

ORDINANCE NO. 2012- 27

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; AMENDING THE PIMA COUNTY CODE, TITLE 13, CHAPTER 20, SANITARY SEWER CONSTRUCTION, CONNECTIONS AND FEES; ELIMINATING THE FIXTURE UNIT EQUIVALENT METHOD OF CALCULATING FEES AND REPLACING IT WITH A METHOD BASED UPON SERVICE WATER METER SIZE

BE IT ORDAINED BY THE PIMA COUNTY BOARD OF SUPERVISORS:

SECTION 1. Subsection 13.20.020(7) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

7. "Building connection sewer" (or BCS) means the private sewer between the commercial or industrial building or any building that does not qualify as Residential under this ordinance and the public or private sewer collection line.

SECTION 2. Subsection 13.20.020(11) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

11. "Commercial/industrial" means a property zoned or used for recognized commercial or industrial. Commercial/industrial uses include, but are not limited to, restaurants, bars, Laundromats, hotels, motels, offices, in-home businesses with rest room facilities provided primarily for customer use, service stations, barber shops, beauty salons, hospitals, nursing homes, schools, churches, penal institutions, utilities, car washes, medical and dental laboratories, pet clinics, bakeries, industries, manufacturing, machinery and meat packing.

SECTION 3. Subsection 13.20.020(13) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

13. "Connection fee over-sizing credit" means a credit for eligible construction and engineering costs, not including easement costs, of over-sizing, augmenting or providing flow through of public sanitary sewerage facilities, to be applied against an applicant's sewer connection fees.

SECTION 4. Subsection 13.20.020(16) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

16. "Credit agreement" means an agreement between an applicant and Pima County for reimbursement by connection fee over-sizing credits for the credit eligible construction costs of over-sizing or augmenting public sanitary sewerage facilities directed by the Department.

SECTION 5. Subsection 13.20.020(18) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

18. "Department" means Pima County Regional Wastewater Reclamation Department.

SECTION 6. Subsection 13.20.020(19) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

19. "Developer" means one or more individuals or incorporated entities that pay the costs of connection fees, and constructing qualifying public sanitary sewerage system improvements if required.

SECTION 7. Subsection 13.20.020(21) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

21. "Director" means the director of the Department or any employee of the Department to whom the Director may by order delegate the authority to carry out his functions under this Section, or any person who shall by operation of law be authorized to carry out such functions.

SECTION 8. Subsection 13.20.020(26) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

26. "House connection sewer" (or HCS) means the private sewer between the residential building and the public or private collection sewer.

SECTION 9. Section 13.20.020 of the Pima County Sanitary Sewer Construction Code is hereby amended to add a new definition for "Letter Agreement" read as follows and to renumber subsequent subsections accordingly:

28. "Letter Agreement" means a written agreement between Pima County and Applicant that specifies the required improvements and development time period for the Applicant to construct on-site or minor off-site improvements in exchange for the County's commitment to provide sewer service. A Letter Agreement does not guarantee that capacity is available.

SECTION 10. Former subsection 13.20.020(28) of the Pima County Sanitary Sewer Construction Code, the definition of "Model plan," is hereby renumbered as subsection 13.20.020(30) and subsequent subsections are renumbered accordingly.

SECTION 11. Section 13.20.020 of the Pima County Sanitary Sewer Construction Code is hereby amended to add a new definition for "Multi-family" read as follows and to renumber subsequent subsections accordingly:

31. "Multi-Family" means more than one residential unit on a single lot. This includes duplexes, townhomes, condominiums, and apartments.

SECTION 12. Former subsection 13.20.020(32) of the Pima County Sanitary Sewer Construction Code, the definition of "Qualifying public sewer improvement," is hereby renumbered as subsection 13.20.020(42) and subsequent subsections are renumbered accordingly.

SECTION 13. Former subsection 13.20.020(43) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

4345. "Residential" means a building designed to be used as a single-family dwelling on a lot owned by one entity. This single family home will have an individual water meter serviced by the water provider.

