
TOWN OF PRESCOTT VALLEY

Utility Regulations

November 4, 2010

TABLE OF CONTENTS

	<u>PAGE</u>
1.0 DEFINITIONS	1
1.1 "Building" and "Building Sewer"	1
1.2 "Customer"	1
1.3 "Domestic Water" or "Water"	1
1.4 "Domestic Water Service" or "Water Service"	1
1.5 "Domestic Water System" or "Water System"	1
1.6 "Management Services Director" or "Director"	1
1.7 "Person"	1
1.8 "Premises"	1
1.9 "Reclaimed Water"	1
1.10 "Reclaimed Water Service"	1
1.11 "Reclaimed Water System"	1
1.12 "Town Council" or "Council"	1
1.13 "Town Manager" or "Manager"	1
1.14 "Town of Prescott Valley"	2
1.15 "Underground Facility"	2
1.16 "Unit"	2
1.17 "User"	2
1.18 "Utilities Department" or "Department"	2
1.19 "Utility System"	2
1.20 "Wastewater Treatment System" and "Wastewater System"	2
1.21 "Wastewater Collection and Treatment Facilities" and "Wastewater Facilities"	2
1.22 "Wastewater Collection and Treatment Services," "Wastewater Treatment Services," "Wastewater Services," and (where the context so indicates) "Services"	2
2.0 CONNECTIONS TO UTILITY SYSTEM	2
2.1 Utility Service Connections Required	2
2.2 Existing Developed Properties	2
2.3 After-Developed Properties	3
2.4 Other Assessments, Fees and Charges	3
2.5 Connection Permits and Inspections	4
2.6 Connection of Industrial and Certain Commercial Users to Wastewater Treatment System	4
2.7 Abandonment of Private Septic Systems as Condition of Connecting to Wastewater Treatment System	4
2.8 Notice of Fire Sprinkler System Installations	5
2.9 Unlawful Acts	5
3.0 UTILITY SYSTEM EXTENSIONS	6
3.1 Approval	6
3.2 Replacement or Repair	6
4.0 UTILITY SYSTEM MAINTENANCE	6
4.1 Facilities Included in Utility System	6
4.2 Responsibility for Maintenance of Utility Facilities	7
4.3 Requirements Prior to Excavations	8
4.4 Procedure in the Event of Damage	9
4.5 Liability for Damage	9
4.6 Prohibition Against Damaging Utility System	9
4.7 Enforcement Options	9

4.8	Administrative Review	10
4.9	Enforcement Prior to Administrative Review	10
5.0	SPECIAL RESTRICTIONS AS TO USE OF UTILITY SYSTEM	10
5.1	Regulation of Discharges Into Wastewater Treatment System.	10
5.2	Cross-Connection Control Program for the Domestic and Reclaimed Water Systems.	14
	Standard Detail 3-19	21
	Standard Detail 3-20	22
	Standard Detail 3-21	23
6.0	GENERAL ENFORCEMENT OF REGULATIONS	24
6.1	Priority in Case of Conflicting Provisions	24
6.2	Enforcement Options Unlimited	24
6.3	Wastewater Authority Includes Governmental Power	24
6.4	Authority to Refrain from Enforcement	24

1.0 DEFINITIONS

- 1.1 "*Building*" and "*Building Sewer*." shall be defined as set forth in Section 202 of the International Plumbing Code (IPC), 2006 Edition (or subsequent editions), as adopted by the Town.
- 1.2 "*Customer*." The (a) record owner(s) of real property to which domestic water services, wastewater services, and/or reclaimed water services are supplied, and (b) any Tenant of real property to which any of said services are supplied whose name is on an account because of a Request for Alternative Billing signed by the record owner(s) or the agent(s) of the record owner(s). Customers are the Persons or entities responsible for payment of water, wastewater, and/or reclaimed water rates, fees, charges, and penalties for such services. While a Customer may also be a User as defined hereinafter, the terms are not necessarily the same.
- 1.3 "*Domestic Water*" or "*Water*." All groundwater (including reclaimed water recharged into the underground aquifer) and surface water acquired, treated, stored, or transported by the domestic water system of the Town.
- 1.4 "*Domestic Water Service*" or "*Water Service*." The acquisition, treatment, storage, transportation and delivery of domestic water by the Town to residential, commercial, or industrial water Users.
- 1.5 "*Domestic Water System*" or "*Water System*." Any or all components of the domestic water system managed, operated and maintained by the Town through contracts with one (1) or more third-party contractors, including (but not limited to) wells, treatment facilities, pumps, booster stations, storage tanks, storage ponds, water mains, water lines, hydrants, valves, and meters, as well as any public rights-of-way, easements (express or implied) or licenses within which such are located (but expressly not including water service lines and connections thereto located on the Customer side of meters).
- 1.6 "*Management Services Director*" or "*Director*." The director of the department in which the utilities division of the Town is included, as appointed from time to time by the Town Manager, and/or related staff designees.
- 1.7 "*Person*." shall be defined as set forth in ARS §13-105(23) (as amended).
- 1.8 "*Premises*", "*Real Property*" or "*Property*." The building, unit, structure, designated turf area, or water storage area (including adjacent areas and appurtenances) to which domestic water service, wastewater service, and/or reclaimed water service is provided.
- 1.9 "*Reclaimed Water*." All effluent discharged from the WWTF after treatment and stored, transported, or recharged into the underground aquifer by the reclaimed water system of the Town.
- 1.10 "*Reclaimed Water Service*." The treatment, storage, transportation and delivery of reclaimed water by the Town to commercial and industrial water Users.
- 1.11 "*Reclaimed Water System*." Any or all components of the reclaimed water system managed, operated and maintained by the Town through contracts with one (1) or more third-party contractors, including (but not limited to) recharge wells, treatment facilities, pumps, booster stations, storage tanks, storage ponds, reclaimed water mains, reclaimed water lines, hydrants, valves, and meters, as well as any public rights-of-way, easements (express or implied) or licenses within which such are located (but expressly not including reclaimed water service lines and connections thereto located on the Customer side of meters).
- 1.12 "*Town Council*" or "*Council*." The governing body of the Town, comprised of its duly elected or appointed members.
- 1.13 "*Town Manager*" or "*Manager*." The Manager of the Town as appointed from time to time by the Town Council, and/or related staff designees.

- 1.14 "Town of Prescott Valley", "Prescott Valley" and "Town" are synonymous.
- 1.15 "Underground Facility" shall be defined as set forth in ARS §40-360.21(13) (as amended).
- 1.16 "Unit." A room or group of rooms designed for one (1) or more Persons to reside, work, or carry on any organized activity as a homogenous group, and containing or having direct access to at least one (1) accommodation for cooking, domestic water use, reclaimed water use, and/or wastewater disposal.
- 1.17 "User." Any Person, partnership, corporation, municipality, political subdivision or other entity or organization that occupies any building, Unit, structure, designated turf area, or water storage area and receives domestic water service, wastewater service, and/or reclaimed water service thereat from the Town.
- 1.18 "Utilities Department" or "Department." Any combination of Town officers and third-party contractors (and their respective personnel) assigned to manage, operate and maintain the domestic water, wastewater and reclaimed water systems for the Town.
- 1.19 "Utility System." The Domestic Water System, the Wastewater Treatment System, and the Reclaimed Water System of the Town, or any portion thereof.
- 1.20 "Wastewater Treatment System" and "Wastewater System" are synonymous with "Wastewater Collection and Treatment System." Furthermore, "public sanitary sewer lines" and "lift stations" may be designated collectively as the "Wastewater Collection System." Finally, "treatment facilities" may be designated as the "Wastewater Treatment Facility," or the "WWTF."
- 1.21 "Wastewater Collection and Treatment Facilities" and "Wastewater Facilities" shall be synonymous with "Sewers" as defined in ARS §48-571(A)(16).
- 1.22 "Wastewater Collection and Treatment Services," "Wastewater Treatment Services," "Wastewater Services," and (where the context so indicates) "Services" shall be synonymous.

2.0 CONNECTIONS TO UTILITY SYSTEM

- 2.1 Utility Service Connections Required. Every separate building, unit, structure, designated turf area, or water storage area to which utility service is supplied shall have its own service connection. Unless otherwise expressly permitted by the Department, it is unlawful for any Customer having a utility service connection to supply or permit utility service to be supplied through said connection to any other User, whether gratuitously or for consideration.
- 2.1.1 *Meters.* Domestic water and/or reclaimed water supplied as part of utility service shall only be delivered through meters supplied by the Town (by and through its third-party contractors). The meters supplied may be changed from time to time as technological advances provide for greater efficiency in domestic water/reclaimed water delivery and meter reading. Unless otherwise expressly permitted by the Department, all such meters shall be located within an adjacent public right-of-way, easement or license, and installed in accordance with the Engineering Standards adopted from time to time by the Town. Such meters and meter boxes shall not be obstructed in such a way as to prevent them from being accessed by Department personnel for reading, maintenance and other purposes. Such meters are and remain part of the system and are therefore property of the Town.
- 2.1.2 *Incidental Entry on Private Property.* Department personnel are expressly authorized at all reasonable times to incidentally enter upon private property for the purpose of installing, reading, maintaining, and disconnecting meters, and for the purpose of turning-on and turning-off utility service.
- 2.2 Existing Developed Properties. All existing developed properties within the appropriate distances established from time to time in the Town Code shall connect to the wastewater treatment system and/or the domestic water system at the record owner(s) expense within ninety (90) days after either

system is operational. If, as part of a specific initial service plan for an area, the Town has assumed the responsibility of providing such connections for existing developed properties, this time for connection may be extended until the Town makes (or would have made if the property owner had given his or her timely written consent in a form acceptable to the Town) the connection in conformance with the plan. All connections shall be in accordance with the Town's Engineering Standards as adopted from time to time.

