

LITTLE COLORADO SANITARY DISTRICT

Greer, Arizona

**THIRD AMENDED
RULES AND REGULATIONS**

APPROVED AND ACCEPTED BY THE BOARD OF DIRECTORS

ON THE 10TH DAY OF NOVEMBER, 2025

ARTICLE I OVERVIEW

Section 1 GENERAL

The Little Colorado Sanitary District (hereinafter collectively referred to as “LCSD” or “District”) utilizes a specialized sewer system found in only a few regions across the United States. This system is an overland flow sewer system with solids separation, categorized as a low-pressure or hybrid sewer system. Under this model, property owners install a solids separation tank, similar to a traditional septic tank, but do not install leach lines. Instead, the liquid effluent from the solids separation tank is conveyed through dedicated sewer lines maintained by the District and is ultimately transported to remote treatment ponds for final processing.

It shall be the duty of the LCSD Board of Directors to control and manage all matters related to the sewage collection and disposal system of the LCSD, in accordance with all applicable federal, state, county and local laws and regulations, including this Resolution, and any other Resolutions adopted by the LCSD, in Apache County, Arizona. The Board shall have general supervision over the District’s sewer system, all real and personal property associated with it, and its employees.

It shall be unlawful for any person to connect a private sewer line or lines to any portion of the District sewer system unless said person has first made proper application for a permit to connect to said sewer system, has paid all fees required by the District (to accompany said application), and said application has been approved by the proper District authorities. All connections to the District sewer shall be made pursuant to any rules, regulations, resolutions and the payment of connection fees. Further, all connections shall be made in compliance with the standard specifications adopted by the District and the current conditions of the Uniform Plumbing Code, and subject to inspection and approval at the time of connection or anytime thereafter by the District, its agents or assignees. A sewer connection shall have occurred when a lateral from a District sewer line is continuous from the sewer to any point within the vertical plane of any boundary of the property.

Section 2 ABATEMENT OF NON-COMPLYING USES

All non-complying solids separation tanks and other personal means of sewage collection or disposal are hereby abated as of June 30, 1990. It shall be the responsibility of the homeowner to crush or fill any non-complying solids separation tank.

Only sewage collection, transportation, treatment, and effluent disposal systems which meet all requirements of the District are allowed within the District.

Section 3 COMPULSORY MEMBERSHIP

Every property owner within the LCSD shall be required to utilize the District’s system for sewer wastewater disposal, and is subject to the District’s Rules and Regulations as amended from time to time. No private wastewater disposal systems are allowed within the District, unless approved by the Board of Directors for good cause.

Section 4 RESPONSIBILITY OF MAINTENANCE AND REPAIR OF SEWER SYSTEM

A. Every property owner is solely responsible for the maintenance and repair of any Secondary Sewer Line(s), as defined herein, that is situated on the property owner's where the property owners's SST is located, or to the point that the Secondary Sewer Line connects with the District's main sewer line.

B. The owner of the parcel of land shall be solely responsible for paying the costs associated with the repairs, maintenance, and inspection of the Secondary Sewer Line that is located on a parcel owner's property where the SST is located, or on a parcel of property in those cases where the District has granted a non-conforming variance when Secondary Sewer Lines service a SST on an adjacent parcel of land. Any maintenance, repair and/or replacement of Secondary Sewer Lines shall be conducted by a properly licensed contractor pursuant to the District's Rules and Regulations, as amended from time to time, and Apache County Building Code, as amended from time to time. All maintenance, repair and/or replacement on Secondary Sewer Lines shall be inspected and approved by the District.

C. The District reserves the right, per its Rules and Regulations, as amended from time to time, to maintain, repair and/or replace a property owner's Secondary Sewer Line if the property owner fails to act promptly under the circumstances when the integrity of the Little Colorado Sanitary District's sewer system is or may be jeopardized. Any maintenance, repair and/or replacement performed by the District on a property owner's Secondary Sewer Line shall be billed to the property owner.

**ARTICLE II
REGULATION OF SOLIDS SEPARATION TANKS**

Section 1 WATER OTHER THAN SEWAGE PROHIBITED

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff water, sub-surface drainage, cooling water, water used for air cooling purposes, or unpolluted industrial process waters into the District System. In order to prevent damage and excessive maintenance, the District prohibits certain substances from being introduced into the System. A non-exclusive list of prohibited substances is contained in Appendix 1 to these Rules and Regulations.

Section 2 SOLIDS SEPARATION TANKS

A. Connection Requirements.

1. Every structure with plumbing on a parcel of property within LCSD shall be connected to a solids separation tank ("SST"). No structure with plumbing shall be connected to an SST located on another parcel. No structure with plumbing shall be connected to an SST or to the LCSD system without prior approval and inspection.

2. The LCSD engineer must approve an application for connection to the LCSD system, which must include accurate construction plans, SST capacity details, and the payment of all applicable connection and inspection fees. An additional engineering fee may be charged based on the complexity of the proposed system. Connection of any structure or structures to the LCSD system without adequate capacity is strictly prohibited.

3. The LCSD shall accept and treat only SST effluent originating from SSTs manufactured and installed in accordance with the Arizona Department of Environmental Quality Engineering Bulletin No. 12, as amended.

4. The SST and its connection to the LCSD system shall be inspected and approved by the LCSD operator.

B. Multiple Structures on a Parcel of Property.

1. An applicant seeking approval to connect additional structures with plumbing (for example, a guesthouse) to an SST that is already in use or to be connected to another structure(s) shall demonstrate that adequate SST capacity exists to meet the requirements set by the Arizona Department of Environmental Quality and the LCSD engineer. The applicant must also pay any additional capacity, inspection, and user fees as required.

2. The property owner, whether an individual or legal entity, shall pay user fees for multiple structures with plumbing connected to an SST or SSTs on a parcel of property as an aggregate sum only. It is the property owner's responsibility to promptly inform the LCSD of any changes to a structure's design that differ from the originally submitted plans, including but not limited to, changes in the number of bedrooms, number of bathrooms, or any bathroom expansion.

3. There shall be no division of ownership of structures on a single parcel where an SST services more than one structure.

C. Clean-Out Valve Requirements

1. Every new SST installed and connected to the LCSD system shall have a clean-out valve installed on the outlet pipe prior to connection. The cost of the clean-out valve shall be borne solely by the property owner.

2. In addition, a clean-out valve shall be installed on the outlet pipe of any existing SST currently installed and connected to the LCSD system whenever the SST is uncovered or disconnected for any reason. The cost of installing the clean-out valve shall be borne solely by the property owner.

3. A diagram of a typical SST and the location of the clean-out valve is provided in Appendix 6 of these Rules and Regulations.

D. Compliance; Inspections

1. Failure to comply with the requirements set forth in this Section, including but not limited to proper application, inspection, approval, maintenance, and installation of clean-out valves, may result in enforcement actions by the District. Such enforcement actions may include disconnection from the LCSD system and the imposition of applicable fees, penalties, and costs, in accordance with these Rules and Regulations.

2. Solids separation tanks must be properly maintained to prevent excessive maintenance of the collection system and to ensure that solid materials do not enter the collection system, which would impair its efficient operation. All solids separation tanks must be inspected by a licensed inspector every eight (8) years. Any recommendations made by the inspector, including but not limited to repair, replacement, or pumping, must be completed promptly, and in no event later than ninety (90) days from the date of the inspector's recommendations. Verification of the inspection and documentation of any required work must be furnished to the District.

3. The following rules apply to all users of the LCSD:

a. Inspections.

Inspections shall be conducted by an Arizona licensed contractor who is certified by the National Association of Wastewater Technicians.

b. Inspection Devices.

Inspectors shall utilize a device known as a "Visual Tube Sludge Measuring Device" such as, but not limited to, "Sludge Judge", "Dipstick Pro", "Sludge Pro", or an electronic sludge measuring device, such as "Sonic Sludge Stick", or any other sludge measuring tool approved by the District's engineer.

c. Required Pumping.

If an inspection reveals that the solids separation tank's capacity is compromised, either by a lack of free area to properly allow for settling of solids or excess scum (as defined below), which may cause a discharge to the collection lines, then the solids separation tank shall be pumped at the time of inspection, or within 72 hours of the inspection.

- (i) Adequate free area shall be defined as the area between the sludge and scum layers and shall be sixty-six percent (66%) or greater of the original design volume.
- (ii) Excess scum shall be defined as an encroachment of the scum layer or blanket that encroaches in the area of one (1) inch from the top of the outlet tee or baffle and/or within three (3) inches of the bottom of the outlet tee or baffle.
- (iii) This measurement level is shown in Appendix 4 of these Rules and Regulations.

d. Structural Inspections.

Whenever a solids separation tank is pumped, a visual structural inspection of the tank must be performed to assess the tank's integrity.

The structural inspection shall include an evaluation of the following:

- Cracks
- Leaks
- Structural degradation
- Inlet and outlet tee/baffle condition
- Seals and joints

Any structural deficiencies identified must be repaired or resolved within ninety (90) days of the inspection, and verification of corrective action must be submitted to the District.

Additionally, if a solids separation tank has not been pumped within sixteen (16) years, the tank must be pumped and a structural inspection performed, regardless of sludge or scum levels.

e. Ongoing Leak Monitoring and User Responsibility.

All property owners connected to the ABCD sewer system are responsible for year-round monitoring of their solids separation tank area for signs of potential leaks or system failures, including but not limited to:

- Persistent wet areas or pooling near the tank
- Unexplained vegetation growth
- Noticeable sewer odors
- Unusual system sounds or pump cycling patterns (if applicable)

Property owners must notify the District within seven (7) days of discovery of any condition that may indicate a leak or failure. The District may require an immediate inspection and/or pumping to verify the condition of the tank.

f. District Monitoring.

The District may conduct periodic system-wide flow monitoring, pressure testing, or other diagnostic assessments to detect potential leaks, inefficiencies, or other system issues. If irregularities are found, the District may require targeted inspections, immediate pumping, or other appropriate actions to confirm system integrity.

E. Documentation.

Following each inspection required under these Rules and Regulations, proper documentation must be submitted to the District as outlined below.

Documentation of an inspection and any service performed, as recommended by an Arizona licensed contractor certified by the National Association of Wastewater Technicians shall be recorded on a LCSD Inspection and Pumping Form, as amended from time to time, submitted to the LCSD. **It is the responsibility of the property owner to ensure that the LCSD receives the completed Inspection and Pumping Form.**

Customers who do not submit a completed Inspection and Pumping Form to LCSD on or before their inspection due date will be considered non-compliant and subject to Disconnection Fees and other fees associated with the Disconnection process, and the physical disconnection from the LCSD sewer system.

