

CITY COUNCIL REGULAR MEETING AGENDA

REGULAR COUNCIL MEETING
WEDNESDAY
JULY 3, 2024

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
3:30 P.M.

All City Council Meetings are live streamed on the city's YouTube page
(<https://www.youtube.com/@FlagstaffCityGovernment>)

*****PUBLIC COMMENT*****

Verbal public comments not related to items appearing on the posted agenda may be provided during the "Open Call to the Public" at the beginning and end of the meeting and may only be provided in person.

Verbal public comments related to items appearing on the posted agenda may be given in person or online and will be taken at the time the item is discussed.

To provide online verbal comment on an item that appears on the posted agenda, use the link below.

[ONLINE VERBAL PUBLIC COMMENT](#)

Written comments may be submitted to publiccomment@flagstaffaz.gov. All comments submitted via email will be considered written comments and will be documented in the record as such.

1. CALL TO ORDER

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this regular meeting, the City Council may vote to go into executive session, which will not be open to the public, for discussion and consultation with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

2. ROLL CALL

NOTE: One or more Councilmembers may be in attendance through other technological means.

MAYOR DAGGETT
VICE MAYOR ASLAN
COUNCILMEMBER HARRIS
COUNCILMEMBER HOUSE

COUNCILMEMBER MATTHEWS
COUNCILMEMBER MCCARTHY
COUNCILMEMBER SWEET

3. PLEDGE OF ALLEGIANCE, MISSION STATEMENT, AND LAND ACKNOWLEDGEMENT

MISSION STATEMENT

The mission of the City of Flagstaff is to protect and enhance the quality of life for all.

LAND ACKNOWLEDGEMENT

The Flagstaff City Council humbly acknowledges the ancestral homelands of this area's Indigenous nations and original stewards. These lands, still inhabited by Native descendants, border mountains sacred to Indigenous peoples. We honor them, their legacies, their traditions, and their continued contributions. We celebrate their past, present, and future generations who will forever know this place as home.

4. **Consideration and Adoption of Resolution No. 2024-30 and Ordinance No. 2024-19:** A Resolution of the Flagstaff City Council declaring as a public record that certain document filed with the City Clerk and entitled "*Water Services Rates Code Changes*" and An Ordinance of the City Council of the City of Flagstaff, amending the Flagstaff City Code Title 3, Business Regulations, Section 3-10-001-0008 License Fees and Title 7, Health and Sanitation, Chapter 7-02 Wastewater Regulations, and Chapter 7-03 Water Regulations, by adopting by reference that certain document entitled "*Water Services Rates Code Changes*"; providing for penalties, repeal of conflicting ordinances, severability, and establishing an effective date

STAFF RECOMMENDED ACTION:

1. Adopt Resolution No. 2024-30
2. Read Ordinance No. 2024-19 by title only for the final time
3. City Clerk reads Ordinance No. 2024-19 by title only (if approved above)
4. Adopt Ordinance No. 2024-19

5. **ADJOURNMENT**

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on _____, at _____ a.m./p.m. in accordance with the statement filed by the City Council with the City Clerk.

Dated this _____ day of _____, 2024.

Stacy Saltzburg, MMC, City Clerk

THE CITY OF FLAGSTAFF ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 48-hour advance notice, reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (928) 213-2076 or email at stacy.saltzburg@flagstaffaz.gov to request an accommodation to participate in this public meeting.

NOTICE TO PARENTS AND LEGAL GUARDIANS: Parents and legal guardians have the right to consent before the City of Flagstaff makes a video or voice recording of a minor child, pursuant to A.R.S. § 1-602(A)(9). The Flagstaff City Council meetings are live-streamed and recorded and may be viewed on the City of Flagstaff's website. If you permit your child to attend/participate in a televised Council meeting, a recording will be made. You may exercise your right not to consent by not allowing your child to attend/participate in the meeting.

CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
 From: Erin Young, Water Resources Manager
 Co-Submitter: Shannon Jones, Water Services Director
 Date: 07/02/2024
 Meeting Date: 07/03/2024



TITLE:

Consideration and Adoption of Resolution No. 2024-30 and Ordinance No. 2024-19: A Resolution of the Flagstaff City Council declaring as a public record that certain document filed with the City Clerk and entitled "*Water Services Rates Code Changes*" and An Ordinance of the City Council of the City of Flagstaff, amending the Flagstaff City Code Title 3, Business Regulations, Section 3-10-001-0008 License Fees and Title 7, Health and Sanitation, Chapter 7-02 Wastewater Regulations, and Chapter 7-03 Water Regulations, by adopting by reference that certain document entitled "*Water Services Rates Code Changes*"; providing for penalties, repeal of conflicting ordinances, severability, and establishing an effective date

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Executive Summary:

This action adopts an ordinance increasing water, sewer, and reclaimed water user and service fees, and water and sewer capacity fees. The charges are increased over five years to adequately fund operations, maintenance, debt repayment, and replacement projects contained in the ten-year capital improvement program per Council direction.

Financial Impact:

Water, wastewater, and reclaimed water utility rates and fees and water and wastewater capacity charges will be phased in over a 5-year period. The new rates for Year 1 would take effect on September 1, 2024:

- Year 1: September 1, 2024 through December 31, 2025
- Year 2: January 1, 2026 through December 31, 2026
- Year 3: January 1, 2027 through December 31, 2027
- Year 4: January 1, 2028 through December 31, 2028
- Year 5: January 1, 2029 through December 31, 2029

Policy Impact:

The City is proposing modifications to the water, wastewater, and reclaimed water rates and rate structures, increasing water and sewer capacity fees, and increasing miscellaneous water charges, to meet cost recovery requirements for services provided to specific customers. The impact on the combined utility bill for water and wastewater service was carefully considered in determining the appropriate balance between the proposed rate changes and debt financing. Based on the ten-year financial plans, a synopsis of cost impacts is explained below:

Water

The water enterprise fund is impacted by multiple cost factors over the five-year planning period including:

- Operating cost increases for treatment chemicals due to scarcity and supply challenges.
- Operating cost increases for contractual services necessary for treating raw water.
- Increasing costs for replacing and repairing aging infrastructure.
- Surface water treatment plant upgrades to improve water source resiliency and maintain water quality.
- Increasing costs required for drought preparedness through watershed health.
- Additional operations and trades staff to support a growing community, and capital improvement program development.
- Operating cost increases for personnel services and benefits.
- Adjustments to water capacity fees and revenues to align fee per single family equivalent (3/4-inch meter equivalent) with current level of service requirements, growth-related shares of past infrastructure investments and planned capital improvements, and preparations for sustainable future water supplies.
- While Water Services proposed to decrease the base fee from 29% cost recovery to 25% cost recovery, the overall increases to base fees are proposed to better reflect the recovery of fixed operating costs.
- Increases to commodity rates are proposed to generate sufficient revenues to maintain the water fund as a self-sustaining enterprise, encourage efficient water use and urge conservation.
- Condensing the Institutional customer class to the Commercial customer class to remove single-user categories from the customer class list.
- Additionally, the ratios between water rate tiers are being adjusted to provide price incentives for efficiency indoors and re-setting the cost-of-service of providing water for outdoor water uses.

Wastewater

The wastewater enterprise fund is impacted by multiple cost factors over the five-year planning period including:

- Operating cost increases for treatment chemicals due to scarcity and supply challenges.
- Increasing cost for replacing and repairing aging infrastructure.
- Maintenance cost increases of system infrastructure due to deferred maintenance due to a lack of funding and increased system demand.
- Operating cost increases for personnel services and benefits.
- The introduction of base fees are proposed to reflect the recovery of fixed operating costs and adjusted for the cost-of-service to each customer class.
- Adjustment to the wastewater capacity fees and revenues to align the fee per single family equivalent (3/4-inch meter equivalent) with current level of service requirements including solids treatment capacity, growth-related shares of past infrastructure investments and planned capital improvements, and preparations for future wastewater treatment expansions.
- Adjustments to volumetric rates are proposed to reflect the cost of wastewater loadings by customer class and generate sufficient revenues to maintain the wastewater fund as a self-sustaining enterprise.

Overall, from FY 2025 through FY 2029, the water, wastewater, and reclaimed water base fee and volumetric rate changes are forecasted to generate an increase in average annual revenue of up to \$1.7 million or 9.4% in the water fund, \$1.7 million or 12.5% in the wastewater fund, and \$102,000 or 8.1% in the reclaimed water fund and become effective September 1, 2024. Details of the increase are provided in a written report with data supporting the changes on file with the City Clerk and posted to Flagstaff's Rate Study webpage at www.cleanwaterflagstaff.com.

Water and Wastewater Miscellaneous Charges

To address cost recovery, to meet the City's financial policy that charges recover all direct and indirect costs of service, miscellaneous charges are assessed to specific users of the service so that general rate payers do not bear the burden.

Previous Council Decision or Community Discussion:

On April 16, 2024 Council adopted a Notice of intention to increase water, sewer, and reclaimed water rates or rate components, fees, or service charges

Water Services has presented on various elements of the rate study to City Council beginning February 2023.

The videos of these meetings are available on the City's Rate Study website cleanwaterflagstaff.com from the "View Past Meetings" tab. Here is a list of all meetings where staff presented to City Council on the Rate Study:

- February 21, 2023 Discussion regarding a rate and fee study for water, reclaimed water, and wastewater funds.
- March 7, 2023 Consideration of a Contract for Professional Services with Stantec Consulting Services, Inc
- September 5, 2023 Introduction of the Rate Study Team
- December 12, 2023 Water, Wastewater, and Reclaimed Water Rate Study Presentation 1 of 2 on Capacity Fees and Misc. Fees
- January 23, 2024 Water, Wastewater, and Reclaimed Water Rate Study Presentation 2 of 3 on Capacity Fees and Misc. Fees
- February 6, 2024 Water, Wastewater, and Reclaimed Water Rate Study Presentation 3 of 3 on Capacity Fees and Misc. Fees
- February 13, 2024 Introduction to Water, Wastewater, Reclaimed Water Rate Design
- April 2, 2024 Follow-up discussion from the March 25, 2024 City Council - Water Commission Joint Meeting
- April 16, 2024 Notice of intention to increase water, sewer, and reclaimed water rates or rate components, fees, or service charges
- May 16, 2024 Council special worksession; presentation from Water Services Director on the operational needs of the Division
- May 21, 2024 Presentation from Stantec on Financial Model Assumptions; Direction from Council on changes to assumptions
- June 4, 2024 Staff presentation on the results of Council's Direction; Council directed staff to proceed with changes for the June 18 Public Hearing

Joint meetings of the Flagstaff City Council and Water Commission were held on the following dates. The videos of these meetings are available on the City's Rate Study website cleanwaterflagstaff.com from the "View Past Meetings" tab.

- October 23, 2023 Discussion and Direction on the Rate Study Financial Plans
- March 4, 2024 Wastewater Rate Design Workshop & Direction on Rate Design
- March 25, 2024 Water & Reclaimed Water Rate Design Workshop & Direction on Rate Design

Presentations were provided to the Water Commission about the Rate Study on the following dates. The videos of these meetings are available on the City's Rate Study website cleanwaterflagstaff.com from the "View Past Meetings" tab.

- August 7, 2023 Introduction of Stantec Team
- September 21, 2023 Rate Study Update on Task 2
- October 19, 2023 Rate Study Financial Planning Scenarios Presentation and Discussion
- November 16, 2023 Rate Study Approach for Capacity Fee Calculations, Cost Allocations, Misc. Fees
- December 14, 2023 Update on Capacity Fee Calculations, Cost Allocations, Misc. Fees
- January 18, 2024 Water, Wastewater, and Reclaimed Water Rate Study Presentation on Capacity Fees and Misc. Fees
- February 15, 2024 Rate Design Discussions with Water Commission
- March 21, 2024 Brief update from staff with questions for commissioners
- April 18, 2024 Stantec provided the same presentation given to Council on April 16

Community Meetings

- Water Services held a Water Rate Study Informational Meeting on December 7, 2023. This was a public information meeting available as a dial-in (spanish or english) or WebEx. Video is available on cleanwaterflagstaff.gov
- Water Services held a drop-in meeting on Capacity Fees at its Administrative Offices on January 30 & 31
- Water Services tabled at the Downtown Community Library on April 1 from 5-7 pm; Jay Lively Ice Arena on April 3 from 5-7 pm
- Water Services tabled at Science Saturday at Willow Bend on April 6, Joe Montoya on April 10 from 10-

noon

- Water Services held a drop-in event at the East Flagstaff Community Library on April 8, 2024 from 5:30 to 7:00 pm
- Water Services provided information on the rate study and held a tour at the Rio de Flag Water Reclamation Plant on April 13, 2024 at 10 am
- Water Services tabled at Earth Day on April 20th from 11 am to 2 pm
- Water Services were invited to introduce the rate study before a hike at Schultz Creek with Friends of the Rio de Flag on May 2 at 5 pm
- Water Services tabled for the rate study during the Arizona Department of Environmental Quality community event on wastewater systems at the East Flagstaff Library on May 8, 2024 from 5:30 to 7 pm
- Water Services held a drop-in event at the Aquaplex on May 18, 2024 from 11 am to 2 pm

Meetings to discuss various components of the Rate Study have been held with individual customers and community groups including the Greater Flagstaff Chamber of Commerce, Capstone Homes, Northern Arizona University, Snowbowl, a member of the Downtown Business Alliance, Historic Brewery, Joy Cone. Community "Roundtable" type discussions were held in September 2023. Staff also presented to the Economic Collaborative of Northern Arizona, Friends of Flagstaff's Future, and the City's Tourism Commission (April 25), Airport Commission (May 9), and Housing Commission (May 23). The community groups comprised representatives of the City of Flagstaff's commissions.

The City released a website for rate study information in October, 2023 at cleanwaterflagstaff.com. Between October and April, the website had over 2,800 views. The site had 2,966 views in April, and 4,188 views in May. A Water Rate Calculator was added to the site on April 16 and video on how to use the calculator is available on the website, released on May 24. Customers can leave comments from the website.

Water Services has emailed out notices throughout the study to multiple lists of customers and organizations, sharing information about Council or Commission meetings, and community meetings, to customers monthly. The City's Public Information Office issued press releases related to the rate study, on October 16, 2023, December 12, 2023, February 29, 2024, and March 28, 2024. A notice of the June 18 and July 2 public hearing dates are scheduled for the Daily Sun.

Options and Alternatives to Recommended Action:

Council may elect to change elements of the rate study. Doing so would result in a time and dollar increase change order on the contract with Stantec and delay the public hearing process.

Connection to PBB Priorities and Objectives:

Serve the public by providing high-quality customer service

Deliver outstanding services to residents through a healthy, well-maintained infrastructure system

Support and strengthen a robust, diverse, and sustainable economy

Promote, protect, and enhance a healthy, sustainable environment and its natural resources

Connection to Regional Plan:

Goal WR.2. Manage a coordinated system of water, wastewater, and reclaimed water utility service facilities and resources at the City level and identify funding to pay for new resources.

Goal WR.4. Logically enhance and extend the City's public water, wastewater, and reclaimed water services including their treatment, distribution, and collection systems in both urbanized and newly developed areas of the City to provide efficient delivery of services.

Connection to Carbon Neutrality Plan:

CR-2 Strengthen existing community systems to create resilience to both short-term shocks and long-term change.

WS-1 Improve water infrastructure and expand water reuse.

HS-3 Adequately fund services for disaster preparedness.

HS-4 Improve the resilience of public infrastructure and City facilities.

Connection to 10-Year Housing Plan:

None

Connection to Division Specific Plan:

Council-adopted Water Policies (Utilities Integrated Master Plan 2014)

Section A Finance Policies:

Policy A1.1, A1.2

Policy A3.1, A3.2, A3.3

Attachments: Res. 2024-30
 Water Services Rates Code Changes
 Ord. 2024-19

RESOLUTION NO. 2024-30

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED “*WATER SERVICES RATES CODE CHANGES*”

RECITALS:

WHEREAS, pursuant to A.R.S. § 9-802 a municipality may enact or amend provisions of the City Code by reference to a public record, provided that the adopting ordinance is published in full; and

WHEREAS, ARS §§9-511, 9-511.01 et. seq. provides authority for municipalities to adjust water, wastewater, and reclaimed water utility rates and fees, and water and wastewater capacity charges, and

WHEREAS, amending water, wastewater, and reclaimed fees and rates and fees require adoption of City Code changes by Ordinance, and

WHEREAS, City Code changes required are being provided in a document known as “*Water Services Rates Code Changes*”.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. In General.

That certain document known as “*Water Services Rates Code Changes*” attached hereto as Exhibit A is hereby declared to be a public record, and one (1) paper copy and one (1) electronic copy maintained in compliance with A.R.S. § 44-7041 shall remain on file with the City Clerk and kept available for public use and inspection.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 2nd day of July, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:

Water Services Rates Code Changes

WATER SERVICES RATES CODE CHANGES

PART 1: LICENSE FEE SECTION

3-10-001-0008 License Fees

The user fees of the Management Services Division shall be as follows:

Fee Type	Fee per Each
Business license – annual	\$8
Business license – renewal	\$8
Business license – penalty failure to obtain/renew	50% of fee
Transient merchant approval	\$0
Transaction privilege and use tax license (see Section 3-05-003-0320)	
Commercial ground transportation – per taxi	\$38
Commercial ground transportation – per motor coach	\$38
Commercial ground transportation – annual renew	\$8
Adult oriented business (see Section 3-08-001-0006)	
Adult oriented business renew (see Section 3-08-001-0006)	
Scavenger waste permit	\$45 \$24
Short-term rental license – annual (see Chapter 3-12)	\$175*

* Short-term rental license fee will increase by five dollars (\$5.00) annually on November 1st, commencing in 2024.

PART 2: WASTEWATER REGULATIONS

**CHAPTER 7-02
WASTEWATER REGULATIONS**

SECTIONS:

- 7-02-001-0001 PURPOSE
- 7-02-001-0002 DEFINITIONS
- 7-02-001-0003 INTERFERENCE WITH THE WATER SERVICES DIVISION; DIGGING UP STREETS WITHOUT A PERMIT; TAMPERING WITH EQUIPMENT PROHIBITED
- 7-02-001-0004 RESPONSIBILITY FOR CLEANING, REPAIR AND REPLACEMENT OF BUILDING SEWERS AND CONNECTIONS
- 7-02-001-0005 UNSANITARY DISPOSAL OF EXCREMENT PROHIBITED
- 7-02-001-0006 TREATMENT OF POLLUTED WASTES REQUIRED
- 7-02-001-0007 PROHIBITED SUBSTANCES
- 7-02-001-0008 STANDARDS FOR DISCHARGE
- 7-02-001-0009 INDUSTRIAL CLASSIFICATION
- 7-02-001-0010 INDUSTRIAL SELF-MONITORING
- 7-02-001-0011 REPORTING REQUIREMENTS
- 7-02-001-0012 SIGNATORY REQUIREMENTS
- 7-02-001-0013 CONFIDENTIALITY OF BUSINESS INFORMATION
- 7-02-001-0014 INTERCEPTORS; TYPE, CAPACITY, LOCATION, MAINTENANCE
- 7-02-001-0015 CONTROL MANHOLES
- 7-02-001-0016 INSPECTIONS AND MONITORING
- 7-02-001-0017 PROVISION OF FALSE INFORMATION
- 7-02-001-0018 PUBLIC NOTIFICATION, DEFINITION OF SIGNIFICANT VIOLATION
- 7-02-001-0019 ENFORCEMENT
- 7-02-001-0020 UPSET AN AFFIRMATIVE DEFENSE
- 7-02-001-0021 SUSPENSION OF WATER AND/OR SEWER SERVICE
- 7-02-001-0022 DISREGARD OF SAMPLES
- 7-02-001-0023 CREDIT FOR PRETREATMENT EXPENDITURES
- 7-02-001-0024 PUBLIC RECLAIMED WASTEWATER PIPELINE AND SEWER EXTENSIONS; APPROVAL BY CITY ENGINEER
- 7-02-001-0025 CONSTRUCTION AND OWNERSHIP OF PUBLIC RECLAIMED WASTEWATER PIPELINES, PUBLIC SEWER LINES AND OTHER EQUIPMENT MAINTAINED BY DIVISION
- 7-02-001-0026 PUBLIC RECLAIMED WATER PIPELINE EXTENSION AND CONVERSION POLICY FOR REUSERS
- 7-02-001-0027 MAIN SEWER EXTENSION POLICY FOR AREAS BEYOND PRESENT CITY TRUNK LINES
- 7-02-001-0028 PRIVATE SEWERAGE SYSTEMS; CONSTRUCTION AND MAINTENANCE WITHIN THE CITY PROHIBITED GENERALLY
- 7-02-001-0029 PRIVATE SEWERAGE SYSTEMS; WHEN PERMITTED, TO BE CONSTRUCTED AND MAINTAINED IN SANITARY MANNER
- 7-02-001-0030 PRIVATE SEWERAGE SYSTEMS; DISCONTINUANCE
- 7-02-001-0031 PRIVATE SEWERAGE SYSTEMS; AUTHORITY OF DIRECTOR OF HEALTH DEPARTMENT
- 7-02-001-0032 PERMIT REQUIRED

- 7-02-001-0033 APPLICATION FOR BUILDING CONNECTION
- 7-02-001-0034 DIRECTOR TO APPROVE DESIGN NUMBER, LOCATION, SIZE AND CONSTRUCTION OF BUILDING CONNECTIONS
- 7-02-001-0035 SPECIAL PROVISIONS FOR INSTALLING BUILDING CONNECTIONS IN NEW SUBDIVISIONS AND DEVELOPMENTS
- 7-02-001-0036 RECORDS TO BE KEPT BY COMMUNITY DEVELOPMENT
- 7-02-001-0037 SEWER TAP FEE
- 7-02-001-0038 SEWER USER CHARGES
- 7-02-001-0039 THE COLLECTION OF USERS CHARGES SHALL BE UNDER THE DIRECTION OF THE CITY'S ~~FINANCE~~ MANAGEMENT SERVICES DIRECTOR
- 7-02-001-0040 RATE ESTABLISHMENT AND REVIEW PROCEDURE
- 7-02-001-0041 SEWER USE CHARGES, CAPACITY CHARGES
- 7-02-001-0042 SCAVENGER WASTE AND GREASE HAULERS
- 7-02-001-0042.1 SCAVENGER WASTE DISCHARGE PERMITS
- 7-02-001-0043 SEWER RATES TO BE ADDED TO WATER BILLS
- 7-02-001-0044 WHEN BILLS PAYABLE; DISCONNECTION OF SERVICE FOR FAILURE TO PAY; RECONNECTION FEE
- 7-02-001-0045 DETERMINATION OF WASTEWATER QUANTITY AND BILLINGS:
NONRESIDENTIAL
- 7-02-001-0046 PAYMENT OF BILLS AND CHARGES
- 7-02-001-0047 NOTICE PRIOR TO DISCONNECT
- 7-02-001-0048 SERVICE CONNECTIONS
- 7-02-001-0049 PERMITS REQUIRED FOR INDUSTRIAL USERS
- 7-02-001-0050 INDUSTRIAL USER PERMITS
- 7-02-001-0051 PERMITTEE REQUIREMENTS
- 7-02-001-0052 SEWER SERVICE OUTSIDE CITY LIMITS
- 7-02-001-0053 DISCONNECTION OF SERVICE

7-02-001-0001 PURPOSE

A. City Water Treatment Facilities. City water treatment facilities include the Lake Mary Water Treatment Plant, NORTH RESERVOIR TREATMENT PLANT, Rio de Flag Water Reclamation Plant (WRP), and the Wildcat HILL WRP. The Water Services Director has authority over all field operations of the City's water treatment and collection system, including flow test measurements, quality of waste, service connections, line construction plus the operation and maintenance of all water facilities.

B. The purpose of this chapter is to establish uniform requirements for users of the publicly owned treatment works (POTW) for the City of Flagstaff, Arizona ("City"), and enable the City to comply with all applicable State and Federal laws, A.R.S. Section 49-391, relating to local enforcement of water pretreatment requirements, the Clean Water Act ("CWA") (33 U.S.C. §§ 1251 et seq.) and the general pretreatment regulations (40 CFR Part 403). The objectives of these wastewater regulations are:

1. To prevent the introduction of pollutants into the POTW that will interfere with their operation;
2. To prevent the introduction of pollutants into the POTW that will pass through the POTW without adequate treatment, into receiving waters, or that will otherwise be incompatible with the POTW;

3. To protect the POTW personnel who may be affected by wastewater and sludge in the course of their employment and to protect the general public;
4. To promote reuse and recycling of effluent and sludge from the POTW;
5. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the POTW;
6. To enable the City to comply with its Arizona pollutant discharge elimination system permit conditions, its sludge use and disposal requirements, and any other Federal or State laws to which the City's POTW is, or may become, subject. These wastewater regulations shall apply to all users of the City's POTW, and shall authorize the issuance of wastewater discharge permits; provide for effective monitoring, compliance, and enforcement procedures; establish administrative review procedures; establish user monitoring and reporting requirements; provide for the setting of fee rates and surcharges for the equitable distribution of costs resulting from the proper maintenance and operation of the City's POTW; and provide for the assessment of civil and criminal penalties for wastewater regulation violations.