- 2.2.1 *Definition of "Developed"*. A lot, parcel or property is "developed" if a building, unit, structure, designated turf area, or water storage area has been built thereon for which an occupancy permit (temporary or permanent) has been issued by the Town, or which has actually been occupied (whether or not occupancy continues thereafter).
 - 2.2.2 *When Utility System is "Operational"*. A phase or portion of the utility system is operational in an area (with regard to individual lots, parcels, or properties) on either i) the date said lots, parcels or properties would have been connected to the phase or portion of the utility system had customers reasonably cooperated with the construction contractor in order to be connected (i.e. had provided necessary construction easements, assisted and permitted construction crews to construct necessary service lines, permitted construction crews to actually connect appropriate structures on the lot, parcel, or property to the utility system, etc.), or ii) the date customers were told in writing was the date appropriate buildings, units, structures, designated turf areas, and water storage areas on the lots, parcels or properties should be connected to the utility system.
 - 2.2.3 *Option for Contractor to Make Connections*. If, as part of a specific initial service plan for an area, the construction contractor assumes responsibility for connecting existing developed properties to a phase or portion of the utility system during construction [without cost to the Customers], then the time for connection may be extended until the contractor either makes the connection or would have made the connection if i) the Customers had consented and cooperated as set forth hereinabove, or ii) the connection had not been outside the scope of the contractor's contract because of physical barriers (however caused).
 - 2.2.4 *Default Connection by Customers*. If Customers have not so consented and cooperated, or if the connection is outside of the construction contractor's contract (however caused), then said Customers must connect the property at their own expense within the original ninety (90) days of utility system availability.
 - 2.2.5 *Option to Set Later Connection Date*. Nothing herein shall preclude Department personnel, upon approval of the Town Council, from setting a later date in writing for Customers to connect to the utility system.
- 2.3 After-Developed Properties. All developments (including single-family dwellings) within the appropriate distance as set from time to time in the Town Code from either the wastewater treatment system or the domestic water system, which are to be approved for occupancy after either system is operational, shall be required to connect thereto at the expense of the record owner(s) before occupancy is approved by the Town. All connections shall be in accordance with the Town's Engineering Standards as adopted from time to time.
- 2.4 Other Assessments, Fees and Charges. It is understood that, in addition to the System Connection Charges provided for hereinabove, in areas previously included within improvement districts created by the Town to extend utility systems to such areas, if an assessment has not been previously paid to the Town to make the system available to a property (or if the assessment paid for that property was not in proportion to payments made for other similar properties, e.g. because of a property split, increased intensity of development, etc.), a separate in-lieu-of-assessment fee, calculated to be equivalent to the original assessment, may be imposed by the Town as a condition of developing the property. Furthermore, development fees in accordance with applicable law may be imposed by the Town as a condition of developing the property.

- 2.5 Connection Permits and Inspections. No physical connection shall be made to the utility system until a permit for the same has been acquired from the Town, after payment to the Town of all required utility fees, charges and penalties. All connections shall conform with the technical building codes adopted and amended by the Town from time to time.
- 2.5.1 No connection shall be made to the utility system from any building, unit, structure, designated turf area, or water storage area on a particular lot, parcel, or property without a plan therefor being approved by the Town prior to construction. Such plans must show that the proposed connection will meet technical building code requirements (including proper materials such as back flow devices).
- 2.5.2 Regardless of any other requirements under the Town's technical building codes, such connections must be inspected and approved by Department personnel before any trench or hole is back-filled. In the event such connections are back-filled without proper inspection, the Customer shall bear all liability therefor.
- 2.5.3 In the event that a stub-out has been included in the main line for a particular adjacent lot, parcel or property, then connection to the main line from any building, unit, structure, designated turf area, or water storage area on that lot, parcel or property shall be at that stub-out. If a stub-out has not been constructed in the main line for a particular adjacent lot, parcel or property, then connection from any building, unit, structure, designated turf area, or water storage area on the property must be at a location specified by the Town (and the necessary stub-out must be constructed at the Customers' expense).
- 2.5.4 If a connection requires construction in the public right-of-way, then a Town right-of-way permit must also be obtained. In addition to any construction and inspection requirements related to such permits, any damage to the public right-of-way (including damage to roadway surfaces) must be repaired at the Customers' expense.
- 2.5.5 Any damage to the utility system or to the public right-of-way resulting from the Customers' connection to the utility system, must be repaired to the satisfaction of the Town's engineer at the Customers' expense. The Town reserves the right to require Customers (or their contractors) to post a surety bond, in an amount determined by the Town's engineer to cover the cost of potential damage to the utility system and to the public right-of-way, prior to approval of a connection plan if the Customers (or their contractors) have previously damaged the utility system and/or the public right-of-way without properly repairing the same.
- 2.5.6 Nothing herein shall preclude the Town from waiving plan review and inspection fees for such connections if they are part of a specific initial service plan for an area where the construction contractor assumes responsibility for connecting existing developed properties to a phase or portion of the utility system during construction without cost to the Customers.
- 2.6 Connection of Industrial and Certain Commercial Users to Wastewater Treatment System. All connections of industrial lots, parcels or properties (or commercial lots, parcels or properties required to have an Industrial Wastewater Discharge Permit) to the wastewater treatment system shall include installation of an inspection manhole, built to Town engineering standards, which permits Department personnel to measure flows and conduct necessary testing.
- 2.7 Abandonment of Private Septic Systems as Condition of Connecting to Wastewater Treatment System.
- 2.7.1 *Customer Responsibility.* In the event buildings, units, or structures on lots, parcels or properties with private sewage disposal systems are connected to a phase or portion of the wastewater treatment system, the private sewage disposal systems must be abandoned within sixty (60) days after such connection, in accordance with rules and regulations promulgated by the Yavapai County Board of Health, the Arizona Department of Health Services, and/or the Arizona Department of Environmental Quality. Failure of Customers to properly abandon private sewage disposal systems within the time specified shall be reported to

appropriate State or County agencies, and Department personnel shall cooperate fully with such agencies to abate the nuisance created by such failure.

- 2.7.2 *Contractor Responsibility.* If, as part of a specific initial service plan for an area, the construction contractor assumes responsibility for connecting existing developed properties to the wastewater treatment system during construction (without cost to the Customers), and such plan includes abandoning private sewage disposal systems, then enforcement of this requirement may be "tolled" until the contractor either abandons the private sewage disposal systems in the course of his contract or would have done so if i) the Customers had consented and cooperated by providing necessary construction easements, permitting entry onto property, etc., or ii) the abandonment were not outside the scope of the contractor's contract because of physical barriers (however caused).
- 2.7.3 *Customer Non-Cooperation.* If i) Customers do not so consent and cooperate by the time that a construction contractor is released from an area by the Town (after having abandoned the other private sewage disposal systems on lots, parcels or properties in the area where permission had been granted and which could reasonably be abandoned pursuant to contract), or ii) the abandonment is outside of the construction contractor's contract (however caused) and Customers do not themselves arrange to abandon their private sewage disposal system in accordance with the regulations within sixty (60) days of connection to the wastewater treatment system, then enforcement shall be sought by the Town as set forth above.
- 2.7.3.1 Nothing herein shall preclude Department personnel, upon approval of the Town Council, from setting a later date in writing for Customers to abandon private sewage disposal systems on their lots, parcels or properties, prior to seeking enforcement as set forth above.
- 2.7.4 *Criminal Violation.* The requirement that buildings, units and structures on lots, parcels or properties be connected to the wastewater treatment system (as set forth herein) is subject to vigorous enforcement by all equitable and legal means available, including civil and criminal actions against Customers. In this regard, failure to connect to the wastewater treatment system as set forth herein is expressly declared to be a violation of Town Code Article 9-05, and therefore constitutes a class 1 misdemeanor (with each separate day being a separate offense).
- 2.7.4.1 However, deferred enforcement or non-enforcement of this requirement by the Town should not be construed as a waiver of future enforcement with regard to the particular Customers and lots, parcels or properties involved.
- 2.7.5 *Customer Agreements to Maintain Non-Gravity-Flow Facilities.* In the event individual Customers, the record owner(s), contractors, or developers either cannot or choose not to develop particular lots, parcels or properties so as to connect to the wastewater treatment system by gravity flow, a building permit will only issue if said Customers, record owners, contractors, or developers enter into a binding agreement with the Town to construct and maintain at their sole expense any non-gravity flow facilities, including lengthy service lines, needed to connect to the wastewater treatment system
- 2.8 Notice of Fire Sprinkler System Installations. The Town shall enter into one (1) or more intergovernmental agreements with the Central Yavapai Fire District (or its successor) to inform the Director about when fire sprinkler systems are installed in buildings, units, or structures so that appropriate Water Service Rates may be charged to the appropriate Customers.
- 2.9 Unlawful Acts. It is unlawful for any Person to intentionally break, deface, tamper with or damage any meter, hydrant, valve, line, pipe or other utility system appliance or fixture, or in any other manner to interfere with the operation of any part of the utility system. Furthermore, it is unlawful for any Person, with intent to injure or defraud, to connect any pipe, line, tube or other instrument with

any utility main, utility line, or service line, whether or not part of the utility system, for the purpose of taking utility service without permission and/or payment.

