that the city claims a lien therefor and description of the property liened. When the lien is filed, the cost of preparing, processing and releasing such lien shall be added to all charges then due.

#### 4-3-5 Cost Distribution

The charges and fee system used by the city should result in a proportionate distribution of the cost of operation, maintenance and replacement of treatment works to each user (or user class). User charges, user fees and additional charges shall be based on an equitable system as may be determined from time to time by a resolution of the city council.

#### 4-3-6 Cost Assessments

- A. Strength, volume and flow rate characteristics are the basis for assessing the costs to each user (or user class) in addition to charges for operation, maintenance, replacement, administration and handling. The unit charges shall be applied to each user's total metered flow and shall be known as the user charge.
- B. A monthly user fee shall be assessed to all consumers at a fixed rate for all consumers to recover those other water and wastewater and sanitation system

costs, extras, capital outlay and debt service not included in operation, maintenance, replacement, administration and handling charges.

#### 4-3-7 Operation, Maintenance and Replacement Costs

- A. For the first year of operation, maintenance and replacement costs may be based upon past experience for existing treatment works. Afterwards, operation and maintenance charges for the utilities shall be based upon those costs incurred during the previous fiscal year and modified in accordance with the expected changes in the water system or wastewater system, including the addition of new equipment wells, or treatment facilities.
- B. Replacement charges shall be sufficient to replace any equipment in the utility system owned by the city, as required, in order to assure the continued peak performance of the equipment and to maintain the capacity for which the utility systems were designed and constructed. The replacement costs shall be based upon the evaluation of the city manager and updated as necessary in order to account for changes in estimated service life of equipment due to preventive maintenance and repair.

#### 4-3-8 Annual Cost Review and Revisions

The city shall review user charges annually and revise them periodically to reflect utility system operation, maintenance and replacement costs.

#### 4-3-9 Revenue Generated by User Charge System

The user charge system must generate sufficient revenue to offset the cost of all the utility system's operation, maintenance and replacement cost.

#### 4-3-10 Incorporation of User Charge System

The user charge system must be incorporated in one or more municipal legislative enactments or other appropriate authority (i.e., water use ordinance or resolution).

#### 4-3-11 Discounts

A user charge system may not contain quantity discounts to large volume users.

#### 4-3-12 User Charges Fixed by Percentages

User charges may be established on a percentage of the charge for water usage if the water charge is based on a constant cost per unit of consumption.

#### 4-3-13 Administrative and Handling Charge

The administrative and handling charge shall include the administrative overhead associated with the operation and maintenance of the utility system and all of the costs for billing, meter reading and collection associated with the utility system. The administrative and handling charge shall be based upon the cost incurred during the billing year.

#### 4-3-14 Unit Charges

The user charge shall be based upon metered water use. The unit charge per gallon of water metered shall be calculated by dividing the total of the adjusted operation, maintenance, replacement, administrative and handling charges for the previous fiscal year by the total gallons of metered water projected to be sold during the billing year.

#### 4-3-15 System Buy-In Charge

In addition to the utility services fees provided in this chapter, there shall be a mandatory charge per consumer, per new water connection being served by the water system. This charge shall be equivalent to the consumer's share of the city's capital cost of the water system and shall be set from time to time by resolution of the city council.

#### 4-3-16 Additional Charges

Additional charges shall be billed, as required, for the following:

- A. Actual costs incurred for user requested samplings and analyses.
- B. Actual costs incurred for water meter inspection requested by the user or as required because of improper maintenance.
- C. Actual costs incurred for special handling not provided for elsewhere in this chapter.
- D. Actual costs incurred for handling a user's check because of non-sufficient funds.
- E. Estimated cost incurred for making a water or wastewater connection.
- F. Actual cost incurred for engineering and design review.
- G. Actual cost incurred for inspections required during construction.

#### 4-3-17 Payment Responsibility

The individual in whose name the service fee is made shall be responsible for payment of all bills incurred in connection with services furnished.

4-3-18 Monies to be Placed in Utility Fund

- A. All user charge monies shall be placed in the utility fund. Such monies shall be used only to cover the costs of operation and maintenance, replacement, administrative handling and other costs as outlined in this chapter.
- B. Expenditures shall be made from the user charge monies by the city manager in accordance with the detailed annual budget, ordinances and resolutions authorized by the city council.
- C. Expenditure from the accrued replacement reserve on facilities shall be for making renewals to accommodate wear of physical elements or movable property that would result in the extended useful life or meet the anticipated useful life of the utility facilities.

4-3-19 Minimum Rates

Service for a time period less than a month shall be charged at the minimum monthly user fee plus the appropriate user charge.

4-3-20 Utility Bills

- A. All utilities shall be billed monthly. Water meters shall be read each month, and a separate bill shall be rendered for each account and mailed no later than the first day of each succeeding month, or as soon thereafter as possible. All utility bills shall be due on or before the fifteenth of the month following the reading of the meter. Bills shall become delinquent after the fifteenth day of the month. Service may be discontinued after notice has been provided as specified in this section, service shall not be reconnected until all amounts are paid in full, or arrangements with the city manager are made to pay the bill. Additional charges for disconnecting and reconnecting service must also be paid before reconnection. The city reserves the right to vary the dates or length of the billing period, either temporarily or permanently, if necessary or desirable.
- B. If a bill is delinquent as provided in subsection A of this section, the city shall give written notice to the user that the water may be turned off from the property serviced. Such notice shall provide the customer an opportunity for a hearing before a designated city employee.