Accurate and timely submission of inspection forms enables the District to ensure the proper maintenance and operation of all solids separation tanks, and to take prompt action if defects or health hazards are identified.

Inspection and Pumping Forms are available on our website at www.lcsdgreeraz.org or at the LCSD office during business hours located at 1630 E. White Mountain Blvd., Suite B-3, Pinetop, Arizona 85935. THE LCSD DOES NOT MAIL FORMS.

F. Property Owner Responsibilities for Defective SSTs.

If the District determines by inspection or by other reasonable means, including information provided by the County Health Department, that a solids separation tank located on private property is in violation of these rules and regulations, or is not operating properly, or is causing or contributing to a dangerous private or public health situation, the District shall inform the property owner of the problems and request that necessary repairs be made. The property owner shall begin the repairs within thirty (30) days and complete the repairs within sixty (60) days of such notification. A property owner may request a reasonable extension of the time schedule set above, unless it is determined by the District or the County Health Department that immediate action must be taken to prevent a dangerous private or public health situation. If a property owner fails to take action to correct the health hazard within twenty-four (24) hours, then the District will take action to correct the health hazard, including possible disconnection from the District's sewer system. The property owner shall pay the District's costs of any required corrective action and other costs including attorney's fees associated with collecting costs from the property owner.

G. Further SST Standards and Obligations.

A nonexclusive list of additional provisions that apply to all sewer connections regarding solids separation tanks are listed in Appendix 2 to these Rules and Regulations.

Section 3 INTERCEPTOR AND GREASE TRAPS AT COMMERCIAL FACILITIES

A. Grease Traps.

Grease, oil, and sand traps, or interceptors, shall be required at all public premises where food is served, including but not limited to restaurants, schools, commercial kitchens, cafeterias, and boarding houses. All traps or interceptors shall be of a type and capacity specified by the UPC or an equivalent approved by the District. Traps and interceptors shall be located as to be accessible for cleaning and inspection. Owners of all public premises shall require a trap, or interceptor shall and permit a District representative to inspect the trap or interceptor during normal business hours, or at an agreed upon time.

B. Interceptors.

Grease, oil, or sand traps, or interceptors shall also be required whenever, in the opinion of the District, they are necessary for the proper handling of liquid wastes containing grease in excess of the limits set forth in Appendix 1 ("Prohibited Substances"), or any flammable wastes, sand, or other harmful ingredients. All interceptors shall be of a type and capacity approved by the County and shall be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction and equipped with easily removable covers which, when bolted in place, are gas-tight and water-tight.

C. Maintenance of Interceptors.

Where installed, all grease, oil, sand traps, or interceptors shall be maintained by the property owner or responsible party, at their expense, in a continuously efficient operation at all times.

D. Inspections.

1. Inspections of Solids Separation Tanks (SSTs) that service structures requiring a grease trap shall occur annually by June 30. Annual inspections must take place at least eight (8) months after the last inspection, unless inspection is necessary for repair or replacement.

2. Inspections shall be conducted by an Arizona-licensed contractor qualified in sewer system inspections or by the LCSD's District's Operator.

3. Inspectors shall utilize a visual tube sludge measuring device, such as, but not limited to, a "Sludge Judge," "Dipstick Pro," "Sludge Pro," or an electronic sludge measuring device, such as the "Sonic Sludge Stick," or any other sludge measuring tool approved by the District's engineer.

4. If an inspection reveals that the solids separation tank's capacity is compromised—either by a lack of adequate free area to allow for proper settling of solids or by the presence of excess scum that could cause discharge to the collection lines—the tank shall be pumped at the time of inspection or within seventy-two (72) hours thereafter.

5. "Adequate free area" shall be defined as the area between the sludge and scum layers and shall be sixty-six percent (66%) or greater of the original design volume.

6. "Excess scum" shall be defined as a scum layer that encroaches to within one (1) inch of the top of the outlet or baffle, and/or within three (3) inches of the bottom of the outlet tee or baffle.

These measurement levels are illustrated in Appendix 3 to these Rules and Regulations.

7. Documentation of an inspection and/or service, as recommended by an Arizona-licensed contractor qualified in sewer system inspections or by the LCSD District Operator, shall be recorded on the LCSD Inspection and Pumping Form, as amended from time to time, and submitted to the District.

It is the responsibility of the property owner to ensure that the LCSD receives the completed Inspection and Pumping Form.

Section 4 SEWAGE REQUIRING SPECIAL TREATMENT OR HANDLING

In cases where the character of sewage or industrial waste from any manufacturing or industrial plant, building, or premises is such that it will damage the sewer system or cannot be treated satisfactorily in the Wastewater Treatment Plant, the District shall require such users to properly and legally dispose of such waste and prevent it from entering the system. Rules and regulations for this section are contained in Appendix 3 to these Rules and Regulations.

Section 5 SPECIAL AGREEMENTS

No statements contained in this article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to special terms and conditions adopted by the District in its sole discretion that may include a premium rate.

**ARTICLE III
CONNECTION PERMITS, FEES AND APPROVAL**

Section 1 GENERAL

A. Application and Payment of Fees.

Connection to the LCSD requires completion of an application provided by the District and payment of certain fees including inspection and connection, lateral, and capacity charge. The owner of the property must be the named applicant. Further, no application shall be approved before the District receives a deed of sewer and grant of license from the property owner as more fully described in Article VI, Section 2 of these Rules and Regulations. Fees shall be set and approved annually by the Board of Directors of the LCSD, except the Capacity Charge which shall be determined as provided in Section 7, Article III. The Capacity Charge shall apply to all connections to the District System regardless of whether or not the owner of said property has heretofore paid any assessment or connection fee.

B. Connection Fee for New Developments.

1. A person or entity seeking to develop or improve any real property within the LCSD, including through the subdivision of any parcel into single family-lots, parcels, or through the construction of any improvement, is responsible for the construction of the sewage system connecting the improvements to the District's sewer system.

2. The connection fee for the developer of any new subdivision, business or industrial development shall include all legal, engineering and other fees incurred by the LCSD which are directly attributable to the connection of the development to the District's sewer system.

3. The connection fee shall be based on the costs of constructing an equivalent collector sewer lying adjacent to the landowner's property and shall include the cost of construction, engineering, legal, and administrative services, calculated in accordance with the benefit received, plus a fee for each lateral constructed in the public right-of-way to service the property.

4. Applicants submitting an unusual and/or non-conforming request may also incur additional expenses for District engineering and/or legal review and recommendations, which the District, in its sole and reasonable discretion, may consider extraordinary expenses. Unusual and/or non-conforming requests may include, but are not limited to, proposals involving extensions beyond existing service areas, alternative construction methods or materials, non-standard sewer alignments, condominium or townhome developments, percentage share ownership structures, or requests requiring substantial deviation from standard District specifications.

5. The District has no obligation, but will attempt to notify an applicant in advance of potential extraordinary expenses and provide an estimate of such costs.

6. All fees and costs must be paid in full prior to approval of the connection to the District's sewer system.

C. Fees for Developers or Subdivider of Property.

In the event that the applicant for a sewer connection permit is a developer or subdivider or other person or persons who are placing improvements upon vacant land for purposes of use or sale, and if the applicant is installing facilities, but not installing the solids separation tanks or any improvements which would be located upstream from the solids separation tanks, then the applicant must only pay the plan check fees, application fees, and inspection fees for the improvements being installed. The fees described herein, including the capacity charge, shall be paid to the District at the time of application and before the District signs any agreement to provide sewer service, if the applicant is installing the solids separation tanks to service any of the property. The District will sign an agreement to provide service, and the developer must inform the subsequent purchasers or users of the property that it is their obligation to pay all fees, including application, plan check, connection, capacity charge, and other fees which are related to their use of the property. In addition, the Developer shall record, and provide evidence of recording to the District, the notice to all subsequent property owners that they are responsible for payment of the fees upon the installation of improvements upon the property which require connection to the sewer system.

D. Sewer Line Capacity.

Any person who applies to develop property for any purpose shall, when requested by the District, submit preliminary plans of the proposed improvement for review by the District's engineer. Said plans shall include the location of the property and a schedule of the amount and kind of dwelling units, if any, and the number of fixture units to be constructed in each dwelling. If the engineer determines that the development will contribute flow to the District sewers that is in excess of the design capacity of the sewers or that it will require a disproportionate percentage of the remaining capacity of the sewer at the point where the development will connect to the sewer, the developer shall pay to the District the cost of additional sewer line capacity, or with the District's approval, shall construct a new sewer line that shall connect to the District's interceptor at a point where the interceptor has the design capacity to handle the additional flow attributable to the proposed development, and shall pay the applicable charges. Payment must be made when requested by the LCSD. To determine whether the developer must pay for additional sewer line capacity, the Engineer may consider the following factors:

1. The amount of flow contributed by the proposed development that is attributable to equivalent dwelling units in a density greater than the allowable base density.
2. The capacity of the District sewer at the point of connection.
3. The existence of other property which may potentially connect into the sewer at the same and upstream locations, and the potential flows if that property were developed at the allowable base density.
4. The most reasonable and economic method for the District to manage sewage flows with respect to the actual connections and potential connections of the other property in the vicinity of the proposed development.

Section 2 PRELIMINARY AND FINAL PLAN CHECK

Before any preliminary or final plans for new sewer connections are approved by the District, the applicant must have paid all required fees and charges. The plan check fee for each application will be determined by the District based upon the District's estimate of the costs of the plan check in light of the conditions, quality and complexity of the plans. This fee shall be paid to the District when the plan check is completed and shall be separately charged and collected for each set of plans submitted to the District by the applicant or by Apache County when acting upon a request by the applicant for subdivision or other approval.

Section 3 PERMIT CONDITIONS

A. Plans and Specifications.

All construction shall be in accordance with the plans and specifications submitted for this permit, the general specifications of the District, and the Uniform Plumbing Code. No changes or deviation from the plans and specifications which affect capacity, maintenance, design requirements, service area, or permit requirements shall be

permitted unless revised plans are submitted to and approved by the District. The permit, together with a set of the plans and specifications, and any revised plans and specifications shall be kept on the job site at all times during construction until final inspection and approval by the District.

B. Permits for Connection.

All permits for connections to the sewer shall be subject to the following general conditions:

1. Adequacy of Design. The responsibility of the adequacy of the design or the materials used shall rest solely with the permittee and the issuing of a permit shall not relieve him of that responsibility. The issuance of a permit shall not be construed as approval of the concept or construction details of the proposed facilities and shall not absolve the permittee or design engineer, if employed, of their respective responsibilities.

