



ORDINANCE 2024-A492

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, DECLARING THE DOCUMENT ENTITLED "CHAPTER 17 PUBLIC SERVICES CODE AMENDMENTS" AS A PUBLIC RECORD; ADOPTING THE CHAPTER 17 PUBLIC SERVICES CODE AMENDMENTS BY REFERENCE; AND AMENDING THE TOWN CODE OF THE TOWN OF CAMP VERDE THROUGH THESE AMENDMENTS BY ADDING SECTION 17 PUBLIC SERVICES IN THE FORM ATTACHED TO THIS ORDINANCE; ALL RELATED TO THE ESTABLISHMENT OF REGULATIONS FOR MUNICIPAL UTILITIES INCLUDING THE PROVISION OF WATER AND SEWER SERVICES AND UTILITY EXTENSIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES

WHEREAS, that certain document entitled Chapter 17 Public Services Code Amendments, three (3) copies of which, or one (1) paper and one (1) electronic copy, are on file in the office of the Town Clerk in compliance with A.R.S. § 9-802, as amended, is declared to be a public record, and said copies are ordered to remain on file with the Town Clerk; and

WHEREAS, the Town Council has determined that the proposed amendments are necessary to protect public health and safety of Town residents by adopting rules and regulations for the provision of municipal utilities including water and sewer services;

NOW THEREFORE, BE IT ORDAINED by the Council of the Town of Camp Verde, Arizona, as follows:

Section 1. **Adoption by Reference.** Pursuant to A.R.S. § 9-802, as amended, the Town hereby adopts the Chapter 17 Public Services Code Amendments and incorporates the Chapter into the Town of Camp Verde Town Code by reference.

Section 2. **Amendment to the Town Code.** The Town of Camp Verde Town Code is hereby amended by adding Chapter 17 Public Services to the Town of Camp Verde Town Code to read as set forth in Exhibit A.

Section 3. **Effective Date.** The effective date of the Chapter 17 Public Services Code Amendments shall be June 15, 2024, or upon completion of publication and posting as a penal ordinance as provided by law, whichever date is later.

Section 4. **Copies of the Town Code.** The Chapter 17 Public Services Code Amendments adopted herein by reference shall be kept on file in the office of the Town Clerk for public access. Copies may be purchased by the public at nominal cost for materials and reproduction. Copies placed for public access shall be readily available for public inspection during normal working hours.

Section 5. **Providing for Repeal of Conflicting Ordinances.** All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 6. **Providing for 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 7. **Providing for General Penalties.** Unless otherwise provided, any person found guilty of violating any provisions of this Ordinance shall be guilty of a Class 2 misdemeanor in accordance with Article 1-8 of the Town of Camp Verde Town Code, and upon conviction thereof shall be punished as provided by law. Each day that a violation continues shall be a separate offense punishable as herein described.

Section 8. **Providing for Specific Penalties.** Chapter 17 Public Services Code Amendments, Section 17-3-7 Declaration of Water Conservation Policy, and Section 17-3-14 Enforcement of Drought Restrictions, shall be subject to the following penalties:

1. For a first violation of any stage drought restriction, the customer will be advised in writing and informed that a monetary charge will be added to the water bill for subsequent violations.
2. For a second violation of any stage drought restriction at the same premises, the customer will be advised in writing and a one hundred dollars (\$100.00) charge will be added to the water bill.
3. For a third violation of any stage drought restriction at the same premises, the customer will be advised in writing and a two hundred fifty dollars (\$250.00) charge will be added to the water bill.
4. For a fourth and subsequent violation of any stage drought restriction at the same premises, for violation of any term or condition or for willful violation any drought restriction, the customer shall be advised in writing, and a five hundred dollars (\$500.00) charge will be added to the water bill. In addition, the Town water department may install a flow restrictor on the service line that will remain in place during the irrigation season, April 1st through September 30th, or may suspend service temporarily until the cause of the violation is corrected and all outstanding penalty and water service charges have been paid.

Section 9. **Providing for Specific Penalties.** Chapter 17 Public Services Code Amendments, Section 17-2-4 Prohibited Substances, shall be punishable as a Class 1 misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed two thousand five hundred dollars (\$2,500.00) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment, as provided by law. Each day that violation continues is a separate offense punishable as set forth herein.

Section 10. **Providing for Specific Penalties.** Chapter 17 Public Services Code Amendments, Section 17-2-5 **Prohibited Dumping**, shall be punishable as a Class 1 misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed two thousand five hundred dollars (\$2,500.00) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment, as provided by law. Each day that violation continues is a separate offense punishable as set forth herein.

Section 11. **Providing for Specific Penalties.** Chapter 17 Public Services Code Amendments, Section 17-2-9 **Mandatory Connection to Town Wastewater System Once Available**, subsection D **Public Nuisance**, shall be punishable as a Class 1 misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed two thousand five hundred dollars (\$2,500.00) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment, as provided by law. Each day that violation continues is a separate offense punishable as set forth herein.

PASSED, ADOPTED AND APPROVED by a majority vote of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, this this 15th day of May, 2024.


Dee Jenkins, Mayor

ATTEST:


Virginia Jones, Acting Town Clerk

APPROVED AS TO FORM:


Trish Stuhan, Town Attorney
Pierce Coleman, PLLC

I, VIRGINIA JONES, ACTING TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2024-A492 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE ON THE 15 DAY OF May, 2024, WAS POSTED IN THREE PLACES ON THE 20 DAY OF May, 2024.


Virginia Jones, Acting Town Clerk

Attachment: Exhibit A - Chapter 17 Public Services Code Amendments

{Exhibit on File at 473 S. Main Street, Suite 102, Camp Verde Arizona}

EXHIBIT A

CHAPTER 17 PUBLIC SERVICES (04-17-2024)

ARTICLE 17-1 MUNICIPAL UTILITIES GENERALLY

- 17-1-1 Definitions
- 17-1-2 Application for services
- 17-1-3 Service deposits and fees
- 17-1-4 Service connection provisions
- 17-1-5 Meter relocation
- 17-1-6 Accounting periods
- 17-1-7 Charges for utility service
- 17-1-8 Charges without meter registration
- 17-1-9 Meter tests
- 17-1-10 Collusion
- 17-1-11 Tampering, defrauding, and injuring
- 17-1-12 Discrimination
- 17-1-13 Liability
- 17-1-14 Rates
- 17-1-15 Billing
- 17-1-16 Payment of charges
- 17-1-17 Extension agreements
- 17-1-18 Customer Complaints and adjustments
- 17-1-19 Entry and inspection
- 17-1-20 Delinquency – termination of services
- 17-1-21 Enforcement by lien of wastewater monthly service charges
- 17-1-22 Separation of service

SECTION 17-1-1 DEFINITIONS

As used in this ~~title~~chapter:

Camp Verde municipal utilities means the Camp Verde municipal water system, the Camp Verde municipal sewer system, and shall jointly constitute and be designated the Camp Verde municipal utilities.

Delinquent means any utility account for which the charges have not been fully paid.

Lateral Sewer means the sewer pipe and appurtenances serving a customer in a subdivision or from street and alley and emptying into a trunk sewer.

Meter assembly means and includes the meter and its connections, curb stop, meter box or housing, slab, with cover and cap where applicable.

Premises means each separate building, house, residence, store, tenement or occupancy, so situated upon any parcel or parcels of ground that the same is or could be used, sold or

occupied separately from, and is not then definitely an outbuilding or adjunct to any other building, house, residence, store, shop, tenement or occupancy, irrespective of the number of other such premises, as herein defined, or the ownership or control thereof, upon the same or other parcel or parcels of ground.

Sanitary sewer service means the provision of sewer service to a customer and consists of the pipe from the customer's premises to the lateral sewer.

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Sewer disposal system means all facilities for collecting, pumping, treating and disposal of sewage.

Sanitary Sewer Service. The customer sewer from his or her premises to the lateral sanitary sewer is the responsibility of the customer and/or owners both for construction and maintenance.

Utility service means water or sewer service.

Utility system means the Camp Verde municipal utilities.

Water service means the delivery of water by the water system to a customer or premises, for the use and benefit of the same, and the performance of such acts and service as may be necessary in connection therewith, in accordance with mutual covenants, this code, and the applicable ordinances and regulations of the Town.

Water service connection means and includes all the paraphernalia required or used to convey utility services from the Camp Verde municipal utilities to a customer's premises, including pipes, meter assembly fittings, and connections.

Water system means the Camp Verde municipal water system, the physical property comprising the same, or the personnel employed for the operation thereof, either or both as the context may indicate.

