

ORDINANCE NO. 803

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, COUNTY OF MARICOPA, STATE OF ARIZONA, AMENDING CHAPTER 13 UTILITIES OF THE TOWN CODE AS FOLLOWS: SECTION 13-3-5,B. LATERAL EXTENSIONS TO EXISTING SEWERS; PERMIT REQUIRED, BY REPLACING THE WORD "PLUMBING" WITH "PUBLIC WORKS"; SECTION 13-3-7,B. SPECIFICATIONS, REGARDING REQUIRED MATERIALS FOR SEWER MAIN AND SERVICE LINES; SECTION 13-3-8,A. CONSTRUCTION AND IN-PROGRESS INSPECTION, BY REPLACING THE WORD "TOWN ENGINEER" WITH "PUBLIC WORKS DEPARTMENT" AND PROVIDING FOR THE ADVANCE COLLECTION OF ESTIMATED INSPECTION COSTS; SECTION 13-3-16,B. CONNECTION TO SEWER REQUIRED, BY CHANGING THE PROVISION TO ALLOW ON-SITE SEWAGE DISPOSAL IN LIEU OF EXTENDING THE SEWER ONLY WHEN THE COST OF SUCH EXTENSION EXCEEDS THE ON-SITE SYSTEM BY FOUR (4) TIMES; SECTION 13-5-4,F. AND G. SPECIFICATIONS, REGARDING REQUIRED MATERIALS FOR WATER MAINS AND SERVICE LINES; SECTION 13-5-5,A. CONSTRUCTION AND IN-PROGRESS INSPECTION, BY REPLACING THE WORD "TOWN ENGINEER" WITH "PUBLIC WORKS DEPARTMENT" AND PROVIDING FOR THE ADVANCE COLLECTION OF ESTIMATED INSPECTION COSTS; SECTION 13-5-10,B. CONNECTION REQUIRED; SEPARATION REQUIRED, BY CHANGING THE PROVISION TO ALLOW ON-SITE WATER WELLS IN LIEU OF EXTENDING THE TOWN'S WATER MAIN ONLY WHEN THE COST OF SUCH EXTENSION EXCEEDS THE ON-SITE WELL BY FOUR (4) TIMES; SECTION 13-5-10,D. CONNECTION REQUIRED; SEPARATION REQUIRED, STRIKE AND REPLACE THE ENTIRE SUBSECTION WITH NEW SUBSECTION "D", SUBSECTION "D" ENTITLED EXISTING PRIVATE WELLS, AND ESTABLISHING STANDARDS AND CONDITIONS FOR THE CONTINUED USE OF ON-SITE WATER SYSTEMS IN LIEU OF EXTENDING THE TOWN'S SYSTEM FOR PROPERTIES UTILIZING EXISTING WATER WORKS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Town of Wickenburg has an interest in maintaining ground water quality and, to this end, has adopted standards requiring the extension of sewer and water lines to subdivisions and new developments; and,

WHEREAS, the *Town Code* currently has provisions for individual single family residences to utilize on-site sewage disposal and water supply systems if the cost of extending the respective Town system exceeds the cost of the on-site system by one and one-half times; and,

WHEREAS, upon review of Chapter 13 UTILITIES of the *Town Code* , the Planning and Zoning Advisory Commission has found that the policy for individual single family dwellings should be consistent with the sewer and water

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Regular Type represents portion of Code being herein modified

extension policies which apply to subdivisions which are required to extend said utilities unless the cost of doing so exceeds on-site provision of same by four times; and,

WHEREAS, the Planning and Zoning Advisory Commission found that the impact of individual single family dwellings on individual lots created by lot splits is not substantially different than the impact created by subdivisions and should, therefore, be subject to the same level of regulation; and,

WHEREAS, the Planning and Zoning Advisory Commission concluded that the septic/well to sewer/water cost ratio for excepting individual single family dwellings from the requirement to extend the respective utilities should be the same as the ratio for subdivisions; and,

WHEREAS, the Planning and Zoning Advisory Commission also reviewed Chapter 13 UTILITIES for inconsistencies with current practice or policies of the Town of Wickenburg and has made recommendations regarding amendments for consistency, and clarification of standards; and,

Whereas, the Planning and Zoning Advisory Commission found that in certain limited instances, the growth management benefit which accrues to the Town by annexing property, may, outweigh the benefit of requiring existing uses in annexed territory to extend the Town's water system and, therefore, have recommended a codified policy regarding the extension of said system to existing uses in annexed territory.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL of the Town of Wickenburg, County of Maricopa, State of Arizona, that Chapter 13 UTILITIES of the *Wickenburg Town Code* be amended as follows:

Section I. In General

1. Replace existing Sub-Section B. as follows:

Section 13-3-5 Lateral Extensions to Existing Sewers; Permit Required

- B. It is unlawful for any person to tap or connect or cause to be tapped or connected, any service drain, or other pipe with the sewer system of the Town or to connect their property to or with any such tap, drain or other pipe connected with the sewer system without first applying for and obtaining a permit from the Public Works inspector. It is hereby made the duty of the Public Works inspector, before issuing a permit, to investigate and inquire into the sanitary and other conditions of the proposed connections with such sewer system for the purpose of ascertaining whether or not same may be made or installed in a proper and sanitary condition and in accordance with the Plumbing Code, State laws, and such specifications as are provided in this Article or as may be adopted by the Council.