4-3-21 Incorrect Bills

Any consumer may present a claim to the city if he believes that he may have an incorrect utility bill. Such claim shall be presented in person at the city hall before such bill becomes delinquent, provided that the consumer may make a claim following payment of his bill and his payment shall not prejudice his claim. Such claim shall not exempt the consumer from delinquency penalties if he fails to pay his bill on time.

#### 4-3-22 Turn Offs and Turn Ons

The charge for each turn off and each turn on of water or wastewater service for reasons other than change of occupancy may be made in an amount to be included in the utility rate schedule. These charges shall be set from time to time by the City Council. New or broken meters are required to have a turn off valve installed.

#### 4-3-23 Unoccupied Units Liable

The user fee for additional residential units shall apply regardless of whether the residential unit is occupied or unoccupied.

#### 4-3-24 Commencement of Charges

The city shall commence service charges for a consumer when the water meter is installed and the water or wastewater connection is made, regardless of whether water is used or not used.

#### 4-3-25 Records

The city shall keep a record of all utility connections, the purpose for which they are used, with the name and address of the property owner, his agent or representative.

#### 4-3-26 Contract Responsibility

All regulations contained in this chapter shall be considered a part of the contract of every resident of the city taking utility service from the city, and such resident taking utility service shall be considered as having expressly consented to be bound thereby. Consumers outside the city limits shall, upon application for utility service, be required to sign a statement agreeing to the regulations set forth in this chapter.

#### 4-3-27 Discontinuance Under Certain Conditions

The city may discontinue utility service under any of the following conditions:

- A. To prevent fraud or abuse.
- B. Failure to obey city rules pertaining to utility service.

- C. Emergency repairs.
- D. Insufficient supply caused by factors outside the control of the city.
- E. Legal process.
- F. Direction of public authorities.
- G. Local emergency requiring emergency measures.
- H. Tampering with meter by the consumer.
- I. Failure to pay water, sewer and/or sanitation bills in a timely manner.
- J. For any other reason that is necessary for the efficient, economical management or for the health, public safety and welfare of the community or to protect the utility system.

**ARTICLE 4-4 CONNECTION TO UTILITY SYSTEM**

- 4-4-1 Application for Utilities
- 4-4-2 Grounds for Rejection of Application
- 4-4-3 Violation of Application Provisions
- 4-4-4 Permit Required
- 4-4-5 Regulations for Size, Location and Construction of Building Connections
- 4-4-6 Special Provisions for Installing Building Connections in New Subdivision Developments
- 4-4-7 Interference Unlawful

4-4-1 Application for Utilities

Application for the use of utilities shall be made at the city hall, to the city manager, by the owner or agent of the property to be benefitted, designating the location of the property and stating the purpose for which the utilities may be required.

4-4-2 Grounds for Rejection of Application

The city may reject any application for utility service for any good and sufficient reason, including the following: service not available under a standard rate, service which involves excessive service expense; service which may affect the service to other consumers; service when the applicant is delinquent in payment of bills incurred for service previously supplied at any location, or for any other reason that is necessary for the prudent, efficient and economical management and protection of public health, safety and welfare of the utility system as from

time to time may occur.

#### 4-4-3 Violation of Application Provisions

For violation of any of the provisions relating to application for service, the city may, at the expiration of seven days after mailing written notice to the last known address of the consumer, remove the meter and discontinue service. Where the meter is thereafter reinstalled, the consumer shall first pay to the city a reinstallation charge.

#### 4-4-4 Permit Required

No unauthorized consumer shall uncover, make any connections with or opening into, use, alter or disturb any city utility.

#### 4-4-5 Regulations for Size, Location and Construction of Building Connections

The city shall impose such regulations for size, location and construction of building connections as it deems adequate, necessary and consistent with the utility policy.

#### 4-4-6 Special Provisions for Installing Building Connections in New Subdivision Developments

In new subdivisions or developments where water system extensions are authorized by the city and constructed at the developers expense, the city may authorize the developer or his agent (if the developer so desires) to install building connections and to connect the water within a new subdivision or development provided detailed plans of the entire water system and plumbing systems (if applicable) are approved and individually inspected in advance, and all specifications of the city are fully complied with by the developer or subdivider.

#### 4-4-7 Interference Unlawful

It is unlawful for any person to interfere in any manner with the distribution of water, or to turn on any water supply furnished by the city, without the authority of the superintendent of the water department; and it is unlawful to use water furnished by the city after the same has been turned off and the service discontinued by the superintendent of the water department without first having the same turned on by the superintendent of the water department.

### **ARTICLE 4-5 LIABILITY**

4-5-1            Interruption of Service

4-5-2            Liability Limited

#### 4-5-1 Interruption of Service

The city shall not be responsible for any interruption of water and sewer service caused by forces beyond its control.

#### 4-5-2 Liability Limited

No liability shall attach to the city for any injury or damages that may result from turning on or shutting off the water in any main, service connection or pipe; or the restriction of use or discontinuance of any water service, or any failure of the water supply, regardless of any notice or lack of notice thereof. The city shall not be held liable, in any respect, for the condition, defects, failure or use of any pipe, connection, fixture or appurtenance not belonging to the city on any premises or for loss of damage resulting therefrom.