2. Joint Construction and Operation Permits. The issuance of this permit shall be a joint construction and operation permit provided that the permittee complies with all conditions of the District.

3. Construction Inspection. All persons must obtain the approval of the District before any construction necessary to connect improvements on the property to the District's sewer system begins. All sewer construction shall be inspected and approved by the District. No sewer trenches shall be backfilled until the District has inspected and approved the installed sewer. The inspection fee as published covers a one-time visit by the District Operator. Additional visits shall incur extra expense. The permittee shall give the District an advance notice of a minimum of 48 hours so that the District may inspect the work.

4. Compliance with Rules and Regulations. The permittee is responsible for meeting the requirements of all applicable rules, regulations, ordinances, and laws of local, state and federal authorities. Issuance of this permit shall not constitute a waiver of any applicable requirements.

5. Maintenance. Solids separation tanks, sewer connections, lines, systems or facilities constructed, or the former serving the facilities constructed, shall be properly maintained and operated at all times in accordance with all applicable requirements, including those stated in Article II, Section 2 of these Rules and Regulations. It is understood that the responsibility for maintenance shall forever run with the property, and run as a joint and several obligation against the property served and the owner or the operator of the facilities.

6. Other Construction. The District reserves the right, privilege, and authority to permit others to reconstruct, change, alter, and replace all solids separation tanks, sewers, and appurtenances thereto at the point of connection of any sewage system to a District interceptor or in public rights-of-way or District easements, and to introduce additional sewage flow through this connection into the intercepting sewer of the District.

7. Indemnification. The permittee shall be solely responsible for and shall defend, indemnify, and save harmless the District from and against any and all claims, costs, damages, or expenses the District may incur or become liable for on account of any injury or death of any person or persons, or any damage to, or destruction of, any real or personal property that may be caused by the construction, use, repair, operation, and maintenance of the proposed facilities, arising out of or in consequence of the issuance of this permit. Without limiting the generality of the preceding sentence, the provisions of this paragraph shall extend to indemnify and save harmless the District from any claims or damages arising out of or in connection with the termination or revocation of this permit.

8. Limitations. This permit does not grant the right or authority to the permittee: (a) to construct or encroach upon any lands of the District or of any other parties, (b) to construct outside of the territorial boundaries of any units of local government within the District.

9. Costs. It is expressly stipulated and clearly understood that the sewage system or facilities for which the permit is issued shall be constructed, operated, and maintained at no cost to the District.

10. Sewer Interceptors Overloading. The District serves notice that its interceptors may flow full and may surcharge, and flooding of the proposed system may occur. The permittee is put on notice that the proposed systems shall be constructed, operated, and maintained at the sole risk of the permittee, and permittee shall defend, indemnify, and save harmless the District from and against any and all claims, costs, damages, or expenses the District may incur or become liable for on account of any injury to or death of any person or persons, or any damage to or destruction of any real or personal property that may be caused by interceptor surcharge and/or flooding.

11. Nontransferability. This permit may not be assigned or transferred without the written consent of the District.

12. Agreement. The permittee, in consideration of the District providing sewer service, agrees to pay all user charges levied by the District within thirty days of the mailing of the statement for the same by the District. Penalties and fines for the failure to make payments when due may be levied against a permittee.

13. Termination. In the event the permittee defaults or fails to perform and carry out any of the covenants, conditions, and provisions of this permit and such default or violation continues for sixty (60) days after receipt of written notice thereof by the District then it shall be lawful for the District, at or after the expiration of said sixty (60) days, to declare said permit terminated. The permittee agrees that immediately upon receipt of written notice of such termination, it shall stop all operations, discontinue any discharges, and disconnect the sewage system or facilities constructed under this permit. If the permittee fails to do so, the District shall have the right to disconnect the system. The permittee hereby agrees to pay for any costs incurred by the District for said disconnections. The various rights and remedies of the District contained in this permit shall be construed as cumulative, and no one of them shall be construed as exclusive of any one or more of the others or exclusive of any other rights or remedies allowed by applicable rules, regulations, ordinances, or laws. An election by the District to enforce

any one or more of its rights or remedies shall not be construed as a waiver of the rights of the District to pursue any other rights or remedies provided under the terms and provisions of this permit or under any applicable rules, regulations, ordinances, or laws.

14. Expiration. This permit shall expire if construction has not started within one (1) year from the date of issue. Construction under an expired permit is deemed construction without a permit. A permittee may request an extension from the Board of Directors. Any extensions shall be at the sole discretion of the Board of Directors. The District shall have no obligation to refund fees for an expired permit.

15. Revocation. In issuing this permit, the District has relied upon the statements and representations made by the permittee or his agent. Any incorrect statements or representations shall be cause for revocation of this permit, and all the rights of the permittee hereunder shall immediately be void.

16. Testing and Approval. All construction under this permit shall be subject to inspection, testing, and approval as required by the District. Testing is the responsibility of the property owner and must be certified by a licensed contractor or the District's Operator. Test results must be submitted to the District. Upon satisfactory completion of the construction the Permittee shall notify the District Operator that he/she is ready for final inspection and approval. No sewer or other facilities shall be put in service until all the conditions of the permit have been satisfactorily met.

17. Home Pump Stations. Home pump stations shall be the sole responsibility of the property owner(s). Upon the adoption of these Amended Rules and Regulations by the District's Board of Directors, the District will no longer maintain home pump stations. The District shall give written notice of this change of responsibility to those property owners affected. Notwithstanding the above sentence, the District shall be responsible for any maintenance and repair, in its sole discretion, to those pump stations affected by this change of responsibility for a period of two (2) years from the date of the approval of these amended Rules and Regulations. Home pump stations shall service only one property. Any existing home pump station that services more than one property at the date of the adoption of these Amended Rules and Regulations is excepted from this rule. Those existing home pump stations that currently service more than one property shall not be allowed to service any additional properties.

Section 4 ALTERATIONS; CHANGE OF USE; ADDITIONS; SEPARATE

A. Property owners shall make application to the District for any modification of the improvements to the property which increases the number of plumbing fixture units connected to the solids separation tank serving the property, or which increases the potential flow of wastewater from this property by more than a factor of 10 percent and shall pay all applicable fees set forth in Article V hereof for such new additions, alterations, or change of use as if the same were initially constructed upon the property subject to a District permit and the payment of fees to the District if:

1. any alterations or additions to a dwelling are made; or
2. an additional building is constructed on a parcel of property; or

3. permanent connection of mobile homes and recreational vehicles, all of which may be connected to the District's sewer system through the existing sewer connection lines on the property owner's parcel of property. Permanent shall mean connection for more than 90 days; or

4. through the construction of additional structures for which connection lines for which additional connections, alterations, or additions require installation or replacement of one or more solids separation tanks.

B. For purposes of this paragraph, the addition of less improvements than are necessary to require the replacement of or installation of a new solids separation tank shall not constitute an addition or expansion of an existing use requiring a new application and additional fees. The addition of improvements with enough additional fixture units when added to what presently exists to require, in the opinion of the District and as set forth in the Uniform Plumbing Code, a new solids separation tank, shall constitute a new use, and shall be subject to the provisions of the Rules and Regulations of the District.

Section 5 DISTRICT'S RIGHT TO INSPECT AND MAINTAIN SYSTEM

A. The District may inspect any structure on an owner's property and sewage facilities including household fixtures, sewer lines, solids separation tanks, grease traps, or any other sewage storage or disposal facilities located on property within the District if:

1. The property is connected to the District sewer system or contains sewage facilities owned or operated by the District; or

2. The District believes that any of the fixtures listed above may be contributing to or causing a public or private health risk.

B. The District must give the property owner reasonable notice of the inspection and maintenance. In addition, the District must give the property owner, or his designee, the opportunity to be present during the inspection or repair. District operators must be prompt and schedule their inspections to the extent practicable at the convenience of the property owner.

C. The District may coordinate its inspection with other agencies, including but not limited to, an inspection by the Apache County Health Department, the Arizona Department of Environmental Quality, or the United States Environmental Protection Agency.

Section 6 CONNECTION FEES

A. Annual Review of Connection Fees. This category of connection fees shall be set annually by the board pursuant to applicable state law.

B. Fees Paid Prior to Approval. The fees described herein, including the capacity fee, shall be paid at the time of application and before the District agrees to provide sewer service.

C. Categories of Fees. The categories of fees for a permit to connect any improvement to the sewer system shall be as follows:

- Annexation fee (if applicable)
- Inclusion fee (if applicable)
- Inspection fee (to be paid in full) for one inspection
- Connection fee
- Disconnect Fee
- Reconnect Fee
- Penalties
- Interest charged

Section 7 CAPACITY CHARGES

A. In addition to all other fees described in this Article, all property owners shall pay a Capacity Charge as well.

B. Capacity Charges are payable prior to receiving a building permit, receiving a change in zoning or any other step necessary for the development of the property, and shall be deposited in a separate interest bearing account of the District to be used at the discretion of the Board of Directors to defray any and all costs of increasing the capacity of the District's sewer, treatment plant, effluent disposal system, and all facilities appurtenant thereto.

C. Capacity Charges shall not be used to replace the existing equipment or treatment facilities or to repair the same.

D. No Capacity Charge shall be refunded to a property owner due to a change in the use of the property resulting in a decrease in the amount of equivalent dwelling units on the property. However, if a zoning request is denied, the capacity charge paid for that potential use will be returned.

E. Any property owner who wishes to connect improvements which produce sewage shall submit plans and specifications to the District and pay a fee of \$1,700.00 for each equivalent dwelling unit or portion thereof said funds to be used for treatment plant and effluent disposal capacity, said payment to be made at the time of payment of the connection fee, and any amount determined by the District Engineer necessary to pay for additional sewer line capacity to that property, in accordance with Section 1 (D) of this Article III.

F. For purposes of calculating the Capacity Charge, an equivalent dwelling unit (hereinafter "EDU"), shall be as defined herein.

G. In determining the amount of sewage to be generated by any connections the District shall only consider the number of EDUs within the improvement. An EDU is equal to 18 fixture units, as determined by the current edition of the Uniform Plumbing Code. All fractions shall be rounded off upwards to the nearest whole number. The determination of the amount of sewage which may be produced by any hookup shall be made by the District engineer. The District engineer shall examine the plans and specifications submitted by the property owner and calculate the EDUs. The number of

EDUs for the development shall be calculated using the values shown in paragraph H of this section. In the event that any property owner alters the plans for development thereby increasing or decreasing the number of EDUs, approval for said alteration must be obtained from the District before the alteration may be made.