3.0 UTILITY SYSTEM EXTENSIONS

3.1 Approval. The Town shall approve the design of and conduct inspections of all construction of components that are to be attached to the utility system. No such construction shall commence until the required permits have been obtained from the Town.

3.1.1 *Design and Construction*. The design and construction of all components to be attached to the utility system must conform with good engineering practice, including all state and federal standards as well as the engineering standards adopted and amended from time to time in the Town Code.

3.1.2 *Authority to Require Off-Site or Upsized Improvements*. Inasmuch as it is often in the public interest to extend public capital improvements or infrastructure to undeveloped areas, or for one (1) development to size certain public capital improvements or infrastructure larger than would otherwise be necessary for the development itself (so as to better accommodate nearby development), the Town Manager is authorized in accordance with the provisions of the Town Code to specify that subdividers either extend certain improvements off-site to connect with existing improvements or "upsized" certain on- or off-site improvements (at subdividers' cost) so as to facilitate connection thereto by other developments.

3.1.3 *Subdivisions*. Extensions of the utility system into new subdivisions shall be regulated by the respective technical building, planning, zoning, and subdivision codes (including, but expressly not limited to, any General and Specific Plans) of the Town.

3.2 Replacement or Repair. Persons or entities that build or cause to be built any extensions of the utility system shall pay for any repairs or replacements made necessary as a direct or indirect result of such construction, including (for example) repair or replacement of curbs, gutters, sidewalks, road surfaces, drainage structures, and utilities damaged or disturbed during the building of utility system extensions.

3.2.1 *No Discharge Prior to Inspection*. No discharge into the utility system shall occur from a new subdivision or other multiple-lot development prior to final inspection and approval of the utility facilities in the subdivision or development, unless otherwise expressly authorized in writing by the Town's engineer.

3.2.2 *Acceptance of Utility Facilities Requires Separate Writing*. It is expressly understood that plat approval by the Town Council (whereby dedications of public rights-of-way and public utility easements are accepted), do not constitute acceptance of utility facilities, roadways, etc. by the Town for purposes of ownership, operation and maintenance. Such acceptance and approval shall only be by separate writing, signed by the Town's engineer.

4.0 UTILITY SYSTEM MAINTENANCE

4.1 Facilities Included in Utility System.

4.1.1 *Facilities Included in Wastewater Treatment System*. The wastewater treatment system includes the "trunk system" and the "collector system". The "trunk system" includes all pipe larger than eight inches (8") in diameter. The "collector system" includes all pipe 8" or less in diameter, including the "service tap" between the main line and the property line. However, the collector system does not include service lines from the building sewer or private sewer out to the property line.

4.1.2 *Facilities Included in Domestic Water System*. The domestic water system includes (but is expressly not limited to) wells, treatment facilities, pumps, booster stations, storage tanks,

storage ponds, water mains, water lines, fire hydrants, valves, and meters, as well as any public rights-of-way, easements (express or implied), or licenses within which they are located (but expressly not including water service lines and connections thereto located on the Customer side of meters). "Water mains" include all pipe larger than six inches (6") in diameter and "service taps" between such pipes and meters. The domestic water system expressly does not include water service lines and connections thereto from buildings, units, structures, designated turf areas, or water storage areas out to water meters, or any private easements or rights-of-way in which they may be located.

- 4.1.3 *Facilities Included in Reclaimed Water System.* The reclaimed water system includes (but is expressly not limited to) recharge wells, treatment facilities, pumps, booster stations, storage tanks, storage ponds, mains, lines, fire hydrants, valves, and meters, as well as any public rights-of-way, easements (express or implied), or licenses within which they are located (but expressly not including service lines and connections thereto located on the Customer side of meters). "Mains" include all pipe larger than six inches (6") in diameter and "service taps" between such pipes and meters. The reclaimed water system expressly does not include service lines and connections thereto from buildings, units, structures, designated turf areas, or water storage areas out to meters, or any private easements or rights-of-way in which they may be located.

4.2 Responsibility for Maintenance of Utility Facilities.

- 4.2.1 *Wastewater Treatment System.* The Department is generally responsible for the care and maintenance of the wastewater treatment system from manhole to manhole, including any emergency responses. Unless otherwise expressly provided for by written contract, Customers are responsible for the care and maintenance of service lines and service taps serving their lots, parcels or properties.

4.2.1.1 All Users of the wastewater treatment system shall abide by the discharge requirements of applicable federal, state and local statutes, regulations, permits, and ordinances (including these Regulations) in order to avoid sewage stoppages in the wastewater treatment system and/or upsets in the WWTF.

4.2.1.2 Grease, oil, and sand interceptors or traps shall be provided by Customers for particular lots, parcels or properties when the Town's engineer reasonably determines that they are necessary for proper handling of wastes containing grease in excessive amounts, flammable wastes, sand, or other harmful ingredients. All such interceptors shall be of a type and capacity approved by the Town's engineer, and shall be installed so as to be readily accessible for cleaning and inspection. Such grease, oil, and sand interceptors shall be maintained in a continuously operational condition at the customers' expense. Such interceptors shall not be required for buildings used for residential purposes except in circumstances involving unusual waste discharges.

4.2.1.3 In the event a stoppage occurs in a service line or service tap, the Customers shall promptly take steps necessary to remove such blockage, including (but not limited to) employing licensed professionals and contractors, and obtaining necessary permits (including public right-of-way permits).

4.2.1.4 If Customers conclude after inquiry that their service line or service tap is not the source of a sewage stoppage, said Customers may call the Department at the designated phone numbers in order to inform the Town of the stoppage. In the event such a call is made after regular business hours (8:00 am to 5:00 pm, Monday through Friday, except holidays), it shall be directed to the Town's Police Department.

4.2.1.5 If, upon investigation, it is determined by the Department that the sewage stoppage is, in fact, located in a service line or service tap, the Customers will be so informed and advised to take necessary action as described above.

- 4.2.1.6 In the event of a continuing dispute as to the actual location of a sewage stoppage, the Department shall dispatch an investigator within a reasonable time to conduct a formal investigation and prepare a written report identifying A) the apparent cause of the stoppage, B) the actions that must be taken to remove or permanently resolve the stoppage, and C) the Persons or entities responsible for removing or paying the cost of removing or permanently resolving the stoppage. Upon completion of the report, a copy thereof shall be provided to the Customers.
- 4.2.1.7 Based upon the report, either the Customers or the Town shall take the necessary actions to remove or permanently resolve the stoppage.
- 4.2.2 *Domestic Water System.* The Department is generally responsible for the care and maintenance of the domestic water system, including meters and all pipes, lines and other facilities on the street side or right-of-way side of the meters. However, Customers are responsible for the care and maintenance of their service lines (and connections thereto), any private easements or rights-of-way in which they may be located, and any internal water lines serving their properties.
- 4.2.3 *Reclaimed Water System.* The Department is generally responsible for the care and maintenance of the reclaimed water system, including meters and all pipes, lines and other facilities on the street side or right-of-way side of the meters. However, Customers are responsible for the care and maintenance of their service lines (and connections thereto), any private easements or rights-of-way in which they may be located, and any internal lines serving their properties.
- 4.3 Requirements Prior to Excavations. No Customer, User, or Person shall make or begin any excavation in any public street, alley, right-of-way dedicated to public use, utility easement, or express or implied private property utility easement included in the utility system without first (i) determining whether utility system facilities (above-ground or underground) will be encountered (and, if so, where they are located), and ii) taking measures for control of the facilities in a careful and prudent manner. No Person shall begin excavating before the location of said facilities is marked or he or she is notified that marking is unnecessary.
- 4.3.1 *Town And Excavator Responsibilities.* The Town shall file with the Yavapai County Clerk and Recorder the job title, address, and telephone number of the Person or Persons from whom the above information may be obtained. Such Person or Persons shall be readily available during established business hours. The information on file shall also include the name, address, and telephone number of each "one-call notification center" to which the Town belongs. Upon receipt of an inquiry or notice from an excavator, the Town shall respond as promptly as practicable [but in no event later than two (2) working days] by marking the facilities with stakes, paint or in some customary manner.
- 4.3.2 In responding to an inquiry or notice from an excavator, the Town shall comply with the requirements of ARS §40-360.22(D), (F), (H), (I) & (J); and §40-360.23(C) & (D) (as amended). At the same time, excavators shall comply with the requirements of ARS §40-360.22(C), (G) & (H); and §40-360.23(A), (B) & (D) (as amended). However, it is understood that the Town has no statutory obligation to locate service lines in express or implied private property utility easements.
- 4.3.3 Furthermore, the Town shall prepare, keep and refer to installation records for the utility system when complying with the requirements of ARS §40-360.22 (as amended). Such records need not include service lines in express or implied private property utility easements. However, such records must include (A) field notes or other indications by the installer of the underground facilities that the installation involved deviations or changes from installation standards, instructions or designs, and (B) corrections of any inaccuracies found as a result of locating or marking said facilities. They shall also show if all or part of the facilities have been abandoned. Such records are for internal use by the Town in locating underground facilities and are not intended to be relied on by others.