### **ARTICLE 4-6 CONSUMER RESPONSIBILITIES**

- 4-6-1 Consumer Water Facilities
- 4-6-2 Consumer Negligence
- 4-6-3 Right of Way
- 4-6-4 Installation of Lines
- 4-6-5 Protection of City Property
- 4-6-6 Supplying of Water to Others Prohibited
- 4-6-7 Commercial Use
- 4-6-8 Sprinkling Restrictions
- 4-6-9 Waste of Water Prohibited
- 4-6-10 Inspections

#### 4-6-1 Consumer Water Facilities

The consumer shall have complete responsibility for the installation and maintenance of adequate water facilities on the premises, and the city shall not in any way be responsible for the installation, maintenance, inspection or damage of such facilities or damage caused by any defect in such facilities on the consumers premises. Such facilities shall be maintained by the consumer in full compliance with any and all rules and regulations of the city in addition to applicable state statutes. On new meters, the consumer is responsible to install a shut-off valve for water to their premises.

#### 4-6-2 Consumer Negligence

The cost of any damage to the city water system or injury to city employees caused by the negligence of any consumer and which requires any repairs, replacement or damages shall be added to that consumer's bill, and if such charges are not paid, water service may be discontinued.

#### 4-6-3 Right of Way

Each consumer shall provide to the city such easement and right of way as is necessary to provide water and sewer service to that consumer.

#### 4-6-4 Installation of Lines

The city may refuse to provide service unless the lines or piping are installed on the premises so as to prevent cross-connections or back-flow.

#### 4-6-5 Protection of City Property

The consumer shall guarantee proper protection for city property placed on his premises and shall permit access to it only by authorized representatives of the city.

#### 4-6-6 Supplying of Water to Others Prohibited

No consumer will be allowed to supply water service to non consumers in violation of procedures established by the Holbrook Water Department and this chapter. The city reserves the right to shut off the supply for abuses of water privileges.

#### 4-6-7 Commercial Use

Any new water service for commercial use shall not be included as a residential service account and shall have a separate meter and connection.

#### 4-6-8 Sprinkling Restrictions

In case of water shortage or scarcity, the council may by resolution place any restrictions which it deems necessary upon the use of water for irrigation or sprinkling purposes.

#### 4-6-9 Waste of Water Prohibited

Consumers shall prevent unnecessary waste of water and keep all water outlets closed when not in actual use. All water outlets, including those used in conjunction with hydrants, urinals, water closets, bathtubs and other fixtures, shall not be left running for any purpose other than the use for which they were intended. In addition to the penalty provided herein for code violations, the water supply may be turned off where any such waste occurs.

#### 4-6-10 Inspections

Whenever in the judgement of the city manager it is deemed necessary, he or his designee may inspect the premises or buildings of any water consumer for the purpose of examining the condition of all pipe, motors, meters and fixtures, or the manner in which the water is used. He

shall be vigilant to protect and remedy all abuses whether from waste or other improper use of water.

**ARTICLE 4-7 IRRIGATION**

- 4-7-1 Proper Borders to Retain Water
- 4-7-2 Waste of Irrigation Water Prohibited

4-7-1 Proper Borders to Retain Water

- A. Any lot which receives water from the city and uses said water for irrigation purposes shall be prepared with proper borders. If the lot does not have proper borders then the city may prevent further irrigation until such time as proper borders are prepared.
- B. If service is discontinued for the reasons set forth in this section, no refund of user fees shall be given.

4-7-2 Waste of Irrigation Water Prohibited

It is unlawful for any person to willfully waste water used for irrigation or willfully allow the same to run upon the public streets or alleys of the city or upon the property of another.

**ARTICLE 4-8 WATER**

- 4-8-1 Availability
- 4-8-2 Definitions
- 4-8-3 Service Areas
- 4-8-4 Connections
- 4-8-5 Water Meters
- 4-8-6 Design Criteria
- 4-8-7 Financing Lines or Mains
- 4-8-8 Water Service
- 4-8-9 Temporary Facilities
- 4-8-10 Other Conditions

4-8-1 Availability

Domestic, commercial and industrial water service is available in the City of Holbrook service

area under various conditions and limitations as specified in this chapter.

#### 4-8-2 Definitions

In this chapter unless the context otherwise requires:

“Consumer” means a person, firm or corporation contracting with the city for the furnishing of water or sewer services to property subject to the following classifications:

- A. “Apartment Consumer” means any apartment house or complex which has multi-service connection through one master meter. This classification shall be considered a residential consumer.
- B. “Commercial Consumer” means any premises located within the service area on which a commercial business is operated, other than a home occupation business.
- C. “Industrial Consumer” means any commercial or industrial consumer whose water usage exceeds two hundred thousand gallons per month.
- D. “Residential Consumer” means all consumers other than defined in apartment, commercial, industrial and trailer park and mobile home consumers, provided that it is a residential unit served by one meter.
- E. “Trailer and Mobile Home Park Consumer” means any property, park or complex containing trailers or mobile homes which has multi-service connection through one master meter. This classification shall be considered a residential consumer.
- F. “Non-Potable Water Consumer” means all consumers who receive non-potable water from the City for personal use.

“Distribution Mains” means the street or alley mains required to service consumers with water supply and fire service.

“Feeder Mains” means intermediate sized mains.

“Trunk Mains” means that portion of the water system which consists of large pipes serving as a supply main or feeder main and further defined as:

- A. “Supply mains” means the pipes carrying the water supply from city wells to the City of Holbrook.
- B. “Arterial mains” means large mains forming a loop in the city and mains on approximate section lines forming the major grid system.

“Water Services” means the service pipes from a water main to the consumer’s meter.