H. The District shall cooperate with Apache County in reviewing and monitoring building permits for alterations to existing structures to determine any changes in the number of EDUs connected to the District sewer from a parcel of property.

I. The District shall use the following assumptions for purposes of calculating equivalent dwelling units for the following types of developments:

- | | |
|--|---|
| 1. Motel / hotel | 1/3 of 1 EDU per unit |
| 2. Apartment; efficiency; studio | 1 EDU for each unit (regardless of the number of fixture units for each space available) |
| 3. Mobile homes | 1 EDU for each space available |
| 4. Travel / recreational vehicle | 1/3 of 1 EDU per each space for a unit |
| 5. Single-family residence, condominium, rental cabins and similar individual dwelling units | 1 EDU for each unit |
| 6. Other developments not listed | 1 EDU per 18 fixture units as defined by The Uniform Plumbing Code as amended from time to time |

Any property owner may submit to the District a calculation of the number of EDUs on his property certified by an engineer licensed in the State of Arizona, for consideration by the District in determining the number of EDUs on the property.

J. Any person desiring to increase the number of EDUs, or change the use of the property whether connected to the sewer or not, shall submit to the District at the time of applying for a connection, or if the property is already connected at the time of changing the use, the following information:

1. The size and location of the parcel of property owned.
2. The number of current EDUs.

3. The proposed changes.
4. Preliminary and final plans for the development of the property.

Such information shall be submitted prior to applying to Apache County for any building permit or change of zoning or subdivision of property. The District shall calculate the increase in the number of EDUs directly attributable to the change in use and the applicant shall pay any necessary capacity charges, including a charge for additional sewer line size, if applicable, as set forth in this Article as a condition of receiving a connection permit or remaining connected to the sewer.

Section 8 USER FEES

All persons connected to the District's sewer system shall pay a user fee. Customers are billed at the beginning of each quarter and payment in full is due and payable by the last day of that quarter. The District shall set user fees annually and each user will be notified in the manner required by state law in conjunction with the annual budget hearing of the rates and fees. The billing shall commence with the first billing cycle following the inspection and approval by the District Operator.

Section 9 USER CHARGE SYSTEM

A. The District shall review user charges annually and revise them periodically to reflect actual treatment works operation, maintenance and replacement costs only if the District is operating at substantial capacity, or is required by applicable state or federal law, rules, regulations, mandates, or directives. Prior to attaining full capacity of the system, the District may supplement the user fees with revenues from any lawful source.

B. Revenues collected from user charges will be used for offsetting the cost of operation, maintenance and replacement of the sewage treatment works.

ARTICLE IV LINE EXTENSIONS

Section 1 MAIN LINE EXTENSION AGREEMENTS

In the event a property owner wishes to connect additional property to the sewer system of LCSD, the owner of such property shall first enter into an approved agreement with the District setting forth the terms and conditions for such connection. Such agreement shall include, but not be limited to, the following:

1. A reference to the design and location of the new sewer lines to be connected to the District sewer system.
2. A statement that no connection be allowed to the extended sewer system without first being deeded to and accepted by the District.
3. All line extension agreements shall reiterate the requirements that the property owners must pay the District's applicable sewer connection and user fees at the time connection is made to the District.

4. All extensions to the sewer system shall be done in accordance with plans and specifications approved by the District, and if applicable, by the Arizona Department of Environmental Quality (ADEQ). Design of the sewer extensions and facilities supporting the extension shall be in accordance with the District's and ADEQ's requirements. As-built plans, submitted on reproducible media are required prior to acceptance by the District of any extension. No sewer extension shall be placed in operation until District acceptance and approval has been obtained.

5. All fees, preliminary approval, and signed agreement must be received before the start of construction or submittal to the ADEQ.

6. Any exceptions to this section will need to be reviewed by the Board of Directors for an approval if there is any cost sharing of a Main Line Extension.

Section 2 CONDITIONAL CONNECTION PERMIT

Prior to the completion of any sewer line extension which provides for sewer service in an area not currently being served by the District, the owners of parcels of property which will be served by such sewer line extension may make application to and receive from the District a conditional connection permit. Any conditional connection permit is conditioned upon the completion and acceptance by the District of the sewer line extension being constructed to provide sewer service to that particular parcel of property. Further, any conditional connection permit shall create no right in the property owner to connect to such sewer line until the same has been approved and accepted by the District. The property owner shall have no cause of action against the District for the failure of the District to accept such sewer line extension.

Section 3 IMPROVEMENT DISTRICT

A. A property owner may request the District form an improvement District pursuant to Title 48, Chapter 14, Article 2, Arizona Revised Statutes.

B. In the event that the property owner(s) request Improvement District be formed, the Board of Directors of the District shall determine the size, shape and boundaries of the Improvement District and shall determine the nature, extent, and cost of the improvements to be constructed therein. The Improvement District shall reimburse the LCSD for all related costs incurred.

ARTICLE V COMPLIANCE AND PAYMENTS

Section 1 RESPONSIBILITY FOR PAYMENT OF SEWER CHARGES

A. Billing and Payment Terms. Sewer charges shall be billed at the beginning of each quarter and are due and payable by the last day of that quarter. If full payment is not received by then, the account will be considered delinquent. A late fee Twenty-Five Dollars (\$25.00) will be assessed on the sixteenth (16th) day following the end of the prior quarter and will be added to the next quarter's billing. Sewer charges shall be billed to the Owner under whose name the service connection is recorded.

B. Disputed Charges. Customers shall pay the total amount due as stated on their most recent billing statement. A customer who disputes any fees, costs, assessments, or other charges must submit a written *Request for Reimbursement of Disputed Charges* to the District within thirty (30) days of the billing statement containing the disputed item(s). The Request must include specific details, and an explanation of why the disputed amounts are incorrect or why they should not have been assessed.

The Board of Directors of LCSD shall consider the customer's Request at the next scheduled Board meeting where the matter can be placed on the agenda. The Board's decision shall be provided to the customer in writing within ten (10) business days following the meeting.

C. Responsibility for Payment of Sewer Charges. In the event a property is sold, conveyed, or otherwise transferred without all user fees being paid in full, the District may collect the unpaid user fees from the successor or successors in interest to the owner who incurred the charges. For purposes of this section, user fees shall be deemed a charge against the land itself, regardless of ownership, and may be collected from the current property owner even if the fees were incurred by a previous owner or person in possession of the property.

Section 2 DISCONNECTION FROM DISTRICT SEWER SYSTEM

A. Grounds for Disconnection.

Customers may be disconnected from the District's sewer system for any of the following reasons:

1. Delinquency in Payment. Failure to pay sewer service charges for two (2) consecutive quarters.
2. Failure to Submit Required Solids Separation Tank (SST) Inspections and Service Reports. Failure to timely submit proof of SST inspection and service (if recommended) as required by the District's Rules and Regulations.
3. Non-Compliance Affecting System Integrity or Public Health. Failure to comply with any District Rule, Regulation, or lawful requirement that results in, or creates a risk of, damage to the District's sewer system or a threat to public health, safety, or the environment, as reasonably determined by the District.

B. Disconnection for Delinquency.

1. Billing and Payment. The District bills quarterly in advance during the first month of each quarter. Payment is due on or before the last day of the quarter ("Due Date").
 - Payments sent by U.S. Mail must be postmarked or received by the District on or before the Due Date.
 - Payments by other methods must be received at the District's office or deposited in the District's bank account by 5:00 p.m. Arizona Time on or before the Due Date.
 - Payments received after the Due Date are considered **Delinquent**.

2. Late Fee. A Late Fee of Twenty-Five Dollars (\$25.00) will be assessed on the sixteenth (16th) day following the end of the prior quarter and will be added to the next quarter's billing.

3. Disconnection Fee and Physical Disconnection. If a customer remains delinquent for two (2) consecutive quarters:

- A Disconnection Fee (per the District's Annual Fee Schedule) will be assessed on the sixteenth (16th) day following the end of the second delinquent quarter.
- The customer will also be responsible for the District's actual costs incurred to physically disconnect the sewer service.
- All delinquent amounts, fees, and costs, including a Reconnection Fee, must be paid in full before sewer service is restored.

4. Notice of Pending Disconnection. If a customer remains delinquent through the 16th day following the last day of the second consecutive quarter, the District shall issue a **Notice of Pending Disconnection and Assessment of Disconnection Fee.**

The Notice shall:

- State the total amount due, including all unpaid service charges, late fees, the Disconnection Fee, and any other applicable charges;
- Provide a deadline of not less than fifteen (15) calendar days from the date of the Notice for the customer to pay all amounts due in full;
- State that failure to pay the full amount by the stated deadline will result in physical disconnection from the District sewer system without further notice; and
- Inform the customer of any available procedure to dispute the charges, if applicable.

The Notice shall be sent by:

- Regular U.S. Mail; and
- Certified Mail, return receipt requested.

In addition, a copy of the Notice shall be posted in a conspicuous location on the customer's property.

The cost of sending the certified letter will be added to the customer's account.

The District's failure to receive a signed return receipt shall not invalidate notice if mailed to the customer's last known address on file.

C. Disconnection for Failure to Submit SST Inspection and Service Report.

1. Inspection and Service Requirements. Each customer is required to obtain and submit to the District an SST inspection report once every eight (8) years, in accordance with the District's inspection schedule. If the inspection report recommends pumping, servicing, repair, or maintenance, the customer must complete the recommended service and submit documentation of completion.

- All required inspection reports and proof of recommended service (if applicable) must be received by the District no later than June 30 of the customer's designated inspection year.
- If the District does not receive the required inspection report and documentation of service (if applicable) by June 30 of the designated inspection year, the customer shall be deemed non-compliant.
- On the sixteenth (16th) day following June 30, the District shall assess a Disconnection Fee to the customer's account and shall issue a **Notice of Non-Compliance and Pending Disconnection.**

The Notice shall:

- Identify the missing inspection report and/or service documentation;
- State that the Disconnection Fee has been assessed;
- Provide the customer with not less than thirty (30) calendar days from the date of the Notice to cure the non-compliance;
- Provide the customer with not less than thirty (30) calendar days from the date of the Notice to cure the non-compliance by submitting the required documentation; and
- State that failure to cure within the stated period will result in physical disconnection from the District sewer system without further notice.

The Notice shall be sent by regular U.S. Mail and certified mail, return receipt requested, and will also be posted in a conspicuous location on the customer's property. All costs of notice and disconnection shall be added to the customer's account.