SECTION 14. Section 13.20.020 of the Pima County Sanitary Sewer Construction Code is hereby amended to add a new definition for "Sewer service agreement" read as follows and to renumber subsequent subsections accordingly:

50. "Sewer service agreement" means a formal agreement between Pima County and Applicant that specifies the required improvements that will be made by the Applicant. The Sewer service agreement shall also document requirements for over-sizing, augmentation or flow-through; or connection fee discounts or connection fee over-sizing credits (13.20.045(B)). A Sewer service agreement does not guarantee that capacity is available.

SECTION 15. Section 13.20.020 of the Pima County Sanitary Sewer Construction Code is hereby amended to add a new definition for "Up gradient" read as follows and to renumber subsequent subsections accordingly:

57. "Up gradient" means potential development that may discharge into the gravity sewerage system of the proposed development.

SECTION 16. Sub-subsection 13.20.026(A)(3) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

3. Sewer Service Agreement. Pima County and the Applicant may enter into an agreement requiring the applicant to construct improvements. Applicant's failure to complete construction of the specified improvements or of the development within the time period specified by the agreement shall render void the County's commitment to provide sewer service to the undeveloped portion of the area under development. The requirements for over-sizing, augmentation, flow-through or granting of connection fee discounts or connection fee over-sizing credits shall be documented in any formal sewer service agreement executed by the applicant and department. Those projects that require only on-site sewer construction shall be documented by letter agreement.

SECTION 17. Sub-subsection 13.20.026(B)(3) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

3. Sewer Service Agreement. Pima County and the Applicant may enter into an agreement that specifies the required improvements that will be made by the applicant. The requirements for over-sizing augmentation, flow-through or granting of connection fee discounts or connection fee over-sizing credits shall be documented in any formal sewer service agreement executed by the applicant and department. Those projects that require only construction of non-qualifying public sewers in addition to on-site sewer construction shall be documented by letter agreement.

SECTION 18. Sub-subsection 13.20.030(A)(1) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

1. The department may grant permission for an applicant to construct public sanitary sewerage facilities. The director is authorized to decide whether all or part of a sanitary sewerage system will be accepted into the public system. Applicant may be required to design and construct the

public sanitary sewerage facilities so as to provide capacity and service to all up gradient property. The applicant may be required to augment existing downstream public sanitary sewerage facilities in order to provide capacity for the applicant's development. All on-site and off-site public facilities shall be designed in conformance with the latest edition of Pima County Regional Wastewater Reclamation Department's Manual of Engineering Standards and Procedures and the latest edition of the Pima County/City of Tucson Standard Specifications and Standard Details for Public Improvements, as modified by Department directive. Public sanitary sewers shall also meet the design requirements of state of Arizona Administrative Code Title 18 Chapter 9. Public sanitary sewerage facilities and related improvements shall be constructed at the sole expense of the applicant. The size and location of public gravity sanitary sewage conveyance facilities shall be not less than eight inches in internal diameter and shall be routed so as to be positioned beneath the paved portions of public roads, streets, avenues, alleys and public rights-of-way, or within dedicated public sewer easements under paved private streets, to the maximum degree possible in order to maximize visual access and to maximize unrestricted 24-hour maintenance vehicle access over and to the public sanitary sewerage facilities. The location of public sanitary sewerage facilities in easements or in areas with restricted vehicular access may be allowed on a case-by-case basis only if no alternative alignment is deemed feasible by the department. In those instances where new sewers are not placed beneath the paved portions of roads/streets, surface improvements sufficient to provide the department's sewer maintenance vehicles with unrestricted year round, all-weather access to the public sanitary sewerage facilities shall be required. The required surface improvements shall accommodate the weight and turning radii of the department's sewer maintenance vehicles, and include turnaround areas as specified by the department.