17-1-2 APPLICATION FOR SERVICES

- A. **Permanent Service.** Before any service connection is installed, existing service connection moved, utility service started, transferred, assumed, or discontinued, or different use made of service other than that for which original application was made, for any person or premises, the person desiring such service shall, in addition to any other requirements, first make an application therefor, setting forth in complete detail all required information. The person making application must be eighteen (18) years or older, must provide acceptable proof of identity, and shall subscribe and agree, as a consideration attaching to the service applied for, to all provisions of this chapter and other ordinances and regulations that may be applicable and properly prescribed by the Town. Such application for utility service shall be made at the office of the Camp Verde municipal utilities customer service during normal business days and hours as defined by the Town. In the event an applicant's circumstance precludes making application for service in person, the applicant may have someone apply on his/her behalf, who would assume full responsibility for the account until the application could be completed, provided that such signer is a Camp Verde municipal utilities customer with a current account in good standing, and provided further, that the actual applicant for which service is established completes the original application himself or herself no later than two (2) weeks prior to the date utility service commences. Requests for turn-ons, turn-offs or moves received should allow for up to three (3) working days for the service to be provided.

The violation or infraction of any of the said provisions shall, without respect to any other impositions or penalties, constitute proper cause for refusing or withholding service until satisfactory rectification be made.

B. Temporary Service.

1. In all cases, application for temporary service shall comply with all the rules, regulations and specifications that apply to permanent service.
2. The total cost of providing temporary service plus the cost of removal is to be paid as a nonrefundable contribution in aid-to-construction prior to the establishment of service.
3. If at any time during the term of the agreement for temporary service, the character of a temporary customer's operation changes so that in the opinion of Camp Verde municipal utility, the consumer is classified as permanent, the terms of the line extension rules shall apply.

C. Provisional Service. In cases where utility service is needed for interim usage, application may be made for provisional service, the rate for which is set by resolution and listed in the schedule of utility fees and charges and is to be paid prior to establishment of service. Applications for provisional service shall comply with all the rules and regulations that apply to permanent service.

D. Overtime Service. After-hours, or weekend-service requests, will be handled under the terms of provisional service, with the exception of prior payment, which shall be replaced by the applicant's signed promise to pay, on a form provided by the utility, stating the rate and duration of the provisional service and the overtime service call cost, all of which are set by resolution in the schedule of utility fees and charges.

SECTION 17-1-3 SERVICE DEPOSITS AND FEES

- A. Service Deposits.** Before a new utility service is started for any person or premises, the person making application for such service shall deposit, in cash with the utility system as a final payment advance and guarantee, the amount stipulated for such service in the schedule of utility deposits, as established by resolution of the Town council; or in lieu of such deposit, may deliver to the utility system a payment bond issued by an insurance company duly licensed in the state of Arizona and possessing a current A.M. Best, Inc., rate of at least B++6, or with other companies authorized to do business in the state of Arizona with policies and forms satisfactory to the Town. No such deposit shall be required for utility service to any premises in the name and for the use of the United States Government, or its agencies, or the state of Arizona, or its political subdivisions. Any deposit required, if in cash:
1. Residential shall be impounded for a period to be established by resolution.
 2. Commercial will be impounded with interest for as long as the service is in effect.
- B. Additional Deposits.** The Town manager or designee may require additional deposits for customers whose payment record indicates excessive risk, and for those whose usage is such that the above service deposit fails to provide adequate coverage to guarantee final payment.

- C. **Fees.** Customers requiring existing utilities turned on shall pay an administrative fee and a service and inspection fee as set by Town council resolution which shall cover all utilities furnished to the same location.
- D. **Alternate Security.** In lieu of the deposits in this section, the Town, in its discretion, may accept a security bond, or United States Government bond(s) equal in value to the amount required to be deposited, a letter of credit, guarantee, or such alternate means of securing payment as may be approved by the Town Manager. Bonds are to be made payable to the Town of Camp Verde.

SECTION 17-1-4 SERVICE CONNECTION PROVISIONS

- A. **Connection.** Every service connection attached to, or a part of, the utility system, either within or without the corporate limits of the Town, shall be the property of, maintained by, and under the sole control of the Town. The payment of aid-to-construction, service connection fees, or other charges or fees collected by the utility system shall not purchase or convey any right or interest in such service connection to any person whomsoever. By signing the service agreement incorporated as a part of each application for utility service, or service connection, applicants acknowledge the foregoing as a condition precedent to the furnishing of such service.
- B. **Responsibility.** Every person having utility service or to whose premises a service connection is installed shall be deemed the owner of and solely responsible for the condition and use of all pipes, fixtures, and connections attached to or a part of the system from and on the premises or outlet side of the meter assembly and shall be liable for all water used or consumed thereby. Such person shall be required to promptly repair or replace any such waste of utilities, and service may be withheld from the premises until such repair or replacement is made. Service may also be withheld for the willful waste of utilities.

SECTION 17-1-5 METER RELOCATION

- A. **Customer Request for Relocation.** In the event that the utility customer requests or requires that a utility meter be relocated, then the customer shall pay the Town for the cost of relocation of the meter and shall provide a contractor, unless excepted by Section 32-1121, Arizona Revised Statutes, to do the work on the customer's side of the meter.
- B. **Town Request for Relocation.** In the event that the Town shall require the relocation of a meter, the Town shall provide the work and materials for the relocation to the new location, including the costs from the new site to the former site.

SECTION 17-1-6 ACCOUNTING PERIODS

The fiscal year of the utility system shall be from the first day of July of each calendar year to the thirtieth day of June of the following year. Utility bills for utility service shall be rendered as of the last day of the month.

SECTION 17-1-7 CHARGES FOR UTILITY SERVICE

Charges for each utility service shall continue and be assessed from the day such service is started until the service is discontinued, either in compliance with a written order from the person to whom the service is charged on an approved form to be furnished by the utility system, or in accordance with the applicable sections of this chapter providing for discontinuance of utility service for cause. Charges for any utility service shall be made and assessed in accordance with the schedule of rates for such charges as contained in applicable ordinances or resolutions of the Town, provided, the charges for partial periods of service shall be determined in each instance, from the schedule of rates, in accordance with the following provisions:

- A. If any utility service begins and ends in any one month, the full minimum applicable to such service for one month shall be charged.
- B. If the amount of utility consumed exceeds the allowance for the minimum charge assessed, the regular schedule of rates shall apply to the excess.

SECTION 17-1-8 CHARGES WITHOUT METER REGISTRATION

If, at any meter reading time, a meter is found to be not registering or registering incorrectly, the charge for that utility service, for the period then ending, shall equal the charge for the same service for a like period.

SECTION 17-1-9 METER TESTS

- A. Any customer may, upon written application accompanied by the deposit amount set by resolution, have his or her meter tested for accuracy by the utility system. If a customer requests the meter to be tested by a private testing lab, the customer will pay all costs. In either case, if the meter registers a divergence from accuracy greater than three percent, the deposit and/or lab costs shall be refunded to the applicant, and the indicated adjustment made in the utility service charges for a total period not longer than the then-current period, and the monthly period immediately preceding. If a meter so tested registers within three percent of accuracy, the deposit shall be retained by the utility system as a fee to pay the cost of such test.
- B. All inaccurate and defective meters shall be replaced by the utility system immediately when detected.

SECTION 17-1-10 COLLUSION

No utility service shall be connected, reconnected, or continued for or in the name of any person against whom a delinquent balance due the utility system remains unpaid, or in the name of any member of the household of such person, or in any other name or manner that is deemed to be collusion for the purpose of securing utility service for such person or evasion of the payment of said delinquent balance or other proper charge.

SECTION 17-1-11 TAMPERING, DEFRAUDING, AND INJURING

No person shall, without first having secured permission from the Town's duly authorized agents, start or stop any pump, open, or close any fire hydrant, valve, or meter shut valve; open, break or remove any seal or lock; or in any way tamper with or molest any pipe, meter, connection, appurtenance or property belonging to or a part of the utility system. If any meter, stop cock or other service connection appurtenance shows conclusive evidence of having been tampered with, molested, or willfully injured so as to require repair or replacement, the cost of such repair or replacement shall, without respect to any other penalties or provisions, be assessed to the person to whom the utility service is charged. If payment of such cost be refused, the utility service shall be disconnected at the customer's expense. The total cost (incurred) shall be collected before the service is again connected.