Customers with required grease traps must have SST inspections and services (if recommended) performed annually.

D. Disconnection for Non-Compliance Affecting System Integrity or Public Health.

1. General Rule Violations. In addition to disconnection for delinquency and failure to submit required SST inspection and service reports, the District may disconnect a Customer from the sewer system for other violations of the District's Rules and Regulations when, in the District's sole and reasonable judgment, such non-compliance:

- Interferes with the proper operation or integrity of the sewer system;
- Creates or contributes to a risk to public health or safety; or
- Creates or contributes to an environmental hazard or regulatory violation.

2. Notice of Non-Compliance; Opportunity to Cure (Non-Emergency).

Except as provided in subsection (3 below), when a violation does not pose an immediate threat, the District shall provide the Customer with written notice of non-compliance, which shall include:

- A description of the violation;
- The corrective action required, if known;
- Notice that failure to timely cure may result in disconnection of sewer service.

If the Customer fails to cure the violation within the time specified in the notice, the District may disconnect sewer service following issuance of a Notice of Pending Disconnection.

3. Serious Threat or Emergency Conditions. Notwithstanding subsection (2 above), if the District determines, in its sole and reasonable judgment, that a Customer's non-compliance creates an immediate or imminent threat to:

- The integrity or operation of the sewer system;
- Public health or safety; or
- The environment.

The District may disconnect sewer service immediately and without prior written notice.

In such cases, the District shall provide notice to the Customer as soon as practicable following disconnection, describing the basis for the action and the conditions required for reconnection.

4. Form and Delivery Notice. Any notice required under this section may be provided by one or more of the following methods, as determined by the District to be reasonable under the circumstances:

- U.S. mail;
- Electronic mail to an address on file;
- Personal delivery; or
- Posting on the property served.

The method, timing, and content of notice may vary based on the severity and urgency of the non-compliance.

5. Reconnection. Sewer service disconnection under this section shall not be restored until:

- The non-compliance has been corrected to the District's satisfaction;
- Any required inspection or verification has been completed; and
- All applicable disconnection and reconnection fees have been paid.

6. Additional Deposit for Repeat Offenders. If a Customer is assessed a Disconnection Fee two (2) or more times within any consecutive twenty-four (24) month period, the District may, in its sole and reasonable judgment, require the Customer to pay a deposit, not to exceed an amount equal to one (1) year of sewer service charges, as a condition of reconnection.

In determining whether to require a deposit, the District may consider the nature of the prior disconnections, including whether any disconnection resulted from an emergency condition caused or contributed to by the Customer's non-compliance.

ARTICLE VI EASEMENTS AND LICENSES

Section 1 EASEMENTS

A. All property owners desiring the connection of the improvements on their property to the sewer system of the LCSD shall grant to the District, at no charge to the District, those easements necessary to properly effectuate the sewer connection desired. All easements granted to the District shall be subject to the following restrictions and conditions of use:

1. No person, firm or corporation having charge of property subject to easement in favor of LCSD, shall hereafter construct, build or establish a building upon the property subject to said easement. A building means a house, commercial building, industrial building or any structure of a size or construction that the moving thereof would cause great inconvenience to any person.

2. Should the owner of the property subject to an easement in favor of LCSD construct a building thereon, or in any way obstruct access to the easement, LCSD may employ individuals to clear said property, and charge the costs of the same to the owner of the property. Nothing contained herein shall obligate LCSD to compensate the owner of the property subject to the easement for the value of a "building" cleared. The District may take those steps as are required to work in the easement and preserve the improvement, rather than clear the improvements.

3. No person shall excavate upon the property subject to the easement in favor of LCSD without having first requested a blue stake from the District.

5. In the event any improvements are constructed within the boundaries of the easement, and these create any additional costs to the District because it must incur additional expenses to repair, install or replace its sewers, the property owner shall be charged all additional costs incurred.

Section 2 LICENSES

All property owners desiring connection to the District's sewers shall grant the District a deed of sewer and grant of license enabling the District, its employees, agents, state, and federal personnel to go upon the landowner's property for purposes, including but not limited to, inspection, measurement, maintenance, repair or testing of the solids separation tank, and the sewer lines exiting a solids separation tank, or any appurtenant facilities, and for purposes set forth in Article II and Article III of these Rules and Regulations.

**ARTICLE VII
MISCELLANEOUS**

Section 1 DISTRICT FUNDS

A. Funds of the District may be used to aid in the construction of off-site sewer lines when:

1. District funds are available;
2. District funds can be used to service the greatest number of occupied dwellings within the Sanitary District;
3. Additional sewer line diameter is required by off-site considerations.

B. District funds will not be available for sewer line construction to new or proposed subdivisions except for the additional sewer line diameter that may be required by offsite considerations.

C. When special conditions (hardships) cause costs to be out of proportion to benefits when compared to other parts of the District, the District may consider, upon application of the property owner, funding all or a portion of certain sewer lines or extensions.

Section 2 ANNEXATIONS

Any property owner who desires to have their property annexed into the LCSD shall proceed in accordance with the provisions of Arizona Revised Statutes § 48-262, and shall pay the District an annexation fee for each acre, or portion thereof, as set forth in the District's fee schedule, published annually., The property owner and shall also reimburse the District for all costs incurred by the District as a result of the annexation, including but not limited to legal, engineering, publication, filing, surveying, and recording fees. The payment of such annexation fees shall be in addition to all other fees of the District which may, from time to time, be levied and collected for the provision of any services or the connection of any facilities to the District's sewer system.

Section 3 INCLUSIONS

Properties located within the District's boundaries that are not connected to the District's sewer system, but seek to connect, shall be subject to an Inclusion Fee. The Inclusion Fee shall be equal to the amount of the annexation fee that would apply pursuant to Arizona Revised Statutes § 48-262 at the time of request to connect.

The payment of such inclusion fees shall be in addition to all other fees of the District which may, from time to time, be levied and collected for the provision of any services of the District or the connection of any facilities to the District sewer system.

Section 4 CONSTRUCTION SPECIFICATIONS

All sewer laterals, house laterals, other connections, or connecting sewers which adjoin, or connect into any portion of the LCSD sewer system shall be constructed in accordance with the standard specifications of the District and the Uniform Plumbing Code. All house laterals or other connections to the sewer system shall contain check valves to prevent sewage from backing up into the lateral or connection.

Section 5 DISCHARGE OF RECREATIONAL VEHICLE AND TEMPORARY WASTE TANKS

A. No person shall discharge, or allow the discharge of, any waste from recreational vehicles (RVs), motor homes, or campers into the District's sewer system except through a properly permitted and approved RV waste connection located on their own property.

B. Each RV, motor home, or camper hookup must be registered with the District and is subject to the applicable monthly service fee. Unauthorized discharge into another property owner's RV hookup, cleanout, or any other access point is strictly prohibited.

C. A property owner with an approved RV waste pumping fixture on their property may allow a guest to use the hookup for waste disposal, provided:

1. The property owner is current on all applicable RV-related service fees; and

2. The use is occasional, defined as no more than two (2) guest discharges per calendar year.

D. Any additional or repeated guest usage beyond this occasional allowance will result in a surcharge billed to the property owner and the suspension of future guest discharge privileges. Continued violations may result in further enforcement actions as outlined in Article V – *Compliance and Payments*.

E. This section shall not apply to properly permitted and managed RV or camper waste disposal sites located on operated campgrounds or RV/mobile home parks within the District.

Section 6 VALIDITY OF REGULATION

If any article, section, paragraph, subdivision, clause, or phrase of this regulation shall for any reason be held illegal or unenforceable such decision shall not affect the validity of the remaining portions of this Regulation. The Board of Directors of the LCSD hereby declares that the District would have adopted this regulation and each and every other section, paragraph, subdivision, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subdivisions, sentences, clauses, or phrases of this regulation may be held illegal, invalid or unenforceable.

Section 7 CONTRACTORS

Any contractor performing work on the sewer lines or other related appurtenances of the LCSD shall be a licensed contractor within the State of Arizona as set forth in A.R.S. § 32-1101 *et seq.* Contractor is defined as set forth in A.R.S. § 32-1101(a)(2).

Section 8 DISCRETION OF BOARD OF DIRECTORS

The Board of Directors shall have the authority, in its sole and reasonable discretion, to modify, waive, or make exceptions to these Rules and Regulations in extraordinary circumstances. Further, these Rules and Regulations may be amended at any time by resolutions duly adopted by the Board of Directors, provided that notice of the same is duly given, as may be required by law. Any modification, waiver, or exception granted by the Board shall be consistent with the purposes, policies, and objectives of the District. The Board’s decision regarding the existence of extraordinary circumstances and the appropriate modification, waiver, or exception shall be final.

**ARTICLE VIII
DEFINITIONS**

The following definitions shall apply unless specifically defined otherwise:

1. “Adjacent” shall mean a parcel of property is deemed adjacent when any portion of the easement containing the sanitary sewer is contiguous with the parcel, or any extension of the parcel created by an easement for roadway or utilities.
2. “ADEQ” shall mean the Arizona Department of Environmental Quality.
3. “Annexation Fee” shall have the meaning described in A.R.S. § 48-262.
4. “Applicable Fees” shall mean those fees which must be paid as a condition for the issuance of any permit, permission, approval, inspection, plan review, or other activity by the District; the amount of such fees shall be set annually by the District.
5. “Assessment Area” shall mean any of the areas within the boundaries of the District.

6. "B.O.D." (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty (20) degrees centigrade expressed in parts per million by weight.

7. "Board" shall mean the Board of Directors of the LCSD.

8. "Capacity Charge" shall mean the fee established by the Board, charged to new connections, to pay for the existing and future infrastructure that is necessary to collect, process, and treat wastewater products.

9. "Connection Fee" shall mean the fee set by the District to pay for the connection of service lines to the District's facility; the connection fee is to cover costs for providing the District's collection facility.

10. "District" shall mean the LCSD.

11. "Equivalent Dwelling Unit (EDU)" shall mean the basis for computing capacity charges. An equivalent dwelling unit is currently defined by the Uniform Plumbing Code as 18 units and can be adjusted from time to time. Unless determined by actual fixture counts, a single-family residential unit will be computed as 1 EDU.

12. "EPA" shall mean the Environmental Protection Agency.

13. "Fixture Unit Value" shall mean the unit value prescribed for plumbing fixtures as set forth in the Uniform Plumbing Code computed on the basis of the design capability of such fixtures to permit the flow of water or wastewater.