#### 4-8-3 Service Areas

Service areas are divided into two geographic areas as follows:

- A. City of Holbrook: Area consists of all connections within the city limits of Holbrook.
- B. Rural Service Area: Area consists of all connections outside of the city limits of Holbrook.

#### 4-8-4 Connections

- A. Approval Required. All water connections shall be approved by the city, and the actual connection into the main water lines shall be accomplished by the city personnel. A developer who wishes to extend water facilities must employ a civil engineer registered in Arizona to perform the field engineering and prepare detailed plans and specifications for the water main extension. The final detailed plans and specifications for the water main extension must be approved by the Arizona Department of Environmental Quality and the city prior to construction. No construction of such facilities shall be commenced until such approvals are obtained in writing.
- B. Permit Required. All connections to the city water lines shall require the issuance of a permit by the city. The permit will be issued upon approval as provided in this chapter, the payment of the water system fees, and all other charges required by this chapter.
- C. Separate Connections. A separate water connection to the city main water line shall be constructed for every separate building. Any exceptions require the written permission of the city. No person having a water service connection shall permit a connection to that water service connection by another person or user whether gratuitously or for charges.
- D. Construction. The construction shall meet the city requirements and approval and will be subject to inspection by the city during construction. Connections from inflow sources to the water system shall be prohibited. Inflow is a prohibited substance.

#### 4-8-5 Water Meters

- A. Meters to be Used

All water sold by the city shall be metered by meters which shall be owned and kept in repair by the city.

B. Suitable Placement

The city may install a water meter on the property line or on the consumers property in such location as deemed necessary and which is conveniently accessible by a meter reader.

C. Single Meter

Water pipes and equipment belonging to the consumer shall be so arranged to permit the placing of a single water meter for that property convenient to the city. If the water pipes and equipment belonging to the consumer are not arranged to permit such placement of a meter, and additional meters are required, each such additional meter shall be considered as an additional account and shall be so billed.

D. Grouping of Meters

When two or more meters are installed on the same premises for different consumers, they shall be closely grouped and each meter shall be clearly marked as to the consumer to whom it belongs.

E. Water Meter Failure

If a reading cannot be taken, a bill shall be estimated by the city based on previous usage.

F. Meter Tests

Any consumer may, upon written application accompanied by a deposit in an amount to be included in the rate schedule, have his meter tested for accuracy by the city. If the meter registers a divergence from accuracy greater than three percent, the deposit shall be refunded to the applicant and the indicated adjustment made in the water service charges for a total period not longer than the current period and the monthly period immediately preceding. If a meter so tested registers within three percent of accuracy, the deposit shall be retained by the city as a fee to pay the cost of such test. All inaccurate and defective meters shall be replaced at no charge to the consumer by the city immediately when detected.

4-8-6 Design Criteria

The following basic design criteria shall be used for design of all new construction. All water mains shall be designed in accordance with criteria in the latest edition of the Rules and Regulations as promulgated by the Arizona Department of Environmental Quality.

4-8-7 Financing Lines or Mains

Main extensions are the responsibility of the subdivider or the users involved and may be paid for by one or more of the following:

- A. Subdividers and/or owners contracting or installing the improvements and furnishing same to the city.
- B. Cash escrow payments to the city guaranteeing costs of construction, engineering and overhead.
- C. Special improvement districts formed pursuant to Title 9 or 11 of the Arizona Revised Statutes for city or county special improvement districts.
- D. Written contractual agreement with the city setting forth conditions of payment and construction.

#### 4-8-8 Water Service

Consumer water service shall be constructed to meet the Uniform Plumbing Code Standards, latest adopted edition. That portion of the service line on consumers premises on consumer side of the meter is the consumer's responsibility. The consumer must pay for the water service and appurtenances, including the meter, under one of the following conditions:

- A. **New Mains and Mains in New Areas:** The subdivider or owner at time of construction of water mains shall construct all service in accordance with design and location approved by the city.
- B. **Existing Mains:** The city, upon payment of costs in advance, will tap the main and run the water service to the meter. Consumer must provide space on his property within three feet of property line nearest to main for installation of meter and meter box. The city may allow an approved licensed contractor to tap main and run service line. Permit and drawings must be approved in advance by the city, however.
- C. When necessary as determined by the Water Department Supervisor, customers may be required to install backflow prevention devices. The requirements of Arizona Administrative Code R 18-4-115 will be followed. Section R 18-4-115 of the Arizona Administrative Code is hereby incorporated by reference into the City Code.

#### 4-8-9 Temporary Facilities

Temporary consumers or others using temporary facilities shall pay for all temporary facilities installed and be credited for all materials salvaged by the City.

4-8-10      Other Conditions

At any time when the utility is requested to relocate, construct, rearrange, convert or otherwise alter its facilities or provide special facilities for a consumer or developer, the city reserves the right to enter into a special contract with said consumer or owner as mutually agreed, approved and signed by the city and owner.

**4-9            WASTEWATER**

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4-9-1    Availability

Domestic, commercial and industrial sanitary sewer service is available in the City under various conditions and limitations as specified in this Chapter.

4-9-2    Definitions

In this Chapter unless the context otherwise requires:

“B.O.D. (biochemical oxygen demand)” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at twenty degrees centigrade, expressed in parts per million by weight.

“Branch Sewer” means an arbitrary term for a sewer which receives sewage from lateral sewers from a relatively small area.

“Building Connection or Sewer Tap” means the connection to the public sewer and the extension therefrom of the sewer to the property line in an alley or street, or to the easement line in an easement, whichever is applicable, depending on the location of the public sewer.