SECTION 17-1-12 DISCRIMINATION

Every provision of this chapter or regulation duly authorized by the Town and relating to the utility system shall be administered fairly and impartially, without preference or prejudice to any person. No utility service shall be furnished to any person or premises unless the duly authorized and applicable rates be charged for such service, and no unauthorized, special, or discriminatory rates, service or facilities shall be used, applied, or granted to any person or premises.

SECTION 17-1-13 LIABILITY

No liability shall attach to the utility system or the Town for any injury or damages that may result from turning on or shutting off the utility in any main, service connection, or pipe; or the restriction of use or discontinuance of any utility service, or any failure of the utility supply irrespective of any notice or lack of notice thereof. This includes utility discontinuance for nonpayment or noncompliance with the provisions of the utility code. The utility system or the Town shall not be held liable, in any respect, for the condition defects, failure or use of any pipe, connection, fixture or appurtenance, not belonging to the utility system, on any premises, or for loss or damage resulting therefrom. The Town shall not be held liable, for issues related to fire flow and water quality.

SECTION 17-1-14 RATES

The council shall, by resolution, establish rates, fees, charges, and deposits for all consumers of utilities served by the utility distribution system of the Town.

SECTION 17-1-15 BILLING

All meter readings and billings shall be based on actual meter readings except when specified otherwise by the Town. Meter readings will be made as closely as practical on the same day of each month. Meters shall be readily accessible to the meter reader. The customer shall maintain said access in such manner that will not be hazardous or difficult to the meter

reader. If access does not comply with the above, billing may be averaged until such time as satisfactory access is restored. When a customer has been overcharged as a result of incorrect meter reading, incorrect calculations, or other similar reasons, the amount of overcharge will be credited to the customer or refunded if the amount is greater than two months of normal billing. When a customer has been undercharged as a result of incorrect meter reading, incorrect calculations or similar reasons, the amount of the undercharge will be billed to the customer. Any undercharge occurring more than six months prior to its discovery will not be charged to the customer.

SECTION 17-1-16 PAYMENT OF CHARGES

- A. **Charges.** All charges, fees, or other sums due the Town in respect to the utility system shall be due and payable at Town Hall in the Camp Verde Municipal Utilities Customer Service Office during normal business days and hours as defined by the Town. The Town shall not be liable for the failure of any person to receive any bill or statement from the utility system and assumes no responsibility for the presentation of any such bill or statement to any person, except at the office of the utility system. All service deposits, service connection charges, or previous delinquent and unpaid balances remaining against any person shall be paid at the time application is made to the utility system for service connection or utility service. All charges for utility service shall be due and payable on the first day of the month and shall be deemed delinquent after the twentieth day of the calendar month.
- B. **Partial Payments Restricted.** Payments of the total amount of utility service charges, penalties, and fees, if any, for any one month shall be made at one time in one amount. Partial payments may be made on unpaid balances remaining after discontinuance of utility service.
- C. **Checks.** Checks received in payment of accounts shall be accepted for credit only, subject to final payment by the depositor and upon the express condition that the Town acts solely in the capacity of collection agent and assumes no responsibility beyond the exercise of reasonable care and diligence. Excepting those issued by government agencies, no check for an amount greater than the actual account balance shall be accepted other than for credit of the full amount of such check to the customer's account.
- D. **Mail.** Remittances made by U.S. mail shall be solely at the risk of the person making same and shall be credited to such person's account only as of the date such remittance is actually received at the office of the utility system.

SECTION 17-1-17 EXTENSION AGREEMENTS

- A. **Qualifications.** Applications for extension agreements may be made in person only at the Camp Verde Utilities Customer Service Office during normal business days and hours for the current bill up to and including the day before lock list is run. Only two (2) such agreements shall be allowed within a six-month period.
- B. **Conditions.** The extended due date for payment on a delinquent balance shall not exceed ten working days from the date set as the cut-off date for the applicable month of the extension.

- C. **Extension Deposit.** Extension agreements which provide for monthly payments may require additional deposits. After the delinquent balance is paid, installments of an equal amount shall be required upon the same schedule as the extension payments and shall accrue toward a deposit balance equaling twice the previous year's highest bill for each utility, if such a balance is not already on deposit at the time the extension agreement is made.
- D. **Town Remedies.** Failure to comply with the terms and conditions of an extension agreement shall void the same and result in the immediate suspension or termination of utility service in accordance with law and the forfeiture of any future extension privileges for a period of six months.

SECTION 17-1-18 CUSTOMER COMPLAINTS AND ADJUSTMENTS

- A. **Complaints.** The customer service department will be responsible for handling customer complaints, correcting any errors in billing, and reporting to the Town manager or designee, any complaints, or errors which the department is unable to resolve to the satisfaction of the customer.
- B. **Town Manager Review.** In the event that the customer service department is unable to resolve the complaint of a customer, the customer may contact the Town and arrange to meet with the Town manager or designee to attempt to resolve the problem before the service to the customer can be discontinued. Following the meeting, the Town manager or designee shall make a determination regarding the complaint and provide notice to the customer in writing of the determination.
- C. **Adjustment.** The Utilities Director, may, at his/her discretion, authorize a one-time adjustment for unanticipated leaks, such as a major pipe break on a customer's property. A one-time adjustment is defined as being authorized on/for the same property once every five (5) years.

SECTION 17-1-19 ENTRY AND INSPECTION

- A. **Authorization.** Any duly authorized employee of the utility system may, at all reasonable times enter any premises served with utilities by the utility system over, through or upon which any pipe, connection, appurtenance or fixture, attached to or a part of the utility system, traverses or is located, for the purpose of examining, repairing, replacing or removing any pipe, connection or appurtenance belonging to or a part of the utility system, or for the purpose of examining or determining the quantities of each utility used on the premises and the purpose and manner of its use, or inspecting the condition of pipes, appurtenances and fixtures belonging to the premises, by which utilities are used from the utility system. In case of fraudulent representation in respect to any utility service, such utility service shall be discontinued and withheld until the conditions at fault have been remedied and any charges in connection therewith have been fully paid.
- B. **Interference.** Any person who restrains, prevents, or interferes with any such duly authorized employee of the utility system from entering any premises or performing such other acts as are provided by and in accordance with subsection A of this section, shall be guilty of a Class 1 misdemeanor.

SECTION 17-1-20 DELINQUENCY – TERMINATION OF SERVICES

- A. **Late Penalty.** A utility service bill which remains unpaid twenty-six (26) days from the billing date is delinquent and is subject to a late payment penalty, as established by the Town Council by resolution, and to termination on not less than ten (10) days' notice in accordance with Subsection B of this Section. The Town may discontinue all or a portion of other Town supplied utility service for the failure to pay billings, when due, for any Town supplied utility service.
- B. **Notice of Intent.** The Town shall mail written notice of its intent to terminate service to a delinquent account not less than ten (10) days in advance of the intended date of termination. The customer shall be notified as to which utility service is subject to termination and that the bill may be discussed with the Town Manager or designee. Notice may be provided on or with the regular billing to the customer or by separate notice delivered by hand or regular United States Postal Service at the service address or the most recent mailing address provided by the customer. No further notice or attempt to collect the delinquent account shall be made.
- C. **Billing Date.** The billing date shall be the date the bill is mailed as reflected by the billing date on the bill, the postmark date, the receipt provided by the United States Postal Service or similar service or a certificate of mailing prepared by the Town. In the event evidence reflecting differing billing dates is presented, the later date shall control.
- D. **Collection.** Any utility bill not paid in full within thirty (30) days after service is terminated is subject to appropriate collection activities, and the customer shall be responsible for any pay all costs of collection, including Court costs and reasonable attorney's fees. All judicial judgments entered in favor of the Town on delinquent accounts may be reported to one (1) or more credit bureaus, as determined by the Town.
- E. **Extension.** The Town Manager may grant up to a thirty (30) day extension of any time limit provided in this Section upon written request and for good cause shown.
- F. **Reinstatement.** No utility service terminated in accordance with this Section shall be reinstated until all utility service charges, delinquency charges, or fees owing, unpaid and delinquent at the time application for reinstatement is made, are paid in full; provided that, if the twenty-fifth of said subsequent month is not during normal business days and hours, the provisions of this section shall apply on the next following business day; and provided further, that the provisions of this section shall not apply to utility service in the name and for the use of the United States Government or its agencies, or the state of Arizona, or its political subdivisions.