14. "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of foods; and from the handling, storage and sale of produce.

15. "Improvement District" shall mean any Sewer Improvement District formed pursuant to Article 2, Chapter 14, Title 48 Arizona Revised Statutes within the District.

16. "Home Pump Station" shall mean a facility consisting of pumping equipment and storage tank installed at the outlet side of a solids separation tank, used to lift or pump the sewage effluent to a location where a District main, capable of accepting the flows, is located. Home pump station capacity is limited to flows from a single dwelling and are necessary where gravity flow is not available. Home pump station is also synonymous with "home lift station", or "lift station".

17. "Industrial Waste" shall mean all wastewater resulting from the process, trade, business or operational procedures of an industrial user of the community excluding sanitary sewage and uncontaminated water.

18. "Inspection Fee" shall mean the fee charged by the District to provide inspection of new installations completed by property owners or their contractors.

19. “Lateral” shall mean a sewer line intended to serve a single property connected to a District main.

20. “LCSD” shall mean the Little Colorado Sanitary District.

21. “Main Sewer Line” shall mean a Secondary Sewer Line on private property located on a parcel other than where the Secondary Sewer Line originated, or any sewer line that receives flow from more than two solids separation tanks. The Main Sewer Line shall begin at the point the two Secondary Sewer Lines connect. Lines providing service to multiple SST’s owned by the same property owner shall not be considered a Main Sewer Line; rather, they shall be considered Secondary Sewer Lines until connecting to a secondary sewer line coming from another parcel or when connecting to a main sewer line. Secondary sewer lines that are located within a private sewer easement on property other than where the Secondary Sewer Line originated shall not be considered a Main Sewer Line until connecting to a secondary sewer line coming from another parcel or when connecting to a main sewer line.

22. “Natural Outlet” shall mean any outlet into a watercourse, ditch, or other body of surface or groundwater.

23. “NAWT” shall mean National Association of Wastewater Technicians.

24. “Permit” shall mean a written authorization required pursuant to any rule or regulation of the District for the installation of any sewage works.

25. “Permittee” shall mean a person or legal entity that has obtained permission, through the application process, to connect to a District main.

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

27. “Plan Check Fee” shall mean a fee charged by the District for the examination and approval of plans submitted for connection to the District system.

28. “Private Sewer” shall mean a sewer on private land, connecting a sewage source to a public sewer.

29. “Properly Shredded Garbage” shall mean garbage that has been shredded to a degree that all particles will be carried freely under the flow conditions prevailing in the District’s sewers with no particles greater than one-fourth (1/4) of an inch in any dimension.

30. “Public Sewer” shall mean a sewer controlled by public authority.

31. “Responsible Party” shall mean the owner of the property, as recorded with Apache County, or person authorized by the owner of record to act on their behalf.

32. "Sanitary Sewer" shall mean a sewer which carries sewage. Storm surface and ground waters are not intentionally admitted.

33. "Secondary Sewer Line: shall mean the line coming out of the outlet side of a solids separation tank while it remains on the private property where the SST is located, or to the point that connects with the District's main sewer line.

34. "Solids separation tank" shall mean a water-tight container which receives raw sewage and discharges a settled slightly treated effluent.

35. "Sewage" or "Sanitary Sewage" shall mean waste from toilets, baths, sinks, lavatories, laundries, and other plumbing fixtures in residences, institutions, public and business buildings, mobile homes, watercraft and other places of human habitation, employment or recreation.

36. "Sewage Treatment Plant" shall mean arrangement of devices and structures used for treating sewage.

37. "Sewer" shall mean a pipe or conduit for carrying sewage.

38. "Sewer Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

39. "Shall" means mandatory.

40. "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage but excludes sewage and sewer industrial waste.

41. "Suspended Solids" shall mean solids that either float on the surface of or are in suspension in, water, sewage, or other liquids and which are removable by laboratory filtering.

42. "User" shall mean the owner of the real property using or required to use the District Sanitary Sewer System.

43. "User fees" shall mean fees established by the Board to pay for the cost of operation and maintenance of the wastewater collection and treatment facilities. User fees are a monthly fee and are presently billed on a quarterly basis. Billings will commence with the first billing cycle following the inspection and approval by the District Operator of a new connection.

44. "User Charge" or "User Fees" shall mean the charge made to the recipient of sanitary sewer services by the District to defray the costs of operation and maintenance.

45. "Wastewater Treatment Services" shall mean the total cost of collection, transportation, treatment, and effluent disposal.

46. "Watercourse" means the channel in which a flow of water occurs either continuously or intermittently.

APPENDIX 1
Prohibited Substances

Following is a non-exclusive list of substances that could possibly damage the System and are therefore prohibited:

1. Liquid or vapor having a temperature higher than 150 degrees F.
2. Water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
3. Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
4. Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
5. Garbage that has not been properly shredded.
6. Water or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
7. Noxious or malodorous gas or substance capable of creating a public nuisance.
8. Any substance whose physical, chemical, or electrical properties might be such as to interfere with any phase of the operation of the sewage treatment plant.
9. Waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
10. Water or waste containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

APPENDIX 2
Additional provisions that apply to all sewer connections regarding solids separation tanks

Except as provided in paragraph number 7 of this section, all property owners of developed lots and parcels that have improvements requiring sewage disposal facilities must have a solids separation tank(s) approved by the District.

Solids separation tanks expiring prior to the completion of the construction of the sewer system (June 30, 1990), and not constructed as part of or in conjunction with the sewer system on an applicant's property must be pumped empty and either removed or filled with sand or cinders, at the property owners expense. Removal and replacement procedures must be reported to the District by the property owner. The property owner shall pay the costs of the solids separation tank and the connection between the improvements and the tank, and for connecting the solids separation tank to the sewer line.

The provisions of numbers 1 and 2 of this section apply not only to property owners with permanent dwellings on their property and mobile homes permanently in place, but also to those property owners who have a mobile home on the site for any part of the year.

1. All property owners of developed lots with solids separation tanks in the District shall disconnect the leach fields from the solids separation tanks. Solid pipe will be used to connect new solids separation tanks to the sewer system. The District will inspect the abandonment of each property owner's old solids separation tank and the installation of each new solids separation tank.
2. If a property owner of an unused lot or parcel which has no structures but has facilities for collection and discharge of sewage obtains a building permit, the property owner is required to install a solids separation tank which meets the requirements of the District at the property owner's expense.
3. All owners of real property located in the District who built homes or commercial structures after July 29, 1987, and had solids separation tanks installed without a permit from the District must install solids separation tanks which meet the requirements of the District at the property owners' expense. The property owners must connect these solids separation tanks to the sewer system, constructed by the District, at the property owners' expense.
4. Owners of undeveloped or unused parcels either with or without existing solids separation tanks must install solids separation tanks which meet the requirements of the District at the property owners' expense at the time the land is developed or used. The property owners must install a solids separation tank which meets the requirements of the District at the property owners' expense and connect the solids separation tank to the sewer system, constructed by the District, at the property owners' expense.

5. All noncomplying solids separation tanks and other means of sewage disposal are abated.

6. The District may enforce the rule set forth in number 5, immediately above, in the manner prescribed under A.R.S. Section 48-2031, which makes the violation of Rules and Regulations a Class 2 misdemeanor or A.R.S. Section 48-2011 which allows for civil remedies against any person who violates any rule adopted by a Sanitary District.

7. Every structure with plumbing on a parcel of property within the LCSD shall be connected to a solids separation tank (SST). No structure with plumbing shall be connected to a SST on another parcel. No structures with plumbing shall be connected to a SST or the LCSD system without prior approval and inspection. The LCSD engineer shall approve an application for connection to the LCSD, which must include accurate construction plans and capacity, connection, and inspection fees for each SST to be connected to the LCSD. An additional engineering fee may be charged depending upon the complexity of the system. The SST and its connection to the LCSD shall be inspected and approved by the LCSD operator. An applicant approved to connect other structures with plumbing, for example, a guesthouse, to a SST that is in use or to be connected to another structure or structures with plumbing shall have adequate SST capacity to meet the requirements set by the Arizona Department of Environmental Quality, and the LCSD's engineer, and pay additional capacity, inspection, and user fees. The property owner, whether an individual or legal entity, shall pay user fees for multiple structures with plumbing connected to a SST or SST's on a parcel of property as an aggregate sum only. It shall be the property owner's responsibility to inform the LCSD of changes in a structure's design, including but not limited to, number of bedrooms, number of bathrooms, or a bathroom expansion, that is different from the originally submitted plans. Connection of a structure or structures with plumbing to the LCSD via a SST without adequacy capacity is strictly prohibited. Further, there shall be no division of ownership of structures on a single parcel where a SST services more than one structure. The LCSD shall accept and treat only SST effluent that shall originate from SST's manufactured and installed in accordance with the Arizona Department of Environmental Quality Engineering Bulletin No. 12 as amended.

APPENDIX 3
Sewage Requiring Special Treatment or Handling

In such cases where the character of the sewage or industrial waste from any manufacturing or industrial plant, building or premises, is such that it imposes an unreasonable burden upon said sewer system or treatment plant greater than imposed by the average sewage entering said sewer system, the District shall, if deemed advisable, require such manufacturing or industrial plant, building or premises, to pretreat such sewage in such manner as defined in Article II in these Rules and Regulations.

The admission into the public sewers of any waters or wastes containing:

- a. A five (5) day B.O.D. greater than two hundred fifty (250) parts per million by weight; or
- b. More than two hundred fifty (250) parts per million by weight of suspended solids; or
- c. Any quantity or substances, having the characteristic described in Section 2 of this Article; or
- d. Having an average daily flow greater than two percent (2%) of the average daily sewage flow of the District;

shall be subject to the review and approval of the proper District authorities. Where necessary in the opinion of the proper District authorities, the owner shall provide, at his expense, such preliminary treatment as may be necessary to,

- a. Reduce the B.O.D. to 250 parts per million and the suspended solids to 250 parts per million by weight, or
- b. Control the quantities and rates of discharge of such waters or wastes.

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of proper District authorities and the Department of Health Services for the State of Arizona, and no construction of such facilities shall be commenced until said approvals are obtained in writing. Federal pretreatment regulations shall be enforced as applicable.

Although there are no industries presently located in the Little Colorado Sanitary District, it is understood that the following procedure will be adhered to:

Prior to the connection of any industry's sewer to a sewer of the Sanitary District, the industry and the Sanitary District will develop and enter into an agreement encompassing an Industrial Cost Recovery System that complies with the current U.S. EPA Regulations and which has the approval of the EPA.