C. The rules and regulations of this chapter are made for the benefit of the users of the City sewer system, for the protection of the sewer system, and to protect the quality of the effluent of the ~~sewage treatment~~ WATER RECLAMATION plants.

7-02-001-0002 DEFINITIONS

The general definitions found in Section 7-01 (Water Services) shall apply to this chapter. In addition, for the purposes of this chapter, the following words and terms shall have the following meanings, unless the context indicates otherwise:

ALERT LIMIT: The level at which, if exceeded by a significant industrial user, it is recommended that the POTW or City conduct an evaluation to determine if that discharge had or is having impact on the plant effluent quality, and if pass-through or interference was or is occurring leading to compliance concerns at the POTW, then voluntary correction or enforcement action is recommended.

APPROVED LABORATORY PROCEDURES: The measurements, tests and analysis of the characteristics of water and wastes in accordance with analytical procedures as established in 40 CFR Part 136 as revised.

AVERAGE QUALITY: The arithmetic average (weighted by flow value) of all the "daily determinations of concentration," as that term is defined herein, made during a calendar month.

BEST MANAGEMENT PRACTICES or BMPs: The schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

BOD (biochemical oxygen demand): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty degrees (20°C) centigrade, expressed in milligrams per liter.

BRANCH SEWER: An arbitrary term for a sewer which receives sewage from lateral sewers from a relatively small area.

BUILDING CONNECTION: The connection to the public sewer and 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: The Chief Building Inspector, or authorized representative.

BUILDING SEWER: The service line from the building to the sewer main.

BYPASS: The intentional diversion of waste streams from any portion of an industrial user's facility.

CATEGORICAL STANDARD: Limits for pollutants that are set by the EPA for individual types of industry listed in 40 CFR 403.

COD (chemical oxygen demand): The quantity of oxygen consumed from a chemical oxidation of inorganic and organic matter present in the water or wastewater, expressed in milligrams per liter.

COLLECTION SYSTEM: Any and all lines, manholes, or other mechanical or physical appurtenances which may be involved with the conveyance of wastewater to or from the City water reclamation plant(s).

COOLING WATER: The clean wastewater discharged from any heat transfer system such as condensation, air conditioning, cooling, or refrigeration.

DAILY COMPOSITE SAMPLE: A sample of effluent, discharge or other source of pollutants continuously collected, manually or automatically, over a normal operating day. Samples shall be collected over a twenty-four (24) hour period or at least an eight (8) hour period during production, with one (1) sample being drawn at least once every two (2) hours. Composites should be flow proportional wherever feasible.

DAILY DETERMINATION OF WASTEWATER QUALITY: For composite samples, "daily determination of wastewater quality" shall be the concentration of any parameter tested in a daily composite sample. For grab samples, the "daily determination of wastewater quality" shall be the arithmetic average (weighted by flow value) of the concentrations of any parameter in each grab sample obtained in any calendar day.

DEVELOPER: 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.

DISCHARGE: The disposal of sewage, water or any liquid from any sewer user into the sewerage system.

DOMESTIC WASTE: A typical, residential-type waste which requires no pretreatment under the provisions of this chapter before discharging into the sanitary sewer system, excluding all commercial, manufacturing and industrial wastes.

EFFLUENT: Wastewater or other liquid - raw, partially or completely treated - flowing from a basin, treatment process, or treatment plant.

FINAL: The local limits established by ordinance and to remain in effect which are recommended to remain until the system is reevaluated as a whole, during the next local limits update.

GRAB SAMPLE: An individual sample of effluent, discharge or other source of pollutants collected in less than fifteen (15) minutes.

HAZARDOUS DISCHARGE: A discharge which is considered by the City to be an imminent hazard to health, the environment, or the POTW.

INDIRECT DISCHARGE: The introduction of pollutants into a POTW from any nondomestic source regulated under Section 307(b), (c) or (d) of the Clean Water Act as amended 33 U.S.C. § 1251, et seq.

INDUSTRIAL PRETREATMENT DISCHARGE PERMIT: The permit granted by the City to an industrial user granting the right to discharge to the sewer works subject to the terms and conditions set forth in the permit.

INDUSTRIAL USER: A source of indirect discharge.

INDUSTRIAL WASTE: Any liquid, free-flowing waste, including cooling water, resulting from any industrial or manufacturing process or from the development, recovery or processing of natural resources, with or without suspended solids excluding uncontaminated water.

INFLOW: Water other than wastewater that enters a sewer system (including sewer service connections) from sources such as roof leaders, cellar drains, foundation drains, drains from springs and swampy areas, manhole covers, cross connections between stormwater, surface runoff, street wash waters or drainage.

INTERFERENCE: Inhibition or disruption of the sewer system, treatment processes or operations which contribute to a violation of any requirement of a National Pollutant Discharge Elimination System permit. The term includes prevention of sewage sludge use or disposal by the cities in accordance with Section 405 of the Act, or any criterial guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the City.

INTERIM: Guiding limits while the POTW or City investigates other sources of pollutants and ways of controlling those sources.

LATERAL SEWER: A sewer which discharges into a branch or other sewer and has no other common tributary to it.

MAIN SEWER: A sewer which receives sewage from one (1) or more branch sewers as tributaries.

MAINTENANCE: Keeping the treatment works in a state of repair, including expenditures necessary to maintain the capacity (capability) for which said works were designed and constructed.

NATURAL OUTLET: Any outlet into a watercourse, ditch, or other body of surface or ground water.

NPDES PERMIT: The permit or permits issued to and held by the City under the National Pollutant Discharge Elimination System, pursuant to 33 U.S.C. § 1342 and 40 CFR Parts 122 through 125.

PARAMETER: See "TREATMENT PARAMETER."

PASS-THROUGH: An effluent flow which exits the POTW in quantities or concentrations which alone or in conjunction with a discharge or discharges from other sources is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

PERMITTEE, PERMIT HOLDER: Any person, firm, association, corporation or trust which owns, operates, possesses or controls an establishment or plant being operated under a valid industrial pretreatment permit to discharge waste into the City sewer system.

pH: The logarithm of reciprocal of the weight of hydrogen ions in grams per liter of solution.

POTW: Publicly owned treatment works.

PRETREATMENT: The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into the POTW, as further defined and described in 40 CFR 403.3(q).

PRETREATMENT STANDARDS or PRETREATMENT REQUIREMENTS: Any substantive or procedural requirements relating to pretreatment, including the specific pollutant limits set forth in Section 7-02-001-0008.

PUBLIC SEWER: A lateral, branch, main or trunk sewer controlled and maintained by the City of Flagstaff.

RECLAIMED WASTEWATER: The treated effluent which is the product of the municipal wastewater system, although not suitable for human consumption, may be used for certain industrial or commercial purposes.

REPLACEMENT: Those expenditures made for obtaining and installing equipment, accessories and/or appurtenances during the useful life of the treatment works which are necessary to maintain the capacity and performance of the treatment works for which they were designed and constructed.

REPRESENTATIVE SAMPLE: A sample which takes a portion of the user's discharge which will be indicative of all the constituents of the discharge.

SANITARY SEWER: A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

SEVERE PROPERTY DAMAGE: Substantial physical damage to property, damage to the treatment facilities which caused them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. "Severe property damage" does not mean economic loss caused by delays in production.

SEWAGE/SEWERAGE: A combination of water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwater as may be present.

SEWAGE TREATMENT PLANT: Any arrangement of devices and structures used for treating sewage.

SEWER: A pipe or conduit for carrying sewage.

SEWER TAP: Includes hole cut into main line and saddle to which to connect.

SLUG LOAD: Any pollutant discharged in quantities large enough to cause interference, upset, or pass-through at the POTW.

STANDARD INDUSTRIAL CLASSIFICATION (SIC): A coded classification of industries based upon economic activity developed by the U.S. Department of Commerce as published in the Standard Industrial Classification Manual, 1987, Office of Management and Budget.

STANDARD METHODS: The procedure as described in the most current edition of Standard Methods for the Examination of Water and Wastewater published by the American Health Association, or the most current edition of Manual of Methods for Chemical Analysis of Water and Wastes published by the U.S. Environmental Protection Agency.

STORM SEWER or STORM DRAIN: A sewer or drainage which carries storm and surface waters, but excludes sewage and polluted industrial wastes.

SURCHARGE: An additional charge levied against industrial users for exceeding certain thresholds of BOD or TSS, as described in Section 7-02-001-0040(H) and set forth in Section 7-02-001-0041(A).

SUSPENDED SOLIDS (SS): Solids measured in milligrams per liter that either float on the surface of or are in suspension in water, wastewater or other liquids and which are largely removable by a laboratory filtration device, as defined in the "Standard Methods" as defined herein.

SYSTEM DESIGN CAPACITY: The design capacity for normal domestic wastewater as established by accepted engineering standards.

TREATMENT PARAMETER: A fundamental characteristic of sewage around which treatment is designed, such as, but not limited to, flow, BOD, and suspended solids.

TSS: Total suspended solids, expressed in milligrams per liter, in a user's discharge.

TRUNK SEWER: A sewer which receives sewage from many tributary main sewers and serves as an outlet for a large territory.

UPSET: An exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the industrial user. This does not include noncompliance due to operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

U.S.C.: The United States Code, as amended.

USER: Any person, lot, parcel of land, building, premises, municipal corporation or other political subdivision that discharges, causes or permits the discharge of wastewater into the sewage system.

VOC (volatile organic compounds): Those parameters included in EPA method 624/625.

WASTEWATER SYSTEM: All facilities for collection, pumping, treating, and disposing of sewage. As used in this chapter the terms "sewer system" or "wastewater system" shall have the same meaning and definition.

WATERCOURSE: A channel in which a flow of water occurs, either continuously or intermittently.

7-02-001-0003 INTERFERENCE WITH THE WATER SERVICES DIVISION; DIGGING UP STREETS WITHOUT A PERMIT; TAMPERING WITH EQUIPMENT PROHIBITED

Every person who shall in any way interfere with employees of the Water Services Division 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 connection of any such pipe or main or lateral, or who shall dig up or cause to be dug up, any street or alley in the City for the purpose of connecting with the sewer system of the City without first obtaining a permit from the City Engineer, 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 sewer system shall be guilty of a petty offense.

7-02-001-0004 RESPONSIBILITY FOR CLEANING, REPAIR AND REPLACEMENT OF BUILDING SEWERS AND CONNECTIONS

A. Property Owner Responsibilities.

1. The property owner shall be responsible for the cleaning, unstopping, maintenance and repair of the sewer connection piping serving the owner's property from the owner's home or building to the public sewer main.
2. Where the correction of a stoppage requires the repair or replacement of a damaged or broken section which is located off-property in a street or alley, the necessary repairs must be made by a licensed contractor, the scope of which licenses allows **THEM** ~~him~~ to work

within a public right-of-way subject to securing a right-of-way permit from the Engineering Section.

3. After repairs are made to a sewer connection in a concrete or asphalt street, the street shall be cut, filled, and compacted to grade, the top lift being one (1) foot of road base material approved by the City Engineering ~~Section~~ **DIVISION** Section. Upon completion, the street shall be opened to traffic and the City Public Works Division contacted to repair the street.

4. When the repairs to a sewer connection are required under a sidewalk, curb or gutter, the sidewalk, curb or gutter shall be square cut to avoid unnecessary damage. After completion, the excavation shall be backfilled and compacted to grade and the City Public Works Division contacted to repair the sidewalk, curb or gutter.

5. If in the opinion of the City Water Services Director an unnecessary amount of street, sidewalk, or curb and gutter is damaged in the process of making the repair, the contractor shall be charged for the repair of that amount.

B. City Responsibilities.

1. If the property owner perceives the location of a sewer service problem to be the City's main sewer line, the property owner should contact the City's Water Services Director.

2. The City will cooperate with the property owner to locate the cause of a sewer service problem, including the performance of appropriate tests or inspections on the City's main line. If the location of the sewer service problem is identified to be in the property owner's service line, responsibility for the repairs shall be pursuant to subsection (A) of this section. The City will cease any repair efforts if responsibility for the repairs falls on the property owner pursuant to subsection (A) of this section.

3. If the location is determined to be in the City's main line, the City will initiate the appropriate repair action.

4. If the location of the sewer problem cannot be identified, the City will proceed with the appropriate excavation to locate the cause of the problem. If the location of the problem is determined to be within the property owner's service line, responsibility for the repairs shall be pursuant to subsection (A) of this section. In addition, the property owner shall reimburse the City for costs incurred by the City in performing the necessary excavation if responsibility for the repair is on the property owner pursuant to subsection (A) of this section. If the location of the problem is within the City's main line, the City shall perform the appropriate repairs and the property owner shall bear no responsibility for the costs of excavation.

7-02-001-0005 UNSANITARY DISPOSAL OF EXCREMENT PROHIBITED

It shall be 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.

7-02-001-0006 TREATMENT OF POLLUTED WASTES REQUIRED

It shall be 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.

7-02-001-0007 PROHIBITED SUBSTANCES

A. The Water Services Director shall have the authority to regulate the volume and flow rate of discharge to the sewage works and to establish permissible limits of concentration for various specific substances, materials, or wastes that can be accepted into the sewage works, and to specify those substances, materials, waters or wastes that are prohibited from entering the sewage works.

B. The following are prohibited from **ENTERING** the City wastewater collection system:

1. Any substance that interferes with the POTW or wastewater collection system.
2. Any liquids, solids, or gases which by reason of their nature or quantity could be sufficient, either alone or by interaction with other substances, to cause injury to the POTW from fire or explosion. At no time shall two (2) successive readings on an explosion hazard meter, at the point of discharge to the POTW, be more than five percent (5%), nor any single reading over ten percent (10%), of the lower explosive limit (LEL) of the meters. Prohibited materials include, but are not limited to: gasoline, kerosene, naphtha, trichloroethylene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, waste streams with a closed cup flash point of less than one hundred forty degrees (140° **F**) Fahrenheit or sixty degrees (60° **C**) centigrade using the test methods specified in 40 CFR 261.21.
3. Any water which contains a solid or viscous substance which could obstruct the flow in the collection system or interfere with the POTW.
4. Any particles greater than one-half (1/2) inch in any dimension, animal tissues, manure, ashes, cinders, sand, metal, glass, straw, paper, wood, plastics, gas, tar, asphalt and grinding wastes.
5. Any substance that can cause corrosive damage to the POTW or collection system and any substance with a pH of less than 6.0 standard units (s.u.) or greater than 11.0 (s.u.).
6. Any liquid or vapor which causes the temperature entering the POTW to exceed one hundred four degrees (104° **F**) Fahrenheit (40° C) or any liquid or vapor with a temperature greater than one hundred sixty degrees (160° **F**) Fahrenheit (71° C).
7. Any toxic or radioactive substance in sufficient quantity to interfere with the POTW or collection system or to create a health or environmental hazard.
8. Any substance requiring unusual attention or expense of the City unless specifically authorized. Compensatory payments be determined by the City to be paid by the user who contributes any such authorized substance.
9. Any noxious or malodorous liquid, gas or solid which creates a public nuisance, health or environmental hazard, or inhibits entry into any part of the wastewater system for maintenance or monitoring.

10. Any water with a volume greater than twenty (20) **GALLONS PER MINUTE (GPM)** containing dyes, inks or other color-causing substances that change the typical color in the wastewater collection system.
11. Any substance causing a hazard to health or to the environment.
12. Petroleum oil, nonbiodegradable cutting oil or products of mineral oil origin in amounts that cause interference or pass-through.
13. Any trucked or hauled pollutants, except at discharge points designated by the POTW.
14. Unless otherwise approved by the Water Services Director, any stormwater, surface water, groundwater, roof runoff, surface drainage, or unpolluted process waters that may constitute inflow as defined herein.
15. Any combination of substances contributed by one (1) or more users which results in any of the above situations.
16. The following pesticides are expressly prohibited from discharge into the City sewer system: 4,4'-DDD; 4,4'-DDE; 4,4'-DDT; aldrin; and heptachlor.

7-02-001-0008 STANDARDS FOR DISCHARGE

A. A technically based determination of local industrial user discharge limits for heavy metals, organics and other pollutants, for which there exists a specific discharge limit at the POTW, be made by the City Water Services Director and EPA. Such determination shall take into account removal percentages of the POTW, and dilution factors.

B. The following specific limits shall apply to all industrial user discharges and may be modified, with prior notice to the industrial user and an opportunity to respond, to comply with applicable State and/or Federal regulations.

Parameter	Maximum	(mg/L)
Inorganics		
Lead	0.08	
Copper	0.20	
Zinc	3.0	
Mercury	0.017	
Cyanide (total)	0.24	
Arsenic	0.18	
Selenium	0.015	
Sulfides	5.0	
HEM [a]	200	
Volatile Organic Compounds		

Parameter	Maximum (mg/L)
Toluene	0.14
Total Trihalomethanes	0.32
Bromide	0.5
Conventional Pollutants	
BOD	700 lb/day*
TSS	130 lb/day*
pH	6.0 < pH ≤ 11.0
Ammonia	173
Total Kjeldahl nitrogen (TKN)	173
Nitrate/nitrite	10

* Lbs/day = Pollutant concentration in mg/L x 8.34 (pounds/gallon) x flow in million gallons per period.

C. The City may set limits based on mass measurements of pollutants for a particular substance or a particular user if it is necessary for adequate regulation. Discharge limits be set in order to meet any limits set for sludge disposal.

D. Industrial users meet the requirements of the U.S. Code of Federal Regulations, 40 CFR 403 and the amendments thereof. No discharge may exceed any Federal categorical standard or cause the POTW to exceed its AZPDES or APP Permit. The City may request approval to modify a Federal categorical standard, according to 40 CFR 403.

E. Dilution may not be used to meet a standard or limit unless it is expressly authorized by the categorical standard set by the EPA or by the City.

F. Bypass Prohibition.

1. Notice of Bypass to Occur.

a. If an industrial user knows in advance of the need for a bypass, it shall submit prior notice to the Water Services Director, if possible, at least ten (10) days before the date of the bypass.

b. An industrial user shall submit oral notice of an unanticipated bypass that exceeds applicable pretreatment standards to the Water Services Director within twenty-four (24) hours from the time the industrial user becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the industrial user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

2. Prohibition of Bypass. Bypass is prohibited, and the Water Services Division may take enforcement action against an industrial user for a bypass unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. There were no feasible alternatives to the bypass;
- c. The user submitted notices as required above.

G. O&M Requirements. Industrial users required to install suitable pretreatment facilities to treat waste streams which do not meet City discharge limits shall provide necessary maintenance on such equipment to ensure their continued and efficient operation.

An industrial violation of City discharge limits, which is due to operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, carelessness or improper operation will not be considered unintentional by the City of Flagstaff.

All industrial users shall maintain their general facilities in such a manner as to eliminate or minimize the possibility of discharge of substances by that industry, which are in violation of applicable pretreatment standards.

7-02-001-0009 INDUSTRIAL CLASSIFICATION

A. Each industrial user shall be classified into one (1) of the following categories as designated by the Code of Federal Regulations 40 CFR 403.3(t)(1) and (2).

1. Significant - defined as any industry that:
 - a. Is subject to categorical standards as defined by 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N.
 - b. Discharges an average process wastestream of twenty-five thousand (25,000) gallons per day (0.025 **MILLION GALLONS PER DAY** mgd) or more to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater).
 - c. Contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic (BOD, TSS, etc.) capacity of the POTW.
 - d. Has a reasonable potential, in the opinion of the Director, to adversely affect the POTW's operation or for violating any pretreatment standard or requirement in accordance with 40 CFR 403.8(f)(6) or this chapter.
2. The Control Authority may determine that an industrial user subject to categorical pretreatment standards under Section 403.6 and 40 CFR Chapter I, Subchapter N is a nonsignificant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than one hundred (100) gallons per day (gpd) of total categorical wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:
 - a. The industrial user, prior to the Control Authority's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;

b. The industrial user annually submits the certification statement required in CFR Section 403.12(q) together with any additional information necessary to support the certification statement; and

c. The industrial user never discharges any untreated concentrated wastewater.

B. The City will notify all users of Federal and local requirements which may be applicable to them. Upon request, significant industrial users shall receive a copy of:

1. This chapter;
2. Applicable parts of the U.S. Code of Federal Regulations;
3. An application for an industrial pretreatment discharge permit;
4. Applicable categorical standards;
5. Any other pertinent materials;
6. Any changes in Federal or local requirements as they occur.
7. City Enforcement Response Plan.

C. The industrial user may request certification of its industrial user classification from the EPA according to 40 CFR 403.6(a). The industrial user may request variation from Federal categorical standards according to 40 CFR 403.13 and the Clean Water Act.

7-02-001-0010 INDUSTRIAL SELF-MONITORING

A. Significant industrial users, at the user's expense, must provide safe and convenient access for sampling by the City. A City-approved manhole must be provided from which a sample that is representative of the total discharge can be taken. There must be unobstructed access to the open flow in the manhole so that a grab sample can be taken and so that sampling equipment can be set up in the manhole.

B. Sampling and analysis must be performed by significant industrial users, at their own expense, at least twice each year, in two (2) separate quarters, (January – March and July – September), and results of such sampling submitted to the City before the last day of each respective quarter or as directed by the City.

C. If a test result is not within the limits of this chapter or the categorical standards from any semiannual sampling, completed by the permitted industrial user, the industrial user shall immediately notify the City within twenty-four (24) hours of becoming aware of the violation (i.e., issuance of final lab report). The industrial user, or the City if they so choose, shall repeat the sampling and analysis and submit the results of the repeat analysis within thirty (30) days after becoming aware of the violation, or more often if it is determined to be necessary by the City.

D. Grab samples must be used when sampling for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics.

E. Twenty-four (24) hour composite samples must be obtained through flow-proportional composite sampling techniques, where feasible. The City may waive flow-proportional composite sampling for any industrial user that demonstrates that flow proportional sampling is infeasible. In such cases, samples may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged.

F. The flow must be measured by the industrial user at the time that the sample is taken, according to 40 CFR 403.12.

G. The methods of sampling must be performed in accordance with 40 CFR 136 and any other applicable Federal, State, or local requirements. The sampling location and type must be approved by the City. An authorized representative of the industry (see Section 7-02-001-0012) shall sign and submit with these sample results a statement verifying the validity of the methods and location.

H. All records of sampling, analysis and flows must be kept by the industrial user and the City for at least three (3) years. All records must be available to the City upon request. This period of retention shall be extended during the course of any unresolved litigations regarding the industrial user USER or POTW or when requested by the State Director or the EPA Regional Administrator.

7-02-001-0011 REPORTING REQUIREMENTS

A. Within one hundred eighty (180) days of the promulgation by the EPA of a categorical standard or within one hundred eighty (180) days of a final administrative decision, the industrial users that are subject to the standard must report the information provided for in 40 CFR 403.12(b). This information must also be supplied by existing sources of discharge as well as new sources that discharge after the standards have been promulgated.

B. All industrial users must immediately report to the Water Services Division any discharge, including accidental discharge, which contains a slug load, a prohibited substance, or any substance which might be harmful to the POTW, the collection system, the environment or to any person.

C. The industrial user must provide a written report (separate from the immediate report) within five (5) days of the detection of the upset. The report must include the nature and volume of the discharge, the period of noncompliance including exact dates and time or if not corrected the anticipated time the upset is expected to continue, the action being taken by the industrial user to correct the problem and preventive measures needed to avoid future spills.

D. The significant industrial user shall report to the City prior to any significant changes in production, including, but not limited to, production rate, product, raw materials utilized, rate of discharge, concentration of pollutants being discharged, etc.

E. If in the course of self-monitoring, a categorical or significant industrial user becomes aware of a violation of the limits set forth in their discharge permit, they shall notify the City within twenty-four (24) hours of becoming aware of such.