2. Replace existing Sub-Section B. as follows:

Section 13-3-7 Specifications

- B. All sewer mains and service lines shall be constructed of polyvinyl chloride ASTM D-3034, SDR-35 or vitrified clay pipe ASTM C-700.

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Ordinance No. 803

3. Replace existing Sub-Section A. as follows:

Section 13-3-8 Construction and In-Progress Inspection

- A. Prior to the start of construction, an offsite improvement permit shall be obtained from the Public Works Department. No such permit shall be issued until plans for the extension have been approved pursuant to Section 13-3-6 Plan for Extension. The cost of said permit shall be determined by Resolution of the Council. The estimated cost of inspections shall be collected prior to issuance of the permit. If the actual cost of inspections exceeds the estimate, the additional amount must be paid to the Town prior to final approval of the extension. If the actual cost of inspections is less than the estimated cost, the overcharge will be refunded.

4. Replace existing Sub-Section B. as follows:

Section 13-3-16 Connection to Sewer Required

- B. All development within the Town limits of Wickenburg but not adjacent to a right-of-way or easement in which sewer lines, pipes or mains have been installed shall extend the sewer system to the site of the development and cause connection to the sewer except individual single family dwelling which it is determined and found by the Town Engineer and the Public Works Director that the cost of the required extension exceeds the cost of an approved alternative sewage disposal system by four (4) times.

5. Replace existing Sub-Sections F. and G. as follows:

Section 13-5-4 Specifications

- F. All water mains shall be as follows: 1) Six (6) to sixteen (16) inch diameter pipe shall be ductile iron, minimum 150 psi or as specified by the Town Engineer/Public Works Director. 2) Sixteen (16) inch diameter pipe or greater may be either ductile iron, or concrete pressure pipe-steel cylinder type.
- G. Water service lines connecting a water main to a customer's meter shall be Type K Soft Copper, no less than one inch (1") or as specified by the Town Engineer/Public Works Director.

6. Replace existing Sub-Section A. as follows:

Section 13-5-5 Construction and In-Progress Inspection

- A. Prior to the start of construction, an offsite improvement permit shall be obtained from the Public Works Department. No such permit shall be issued until plans for the extension have been approved pursuant to Section 13.3.6 Plan for Extension. The cost of said permit shall be determined by Resolution of the Council. The estimated cost of inspections shall be collected prior to issuance of the permit. If the actual cost of inspections exceeds the estimate, the additional amount must be paid to the Town prior to final approval of the extension. If the actual cost of inspections is less than the estimated cost, the overcharge will be refunded.

7. Replace existing Sub-Section B. as follows:

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Section 13-5-10 Connection Required; Separation Required

- B. All development within the Town limits of Wickenburg but not adjacent to a right-of-way or easement in which water lines, pipes or mains have been installed shall extend the water distribution system in accordance with Section 13-5-2, subsection A of this Code except individual single family dwelling units when it is determined and found by the Town Engineer and the Public Works Director that the cost of the required extension exceeds the cost of an approved alternative water delivery system by four (4) times.

8. Strike entire Sub-Section D. and replace as follows:

Section 13-5-10 Connection Required; Separation Required

D. Private Water Wells

1. Existing single family residences may continue to utilize private water wells; however, at such time as a municipal water main is installed within any right-of-way to which the property is adjacent, connection to said main shall be completed in accordance with Section 13-5-10,A. of this Code.
2. Existing multiple family residences and commercial uses may continue to utilize existing private water wells which were in existence at the time of annexation as long as the following can be demonstrated to the satisfaction of the Town Engineer and Director of Public Works:
 - a. That there is not an existing water main capable of serving the demands of the customer within 1000 lineal feet of said customer's property line. At such time as a municipal water main is installed within any right-of-way to which the property is adjacent, connection to said main shall be completed in accordance with Section 13-5-10,A.
 - b. That the private on-site water system is capable of maintaining a minimum pressure at all fixture units of 30 psi.
 - c. At such time as the on-site water system can no longer provide a minimum pressure of 30 psi at all fixture units due to increased demand or decreased efficiency, the Town's water system shall be extended to the property.
 - d. That the customer agrees to install at his or her sole expense a meter to measure sewage discharge from the property or, if more feasible, a meter measuring the total water use on the property for use by the Town in measuring the sewage discharged by the user into the Town's sewer system so as to provide a measurement upon which to base charges for sewer services.
 - e. This subsection in no way abrogates or annuls the requirements to connect to the Town's sewer system.

Section III. 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.

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APPROVED, PASSED AND ADOPTED BY THE MAYOR AND COMMON
COUNCIL OF THE TOWN OF WICKENBURG, COUNTY OF MARICOPA, STATE OF
ARIZONA, THIS 3rd DAY OF June, 1996.

Dallas C. Gant
Dallas C. Gant, Mayor

Date Signed: June 3, 1996

ATTEST:

Edna Grieves
Edna Grieves, Town Clerk

Date Signed: June 5, 1996

APPROVED AS TO FORM:

Harry E. Craig
Harry E. Craig, Town Attorney

Date Signed: June 4, 1996

Number of Councilmembers Present 6

Number of Votes For 6

Number of Votes Against 0

First Reading: May 20, 1996

Second Reading: June 3, 1996

Minutes of June 3, 1996, meeting of Mayor and
Common Council at which this Ordinance was approved, passed and adopted were
certified on the 5th day of June, 1995.

By *Ron J. Bistodeau*
Deputy Town Clerk