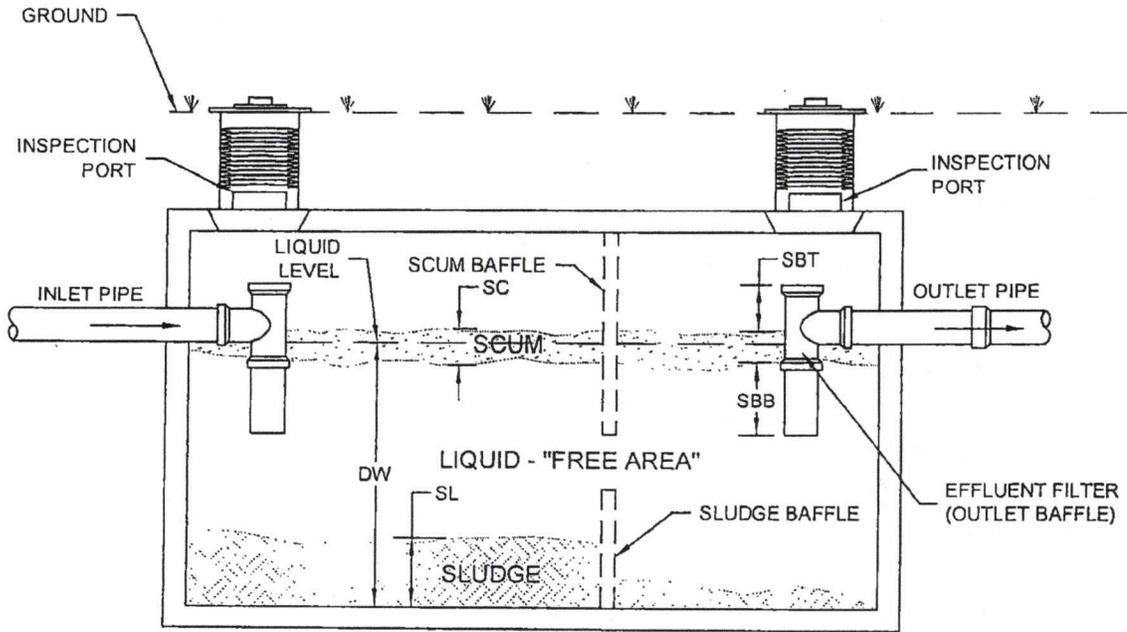
When required by the proper District authorities, the owner of any property served by a private sewer carrying industrial wastes shall install a suitable control manhole in the private sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the proper District authorities. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times. Such analyses as may be required to insure compliance with Article II, Section 3 of these Rules and Regulations; and Appendix 3 of these Rules and Regulations, shall be provided by the owner, whenever deemed necessary by the proper District authorities.

All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in Article II, Section 3 of these Rules and Regulations; and Appendix 3 of these Rules and Regulations shall be determined by the proper District authorities, in accordance with "Standard Methods for the Examination of Water and Sewage," and shall be determined at the control manhole provided for in this Appendix, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer at the point at which the private sewer is connected.

APPENDIX 4

Illustration Example of Scum and Sludge Measurements for SST Inspections

Tuesday, July 13, 2010 2:41:13 PM DRAWING: G:\Projects\0021\Solids Separation Tank.DWG LAYOUT: CAPACITY MEASUREMENTS USER NAME: PRINGLE, ROBBIE



When $(SC + SL) / DW > 33\%$ Tank must be pumped.
 example $(8" + 12") / 44" = 45\%$
 When $(SC + SL) / DW < 33\%$ Tank does not need to be pumped.
 example $(4" + 5") / 44" = 20\%$
 When the SCUM is less than 1" from the top of the Effluent Filter (SBT),
 then the tank must be pumped. (SBT<1"="Excess Scum")
 When the SCUM is less than 3" from the bottom of the Effluent Filter
 (SBB) then the tank must be pumped. (SBB<3"="Excess Scum")

LEGEND

- SC Scum
- SL Sludge
- SBT Outlet Baffle Top
- SBT<1" Excess Scum
- SBB Outlet Baffle Bottom
- SBB<3" Excess Scum
- DW Depth of Water



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Drawing Description
**CAPACITY
 MEASUREMENT**

**LITTLE COLORADO
 SANITARY DISTRICT**

Project No.: 134P00021
 Date: 06/10/2010
 Designed By: DLB

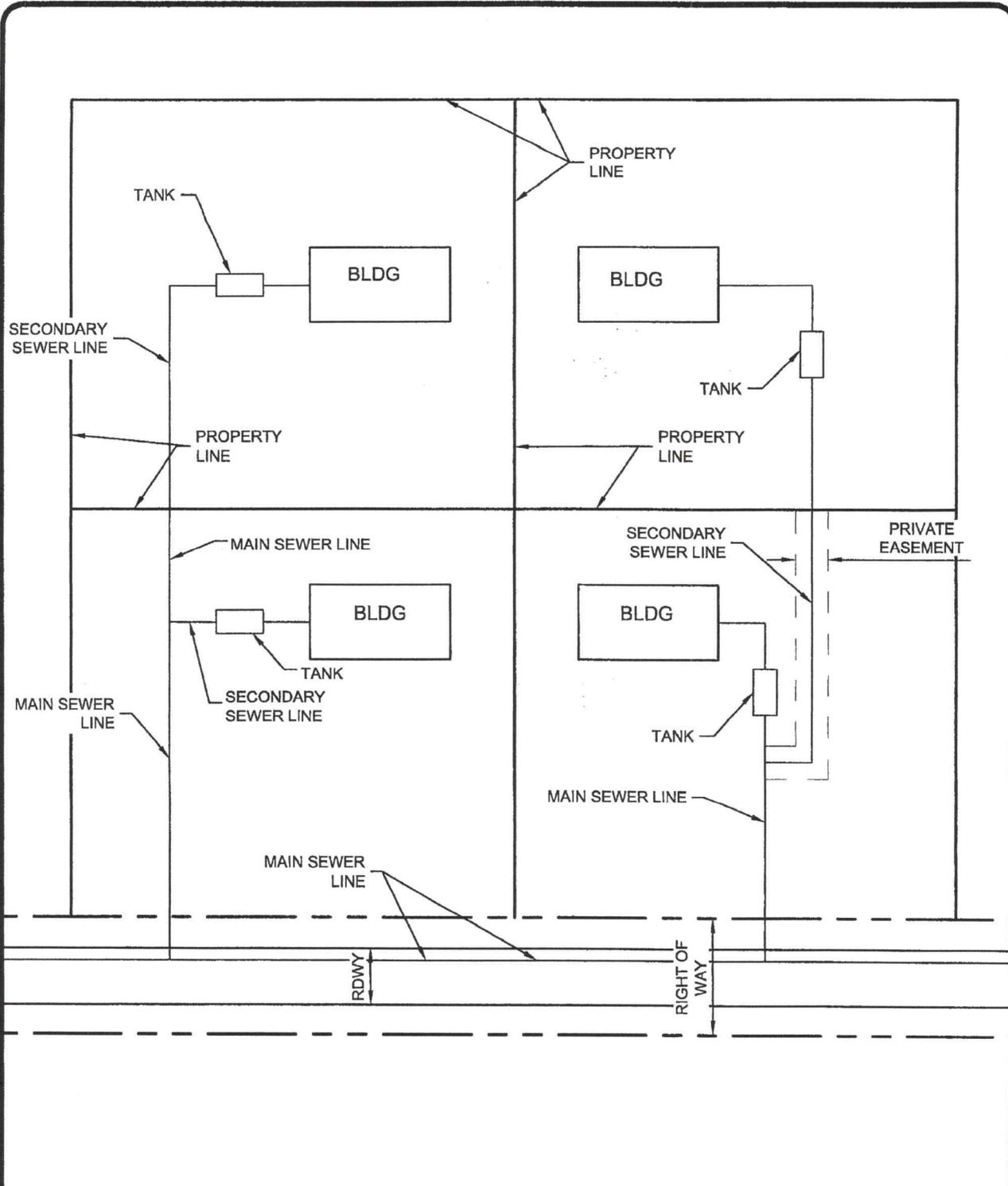
Drawing No.

C100

APPENDIX 5

Diagram Illustration Examples of Main Sewer Lines and Secondary Sewer Lines

Monday, May 13, 2013 1:15:35 PM DRAWING: G:\Projects\0021\Sewer Diagram.DWG LAYOUT: SCHEMATIC DIAGRAM (1) USER NAME: CUMMINS, JOHN



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Drawing Description
**SCHEMATIC LAYOUT
 AND DIAGRAM OF
 SEWER LINES**