“Building Official” means the building inspector or zoning inspector or his authorized representative.

“Building Sewer” means the extension from the building drain to the building connection or other place of disposal.

“Combined Sewer” means a common collection line for sanitary sewage and storm runoff; a prohibited structure.

“Consumer” means a person, firm or corporation contracting with the city for the furnishing of water or sewer services to property subject to the following classifications:

- a. “Apartment Consumer” means any apartment house or complex which has multi-service connection through one master meter. This classification shall be considered a residential consumer.
- b. “Commercial Consumer” means any premises located within the service area on which a commercial business is operated, other than a home occupation business.
- c. “Industrial Consumer” means any commercial or industrial consumer whose water usage exceeds two hundred thousand gallons per month.
- d. “Residential Consumer” means all consumers other than defined in apartment, commercial, industrial and trail park and mobile home consumers, provided that it is a residential unit served by one meter.
- e. “Trailer and Mobile Home Park Consumer” means any property, park or complex containing trailers or mobile homes which has multi-service connection through one master meter. This classification shall be considered residential consumer.

“Developer” means any person engaged in the organizing and financing of a sewage collecting system within an area contributing to a branch, main or a trunk sewer of the city sewer system. Such may be either a subdivider or a legally constituted improvement district.

“Director” means the superintendent of the sewer department or his authorized deputy, agent or representative.

“Garbage” means solid wastes from the preparation, cooking and dispensing of food and from handling, storage and sale of produce.

“Industrial Wastes” means the liquid, gaseous or solid wastes produced as a result of any commercial or industrial operation.

“Lateral Sewer” means a sewer which discharges into a branch or other sewer and has no other common sewer tributary to it.

“Main Sewer” means a sewer which receives sewage from one or more branch sewers as tributaries.

“Natural Outlet” means any outlet into a watercourse, ditch or other body of surface or ground water.

“Normal Sewage” means sewage or wastewater that has a five day biochemical oxygen demand less than 300 parts per million by weight; contains less than 350 parts per million by weight of suspended solids and does not contain a non-permissible quantity of the type waters and wastes described in Section 4-12-3.

“pH” means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

“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 of an inch in any dimension.

“Public Sewer” means lateral, branch, main or trunk sewer controlled and maintained by the City.

“Sanitary Sewer” means a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

“Sanitary Sewer Service” means service of that pipe from consumers from consumer’s premises to the lateral sewer.

“Sewage” means a combination of water-carried wastes from residences, business buildings,

institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

“Storm Sewer or Storm Drain” means a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

“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.

“Trunk Sewer” means a sewer which receives sewage from many tributary main sewers and serves as an outlet for a large territory.

“Wastewater Collection System” means all facilities for collection, pumping, and transferring to wastewater treatment plant.

“Wastewater Treatment Plant” means any arrangement of devices and structures used for treating sewage.

“Watercourse” means a channel in which a flow of water occurs, either continuously or intermittently.

#### 4-9-3 Service Area

The service areas are divided into two basic geographic areas as follows:

- A. First Stage: that area presently being served by gravity fall and potential area within the city which can be serviced by a gravity fall sewer.
- B. Second Stage: That area now being served by a lift station and potential area which can be served by a lift station, raising sanitary wastes into the first stage system.

#### 4-9-4 Design Criteria

The following basic design criteria shall be used for all new construction. All sanitary sewer mains shall be designed in accordance with criteria specified in the latest edition of the Rules and Regulations as promulgated by the Arizona Department of Environmental Quality “Minimum Requirements for Design and Construction of Sanitary Sewers”. In addition, the design shall be approved by the City wastewater superintendent. In addition, the following basic criteria shall be met:

- A. In commercial and industrial areas, the design engineer shall submit flow calculations to the city wastewater superintendent for approval prior to completing design of sewer.

- B. In all areas, the design engineer must submit to the city wastewater superintendent for approval, calculations of potential flow from area to be served, as well as flow from future areas to be served.

#### 4-9-5 Extension Limitations

Approval of all sewer extensions to serve new areas is limited to the availability of capacity in the connecting system. The following guidelines will be followed:

- A. No new area service will be authorized if the usage in the area will exceed the reserve capacity of the sanitary waste disposal system.
- B. The reserve capacity of the sanitary wastewater system will first be allocated to the vacant areas now having access to a lateral sewer who have paid for their share of said lateral sanitary sewer.
- C. The reserve capacity of a trunk sewer will first be allocated to the district which participated by an assessment levy or payment of costs.
- D. A new area to be developed will only be allowed to connect lateral mains and hook up services to the extent that the reserve capacity of the connecting sewer is sufficient to handle the flow.

#### 4-9-6 Special Conditions Extensions

Due to the fact that certain areas require lift stations, conditions and limitations in addition to the above are necessary as follows:

- A. Subdividers, developers or owners desiring to install sanitary sewer service into a second stage service area as outlined in Section 4-9-4B shall install as part of the development cost the necessary lift pump, lift station and devices to service said areas.
- B. Subdividers, developers or owners desiring to install sanitary sewer service in an area where the discharge into an abutting subdivision sewer whose reserve capacity is not sufficient shall install as part of the development cost the necessary trunk connection to a location where the reserve capacity does exist.

#### 4-9-7 Approval by City

No public wastewater line extensions shall be made until the plans and specifications are

approved in advance by the city, as provided in this Chapter.

#### 4-9-8 Main Sewer Extension Policy for Areas Beyond Present City Trunk Lines

The main wastewater line extension policy of the city for areas beyond present city trunk sewers and the policy to be followed in connection therewith is provided in this chapter.