SECTION 17-1-21 ENFORCEMENT BY LIEN OF WASTEWATER MONTHLY SERVICE CHARGES

- A. Notwithstanding any term, clause or section in this chapter, pursuant to A.R.S. Section [9-511.02](#), in the event the monthly service charge for wastewater collection and treatment for a given property becomes delinquent for more than 90 days, the Town may file a lien upon the

property for which sewer service is provided for such nonpayment of monthly charges. Prior to filing such lien, the Town shall comply with the following procedures:

1. The owner of record of the subject property shall be given written notice of the Town's intention to file a lien not less than 30 days prior to filing the lien. The notice shall be hand delivered or mailed by certified mail to the owner's last known address or to the address at which the tax bill for the property was last mailed. If the owner does not reside at such property, the notice shall be sent to him at his last known address.
2. The notice shall inform the property owner that he or she has the opportunity to appeal process regarding the delinquency before a designated Town official.
3. In the event the property owner requests an appeal, such request must be received not later than 10 days from the date of the notice. The request shall include copies of all documents that support the owner's position that there is no delinquency or that the amount claimed delinquent by the Town is in error.
4. The procedures set forth in 17-3-15, shall apply and govern the appeal process, except as amended herein.
5. In the event no hearing is requested by the property owner, or in the event payment is not made on a delinquent amount as determined by a hearing officer after a hearing, the Town may place a lien on the property in accordance with this section and state law.

B. Any lien placed on a property pursuant to this section shall be enforceable pursuant to and in accordance with A.R.S. Section [9-511.02](#).

SECTION 17-1-22 SEPARATION OF SERVICE

A separate service connection shall be installed and a separate service deposit and utility service required for each single premises, and two or more premises shall not be connected to or served through the same meter; provided that when in the opinion of the Town manager or designee the best interest of the Town and the customer will be served, two or more premises, situated adjacent and held by the same person, may be combined and served by one service connection or meter assembly under a multiple or "block" service agreement which shall provide that a service deposit be paid for each single premises so included, which may be combined as one amount and receipt, and that a minimum service rate be charged for each utility service allowed equal to the aggregate of the several minimum rates and consumption allowances of all the single premises so combined. Any such agreement or permission for a combination of premises to be served by a single service may be revoked at any time and separate services required for each single premise. For the purpose of this section, each hotel, motel, apartment house, office building or trailer park may be considered and served as a single premises with additional charges for each individual unit or premises in accordance with the schedule of charges adopted by resolution.

ARTICLE 17-2 MUNICIPAL SEWER SYSTEM

- 17-2-1 Additional deposit not required
- 17-2-2 Rates—collection
- 17-2-3 Installation of pretreatment equipment
- 17-2-4 Prohibited substances
- 17-2-5 Prohibited dumping
- 17-2-6 Allowed alternative dump site
- 17-2-7 Private sewage disposal systems prohibited exceptions
- 17-2-8 Notice of sewer availability
- 17-2-9 Mandatory connection to Town wastewater system once available
- 17-2-10 Permits for service connections

SECTION 17-2-1 ADDITIONAL DEPOSIT NOT REQUIRED

No additional deposit for sewer service shall be required of customers within the Town limits of Camp Verde who have made the necessary water deposit with Camp Verde municipal utilities.

SECTION 17-2-2 RATES—COLLECTION

- A. The council shall, by resolution, establish the sewer rates to be charged by Camp Verde municipal utilities.
- B. All sewer charges are to be added to and collected with all other utility bills as rendered by Camp Verde municipal utilities.
- C. All bills for sewer charges shall be due and payable on the same dates as all other utility services furnished by Camp Verde municipal utilities and shall be subject to the same rules and regulations governing all other utilities.

SECTION 17-2-3 INSTALLATION OF PRETREATMENT EQUIPMENT

In addition to the monthly sewer rental charge, the Town may require the installation of suitable screening, grease traps, sand traps or other pretreatment equipment at certain establishments, houses, or plants, so that the sewage or industrial waste will meet the requirements of the Town.

SECTION 17-2-4 PROHIBITED SUBSTANCES

It is unlawful for any person to pour petroleum products, or other similar substances which destroy or seriously retard the growth of algae, into the sewer system. Additionally, dumping of any illegal/controlled substances or any metals, plastics, acids, etc. that would cause the wastewater treatment plant to exceed current discharge permit limits are not allowed. Pursuant to the provisions of the Town code, as amended or as may be amended from time to

time, any person found guilty of violating this provision shall be guilty of a class one misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed two thousand five hundred dollars (\$2,500.00) or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment. Each day that violation continues is a separate offense punishable as set forth herein.

SECTION 17-2-5 PROHIBITED DUMPING

It is unlawful for any person to dump industrial waste or the contents of septic tanks into the sewer or wastewater treatment system of the Town. The Town does have a septage dumping station at the Town Wastewater Treatment Plant.

Pursuant to the provisions of the Town code, as amended or as may be amended from time to time, any person found guilty of violating this provision shall be guilty of a class one misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed two thousand five hundred dollars (\$2,500.00) or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment. Each day that violation continues is a separate offense punishable as set forth herein.

SECTION 17-2-6 ALLOWED ALTERNATIVE DUMP SITE

It is permissible for industrial waste and the contents of septic tanks to be dumped at a site specially prepared at the landfill operated by Waste Management (Gray Wolf Landfill at 23355 East Highway 169), in accordance with Town procedures.

SECTION 17-2-7 PRIVATE SEWAGE DISPOSAL SYSTEMS PROHIBITED EXCEPTIONS

- A. **Connection to Town Sewage Required.** All wastewater discharge shall be connected with the Town wastewater system, once there is sewer availability, except temporary portable toilets approved by the Town. It is unlawful to construct, operate or maintain any septic tank, privy vault, cesspool, evapotranspiration system or other private sewage disposal facility except as provided in this chapter or as approved by the Town by permit.
- B. **Availability.** For purposes of this section, it shall be presumed that a public sewer is available to the property if the public sewer has available capacity and is within three hundred (300) feet of the property.
- C. **Unavailability.** Where the Town wastewater system is not yet available to a property, a private sewage disposal system may operate as long as:
 - 1. The property owner or user operates and maintains the private sewage disposal system in a sanitary manner and in compliance with all Town, county and state health and environmental regulations and permits.
 - 2. The property owner or user designs, constructs, alters, or maintains the private sewage disposal system in compliance with all Town, county and state standards, regulations, specifications and details, and only after being granted all required permits.

3. The property owner acknowledges that any permit to construct, alter, improve, or operate a private sewage disposal system is only temporary in duration and the property owner agrees to connect to the Town wastewater system once it is available.
- D. **Prohibition on Permitting.** Once there is sewer availability to a property, no permits shall be issued nor shall work be permitted for construction or alteration of any private sewage disposal system on the property unless it is for connection to the Town wastewater system.

SECTION 17-2-8 NOTICE OF SEWER AVAILABILITY

The Town shall notify all affected property owners or their agents or lessees, as shown on the last assessment of the property, that the Town wastewater system is available and that property owners must connect within twenty-four (24) months. Such notice shall be given by certified mail to the property owner or agent or lessee, and by publishing the same notice, together with a description of the affected parcels, in not less than two issues of a newspaper of general circulation within the Town. The times prescribed in this section shall run from the date of the latest published notice. The notice shall thereafter be recorded and be deemed to run with the land.

SECTION 17-2-9 MANDATORY CONNECTION TO TOWN WASTEWATER SYSTEM ONCE AVAILABLE

- A. **Time to Connect After Notice.** Within twenty-four (24) months from the date that the director provides notice of sewer availability, as defined in this code, a real property owner with building or water fixtures thereon shall consent to direct connection to the Town wastewater system in accordance with the Town design requirements, the adopted Uniform Plumbing Code, as amended, and all applicable state, county, and Town regulations. If within twenty-four (24) months of notice the property owner notifies the Town in writing of the owner's consent to connect, the Town shall make connection at no cost to the property owner. If the property owner refuses to consent within the time period stated above, the owner is still required to connect at the owner's cost at the time of failure. The Town reserves the right to refuse connection at Town cost if the circumstances with the property and private sewage system are such that connection would be an unreasonable cost to the Town as determined by the Town engineer. If such a determination is made, then Town wastewater service is deemed to not be available, and the private sewage system may remain. Total cost of replacement will then be borne by the property owner. Under circumstances of Town refusal, the Town may elect to provide a degree of assistance towards connection cost if the property owner determines to make connection. Such assistance will be based upon criteria or formula not inconsistent with the nature and amount of resources expended for other connections made by the Town in the immediate vicinity.
- B. **Non-Connection Availability Charge.** Immediately following the notice described in Section 17-2-8 of this chapter, the Town shall assess each property owner a monthly availability charge which shall be equal to the current monthly sewer charge for the property in question. If a property owner consents to connect to the Town wastewater system thereafter, the Town shall stop assessing the monthly availability charge upon receipt of such consent. If consent is later withdrawn, the monthly availability charge will be assessed to the utility account from the date of consent and will be due and payable in the

same manner as any other utility charge. The Town may employ the procedures set forth in this code or other applicable provisions of law for collection of such availability charge if not paid when due and payable. Once connection takes place, the Town shall record the fact of connection and all authorized fees and rates are applicable.