Information in such records shall be made available in a timely manner and on a need-to-know basis to authorized Persons who submit a written request and who are engaged in design of construction projects involving excavation in public streets, alleys or rights-of-way (but not in express or implied private property utility easements).

- 4.3.4 The Town shall become a member of a "one-call" notification center serving Yavapai County, as required by ARS §40-360.32(A) (as amended).
- 4.3.5 *Cooperation from Permitting Jurisdictions.* Any excavation, connection or other construction which is reasonably expected to involve disruption of utility service to other Customers shall be indicated on any application to the appropriate jurisdiction for the permit necessary for such excavation, connection or other construction. Such permit shall not be granted by said jurisdiction until approval of the same has been given by designated Department personnel and any conditions set forth on the permit. If approved, such disruption shall only be according to the conditions set forth on the permit. Furthermore, a reminder that such disruption will occur shall be communicated to the Town Manager at least forty-eight (48) hours prior to such disruption. Thereupon, the Town shall take reasonable steps to notify the affected Customers of such disruption and to ensure that applicable health regulations are observed.
- 4.3.6 If work to be done by Department personnel is reasonably expected to involve disruption of utility services to other Customers, the appropriate Department personnel shall take reasonable steps to notify the affected Customers of such disruption and to ensure that applicable health regulations are observed.
- 4.4 Procedure in the Event of Damage. In the event of any damage to or dislocation of any facilities (above-ground or underground) of the utility system (in connection with any connection, excavation, or other construction), the Person responsible for such construction shall immediately notify the Town and shall not attempt any repair (except temporary emergency repairs) to the damaged facilities. Instead, the construction shall be left open until the arrival of Department personnel. Upon receipt of notice, the Town shall promptly dispatch such Department personnel [but in no event later than two (2) working days] to examine said facilities. After examination, such Department personnel shall either effect necessary repairs or require the Person(s) responsible to effect the repairs under the supervision of Department personnel.
- 4.5 Liability for Damage. If any facilities (above-ground or underground) of the utility system are damaged by any Person as a result of Persons failing to obtain information as to the location of said facilities, failing to take measures for protection of the facilities, or failing to connect, excavate or otherwise construct in a careful and prudent manner as required by law, such Person is liable to the Town for the total cost of repairing the facilities. However, Persons connecting, excavating or constructing in express or implied utility easements across their own property are not liable to the Town if the damaged underground facilities are not buried or placed below ground in accordance with applicable standards, if the underground facilities are not located within the easements, or if the Persons engaged in the construction have complied with the requirements of ARS §40-360.22 [as amended].
- 4.6 Prohibition Against Damaging Utility System. No Customer, User, or Person shall knowingly or negligently damage the utility system (including, but expressly not limited to, damage caused by unlawful discharge to the utility system, improper connection to the utility system, and negligent excavation or other construction in, on, or around the utility system).
- 4.7 Enforcement Options. Knowing or negligent damage to the utility system is subject to vigorous pursuit of any and all remedies available to the Town, including (but expressly not limited to) injunction, abatement, discontinuation of service, actions for damages, civil penalties, and criminal penalties. [Note: exemption from civil penalty or liability for gardening or tilling with hand tools on own property; ARS §40-360.28(D)(3)]
- 4.7.1 *Procedures for Discontinuing Utility Services.* In the event the Town chooses to discontinue utility services to any Customers, Users, or properties for creating stoppages in or otherwise

damaging the utility system (or for any related violation of these Regulations), the procedures shall be the same as those set forth hereinabove for account delinquencies.

4.7.2 Nothing herein shall preclude the Town from taking action to discontinue utility services without notice in the event of fraudulent, careless, negligent or unlawful use of utility services, or where a dangerous condition is found on the premises in relation to utility services.

4.8 Administrative Review. In the event of a dispute as to (i) responsibility for stoppage in a utility service line, stoppage in a service tap, stoppage elsewhere in the utility system or other damage to the utility system, (ii) or validity of any enforcement action proposed to be taken as a result thereof, Customers may request an administrative review of such alleged responsibility or the validity of such proposed action as set forth hereinabove.

4.9 Enforcement Prior to Administrative Review. Nothing herein shall preclude the Town from taking action prior to such an administrative review or without notice after such administrative review in the event of fraudulent, careless, negligent or unlawful use of utility services related to the account, or where a dangerous condition is found on the premises in relation to utility services.

5.0 SPECIAL RESTRICTIONS AS TO USE OF UTILITY SYSTEM

5.1 Regulation of Discharges Into Wastewater Treatment System.

5.1.1 *No Discharges Which Damage Wastewater Treatment System.* No Customer, User, or Person may discharge any waste into the wastewater treatment system which is likely to obstruct flows in the system; interfere with the proper operation of the system; damage the system, its component parts, the personnel that operate it, or the reclaimed water that is generated by it; or otherwise create or cause the system to become a public nuisance.

5.1.1.1 With regard to the above, Customers, Users and Persons shall not discharge the following into the wastewater treatment system:

5.1.1.1.1 drainage waters [as defined in Town Code Article 7-03 and Article 9-05(as amended)];

5.1.1.1.2 liquids or vapors having a temperature higher than 120 degrees Fahrenheit or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees Fahrenheit;

5.1.1.1.3 waste which may contain more than 100 parts per million by weight of fat, oil or grease;

5.1.1.1.4 any gasoline, benzene, naphtha, fuel or other flammable or explosive liquid, solid, or gas;

5.1.1.1.5 any garbage that has not been properly shredded;

5.1.1.1.6 any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, abrasives such as brick, cement, onyx, carbide, or any other solid or viscous substance capable of causing obstruction to flows in the wastewater treatment system or other interference with the proper operation of the system;

5.1.1.1.7 any waters or wastes having a ph lower than 6 or higher than 9 1/2, or having any other corrosive property capable of causing damage to the structures, equipment, and personnel of the wastewater treatment system;

- 5.1.1.1.8 any waters or wastes containing a toxic, radioactive, or poisonous substance that injures or interferes with any wastewater treatment process, constitutes a hazard to humans, or creates a hazard in utilizing the reclaimed water from the wastewater treatment system;
 - 5.1.1.1.9 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 in the wastewater treatment system (unless permitted by an industrial wastewater Pretreatment Permit per Town Code Article 9-05, as amended);
 - 5.1.1.1.10 any noxious or malodorous gas or substance capable of creating a public nuisance;
 - 5.1.1.1.11 any pollutant, including oxygen demanding pollutants (BOD, etc.), released in such volume or strength as to interfere with the wastewater treatment system; or
 - 5.1.1.1.12 any water or wastes with substances in amounts (in milligrams per liter) greater than those listed in Town Code Article 9-05 (as amended).
- 5.1.2 *Corrective Measures.* Customers, Users, or Persons that discharge into the wastewater treatment system unauthorized wastes of excessive strength, unusual character, or that contain prohibited substances or non-permissible quantities of substances shall take any corrective measures prescribed by the Town's engineer to prevent further unauthorized discharges.
- 5.1.3 *Discharges Requiring Written Approval.* No Customer, User, or Person shall discharge wastewater having one (1) or more of the following attributes into the wastewater treatment system without first obtaining written approval from the Town's engineer after application on forms provided by the Town:
- 5.1.3.1 a 5-day BOD greater than 300 milligrams per liter by weight;
 - 5.1.3.2 SS of more than 350 milligrams per liter of weight; or
 - 5.1.3.3 An average daily flow of greater than 50,000 gallons.
- Any such approval from the Town's engineer (or designated department head) shall be in the form of an Industrial Wastewater Pretreatment Permit with terms and conditions including, but not limited to, monitoring requirements and fees.
- 5.1.4 *Limitations on Discharge of Septage.* No Customer, User, or Person shall discharge septage into the wastewater treatment system except as follows:
- 5.1.4.1 Septage may be discharged into the wastewater treatment system at the WWTF, according to the following rules:
 - 5.1.4.1.1 The discharger must certify in writing the quantity and composition of the septage, that discharge of the septage into the WWTF will not violate Federal, State, County or Town statutes, ordinances, or regulations (including the requirements of applicable permits), and that the discharger indemnifies the Town, its agents and employees for costs associated with any such violation, with any damage to the wastewater treatment system, or with damage to third parties caused by discharge of the septage;
 - 5.1.4.1.2 The discharger must pay to the Town a fee established from time to time by resolution of the Town Council, based upon quantity and composition of the septage;