F. Repealed by Ord. 2021-10.

G. All industrial users shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing and within one hundred eighty (180) days of any discharge into the POTW of a substance, which, if otherwise disposed of would be a hazardous waste under 40 CFR Part 261 as required in 40 CFR 403.12(p)(1) through (4).

7-02-001-0012 SIGNATORY REQUIREMENTS

A. The reports required by this chapter must be signed as follows:

1. By a responsible corporate officer, if the industrial user submitting the reports is a corporation. For the purpose of this subsection, a responsible corporate officer means:
 - a. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - b. The manager of one (1) or more manufacturing, production, or operation facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. By a general partner or proprietor if the industrial user submitting the reports is a partnership or sole proprietorship respectively.
3. By a duly authorized representative of the individual designated in subsection (A)(1) of this section if:
 - a. The authorization is made in writing by the individual described in subsection (A)(1) of this section;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
 - c. The written authorization is submitted to the City of Flagstaff, Water Services Division.
4. If an authorization under subsection (A)(3) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of subsection (A)(3) of this section must be submitted to the Division prior to or together with any reports to be signed by an authorized representative.

7-02-001-0013 CONFIDENTIALITY OF BUSINESS INFORMATION

A. Any information, except effluent data as defined by 40 CFR 2.302, submitted to the City of Flagstaff pursuant to this chapter, may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission by stamping the words "CONFIDENTIAL BUSINESS INFORMATION" on each page containing such information. If no claim is made at the time of submission, the City may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR Part 2 (Public Information).

B. For the purposes of this section "effluent data" shall be defined as:

1. Information necessary to determine the identity, amount, frequency, concentration, temperature, or other characteristics (to the extent related to water quality) of any pollutant which has been discharged by the source (or of any pollutant resulting from any discharge from the source), or any combination of the foregoing;
2. Information necessary to determine the identity, amount, frequency, concentration, temperature, or other characteristics (to the extent related to water quality) of the pollutants which, under an applicable standard or limitation, the source was authorized to discharge (including, to the extent necessary for such purpose, a description of the manner or rate of operation of the source); and
3. A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

C. For the purposes of this section, the following shall be considered to be "effluent data" only to the extent necessary to allow the regulatory agency having jurisdiction to disclose publicly that a source is (or is not) in compliance with an applicable standard or limitation, or to allow such regulatory authority to demonstrate the feasibility, practicability, or attainability (or lack thereof) of an existing or proposed standard or limitation:

1. Information concerning research, or the results of research, on any product, method, device, or installation (or any component thereof) which was produced, developed, installed, and used only for research purposes; and
2. Information concerning any product, method, device, or installation (or any component thereof) designed and intended to be marketed or used commercially but not yet so marketed or used.

7-02-001-0014 INTERCEPTORS; TYPE, CAPACITY, LOCATION, MAINTENANCE

A. The City of Flagstaff has adopted a Fats, Oils, and Grease (FOG) Discharge Manual for regulatory compliance. A copy of this plan will be posted on the Division website and is maintained by the City Clerk as a public record. The manual describes: (1) owner pretreatment requirements; (2) installation, operation, and maintenance standards; (3) participating pumper program; (4) plan review process; (5) waiver process.

B. A City-approved grease interceptor is required for a food service establishment (FSE). An FSE is defined as an operation that stores, prepares, serves, vends, or otherwise provides food for human consumption at the retail level. Grease interceptor sizing is to be in accordance with the City's FOG Discharge Manual.

C. A City-approved sand/oil interceptor is required for any business that performs automotive repairs or service facilities that wash vehicles, or business where oily and flammable liquid wastes are produced. A two (2) week notice is required for an inspection if contents will be taken to a City-owned facility.

D. A City-approved lint interceptor is required for any business with more than one (1) residential size washing machine or any amount of industrial size washing machines. An industrial size washing machine is one that has a tub three and one-half (3.5) cubic feet or larger and/or an American Household Appliance Manufacturers Association ("AHAMA") capacity of twenty-five (25) pounds or more. Residential machines will be any washing machine with less capacity than industrial machines.

E. If a blockage is found in the collection system and it can be determined by the City to be caused by a particular user's discharge, then the City can require the user to install a City-approved interceptor, at the user's expense, to catch the substance causing the blockage. If any interceptor is determined by the City to be inadequate in size or design, the City may require the user to install or upgrade such interceptor at the user's expense.

F. All interceptors shall be of a type and capacity approved by the Director and shall be located to be readily and easily accessible for cleaning and inspection.

G. Sand/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 removable and accessible covers. When bolted covers are required, they shall be gastight and watertight.

H. All interceptors shall be maintained by the owner and/or user at his or her own expense. The interceptor must always be kept in continuously efficient operation and a record of maintenance performed on such interceptor shall be kept by the user on a form (or other means) provided by the City.

I. The City shall periodically inspect such interceptors and/or records to ensure they are being kept in efficient operation. A cleaning schedule will be set by the City.

7-02-001-0015 CONTROL MANHOLES

When required by the Water Services Director, the owner of any property served by a building sewer carrying potentially harmful or 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 Director. The manhole shall be installed by the owner at ~~THEIR~~ his expense and shall be maintained by ~~THEM~~ him so as to be safe and accessible at all times. Users whose effluent must be treated before it enters the wastewater collection system or whose effluent may potentially contain any prohibited substance may be required to install a control manhole for sampling purposes. The manhole must be located so that a representative

sample can be taken and there must be unobstructed access to the open flow in the manhole so that a grab sample can be taken and so that sampling equipment can be set up in the manhole.

7-02-001-0016 INSPECTIONS AND MONITORING

A. Any authorized employee of the Water Services Division shall, upon presentation of their credentials, have access to any commercial or industrial premises connected to or disposing of any type waste to the City wastewater system for the purpose of surveillance and/or an inspection of the premises to determine the nature and quantity of wastes discharged to the City wastewater system, or for examining or copying records, required by 40 CFR 403.12(m). The commercial/industrial user must make available to the City any and all records which would enable them to make an accurate determination of the constituents and flow of the user's waste stream.

B. Authorized employee of the Division, whose duty it may be to enter upon commercial or industrial premises to make inspections and collect samples or measure the quantity of wastes discharged to the City sewer, shall be provided with credentials to identify them as authorized representatives for the Division.

C. No person, except an authorized employee of the Division, shall have or exhibit any credentials of that Division. It shall be the responsibility of each employee or authorized representative of the Division, upon resignation or dismissal, to deliver and surrender at the office of the Water Services Director all credentials of the Division in his/her possession.

D. Questionnaires will be provided to all new businesses entering the City of Flagstaff to gather information pertaining to waste that may be generated by such. If any waste other than domestic is discharged from such an establishment, the City may perform an inspection of such premises at least annually or more often as necessary to determine its status of compliance with this chapter.

E. The City of Flagstaff or its designated representative shall have the authority to randomly sample industrial user waste streams and analyze for any pollutants that would be anticipated to be present for that particular user utilizing EPA approved methods. The City will review and analyze self-monitoring reports submitted by industrial users and make notification to such user of any compliance action to be taken as a result of such.

F. The information from the City's inspection and monitoring activity will be available to the administrative authority of the State and/or EPA. This information will also be made available to the general public upon request with the exception of that information protected by Section 7-02-001-0013. The City will maintain these records for a minimum of three (3) years.

G. Repealed by Ord. 2021-10.

7-02-001-0017 PROVISION OF FALSE INFORMATION

A. Reports, documents, questionnaires or any other information provided to the City as required by this chapter by a commercial or industrial user shall be subject to:

1. The provisions of 18 U.S.C. § 1001 relating to fraud and false statements.

2. The provisions of Sections 309(c)(4) of the Act, as amended, governing false statements, representation or certification.
3. The provisions of Section 309(c)(6) of the Act regarding responsible corporate officers.

B. Failure or refusal by the industrial user to provide information requested by the City as provided for in this chapter will result in enforcement action being taken against such user.

7-02-001-0018 PUBLIC NOTIFICATION, DEFINITION OF SIGNIFICANT VIOLATION

A. The City shall give notice of any decisions being made about the pretreatment program which may interest the public, special interest groups, or government agencies. Information about the operation or requirements of the program will be given to any party which requests it. The Water Commission may be used for public information and input if there is an interest expressed in this.

B. The City will publish in the largest local newspaper, at least once each year, a list of industrial users who have not been in compliance with any substantial portion of this chapter at any time during the previous year. For the purpose of this section, an industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

1. Chronic violation of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken during a six (6) month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;
2. Technical review criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all of the measurements for each pollutant parameter taken during a six (6) month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
3. Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the Control Authority determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);
4. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge;
5. Failure to meet within ninety (90) days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
6. Failure to provide, within thirty (30) days after the due date, required reports such as baseline monitoring reports, ninety (90) day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
7. Failure to accurately report noncompliance;

8. Any other violation or group of violations which the Water Services Director determines will adversely affect the efficient operation of the City water reclamation plants or implementation of this chapter.

7-02-001-0019 ENFORCEMENT

This chapter will be enforced pursuant to the general enforcement provisions found in Chapter 7-01, and any additional specific enforcement procedures set forth herein.

7-02-001-0020 UPSET AN AFFIRMATIVE DEFENSE

An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the industrial user can demonstrate through properly signed contemporaneous operating logs, or other relevant evidence, that:

- A. An upset occurred and the industrial user can identify the specific cause(s) of the upset;
- B. The facility was at the time being operated in a prudent and ~~workman-like~~ QUALITY manner and in compliance with applicable operation and maintenance procedures;
- C. The industrial user has submitted the reports required in Section 7-02-001-0011 in a timely manner.

7-02-001-0021 SUSPENSION OF WATER AND/OR SEWER SERVICE

- A. For hazardous discharges: The violation of any section of this chapter shall be sufficient cause for the City to discontinue, after informal notice (phone call), water or sewer service to any premises that appears to present an imminent endangerment to the health and welfare of persons or the POTW.
- B. For instances of noncompliance other than hazardous discharges: The City will provide written notice to the industrial user, by certified, return receipt requested mail, at least twenty-four (24) hours in advance and provide the industry with an opportunity to respond before proceeding with discontinuance of water or sewer service.
- C. Such service shall not be restored until the violations have been discontinued or eliminated and the City may undertake any legal proceedings as may be necessary to halt, enjoin or punish the illegal discharge, and/or to recover any expenses the City may incur as a result of handling or eliminating any illegal discharge.

7-02-001-0022 DISREGARD OF SAMPLES

In any circumstance in which clear and convincing evidence demonstrates, to the satisfaction of the Director, that one (1) or more effluent samples or analyses thereof taken or performed by or for an industrial user, as required by Section 7-02-001-0010 and/or such user's wastewater discharge permit or compliance schedule, is not accurate or representative of such user's discharge, then the director or his designee may, but shall not be required to, disregard such sample(s) or analysi(e)s for purposes of determining any surcharge or penalty imposed by this chapter; provided, that such action by the Director (or designee) does not contravene any State or Federal law, rule or regulation. The foregoing authorization of the Director to disregard samples or analyses shall (A) create no independent right in any industrial user, and (B) be

exercised, if at all, in the sole discretion of the Director. Any determination made by the Director hereunder shall be final.

7-02-001-0023 CREDIT FOR PRETREATMENT EXPENDITURES

The Director as part of a consent order or similar negotiated settlement may, but shall not be required to, allow a credit against, or grant a rebate of, any surcharge or penalty imposed for violation of any pretreatment standards, for up to sixty percent (60%) of such substantiated expenditures made within one (1) year of such violation for improvement of the industrial user's pretreatment facilities as the Director, in his sole discretion, shall determine as appropriate and likely to correct or ameliorate the violation giving rise to such surcharge or penalty. The foregoing authorization of the Director to credit pretreatment expenditures or grant rebates therefor shall not apply to any surcharge or penalty resulting from a violation of pretreatment standards that causes:

- A. A pass-through or interference at the POTW;
- B. A violation of any requirement of the POTW's NPDES permit; or
- C. An endangerment of the health or safety of POTW personnel or the general public.

7-02-001-0024 PUBLIC RECLAIMED WASTEWATER PIPELINE AND SEWER EXTENSIONS; APPROVAL BY CITY ENGINEER

No public reclaimed wastewater pipeline or public sewer extension shall be made until the plans and specifications are approved by the City Engineer. Public reclaimed wastewater pipeline and public sewer extensions shall be constructed in accordance with standards and specifications as set forth in the City of Flagstaff General Construction Standards and Specifications. Such document is on file in the office of the City Engineer.

7-02-001-0025 CONSTRUCTION AND OWNERSHIP OF PUBLIC RECLAIMED WASTEWATER PIPELINES, PUBLIC SEWER LINES AND OTHER EQUIPMENT MAINTAINED BY DIVISION

- 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 Engineer prior to construction. The engineering cost for the preparation of plans and specifications, the staking of the location of the new public sewers, the cost of inspecting the construction, the preparation of as-built plans and the cost of easements shall be assumed by the developer. The City will perform the inspection during construction at the developer's expense.
- 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 Division 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.
- C. Where extensions of public reclaimed wastewater pipelines are authorized by the City, such pipelines shall be constructed at the reuser's expense. Detailed plans and specifications for public reclaimed wastewater pipeline extensions shall be approved by the City Engineer prior to construction. The engineering cost for the preparation of the plans and specifications, the

staking of the location of the new reclaimed wastewater pipeline, the cost of inspecting the construction, the preparation of as-built plans and the cost of easements shall be assumed by the reuser. The City will perform the inspection during construction at the reuser's expense.

D. The ownership of all public reclaimed wastewater pipelines, pumping stations, treatment facilities, equipment and other appurtenances to the reclaimed wastewater 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.

7-02-001-0026 PUBLIC RECLAIMED WATER PIPELINE EXTENSION AND CONVERSION POLICY FOR REUSERS

A. Definitions. For the purpose of this section, the following words and phrases shall have the meanings respectively ascribed to them herein, unless the text clearly indicates otherwise:

CONVERSION AGREEMENT FOR RECLAIMED WATER: A written agreement between the City and the reclaimed water reuser for reimbursement of the City's costs incurred in converting the reuser's potable water system to a reclaimed water system, by the extension of, and connection to, a public reclaimed water pipeline, approved by the City Council and executed in the name of the City by the Mayor.

POINT OF DELIVERY: A location designated by the City for acceptance and measuring of the reclaimed water by the reuser. The point of delivery shall include a vault, pit, meter, valves, and other appurtenances necessary to meter reclaimed water to the reuser.

RECLAIMED WATER AGREEMENT: A written agreement between the reclaimed water reuser and the Division for connection to an existing public reclaimed water pipeline, approved and executed in the name of the Water Services Director.

REIMBURSEMENT AGREEMENT FOR RECLAIMED WATER: A written agreement between the reclaimed water reuser and the City for reimbursement of the reuser's costs incurred in providing for the extension of, and connection to, a public reclaimed water pipeline, approved by the City Council and executed in the name of the City by the Mayor.

REUSER: Any person or persons requesting or required to connect to the reclaimed water system of the City for any residential or nonresidential use, use where potable water quality is not required by City, State, or Federal regulations.

B. Plans and Specifications for Public Reclaimed Water Pipeline Extensions. A reuser who wishes to extend or install reclaimed water facilities must employ an engineer, registered in Arizona, to perform the field engineering and prepare detailed plans and specifications for the extension in accordance with good engineering practice, and adopted general construction standards and specifications of the City and regulations of the Arizona Department of Environmental Quality for the reuse of water. The final detailed plans and specifications for the reclaimed water pipeline extension shall be approved by the City Engineer before construction begins.

C. Costs of Extensions and Conversions. The reuser causing an extension of a public reclaimed water pipeline, conversion of an existing irrigation system to reclaimed water, and the construction of the point of delivery shall pay in full for the rights-of-way and easements, the

purchase, construction and installation of the reclaimed water pipeline, and all other costs of the extension and/or conversion. However, the City reserves the right to increase the diameter of the extension through cash or a reimbursement agreement.

D. Recovery of Costs of Extensions and Conversions. Subject to City approval, reusers may recover costs incurred from converting an existing irrigation system to use reclaimed wastewater or from extending public reclaimed water pipelines in accordance with subsection (C) of this section. Recovery of costs shall be in the form of a rebate amounting to ten percent (10%) per year of said costs for a period of ten (10) years. Rebates shall be paid to the reuser at the end of each full calendar year of reclaimed water usage. The total amount of the allowable costs to be recovered shall be agreed to prior to the reuser obtaining reclaimed water and shall be in the form of a written agreement between the City and the reuser. No interest shall be paid to the reuser on the costs being recovered.

E. Replacement and/or Repair. All persons or other entities who create, cause to be built, or build any such extensions of services as contemplated herein or convert existing irrigation systems to use reclaimed water, shall also pay for any and all such replacements as becomes necessary as a direct or indirect result of the creation, building or construction of such extensions and/or conversions. For example, repairs or replacements of sidewalks, paving or other utilities damaged or disturbed during the building of reclaimed water pipeline extensions and/or conversions. Costs of said replacements and/or repairs may be included in the costs incurred from subsection (D) of this section.

F. Reimbursement Agreement Between City and Reuser. Before the reuser incurs any costs in the extension of any public reclaimed water pipeline to provide service for any individual or property, the reuser desiring such service shall execute a reimbursement agreement for reclaimed water with the City which shall include the following:

1. A warranty of workmanship **QUALITY OF WORK** and materials for public reclaimed water pipelines and facilities installed which shall run to the benefit of the City for a period of at least one (1) year from the date of acceptance by the City.
2. A diagram of all property which will be served by the reclaimed water pipeline to be installed and an irrigation plan for the property.
3. A statement that the City acquires ownership of public reclaimed water pipelines, appurtenances, and easements upon completion and acceptance by the City.
4. The regulations for reuse of reclaimed water, quantity, quality, and cost of the reclaimed water.
5. The terms for cost recovery by the reuser of reclaimed water pipeline extension and/or conversion costs if applicable.

G. Conversion Agreement between City and Reuser. Before the City incurs any costs in the extension of any public reclaimed water pipeline needed to convert a reuser's private, potable water system to a reclaimed water system, the City and the reuser shall execute a conversion agreement for reclaimed water. Conversion agreements are subject to City approval and limited to projects that provide a "net present value" cost recovery to the City within ten (10) years. Net present value shall be determined by the estimated cost of the project and the current prime interest rate. Recovery of costs shall be in the form of billing for consumption of reclaimed water

at seventy-five percent (75%) of the reuser's present potable water rate. Recovery of costs estimates shall be based on consumption history as determined by the City, or on an engineered estimate in the case of new sites. The availability of conversion agreements shall always be subject to budgetary constraint. Conversion agreements shall include, but not necessarily be limited to, the following:

1. Place of use;
2. Quality standards;
3. Point of delivery;
4. Commodity rate;
5. Costs to City;
6. Costs to user;
7. Compliance with regulations;
8. Commencement of service;
9. Termination of service;
10. Resale of reclaimed water;
11. Inspection.

H. Penalty. Any person who excavates or causes an extension to be made for the purpose of laying any reclaimed water pipeline in public streets, alleyways or upon the property of the City without first complying with the provisions hereof, shall be subject to a fine of not less than two hundred dollars (\$200.00) nor more than three hundred dollars (\$300.00). A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

I. The Director shall approve, execute and enforce reclaimed water agreements, for the purpose of expanding the reclaimed water program to all residential and nonresidential reusers located adjacent to existing public reclaimed water pipelines.

J. Reclaimed Water Agreement between the Division and the Reuser. Before connecting to an existing public reclaimed water pipeline, the reuser requesting such connection shall execute a reclaimed water agreement with the Division which shall include, but not necessarily be limited to, the following:

1. Place of use;
2. Quality standards;
3. Point of delivery;
4. Commodity rate;

5. Costs to user;
6. Compliance with regulations;
7. Commencement of service;
8. Termination of service;
9. Resale of reclaimed water;
10. Inspection.

7-02-001-0027 MAIN SEWER EXTENSION POLICY FOR AREAS BEYOND PRESENT CITY TRUNK LINES

A. Definitions. For the purpose of this section, the following words and phrases shall have the meanings respectively ascribed to them herein, unless the text clearly indicates otherwise:

CITY: The word "City" shall mean the City of Flagstaff in the County of Coconino and the State of Arizona, except as otherwise indicated.

DEVELOPER-OWNER: Any person or persons requesting or required to connect to the sewer system of the City in developing one (1) or more parcels of land. The term includes subdividers, industrial developers, private property owners, companies and legally constituted improvement districts who improve or serve with sewers, platted or unplatted property.

SEWER LINES includes:

1. LATERAL SEWER: A sewer which discharges into a branch or other sewer and has not other common sewer tributary to it.
2. BRANCH SEWER: An arbitrary term for a sewer which receives sewage from lateral sewers from a relatively small area.
3. MAIN SEWER: A sewer which receives sewage from one (1) or more branch sewers as tributaries.
4. TRUNK SEWER: A sewer which receives sewage from many tributary main sewers, and serves as an outlet for a large territory.

B. Plans and Size of Sewer Line Extensions. A developer-owner who wishes to extend or install sewer facilities must employ an engineer, registered in Arizona, to perform the field engineering and prepare detailed plans and specifications for the sewer extension in accordance with good engineering practice, and adopted standards set forth in the Uniform Building Code (current adopted edition), Uniform Fire Code (current adopted edition), general construction standards and specifications of the City, current subdivision regulations, general land use plan currently adopted, and any applicable State health regulations and any applicable City Code requirements or standards. The final detailed plans and specifications for the sewer extensions must be approved by the City Engineer before construction begins.

C. Costs of Extension. The developer-owner causing an extension of sewer line shall pay in full for the rights-of-way and easements, the purchase, construction and installation of the sewer lines, and all other costs of extension. However, the City reserves the right to increase the diameter of the extension, if it is deemed advisable, and the City may participate in the oversizing costs, through cash or a reimbursement agreement.

D. Replacement of Repair. All persons or other entities who create, cause to be built, or build any such extensions of any such services as contemplated herein shall also pay for any and all such replacements as becomes necessary as a direct or indirect result of the creation, building or construction of such extensions. For example, repairs or replacement of sidewalks, paving or other utilities damaged or disturbed during the building of sewer line extensions.

E. Agreement between City and Developer-Owner. Before the extension of any sewer line shall be made to serve a subdivision, platted or unplatted property, to provide service for any individual or unplatted property, the developer-owner desiring such service shall execute an agreement with the City which shall include the following:

1. A warranty of ~~workmanship~~ **QUALITY OF WORK** and materials for sewer lines and facilities installed which shall run to the benefit of the City for a period of at least one (1) year from the date of acceptance by the City.
2. A diagram of all property which may be served by any sewer line to be installed.
3. A statement that the City acquires ownership of sewer line appurtenances and easements upon completion and acceptance of the work by the City.
4. A statement of the developer-owner's proportionate share of the cost for previously installed sewer lines if any reimbursement agreements are in existence concerning the sewer line.

7-02-001-0028 PRIVATE SEWERAGE SYSTEMS; CONSTRUCTION AND MAINTENANCE WITHIN THE CITY PROHIBITED GENERALLY

Except as provided in this chapter, it shall be 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.

7-02-001-0029 PRIVATE SEWERAGE SYSTEMS; WHEN PERMITTED, TO BE CONSTRUCTED AND MAINTAINED IN SANITARY MANNER

Where in 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, complying with the provisions and recommendations of the Arizona Department of Health Services and the Sanitary Code of the County Health Department. Such private sewage disposal system shall be constructed, maintained, and operated at all times in a sanitary manner.

7-02-001-0030 PRIVATE SEWERAGE SYSTEMS; DISCONTINUANCE

At such time as a public sewer becomes available to property served by a private sewage disposal system, a direct connection shall be made to the public sewer in accordance with the

provisions of this chapter and any septic tank, cesspool or similar private sewage disposal facilities shall be abandoned and filled with suitable material within ninety (90) days of the aforesaid connection.

7-02-001-0031 PRIVATE SEWERAGE SYSTEMS; AUTHORITY OF DIRECTOR OF HEALTH DEPARTMENT

No statement contained in the preceding two (2) sections shall be construed to interfere with any additional requirements that may be imposed by the Health Departments of the State and County.

7-02-001-0032 PERMIT REQUIRED

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City Community Development Division.

7-02-001-0033 APPLICATION FOR BUILDING CONNECTION

Each person desiring a building connection shall make application to the Community Development Division. All applications for building connections to be constructed by Water Services Division shall be accompanied by the current fee for such work.