#### 4-9-9 Regulations for Size, Location and Construction of Building Connections

The city shall impose such regulations for size, location and construction of building connections as it deems adequate, necessary and consistent with the sewer extension policy.

#### 4-9-10 Records to be Kept by Wastewater Department

The city 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.

#### 4-9-11 Financing Mains and Appurtenances

Trunk and lateral mains and appurtenances are the responsibility of the subdivider and/or owners and users involved and may be paid for by one or more of the following:

- A. Subdividers and/or owners contracting or installing the improvements and furnishing same to the city.
- B. Cash escrow payments to the city guaranteeing costs of construction, engineering and overhead.
- C. Special improvement district formed pursuant to Title 9 of the Arizona Revised Statutes for city special improvement districts.
- D. Contractual agreement with the city setting forth conditions of payment and construction.

#### 4-9-12 Consumer Responsibilities

The consumer's sewer from his premises to the lateral sanitary sewer is the responsibility of the consumer and/or owners both for construction and maintenance. All construction shall meet the city building codes. The consumer must apply for a permit and be granted same prior to construction.

#### 4-9-13 Special Conditions

At any time when the city is requested to relocated, construct, rearrange or otherwise alter its facilities or provide special facilities or provide special facilities for a consumer or developer, the city reserves the right to enter into a special contract with said consumer or owner as mutually agreed, approved and signed by the city and owner.

4-9-14        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 city, or in any area under the jurisdiction of the city, any human or animal excrement or other objectionable waste.

4-9-15        Treatment of Polluted Waters Required

It is unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided, in accordance with provisions of this chapter.

4-9-16        Private Sewer Wastewater Prohibited

Except as provided in this chapter, it is unlawful to construct or maintain within the city any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

4-9-17        Private Wastewater Systems - When Permitted

Where a public sanitary sewer is not available within the city or in any area under the jurisdiction of the city, the building sewer shall be connected to a private sewage disposal system. Such private sewage disposal shall be constructed, maintained and operated at all times in a sanitary manner. However, such private system shall require a city permit in advance.

4-9-18 Construction and Ownership of Public Sewer Lines and Other Equipment

- A.        In new subdivisions and developments where public sewers are authorized by the city, such public sewers shall be constructed at the developer's expense. Detailed plans and specifications for public sewer extensions must be approved by the city prior to construction. The engineering costs for the preparation of plans and specifications, the staking of the location of the new public sewers, the cost of inspecting the construction and preparation of such plans may be assumed by the developer. The city will perform the inspection during construction.
  
- B.        The ownership of all public sewer lines, pumping stations, treatment facilities and equipment and other appurtenances to the sewer system maintained or accepted for maintenance by the city shall be vested in the city and in no case

shall the owner of any premises have the right to claim any part except where otherwise provided in this Code.

4-9-19 Interference with the Wastewater Department; Digging Up Streets Without a Permit; Tempering with Equipment Prohibited

Any person who shall in any way interfere with the city or the employees of the city in any discharge of their duties, either in the tapping of any sewer pipe, main or lateral belonging to the city, or the cleaning, laying or connecting of any such pipe, main or lateral, or who shall dig up or cause to be dug up, any street or alley in the city without first obtaining a permit from the city, or who, having a permit, shall dig up any portion of any street or alley of the city for the purpose of connecting with the sewer system of the city and shall fail or neglect to place the street or alley in its original condition, or who shall maliciously or willfully break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal sewage works shall be guilty of a misdemeanor.

4-9-20 Property Owner Responsible for Cleaning, Repair and Replacement of Building Sewers and Connections

- A. The property owner shall be responsible for the cleaning, unstopping, maintenance and repair of the building connection piping serving his property from his home or building to the public sewer line.
- B. where the correction of a stoppage requires the repair or replacement of a damaged or broken section of the building connection, and the damaged or broken section is located off-property in a street or alley, the owner or his contractor shall obtain a permit from the city to do work in a public right of way prior to doing the work.

4-9-21 Grounds for Rejection of Application

The city may reject any request for sewer service for any good and sufficient reason including the following: service not available, under a standard rate; service which involves excessive service expense; service which may affect the service to other consumers; service when the applicant is delinquent in payment of bills incurred for service previously supplied at any location, or for any other reason that is necessary for the prudent, efficient and economical management and protection of the water system as from time to time may occur.

4-9-22 Violation of Application Provisions

For violation of any of the provisions relating to application for service, the city may, at the expiration of seven days after mailing written notice to the last know address of the consumer, remove the water meter and discontinue water service. Where the water meter is thereafter reinstalled, the consumer shall first pay to the city a reinstallation charge which shall be the

actual cost incurred by the city.

4-9-23        Permit Required

No unauthorized consumer shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance.

4-9-24        Special Provisions for Installing and Building Connections in New Subdivision Developments

In new subdivisions or developments where public sewer extensions are authorized by the city and constructed at the developer's expense, the city may authorize the developer or his agent (if the developer so desires) to install building connections and to connect the sewer within a new subdivision or development provided detailed plans of the entire sewer system and plumbing systems (if applicable) are approved and individually inspected in advance, and all specifications of the city are fully complied with by the developer or subdivider.

**4-10            WASTEWATER COLLECTION**

4-10-1 Application for Industrial Waste Connection

4-10-2 Prohibited Substances

4-10-3 Authority of City to Establish Permissible Limits, Approve Waste Discharge and Impose Charges

4-10-4 Preliminary Treatment - Required Approval and Maintenance

4-10-5 Interceptors Required

4-10-6 Control Manholes

4-10-7 Right of Entry for Inspection

4-10-8 Discharges to be Reported.