- C. **Abandonment of Septic.** Upon connection to the Town wastewater system, any septic or alternate disposal system shall be pumped and abandoned and either removed or filled as stated in subsection A of this section or at the owner's expense, in accordance with the adopted Uniform Plumbing Code, as may be amended from time to time, and all local and state laws, rules and regulations.
- D. **Public Nuisance.** Failure to abandon a septic or other alternate disposal system in accordance with this code shall constitute a public nuisance. Pursuant to the provisions of the Town code, as amended, any person found guilty of violating this provision shall be guilty of a class one misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed two thousand five hundred dollars (\$2,500.00) or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment. Each day that violation continues is a separate offense punishable as set forth herein.

SECTION 17-2-10 PERMITS FOR SERVICE CONNECTIONS

Before physical connection is made to the Town wastewater system, a permit must be secured from and forty-eight (48) hours' notice given to the Town. Sewer connection permits shall run with the land and shall not be transferable from one parcel to another parcel or from property to property. All such connections shall be made and all such work, including any sewer connection permit fee, shall be done at the expense of the applicant unless voluntary connection is made pursuant to Section 17-2-9(A). All connections shall be made under the supervision of the Town, and no such connection shall be covered until the work been inspected and approved by the Town.

Section 17-2-11 SEWER EXTENSION REIMBURSEMENT AGREEMENTS

If a developer constructs and extends sewer lines that provide a means of service to property owned by persons other than the developer, the developer may request that the Town enter into a reimbursement agreement that provides for reimbursement to the developer of a portion of the actual costs incurred by the developer for such extension when other persons receive service by connecting to the extension. Such reimbursement shall be assessed on a per-acre basis to properties within the service area established by the extension. Upon receipt of payment of the assessment from a property owner connecting to the extension, Town shall reimburse such amount to developer, less any administrative fee established by Council. A reimbursement agreement shall be executed within one year after the date of acceptance of the sewer lines by the Town and shall automatically terminate 20 years after its effective date.

All agreements shall state to whom reimbursement shall be made, and it shall be the responsibility of the developer to keep the Town advised as to the developer's mailing address. Agreements may be assigned by the developer upon prior written notice to the Town and receipt of written

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acknowledgement by the Town. Any buy-in assessment paid to Town that Town is unable to reimburse to developer due to developer's failure to comply with this provision shall escheat to the Town.

ARTICLE 17-3 MUNICIPAL WATER SYSTEM

- 17-3-1 Designation of municipal water systems
- 17-3-2 Installation charges
- 17-3-3 Water main service requirements
- 17-3-4 Water service connection charges
- 17-3-5 Restriction and termination
- 17-3-6 Fire regulations
- 17-3-7 Declaration of water conservation policy
- 17-3-8 Water conservation compliance
- 17-3-9 Authorization
- 17-3-10 Public notice
- 17-3-11 Definitions
- 17-3-12 Initiation and termination of drought response stages
- 17-3-13 Delivery capacity
- 17-3-14 Enforcement of drought restrictions
- 17-3-15 Appeal process

SECTION 17-3-1 DESIGNATION OF MUNICIPAL WATER SYSTEMS

The waterworks plant and system, including the necessary lands, rights-of-way and easements now owned by the Town, both within and without the corporate limits of the Town, together with all replacements, improvements, betterments, extensions, and additions thereto, hereafter constructed or acquired, shall be designated by name as the Camp Verde municipal water system.

SECTION 17-3-2 INSTALLATION CHARGES

Installation charges shall be fixed by resolution of the Town council consistent with the provisions of this section.

- A. The costs to applicants for service connections as provided in this section shall, in each case, be determined by price lists, open to the public, setting forth the unit prices for the respective materials and labor and conforming to the prevailing prices then locally current for such materials and labor.
- B. The cost of repairing or replacing any pavement or other structure necessarily damaged in the process or because of the installation of any service connection, either within or without the corporate limits of the Town, shall be paid by the person making application for such service, in addition to any other charges that may be required for such service.

- C. The total cost of the installation and all costs incidental thereto for any private fire protection service shall be paid by the person making application for such service. Any service connection installed for private fire protection shall be used solely for such service and no other. The agreement incorporated in the application for such service shall contain the foregoing provision.
- D. All such service connections may require cross-connection control valves as specified by the state department of health services, these valves shall be installed at the property line and the valves shall be tested by a certified tester. In addition, service connections may require pressure-reducing valves. The need for these valves will be determined by Town staff. The required valves shall be paid by the person making application for such service.

SECTION 17-3-3 WATER MAIN SERVICE REQUIREMENTS

Appropriate size mains must abut property requesting service before service can be installed. The property requesting service shall be a minimum of fifty (50) feet abutting the main. Town staff will determine appropriate size mains according to Town standards and Arizona Department of Health Services regulations.

SECTION 17-3-4 WATER SERVICE CONNECTION CHARGES

A water connection fee established by resolution shall be collected for each new service connected to an existing distribution main serving any premises, and shall be payable at the time application is made for the service; provided, however, that in those cases where the premises to be connected has either as a part of the price of the premises or as a part of an improvement district assessment, paid the amount established by resolution or more for the water distribution system serving such premises, and such water distribution system becomes a part of the Camp Verde municipal water system, then the service connection fee shall not be charged. If the amount so paid by the premises is less than the amount established by council resolution, then the connection fee shall be the difference between the amount so paid and the amount established by council resolution. If there is a dispute as to the amount so paid, the utilities director shall determine the amount of credit to be allowed. In addition to the above connection fee, each customer shall be charged an installation fee, in accordance with a schedule of such charges for the respective sizes and classes of service connections as established by resolution.

SECTION 17-3-5 RESTRICTION AND TERMINATION

All water service to any premises, except for domestic and residential use, shall be furnished only upon the express condition that such service may be restricted as to use at any time or discontinued after thirty (30) days' written notice by the water system, when and if the water supply is considered inadequate to furnish such service, or when other cause is deemed sufficient by the Town.

SECTION 17-3-6 FIRE REGULATIONS

When an alarm of fire is given, every person whose premises are supplied with water by the water system shall immediately close all hydrants, faucets, taps or appliances through which water is then being used, except those necessary for the essential domestic purposes, and shall not open or use water from the same during the continuance of such fire.

SECTION 17-3-7 DECLARATION OF WATER CONSERVATION POLICY

The purpose and intent of this policy is to conserve the available water supply and protect the integrity of the Town water supply facilities, with particular regard for domestic water use, sanitation, and fire protection. To protect and preserve public health, welfare, and safety, and identify water supply needs and recommend water management and conservation practices to extend current water supplies during short- and long-term emergency situations. To minimize the adverse impacts of water supply shortage or other water supply emergency conditions. Water uses, regulated, or prohibited, under this policy are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties pursuant to Section 17-3-14.

SECTION 17-3-8 WATER CONSERVATION COMPLIANCE

It shall be unlawful for any customer of the Town water department to knowingly make, cause, use, or permit the use of water from the Town for residential, commercial, industrial, agricultural, or any other purpose in a manner contrary to the provisions of this chapter. The provisions of this policy shall apply to all persons, customers, and property utilizing water provided by the Town. The terms, "person" and "customer" as used in the policy include individuals, corporations, partnerships, associations, governments, and other legal entities.

SECTION 17-3-9 AUTHORIZATION

The Town council upon the recommendation of the utilities director is hereby authorized to declare, or rescind, or implement the applicable provisions of this policy upon determination that such implementation is necessary to protect public health, safety, and welfare.

SECTION 17-3-10 PUBLIC NOTICE

The Town will publish appropriate demand stage alert following action by the Town council. Posting will be provided in the local newspaper, on the Town's website, the Town hall, and the Town library. Public outreach to public schools, civic groups, and other adult and child groups will be provided. Business services shall distribute conservation notices in water bill mailing and provide them to the general public at the utility's customer service office.

SECTION 17-3-11 DEFINITIONS

The following terms shall have the following meanings for purposes of this chapter.

Aesthetic water use means water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Allowed days means days on which outside irrigation may be done.

Commercial and institutional water use means water use that is integral to the operation of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, agricultural and office buildings.

Conservation means those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer means any person, company, or organization using water supplied by the Town.