7-02-001-0034 DIRECTOR TO APPROVE DESIGN NUMBER, LOCATION, SIZE AND CONSTRUCTION OF BUILDING CONNECTIONS

The design, number, location, manner of connection and size of all building connections shall be subject to the approval of the Water Services Director. The Division will install all building connections less than eight (8) inches in diameter, except as provided elsewhere in this chapter. All building connections eight (8) inches in diameter or larger shall be installed by a private contractor at the property owner's expense. Building connections shall be installed on lateral branch and main sewers only, unless specifically authorized and approved by the Director. All building connections shall be constructed in accordance with standards and specifications on file in the Engineering Section.

7-02-001-0035 SPECIAL PROVISIONS FOR INSTALLING BUILDING CONNECTIONS IN NEW SUBDIVISIONS AND 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 he so desires, to install building connections with "wyes" and connect the building sewers to the building connection under the following provisions:

A. The construction of the public sewer, building connections, and connections of the building sewers to the building connection shall be under the supervision of a registered engineer holding registration in the State, who shall submit "as-built transparency plans," bearing the registered engineer's registration seal and number, to the Engineering Section. It shall be the duty of the developer to require that all building connections, serving lots in the development upon which no buildings are constructed, be effectively sealed until such time as buildings will be constructed on the lots left vacant. Such sealed connections shall be inspected and approved by the City Engineer before being backfilled and shall be designated for location on

the "as-built plans." The effective seal shall consist of a vitrified clay stopper inserted in the bell of the sewer extending to the property line from the public sewer; such stopper shall be jointed according to the standard details on file in the Engineering Section.

B. Before any building sewer construction is commenced, plumbing permits must be obtained by the developer or his agent from the Building Official.

C. When the "as-built plans" are prepared by the Engineering Section, a record of the building connections will be made.

7-02-001-0036 RECORDS TO BE KEPT BY COMMUNITY DEVELOPMENT

The Community Development Division shall keep a record of all building connections made, the purpose for which they are to be used.

7-02-001-0037 SEWER TAP FEE

Each person, firm or corporation requesting a sewer tap to be installed by the City shall pay the fee as hereby established:

Four (4) inch sewer tap: ~~\$275.00~~ \$400.00.

Six (6) inch sewer tap: ~~\$275.00~~ \$400.00.

Procedures for owner/contractor:

Owner/contractor shall pay ~~buy-in~~ CAPACITY FEES charges if applicable.

Owner/contractor shall obtain a permit from the Engineering ~~Section~~ DIVISION and pay a permit fee before starting excavation.

When notified by ARIZONA 811 ~~the Flagstaff Blue Stake Center~~, Division personnel will locate the sewer main for owner/contractor.

Owner/contractor excavates site and shores trench if necessary, shoring shall be determined by Division personnel.

Owner/contractor provides barricades, lights and traffic control as determined by the Engineering Inspector.

Wastewater collection personnel installs the saddle and makes the tap in the sewer main.

Owner/contractor installs building connection to the saddle and completes the connection.

Engineering Inspector inspects the owner/contractor's work and approves if work is completed satisfactorily.

Owner/contractor compacts and backfills trench, replaces pavement if necessary.

Final inspection is done by the Engineering Inspector.

Approval (permit sign-off) is made by the Engineering Inspector.

Owner/contractor shall not tap the main sewer at any time.

7-02-001-0038 SEWER USER CHARGES

In order to provide for the protection of the public health, safety and welfare of the citizens of Flagstaff, a system of charges for sewerage use services is hereby established.

7-02-001-0039 THE COLLECTION OF USERS CHARGES SHALL BE UNDER THE DIRECTION OF THE CITY'S FINANCE MANAGEMENT SERVICES DIRECTOR

The Finance MANAGEMENT SERVICES Director is authorized to collect all user charges, industrial cost recovery charges and all other charges prescribed by this chapter.

7-02-001-0040 RATE ESTABLISHMENT AND REVIEW PROCEDURE

A. Rates established by ordinance of the City Council shall be based upon the City's determination of the cost of rendering sewerage services. The rates shall be established to provide for adequate funding for operation and maintenance of sewage works as required by the Environmental Protection Agency. The Council may also consider the funding of debt service, capital replacement, capital improvements and other costs through user charges.

B. In addition to other pertinent factors deemed relevant by the City Council, the rate schedules adopted by the City Council may include the following cost factors:

1. Appropriate indirect costs of the Division and other City divisions in rendering sewer related services such as purchasing, accounting, billing, administration, equipment maintenance, and other indirect costs.
2. Annual debt service charge for the retirement of sanitary sewer bonds.

C. Rate schedules shall distribute cost based upon the volume of wastewater discharged as well as BOD and SS of the wastewater discharged.

D. ~~The method to be used for determining user charges expressed in a formula is:~~

$$\text{Rate} = \frac{\text{Total Cost* of Flow}}{\text{Total Flow}} + \frac{\text{Total Cost* of BOD or COD}}{\text{Total BOD or COD}} + \frac{\text{Total Cost * of SS}}{\text{Total SS}}$$

User Charge = Rate X User's Units of Contribution

~~*Cost = Operation and Maintenance plus Replacement Cost~~

~~The basis for the units of contribution shall consider volume (as determined by water meters or estimates).~~

E. Financial Management System. The user charge system shall include an adequate financial management system that will accurately account for O&M revenues and expenditures

associated with the treatment works. The accounting system must segregate O&M revenue and expenditure from other wastewater revenue and expenditures to assure adequate revenue to properly operate and maintain the treatment works. All revenues collected for operation and maintenance (including replacement) shall be deposited in a separate fund. This fund shall have two (2) accounts, one (1) for O&M and one (1) for replacement.

F. Notification. All users of the system shall be notified at least annually in conjunction with a regular billing for sewage service as to:

1. The rate schedule in effect.
2. The part of user charges attributable to wastewater treatment services.

G. Inconsistent Agreements. The user charge system shall take precedence over any terms or conditions of agreements or contracts between the City and users (including industrial users, special districts, other municipalities, or Federal agencies or installations) which are inconsistent with the requirements of Section 204(b)(1)(A) of the Clean Water Act and these regulations.

H. Toxic Pollutants and Pollutants in Excess of Specified Limits. The user charge system shall provide that each user which discharges any toxic pollutants or others which cause an increase in the cost of managing the effluent or the sludge of the City's treatment works shall pay for such increased costs by the following formula:

Total Cost* of Any Pollutant

Surcharge = Total of Any Pollutant

*Cost = Operation and Maintenance Plus Replacement Costs

I. Wastewater Treatment By-Products. All revenue from the sale of treatment related by-products shall be used to offset the cost of operation and maintenance. User charges shall be proportionally reduced for all users. Total annual revenues received from the sale of a by-product shall be credited to the treatment works O&M cost no later than the fiscal year immediately following their receipt.

7-02-001-0041 SEWER USE CHARGES, CAPACITY CHARGES

The sewer user charges to be charged by the Finance ~~Finance~~ **CUSTOMER SERVICE** Section to all users and to all others that have reasonable access to sewer mains is presented in the following schedule:

The City Council may adjust these rate schedules as they deem necessary.

A. Sewer User Charges.

MONTHLY RATE PER 1,000 GALLONS OF WATER CONSUMPTION

The following monthly service rates shall be charged for customers receiving City of Flagstaff sewer service inside the limits of the City of Flagstaff. ~~Sewer charges are based on water consumption. Flat rate charge (dollars/1,000 gallons) for residential based on winter quarter average water use. Other customer classes based on actual water use (dollars/1,000 gallons).~~

The monthly base service charge applies whether the water meter is active or inactive. The monthly service charge is based on the fixed cost of operation and maintaining the sewer system so that the system is available to collect wastewater from the parcel when service is activated. Parcels with shutoff water meters will continue to pay base monthly service fee since sewer service is available and may be activated and used by the property owner at any time. The sewer base service charge will be based on the water meter size. In the absence of a City water meter, the Customer Service Director will determine the appropriate sewer base service charge.

Sewer volume charges are based on water consumption as determined in Section 7-02-001-0045 and will be billed monthly per 1,000 gallons of water consumption.

Sewer only service customers will be charged a monthly **BASE** service fee and sewer usage **VOLUME** charge based on estimated water consumption as approved by the **Water Services CUSTOMER SERVICE** Director. If the **CUSTOMER SERVICE** Director determines that adequate water meter information is not available for billing a residential customer as described above, then the customer will be charged the average monthly billing for that user class.

Customer Classes	Monthly Rate				
	7/1/16	1/1/17	1/1/18	1/1/19	1/1/20
Residential:					
Single-family	\$4.07	\$4.36	\$4.67	\$5.00	\$5.35
Multiple and mobile home (per unit)	\$4.07	\$4.36	\$4.67	\$5.00	\$5.35
Nonresidential:					
Car washes	\$4.09	\$4.38	\$4.69	\$5.02	\$5.38
Laundromats	\$4.20	\$4.50	\$4.82	\$5.16	\$5.53
Commercial	\$4.31	\$4.62	\$4.95	\$5.30	\$5.68
Hotels, motels	\$5.76	\$6.17	\$6.61	\$7.08	\$7.58
Restaurants	\$6.92	\$7.41	\$7.93	\$8.49	\$9.09
Industrial laundries	\$6.36	\$6.81	\$7.29	\$7.81	\$8.36
Manufacturing plants	\$4.63	\$4.96	\$5.31	\$5.69	\$6.09
Pet food manufacturers	\$10.15	\$10.87	\$11.64	\$12.46	\$13.34
Soft drink bottlers	\$8.04	\$8.61	\$9.22	\$9.87	\$10.57
Ice cream cone manufacturers	\$12.56	\$13.44	\$14.39	\$15.40	\$16.48
Northern Arizona University	\$3.73	\$4.00	\$4.28	\$4.58	\$4.91

MONTHLY BASE SERVICE CHARGE

<u>Meter Size</u>	<u>09/01/2024</u>	<u>01/01/2026</u>	<u>01/01/2027</u>	<u>01/01/2028</u>	<u>01/01/2029</u>
<u>3/4"</u>	<u>\$10.03</u>	<u>\$12.04</u>	<u>\$13.24</u>	<u>\$13.90</u>	<u>\$14.60</u>

<u>1"</u>	<u>\$16.75</u>	<u>\$20.10</u>	<u>\$22.11</u>	<u>\$23.22</u>	<u>\$24.38</u>
<u>1 1/2"</u>	<u>\$33.40</u>	<u>\$40.08</u>	<u>\$44.09</u>	<u>\$46.29</u>	<u>\$48.60</u>
<u>2"</u>	<u>\$53.46</u>	<u>\$64.15</u>	<u>\$70.57</u>	<u>\$74.10</u>	<u>\$77.81</u>
<u>3"</u>	<u>\$117.05</u>	<u>\$140.46</u>	<u>\$154.51</u>	<u>\$162.24</u>	<u>\$170.35</u>
<u>4"</u>	<u>\$167.20</u>	<u>\$200.64</u>	<u>\$220.70</u>	<u>\$231.74</u>	<u>\$243.33</u>
<u>6"</u>	<u>\$334.30</u>	<u>\$401.16</u>	<u>\$441.28</u>	<u>\$463.34</u>	<u>\$486.51</u>
<u>8"</u>	<u>\$534.90</u>	<u>\$641.88</u>	<u>\$706.07</u>	<u>\$741.37</u>	<u>\$778.44</u>

VOLUME CHARGE - \$ PER 1,000 GALLONS

	<u>09/01/2024</u>	<u>01/01/2026</u>	<u>01/01/2027</u>	<u>01/01/2028</u>	<u>01/01/2029</u>
<u>RESIDENTIAL:</u>					
<u>Single Family and Multi-Family</u>	<u>\$5.28</u>	<u>\$6.34</u>	<u>\$6.97</u>	<u>\$7.32</u>	<u>\$7.69</u> 8
<u>NON-RESIDENTIAL (*):</u>					
<u>NON-RESIDENTIAL A</u>	<u>\$4.36</u>	<u>\$5.23</u>	<u>\$5.75</u> 6	<u>\$6.04</u>	<u>\$6.34</u> 5
<u>Includes: Car Washes, Commercial, Hotels/Motels, Institutional, Laundromats, Manufacturing, Schools</u>					
<u>NON-RESIDENTIAL B</u>	<u>\$6.79</u>	<u>\$8.15</u>	<u>\$8.97</u> 6	<u>\$9.42</u> 4	<u>\$9.89</u> 8
<u>Includes: Industrial Laundries, Pet Food Manufacturers, Restaurants</u>					
<u>NON-RESIDENTIAL C</u>	<u>\$28.23</u>	<u>\$33.88</u>	<u>\$37.27</u> 6	<u>\$39.13</u>	<u>\$41.09</u> 8
<u>Includes: Ice Cream Cone Manufacturers</u>					
<u>(*) New customer types not listed above will apply to the Water Services Director to establish their rate.</u>					

Customer Classes	Monthly Rate				
	7/1/16	1/1/17	1/1/18	1/1/19	1/1/20
Waste haulers (charge per 1,000 gallons)	\$80.00				
<u>SCAVENGER WASTES –</u> Restaurant grease (charge per 100 gallons)	\$11.00				
<u>SCAVENGER WASTES –</u> <u>SEPTAGE</u> Other treatment plant sludge (charge per 100 gallons)	\$8.00	\$11.00			

Customer Classes	Monthly Rate				
	7/1/16	1/1/17	1/1/18	1/1/19	1/1/20
<u>SCAVENGER WASTES</u> – Mud sump waste (charge per 100 gallons)	\$25.00	<u>\$31.00</u>			
Waste material <u>SCAVENGER WASTES</u> delivered to the treatment plant at times other than <u>SPECIFIED IN THE SCAVENGER WASTE PERMIT.</u> 8:00 a.m. to 4:00 p.m. Weekends or holidays shall be assessed an after hours fee of:	\$35.00	<u>\$146.00</u>			
Sewer surcharges:					
Biochemical oxygen demand - per pound concentrations over 300 milligrams per liter	\$.2703	<u>\$0.421</u>			
Suspended solids - per pound for concentrations over 350 milligrams per liter	\$.1343	<u>\$0.292</u>			

If a customer's discharge exceeds the BOD and TSS limit already included in the monthly rate calculation for that customer class listed above, then sewer surcharges may be added as a condition to the customer user permit, compliance agreement or administrative order. ANY SURCHARGES IMPOSED BY THIS CHAPTER SHALL BE BASED ON THE AVERAGE OF ALL SAMPLING CONDUCTED DURING THE APPLICABLE BILLING PERIOD OVER THE TOTAL FLOW FOR SUCH PERIOD.

BOD and TSS included in monthly rates for specific customer classes are as follows:

Customer Class	BOD mg/L	TSS mg/L
Car Washes	20	150
Laundromats	150	110
Commercial	200	175
Manufacturing	200	175
Pet Food Manufacturers	1,800 <u>700</u>	1,100 <u>525</u>
Soft Drink Bottlers	1,800	400
Ice Cream Cone Manufacturers	9,700	100

All customers served directly by the City and located outside the City limits shall pay at a rate of one hundred ten percent (110%) times the rate for the same classification of service inside the City.

In the case of one (1) meter serving a user that has different classifications of business, the Director shall be authorized to adjust the rate per one thousand (1,000) gallons based upon the contribution of each classification.

The user shall be determined according to customer class OR WASTEWATER SOLIDS CHARACTERISTICS (see rate schedule above).

B. Capacity Charges.

1. A capacity charge, as prescribed below, shall be assessed upon:
 - a. Initial connection to the municipal sewer system; or
 - b. Any subsequent expansion or modification of the user's building or facility which results in an increased contribution to the sewer system from:
 - (i) For single- or multifamily residential users, an increase in the number of residential units, or
 - (ii) For commercial or industrial users, an increase in the number of fixture units, ~~or~~
 - (iii) ~~For industrial users, any change in operations resulting in a twenty percent (20%) or greater increase in billable volume as measured on an annual basis, or~~
 - (iv) ~~A change of use of the property whereby an increased volume of discharge to the sewer system occurs.~~
 - c. Size of water meter installed on the property.
 - d. Each additional water meter added will require additional sewer capacity fees unless specifically designated as a landscape meter.
2. The capacity charges for the various types of users are as follows:
 - a. Customer (capacity) charge, dollars.
 - b. Residential.
 - c. Single-family residential and townhomes (per unit):

EFFECTIVE 7-1-16 <u>09-01-2024</u>	\$3,723 <u>\$4,086</u>
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 - d. Multiple residential, condos and mobile home (per unit):

EFFECTIVE 7-1-16 <u>09-01-2024</u>	\$3,723 <u>\$4,086</u>
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When a change of use occurs that increases the volume of discharge to the sewer system, regardless of whether a change in ownership has taken place, the capacity charge shall be based on the capacity charge for the new use less the existing capacity

charge rate for the previous use. No refund shall be made in the case of reduced volume of discharge from a change of use.

Nonresidential:

Meter size	EFFECTIVE 7/1/16
	<u>09/01/2024</u>
5/8" or 3/4"	\$3,723 <u>\$4,086</u>
1"	\$6,218 <u>\$6,824</u>
1-1/2"	\$12,399 <u>\$13,608</u>
2"	\$19,845 <u>\$21,780</u>
3"	\$37,233 <u>\$40,863</u>
4"	\$62,068 <u>\$68,120</u>
6"	\$124,099 <u>\$136,198</u>
8"	\$198,566 <u>\$217,927</u>
10"	\$285,468 <u>\$313,302</u>

*gallon per day of estimated flow

THE ABOVE LIST IS THE MINIMUM CAPACITY CHARGE FOR EACH METER SIZE, FLOWS AND LOADINGS EXCEEDING 0.67 POUNDS PER DAY FOR NEW CONNECTIONS, AS DETERMINED BY THE WATER SERVICES DIRECTOR, WILL BE MULTIPLIED BY \$10.94 PER GALLON AND \$1.891 PER POUND TO DETERMINE THE CAPACITY FEE FOR ANY METER SIZE.

~~Where the capacity charge is based on volume, said charge will initially be calculated based on an estimate of flowage to be submitted in writing by the customer and agreed upon by the City. The capacity charge will be adjusted based upon the volume of the highest consecutive twelve (12) month period for the thirty-six (36) months immediately following commencement of service for assessment of an additional capacity charge.~~

~~The Division shall review all industrial user accounts on an annual basis and assess an additional capacity charge when the annual average billable volume increased by twenty percent (20%) or more. The charge is calculated at the current volume less previously assessed capacity charge recalculated at then current rates.~~

~~Wastewater capacity associated with similar user classes may be transferred from one (1) location to another with the approval of the Division. The location from which the wastewater capacity was transferred shall be without wastewater capacity until a subsequent purchaser of said location establishes a new capacity and fees for the new use. The transferor of the wastewater capacity is required to notify any subsequent purchaser of the property, which no longer has wastewater capacity, that such capacity does not exist. The City shall record an agreement between the transferor and the City with the County Recorder against the property without wastewater capacity rights. The agreement shall reference the legal description of the property without wastewater capacity and clearly indicate that wastewater capacity rights do not exist.~~

~~Exemption and Payment of Capacity Charges. Structures with a minimum of stem wall, and first floor existing on December 1, 1979, shall be exempt from the capacity charges. As of that date, the capacity charge is immediately due and payable upon receipt of an application for connection to the sewerage system.~~

If connection is made to the sewerage system without appropriate permit, the capacity charge is immediately due and payable upon the earliest date that such permit was required. No connection to the sewerage system shall be made without the proper permit and payment of the capacity charge except as provided below for installment payments.

C. Capacity Fee Installment Payments. Capacity fees may be paid for by installment payments in accordance with the following conditions:

1. A capacity fee that totals an amount greater than one hundred fifty thousand dollars (\$150,000.00 ~~100,000.00~~) may be paid as follows:

a. No less than one-third (1/3) of the total capacity fee due is to be paid upon receipt of the application for connection to the sewerage system.

b. The balance due of the capacity fee is to be paid in equal monthly installments over no more than thirty-six (36) months to include an interest rate calculated to be the prime rate + 1/2% at the time of the application.

c. The customer agrees to secure the balance due to the City by a letter of credit drawn in favor of the City, or in any other form of security satisfactory to the City Manager, City Attorney and Finance ~~MANAGEMENT SERVICES~~ Director.

~~2. For industrial capacity fees greater than twenty five thousand dollars (\$25,000.00) the City Council may consider reduced initial payments and/or extended time periods for payment. Consideration shall be based on the following criteria and other criteria the City Council may wish to include:~~

~~a. Economic impact.~~

~~b. Community impact.~~

~~c. Environmental impact.~~

~~d. Desirability.~~

~~e. Financial viability.~~

~~3. Requests for reduced initial payments and/or extended time periods for the payment of industrial sewer capacity fees shall be made in writing to the City Water Services Director for consideration by the City Council. Requests shall address the aforementioned criteria and shall be subject to the following:~~

~~a. No less than twenty five thousand dollars (\$25,000.00) of the total capacity fee is due to be paid upon receipt of the application for connection to the sewerage system.~~

b.—The balance of the capacity fee shall be paid in equal monthly installments for a period of up to thirty (30) years as requested by the industrial customer and approved by the City Council. A written agreement shall be executed between the City and the customer which shall include an interest rate as recommended by the City Manager and City Treasurer and approved by the City Council of the application.

c.—The industrial customer agrees to secure the balance due to the City by a letter of credit drawn in favor of the City or in any form of security satisfactory to the City Treasurer.

D.—Special Rules for Application of Surcharges. The following special rules shall pertain in applying the surcharges described in Section 7-02-001-0040(H) and subsection (A) of this section:

1.—Biochemical Oxygen Demand.

a.—In the event that an industrial user's wastewater shall exhibit concentrations of BOD exceeding four hundred (400) mg/L, then the surcharge for concentrations from four hundred (400) mg/L to five hundred (500) mg/L shall be multiplied by two (2);

b.—In the event that an industrial user's wastewater shall exhibit concentrations of BOD exceeding five hundred (500) mg/L, then the surcharge for concentrations from four hundred (400) mg/L to five hundred (500) mg/L shall be multiplied by two (2), and the surcharge for concentrations of BOD exceeding five hundred (500) mg/L shall be multiplied by three (3).

2.—Total Suspended Solids.

a.—In the event that an industrial user's wastewater shall exhibit concentrations of TSS exceeding four hundred fifty (450) mg/L, then the surcharge for concentrations from four hundred fifty (450) mg/L to five hundred fifty (550) mg/L shall be multiplied by two (2);

b.—In the event that an industrial user's wastewater shall exhibit concentrations of TSS exceeding five hundred fifty (550) mg/L, then the surcharge for concentrations from four hundred fifty (450) mg/L to five hundred fifty (550) mg/L shall be multiplied by two (2), and the surcharge for concentrations of TSS exceeding five hundred fifty (550) mg/L shall be multiplied by three (3).

3.—All surcharges imposed by this chapter shall be based on the average of all sampling conducted during the applicable billing period over the total flow for such period.

7-02-001-0042 SCAVENGER WASTE AND GREASE HAULERS

A. "Scavenger waste" is defined as sewage or human excreta that is removed from a septic tank or other on-site wastewater treatment facility, privy, sewage vault, river can, rocket can, or fixed or transportable chemical toilet or other similar units.

B. "Grease" is defined as fats, oils and grease (FOG); organic polar compounds derived from animal and/or plant sources as detectable in cooking oils, food scraps containing grease, butter or oil, lard or tallow, meat fat, grease and juices, gravies, sauces, shortening and dairy products.

C. Authorized Scavenger Waste Haulers. Only scavenger wastes generated within Coconino County shall be authorized to discharge into the sewerage system.

1. The Water Services Director shall require haulers of scavenger waste to obtain a scavenger waste discharge permit FOR EACH VEHICLE THAT HAULS WASTES TO THE TREATMENT PLANT.
2. Septage haulers shall not discharge mixed loads of grease and septic tank or scavenger waste or any other type of waste. Scavenger waste haulers may discharge loads only at locations designated by the Director and at such times as are established by the Director. The Director may collect samples of each hauled load to ensure compliance with applicable standards. The Director may require the scavenger waste hauler to provide a waste analysis of any load prior to discharge. The discharge of hauled septic tank waste is subject to all other requirements of this chapter.
3. The Director shall establish hours for operation and acceptance for discharging of scavenger waste. The hours of operation shall be available on the Flagstaff Water Services website and posted at the entrance gate of the water reclamation plant.
4. Septage haulers are required to weigh in before and after discharging to the water reclamation plant or POTW, provided a scale is available.
5. Discharge of scavenger waste at hours other than those established by the Director shall be at the discretion of the plant operator and will be subject to a fee set forth in Section 7-02-001-0041 ~~3-10-001-0008~~. Scavenger waste haulers must provide a completed City waste-tracking or manifest form for every load, prior to entering the water reclamation plant. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names, addresses and phone number of sources of waste, and volume and characteristics of waste. Scavenger waste haulers shall maintain records of all waste-tracking or manifest forms for at least five (5) years.