SECTION 19. Subsection 13.20.030(C) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

C. Site Grading Over Existing Public Sanitary Sewer.

Regardless of whether or not physical modifications to an existing public sanitary sewer are proposed, any proposed modification of the ground surface elevation in or near an existing public sanitary sewer shall be reviewed by the Department. The Department may require modification of the proposed grading plan if changes in existing ground surface elevation will hamper access of maintenance vehicles, increase the potential for surface water runoff over sanitary sewer manholes or cleanouts, or reduce the burial depth of the public sanitary sewer below established design minimums.

SECTION 20. Sub-sub-subsection 13.20.030(D)(1)(a) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

a. Approval of the project concept, which may include approval of location, alignment, maintenance accessibility, necessity, capacity, conditions of hydraulic flow, mitigation of odors, points and methods of connection and other significant factors has been granted by the department or its delegated representative.

SECTION 21. Subsection 13.20.040(A) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

A. Application for New Service. An applicant wishing to connect a new structure or structures to the public sanitary sewerage system shall submit plans, either previously approved by the Department or a sewer layout plan depicting the direct connection of a BCS or HCS, to the department showing the method and location of the proposed connection and documentation as

specified in paragraph 4, below, stating the water meter size(s) to serve planned structure(s). The department shall review the plans and approve them if not previously approved, notify the applicant in writing of the approval of the submitted plans, or notify the applicant in writing of modifications necessary for approval. Once the plans have been approved by the department, the department shall calculate the applicable sewer connection fees.

1. Payment of Sewer Connection Fees. Sewer connection fees shall be paid or Applicant shall have entered into a suitable payment schedule with the County prior to issuance of any plumbing or building permit. No temporary or final occupancy permits shall be issued until connection fees have been paid for the structure to be occupied. The department may refuse to provide service to the property if connection fees have not been paid. HCS only, foundation, pad, grading or any other permit that is issued without payment of connection fees shall be clearly labeled by the permitting agency that sewer connection fees have not been paid and that proof of payment of sewer connection fees is required prior to occupancy of the structure or structures. Should occupancy occur prior to payment of sewer connection fees, the owner and permitting agency shall be liable for payment of an administrative fee, legal and collection costs, and applicable interest in addition to the required sewer connection fees.

2. Private Pumping Systems. No private pumping system shall connect to the public sewer system unless: (i) Applicant provides proof of system approval by the appropriate jurisdiction; and (ii) connection fees have been paid in full or, in the alternative, Applicant has entered into a payment schedule with the County pursuant to Subsection 13.20.045(L) for each dwelling and commercial/industrial facility discharging to the private sewer system. The department may require that the applicant obtain an industrial wastewater control permit if the private pumping system is intended to serve a commercial/industrial facility or more than two residential dwelling units. The department shall require the owner to design and operate the private pumping system so that it does not release deleterious or noxious gasses or liquid wastes prohibited by the Industrial Wastewater Control for release to the public sanitary sewerage system or the environment.

3. Conversion from Private On-site Sewage Disposal System. Whenever a Commercial/industrial/multi-family applicant requests conversion of a structure from a private on-site sewage disposal system connection to a public sanitary sewerage system connection, the department shall verify the water meter size in order to assess the appropriate connection fees. If the structure has a commercial or industrial use, the applicant may be required to obtain an industrial wastewater control permit before being allowed to connect to the public sanitary sewerage system.

4. Water meters.

a. Water Supplied by Municipal Corporation, Special Taxing District, or Private Water Company. For purposes of determining connection fees, Applicant will provide one of the following to the Department for connection fee calculation and payment prior to issuance of a building permit:

- i. water provider receipt showing size of purchased water meter;
- ii. water provider receipt for meter security deposit showing meter size; or
- iii. approved plumbing plan or water plan indicating engineer's required water meter size.

b. Water Supplied by Private Wells. No connection to the public sewerage system will be allowed unless Applicant installs a permanent, accurate meter in the water supply line between the private well and dwellings and commercial/industrial buildings that discharges to the public sewer or, in the alternative, installs a wastewater metering device on the private sanitary sewage conveyance line discharging to the public sewer. The Department shall verify the water or wastewater meter size.