- 5.1.4.1.3 The discharger must discharge the septage under the direction and supervision of Department personnel;
- 5.1.4.1.4 Any load of septage to be discharged into the WWTF shall be subject to inspection and testing at the discretion of Department personnel prior to discharge; and
- 5.1.4.1.5 Discharge of a particular load of septage may be denied by Department personnel in the event of any reasonable indication that the septage composition will cause the discharge to violate Federal, State, County or Town statutes, ordinances, or regulations (including the requirements of applicable permits), to damage the wastewater treatment system, or to damage third parties;
- 5.1.4.2 Septage may be discharged into the wastewater treatment system at another location in the system if permission is first given in writing by the Town's engineer upon application. However, such permission shall be specific as to place and time, and separate permission must be obtained for each discharge unless expressly provided in writing on the permit; and
- 5.1.4.3 Septage from wastewater tanks in Recreational Vehicles [as defined in ARS §28-402(15), as amended] may be discharged into the wastewater treatment system by owners of said vehicles through adequate plumbing facilities on their own residential property.
- 5.1.5 *Industrial Wastewater Pretreatment Permits.* No industrial User shall discharge waste into the wastewater treatment system without first obtaining an Industrial Wastewater Pretreatment Permit from the Town.
 - 5.1.5.1 Industrial Wastewater Pretreatment Permits shall be required prior to discharge into the wastewater treatment system by any User -
 - 5.1.5.1.1 That needs written approval to discharge into the wastewater treatment system under Town Code Article 9-05 (as amended) because of high BOD, high SS, or high average daily flows;
 - 5.1.5.1.2 Whose discharge would exceed the Standard Classification strengths for BOD and SS set out in Town Code Article 9-05 (as amended) for various commercial and industrial uses;
 - 5.1.5.1.3 That cannot meet the discharge requirements of the wastewater treatment system without pretreatment of the wastewater; and
 - 5.1.5.1.4 Whose discharge would require special handling or extraordinary monitoring by Department personnel.
 - 5.1.5.2 *Prohibited to Omit Pertinent Information From Application.* No Customer, User or Person shall knowingly misrepresent or omit any pertinent information from any application or from any report required by Town Code Article 9-05 (as amended) or required in for any Industrial Wastewater Pretreatment Permit.
 - 5.1.5.3 *Compliance With National Pretreatment Standards.* Inasmuch as the WWTF does not yet have a design flow of greater than 5 million gpd, the Town need not establish and administer its own local pretreatment program with standards no less stringent than the National Pretreatment Standards. However, all industrial Users within the Town must still comply with the National Pretreatment Standards found in 33 U.S.C. §§1314(g) and 1317(b)-(c), and 40 C.F.R. Part 403 (as amended).

- 5.1.6 *Violations.* It is a violation for Customers, Users, or Persons to -
- 5.1.6.1 Exceed quantity discharge limitations set forth in Town Code Article 9-05 (as amended) or in any Industrial Wastewater Pretreatment Permit;
 - 5.1.6.2 Discharge or permit the discharge of excessive concentrations of substances limited by Town Code Article 9-05 (as amended) or any Industrial Wastewater Pretreatment Permit, into the wastewater treatment system;
 - 5.1.6.3 Discharge or permit the discharge of any substance prohibited by Town Code Article 9-05 (as amended) or in any Industrial Wastewater Pretreatment Permit, into the wastewater treatment system; or
 - 5.1.6.4 Knowingly misrepresent or omit any pertinent information from any application or from any report required by Town Code Article 9-05 (as amended) or required in or for any Industrial Wastewater Pretreatment Permit.
- 5.1.7 As a consideration for receiving wastewater treatment services through the wastewater treatment system, Department personnel may inspect the premises of any Customer, User or Person at any reasonable and necessary time in order to determine the quantity or quality of wastewater discharge from a lot, parcel, property, building, unit, structure, dwelling, or business.
- 5.1.7.1 If upon inspection it is reasonably apparent that discharges of prohibited substances [or other violations of Town Code Article 9-05 (as amended) or of an Industrial Wastewater Pretreatment Permit with regard to wastewater discharge from a lot, parcel, property, building, unit, structure, dwelling or business] have occurred, then the Town may require construction of an inspection manhole or of additional inspection manholes on the premises within a specified period, pursuant to Town Code Article 9-05 (as amended), at the expense of the Customers, Users or Persons.
- 5.1.8 No Customer, User, or Person shall commit a violation of Town Code Article 9-05 (as amended) or of any Industrial Wastewater Pretreatment Permit with regard to the discharge of wastewater into the wastewater treatment system.
- 5.1.8.1 Such violations are subject to vigorous pursuit of any and all remedies available to the Town, including (but expressly not limited to) injunction, abatement, discontinuation of service, actions for damages, civil penalties, and criminal penalties.
- 5.1.9 *Procedures for Discontinuing Wastewater Service.* In the event the Town chooses to discontinue wastewater treatment services to any Customers, Users, or properties for creating stoppages in or otherwise damaging the wastewater treatment system (or for any related violation of these Regulations), the procedures shall be the same as those set forth hereinabove for account delinquencies.
- 5.1.10 Nothing herein shall preclude the Town from taking action to discontinue wastewater treatment services without notice in the event of fraudulent, careless, negligent or unlawful use of wastewater treatment services, or where a dangerous condition is found on the premises in relation to wastewater treatment services.
- 5.1.11 *Administrative Review.* In the event of a dispute as to discharges by Customers, Users or Persons into the wastewater treatment system, Customers, Users or Persons may request an administrative review of the same as set forth hereinabove.
- 5.1.11.1 *Enforcement Prior to Administrative Review.* Nothing herein shall preclude the Town from taking action prior to such an administrative review or without notice

after such administrative review in the event of fraudulent, careless, negligent or unlawful use of wastewater treatment services related to the account, or where a dangerous condition is found on the premises in relation to wastewater treatment services.

5.2 Cross-Connection Control Program for the Domestic and Reclaimed Water Systems.

5.2.1 *Coordination with International Plumbing Code.* In addition to the provisions of International Plumbing Code (IPC) (as adopted and amended from time to time by the Town), with regard to "Cross Connection Control", these provisions shall constitute a Cross-Connection Control Program for the Town. In the event of a conflict between these provisions and those of the IPC, these provisions shall apply.

5.2.2 *Program Goal.* The goal of the Cross-Connection Control Program is to protect the supply of the domestic and reclaimed water systems from the possibility of contamination or pollution by isolating within Users' systems such contaminants or pollutants as might backflow into the public systems. The program shall provide for the monitoring and enforcement of a continuing program of backflow prevention designed to prevent the contamination or pollution of the two (2) systems.

5.2.3 *Program Implementation.* This Cross-Connection Control Program shall be implemented as follows:

5.2.3.1 *New Construction.* With the adoption of this Cross-Connection Control Program, all new construction on any property shall be evaluated to determine if a backflow prevention device (BFPD) is required. The table located hereinafter sets forth the criteria to be used for such evaluation. If it is determined that the property requires a BFPD, construction thereof shall be in accordance with the Engineering Standards adopted from time to time in the Town Code.

5.2.3.2 *Retrofit of Existing Construction.* At such time as the domestic and reclaimed water systems are determined to include areas already supplied with domestic and/or reclaimed water that may not have adequate cross-connection control, a detailed survey of existing Users shall identify potential problems that may exist. Upon completion of the survey, a priority list of Users needing BFPDs and a corresponding implementation schedule shall be developed. The priority list shall begin with the most potentially hazardous situations and continue down to the least potentially hazardous. This User survey and priority listing shall be completed within six (6) months after the determination is first made. Thereupon, approximately one half (1/2) of the identified retrofits shall be completed each year until all are completed. Retrofits shall be completed at Customers' cost, and must be carried out by licensed contractors.

5.2.4 *Responsibilities.* The following responsibilities are involved in the program:

5.2.4.1 *Department.* The Department is vested with authority and responsibility for implementing this Cross-Connection Control Program, including the phased retrofitting of existing connections. No domestic or reclaimed water service connection to premises of a type specified in this program shall be installed or maintained unless the public system is protected as required herein.

5.2.4.2 *BFPD Testers.* One (1) or more BFPD testers shall be assigned by the Department to this program. Testers' duties shall include:

5.2.4.2.1 Performance of the initial User survey;

5.2.4.2.2 Performance of construction inspections on new installations;

5.2.4.2.3 Maintenance of program records showing yearly testing of BFPDs;

5.2.4.2.4 Spot testing of installations; and

5.2.4.2.5 Testing and maintenance of BFPDs.

5.2.4.3 *Users*. Users shall not allow any pollutants or contaminants to enter into either system from the point of delivery. Users shall, at their own expense, install, operate, test, and maintain approved backflow preventive assemblies as required by the Department.