D. Authorized Grease Haulers. Grease will only be accepted for discharge into the designated grease receiving station from generators that have written acceptance by the Director and will be subject to the following conditions:

1. The Director shall require grease haulers to obtain a scavenger waste discharge permit FOR EACH VEHICLE THAT HAULS WASTES TO THE TREATMENT PLANT.
2. Grease haulers shall not discharge mixed loads of grease and septic tank or scavenger waste or any other type of waste. Grease haulers may discharge loads only at locations designated by the Director and at such times as are established by the Director. The Director may collect samples of each hauled load to ensure compliance with applicable standards. The Director may require the grease hauler to provide a waste analysis of any load prior to discharge. The discharge of hauled grease is subject to all other requirements of this chapter.
3. The Director shall establish hours for operation and acceptance for discharging of grease. The hours of operation shall be available on the Flagstaff Water Services website and posted at the entrance gate of the water reclamation plant.

4. Grease haulers are required to weigh in before and after discharging to the water reclamation plant or POTW, provided a scale is available.
5. Discharge of grease at hours other than those established by the Director shall be at the discretion of the plant operator and will be subject to a fee set forth in Section 7-02-001-0041 ~~3-10-001-0008~~.
6. Grease haulers must provide a completed City waste-tracking or manifest form for every load, prior to entering the water reclamation plant. This form shall include, at a minimum, the name and address of the grease hauler, permit number, truck identification, names, addresses and phone number of sources of waste, and volume and characteristics of waste. Grease haulers shall maintain records of all waste-tracking or manifest forms for at least five (5) years.

7-02-001-0042.1 SCAVENGER WASTE DISCHARGE PERMITS

A. All authorized persons or companies, as defined in Section 7-02-001-0042, wishing to discharge scavenger wastes or grease must first obtain a scavenger waste discharge permit for each vehicle that will haul scavenger waste or grease from the Director. Vehicle permit applications shall be provided by the City and must include the following information:

1. Business name;
2. Business phone number;
3. Name of business owner or responsible party;
4. Business physical location;
5. Business mailing address;
6. Business email address;
7. Name(s) of operator(s);
8. Operator phone number(s);
9. Vehicle information:
 - a. Year/make/model;
 - b. License plate number/state;
 - c. Tank capacity;
 - d. Type of hauled waste(s);
 - e. ADEQ license number.
10. Any additional information as required to meet applicable Federal and/or State regulations or as deemed necessary to prevent incidences of overloading, interference or

pass-through at the water reclamation plant and/or interference, damage, etc., to the wastewater collection systems.

B. The permit provided for in this section shall be issued by the Director to all applicants who comply with the terms and conditions set forth in this section as follows:

1. For each vehicle utilized for the transportation of scavenger wastes or grease for disposal into the sewerage system, payment or prorated portion of the annual fee as established per City Code Section 3-10-001-0008, License Fees.
2. Once permits are obtained, all waste haulage equipment operated by companies with permits shall be registered with the Management Services Division and shall submit documentation that fee has been paid and shall be identifiable by display of the license plate number.
3. The permit issued as provided for in this section shall expire January 2nd of each year and not more than one (1) year after the date of issue. It shall be the responsibility of the hauler to seek renewal of their permit, at least thirty (30) days prior to the expiration date.
4. Noncompliance with any part of this section or subsequent regulations shall subject the permit holder to revocation of permit to utilize the services of the City sewerage system for disposal of scavenger wastes or grease. Reissuance of permit to discharge after revocation shall be at the discretion of the Director and may be subject to such conditions as deemed appropriate.
5. The Director may establish regulations as are deemed necessary to control the discharge of scavenger wastes so as to prevent incidences of overloading, interference or pass-through at the water reclamation plant and/or interference, damage, etc., to the wastewater collection systems. All discharges shall comply with the prohibited substances restrictions set forth in Section 7-02-001-0007.
6. The water reclamation plant does not accept hazardous waste as defined by the Resource Conservation and Recovery Act and the Code of Federal Regulations.
7. The waste hauler will be financially responsible for any damage to or interference with the publicly owned treatment works (POTW), or for any expense to the City (including testing) caused by the discharge from the hauler. The waste hauler and/or generator will be charged for all expenses in monitoring and handling their discharge.
8. Waste haulers may not discharge unless a plant operator is present and has approved the discharge. The operator may refuse to accept any discharge if it is suspected to contain wastes which are considered unacceptable to the City water reclamation plants.
9. The waste hauler shall have sampling taps or outlets (as approved by the Water Services Division) on each truck for proper sampling of contents. The waste hauler shall be subject to random sampling/monitoring by the City.
10. Waste haulers will position their trucks at the direction of the plant operator to prevent spills. Any traces of the hauler's discharge must be removed by the hauler immediately.

11. Waste haulers shall not bypass any control device while discharging to the City Water Reclamation Plant or POTW.

12. Waste haulers cleaning trucks at the water reclamation plant shall be subject to a truck clean out fee set forth in Section 3-10-001-0008. Truck shall be empty prior to clean out. Septic tank and scavenger waste haulers shall be subject to the enforcement guides set forth in Section 7-02-001-0019.

13. Provision of false information by either the generator or the hauler shall also be considered a violation of this code and subject to the provisions of Sections 7-02-001-0017 and 7-02-001-0019.

C. The Director may revoke a permit for any of the following actions or inactions by the permittee:

1. Disposing hauled waste at any location not designated or approved by the Director.
2. Misrepresenting or failing to fully disclose all relevant facts in the waste hauler discharge permit application.
3. Falsifying information provided on waste tracking forms or waste disposal manifests.
4. Failure to provide a waste tracking form or waste disposal manifest.
5. In the event that the City implements an electronic or web-based waste tracking form or waste disposal manifest reporting system, all reports shall be submitted on this system.
6. The hauler shall be responsible for any fees associated with an electronic or web-based reporting system.
7. Tampering with samples collected from waste loads.
8. Refusing to allow the Director timely access to the facility premises or records.
9. Failing to meet effluent requirements.
10. Failing to pay fines or penalties.
11. Failing to pay waste disposal charges.
12. Failing to complete a waste hauler discharge permit application.
13. Violating any general or specific permit condition or requirement, or any terms of the waste hauler discharge permit or this section.

7-02-001-0043 SEWER RATES TO BE ADDED TO WATER BILLS

All sewer user charges to be added to and collected with the bills as rendered for water by the ~~Finance~~ **CUSTOMER SERVICE** Section, and all of the rules and regulations promulgated by the ~~Finance~~ **MANAGEMENT SERVICES** Director shall apply to, and be effective in, the collection of such sewer service charges.

7-02-001-0044 WHEN BILLS PAYABLE; DISCONNECTION OF SERVICE FOR FAILURE TO PAY; RECONNECTION FEE

All bills for sewer service shall be due and payable on the billing dates of the various districts, and if not paid within thirty (30) days thereafter will be considered delinquent and the sewer service may be discontinued without notice. In the event extraordinary costs are incurred by the City to discontinue the sewer service, such costs shall be paid by the customer before service is continued.

7-02-001-0045 DETERMINATION OF WASTEWATER QUANTITY VOLUME CHARGE AND BILLINGS: NONRESIDENTIAL

A. In the absence of suitable data to make a determination for nonresidential users as to the amount of water discharged to the sewer system, the sewer ~~user~~ VOLUME charge shall be based on the amount of water supplied to the premises. The Director may require or permit the installation of acceptable additional water or sewer meters at such party's expense and in such a manner as to determine the quantity of water actually entering the sewer system, in which case, the quantity of water used to determine the sewer charge shall be the quantity of water actually entering the sewer system as so determined. The meter (or meters) must measure the total flow unless another method has been approved by the City.

B. It shall be the responsibility of each user, who chooses or is required to perform the purchase and installation of such meters, to notify and gain approval of the City Water Services Division. Upon initial written verification, by a qualified individual, that the meter has been installed and is functioning accurately and efficiently, the user assumes daily operation and maintenance of such meters.

If at any time, the Division determines that such meter is insufficient for the purpose it is intended, whether because of inability to repair, increased discharge rate of waste stream, etc., the user shall replace the meter or have modifications performed to the existing meter, at the user's expense and in such a way that is considered satisfactory to the City Water Services Director.

C. All significant industrial users shall have a City approved sewer flow meter or other City approved means of measuring their effluent. This meter shall be equipped to provide a permanent record of the flow measurements. All records of the flow shall be kept for a minimum of three (3) years and must be available to the City.

D. It shall be the responsibility of all industrial users who are required or choose to install flow measurement devices to provide a security system which would provide the City with unrestricted access to such meter, yet at the same time provide protection from user access unauthorized by the City, tampering, vandalism, the elements or any other factor which may inhibit accurate flow measurement of the waste stream.

E. The industrial user shall keep their wastewater collection lines free from debris, turbulence or any other entity that may inhibit the accurate measurement of sewer flow.

RESIDENTIAL:

- A. Sewer user VOLUME charge shall be based on the average monthly water billed to each customer during the preceding December, January, February and March and shall represent sewage flow for full-time residential customers.
- B. If the Director determines that adequate water meter information is not available for billing a residential customer as described above, then the customer shall be charged the average monthly billing for that user class.
- C. Upon approval of the Director, any individual user may, at his own expense and subject to the regulations of the Division, install a separate meter in order to determine the quantity of water actually entering the sewer system and future sewer charges shall be limited to that water actually entering the sewer system as so determined by the Director.
- D. If, within ten (10) days of billing, a customer files a written complaint with the Director alleging that a significant portion of his water usage does not enter the sewer system, the Director, in accordance with written appeals procedure, shall provide an opportunity for the customer to present THEIR his supporting documentation to an employee designated by the Director to hear complaints.
- E. Upon approval of the Director, metered water usage may be used to determine the sewer use charge when it can be shown to be more accurate than using the average winter water usage.

7-02-001-0046 PAYMENT OF BILLS AND CHARGES

- A. All notices sent out by the City regarding sewer user accounts, and all notices regarding any other matter pertaining to the user of the City sewer system, shall be sent to the house and street number of such property. To ~~insure~~ ENSURE proper delivery of notices, all errors in house numbers should be promptly reported to the Finance CUSTOMER SERVICE Section.
- B. The sewer account and bill shall distinguish the amount of the sewer user charge from any industrial cost recovery charge, if applicable.
- C. All rates and service charges are payable when rendered and shall be paid by the due date. If the total of such bill is not received by the City within five (5) days after the due date the consumer shall be charged an additional five dollar (\$5.00) nonrefundable late payment penalty fee. Consumers on a payment plan that has been approved by the Water Services Division may be exempted from the late payment penalty fee.

All charges shall be considered delinquent thirty (30) days after bill date. If the total of such bill is not paid within ten (10) days after the date of delinquency (thirty (30) days from bill date), a notice may be placed at the service address notifying of the past due amount and service charge which must be paid within twenty-four (24) hours. After twenty-four (24) hours, the water or sewer service may be disconnected from the premises of the delinquent consumer. The total amount of the bill due and any deposit, if such deposit is required, shall be collected before again providing sewer service or water service. Any closed, delinquent account requiring special collection effort may be assessed a delinquent collection charge to cover the additional cost as established by the Finance CUSTOMER SERVICE Director.

D. A consumer's water or sewer service may be disconnected for nonpayment of a bill for service rendered at a previous location served by the City, provided such bill is not paid within thirty (30) days after the unpaid bill has been presented to the consumer at his new location.

E. Any expense caused to the City for the repair or replacement of damaged, stolen, tampered with or misused sewer or water facilities shall be charged against and collected from the person or persons who caused the expense.

F. When a user of the water or sewer system has been notified of the amount of charges remaining due after the deduction of THEIR his security deposit, and payment for same has not been received, the Finance CUSTOMER SERVICE Director may assign the account to a bona fide collection agency.

G. Before water or sewer service will be turned on to any premises all charges against the premises when due and payable to the City as required by this chapter, or including any of the following items must have been paid: on account of labor supplied or materials furnished by the Water Services Division in the installation of service pipes connecting the premises with the City sewer mains, or for tapping the City sewer system; on account of water or sewer service previously supplied to the premises; whether used by the applicants or by some previous occupant of the premises; or on account of the assessment of any fine or penalty; or for turning water or sewer services off or on; or for repair or replacement of damaged, stolen or misused sewer works facilities.

7-02-001-0047 NOTICE PRIOR TO DISCONNECT

Before discontinuing water or sewer service for nonpayment of any sewer user charge, deposit or other assessment provided for in this chapter, the Finance CUSTOMER SERVICE Director shall give written notice to the person of the discontinuance and an opportunity to appear before the Finance CUSTOMER SERVICE Director or his designee on any disputed matter relative to the discontinuance of sewer service.

7-02-001-0048 SERVICE CONNECTIONS

Every separate building to be provided with sewer service shall have its own separate sewer service connection to the City sewer main, except that two (2) or more buildings located on the same lot or on contiguous lots under the same ownership or property known as a court, apartment house or block covering more than one lot, may be provided sewer service through the same connection as long as the single ownership continues. Upon change from such single ownership, a new and separate connection shall be immediately made for the building or premises to replace the indirect connection. No person having sewer service shall provide sewer service to any other sewer user, whether gratuitously or for a charge.

7-02-001-0049 PERMITS REQUIRED FOR INDUSTRIAL USERS

All significant industrial users, as defined by Section 7-02-001-0009(A)(1), shall obtain a permit for connection and discharge or any modification that changes the treatment, production, flow, etc., of the existing facility to the City's sewer system from the Director.

7-02-001-0050 INDUSTRIAL USER PERMITS

A. The significant industrial user shall make application for such permit, at least ninety (90) days prior to commencement of discharge, on a form provided by the Director. An applicant shall pay a fee as determined by the City of Flagstaff for each application and thereafter be issued an industrial pretreatment discharge permit which shall be valid for a period of five (5) years from the date of issuance or less as determined by the Director.

Industrial Pretreatment Discharge Permit Fee

(Effective 1-1-07 <u>09/01/2014</u>)	(Effective 1-1-08)	(Effective 1-1-09)	(Effective 1-1-10)
\$100 per year <u>\$1,950.00 FOR 5 YEARS</u>	\$150 per year	\$200 per year	\$250 per year

B. Upon expiration of such permit, an applicant who holds a valid wastewater discharge permit and is in compliance with the terms and conditions established by this chapter shall file an application for renewal of an industrial pretreatment discharge permit, at least ninety (90) days prior to the expiration date of the previous permit, together with the existing fee and, thereafter, shall be issued a renewed industrial pretreatment discharge permit, which shall be valid for a period of five (5) years from the date of issuance of the renewal or less as determined by the Director.

C. The applicant shall submit the information contained in subsections (D) through (G) of this section and any other information requested by the City at the time of submittal, or the application will be rejected and the applicant required to resubmit with the appropriate fee.

D. An applicant seeking an industrial pretreatment discharge permit or renewal shall submit, as part of its application, the results of an analysis, compliant with standard methods, conducted by a laboratory certified by the State of Arizona Department of Health Services, of a representative daily composite sample of the effluent discharge from the applicant's plant.

E. An applicant shall submit as part of its application for a permit a discharge report which includes, but not be limited to, the nature of process, volumes, rates of flow, production quantities, concentrations in the wastewater discharge and any other information that may be relevant to the generation of waste.

F. An applicant, as part of its application for a permit, shall submit a plan showing the location and size of on-site sewers, sampling point, pretreatment facilities, City sewers and any other pertinent physical details.

G. An applicant as part of its application for a permit shall list each product manufactured, the type, amount and rate of production and the chemical components and quantity of liquid or gaseous materials stored on site, even though they may not normally be discharged into the sewer system.

H. In the event a producer of industrial waste which is authorized to make a connection to the City sewer for pretreated industrial waste disposal under the provisions hereof is sold, leased, or its operation is assumed or taken over by another person, firm or corporation other than that named in the permit, a new application for a permit shall be made by the new owner, lessee or operator. No permit issued under the provisions hereof shall be assignable and a violation of

this provision shall be grounds for summary suspensions or revocation of such permit by the Director.

I. It shall be a condition of the permit that the City may at any time test any of the wastes being discharged by the company or plant for quality or quantity. A duly authorized City representative may enter the permittee's premises at any time during business or operational hours for the purpose of inspecting plant operations to estimate quality or quantity of wastes.

J. It shall be a condition of the permit that the permittee shall install facilities, approved by the City Engineer at the permittee's expense for the purpose of the City's representative inspecting, observing and sampling representative flows in accordance with Section 7-02-001-0015.

K. It shall be a condition of the permit that additional periodic reports as may be required by the Director to properly monitor the discharge of the industrial wastes, be submitted to the Director.

L. Issuance of an industrial pretreatment discharge permit shall not release the permit holder from the obligation to comply with all other provisions of this chapter.

M. The City may change the conditions of any permit in order to comply with requirements of Federal or State regulations. An industrial user may petition the Director to modify their permit for monitoring parameters or process changes. The user must submit sampling reports and/or documentation to support their petition.

7-02-001-0051 PERMITTEE REQUIREMENTS

A. Each permittee shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this chapter. If such discharge may occur, permittee must report it to the Water Services Director as described in Section 7-02-001-0011.

B. In order that officers, agents and employees of permittees will be informed of the City's requirements, permittees shall make available to their employees copies of this chapter together with such other wastewater information and notices which may be furnished by the City from time to time for the purposes of improving and making more effective water pollution control. A notice shall be furnished and permanently posted on the permittee's bulletin board advising officers, agents and employees who to call in case of an accidental discharge in excess of the limits authorized by the permit.

C. Any possible connection or entry point for a hazardous and/or prohibited substance to the permittee's plumbing or drainage system shall be appropriately labeled to warn operating personnel against discharge of such substances.

7-02-001-0052 SEWER SERVICE OUTSIDE CITY LIMITS

A. For all places outside the corporate limits of the City not mentioned in this chapter where sewer service is rendered by the City, and for which no rate is specifically fixed, the rate to be charged, including a connection charge, shall be as fixed by the City Council.

B. City sewer service offered to users outside the City limits shall be offered by the City subject to compliance by the users with the terms of this chapter.

7-02-001-0053 DISCONNECTION OF SERVICE

The violation of any section of this chapter shall be sufficient cause for the City to discontinue water or sewer service to any premises, and such service shall not be restored until such violations have been discontinued or eliminated and all outstanding charges paid. The discontinuance of sewer service shall be accomplished by physically cutting and blocking the building connection. A charge for disconnecting and reconnecting shall be paid to the ~~Finance~~ CUSTOMER SERVICE Section for reconnecting the sewer service.

PART 3: WATER REGULATIONS

**CHAPTER 7-03
CITY WATER SYSTEM REGULATIONS**

SECTIONS:

7-03-001-0001	APPLICATION FOR CONNECTION
7-03-001-0002	APPLICATION FOR SERVICE
7-03-001-0003	DEPOSIT REQUIRED
7-03-001-0004	CONNECTION FEES
7-03-001-0005	SERVICE CHARGES
7-03-001-0006	AUTHORITY REQUIRED
7-03-001-0007	MALICIOUS DAMAGE
7-03-001-0008	ACCOUNTS PAYABLE
7-03-001-0009	METERS
7-03-001-0010	WATER RATES
7-03-001-0011	WATER MAIN CAPACITY CHARGES
7-03-001-0012	WATER REVENUE FUND
7-03-001-0013	CITY WATER MAIN EXTENSION POLICY
7-03-001-0014	WATER CONSERVATION
7-03-001-0015	CROSS CONNECTION CONTROL
7-03-001-0016	WATER RESOURCE DEVELOPMENT FEE
7-03-001-0017	PURCHASED ENERGY COMPONENT FOR WATER
7-03-001-0018	RECLAIMED WATER RATE SCHEDULE

7-03-001-0001 APPLICATION FOR CONNECTION

Every person requesting connection to the sewer or water system of the City shall first make application to the ~~Utilities~~ **WATER SERVICES** Division on such forms as the City shall prescribe and pay the fees and charges provided for herein. Connection ~~may~~ **SHALL** be made ~~either by the Utilities Division or by a contractor duly licensed by the State of Arizona to perform such work.~~ The work shall be done according to City specifications, and any contractor performing such work shall not cover such connection until the same shall have been inspected and approved by the **WATER SERVICES** ~~Utilities~~ Division.

7-03-001-0002 APPLICATION FOR SERVICE:

Every person requesting water service shall make application therefor on such forms as the City may prescribe, and the deposit and charge provided for herein shall be paid before such new service may commence.

7-03-001-0003 DEPOSIT REQUIRED

A. Deposit Required. There shall be charged all persons applying for residential water service to be provided to any premises a non-interest bearing deposit of one hundred fifty dollars (\$150.00). There shall be charged all persons applying for nonresidential water service to be provided to any premises a non-interest bearing deposit of three hundred dollars (\$300.00). The deposit must be paid in full at the time of account setup or, if requested by the customer, in three (3) equal installments. If the deposit is paid in installments, the first installment is due at the time of account setup, the next installment will be billed with the first monthly account bill,

and the final installment will be billed with the second monthly account bill. Specific exemption from this provision shall apply to churches, nonprofit community organizations and other utilities. Additionally, persons who have qualified for a deposit refund pursuant to subsection (B) of this section and have no other municipal account delinquency shall be exempt from any deposit requirement or additional or new water service. New customers providing the City with a recent letter from a present or previous utility supplier which shows a good payment history may be exempted from the deposit requirements.

B. Deposit Refund. Except as provided below, a customer shall be entitled to a refund of deposits on hand one (1) year after the required deposit is deposited with the City or when the account is closed. However, in the event a customer fails to make timely payment of a monthly billing, or allows any arrearage to accrue on the customer's account, then the customer shall not be entitled to a refund until the customer has first established a one (1) year record of timely payments with no arrearage. A deposit on a closed account will be refunded, less any amounts owed. No interest shall be paid by the City upon any deposit refund.

7-03-001-0004 CONNECTION CUSTOMER METER AND WATER TAP FEES

Any person desiring a connection with any main or lateral of the water or reclaimed water system of the City shall first make application to the City Utilities WATER SERVICES Division, and pay the fees and charges specified for the size of the service desired. All water meters connected to the City water or reclaimed water system are, shall be and shall remain the property of the City. THE SERVICE TO THE CITY'S MAIN IS THE RESPONSIBILITY OF THE APPLICANT'S CONTRACTOR AS SPECIFIED BELOW. Upon payment of the specified fees to the Treasurer by the applicant, the Utilities Division shall, within a reasonable time, make the connection and install the meter. Connection fees shall be:

For Meter Size

5/8" x 3/4"	Cost of meter, fittings and labor, plus overhead
1"	Cost of meter, fittings and labor, plus overhead
1-1/2"	Cost of meter, fittings and labor, plus overhead
2"	Cost of meter, fittings and labor, plus overhead
>2"	Cost of meter, fittings and labor, plus overhead

Connections made by a contractor as provided for in Section 7-3-1 hereof, where service lines have been previously installed and the City is required only to supply and install the meter, shall be subject to the following fees in lieu of the schedule shown above.

For Meter Size (COST OF METER, FITTINGS AND LABOR, PLUS OVERHEAD)

5/8" x 3/4"	\$210.00 <u>\$806.00</u>
1"	\$390.00 <u>\$972.00</u>
1 1/2"	\$790.00 <u>\$1,466.00</u>
2"	\$940.00 <u>\$1,703.00</u>
All others	Cost of meter, fittings and labor, plus overhead

For connections and meters larger than two inches (2"), the following deposit must be paid in advance before beginning the connection. Where the deposit is less than the actual cost, the difference will be billed and shall be paid by the applicant prior to service being established for such connection. Where the deposit is more than the actual cost, the difference shall be refunded within a reasonable period of time.

For Meter Size

3"	\$3,000.00
4"	\$4,000.00
6"	\$6,000.00
All others	Cost of meter, fittings and labor, plus overhead

WATER TAP FEE

EACH PERSON, FIRM OR CORPORATION REQUESTING A WATER TAP TO BE INSTALLED BY THE CITY SHALL PAY THE FEE AS HEREBY ESTABLISHED:

THREE-QUARTER (3/4) INCH TO TWO (2) INCH WATER TAP: \$350.00.

THREE (3) INCH TO TWELVE (12) INCH: \$702.00.