4-10-9 Special Agreements

4-10-10        Industrial Cost Recovery System

4-10-1        Application for Industrial Waste Connection

Each industry, business or other operation that discharges or desires to discharge wastes into the public sewer system shall make application for an industrial waste connection, and said connection shall be approved only after the applicant has complied with all applicable provisions of this Chapter. The applicant shall furnish all information relating to the desired connection, proposed use of the sewer and the character of the wastes to be discharged which may be required by the city. Any change in use or type of wastes discharged shall require a new application and approval.

4-10-2        Prohibited Substances

- A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, sub-surface drainage, cooling water or unpolluted industrial process waters into any sanitary sewer.
  
- B. Except as provided in this article, 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 one hundred 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 substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
  - 6. Any waters or wastes having a pH lower than five and one-half or higher than nine and one-half 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, radioactive or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard in the receiving waters of the sewage treatment plant.
  - 8. Any waters or wastes containing dissolved or 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.

### Impose Charges

- A. The superintendent of the wastewater department shall have the authority to establish permissible limits of concentration for various specific substances, materials, waters or wastes that can be accepted into the sewer system. Each permissible limit so established shall be placed on file with the city clerk.
- B. The admission into the public sewers of any waters or wastes having a five day biochemical oxygen demand greater than 300 parts per million by weight; or containing more than 350 parts per million by weight or suspended solids; or containing any quantity of substances having the characteristics described in Section 4-10-2, or having an average daily flow greater than 50,000 gallons shall be subject to the review and approval of the city.
- C. The superintendent of the wastewater department shall impose charges on any user of the city's sewage works who discharges wastes having a strength greater than normal sewage or containing non-permissible quantities of prohibited substances into the public sewer system. The charges imposed shall be based on the extra costs incurred by the city for surveillance, sampling and testing of the discharges, for additional operating and maintenance expenses, or for any other action required to identify, handle, process or supplement normal activities due to the unauthorized discharge of excessive strength or unusual character wastes, plus overhead charges. Failure by an industry so charged to pay the charges and to provide such corrective measures as may be required to prevent further unauthorized discharges, after due notice by the city and being given a reasonable time to comply, shall be sufficient cause to discontinue sewer service to the premises.

#### 4-10-4 Preliminary Treatment - Required Approval and Maintenance

- A. Where necessary in the opinion of the superintendent of the wastewater department, the owner shall provide, at his expense, such preliminary treatment as may be necessary to reduce the B.O.D. to 300 p.p.m. and the suspended solids to 350 p.p.m. by weight; or reduce objectionable characteristics or constituents to within the maximum limits provided for by the city; or control the quantities and rates of discharge of such wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the city. No construction of such facilities shall be commenced until the city's approval is obtained in writing. The completed facilities shall not be placed in service until they have been inspected for conformance to the approved plans and the final construction approved by the city.
- B. Where preliminary treatment facilities are provided for any wastes, they shall be

maintained continuously in satisfactory and effective operation by the owner at his expense.

4-10-5 Interceptors Required

- A. Grease, oil and sand interceptors shall be provided when, in the opinion of the city they are necessary for the proper handling of liquid wastes containing grease or oil 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. All interceptors shall be of a type and capacity approved by the city and shall be located as to be readily and easily accessible for cleaning and inspection.
- C. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removed covers. When bolted covers are required, they shall be gas tight and watertight.
- D. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

4-10-6 Control Manholes

When required by the city, 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, measurement and sampling of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the city. 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.

4-10-7 Right of Entry for Inspection

- A. Any authorized employee of the wastewater department shall, upon presentation of his credentials, have free access at all reasonable hours to any commercial or industrial premises connected to the city sewer system for the purpose of making an inspection of the premises to determine the nature and quantity of wastes discharged to the city sewer system.
- B. In case any authorized employee is refused admittance to any commercial or industrial premises or, being admitted, is hindered or prevented from making such inspections, the city may cause the sewer service to be discontinued, after

giving twenty-four hours notice to the owner or occupant of such premises of the city's intention to do so.

4-10-8 Discharges to be Reported

Every consumer of the wastewater collection system shall report to the city immediately any accident, negligent act or other occurrence that occasions a discharge into the public sewer of any wastes or process waters that exceed the permissible limits for such wastes established by the city.

4-10-9 Special Agreements

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

4-10-10 Industrial Cost Recovery System

At such time as industrial wastes as defined under Section 25.905-8 of the Construction Grant Regulations 40 CFR Art. 3 are discharged to the facilities constructed under EPA Grant No. CO40179, the City of Holbrook shall develop and adopt an ICR system acceptable to U.S.E.P.A. The cost recovery system shall comply with requirements of P.L. 92-500 and all regulations and guidelines pertaining thereto.

**ARTICLE 4-11 SANITATION**

- 4-11-1 Definitions
- 4-11-2 Collection Agency
- 4-11-3 Collection Hours
- 4-11-4 Rates; Rules and Regulations
- 4-11-5 Preparation of Refuse
- 4-11-6 Location for Pick Up
- 4-11-7 Lids and Covers
- 4-11-8 Use of Containers
- 4-11-9 Salvaging Prohibited
- 4-11-10 Hauling Refuse
- 4-11-11 Vehicles and Receptacles to be Spillproof
- 4-11-12 Spilled Refuse
- 4-11-13 Dumping Refuse

4-11-1 Definitions

In this chapter, unless the context requires otherwise:

- A. "Garbage" means all putrescible wastes, except sewage and body wastes, including all organic wastes that have been prepared for, or intended to be used as food or have resulted from the preparation of food, including all such substances from all public and private establishments and residences.
- B. "Refuse" means all garbage and trash.
- C. "Trash" means all nonputrescible wastes.