SECTION 22. Subsection 13.20.040(B) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

B. Modification, Demolition or Replacement of Structures. No additional connection fees will be due for plumbing modifications to Residential structures provided, however, that additional connection fees will be due if a person changes the use of a structure from Residential to Commercial/industrial/multi-family. Additional connection fees will be due if a person makes changes to a structure that result in an increase in water or wastewater meter size. If the meter size was increased after January 1, 2012 without a change in use or a plumbing system modification, the previous meter size will be used in the future as the basis for calculating a new connection fee. For commercial shell buildings, within an approved site plan or development plan, that have remaining unimproved space available for a first-time Tenant Improvement (no previous use), the full connection fee for the buildings are due at the time of the next Tenant Improvement after the effective date of the ordinance, and will be calculated using the meter size(s) supplying the shell building and improvements minus any previous connecting fees paid for the shell buildings. In the event that a change in service is proposed and that change will result in an increase in water meter size or result in a shift in the structure use from residential to commercial/industrial, Applicant will submit an application to the Department explaining the proposed change and will request a new capacity analysis. Once the new capacity is approved, Applicant will pay the difference in connection fees between the two meter sizes at the rate in effect at the time of application. The Department may disapprove the application if the proposed change may result in downstream treatment or conveyance capacity exceedances. The Department shall disapprove the application if Applicant has not paid the difference in connection fees due between the new use or water meter size and the old. For specific situations not addressed above, the Director will have the discretion to calculate connection fees on a case-by-case basis.

1. Small Construction Activity Permits. Except as provided in Section 13.20.030(D)(3), the applicant shall obtain a small construction activity permit, with an approved period of construction stated thereon, before commencing or contracting for the construction or installation of a new public manhole, or for tapping a public manhole or a public gravity sanitary sewer. Small Construction Activity Permits are issued for a specified period of time based on the applicant's statement of when the connection construction activity will be accomplished. The permit shall provide the telephone number of the county agency responsible for the inspection of the small construction activities, and a copy of the permit shall be sent to the county agency responsible for such inspection. It is the applicant's responsibility to contact the inspecting agency to determine at what stage of construction the inspections are required. If the applicant fails to complete the work within the approved time on the initial permit, the permit shall expire and a renewal of the permit is required. The applicant shall obtain a first renewal of the permit at no cost. If the applicant fails to complete the work within the approved time on the first renewal permit, the first renewal permit shall expire and a second renewal of the permit is required at the applicant's additional cost as shown in the following table. Subsequent renewals are at the applicant's additional cost as indicated in the table.

- a. A small construction activity permit is required for tapping public gravity sanitary sewer when the local jurisdiction that issues the building permit does not inspect the physical connection of the HCS to the public gravity sanitary sewer for the department.
- b. Small construction activity permit fees.

Construction Activity	First Construction Activity Permit	First Renewal Permit	Each Added Renewal
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			Permit
HCS tap or stubout into public sanitary sewer of 12-inch or less diameter	\$100.00	\$0.00	\$50.00
Large sanitary sewer tap requires special approval	\$150.00	\$0.00	\$75.00
Existing manhole tap	\$150.00	\$0.00	\$75.00
New manhole over existing sewer; no corrosion protection	\$200.00	\$0.00	\$100.00
New manhole over existing sewer; with corrosion protection	\$300.00	\$0.00	\$150.00

Payment of any small construction activity permit fee does not relieve the applicant from paying sewer connection fees pursuant to Section 13.20.045.

c. The small construction activity permit shall not be issued until the following requirements have been met:

- i) Approval of the construction concept by the department or its delegated representative. Consideration may be given to location, alignment, maintenance accessibility, necessity, capacity, conditions of hydraulic flow, mitigation of odors, points and methods of connection and other significant factors; and
- ii) Submission of evidence that all necessary easements, whether permanent or temporary, for the purposes of construction, have been approved and recorded.
- iii) Payment of the applicable small construction activity permit fee.