ADDITIONAL TAP, SAME TIME, SAME PARCEL, SAME SIZE, 3/4" to 2": \$80

ADDITIONAL TAP, SAME TIME, SAME PARCEL, SAME SIZE, 3" to 12": \$160

ADDITIONAL TAP, SAME TIME, SAME PARCEL, DIFFERENT SIZE, 3" to 12": \$702

PROCEDURES FOR OWNER/CONTRACTOR:

OWNER/CONTRACTOR SHALL PAY CAPACITY FEES IF APPLICABLE.

OWNER/CONTRACTOR SHALL OBTAIN A PERMIT FROM THE ENGINEERING DIVISION AND PAY A PERMIT FEE BEFORE STARTING EXCAVATION.

WHEN NOTIFIED BY ARIZONA 811, WATER SERVICES DIVISION PERSONNEL WILL LOCATE THE WATER MAIN FOR OWNER/CONTRACTOR.

OWNER/CONTRACTOR EXCAVATES SITE AND SHORES TRENCH IF NECESSARY, SHORING SHALL BE DETERMINED BY ENGINEERING DIVISION PERSONNEL. OWNER/CONTRACTOR INSTALLS TAPPING SLEEVE AND CORPORATION STOP ON WATER MAIN. ONCE THE TRENCH AND TAPPING SADDLE ARE APPROVED BY THE ENGINEERING INSPECTOR, THE ENGINEERING INSPECTOR WILL SCHEDULE A WATER DISTRIBUTION CREW TO COMPLETE THE TAP.

ENGINEERING INSPECTOR INSPECTS THE OWNER/CONTRACTOR'S WORK AND APPROVES IF WORK IS COMPLETED SATISFACTORILY.

OWNER/CONTRACTOR COMPACTS AND BACKFILLS TRENCH, REPLACES PAVEMENT IF NECESSARY.

FINAL INSPECTION IS DONE BY THE ENGINEERING INSPECTOR.

APPROVAL (PERMIT SIGN-OFF) IS MADE BY THE ENGINEERING INSPECTOR.

OWNER/CONTRACTOR SHALL NOT TAP THE WATER MAIN AT ANY TIME.

All water taps or connections made outside the corporate limits of the City shall be 110% of the above charges, fees and/or deposits.

~~The connection fee for automatic read meters shall include an additional \$130.00 for the meter interface unit and the meter adder.~~

7-03-001-0005 SERVICE CHARGES

In addition to the other charges and fees required by this Chapter, the following service charges shall apply:

Description	Service-Fee Current	Service Fee 01/01/2011 <u>09/01/2024</u>
New Customer turn-on/off working hours-account activation fee for new customer at existing location	\$24.00	\$24.00
Emergency turn-on/off working hours	\$24.00	\$24.00
New Customer turn-on/off after hours	\$65.00	\$65.00
<u>WATER SERVICE ESTABLISHMENT FEE (NEXT BUSINESS DAY)</u>		<u>\$45.00</u>
<u>WATER SERVICE ESTABLISHMENT FEE (SAME DAY SURCHARGE)</u>		<u>\$20.00</u>
Collection/ Non Payment charge	\$24.00	\$24.00 <u>\$45.00</u>
Existing Meter Testing Rate		
Accuracy test (at customer's request) of a meter permanently connected to the water system. The fee is waived if meter testing reveals the meter was reading inaccurately	\$74.00	\$74.00
Backflow Prevention Permit Fee		
Inspection of backflow assembly whose installation has been authorized by permit.		\$87.00
Backflow Compliance Fee		
Additional site visit after customer has failed to correct backflow or reclaimed meter-related deficiencies for which they have received prior written notice. This fee recovers the cost of the additional field visit.		\$87.00

Description	Service Fee Current	Service Fee 01/01/2011 <u>09/01/2024</u>
Unauthorized Connection Fee For illegal service connections made to the public water main. Payable at the time of violation		Twice the System Capacity and Resource Fees
Large Meter Vault – Design Fee for Non-Std City of Flagstaff may provide design and construction documents for the large meter vaults required by the special needs of Developer-required facilities.		Billed at Cost
Perform ADEQ Regulatory Engineering Review and Permitting Services. City of Flagstaff may provide Engineering review and issue permits on behalf of ADEQ under a delegation agreement with ADEQ for water and sewer facilities.		Billed at Current ADEQ Rates in accordance with AAC R18-14-103

7-03-001-0006 AUTHORITY REQUIRED

It shall be unlawful for any person to turn on and furnish water or sewer service or authorize or direct another to do so without authority from the ~~Utilities~~ WATER SERVICES Division AND/OR CUSTOMER SERVICE SECTION; and any person violating the provisions hereof shall be guilty of a misdemeanor and incur a penalty in the sum of one hundred-fifty dollars (\$150.00)

7-03-001-0007 MALICIOUS DAMAGE

It shall be unlawful for any person intentionally to break, deface, tamper with or damage any meter, hydrant, valve, pipe or other water system appliance or fixture, or in any other manner interfere with the operation of any part of the water system of the City. It shall be unlawful for any person, with intent to injure or defraud, to connect any pipe, tube or other instrument with any main or service pipe for conducting water belonging to the City, for the purpose of taking water from such main or service pipe without the permission or authority of the ~~Utilities~~ WATER SERVICES Division AND/OR CUSTOMER SERVICE SECTION. (Ord. 800, 5-25-71) It shall be unlawful to permit any coupling, pipe, fitting, or tank not dedicated for potable water use to come into contact with public water facility dispensing hoses. Any person violating the provisions hereof shall be guilty of a misdemeanor and incur a penalty in the sum of one hundred-fifty dollars (\$150.00).

7-03-001-0008 ACCOUNTS PAYABLE

A. All water accounts charges for water sold and furnished to customers by the City shall be due and payable ~~at the office of the Treasurer~~ TO THE CUSTOMER SERVICE SECTION during regular business hours as established by the ~~Treasurer~~ CITY for the collection of such accounts, Monday through Friday, inclusive, holidays excepted.

B. All water accounts shall be due and payable upon presentation ~~by the office of the Treasurer~~ BY THE CUSTOMER SERVICE SECTION of invoice statement therefor, and shall

become delinquent thirty (30) days thereafter. If such charges are not paid within ten (10) days after such delinquent date, water service may be discontinued without notice and the City may pursue all remedies available at law. The Treasurer CUSTOMER SERVICE DIRECTOR is hereby authorized to consolidate more than one (1) charge for City services into one (1) itemized statement of charges at appropriate billing levels.

C. Any person found in violation of this section shall be guilty of a civil infraction and shall be fined a sum not to exceed five hundred dollars (\$500.00). Any violation which is continuing in nature shall constitute a separate offense on each successive date the violation continues, unless otherwise provided. Any enforcement action is subject to the civil enforcement procedures set forth in Section 1-15-001-0011.

7-03-001-0009 METERS

All water furnished or sold by the City shall be delivered or supplied through meter only, and every separate building supplied with City water must have its own separate service connection and meter, except that two (2) or more buildings located on the same lot or on contiguous lots under the same ownership or property known as a court, apartment house or block covering more than one lot, may be supplied through the same connection and meter as long as the single ownership continues. Upon change from such single ownership, a new and separate connection shall be immediately made for the building or premises to replace the in direct connection. No person having a water service connection shall otherwise furnish or deliver water to any other water user, whether gratuitously or for a charge.

7-03-001-0010 WATER RATES

There shall be charged the following rates for all water furnished consumers and measured by meter on any service connection with City water mains for and during each monthly billing period.

The base monthly service charge applies whether the water meter is active or inactive. The monthly service charge is based on the fixed cost of operation and maintaining the water system so that the system is available to provide water to the parcel when water service is activated. Parcels with shutoff water meters will continue to pay base monthly service fee since water service is available and may be activated and used by the property owner at any time.

A. Inside City Limits: The following monthly charges shall be effective with bills rendered on and after January 1, 1991.

Applicable sales taxes will be in addition to these charges.

Charge per one thousand (1,000) gallons of measured or estimated water use per month.

WATER RATE SCHEDULE

Monthly Base Service Charge:

Meter Size	7/1/16 <u>09/01/2024</u>	1/1/17 <u>01/01/2026</u>	1/1/18 <u>01/01/2027</u>	1/1/19 <u>01/01/2028</u>	1/1/20 <u>01/01/2029</u>
3/4"	<u>\$14.23</u> \$14.01	<u>\$15.65</u> \$14.63	<u>\$17.22</u> \$15.27	<u>\$18.94</u> \$15.94	<u>\$20.83</u> \$16.64

Monthly Base Service Charge:

1"	<u>\$18.58</u> \$16.50	<u>\$20.44</u> \$17.22	<u>\$22.48</u> \$17.98	<u>\$24.73</u> \$18.77	<u>\$27.20</u> \$19.60
1 1/2"	<u>\$29.45</u> \$22.71	<u>\$32.40</u> \$23.71	<u>\$35.64</u> \$24.75	<u>\$39.20</u> \$25.84	<u>\$43.12</u> \$26.98
2"	<u>\$42.49</u> \$30.17	<u>\$46.74</u> \$31.50	<u>\$51.41</u> \$32.89	<u>\$56.55</u> \$34.33	<u>\$62.21</u> \$35.84
3"	<u>\$83.80</u> \$47.58	<u>\$92.18</u> \$49.67	<u>\$101.40</u> \$51.85	<u>\$111.54</u> \$54.14	<u>\$122.69</u> \$56.52
4"	<u>\$116.41</u> \$72.43	<u>\$128.05</u> \$75.62	<u>\$140.86</u> \$78.95	<u>\$154.95</u> \$82.42	<u>\$170.45</u> \$86.05
6"	<u>\$290.35</u> \$134.58	<u>\$319.39</u> \$140.50	<u>\$351.33</u> \$146.69	<u>\$386.46</u> \$153.14	<u>\$425.11</u> \$159.88
8"	<u>\$355.57</u> \$209.15	<u>\$391.13</u> \$218.36	<u>\$430.24</u> \$227.97	<u>\$476.26</u> \$238.00	<u>\$520.59</u> \$248.47
10"	<u>\$920.85</u> \$296.16	<u>\$1,012.94</u> \$309.19	<u>\$1,114.23</u> \$322.80	<u>\$1,225.65</u> \$337.00	<u>\$1,348.22</u> \$351.83

VOLUME CHARGE - \$ PER 1,000 GALLONS

Monthly Water Use Gallons	Volume Charge \$/1,000 gal				
Single Family - Block Rate	7-1-16	1-1-17	1-1-18	1-1-19	1-1-20
Single Family	<u>09/01/2024</u>	<u>01/01/2026</u>	<u>01/01/2027</u>	<u>01/01/2028</u>	<u>01/01/2029</u>
Tier 1 (0-3,500)	<u>\$4.28</u> \$2.89	<u>\$4.71</u> \$3.02	<u>\$5.18</u> \$3.15	<u>\$5.70</u> \$3.29	<u>\$6.27</u> \$3.44
Tier 2 (3,501-6,200)	<u>\$4.60</u> \$3.75	<u>\$5.06</u> \$3.91	<u>\$5.57</u> \$4.09	<u>\$6.13</u> \$4.26	<u>\$6.74</u> \$4.45
Tier 3 (6,201-11,500)	<u>\$9.19</u> \$5.77	<u>\$10.11</u> \$6.03	<u>\$11.12</u> \$6.29	<u>\$12.23</u> \$6.57	<u>\$13.45</u> \$6.86
Tier 4 (Over 11,500)	<u>\$18.39</u> \$11.55	<u>\$20.23</u> \$12.05	<u>\$22.25</u> \$12.59	<u>\$24.48</u> \$13.14	<u>\$26.93</u> \$13.72
Multi-family, Apts., Mobile home	<u>\$4.75</u> \$3.72	<u>\$5.23</u> \$3.88	<u>\$5.75</u> \$4.05	<u>\$6.33</u> \$4.23	<u>\$6.96</u> \$4.42
Commercial, Schools, <u>INSTITUTIONAL</u>	<u>\$5.67</u> \$3.95	<u>\$6.24</u> \$4.12	<u>\$6.86</u> \$4.30	<u>\$7.55</u> \$4.49	<u>\$8.31</u> \$4.69
Northern Arizona University	\$3.62	\$3.78	\$3.95	\$4.12	\$4.30
Manufacturing	<u>\$5.33</u> \$3.89	<u>\$5.86</u> \$4.07	<u>\$6.45</u> \$4.24	<u>\$7.10</u> \$4.43	<u>\$7.81</u> \$4.63
Lawn Meters	<u>\$10.05</u> \$3.95	<u>\$11.06</u> \$4.12	<u>\$12.17</u> \$4.30	<u>\$13.39</u> \$4.49	<u>\$14.73</u> \$4.69

Monthly Water Use	Volume Charge				
Hydrant meter	<u>\$7.46</u> \$6.03	<u>\$8.21</u> \$6.30	<u>\$9.03</u> \$6.58	<u>\$9.93</u> \$6.87	<u>\$10.92</u> \$7.17
Standpipe – Water haulers	<u>\$7.41</u> \$6.03	<u>\$8.15</u> \$6.30	<u>\$8.97</u> \$6.58	<u>\$9.87</u> \$6.87	<u>\$10.86</u> \$7.17

Energy Component:

Charge per one thousand (1,000) gallons, applied to all customer classes (refer to subsection (D) of this section)

Energy component cost will be calculated annually based on a one (1) year rolling average of water related energy costs as per subsection (D) of this section.

1. Water Resources and Infrastructure Protection Through Wildland Fire Management Component: In addition to all volume charges, each customer shall pay an additional fee based on water consumption as follows:

Effective 8-1-20	\$0.52 per 1,000 gallons
Effective 7-1-22	\$0.53 per 1,000 gallons

This fee shall be used to protect all Flagstaff water resources and infrastructure from wildland fires including water, wastewater, reclaimed water and stormwater.

PRIVATE FIRE PROTECTION

Connection Size (Inches)	Monthly Charge				
	<u>1/1/11</u> <u>09/01/2024</u>	<u>1/1/12</u> <u>01/01/2026</u>	<u>1/1/13</u> <u>01/01/2027</u>	<u>1/1/14</u> <u>01/01/2028</u>	<u>1/1/15</u> <u>01/01/2029</u>
4"	<u>\$13.85</u> \$9.41	<u>\$15.24</u> \$10.68	<u>\$16.76</u> \$11.43	<u>\$18.44</u> \$12.23	<u>\$20.28</u> \$12.59
6"	<u>\$40.24</u> \$27.33	<u>\$44.26</u> \$31.02	<u>\$48.69</u> \$33.19	<u>\$53.56</u> \$35.52	<u>\$58.92</u> \$36.58
8"	<u>\$85.76</u> \$58.23	<u>\$94.34</u> \$66.11	<u>\$103.77</u> \$70.74	<u>\$114.15</u> \$75.69	<u>\$125.57</u> \$77.96

Rates for water sold or furnished to customers for use outside the City limits shall be one hundred ten percent (110%) the rates for water sold or furnished for use inside the City.

B. Special Rates:

Special rates for customers who are not included in existing customer classifications and have usage characteristics different from other customers may be negotiated between the City and customer, without requiring an amendment to the City Code.

C. Special Rates: If the initial bill of any new consumer or the final bill of any consumer shall show usage of less than one thousand (1,000) gallons for the initial or final billing period, the consumer shall be billed for the initial or final billing period at the prorated amount based on existing rates for each one hundred (100) gallons or fraction thereof.

Because fire hydrants are not designed to sustain continuous use and because such hydrants are part of the emergency fire protection system of the City, regular use of fire hydrants for water supply is discouraged. When an applicant for water to be delivered from a hydrant can show hardship if forced to obtain water from another source, and the request has been approved in writing by the City's ~~Utilities~~ **WATER SERVICES** Director, the Division may install a meter on a fire hydrant for the use of such applicant, following payment of the required fee for such installation and use. The applicant shall be and remain responsible for payment to the City for all water used through such hydrant meter, and for the purpose of protecting **THEM** himself may place a lock upon said meter.

The fee for installation and use of such hydrant meter shall be ~~\$356.00~~ 440.00. The rate of water delivered through a hydrant meter shall be at existing standpipe rate. In addition, a ~~seven hundred dollar (\$700.00) deposit will~~ **MAY** be required to assure repair work on the meters and **ASSOCIATED PARTS** hydrants if needed. **THE DEPOSIT FOR A THREE QUARTER (3/4) INCH METER IS TWELVE HUNDRED AND FORTY-FIVE DOLLARS (\$1245.00) AND THE DEPOSIT FOR A THREE (3) INCH METER IS THREE THOUSAND SEVEN HUNDRED AND EIGHTY DOLLARS (\$3780.00). EXCEPTIONS TO THE DEPOSIT WILL BE DETERMINED BY THE CUSTOMER SERVICE DIRECTOR.** ~~An additional three hundred dollar (\$300.00) will be required when a backflow prevention device is necessary.~~ The deposits will be refunded if there is no damage sustained when the meter and/or backflow device is returned to the City.

D. Automatic Rate Adjustments. The City agrees to adopt a rate schedule which provides for automatic adjustments to pass along increases in energy related operating costs for delivering water service based on the current electrical and gas tariff rates on file with the Arizona Corporation Commission. Automatic adjustments to the energy surcharge shall be calculated on an annual basis using the past **TWELVE (12)** months rolling average of water related energy charges.

1. Energy Cost Adjustment. City reserves the right to automatically pass along future increases in electrical and natural gas energy related charges imposed on City by another agency. These automatic adjustments may be made whenever the other agency: (1) increases the standard cost of energy beyond the current energy cost assumed by City in the proposed rate structure described in this section.
2. Adjustments shall begin on January 1 of each calendar year and continue through the end of year.

7-03-001-0011 WATER MAIN CAPACITY CHARGES

The water main capacity charges for all new service connections to be charged by the ~~Finance~~ **CUSTOMER SERVICE** Section is presented in the following schedule:

- A. A capacity charge, as prescribed below, shall be assessed upon:
1. Initial connection to the municipal water system; or

2. Any increase in meter size.

B. The capacity charges for the various types of users are as follows:

SCHEDULE FOR CAPACITY CHARGES

Meter Size	Capacity Charge		<u>MAXIMUM FLOW RATE (GPM)</u>
	<u>Effective 7/1/16</u> <u>09/01/2024</u>		
5/8" x 3/4"	<u>\$8,146</u>	\$5,728	<u>30</u>
1"	<u>\$13,604</u>	\$9,566	<u>50</u>
1-1/2"	<u>\$27,126</u>	\$19,074	<u>100</u>
2"	<u>\$43,418</u>	\$30,530	<u>160</u>
3"	<u>\$81,456</u>	\$57,279	<u>350</u>
4"	<u>\$84,459</u>	\$95,484	<u>500</u>
6"	<u>\$271,500</u>	\$190,910	<u>1,000</u>
8"	<u>\$434,417</u>	\$305,468	<u>1,600</u>
10"	<u>\$624,541</u>	\$439,157	<u>4,200</u>

Meters will be sized using the American Water Works Association Manual, AWWA No. M22. Sizing will be submitted to the City WATER SERVICES DIVISION Utilities Department by the developer or owner for City review.

WHEN THE FEE SCHEDULE REFERENCES "CALL", All capacity charges ARE BASED ON for connections larger than four inches (4") shall be based on a proration of midrange MAXIMUM flow gallons per minute (gpm) of a 5/8 x 3/4 inch meter divided into the midrange MAXIMUM flow of the meter to be evaluated. The resulting number shall be used as a multiplier times the capacity fee for a 5/8 x 3/4 inch meter to determine the large meter capacity fee. Meters will be sized using American Water Works Association Manual, AWWA No. M22. Sizing will be submitted to the City by the developer or owner for City review.

Where the capacity charge is based on volume, said charge will initially be calculated based on an estimate of flowage agreed upon by the City and the customer and will be adjusted based upon the volume of the highest consecutive twelve (12) month period for the thirty-six (36)

~~months immediately following commencement of service or assessment of an additional capacity charge.~~

When the capacity charge results from an increase in meter size the charge shall be adjusted to the difference between the charge for the new size meter and the ~~charge for the previous size meter~~ BASED ON THE CURRENT CAPACITY FEES. NO REFUND SHALL BE MADE IN THE CASE OF REDUCED VOLUME OF DISCHARGE FROM A CHANGE OF USE.

~~C. The Division shall review all customer accounts with meters larger than four inches (4") on an annual basis and assess an additional capacity charge when the annual average demand increases by twenty percent (20%) or more. The additional capacity charge will be calculated using the recommended meter size by AWWA Manual No. M22 or equating to equivalent 5/8 x 3/4 inch meters but substituting for demand the difference between actual current demand, as determined by the previous twelve (12) month average, and the demand used to calculate the previous capacity charge assessed upon the customer.~~

C. CAPACITY FEE INSTALLMENT PAYMENTS. CAPACITY FEES MAY BE PAID FOR BY INSTALLMENT PAYMENTS IN ACCORDANCE WITH THE FOLLOWING CONDITIONS:

1. A CAPACITY FEE THAT TOTALS AN AMOUNT GREATER THAN ONE HUNDRED THOUSAND DOLLARS (\$100,000) MAY BE PAID AS FOLLOWS:

A. NO LESS THAN ONE-THIRD (1/3) OF THE TOTAL CAPACITY FEE DUE IS TO BE PAID UPON RECEIPT OF THE APPLICATION FOR CONNECTION TO THE WATER SYSTEM.

B. THE BALANCE DUE OF THE CAPACITY FEE IS TO BE PAID IN EQUAL MONTHLY INSTALLMENTS OVER NO MORE THAN THIRTY-SIX (36) MONTHS TO INCLUDE AN INTEREST RATE CALCULATED TO BE THE PRIME RATE + 1/2% AT THE TIME OF THE APPLICATION.

C. THE CUSTOMER MAY BE REQUIRED TO SECURE THE BALANCE DUE TO THE CITY BY A LETTER OF CREDIT DRAWN IN FAVOR OF THE CITY, OR IN ANY OTHER FORM OF SECURITY SATISFACTORY TO THE CITY MANAGER, CITY ATTORNEY AND MANAGEMENT SERVICES DIRECTOR.

7-03-001-0012 WATER REVENUE FUND

There is hereby created a fund to be known and kept as the "water fund". Said fund shall be applied exclusively to the payment of the expense of operating, maintaining and keeping in repair the said water system, the payment of interest of any bonds issued for the purpose of construction of waterworks, and the establishment and continuance of a sinking fund.

7-03-001-0013 CITY WATER MAIN EXTENSION POLICY

A. Definitions: For the purpose of this Section, the following words and phrases shall have the meanings respectively ascribed to them herein, unless the text clearly indicates otherwise.

DEVELOPER AND OWNER: Any person or persons engaged in the requesting and financing of a water main extension beyond the present City water mains to one or more parcels of land.

The term includes subdividers, industrial developers, private property owners and companies, who improve platted or unplatted property.

CITY: The word "City" shall mean the City of Flagstaff in the County of Coconino, State of Arizona, except as otherwise indicated.

MAIN: Any water line which constitutes or will constitute part of the City water system.

B. Size of Water Main Extensions: No water main will be installed with less than the minimum pipe size dictated by good engineering practice, and adopted standards set forth in the Uniform Building Code (current adopted edition), Uniform Fire Code (current adopted edition), General Construction Standards and Specifications of the City, current subdivision regulations, or the general land use plan currently adopted.¹ In no case shall any water main be of a size less than six inches (6") for residential areas and eight inches (8") for commercial and industrial areas.

1. Section 8-10-001-0001; Title 8 of the City Code, respectively

C. Replacement or Repair: All persons or other entities who create, cause to be built or build any such extensions of any services as contemplated herein, shall also pay for any and all such replacements as becomes necessary as a direct or indirect result of the creation, building or construction of such extensions. For example, repairs or replacement of sidewalks, paving or other utilities damaged or disturbed during the building of water line extensions.

D. Agreement Between City and Developer-Owner: Before the extension of any water main shall be made to serve a subdivision, platted or unplatted property, or any existing main tapped to provide service for any individual or unplatted property, the developer-owner desiring such service shall execute an agreement with the City which shall include in the following:

1. A warrant of workmanship QUALITY and material for mains and facilities installed which shall run to the benefit of the City for a period of at least one year, from the date of acceptance by the City.
2. A diagram of all property which may be served by any main and appurtenances upon completion and acceptance of the work by the City.
3. A statement that the City acquires ownership of any main and appurtenances upon completion and acceptance of the work by the City.
4. A statement of the developer-owner's proportionate share of the cost for previously installed mains, if any reimbursement agreements are in existence concerning the line.