4-11-2 Collection Agency

The city or other collectors authorized by the city shall collect all refuse within the city. Commercial refuse and recycling may be collected by either the city or private enterprise within the municipality. The municipality shall prescribe rules for the delivery of recycling services and commercial or industrial solid waste management services that promote availability of these services and promote competition in the delivery of these services.

4-11-3 Collection Hours

The hours of collection of refuse shall be designated by the superintendent of the sanitation department.

4-11-4 Rates; Rules and Regulations

The council shall from time to time by resolution may establish regulations, fix rates and classifications for garbage and trash collection within the city. Sanitation service charges and fees as established by resolution are imposed upon all residential accounts within corporate city limits whenever water service is turned on unless a vacation rate account is established. If sanitation services are not established by a residential or commercial user within or outside corporate City limit, the user shall not be entitled to receive any City sanitation services either at the transfer site, by requesting a curbside pickup or through the delivery of a roll off container.

4-11-5 Preparation of Refuse

All refuse shall be prepared for collection or disposed of as follows:

- A. Garbage. The customer shall use containers as specified by the city for the accumulation, storage and collection of all garbage. All household garbage must be bagged and placed in City authorized containers. Such containers shall be tightly covered. Containers are considered overfull if the lid will not close. Overfull containers will not be emptied. If overfull containers are continually

placed on the street for pick up the City will deliver a second container and the customer will be billed accordingly.

- B. Brush. Brush, trees, and tree limbs shall be cut into such a size not to exceed four feet in length or fifty pounds in weight that one person can readily load the individual pieces into a truck or chipper and shall be piled in neat order with all long branches parallel to one another, with all metal or foreign materials removed to facilitate chipping.
- C. Appliances and Vehicles. The city or the collection agent of the city will collect discarded appliances from dwelling premises that two persons can readily lift into a truck. The customer shall within twenty-four hours remove or cause to be removed all other appliances, vehicles or equipment classified as refuse from their premises or the public right of way.
- D. Building Materials. All owners, contractors and builders of structures shall, upon completion of any structure, gather up and haul away, at their own expense, all refuse of every nature, description or kind which has resulted from the building of such structure including all lumber scraps, shingles, plaster, brick, stone, concrete and other building materials, and shall place the lot and all nearby premises utilized in such construction in a sightly condition. Residential customers may dispose of small amounts of building materials from time to time providing the building materials are placed in a container as described above and contain no concrete, masonry or soil.
- E. By-Products. Any commercial or manufacturing establishing which by the nature of its operation creates an unusual amount of by-product refuse may be required by the city to dispose of its own wastes as opposed to having the city provide the service.
- F. Dangerous Waste. Dangerous wastes shall be placed in a proper container, plainly marked "DANGER". The city reserves the right to deny service for certain dangerous wastes and to require the customer to properly dispose of it by other means.
- G. Soil and Concrete. Waste soil, concrete, masonry blocks, sod and rocks shall be disposed of by the owner, tenant or occupant of the premises.
- H. Preparation of Cinders. It is unlawful to set out for removal smouldering ashes or cinders.

4-11-6 Location for Pick Up

- A. All refuse prepared for collection shall be placed at the curb or street and in an easily accessible manner, providing such roadway exists and is used as a refuse collection route. Refuse shall be set at the back of the street curb on the sidewalk, parkway or such other location as designated by the superintendent of sanitation. All containers and piles of refuse shall be so located as not to block the alley, sidewalk or gutter or otherwise be a hazard to pedestrian or vehicular traffic.
- B. Containers are to be set at the back of the curb or street before seven o'clock a.m. on a regular collection day or after six o'clock p.m. on the day preceding the regular collection day. Containers are to be removed from curbside as soon as possible on the day of collection but no later than six o'clock a.m. of the day after collection.

4-11-7 Lids and Covers

The lids and covers of all containers shall at all times be kept secure so that flies and other insects may not have access to the contents and shall only be removed while the containers and receptacles are being filled, emptied or cleaned.

4-11-8 Use of Containers

It is unlawful for any person to deposit or cause to be deposited any refuse in any container that he does not own or is not entitled to use as a tenant.

4-11-9 Salvaging Prohibited

It is unlawful for any person to remove for personal use or gain any item placed out for collection or deposited in the landfill. Enforcement of this provision shall be the direct responsibility of the superintendent of the sanitation department.

4-11-10 Hauling Refuse

It is unlawful for any person to haul or cause to be hauled any refuse on or along any public street, avenue or alley in the city in violation of any of the provisions of this chapter.

4-11-11 Vehicles and Receptacles to be Spillproof

It is unlawful for any person to haul or cause to be hauled on or along any public street in the city any garbage, unless such garbage is contained in strong vehicles constructed to prevent any such garbage from falling, leaking or spilling.

4-11-12 Spilled Refuse

Any person hauling any refuse along the streets of the city shall immediately replace in the conveyance used for such hauling any refuse which may fall upon any street.

4-11-13      Dumping Refuse

It is unlawful for any person to place or cause to be placed any refuse upon any public or private property within the city, except as specifically permitted in this chapter.