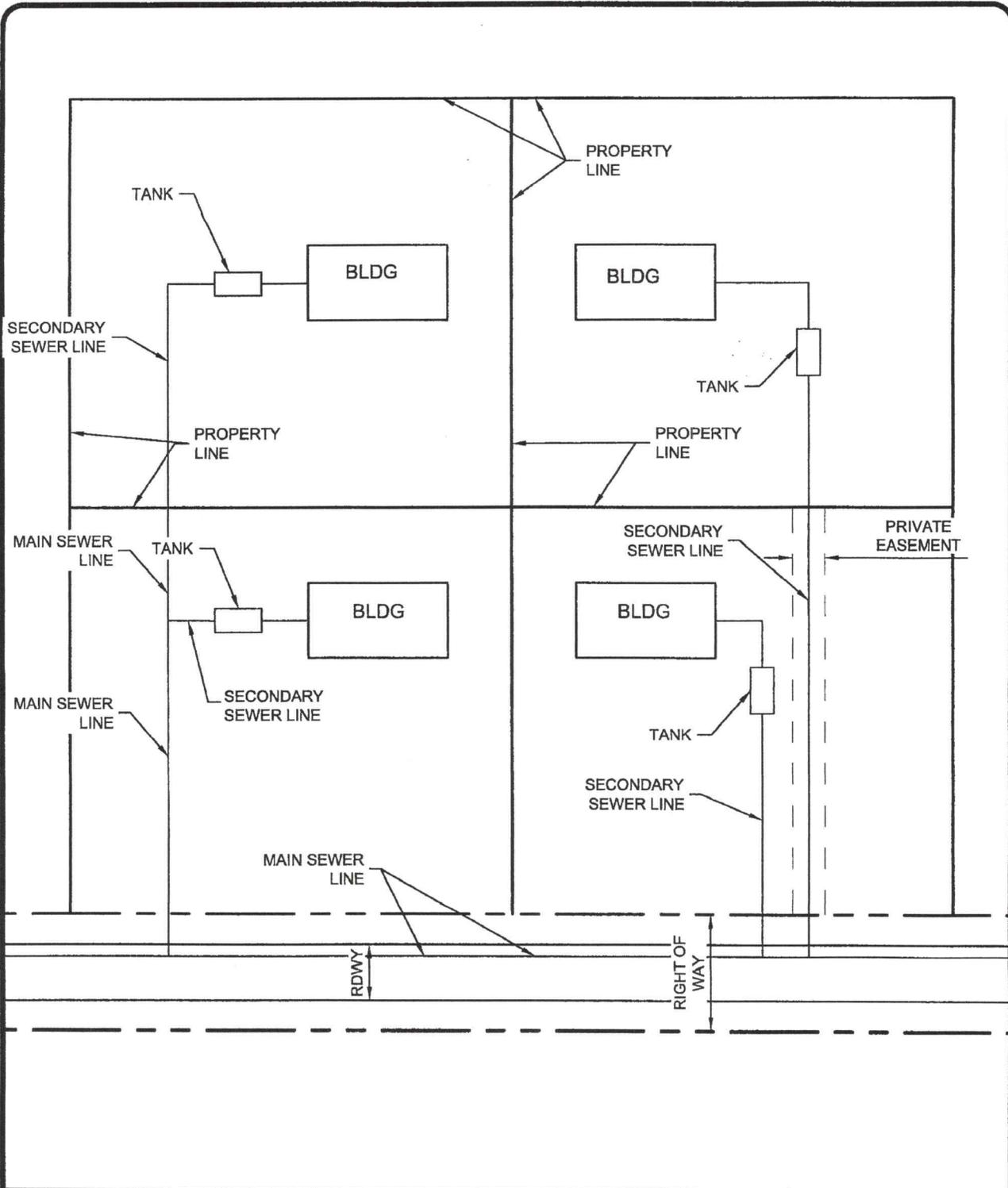
**LITTLE COLORADO
 SANITARY DISTRICT**

Project No.:	134P00021
Date:	05/13/2013
Designed By:	DLB

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C101

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Drawing Description
**SCHEMATIC LAYOUT
 AND DIAGRAM OF
 SEWER LINES**

**LITTLE COLORADO
 SANITARY DISTRICT**

Project No.: 134P00021

Date: 05/13/2013

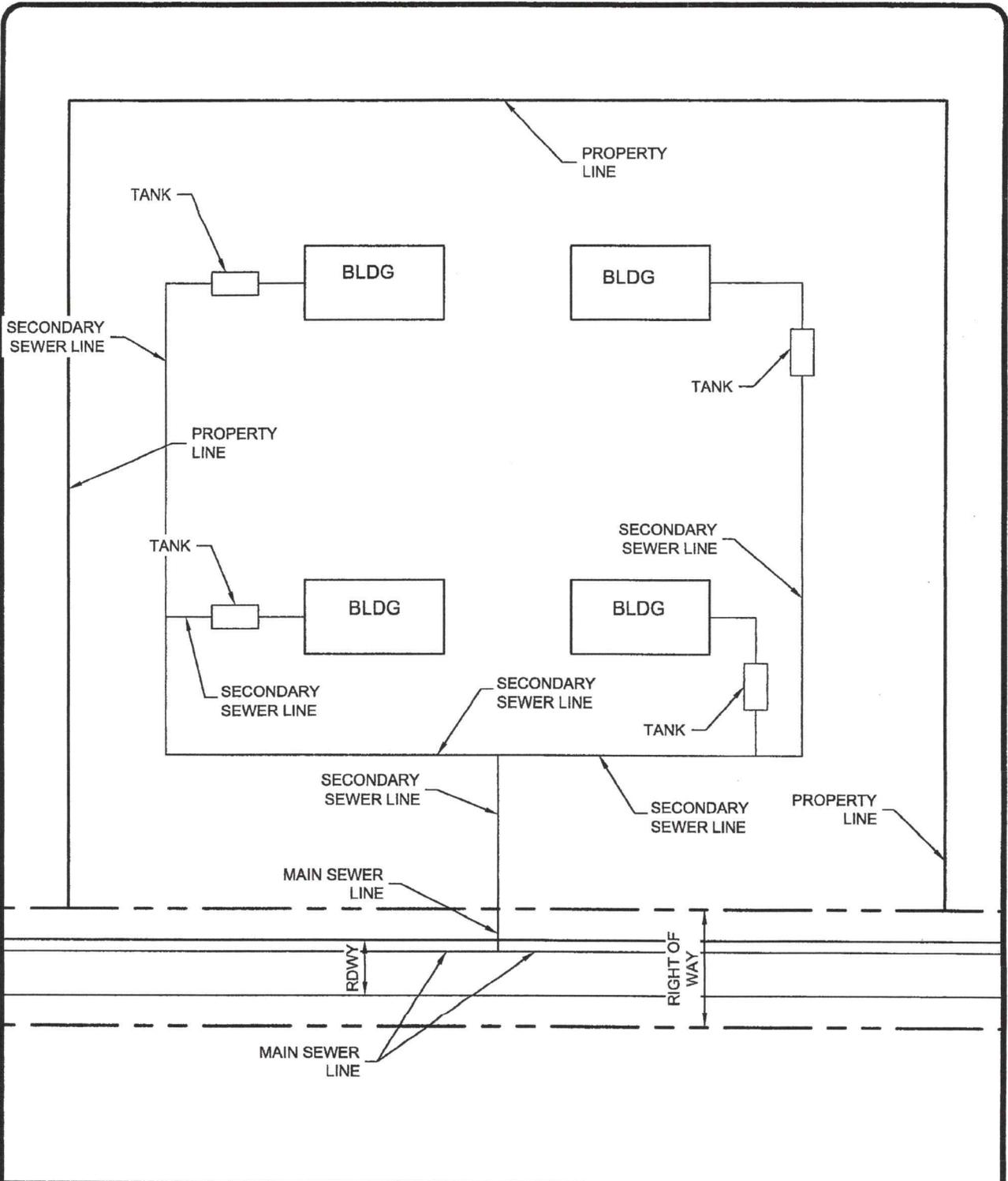
Designed By: DLB

Drawing No.

C102

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Drawing Description
**SCHEMATIC LAYOUT
AND DIAGRAM OF
SEWER LINES**
LITTLE COLORADO
SANITARY DISTRICT

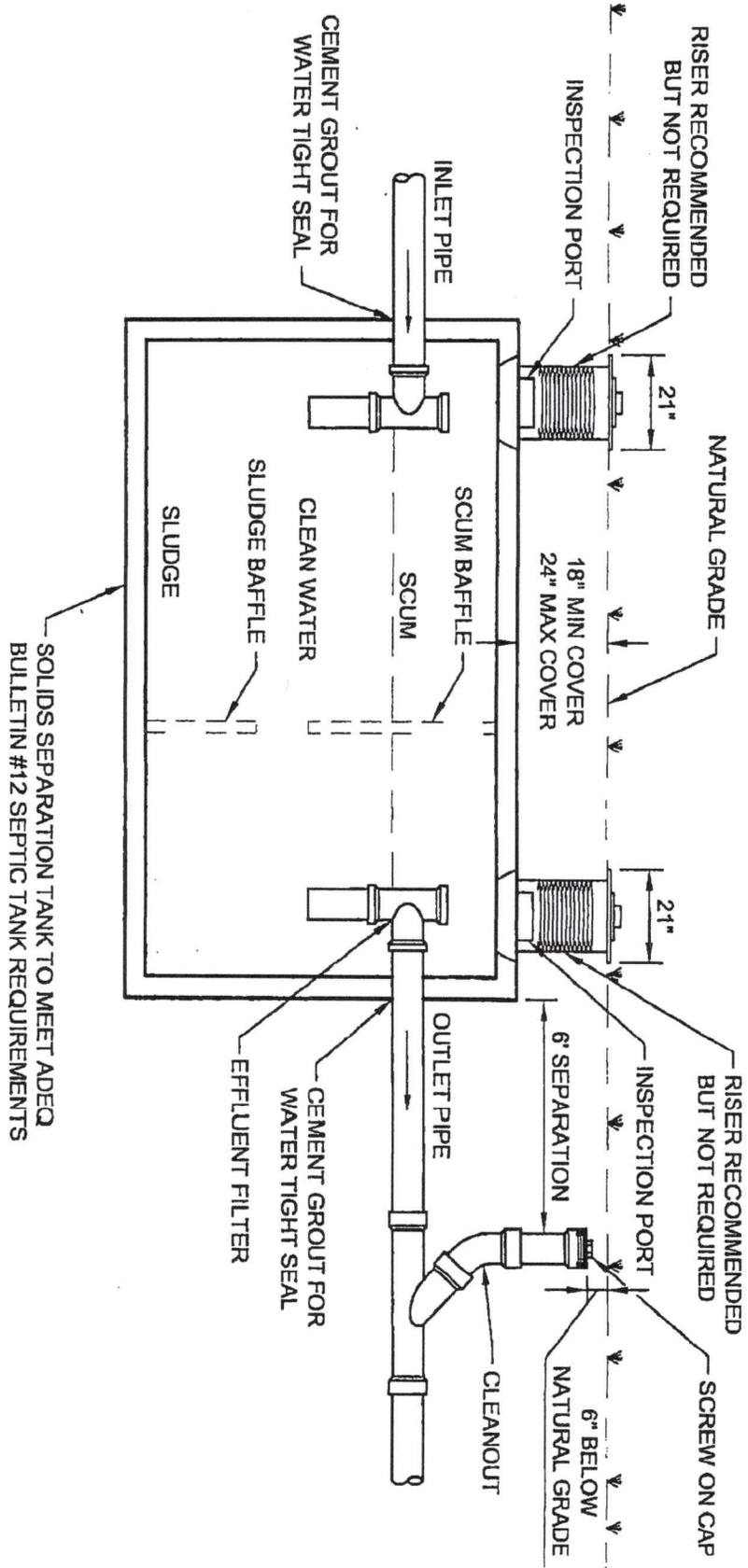
Project No.: 134P00021
Date: 05/13/2013
Designed By: DLB

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C103

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APPENDIX 6

Diagram Illustration Example of Location of Clean Out Valve on SST



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LITTLE COLORADO SANITARY DISTRICT

TYPICAL DETAIL
 FOR

SOLIDS SEPARATION TANK

Project No.: 134P00021

Date: 09-15-2011

Designed By: DLB

Detail
C100

Bar Measurements 1 Inch