Domestic water use means water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or cleaning a residence, business, industry, or institution.

Industrial water use means the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use means water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use means water uses that are not essential, nor required for the protection of public health, safety, and welfare, including:

- A. Irrigation of landscape areas, including parks, athletic fields, and golf courses, cemeteries, except otherwise provided by this policy; and
- B. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or vehicle; and
- C. Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas; and
- D. Use of water to wash down buildings or structures for purposes other than immediate fire protection; and
- E. Flushing gutters or permitting water to run or accumulate in any gutter or street; and
- F. Use of water to fill, refill or add to any indoor or outdoor swimming pools or Jacuzzi type pools; and
- G. Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life; and
- H. Failure to repair a controllable leak(s) within a reasonable period after having been given written notice directing the repair of such leak(s); and use of water from hydrants for construction purposes or any other purposes other than firefighting.

Water department means the Town water utility department.

SECTION 17-3-12 INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES

The Town council upon the recommendation of the utility's director is hereby authorized to declare or rescind the demand stage alert levels in conformity with and based upon the delivery capacity triggers set forth herein below which assess the relationship between demand and municipal safe production capability. Safe production capability is seventy-five (75) percent of the total available water resources, based upon distribution components, storage reserves, weather conditions and historic data. NOTE: The safe production capability may change with summer and winter seasons because of the static water levels in Town wells.

- A. **Monitoring.** All relevant components of the Town water system will be monitored to ensure timely response to water situations including water supply, treatment and distribution system trends and potential constraints. Should trends show that any system is approaching trigger levels, more detailed monitoring will be implemented. At a minimum, during non-critical water supply periods, monitoring and trending will take place monthly. During critical water supply periods the monitoring and trending will take place at least weekly and may be monitored even more frequently.
- B. **Initiation of Drought Response.** When delivery capacity trigger conditions occur, the utilities director shall request the appropriate stage alert level. Meeting or exceeding one (1) or more trigger conditions will be sufficient cause to initiate a corresponding level. Notification of the public will occur.
- C. **Termination of Drought Response.** When an emergency no longer exists, termination of drought measures will be announced through the media and newspapers.

SECTION 17-3-13 DELIVERY CAPACITY

The following demand alert stages are hereby prescribed:

- A. **Delivery Capacity Triggers.**
 - 1. **Stage 1 Excessive Demand Alert.** When production is operated at or above seventy-five (75) percent of available production capacity for five (5) consecutive days.
NOTE: Available production capacity may change with summer and winter seasons.
 - 2. **Stage 2 Water Watch.** When demand is greater than safe production capability for three (3) consecutive days.
 - 3. **Stage 3 Water Warning.** When demand is greater than safe production capability for two (2) consecutive weeks.
 - 4. **Stage 4 Water Emergency.** When water demand exceeds total production capability. A Stage 4 Water Emergency shall require the enactment of additional water use restrictions. These restrictions shall be determined by the Town council in an amount necessary to reduce water demand to a safe level. An emergency may be declared in this instance at the discretion of the Town council.

B. **Alert Levels.** The following stage alert levels shall govern the use of water by customers of the Town water department as prescribed below:

1. Stage 1: Five (5) percent reduction in anticipated water use
2. Stage 2: Ten (10) percent reduction in anticipated water use.
3. Stage 3: Thirty (30) percent reduction in anticipated water use.
4. Stage 4: Fifty (50) percent reduction in anticipated water use.

The Town council may, from time to time, change the established water reduction level(s) or enact additional water conservation or water use reduction measures as may be necessary or appropriate to achieve a desired reduction in water use.

C. **Stages.**

1. Stage 1: Excessive Demand Alert. Water users are specifically encouraged to minimize waste in water used for irrigation, vehicle and pavement washing, construction and other water consuming activities. No person shall wash paved areas such as drives, sidewalks, tennis courts, or basketball courts. Outside watering shall be prohibited between 10:00 a.m. and 6:00 p.m. Outside watering limited to two (2) hours on designated allowed watering days (see table):

Last Digit of Address	Allowed Water Dates
Even	2nd, 4th 6th, 8th, 10th, 12th, 14th, 16th, 18th, 20th, 22nd, 24th, 26th, 28th, 30th
Odd	1st, 3rd, 5th, 7th, 9th, 11th, 13th, 15th, 17th, 19th, 21st, 23rd, 25th, 27th, 29th, 31st

2. Stage 2 Water Watch: Water restrictions. The following water uses are restricted or prohibited. In addition to the restrictions set forth in subsection C.1., no person shall:
 - a. Install swimming pools, spas, wading pools or ornamental fountains not to exceed five thousand five hundred (5,500) gallons.
 - b. Wash vehicles on the allowed days unless a bucket and hose with a positive cutoff nozzle is used. No restrictions apply to vehicles that must be washed for public health, safety, or welfare purposes, or to commercial car washes.
 - c. Use water from a fire hydrant except for emergencies or upon the written approval of the utilities director and fire chief; and except for such use associated with firefighting activities, public health, safety, or welfare.
 - d. Prohibit the hosing off of pavement, sidewalks, walkways, parking lots, tennis courts, basketball courts, buildings, or any structures, except for health or safety reasons.
 - e. Plant or install new sod or turf.

f. Outside irrigation shall use the following allowed watering days:

- If your address ends with an even number, water on Monday, Wednesday, and Friday.
- If your address ends with an odd number, water on Tuesday, Thursday, and Saturday.

3. Stage 3 Water Warning: Water reductions. In addition to the restrictions set forth in Stages 1 and 2, the following water uses are further restricted or prohibited. The following schedule shall be the allowed watering days.

- If your address ends with an even number, water on Wednesday and Saturday.
- If your address ends with an odd number, water on Tuesday and Friday.

No person shall:

- a. Fill or refill swimming pools, spas, wading pools, or ornamental fountains.
- b. Wash paved areas or use fire hydrants on a non-emergency basis without written approval of the utilities director and fire chief.

No restaurant shall:

- a. Serve water unless requested by patrons.
4. Stage 4 Water Emergency. Water curtailments. The following water uses are prohibited. No person shall:
- a. Do any of the acts prescribed in Stages 1 through 3.
 - b. Conduct any outside watering with potable water.
 - c. Use fire hydrants, wash pavements, fill or refill pools, spas, wading pools, or fountains unless for public health, safety, or welfare.
 - d. Wash vehicles. No restrictions apply to vehicles that must be washed for public health, safety, or welfare, or to commercial car washes.
 - e. Use potable water for dust control on public or private streets or capital improvement projects.
 - f. Use potable water in violation of any other restriction deemed necessary by the Town council for the purpose of protecting the welfare of the citizens of the Town.

Depending on the severity of the Stage 4 Water Emergency, the Town council may suspend new water connections.

SECTION 17-3-14 ENFORCEMENT OF DROUGHT RESTRICTIONS

- A. The customer shall be responsible for complying with these drought restrictions. Those who violate any of these stages of alert will be subject to the penalties in this provision.
- B. The customer must pay the water bill, including the charge imposed under this section by the due date of the water bill. If the customer chooses to appeal the penalty and the appeal is approved, the disputed charge will be credited on the customer's next water bill. Customers will be notified of any penalties/violations through the regular utility bill mailing process.

1. For a first violation of any stage drought restriction, the customer will be advised in writing and informed that a monetary charge will be added to the water bill for subsequent violations.
2. For a second violation of any stage drought restriction at the same premises, the customer will be advised in writing and a one hundred dollars (\$100.00) charge will be added to the water bill.
3. For a third violation of any stage drought restriction at the same premises, the customer will be advised in writing and a two hundred fifty dollars (\$250.00) charge will be added to the water bill.
4. For a fourth and subsequent violation of any stage drought restriction at the same premises, for violation of any term or condition or for willful violation any drought restriction, the customer shall be advised in writing, and a five hundred dollars (\$500.00) charge will be added to the water bill. In addition, the Town water department may install a flow restrictor on the service line that will remain in place during the irrigation season, April 1st through September 30th, or may suspend service temporarily until the cause of the violation is corrected and all outstanding penalty and water service charges have been paid.

SECTION 17-3-15 APPEAL PROCESS

- A. Any customer subject to a charge for violation of a provision of this chapter may appeal the charge by filing a written notice of appeal to the Utilities Director, within ten (10) days of the violation notice.
- B. The Utilities Director must respond to the appealing customer within ten (10) business days of receipt of an appeal, or the charge will be removed from the account. Notwithstanding the foregoing, if additional research into the account is necessary to assess the grounds of appeal, the Utilities Director may extend this time in his or her discretion as reasonably necessary to obtain accurate information to render the decision. The customer shall be notified of any extended review periods and the decision of the Utilities Director when rendered.
- C. If the Utilities Director denies the appeal, the appealing customer may submit the appeal in writing to the Town Manager within ten (10) business days of the date of the denial by the Utilities Director. The appeal shall be informal and the decision by the Town Manager will be final.