SECTION 23. Subsection 13.20.040(E) of the Pima County Sanitary Sewer Construction Code is hereby repealed in its entirety and subsequent subsections renumbered accordingly.

SECTION 24. Former subsection 13.20.040(F) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

E. Temporary connections. The director may authorize, in writing, issuance of a permit for a unit to be temporarily connected to a nearby sewer. All permits issued and installations made pursuant to this section shall be on a temporary basis only and shall be subject to the following terms and conditions:

1. An applicant for sewer service for a period not to exceed two years may be issued a temporary permit. The permit may not be renewed. The prevailing connection fee rate shall be charged the applicant for this permit. The connection fees paid may be credited against the sewer connection fees for a permanent connection replacing the temporary connection within the two-year period. If a permanent connection is not achieved within the two-year time period, the temporary connection permit shall expire, the physical connection shall be eliminated, and the connection fees shall not be returned.
2. An applicant for sewer service for a period not to exceed thirty calendar days may be issued a thirty-day temporary permit. The applicant may apply to the public services counter of the Department at the City/County Public Works Center, 201 North Stone Avenue, for a thirty-day temporary sewer connection permit.
3. The cost of a thirty-day temporary permit is \$25 per 24-hour day (or any part thereof) for the term of the temporary permit, plus either:

- a. \$100 per permit when the connection is to the public sanitary sewerage system at a public manhole or cleanout; or
- b. \$50 per permit when the connection is to a private building connection sewer draining to the public sanitary sewerage system.

SECTION 25. Subsection 13.20.045(A) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

A. Connection Fee Rates. Except as otherwise provided in this section, persons connecting to the public sanitary sewer system shall pay the following connection fee:

- 1. Residential:

Water Meter Size	Amount
5/8", 3/4", or 1"	\$4,066

- 2. Commercial/Industrial/Multi-family:

Water Meter Size	Amount
5/8" or 3/4"	\$4,066
1"	\$8,480
1 1/2"	\$27,030
2"	\$69,790
3"	\$162,510
4"	\$363,690

Connection fees for commercial/industrial dischargers with water meters greater than 4" in size will be calculated on a case-by-case basis using the following formula where "C" represents the cost of capacity factor of \$16.02 per gallon to convey and treat wastewater, "G" represents the estimated number of gallons of wastewater produced during a peak flow day, and "I" represents a system inflow and infiltration rate factor of 1.175.

$$\text{Connection fee in dollars} = C \times G \times I$$

SECTION 26. Sub-subsection 13.20.045(B)(1) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

- 1. The construction of a qualifying public sewer improvement shall, as provided in this subsection B, qualify the developer for a discount against the connection fee otherwise due per residential unit or per ~~ten~~ commercial/industrial/multi-family facility. Except as provided in this subsection B, the amount of the discount from each such eligible residential connection fee shall be \$1,100 for the construction of a qualifying public sewer collection or conveyance improvement and \$250 for the construction of a qualifying public sewer treatment improvement. For residential projects, one (1) dwelling unit will be granted connection fee discount status for each 25 feet of qualifying public sanitary sewer line installed by the developer. For commercial/industrial/Multi-family projects, each project shall be granted cumulative connection fee discounts for each 25 feet of qualifying public sanitary sewer installed by the developer.