5.2.5 *Definitions*. The following definitions shall apply to this Cross-Connection Control Program:

5.2.5.1 *"Air Gap"*. The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device, and the flood level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically, above the overflow rim of the vessel, and in no case less than one (1) inch.

5.2.5.2 *"Approved"*. Accepted by the Department as meeting applicable specifications, and as suitable for the proposed use.

5.2.5.3 *"Auxiliary Water Supply"*. Any water supply on or available to the premises other than the public supply including, but not limited to, domestic and/or reclaimed water from another supply, waste waters, or industrial fluids.

5.2.5.4 *"Backflow"*. The reversal of the normal flow caused by either backpressure or backsiphonage.

5.2.5.5 *"Backflow Prevention Device (BFPD)"*. An assembly or means designed to prevent the reversal of the normal flow caused by either backpressure or backsiphonage.

5.2.5.6 *"Backpressure"*. The flow of water, reclaimed water, or other liquids, mixtures or substances under pressure into the distribution pipes of a supply system from any source or sources other than the intended source.

5.2.5.7 *"Backsiphonage"*. The flow of water, reclaimed water, or other liquids, mixtures or substances into the distribution pipes of a supply from any source other than its intended source caused by a reduction of pressure in the supply system.

5.2.5.8 *"BFPD Tester"*. Any Person who has proven his/her competency to the satisfaction of the Department, certified to make competent tests or to repair, overhaul and make reports on backflow prevention assemblies, and who is conversant with applicable laws, rules and regulations, has had experience in plumbing or pipe fitting, or has other qualifications which are equivalent in the opinion of the Department.

5.2.5.9 *"Contamination"*. An impairment of the quality of domestic or reclaimed water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates an actual or potential hazard to the public health through poisoning or through the spread of disease.

5.2.5.10 *"Cross-Connection"*. Any physical connection or arrangement of piping or fixtures between two (2) otherwise separate piping systems, one (1) of which contains domestic or reclaimed water and the other non-potable water or industrial fluids through which, or because of which, backflow may occur into the domestic or reclaimed water system. This includes any temporary connections such as swing

connections, removable sections, four-way plug valves, spools, dummy sections of pipe, swivel or change-over devices, or sliding multiport tubes.

5.2.5.11 "Double Check Valve Assembly". An assembly of two (2) independently operating, approved check valves with tightly closing shut-off valves on each end of the check valves, plus properly located test cocks for the testing of each check valve. The entire assembly must meet the design and performance specifications determined by a recognized laboratory and approved by the Department for backflow prevention assemblies. To be approved, such devices must be readily accessible for in-line testing and maintenance.

5.2.5.12 "Pollution". The presence of any foreign substance (organic, inorganic, or biological) in the domestic or reclaimed water which tends to degrade its quality so as to constitute a hazard or impair its usefulness or quality to a degree which does not create an actual hazard to the public health but does adversely and unreasonably affect it for domestic or reclaimed water use.

5.2.5.13 "Pressure Breaker Assembly". An assembly containing an independently operating loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly must be equipped with properly located test cocks and tightly closing shut-off valves located at each end of the assembly.

5.2.5.14 "Reduced Pressure Principle Assembly". An assembly of two (2) independently acting, approved check valves together with a hydraulically operating, mechanically independent differential pressure relief valve located between the check valves and below the first check valve. The unit shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly. The entire device must meet the design and performance specifications determined by a recognized laboratory and approved by the Department for backflow prevention assemblies. To be approved, the device must be readily accessible for in-line testing and maintenance.

5.2.5.15 "User". Any Person, partnership, corporation, municipality, political subdivision or other organization or entity that occupies any building, unit, structure, designated turf area, or water storage area, and receives domestic or reclaimed water service thereat from the respective systems.

5.2.5.16 "Water (Non-Potable)". Any water which is not safe for human consumption.

5.2.5.17 "Water (Potable)". Any water which, according to standards recognized by the Town, is safe for human consumption (equivalent to domestic water).

5.2.5.18 "Water Service Connection". The terminal end of the service connection from the public system at its point of delivery to the User's plumbing fixtures. Inasmuch as one or more meters are installed at the end of the service connection, then the service connection means the downstream end of the meter. Service connections include service connections from fire hydrants and all other temporary or emergency service connections from the public system. [Note that unprotected takeoffs from service lines will not be permitted upstream of any meter or any BFPD located at the point of delivery to the User's plumbing fixtures.]

5.2.6 Approval. Each backflow preventive assembly required hereunder shall be approved by the Department prior to installation, and shall be installed by and at the expense of the User. Approved backflow assemblies must have received approval from the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California, American Water Works Association (A.W.W.A.). Assemblies must be specified and located on construction plans for all new buildings, all additions with new services, and all changes

of use of existing buildings as required hereinafter. Approval of such assemblies must be obtained prior to issuance of building permits.

5.2.7 *Installation of BFPDs.* With regard to installation of BFPDs:

5.2.7.1 *Assemblies Generally.* Assemblies must be installed at the service connection or near the property line but, in all cases, before the first branch line leading off of the service line and in an accessible location approved by the Department. Backflow preventive assemblies shall have at least the same cross-sectional area as the service and/or meter. In those instances where a continuous supply is necessary, two (2) sets of backflow preventive assemblies shall be installed in parallel if the supply cannot be temporarily interrupted for the testing of assemblies. No bypass may be installed around backflow preventive assemblies.

5.2.7.2 *Double Check Valve Assemblies.* Double check valve assemblies must be installed below ground in a vault. Double check valve assemblies installed in vaults shall have sufficient clearance provided to permit testing in place or removal for maintenance, as prescribed in the Town's Engineering Standards as adopted and amended from time to time in the Town Code.

5.2.7.3 *Reduced Pressure Backflow Preventive Assemblies.* A reduced pressure principle backflow preventive assembly must be installed above ground and as close to the meter as possible. The assembly must be protected from freezing. Assemblies installed must be accessible for testing in such a way as not to endanger the tester. Under no condition, except as provided for herein, may backflow prevention assemblies be installed less than twelve (12) inches or more than twenty-four (24) inches above grade level.

5.2.7.4 *Pressure Type Backflow Preventive Assemblies.* All pressure type backflow preventive assemblies which are designed for periodic field testing shall be equipped with gate valves on both the upstream and the downstream side of the assembly. In addition, test cocks shall be provided and located so that test equipment may be connected to the assembly at such points that the pressure in each pressure zone may be detected. In addition, a test cock shall be located upstream of the upstream gate valve, as close as possible to said valve.

5.2.8 *Premises or Systems Requiring Approved Backflow Preventive Devices.* An approved backflow preventive assembly of the type specified herein shall be the minimum installation of each service connection (whether from a fire hydrant, temporary, regular or other service connection) to the following type of premises or systems:

PREMISES REQUIRING APPROVED BACKFLOW PREVENTIVE DEVICES	TYPE OF ASSEMBLY REQUIRED			
	DOUBLE CHECK	REDUCED PRESSURE	AIR GAP	PRESSURE VACUUM BREAKER
Aircraft and missile plants		<input type="checkbox"/>		
Animal clinics, animal grooming shops		<input type="checkbox"/>		
Automotive repair with steam and/or acid cleaning equipment or solvent facilities		<input type="checkbox"/>		
Auxiliary water systems (interconnected)		<input type="checkbox"/>		
Auxiliary water systems	<input type="checkbox"/>			

(non-interconnected)				
Beverage bottling plants	<input type="checkbox"/>			
Breweries	<input type="checkbox"/>			
Buildings greater than three (3) stories or thirty-four feet (34') in height	<input type="checkbox"/>			
Buildings with house pumps or potable water storage	<input type="checkbox"/>			
Buildings with sewer ejectors (inadequate on-site protection)		<input type="checkbox"/>		
Buildings with sewer ejectors (adequate on-site protection)	<input type="checkbox"/>			
Canneries, packing houses and reduction Plants		<input type="checkbox"/>		
Car wash facilities		<input type="checkbox"/>		
Centralized heating and air conditioning plants		<input type="checkbox"/>		
Chemical plants		<input type="checkbox"/>		
Chemically-treated potable or non-potable water systems		<input type="checkbox"/>		
Civil works (government-owned or operated facilities not open for inspection by the Department)		<input type="checkbox"/>		
Commercial laundries		<input type="checkbox"/>		
Dairies and cold storage plants	<input type="checkbox"/>			
Dye works		<input type="checkbox"/>		