ARTICLE 17-4 CAPACITY FEE PAYMENT PROCEDURES

- 17-4-1 Purpose
- 17-4-2 Payment required
- 17-4-3 Calculation methodologies used to calculate capacity fees
- 17-4-4 Deposit of capacity fees for water and wastewater utility services
- 17-4-5 Review of fees

SECTION 17-4-1 PURPOSE

This chapter is adopted for the purpose of implementing a method of cost recovery to provide a source of funding for the Town's continued capital investment in the water and wastewater systems and to promote the health, safety and general welfare of the residents and non-residents of the Town. The Council shall, by resolution establish capacity fees to be charged by the Town for connections to the Town water or sewer system.

SECTION 17-4-2 PAYMENT REQUIRED

All residential and nonresidential customers seeking connection to the Town water or wastewater system shall pay to the Town the current effective capacity fee based on the meter classification. Such payment shall be made as a condition to the activation of service connection.

SECTION 17-4-3 CALCULATION METHODOLOGIES USED TO CALCULATE CAPACITY FEES

- A. Cost recovery (past) is used in instances when a community has oversized a facility or asset in anticipation of future development. This methodology is based on the rationale that new development is repaying the community for its share of the remaining unused capacity fee.
- B. Incremental expansion method (present) documents the current level of service for each type of public facility. The intent is to use revenue collected to expand or provide additional facilities, as needed to accommodate new development, based on the current cost to provide capital improvements.
- C. Plan-based method (future) utilizes a community's capital improvement plan and/or other adopted plans or engineering studies to guide capital improvements needed to serve customers.

SECTION 17-4-4 DEPOSIT OF CAPACITY FEES FOR WATER AND WASTEWATER UTILITY SERVICES

All moneys received from the water or wastewater capacity fees shall be deposited into separate utility revenue funds to be used for capital expansion, enlargement and improvement of the Town's water and wastewater system and/or for the retirement of debt service, both principal and interest, related to water and wastewater system capital outlay to serve customers.

SECTION 17-4-5 REVIEW OF FEES

The council shall, by resolution, establish water and wastewater capacity fees and updated capacity fees periodically.

ARTICLE 17-5 UTILITY EXTENSION RULES

17-5-1 General rules and regulations applicable to all classes of service

17-5-2 Extensions, construction, and reconstruction of potable water lines

17-5-3 Extensions, construction, and reconstruction of sanitary sewer

SECTION 17-5-1 GENERAL RULES AND REGULATIONS APPLICABLE TO ALL CLASSES OF SERVICE.

A. Application for Services.

1. **New Service Customers.** New service customers, located in an area where existing primary lines, mains or sewers abut property and require only construction of services and assuming responsibility for service to a new structure or place which has not had utility service, before a minor change in size of service shall make application during normal business hours at the utility office in 395 S. Main Street, Camp Verde, Arizona 86322. Customer shall furnish name, billing address, assurance of payment, data on size of service, requested location, legal address of premises, lot and block location, and contemplated construction target date.
2. **Other New Service Customers.** New service customers located in an area where primary lines, mains or sewers do not now exist or require reconstruction of existing facilities shall make application as specified in subsection (A)(1) of this section. Customers in this class and subdividers requiring utility line extensions must follow procedures as set forth hereafter for each utility.

B. Easement. A customer, owner and/or subdivider must furnish adequate mutually agreed easements or right-of-way for installation and maintenance of utility lines.

C. Construction on Customer's Premises. All construction on customer's premises must be under permit as issued by the building inspector and must be in compliance with all said jurisdictional building codes. Prior to actual service hookup all of the customer's work must be approved and certified in compliance by jurisdictional inspector before a utility service hookup or turn-on is authorized.

D. Conditions for Providing Service to New Customers. The utility will not connect any new customers on a new line until said lines are completed and accepted by the Town. The utility will not accept new customers on an existing line if said lines do not have sufficient reserve capacity to accommodate said customers' estimated usage. The utility will not provide service to new customers to any lot or tract unless the following conditions are met:

1. Before service is supplied, the new tract or lot must meet subdivision requirements of the Town or county (whichever has jurisdiction) as to dedication of public rights-of-way and provisions for construction of public improvements including water, sewer, drainage, streets, gas, and electric.

2. A certificate by county or Town must be issued and a copy furnished to the utility certifying that all conditions of subdivision, regulations and public improvements have been met.
 3. All mains must abut property for which service is applied.
 4. Service lines from meter to building are not to exceed one hundred (100) feet and must be of adequate size as per Uniform Plumbing Code.
- E. **Zoning Changes.** Any new customer (after date of these rules and regulations) who applies for service which requires a premises to have larger service as a result of a change of use granted by a zoning change or special use permit, and which results in the requirement of a larger line, main or pipe, shall be obligated to pay for the reconstruction or upgrading of the utility system. Section 17-5-2 Extensions, construction, and reconstruction of potable water lines.

SECTION 17-5-2 EXTENSIONS, CONSTRUCTION, AND RECONSTRUCTION OF POTABLE WATER LINES

A. The following definitions are made for the purpose of this policy section:

Customer. A customer taking service at a given location shall be counted as a single customer even though he or she may be taking service at that location through more than one meter or under more than one rate schedule.

Distribution mains means the street or alley mains required to service customers with domestic and fire service.

Feeder mains means intermediate-sized mains located in grid on approximate quarter section lines and also one-sixteenth section lines in nonresidential areas.

Trunk Mains. Trunk mains consist of that portion of the water system which consists of large pipes serving as a supply main or feeder main and further defined as:

1. Supply mains: The pipes carrying the water supply from Mongini Well Fields to the Town of Camp Verde, and rural distribution mains;
2. Arterial mains: Large mains forming a loop around the Town of Camp Verde and mains on approximate section lines forming the major grid system.

Water Services means the service pipes from a water main to the customer's meter.

B. **Service Areas.**

1. The Town's water system services a portion of the Town, a significant portion of the Yavapai Apache Nation and a small area within Unincorporated Yavapai County. Other private water companies within the Town include Verde Lakes Water Corporation and Cactus State Utility Operation Company. The Town system is a gravity system made up of 7 different pressure zones with pressure reducing valves.

C. **Design Criteria.** The following basic design criteria shall be used for design of all new construction. All water mains shall be designed in accordance with criteria per latest edition of the rules and regulations as promulgated by the Arizona State Board of Health and Department of Health "Minimum Requirements, for Design and Construction of Water Distribution Systems." In addition, the design shall conform to the latest A.W.W.A. Standards along with the requirements of the Town of Camp Verde standard specifications and shall be approved by the Town engineer of the Town of Camp Verde. In addition, the following basic criteria shall be met:

1. Town of Camp Verde: All water mains within the Town of Camp Verde and all areas which, within a reasonable foreseeable future, could or would become part of the Towns by annexation, shall be designed as follows:

- a. Fire Flow. The insurance service office has established fire flow standards for various types of construction, density, and use. All mains shall be designed to meet these standards plus twenty (20) percent capacity allowance for future zoning or use changes.

Fire flow requirements shall be met with a minimum residual pressure of twenty (20) pounds per square inch after deducting a normal peak two-hour customer usage. The design engineer shall submit data on the design criteria and fire flow calculations to the Town engineer for approval. For purpose of peak usage flow in residential districts, the peak two-hour flow shall not be less than four times the calculated wintertime peak two-hour domestic flow. Diversity demand flow data has been calculated for residential users and is available at the Town engineer's office.

- b. Main Sizes Minimum. In general, as a guideline all main sizes must meet flow demands and insure adequate domestic service. Grid system in general shall be as follows:
 - i. All mains located on section lines or approximate section lines shall be at least twelve (12) inches in diameter.
 - ii. All mains located on quarter or mid-section or approximate lines shall be at least eight inches in diameter for single-family residential districts and at least ten inches in diameter for high density residential and all commercial districts.
 - iii. In commercial and high-density residential areas, mains located on the one-sixteenth section line or approximate thereof shall not be less than eight inches in diameter.
 - iv. All other internal distribution mains shall be at least six inches in diameter except that smaller mains serving dead-end cul-de-sacs or short laterals may be approved by the Town engineer provided that total service requirements are satisfied. No fire hydrant shall be connected to a main which is less than six inches in diameter.
 - v. Fire hydrants shall be set every four hundred (400) feet or closer as determined by the fire marshal.