SECTION 27. Subsection 13.20.045(C) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

C. Qualifying Public Sewer Improvement.

1. Only residential and commercial/industrial/multi-family facilities directly tributary to the qualifying public sewer improvements listed in this subsection that are being or have been constructed by the applicant or a previous developer of the property shall qualify for the connection fee discount. The connection fee discount status shall run with the property and may not be transferred to another property.
2. Property for which connection fee discount status is requested shall be clearly identified on the tentative plat, development plan and/or public sanitary sewage conveyance system facility construction plans when they are presented for review. The eligibility for a connection fee discount shall be confirmed in writing by the Director or the Director's designee. The connection fee discount may apply to:
 - a. A portion, or portions, of the development (including portions of individual buildings); or
 - b. Structures tributary to a segment of sewer; or
 - c. An individual sewage drainage basin within the overall development; or
 - d. The entire development.
3. The qualifying sanitary sewer shall have a minimum length of 25 feet as measured from the point of connection to the existing public sewerage system to the closest edge of the area under development for any dwelling units or commercial/industrial/multi-family projects to be granted the connection fee discount. For the purpose of computing sewer length for connection fee discount status, the length of the qualifying sewer over 25 feet in length may be rounded to the next appropriate multiple of 25.
4. The types of public sewerage system improvements installed by the applicant or any previous developer that may qualify a property for the connection fee discount status are as follows:
 - a. Off-site, down gradient, gravity flow public sanitary sewers that serve other properties in addition to the area under development; or
 - b. A new fully accessible, public gravity flow sanitary sewer that replaces an existing inaccessible public sanitary sewer when the replacement is requested by the department and the sewer's inaccessibility is not the result of Applicant's or any previous developer's or property owner's activities; or
 - c. Augmentation of an existing down-gradient, gravity flow public sanitary sewer of a size that provides sufficient capacity to serve the area under development. The augmentation sewer may also qualify for a credit or rebate pursuant to 13.20.050 if the augmentation is of a pipe size larger than that needed to serve the area under development.
 - d. Improvement in treatment capacity at the publicly owned treatment works serving the area under development or a portion of the area under development. The portion of the development qualifying for connection fee discount status shall be based on the design flows projected to be received from the area under development in relation to the amount of treatment capacity expansion provided.
5. The types of public sanitary sewers installed by the applicant or any previous developer that shall not qualify a property for the connection fee discount status are as follows:
 - a. Off-site public gravity sewer lines installed by the developer which cannot be used by any properties down gradient from the property under development; or
 - b. Off-site and on-site public sewers that do not serve the area under development that provide flowthrough from up-gradient properties; or

- c. A public sanitary sewage pumping station and off-site force main.
6. For projects in which only a portion of the project is eligible for the connection fee discount, the connection fee discount status shall be given to the most down-gradient dwelling units of the proposed development which are directly tributary to the qualifying public sanitary sewer.

SECTION 28. Subsection 13.20.045(E) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

E. Model Unit Fees

The permit fee charged for a "model" permit, issued at the request of an applicant prior to the recording of a final plat, shall include an additional \$200 fee to cover the administrative costs associated with tracking the final lot designation or a final approved assigned address or both. A model permit will only be issued on the condition that the applicant, in writing, accepts full responsibility if the public sewer to which the "model" is to be connected is not available for service when "model" construction is complete.

SECTION 29. Subsection 13.20.045(F) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

F. Prevailing Rate. The connection fee charged shall be calculated using the rate prevailing at the time of payment, except when the Development Services Department has approved a Sewer Connection Fee Application within its computerized permitting system up to 30 days prior to the effective date of the new rate, and no changes have been made to the plans that change the number of fixture unit equivalents. In such situations, the older rate will be honored for a period not to exceed 60 days after the effective date of the new rate.

1. The connection right shall continue for the life of the structure, for the use originally permitted; however, if a conversion, meter replacement, or change of use occurs which results in a change in meter size or a shift in use from residential to commercial/industrial/non-residential, the difference in connection fees is due and immediately payable upon conversion or change of use. Conversions shall be reviewed for compliance with Industrial Waste Ordinance requirements.

SECTION 30. Subsection 13.20.045(H) of the Pima County Sanitary Sewer Construction Code is hereby repealed in its entirety and subsequent subsections renumbered accordingly.