PREMISES REQUIRING APPROVED BACKFLOW PREVENTIVE DEVICES	TYPE OF ASSEMBLY REQUIRED			
	DOUBLE CHECK	REDUCED PRESSURE	AIR GAP	PRESSURE VACUUM BREAKER
Film processing labs		<input type="checkbox"/>		
Food processing	<input type="checkbox"/>			
High schools and colleges	<input type="checkbox"/>			
Holding tank disposal stations		<input type="checkbox"/>		
Hospitals and mortuaries		<input type="checkbox"/>		
Medical and dental buildings	<input type="checkbox"/>			
Sanitariums, rest and convalescent homes	<input type="checkbox"/>			
Irrigation systems [premises having non-		<input type="checkbox"/>		

potable piping one inch (1") and larger]				
Irrigation systems (premises having separate systems)		<input type="checkbox"/>		
Labs using contaminating materials		<input type="checkbox"/>		
Manufacturing, processing and fabricating plants using contaminating materials		<input type="checkbox"/>		
Mobile home parks	<input type="checkbox"/>			
Motion picture studios		<input type="checkbox"/>		
Oil and gas production facilities		<input type="checkbox"/>		
Planting plants		<input type="checkbox"/>		
Power plants		<input type="checkbox"/>		
Radioactive materials processing		<input type="checkbox"/>		
Restricted, classified or other closed facilities		<input type="checkbox"/>		
Rubber plants		<input type="checkbox"/>		
Sand and gravel plants		<input type="checkbox"/>		
Sewage and storm drainage facilities		<input type="checkbox"/>		
Shopping centers	<input type="checkbox"/>			

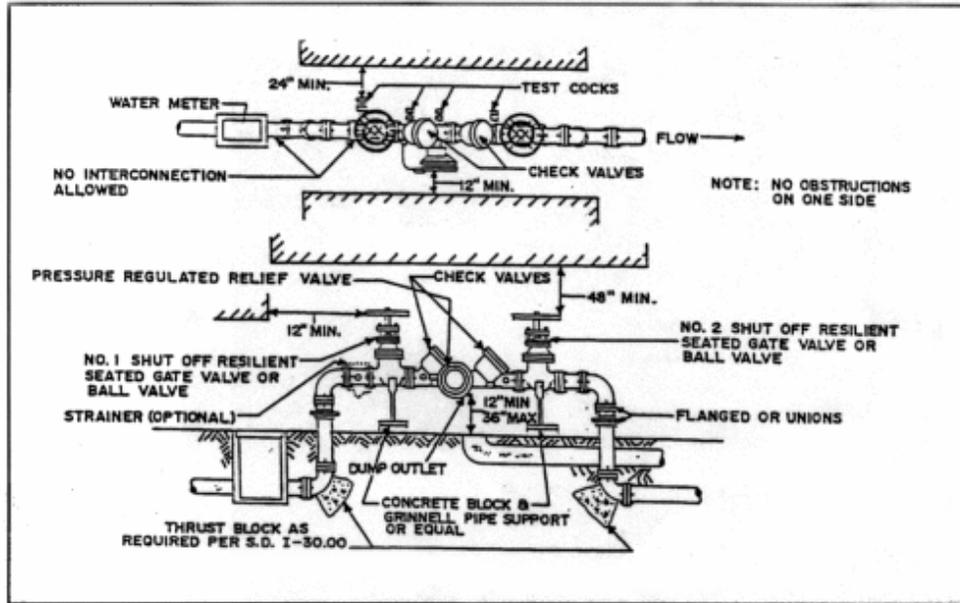
PREMISES REQUIRING APPROVED BACKFLOW PREVENTIVE DEVICES	TYPE OF ASSEMBLY REQUIRED			
	DOUBLE CHECK	REDUCED PRESSURE	AIR GAP	PRESSURE VACUUM BREAKER
Any premises where a cross-connection is maintained		<input type="checkbox"/>		
Water trucks, hydraulic sewer cleaning equipment		<input type="checkbox"/>	<input type="checkbox"/>	
Any premises where water supplied by the Company is subject to deterioration in sanitary quality and its entry into the public water system		<input type="checkbox"/>		
Direct connection from public water system (non-contaminating)	<input type="checkbox"/>			
Direct connection from public water system (contaminating)		<input type="checkbox"/>		
With pump and/or storage tank		<input type="checkbox"/>		
With auxiliary supply	<input type="checkbox"/>	<input type="checkbox"/>		

- 5.2.8.1 *Approved Backflow Preventive Devices.* As designated hereinabove, the standard installation at each service connection to premises of each system requiring an approved backflow preventive assembly shall be a model and size approved by the Department. Approved assemblies shall include those manufactured in conformance with the standards established by the American Water Works Association, A.W.W.A. C506 publication "Standards for Reduced Pressure Principle and Double Check Valve Backflow Prevention Assemblies", and the specifications of backflow prevention assemblies - Section 10, 8th Edition of the MANUAL OF CROSS-CONNECTION CONTROL, University of Southern California, Foundation for Cross-Connection Control and Hydraulic Research (FCCHR).
- 5.2.8.2 Backflow preventive assemblies which may be subject to backpressure or backsiphonage that have been fully tested and have been granted a certificate of approval by FCCHR shall be listed on the current list of approved backflow prevention assemblies (available upon request to the Department).
- 5.2.9 *Maintenance, Testing and Records.* Users must maintain accurate records of tests and repairs made to BFPDs and must provide the Department with copies of such records. The records shall be on forms approved by the Department and shall include the list of materials or replacement parts used. Testing, maintenance and repairs to such devices shall be made at Users' expense by a BFPD tester approved by the Department or any other agency designated by the Department to prescribe test methods or to certify or approve Persons to conduct tests. Users must see that tests are made at the time of the initial installation and at least once a year thereafter on the anniversary date of the initial inspection. Users must also notify the Department at least fifteen (15) calendar days in advance of annual tests that Department personnel may witness the tests if so desired. Following the installation of any assembly, Users must have the assembly inspected by the Department before a certificate of occupancy is issued.
- 5.2.9.1 Within ten (10) days following completion of any repairs, re-piping, overhauls, or relocations of any assembly, Users must have the assembly inspected by the Department and tested by a BFPD tester.
- 5.2.10 *Inspections.* Users' systems must be open for inspection at all reasonable times (including during all emergencies) by authorized representatives of the Department in order to determine whether cross-connections or other structural or sanitary hazards exist (including violations of this program). If such hazards are found, the Department may deny or immediately discontinue service to the premises by providing a physical break in the service line until the User has corrected the condition in conformance with this program.
- 5.2.11 *Discontinuation of Service.* Domestic and/or reclaimed water service to any premises may be turned-off by the Department if a backflow preventive assembly required by this program is not installed, tested and maintained; if it is found that a backflow preventive assembly has been removed or bypassed; or if a cross-connection exists on the premises. Service shall not be restored until such conditions or defects are corrected.
- 5.2.12 *Existing Devices and Users.* If the Department determines that a User's backflow preventive assembly does not meet the applicable Engineering Standards, the User shall retrofit the assembly so that it meets the standards. Whenever it is determined by the Department that a domestic or reclaimed water service poses an actual or potential threat to the physical properties of the respective system, a device complying with this program must be installed. The cost of installation, testing and maintenance shall be borne by the User.
- 5.2.13 *Disclaimer of Liability.* This Cross-Connection Control Program shall not create any duty or liability on the part of the Town, its officers, employees, agents, successors and assigns.



**TOWN OF PRESCOTT VALLEY
PUBLIC WORKS DEPARTMENT
STANDARD DETAIL 3-19
REDUCED PRESSURE ASSEMBLY INSTALLATION**

APPROVED _____ DATE _____
TOWN ENGINEER



A CORRECT REDUCED PRESSURE BACKFLOW ASSEMBLY (RPA) INSTALLATION IS SHOWN ABOVE. THERE MUST NOT BE ANY CONNECTIONS ON THE SERVICE LINE BETWEEN THE RPA AND THE WATER METER. PROTECTIVE CAGES ARE OPTIONAL, AND WHEN INSTALLED, MUST MEET CLEARANCE REQUIREMENTS IN ADDITION TO PROVIDING SIDE AND TOP ACCESS. CAGES MUST NOT RETAIN WATER.

THE ASSEMBLY MUST BE ACCESSIBLE AT ALL TIMES. THE RPA MUST BE INSTALLED ABOVE GROUND, AND AS CLOSE TO THE WATER METER AS POSSIBLE. THE ASSEMBLY MUST BE PROTECTED FROM FREEZING.

DISTANCE FROM THE BOTTOM OF PRESSURE RELIEF VALVE TO THE DRAIN OPENING MUST BE A MINIMUM OF TWICE THE DIAMETER OF THE ASSEMBLY PIPING.