2. Rural Areas. Design criteria for rural areas shall be as follows:

- a. A subdivision or project desiring or requiring fire hydrant service must meet the same design criteria as set forth for Town of Camp Verde as specified above
- b. A subdivision, project, or area desiring only water for domestic purposes shall meet the following standards:
 - i. All mains shall be constructed to a standard to provide the peak two-hour flow plus twenty (20) percent to allow for change in use. Mains shall be sized so that the delivered pressure at the customer meter will never be below twenty-five (25) pounds per square inch. The design engineer shall submit design criteria and flow calculations to the Town engineer for approval
 - ii. Owners of property desiring use or extensions of lines under this paragraph will be required to enter into a written contract or agreement setting forth the

right to service and conditions of service thereof. Said agreement shall be recorded and drawn in form to run with the land as an encumbrance or restriction.

- D. **Extension Limitations.** Approval of all main extensions to serve new areas is limited to the availability of water to the water system. The following guidelines will be as follows:
1. No new area service will be authorized if the usage in the area will exceed the reserve capacity of the water system.
 2. The reserve capacity of the water system will first be allocated to the undeveloped areas within the corporate limits of the Town of Camp Verde.
 3. If the water requirements of the Town of Camp Verde are satisfied and there is water available over and above the requirements of existing rural areas now served, then the Town staff will consider extensions and new service hookups to the rural system.
 4. Existing Rural Mains. No new hookups to existing lines will be allowed unless said lines meet full design criteria as set forth in subsection C of this section for said lines.
 5. Extension of Mains. Any and all mains will not be extended unless the extension with the inclusion of the tributary existing mains meet full design loading criteria set forth in subsection C of this section.
 6. All requests for main extensions must be accompanied by applicant's preliminary plans drawn under the direct supervision of an Arizona registered engineer pursuant to Arizona Revised Statutes 32-142 . Town staff may require forty-five (45) days to examine any main extension request.
- E. **Special Conditions—Extensions.** Due to the fact that elevation affects water service, certain restrictions, and conditions in addition to the above are necessary as follows:
1. Subdividers or developers desiring to install water service into a second- or third-stage service area as outlined in subsection B of this section shall install as part of the development cost the necessary booster pump, storage and other devices to service said area. A contractual agreement with the Town of Camp Verde must be made setting forth the conditions, performance limitations, etc. for said water service. Said agreement shall be recorded and drawn in form to run with the land concerned as an encumbrance or restriction.
 2. No new customer services or extension will be hooked up in a second- or third-stage service area where mains now exist unless the customer signs a limited-service agreement waiving any liability on the part of the utility for pressure, or quantity of water delivered, and unless there exists a reserve capacity in the mains available for limited service without jeopardizing demands of existing customers.
- F. **Financing Lines or Mains.** Main extensions are the responsibility of the subdivider, or the users involved and may be paid for by one or more of the following:
1. Subdividers and/or owners contracting or installing the improvements and furnishing same to the Town of Camp Verde;
 2. Special improvement district formed as per state of Arizona Laws for Town or county special improvement districts (with any Town approvals required granted in the Town's discretion);
 3. Contractual agreement with the Town of Camp Verde setting forth conditions of payment and construction.

- G. **Water Service.** Customer water service shall be constructed to meet Town of Camp Verde standard specifications. That portion of service line on customer's premises on customer side of the meter is the customer's responsibility. The customer must pay for the water service and appurtenances including meter under one of the following conditions:
1. **New Mains and Mains in New Areas.** The subdivider or owner at the time of construction of water mains shall construct all service in accordance with locations as shown on the approved drawings.
 2. **Existing Mains.** The Camp Verde municipal utilities, upon payment of costs in advance, will tap main and run the water service to the meter. Customer must provide space on his or her property within three feet of property line nearest to main for installation of meter and meter box. The Camp Verde municipal utilities may allow an approved licensed contractor to tap main and run service line. Permit and drawings must be approved in advance by Camp Verde municipal utilities.
- H. **Temporary Facilities.** Temporary customers or others using temporary facilities shall pay for all temporary facilities installed and be credited for salvaged materials removed.

SECTION 17-5-3 EXTENSIONS, CONSTRUCTION, AND RECONSTRUCTION OF SANITARY SEWER

- A. The following definitions are made for the purpose of this policy section:
- Customer.** A customer using sanitary sewer service at a given location shall be counted as a single customer even though he or she may be using sewer at that location for more than one building or facility.
- Trunk Sewer.** Trunk sewer consists of a large sewer pipe normally larger than eight inches in diameter that receives or is capable of receiving sanitary wastes from more than one tributary branch or lateral sewer.
- B. **Service Area.** The service areas are divided into three basic geographic areas as follows:
1. **First stage:** That area presently now being served by gravity fall and potential area within Town of Camp Verde which can be serviced by a gravity fall sewer;
 2. **Second stage:** That area now being served by a lift station and potential area which can be served by a lift station, raising sanitary wastes into the first stage system;
 3. **Third stage:** That area and potential area which can be served by a lift station raising sanitary wastes into the second stage system.
- C. **Design Criteria.** The following basic design criteria shall be used for all new construction. All sanitary sewer mains shall be designed in accordance with criteria as per latest edition of the rules and regulations as promulgated by the Arizona Board of Health and the Department of Health "Minimum Requirements for Design and Construction of Sanitary Sewers." In addition, the design shall be approved by the Town engineer of the Town of Camp Verde and the following basic design criteria shall be met:
1. In commercial and industrial areas, the design engineer shall submit flow calculations to the Town engineer for approval prior to completing design of sewer;
 2. In all areas the design engineer must submit to the Town engineer for approval, calculations of potential flow from area to be served as well as flow from future areas to be served.

- D. **Extension Limitations.** Approval of all sewer extensions to serve new areas is limited to the availability of capacity in the connecting system. The following guidelines will be followed:
1. New area service will be authorized if the usage in the area will exceed the reserve capacity of the sanitary wastewater disposal system.
 2. The reserve capacity of the sanitary wastewater system will first be allocated to the vacant areas now having access to a lateral sewer who have paid for their share of said lateral sanitary sewer.
 3. The reserve capacity of a trunk sewer will first be allocated to the district which participated by an assessment levy or payment of costs.
 4. A new area to be developed will only be allowed to connect lateral mains and hookup services to the extent that the reserve capacity of the connecting sewer is sufficient to handle the flow.
 5. All requests for main extension must be accompanied by applicant's preliminary plans drawn by an Arizona registered engineer.
 6. Town staff may require forty-five (45) days to examine any main extension request.
- E. **Special Condition Extensions.** Due to the fact that certain areas require lift stations, conditions, and limitations in addition to the above are necessary as follows:
1. Subdividers, developers, or owners desiring to install sanitary sewer service into a second- or third-stage serve area as outlined in subsection C of this section shall install as part of the development cost the necessary lift pump, lift station and devices to service said area.
 2. Subdividers, developers, or owners desiring to install sanitary sewer service in an area where the discharge is into an abutting subdivision sewer whose reserve capacity is not sufficient shall install, as part of the development cost, the necessary trunk connection to a location where the reserve capacity does exist.
- F. **Financing Mains and Appurtenances.** Trunk and lateral mains and appurtenances are the responsibility of the subdivider and/or owners and users involved and may be paid for by one or more of the following:
1. Subdividers and/or owners contracting or installing the improvements and furnishing same to the Town;
 2. Special improvement district formed as per state of Arizona laws for Town special improvement districts (with any Town approvals required granted in the Town's discretion);
 3. Contractual agreement with the Town of Camp Verde setting forth conditions of payment and construction.
- G. **Sanitary Sewer Service.** The customer sewer from his or her premises to the lateral sanitary sewer is the responsibility of the customer and/or owners both for construction and maintenance. All construction shall meet the Town of Camp Verde building codes, plumbing division. The customer must apply for a permit and be granted same prior to construction.
- H. **Temporary Facilities.** Temporary customers or others using temporary facilities shall pay for all temporary facilities installed and be credited for salvage materials and removed.



**AFFIDAVIT OF POSTING
OFFICE OF THE TOWN CLERK**

STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

I, Virginia Jones, Acting Town Clerk of the Town of Camp Verde do hereby solemnly swear that a copy of the attached notice in the matter of:

Ordinance 2024-A492

Was posted at Town Hall, Bashas', and the Camp Verde Community Library on the following dates:

05-20-2024 through 06-20-2024



Virginia Jones
Acting Town Clerk