E. Costs of Extension: The developer causing an extension of water mains shall pay in full for the rights of way and easements, the purchase, construction and installation of the lines, pipes, mains, fire hydrants and all other extension costs. However, the City reserves the right to increase the diameter of the main extension if it is deemed advisable, but under the condition that the laid cost of the main extension of the larger diameter pipe to the developer will not exceed the laid cost of the same extension of a size necessary to serve solely the proposed development.

F. Penalty: Any person who excavates or causes an excavation to be made for the purpose of laying any water lines or pipes in the public streets, alleyways or other property of the City

without first complying with the provisions hereof, shall be subject to a fine of not less than two hundred dollars (\$200.00) nor more than three hundred dollars (\$300.00). A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

7-03-001-0014 WATER CONSERVATION

A. Definitions:

1. **Commercial Provision:** An agreement between the WATER SERVICES Utilities Division and a commercial customer where compliance with the Strategy Level may cause unreasonable economic hardship. A Commercial Provision may be applied for by a business that requires a water use for its day-to-day business operation to succeed. There is no fee associated with obtaining a Commercial Provision. Commercial Provisions shall not be considered for aesthetic landscaping purposes. Examples of businesses that may request a Commercial Provision include, but are not limited to, landscapers and nurseries. A request for a Commercial Provision shall be made in writing to the WATER SERVICES Utilities-Director and shall include the nature of the business, the anticipated water usage per day, and what steps are being taken to conserve water at the business location. Approval and denial commercial provision letters shall be copied to the City Manager and City Council for informational purposes.
2. **Emergency Authority:** Authority to make operational adjustments and/or changes to the potable water and reclaimed water system for the purpose of protecting the system from damage, maintaining water supply, or restoring the system to operation after a system failure. This includes authority to mix potable water with reclaimed water for the purpose of protecting the system from imminent system damage.
3. **Even-numbered address:** Any street address ending in; zero (0), two (2), four (4), six (6), or eight (8).
4. **Irrigate:** To supply land or crops with water by means of pipes or hoses.
5. **Odd-numbered address:** Any street address ending in; one (1), three (3), five (5), seven (7), or nine (9).
6. **Potable Water:** Water that is safe and satisfactory for drinking and cooking.¹
7. **Reclaimed Water:** Water that has been treated or processed by a wastewater treatment plant or an on-site treatment facility. (ARS 49-201.31)
8. **Resource Status I:** When water demand is equal to or less than safe production capability.
9. **Resource Status II:** When water demand exceeds safe production capability for five (5) consecutive days.
10. **Resource Status III:** When water demand exceeds total production capability and the amount of water in storage may impair fire protection for the City.
11. **Safe Production Capability:** 90% of total water resources available measured in million gallons per day (MGD), based on potable water production and distribution components.

12. Special Provision: An agreement between the WATER SERVICES Utilities-Division and a large-volume irrigator allowing special hours of irrigation due to public access concerns or hydraulic constraints.

13. Surcharge: To charge an additional fee, cost, or levy.

14. Total Production Capability: The total water resources available measured in million gallons per day (MGD), based on potable water production and distribution components.

15. Unreasonable Economic Hardship: A hardship where a business' ability to operate using normally accepted practices is adversely affected by the water restriction.

16. Water Availability Strategy: An effort initiated to ensure the availability of adequate water resources for the future, and in times of emergency.

17. Wasting Water: To use or expend water thoughtlessly or carelessly. Examples include, but are not limited to, allowing water to run into the street/gutter, allowing water to pool, irrigating during precipitation events, and failing to repair water leaks. The determination of Wasting Water shall be made by a representative of the City of Flagstaff.

¹ Symons, James M. et al., The Drinking Water Dictionary (American Water Works Association, 2001), P. 333.

B. The City Manager, upon the recommendation of the WATER SERVICES Utilities-Director, after notification to the City Council is hereby authorized to declare and suspend Water Availability Strategies and elements of Strategies. The Strategies may be initiated and suspended based upon Resource Status Levels, or other pertinent information, which evaluate the relationship between water demand and municipal safe production capability.

C. The WATER SERVICES Utilities-Division has emergency authority to take operational measures deemed necessary to protect the potable and reclaimed water systems.

D. Augmentation of the reclaimed water system with potable water except as referenced in Paragraph C shall require prior approval of the City Manager, upon the recommendation of the WATER SERVICES Utilities-Director and after notification to the City Council.

E. The following Water Availability Strategies shall govern the use of City water by any user of the City potable water system, as prescribed below:

1. Strategy I: Water Awareness (may implement with Resource Status I). Conserve water, in and outside of the home, using the best practices available to minimize waste. Water users are specifically encouraged to landscape with plant materials requiring little or no supplemental irrigation water. The following uses are restricted or prohibited.

No person shall:

a. Irrigate between the hours of 9 AM and 5 PM. Even-numbered street addresses shall irrigate Wednesday, Friday, and Sunday. Odd-numbered street addresses shall irrigate Tuesday, Thursday, and Saturday. No irrigation shall be allowed on Monday. Daily hand watering with a hose or watering can is allowed. Strategy I irrigation hours

shall apply to hand watering. Water use for maintenance of irrigation systems is permitted during all times of the day.

- b. Use water from a fire hydrant unless for public health or safety, or with the authorization of the WATER SERVICES ~~Utilities~~-Division.
- c. Waste water, as defined in section A.
- d. Irrigate golf courses with potable water.

New landscape permits. Daily irrigation of new landscape may be allowed for elective landscaping and will be allowed for required landscaping by obtaining a permit from the Water Conservation Office. The permit shall be good for a maximum of thirty (30) days. The fee for the permit shall be ten dollars (\$10) to cover administration and printing, and shall be adjusted to cover changing costs. The permit shall be obtained prior to landscape installation and prominently posted at the irrigation site. The determination of provision of an elective landscaping permit shall be made by a representative of the WATER SERVICES ~~Utilities~~-Division and may be appealed by the applicant to the Flagstaff Water Commission if thought to be unreasonably denied. The decision of the Water Commission shall be final. Strategy I irrigation hours shall apply to irrigation permits.

2. Strategy II: Water Emergency (may implement with Resource Status II). In addition to the requirements of Strategy I, the following uses are restricted or prohibited.

No person shall:

- a. Irrigate or wash vehicles, except as provided. Even-numbered street addresses are restricted to said uses on Wednesday, Friday, and Sunday. Odd-numbered street addresses are restricted to said uses on Tuesday, Thursday, and Saturday. No outdoor watering activity shall be allowed between the hours of 9 AM and 5 PM. Vehicle washing for public health and safety shall be exempt. This restriction shall not apply to commercial car washes.
- b. Wash paved areas such as drives, sidewalks and tennis courts, or buildings, except for health or safety. Restriction shall not apply to commercial high pressure water blasting for maintenance or construction purposes during strategy II. The use of Reclaimed Water for said uses shall not be restricted.
- c. Use potable water for filling ornamental fountains, artificial ponds or streams.
- d. Fill recreational swimming pools, spas, or wading pools holding more than one hundred (100) gallons.
- e. Use potable water for major construction activity, such as dust control, soil compaction, or street cleaning. Major construction activity shall be considered that activity requiring the use of a hydrant meter for the dispensing of potable water or obtaining the water from City of Flagstaff standpipes.

Single-Family Residential, and all lawn meter rates shall increase to one hundred fifty percent (150%) of the established rate for any water consumption between six thousand two hundred one (6,201) and eleven thousand five hundred (11,500) gallons. Rates shall increase to two

hundred percent (200%) of the established rate for any water consumption greater than eleven thousand five hundred one (11,501) gallons per billing cycle. Rate increases shall take effect with the billing cycle(s) following the implementation of Strategy II.

Multi-family, Commercial, Industrial, and Institutional water rates shall increase to 120% of the established rate. The rate increase shall take effect with the billing cycle(s) following the implementation of Strategy II.

Potable water standpipe rates shall increase to one hundred thirty percent (130%) of the established rate. The rate increase shall take effect upon implementation of Strategy II. Standpipe water shall be limited to uses within a twenty-five (25) mile radius of City Hall. Standpipe water shall not be used for major construction activity, dust control, irrigation of decorative landscaping and/or turf.

No new elective or required landscaping permits shall be issued. Landscaping not installed and required by the City of Flagstaff to meet the Land Development Code will not delay a Certificate of Occupancy to be issued providing its installation is delayed as a result of a suspension of new landscaping permits and a surety is provided acceptable to the Community Development Division.

Upon suspension of Strategy II, rates shall return to their respective level with the billing cycle(s) following the date of the suspension, or in the case of standpipe rates, upon suspension.

3. Strategy III. Water Crises (may implement with Resource Status III). In addition to the requirements of Strategy I and Strategy II, the following uses are restricted or prohibited.

No person shall:

- a. Use any potable water for outside use.
- b. Use fire hydrants, unless for public health, safety, and welfare by authorized government agencies only.
- c. Waste water intentionally or unintentionally. Specifically applies to all residential, commercial, industrial, and institutional use.
- d. Use potable water in violation of any other restriction deemed necessary by the City Council for the purpose of protecting the welfare of the citizens of Flagstaff.

No new Special or Commercial provisions shall be allowed unless approved by the Flagstaff City Council or the Water Commission.

D. Surcharges/Appeals:

1. A Surcharge of \$25.00 shall be assessed to the account of record for a violation of Strategy I.
2. A Surcharge of \$50.00 shall be assessed to the account of record for a violation of Strategy II.

3. A Surcharge of \$100.00 shall be assessed to the account of record for a violation of Strategy III.
4. Surcharges shall double for every repeat violation. Each succeeding Surcharge under the prevailing strategy level may be twice the previous Surcharge assessed for the previous violation.
5. A commercial water hauler determined to be violating the standpipe restrictions shall pay a surcharge equal to that for the appropriate Strategy Level prior to the receipt of additional water.
6. The assessment of the Surcharge may be informally appealed, in writing, within fourteen (14) calendar days of the notice of the Surcharge assessment. The written appeal shall be received by the City of Flagstaff WATER SERVICES ~~Utilities~~-Division within said fourteen (14) day time limit or the right to such appeal shall be permanently waived. Address all Surcharge-related correspondence to:

City of Flagstaff WATER SERVICES ~~Utilities~~-Division
Water Conservation Program Manager

2323 N WALGREENS ST, SUITE 1 ~~211 West Aspen Avenue~~
Flagstaff, AZ 86004 ~~86001~~

7-03-001-0015 CROSS CONNECTION CONTROL

A. Definitions.

Approved: The term "approved" as herein used in reference to a water supply shall mean a water supply that has been approved by the Arizona Department of Environmental Quality (ADEQ) and the City of Flagstaff.

The term "approved" as herein used in reference to backflow prevention assemblies or methods shall mean an approval by the City of Flagstaff, WATER SERVICES ~~Utilities~~-Division based on a favorable laboratory and field evaluation report by a testing laboratory recognized by the Division.

Assembly: Any system for backflow protection consisting of more than one component and having been tested as one unit, and approved as one unit by the Division.

AWWA: American Water Works Association.

Backflow: The undesirable reversal of flow of water or mixtures of water and other liquids, gases, or other substances into the distribution pipes of the potable water supply from any source or sources. Backflow is caused by either backpressure or backsiphonage.

Backflow prevention assembly approval: Any backflow prevention assembly equipped with test cocks shall have been issued a certificate of approval by the USC Foundation for Cross-Connection Control and Hydraulic Research. Any backflow prevention assembly not equipped with test cocks shall be certified by a third-party entity unrelated to the product's manufacturer or vendor and approved by the Arizona Department Of Environmental Quality (ADEQ). A backflow

prevention assembly not listed by USC-FCCCHR cannot be used for containment, fire line or landscape protection.

Backflow prevention method: A backflow prevention method may be approved by the City of Flagstaff if it is contained in the most current edition of the USC-FCCCHR Manual of Cross-Connection Control.

Backflow Prevention Assembly Tester (registered): A person who is currently certified by an authority recognized in the Arizona Department of Environmental Quality regulations and is approved and registered with the City of Flagstaff to test, repair, and maintain backflow prevention assemblies.

Backpressure: Any Elevation of pressure in the customer's water distribution system (by pump, elevation of piping, or steam and/or air pressure) above the public potable water supply pressure which could cause a reversal of the normal direction of water flow from the consumer's water supply system into the public potable water supply system.

Backsiphonage: A form of backflow due to a reduction in the public water supply system pressure which causes a negative or sub-atmospheric pressure to exist at a site in the water system. A reversal in the normal flow of water results.

Check Valve – A valve that allows free flow in one direction and stops flow in the other direction.

Close as practicable: Is the point nearest the service connection where the assembly can be installed. Where the assembly installation location may interfere with obstacles such as driveways and sidewalks, then close as practicable is the nearest point after the obstacle, but in no event beyond the first tap.

Compliance date: The annual date by which the annual backflow prevention assembly compliance test report must be received by the City of Flagstaff Cross Connection Control office.

Consumer or Customer: The owner, official custodian or person in control of any premises or any property supplied by or in any manner connected to the City of Flagstaff public water supply system.

Contamination: An impairment of the quality of the water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids, waste, etc.

Cross-Connection: Any unprotected actual or potential connection or structural arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied. By-pass arrangements, jumper connections, removable sections, swivel or change-over devices and other temporary or permanent devices through which or because of which "backflow" can or may occur are considered to be cross-connections.

Division: The City of Flagstaff, Water Services Division.

Hazard: A cross connection or potential cross connection between the public water supply and a private plumbing system involving any substance that could, if introduced into the public water supplies, be aesthetically objectionable or a nuisance (pollution), cause severe damage to the physical facilities of the public water supply systems, cause death, illness, or spread disease (contamination), or have a high probability of causing such effects.

Hazard, Degree of: Evaluation of the potential risk to the public health and/or adverse effects upon the potable water supply system. Health hazards shall be classified as contamination while non-health hazards shall be classified as pollution.

Health Hazard: Any condition, device or practice in a water system or its operation resulting from a real or potential danger to the health and well-being of consumers. The word "severe" as used to qualify "health hazard" means a hazard to the health of the user that could be expected to result in death or significant reduction in the quality of life.

Improper: Not functioning within the manufacturer's or City of Flagstaff's specifications or the requirements of this section.

Inspection: A visual examination of a premise or any backflow protection equipment, materials, workmanship QUALITY OF WORK and operational performance.

Maintenance: Work performed or repairs made to keep backflow prevention assemblies operable and in compliance.

O.S. & Y. Valve: Outside screw and yoke control valve for fire sprinkler systems.

Pollution: An impairment of the quality of the water to a degree which does not create a hazard to the public health but which does adversely and unreasonably affect the aesthetic qualities of such waters for domestic use.

Proper: Functioning within the parameters of the manufacturer's and City of Flagstaff's specifications and the requirements of this article.

Public water supply system: All mains, pipes and structures owned and/or maintained by the City of Flagstaff, through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plant reservoirs, storage tanks and appurtenances, collectively or separate, actually used or intended for use for the purpose of furnishing potable water.

Reclaimed water: Wastewater that has been sufficiently treated by the City of Flagstaff's water reclamation plants for approved use, and is provided through the City of Flagstaff's reclaimed water system.

Retrofit: Furnish new parts, equipment, or method of installation, any existing assembly that does not meet the requirements of this ordinance in such a way that will bring the assembly into compliance with this Ordinance.

Service Connection: The terminal end of a water tap from the public potable water system, (i.e. where the water purveyor may lose jurisdiction and sanitary control over the water at its point of delivery to the consumer's water system). If a city-owned meter is installed at the end of the service connection, then the service connection shall mean the discharge end of the meter.

Service Protection: The acceptable backflow prevention method installed between a City of Flagstaff's water meter and a customer's private plumbing system.

Testing: An authorized procedure to determine the operational and functional status of a backflow prevention assembly.

B. Purpose and Application.

1. To protect the public water supplies of the City of Flagstaff from the possibility of contamination or pollution by preventing the backflow of contaminants and pollutants into the public water supply systems.
2. To promote the elimination or control of cross-connections, actual or potential, between a customer's internal water systems, plumbing fixtures, industrial piping systems, and the public water supply.
3. To provide for a continuing program of cross-connection control which will prevent the contamination or pollution of the public water supply systems.
4. To implement the requirements of the most current AAC pertaining to the cross-connection control program requiring public water systems to protect against backflow, and to this end, this chapter shall be construed and applied consistently with the requirements of the most current AAC.

C. General Requirements.

1. Cross-connections prohibited. Connections between the public water supply system and other systems or equipment containing water or other substances of unknown or questionable quality are prohibited except when and where approved backflow prevention assemblies or methods are installed or implemented, tested and maintained to Division specifications to insure proper operation on a continuing basis.
2. Rights and Responsibilities of the Division. It shall be the right and responsibility of the Division to evaluate and investigate as deemed necessary, industrial and commercial properties served by the public water supply to determine whether actual or potential hazards to the public water supply exist. Such evaluations and investigations shall be repeated as often as the Division deems necessary.

It shall also be the right and responsibility of the Division to require the installation and annual testing of backflow prevention assemblies at any premises or property where such potential or actual hazards are found to exist.

3. Responsibility of the Consumer. The consumer, as defined by Section 7-03-001-0015(A), shall be responsible and financially obligated for the protection of the public water supply system from the possibility of contamination or pollution due to backflow or backsiphonage of contaminants through the customer's water service connection into the public potable water system.
4. Existing Facilities.

a. All presently installed backflow prevention assemblies, devices, or methods which do not meet the requirements of the Division and/or applicable state or federal regulations but were approved for the purposes described herein at the time of installation shall be evaluated for their ability to efficiently and satisfactorily protect the public water system from potential or existing cross connections with the private water supply. If, upon such evaluation, the Division determines that an existing device, method or assembly does not meet existing requirements, the customer shall at their own expense, upon due written notice and within the prescribed time indicated on the notice; retrofit, replace or modify the installation of such to meet current standards or show just cause for noncompliance.

b. Whenever an existing device, method or assembly is removed or moved from the present location, requires more than minimum maintenance, or when the Division finds that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of these regulations.

c. If an existing facility undergoes construction for improvements or change of use, the installed backflow assemblies will be evaluated for hazard. If it is found the current backflow assembly(ies) is inadequate protection, the customer will be required to replace with a device suited for the hazard.

5. New Facilities.

a. New facilities shall present their plans for review by an authorized representative of the Division for determination of cross-connection hazards.

b. All backflow prevention assemblies to be installed shall be shown on all required building and engineering plans. No installation of assemblies shall be made unless these plans are reviewed and approved by an authorized representative of the Division.

c. During construction of new facilities, water shall not be used for construction purposes until the containment backflow assembly has been tested.

d. All assemblies shall be inspected by an authorized representative of the Division upon installation and the consumer shall provide written verification that the assembly has been successfully tested as described in subsection (K) of this section, prior to issuance of certification of occupancy. Water service may be withheld if the assembly is not installed and tested in accordance with this chapter and Division requirements.

6. Adoption of Public Record. The most current edition of the USC-FCCCHR Manual of Cross-Connection Control.

D. List of Backflow Prevention Methods. A backflow prevention method shall be any assembly or other means designed to prevent backflow. The following are the recognized backflow prevention methods which the City of Flagstaff may require (in order of degree of protection):

1. Air Gap (AG): The unobstructed vertical distance through the free atmosphere between the opening of the pipe or faucet supplying potable water to a tank, plumbing fixture or other device. An approved air gap shall be at least double the effective opening of the supply pipe or faucet and in no case less than one (1) inch above the flood rim.

2. Reduced Pressure Principle Assembly (RPA or RP): An assembly containing two (2) independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves, and at the same time, below the first check valve. The assembly shall include properly located test cocks and tightly closing shutoff valves located at each end of the assembly.
3. Reduced Pressure Principle Detector Assembly (RPDA): An assembly composed of a line sized approved reduced pressure principle assembly with a bypass containing a specific water meter and an approved reduced pressure principle assembly.
4. Double Check Valve Assembly (DCVA or DC): An assembly composed of two (2) independently acting, approved check valves, including tightly closing shutoff valves located at each end of the assembly and fitted with properly located test cocks.
5. Double Check Detector Assembly (DCDA OR DDCVA): An assembly composed of a line size approved double check valve assembly with a bypass containing a specific water meter and an approved double check valve assembly.
6. Pressure Vacuum Breaker Assembly (PVB): 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 shall be equipped with properly located test cocks and tightly closing shutoff valves located at each end of the assembly.
7. Spill-Resistant Pressure Vacuum Breaker (SVB): An assembly containing an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly shall be equipped with a properly located resilient seated test cock, properly located bleed/vent valve and tightly closing resilient seated shutoff valves located at each end of the assembly.
8. Repealed by Ord. 2021-09.
9. Repealed by Ord. 2021-09.

E. Backflow Prevention Methods Required.

1. The following conditions shall warrant the installation of an approved backflow prevention assembly:
 - a. When the City of Flagstaff determines that the water supplied by the public water systems may be subject to contamination or pollution, an approved backflow prevention method shall be required at every service connection to a customer's water system. The customer shall install the required backflow protection within the time specified by the City of Flagstaff. In determining the time in which backflow protection shall be installed, the City of Flagstaff shall consider the degree of hazard potential to the public water supplies.
 - b. The backflow prevention method required shall be determined by the City of Flagstaff. The method required by the City of Flagstaff shall be sufficient to protect against the hazard potential as stated in the most current edition of the University of

Southern California Foundation for Cross-Connection Control and Hydraulic Research (USC-FCCCHR) Manual of Cross-Connection Control.

- c. Premises with internal cross-connections which the division determines to be noncorrectable, or premises with plumbing systems so intricate that a cross-connection inspection is impossible or impractical.
- d. Premises with security restrictions or other access prohibitions which make cross-connection inspections impossible or impractical.
- e. Premises with an existing unprotected cross-connection or with a history of cross-connection violations.

2. Whenever the following items exist or activities are conducted on premises served by the public water systems, a potential hazard to the public water supplies shall be presumed, and a backflow prevention method of the type specified herein for that item or activity must be utilized or installed at each service connection for that premises. If an activity or item is not on the following list, it shall be evaluated by the City of Flagstaff and a method of backflow prevention will be determined.

- a. Cooling tower, boiler, condenser, chiller, and other cooling systems: RP.
- b. Tank, vessel, receptacle, and all other water connections, including mobile units, except emergency vehicles and private swimming pools: RP.
- c. Ice maker (other than a residential service): RP.
- d. Water-cooled equipment, boosters, pumps or autoclaves: RP.
- e. Water treatment facilities and all water processing equipment (other than residential water softeners): RP.
- f. Bottle washer, bedpan washer, garbage can washer: RP.
- g. Pesticide, herbicide, fertilizer, and chemical applicators (other than typical in-home use): RP.
- h. Aspirator: RP.
- i. Commercial dishwashers, food processing and/or preparation equipment, carbonation equipment or other food service processes: RP.
- j. Decorative fountain, baptismal, nonresidential swimming pool or spa, or any location water is exposed to atmosphere: RP.
- k. X-ray equipment, plating equipment, or any other photographic processing equipment: RP.
- l. Auxiliary water supply and/or connections to unapproved water supply systems: RP.

- m. Reclaimed water sites with potable water connections: RP on the potable meter, AG between feed line from supplemental domestic water supply to a holding tank to reclaim water lines.
- n. Recreational vehicle dump stations (sewer), or any other location where water may be exposed to bacteria, virus or gas: RP.
- o. Any premises on which chemicals, oils, solvents, pesticides, disinfectants, cleaning agents, acids or other pollutants and/or contaminants are handled in a manner by which they may come in direct contact with water, or there is evidence of the potential to contact water: RP.
- p. Materials and piping systems unapproved by the currently adopted City of Flagstaff Plumbing Code or Environmental Protection Agency (EPA) for potable water usage: RP.
- q. Separately metered or unprotected irrigation systems, and construction water services: RP or PVB/SVB as allowed.
- r. Any premises where a cross-connection is maintained or where internal backflow protection is required pursuant to the City of Flagstaff adopted plumbing code: RP.
- s. Multimetered properties with more than one (1) meter connected to another or any building three (3) stories or greater than thirty-four (34) feet in height from service level: RP.
- t. Fire systems – AWWA Classes 1 and 2 and all systems constructed of a piping material not approved for potable water pursuant to the City of Flagstaff Plumbing Code: DCVA (DC) or Double Detector CVA (DCDVA): DC residential fire sprinklers shall be exempt from this requirement.
- u. Fire systems – AWWA Class 3, 4, 5, 6: RP or RP with detector.
- v. Fire systems which require backflow protection and where backflow protection is required on the industrial/domestic service connection that is located on the same premises, both service connections will have adequate backflow protection for the highest degree of hazard affecting either system: RP.
- w. Any premises which has a source of water supply that is not accepted by the public water system or not approved by the Arizona Department of Environmental Quality: RP or AG as determined by the City of Flagstaff.
- x. Any premises where an unprotected cross-connection exists or where there has previously occurred a cross-connection problem within the premises: AG or RP as determined by the City of Flagstaff.
- y. Any premises where there is a significant possibility that a cross-connection problem will occur and entry onto the premises is restricted to the extent that cross-connection inspections cannot be made with sufficient frequency or on sufficiently short notice to assure that unprotected cross-connections do not exist: RP or AG as determined by the City of Flagstaff.