SECTION 31. Former subsection 13.20.045(J) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows:

I. Payment of Connection Fees.

1. The connection fee payment is due at the time of issuance of a plumbing or building permit. Fees are first applied to any unpaid fees owed by the applicant to the department. The total fees due may be rounded to the nearest dollar.
2. If no building or plumbing permit is issued, the connection fee is due prior to physically connecting or being able to discharge to the system.
3. Connection fee payment is due immediately upon receipt of the department's notification to the property owner that a discovery reveals that the property improvements were connected to the public sanitary sewerage system without payment of connection fees.
4. Interest charges shall be added to any unpaid connection fee and calculated at the rate of ten percent per year on the unpaid connection fee balance compounded daily. If the unpaid

connection fee and any interest charges are not paid by the property owner within ten working days from the date of a notice of delinquency, the director may add to the amount due any legal or collection costs incurred.

SECTION 32. Section 13.20.045 of the Pima County Sanitary Sewer Construction Code is hereby amended to add a new subsection L entitled "Connection Fee Payment Plan" read as follows:

L. Connection Fee Payment Plan. As an alternative to payment in full of connection fees prior to the issuance of a building permit, Applicant may enter into a connection fee payment agreement with Pima County. No building permit will be issued unless connection fees have been paid in full or unless Applicant has entered into a payment plan with the County and conditions 1, 2, and 7, below, have been met. Such agreement will use a form approved by the Director and will, at a minimum, include the following provisions:

Applicant must make, prior to issuance of the building permit, an initial payment of 25% of the outstanding connection fee balance;

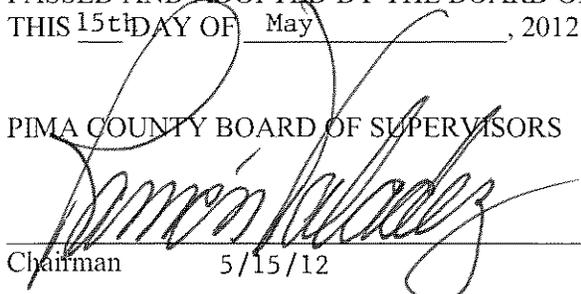
1. Property owner must agree to a lien on the property in the amount of the outstanding connection fees;
2. The payment period will not exceed twelve months;
3. Interest on the outstanding connection fee balance will be one percent higher than the prime rate published at the time of agreement;
4. Applicant and property owner are jointly and severally liable for any lien enforcement costs;
5. County may, as an alternative to lien enforcement, withdraw sewerage service and capacity allocation to the property; and
6. Applicant pays an administrative fee of \$500 to cover the cost of drafting and administering the agreement.

SECTION 33. The various County officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

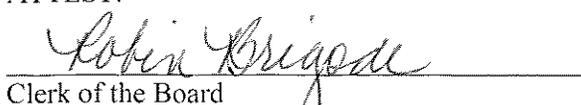
SECTION 34. This Ordinance shall become effective 31 days after its adoption.

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA,
THIS 15th DAY OF May, 2012.

PIMA COUNTY BOARD OF SUPERVISORS


Chairman 5/15/12

ATTEST:


Clerk of the Board

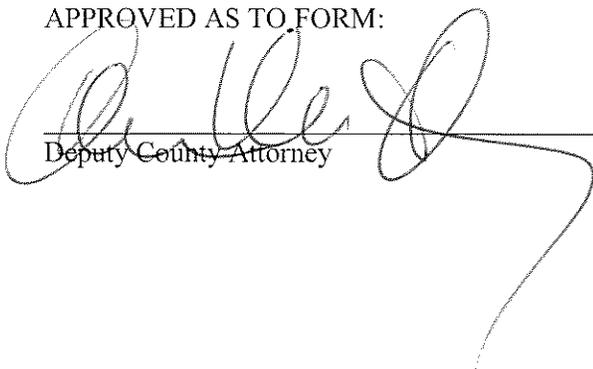
Dated: 5/15/12

APPROVED AS TO CONTENT:



Director,
Regional Wastewater Reclamation Department

APPROVED AS TO FORM:



Deputy County Attorney