INSTALLATION MUST MEET UNIFORM PLUMBING CODES IN ADDITION TO THESE STANDARD DETAILS. INSTALLATION MUST BE LEFT EXPOSED UNTIL INSPECTED AND APPROVED BY PRESCOTT VALLEY PERSONNEL. IN CASES WHERE WATER SUPPLY MAY NOT BE INTERRUPTED DURING NORMAL WORKING HOURS, TWO ASSEMBLIES INSTALLED IN PARALLEL WILL BE REQUIRED. THE ASSEMBLY MUST BE APPROVED BY THE TOWN. FOR AN UPDATED LIST OF APPROVED ASSEMBLIES CONTACT THE WATER DEPARTMENT. THREE SETS OF PLANS SHALL BE SUBMITTED TO THE TOWN FOR APPROVAL BY SIGNATURE PRIOR TO INSTALLATION. ADDITIONAL QUESTIONS MAY BE ADDRESSED TO THE WATER DEPARTMENT

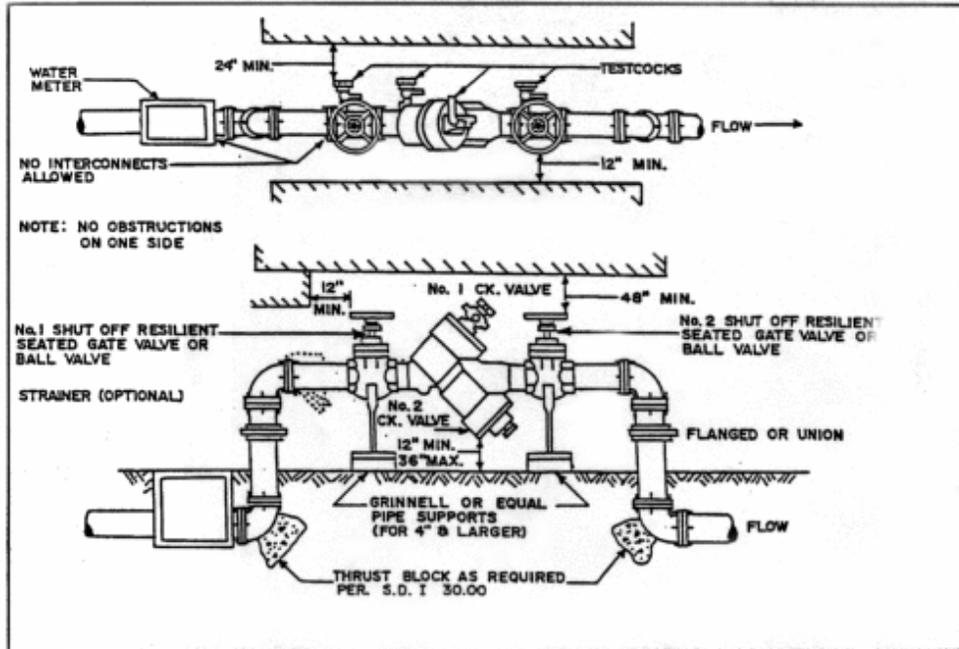
Standard Detail 3-19



**TOWN OF PRESCOTT VALLEY
PUBLIC WORKS DEPARTMENT
STANDARD DETAIL 3-20**

DOUBLE CHECK VALVE ASSEMBLY INSTALLATION

APPROVED _____ TOWN ENGINEER DATE _____



A CORRECT DOUBLE CHECK VALVE ASSEMBLY (DCVA) INSTALLATION IS SHOWN ABOVE. THERE MUST NOT BE ANY CONNECTIONS ON THE SERVICE LINE BETWEEN THE DCVA AND THE WATER METER. THE ASSEMBLY MUST BE SERVICEABLE IN LINE. PROTECTIVE CAGES ARE OPTIONAL AND WHEN INSTALLED MUST MEET CLEARANCE REQUIREMENTS IN ADDITION TO PROVIDING BOTH SIDE AND TOP ACCESS. CAGES MUST NOT RETAIN WATER. THE ASSEMBLY MUST BE ACCESSIBLE AT ALL TIMES. THE DCVA MUST BE INSTALLED ABOVE GROUND, AND AS CLOSE TO THE WATER METER AS POSSIBLE. THE ASSEMBLY MUST BE PROTECTED FROM FREEZING. INSTALLATION MUST MEET THE UNIFORM PLUMBING CODE IN ADDITION TO THESE STANDARD DETAILS. IN CASES WHERE WATER MAY NOT BE INTERRUPTED DURING NORMAL WORKING HOURS, TWO ASSEMBLIES INSTALLED IN PARALLEL ARE REQUIRED. INSTALLATION MUST BE LEFT EXPOSED UNTIL INSPECTED AND APPROVED BY PRESCOTT VALLEY PERSONNEL. THE ASSEMBLY MUST BE APPROVED BY THE TOWN PRIOR TO INSTALLATION. FOR AN UPDATED LIST OF APPROVED ASSEMBLIES CONTACT THE WATER DEPARTMENT.

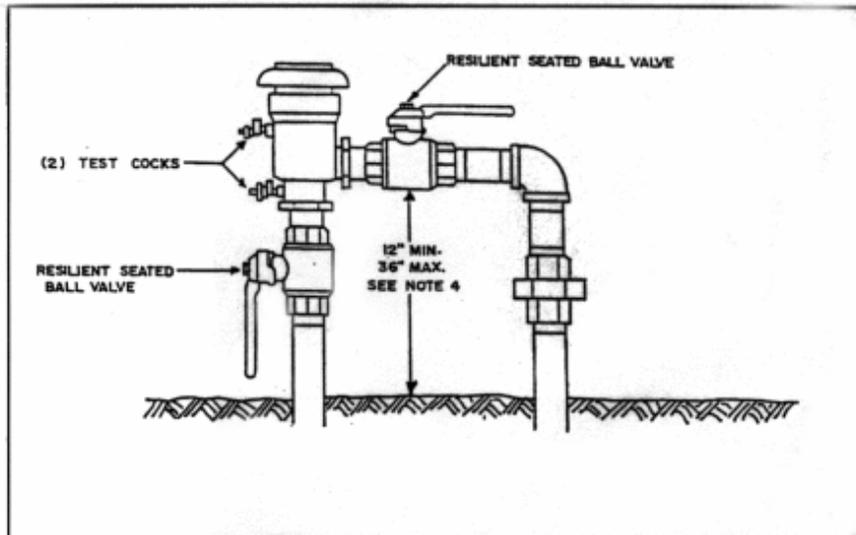
THREE SETS OF PLANS SHALL BE SUBMITTED TO THE TOWN DEPARTMENT FOR APPROVAL BY SIGNATURE PRIOR TO INSTALLATION.

Standard Detail 3-20



**TOWN OF PRESCOTT VALLEY
PUBLIC WORKS DEPARTMENT
STANDARD DETAIL 3-21
PRESSURE VACUUM BREAKER ASSEMBLY
INSTALLATION**

APPROVED _____ DATE _____
TOWN ENGINEER



1. CONTACT THE TOWN OF PRESCOTT VALLEY WATER DEPARTMENT FOR THE LATEST APPROVED LIST OF BACKFLOW PREVENTOR ASSEMBLIES.
2. TWO TEST COCKS SHALL BE INSTALLED AS PER U.S.C.
3. SHUT OFF BALL VALVES MUST BE INSTALLED AS PER U.S.C.
4. ASSEMBLY MUST BE INSTALLED 23 INCHES ABOVE THE HIGHEST OUTLET ON THE SYSTEM. IF THIS DISTANCE EXCEEDS 36 INCHES, A REDUCED PRESSURE BACKFLOW PREVENTION ASSEMBLY MUST BE UTILIZED.
5. ASSEMBLY MUST BE PROTECTED FROM FREEZING.
6. 3 SETS OF PLANS SHALL BE SUBMITTED TO THE TOWN FOR APPROVAL BY SIGNATURE PRIOR TO INSTALLATION.
7. ALL BALL VALVES MUST BE RESILIENT SEATED BALL VALVES.
8. ALL SHUT OFF VALVES MUST BE RESILIENT SEATED.

NOTE: U.S.C. IS UNIVERSITY OF SOUTHERN CALIFORNIA (FOUNDATION FOR CROSS-CONNECTION CONTROL AND HYDRAULIC RESEARCH)

Standard Detail 3-21

6.0 GENERAL ENFORCEMENT OF REGULATIONS

- 6.1 Priority in Case of Conflicting Provisions. The provisions of Town Code Article 9-5 (as amended) are intended to be supplementary to other provisions of the Town Code. Where conflicts arise (or when additional requirements are in one provision and not in another), the stricter provision shall apply.
- 6.2 Enforcement Options Unlimited. Although not all provisions in Town Code Article 9-05 (and related provisions in the Town Code and the Arizona Revised Statutes) (as amended) are susceptible to all enforcement actions [e.g. non-payment of utility rates, fees, charges, penalties, and taxes may not be enforced by criminal charges], nothing in those provisions or in these Regulations should be interpreted as limiting the ability of the Town to vigorously pursue one (1) or more enforcement options at the same time in order to remedy a violation (unless such a limitation is expressly set forth by statute or court ruling).
- 6.3 Wastewater Authority Includes Governmental Power. Because in Arizona the operation and maintenance of a sewage system by a municipality is a governmental function (being an exception to the general rule that in the operation of a public utility a municipality acts in a proprietary capacity), contract law is not the only basis for analyzing the authority of the Town and the responsibility of customers. It is therefore appropriate to require such things as mandatory connections, abandonment of septic tanks, private maintenance of the service line and service tap, payment by developers to extend the wastewater treatment system, and limited discharges into the system.
- 6.4 Authority to Refrain from Enforcement. Except as otherwise expressly limited by contract, resolution, ordinance, statute, code, rule or regulation, nothing shall preclude the Town (in the sole discretion of its Town Council) from refraining to enforce specific violations of these Regulations and related provisions of the Town Code and Arizona Revised Statutes (as amended), or from establishing a policy of refraining to enforce such violations for charitable or other articulated public policy reasons.