- z. Multi-use commercial property: RP.
- aa. Properties with active private wells: RP.
- bb. Consecutive systems, when required by the City of Flagstaff: RP.
- cc. Fire hydrant/construction water: RP.
- dd. Jumper connection to new water mains: RP.
- ee. Post mix soda machine with a carbonator: ASSE 1022.
- ff. Shampoo sink: RP.
- gg. Brewery, distillery, meadery, or alcohol making process: RP OR AG.
- hh. Hospitals and medical offices: RP.

F. Installation Requirements.

1. The Division shall use the most current edition of the USC-FCCCHR Manual of Cross-Connection Control for list of approved assemblies.
2. Backflow prevention assemblies shall have a diameter at least equal to the diameter of the service connection.
3. Backflow prevention assemblies shall be installed and maintained by the customer, at the customer's expense and in compliance with the standards and specifications adopted by the City of Flagstaff at each service connection. The customer is responsible for notifying the City of Flagstaff Industrial Pretreatment Section of any installation, repair, relocation, removal, or replacement.
4. The approved assembly shall be installed above ground, as close as practicable, to the service connection before the first branch line leading off the service line, and in a hot box with electricity for heat. The heated enclosure must be ASSE 1060 certified or similar. The electrical for the heat must be installed in accordance with City-approved building code and City Engineer standard drawing 19-02-025. Assemblies shall be installed per manufacturer's specifications with adequate clearances for testing and maintenance, and not installed in a meter box, pit or vault.
 - a. Where containment at the property line cannot be achieved or is waived based on extenuating circumstances, installation within a building can be completed, provided a City of Flagstaff Attorney-approved "Backflow Prevention Assembly Hold Harmless Agreement" is signed by the property owner and notarized. This document must be received and approved by the City of Flagstaff Industrial Pretreatment Supervisor prior to the installation of the backflow prevention assembly. The interior installation of a backflow assembly must be done as close as practicable to the incoming water line.

- b. Internal installations shall have clearance on all sides and ends for testing and maintenance. RP and DC assemblies must have twelve (12) inch bottom clearance from lowest point on the assembly (i.e., relief valve on RP style).
5. When a customer requires a continuous water supply, two (2) backflow prevention assemblies shall be installed parallel to one another at the service connection to allow a continuous water supply during testing, repair and/or maintenance of the backflow prevention assemblies. When backflow prevention assemblies are installed parallel to one another, the sum of the cross-sectional diameters of the assemblies shall be at least equal to the cross-sectional diameter of the service connection or service line piping at the point of installation and the assemblies shall be of the same type.
6. For an AG installation all piping installed between the user's connection and the receiving tank shall be entirely visible unless otherwise approved in writing by the City of Flagstaff Industrial Pretreatment Section.
7. Any property with more than one (1) water service connection shall install backflow prevention assemblies on each service connection to the property, unless otherwise designated by the Division.
8. Fiberglass insulation cannot be wrapped or otherwise placed around a backflow prevention assembly as a form of freeze protection as it allows condensation to occur and subsequent degradation of the backflow prevention assembly. There must be adequate air flow around the backflow prevention assembly to prevent the formation of condensation on the assembly or for a purge event by a RP relief valve.
9. All test cocks and relief ports on a backflow prevention assembly must be accessible for testing and for release of water from the relief port during a discharge event.
10. PVB, AVB, or RP backflow assemblies are approved for irrigation systems. Valves shall not be installed downstream from an AVB. If chemicals will be used, a RP assembly is required.
11. If a customer fails to install a backflow prevention assembly pursuant to this chapter, the City of Flagstaff shall discontinue water service and assess a compliance fee pursuant to this chapter.
12. If, in the judgment of the Division, an approved backflow prevention assembly is necessary for the protection of the public water system, the Division shall give notice to the consumer to install such. The consumer, after due written notice and within the prescribed time indicated on the notice, shall install such approved assembly(ies) at their own expense. Installation of such assembly(ies) shall be in accordance with the manufacturer's instructions, and the Division's installation requirements. Installation of the backflow prevention assembly must be completed within the time specified in the notice to install or within forty-five (45) days of the water meter installation. A time extension may be granted by the City of Flagstaff provided no cross-connection hazards exist at the site.
13. A backflow prevention assembly for containment or landscape may need to have a pressure reducing valve upstream of it if the water line pressure is higher than eighty (80) psi. This does not apply to fire lines.

G. Installation of Backflow Prevention Assemblies for Fire Systems.

1. Fire protection systems may consist of sprinklers, hose connections, and hydrants for commercial, industrial or residential structures and services. Sprinkler systems may be dry or wet, open or closed. Systems consisting of fixed-spray nozzles may be used indoors or outdoors for protection of flammable-liquid and other hazardous processes. It is standard practice, especially in cities, to equip automatic sprinkler systems with fire department pumper connections.
2. A meter (compound, detector check) should not be permitted as part of a backflow prevention assembly. An exception may be made if the meter and backflow prevention assembly are specifically designed for that purpose.
3. For cross-connection control, fire protection systems shall be classified based on water source and arrangement of supplies as follows:
 - a. Class 1: Direct connections from public water mains only; no pumps, tanks or reservoirs; no physical connection from other water supplies; no antifreeze or other additives of any kind; all sprinkler drains discharging to atmosphere, dry wells or other safe outlets.
 - b. Class 2: Same as class 1, except that booster pumps may be installed in the connections from the street mains. It is necessary to avoid drafting so much water that pressure in the water main is reduced below twenty (20) psi.
 - c. Class 3: Direct connection from public water supply main plus one (1) or more of the following: elevated storage tanks; fire pumps taking suction from above-ground covered reservoirs or tanks; and pressure tanks (all storage facilities are filled or connected to public water only, the water in the tanks to be maintained in a potable condition). Class 3 systems will require minimum protection (approved double check valves) to prevent stagnant waters from backflowing into the public potable water system.
 - d. Class 4: Directly supplied from public mains like classes 1 and 2, and with an auxiliary water supply on or available to the premises; or an auxiliary supply may be located within one thousand seven hundred (1,700) feet of the pumper connection. Class 4 systems will require backflow protection at the service connection. The type (air gap or reduced pressure) will depend on the quality of the auxiliary supply.
 - e. Class 5: Directly supplied from public mains, and interconnected with auxiliary supplies, such as: pumps taking suction from reservoirs exposed to contamination, or rivers and ponds; driven wells, mills or other industrial water systems; or where antifreeze or other additives are used. Class 4 and 5 systems will need maximum protection (air gap or reduced pressure) to protect the public water system.
 - f. Class 6: Combined industrial and fire protection systems supplied from the public water mains only, with or without gravity storage or pump suction tanks. Class 6 system protection would depend on the requirements of both industry and fire protection and could only be determined by a survey of the premises.
4. Installation of Assembly.

a. When a backflow assembly is required for a water service connection supplying water only to a fire system, the assembly shall be installed on the service line in compliance with standard specifications adopted by the City. Installation of DC or DCDVA may be allowed on fire systems with the City of Flagstaff approval provided both the manufacturer's specifications and U.S.C. approval allow such an installation.

b. RP's for fire line assemblies may be installed inside a fire riser room provided they have an adequate drain for a full port discharge for the size of the assembly per the manufacturer's specifications into the sanitary sewer system, not the storm water system. If a drain cannot be provided that can contain a full port discharge to the sanitary sewer system from a fire line with chemical additives such as anti-freeze or glycerin, the assembly must be installed outside the building in an insulated enclosure with electricity for a heat source for freeze protection and a check valve must be installed in the system to prevent the discharge of antifreeze onto the ground.

5. All backflow assemblies installed on fire sprinkler systems shall have a chain with a padlock from the first O.S. & Y. valve to the second O.S. & Y. valve, or an operable alarm system or both.

6. For looped fire lines, a DC or RP backflow prevention assembly is required on both ends of a private water main that is connected to the public water services at two (2) or more locations.

H. Removal Requirement.

1. It shall be unlawful for any person to alter, modify, bypass or remove a backflow prevention method without the written approval of the division.

2. If a device is removed without the approval of the City, the City reserves the right to visually inspect the piping to verify there is a physical separation and/or no piping is connected before an existing backflow assembly.

3. The device and piping shall be removed as close as possible to the main service connection and any property connections to mitigate the possibility of stagnating water in the piping.

4. A device will not be deactivated in the City's records unless there is a physical separation between the piping and no possibility of connecting the two (2) ends. An inspection of the removal by the City will need to be completed before removal from the records.

I. Inspections.

1. A customer's water system shall always be available during business operations for premises inspection by City of Flagstaff personnel and backflow prevention assembly testing, if necessary. The inspection shall be conducted to determine whether any cross-connection or other hazard potentials exist and to determine compliance with this chapter and modifications.

2. City of Flagstaff shall inspect all new sites, assembly installations, assembly relocations, assembly removal and assemblies that have been repaired for compliance.
3. A waived premises is a property for which the City of Flagstaff has determined there are currently no hazard potentials. All waived premises shall be inspected periodically or when there has been a change in owner/tenant or there has been a use change.
4. If a customer refuses entry to a premises for inspection during business operations, the City of Flagstaff may discontinue water service, require backflow prevention or take any steps allowed by law to gain entry to the premises.

J. Authorization.

1. Installation authorizations for the installation of all backflow prevention assemblies required by the City of Flagstaff shall be obtained from the City of Flagstaff prior to installation.
2. It shall be the duty of the person doing the work to notify the City of Flagstaff, in writing, that the work is ready for inspection. Such notification shall be given not less than twenty-four (24) hours before the work is to be inspected and shall be given only if there is reason to believe that the work done will meet current City codes and regulations.
3. Whenever any work is being done contrary to the provisions of the City's adopted plumbing code or this chapter, the City of Flagstaff or an authorized representative may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done; and any such person shall forthwith stop such work until authorized by City of Flagstaff to proceed with the work.

K. Maintenance and Testing.

1. The annual test compliance date shall be set by the City of Flagstaff Industrial Waste Section. The consumer shall have backflow prevention assemblies tested upon installation and at least once per year, or more frequently if deemed necessary by the Division, at the consumer's expense. If the Division determines that a health hazard exists, they may specify a more restrictive testing schedule.
2. The customer may request in writing a change of the annual test compliance date for any assembly. No compliance date may be changed to be more than twelve (12) months after the most recent test.
3. The consumer shall be responsible for maintenance of all backflow assemblies at his/her expense. If the Division or customer learns or discovers, during the interim period between tests that an assembly is defective or in unsatisfactory operating condition, the customer shall arrange for repairs. The customer shall have any necessary repairs performed by an appropriately licensed contractor, including replacement or overhaul of the assembly, if necessary, which will return the assembly to satisfactory operating condition within thirty (30) days of discovery. Such assembly shall be retested within thirty (30) days following repairs, until testing reveals no defects or unsatisfactory operating conditions.
4. All testing shall be performed by an individual who holds a valid "General" Tester Certification issued by the California-Nevada American Water Works Association (Cal-Nev

AWWA), the Arizona State Environmental Technical Training (ASETT) Center, or other certifying authority approved by the Division. A list of certified testers registered with the City of Flagstaff shall be available upon request to all persons required to install or maintain a backflow prevention assembly. Test procedures shall be performed as required by the ADEQ as set forth in the most current edition of the USC-FCCCHR Manual of Cross-Connection Control. The tester shall provide a copy of the test report to the customer and to the City of Flagstaff Industrial Pretreatment Section within five (5) working days from the date of the test and shall maintain a copy for their records for at least three (3) years.

5. No existing backflow prevention assembly shall be altered, disconnected or replaced without prior approval of the Division.
6. During construction, any new backflow assemblies must be tested before the water is used for any purpose, including construction uses.
7. Test cocks are to be used for testing only and shall be installed in accordance with Division requirements. Any unauthorized use of these test cocks is a violation of this code.
8. Each backflow prevention assembly shall be easily identified by displaying the following in a conspicuous manner on the assembly:
 - a. Manufacturer.
 - b. Model Number.
 - c. Serial Number.

This information must also be provided to the Division by the consumer promptly upon installation.

9. The customer shall maintain records of the results of all tests and all servicing, repairs, or replacements of the backflow prevention assembly. A copy of the records shall be provided to the City of Flagstaff within five (5) days after completion of the activity for which the record is made.
10. The consumer shall notify and receive approval from the City of Flagstaff Fire Marshal, at least twenty-four (24) hours in advance, of any maintenance or testing performed upon assemblies installed upon fire sprinkler systems which requires discontinuance of water supply to that system. Fire systems shall not be out of service for more than eight (8) consecutive hours due to testing, maintenance or repairs. The fire department shall be notified immediately of any changes in fire service status.
11. In lieu of discontinuance of service, City of Flagstaff may take action to install, test, repair, or replace a backflow device at the customer's point of service and bill the customer for all costs associated with the installation, test, repair, or replacement of a backflow prevention device.
12. The City of Flagstaff will return incomplete and erroneous test forms to the tester and customer for correction and resubmission by the compliance date. Information on submitted test forms can only be changed or modified by the tester who has signed the form and is

responsible for that test. Test reports must have a clear description of the location of the backflow device.

13. Test equipment shall be maintained and calibrated annually by an agency approved by the City of Flagstaff as required by the cross-connection manual. A copy of the annual equipment calibration certificates shall be submitted to the City of Flagstaff Industrial Pretreatment Section (or proctor) to maintain equipment registration and certification. Test equipment used on anything other than potable water backflow prevention assemblies shall not be used to test such assemblies and shall be identified as non-potable test equipment.

14. Testers shall register with the City of Flagstaff Industrial Pretreatment Section (or proctor) if they are conducting backflow assembly testing in City of Flagstaff service area. Testers shall submit a current copy of their certification or recertification upon registration. A City of Flagstaff registration issued to a backflow prevention assembly tester for testing backflow prevention assemblies in the City of Flagstaff service area may be revoked or suspended upon certification expiration or for improper testing, maintenance, reporting or other improper practices.

L. Enforcement.

1. Repealed by Ord. 2021-09. THIS CHAPTER WILL BE ENFORCED PURSUANT TO THE GENERAL ENFORCEMENT PROVISIONS FOUND IN CHAPTER 7-01, AND ANY ADDITIONAL SPECIFIC ENFORCEMENT PROCEDURES SET FORTH HEREIN.

2. When convicted of a violation of this chapter, any license previously issued to that person by the City may be revoked by the Flagstaff City Council or any proper court, if there may be reasonable relationship between the activities listed and the offense. Revocation of license shall not be considered a recovery of penalty so as to bar any other penalty being enforced.

3. The Division may deny or discontinue, after reasonable notice to the occupants thereof, the water service to anyone using the City of Flagstaff water distribution system or to any premises wherein any backflow prevention assembly or method required by these regulations is not installed, tested, maintained and repaired in a manner acceptable to the Division, or if required reports and/or records are not properly filed, or if it is found that the backflow prevention assembly or method has been removed or bypassed, or if an unprotected cross-connection exists on the premises. Reasonable notice shall be sent in writing at least two (2) weeks prior to the disconnection, unless the Division determines that a potential for a severe health hazard exists.

4. If the Division determines that a potential for a severe health hazard exists, the Division may immediately discontinue water service without notice. Notice by telephone will be given as soon as possible and written notice will be sent within five (5) days, following discontinuance of water service. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the Division.

5. Fire sprinkler systems shall not be subject to disconnection without the explicit approval of the City Fire Marshal, but will be subject to other penalties as provided for in this chapter.

7-03-001-0016 WATER RESOURCE DEVELOPMENT FEE

New connections to the City water system shall pay the following Water Resource Development Fee for the purpose of retiring the debt required to develop water resources necessary to accommodate projected future City water demand. A customer increasing the meter size shall pay the difference between the water resource development fee for the new meter and that for the previous meter. No refund shall be made in the case of a reduced meter size. The Water Resource Development Fee shall expire on July 1, 2012.

WATER RESOURCE DEVELOPMENT FEE

FOR

PURCHASE OF RED GAP RANCH

METER SIZE (INCHES)	(EFFECTIVE 1-1-07)	(EFFECTIVE 1-1-08)	(EFFECTIVE 1-1-09)
3/4 X 5/8	\$462	\$938	\$1,400
1	\$792	\$1,608	\$2,400
1-1/2	\$1,551	\$3,149	\$4,700
2	\$2,475	\$5,025	\$7,500
3	\$5,148	\$10,452	\$15,600
4	\$7,953	\$16,147	\$24,100
6	\$15,444	\$31,356	\$46,800

7-03-001-0017 PURCHASED ENERGY COST FOR WATER

Whenever the City of Flagstaff's purchased power (electric fuel and/or natural gas) expense in any of its water systems increases or decreases, or will increase or decrease, from the amount adopted by the City Council in the WATER SERVICES Utilities last general rate proceeding for that system, the Utility may adopt a new energy charge schedule designed to recover such increased or decreased purchase power expense, provided that:

- A. The total amount of the increase or decrease in purchased power expense will be calculated by comparing the WATER SERVICES Utilities normalized cost for power during the test year utilized in the last rate case with the WATER SERVICES Utilities normalized cost of power for the test year computed at the WATER SERVICES Utilities new increased or decreased cost of power.
- B. The total purchased power expense for water will be divided by the total gallonage sold during the test year to determine the Water Energy Cost (WEC) per 1000 gallons.
- C. The calculated increase or decrease in rates for the system must amount to at least \$0.01 per 1000 gallons before an adjustment can be made.

E. **WATER SERVICES** Utilities Division staff and the Finance department will annually calculate the energy charge amount for the water system based on the last twelve (12) month rolling average of water related power costs.

F. The WEC shall be approved annually prior to November 30 through the City Manager. In the first year of implementation the rate will not be adjusted due to partial fiscal year revenues. Revenues from the WEC fee will be posted to a separate revenue account.

G. The new Water Energy Cost amount will become effective on January 1st of each year.

H. The Water Energy Cost shall be determined by the estimated total energy cost projected for the current fiscal year for water adjusted by actual prior fiscal year WEC account surplus or deficit divided by the current fiscal year projected water sold.

$$\text{WEC} = \text{Total Annual Energy Cost} / \text{Total Annual Water Sold}$$

Illustration of the Water Energy Charge calculation assuming the following test year data:

1. 2,500,000 TG Gallons Sold during past TWELVE (12) months per ONE THOUSAND (1000) gal.
2. \$1,875,000 Purchase Power Expense (Gas, Fuel, Electric)
3. \$0 Prior fiscal year WEC account end balance

The Water Energy Charge Pass Thru Calculation steps would be

$$\text{WEC} = (\$1,875,000 - \$0) / 2,500,000 = \$0.75 \text{ per TG}$$

7-03-001-0018 RECLAIMED WATER RATE SCHEDULE

There shall be charged the following rates for all reclaimed water furnished consumers and measured by meter on any service connection with City reclaimed water mains for and during each monthly billing period.:

A. The base monthly service charge applies whether the reclaimed water meter is active or inactive. The monthly service charge is based on the fixed cost of operation and maintaining the reclaimed water system so that the system is available to provide water to the parcel when water service is activated. Parcels with shutoff reclaimed water meters will continue to pay base monthly service fee since water service is available and may be activated and used by the property owner at any time. Reclaimed water monthly service charge equal to water monthly service charge, see Section 7-03-001-0011.:

VOLUME CHARGE

Monthly Water Use Gallons	Volume Charge \$/1,000 gal		
	1-1-18	1-1-19	1-1-20⁽⁴⁾
Single-Family			

Monthly Water Use Gallons	Volume Charge \$/1,000 gal		
	1-1-18	1-1-19	1-1-20 ⁽⁴⁾
Tier 1 0—3,500	1.30	1.36	1.43
Tier 2 3,500—6,200	1.60	1.69	1.77
Tier 3 6,200—11,500	2.32	2.44	2.56
Tier 4 Over 11,501+	4.35	4.58	4.80
Commercial (no main ext)	1.71	1.83	1.95
Commercial (with main extension)	3.62	3.88	4.14
Manufacturing (no main ext)	1.69	1.81	1.93
Manufacturing (with main ext)	3.59	3.84	4.10
Northern Arizona University (no main extension)	1.59	1.70	1.82
Northern Arizona University (with main extension)	3.40	3.62	3.85
City Departmental	1.71	1.83	1.95
Standpipe-Hydrant Meter	3.70	3.85	4.00
Off-Peak/Golf Course Rate			
Tier 1 (0—150,000,000)	1.47	1.56	1.65
Tier 2 (Over 150,000,000)	1.26	1.45	1.65

⁽⁴⁾—Rates shown in table above are projected based on current potable water rates and the energy surcharge rate of eighty-three cents (\$0.83) per one thousand (1,000). Actual rates will be adjusted if necessary based on subsection (B) of this section.

B. Automatic Rate Adjustments Effective January 1, 2020. The City agrees to adopt a rate schedule which provides for automatic adjustments to reclaimed water rates based on changes to the potable water rate. Automatic adjustments to the energy surcharge component of potable water rates cause the reclaimed water rate to fluctuate each year.

1. Reclaimed water rates shall be set at thirty-five percent (35%) of potable water rates including **PLUS** energy cost component for all classes of customers that do not require a main extension, after 2020.
2. Reclaimed water rates shall be set at seventy-five percent (75%) of potable water rates **PLUS ENERGY COST COMPONENT** for all classes of customers that require a main extension, after 2020.
3. Standpipe-hydrant meter rates shall be set at fifty percent (50%) of the equivalent customer potable water rates including **PLUS** energy cost component after 2020.
4. Off-peak Tier 1 customer rates shall be set at eighty-seven percent (87%) of commercial reclaimed water rates **PLUS ENERGY COST COMPONENT**.

5. Energy Cost Adjustment. City reserves the right to automatically pass along future increases in reclaimed water rates based on energy cost adjustments to the potable water rate.

6. Adjustments shall begin on January 1st of each calendar year and continue through the end of the year.

ORDINANCE NO. 2024-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 3, BUSINESS REGULATIONS, SECTION 3-10-001-0008 LICENSE FEES AND TITLE 7, HEALTH AND SANITATION, CHAPTER 7-02 WASTEWATER REGULATIONS AND CHAPTER 7-03 WATER REGULATIONS, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED “*WATER SERVICES RATES CODE CHANGES*”; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, ARS §§9-511, 9-511.01 *et. seq.* provides authority for municipalities to adjust water, wastewater, and reclaimed water utility rates and fees and water and wastewater capacity charges, and

WHEREAS, water and wastewater capacity charges are established for the purpose of charging the cost of additional system capacity to new customers; and

WHEREAS, service charges and fees are established to charge the user of a specific service the cost of delivering the specific service; and

WHEREAS, the City of Flagstaff (“City”) has found that it is necessary to update, adjust and increase water, wastewater, and reclaimed water service fees and charges in order to provide for the present cost of maintaining service levels and system capacity; and

WHEREAS, the City wishes to change language in the City Code, (1) Title 3, Business Regulations, Section 3-10-001-0008 License Fees and (2) Title 7, Health and Sanitation, Chapter 7-02 Wastewater Regulations, and Chapter 7-03 Water Regulations, to water, wastewater, and reclaimed water utility rates and fees and water and wastewater capacity charges in order to revise and update the City Code, and

WHEREAS, the City has finds that the updates, adjustments and increases to: the water, wastewater, and reclaimed water utility rates and fees and water and wastewater capacity charges are all just and reasonable.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. That certain document known as “*Water Services Rates Code Changes*”, one(1) paper copy and (1) electronic copy of which are on file in the office of the City Clerk of the City of Flagstaff, Arizona, has been declared a public record by Resolution No. 2024-30 of the City of Flagstaff, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

SECTION 2. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 3. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 4. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 5. Effective Date:

This Ordinance shall be effective September 1, 2024 following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 2nd day of July, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY