

## CHAPTER 25 – WATER, SEWERS AND SEWAGE DISPOSAL

### **Administrative/General**

#### Sec. 25-1. Definitions.

For the purpose of this Chapter, the following words, terms and phrases shall have the following meaning ascribed to them, except where the context clearly indicates a different meaning:

*Approach mains* shall be those mains subject to repayment and defined as follows:

- (i) Mains extended beyond the limits of the project or mains constructed through the project or mains constructed along the frontage or boundary of the development; and
- (ii) Mains which serve other property owners other than the owner who is developing the property; and
- (iii) Mains which are constructed to contain additional capacity to provide adequate fire flow and water pressure above and beyond that required by the development based on the most recent Water Master Plan.

*Approved* means accepted by the Utilities Director or their authorized deputy, agent, designee or representative as meeting an applicable specification stated or cited in this code, or as suitable for the proposed use.

*City* means the City of Peoria, Maricopa County, Arizona and/or the Utilities Department. For purposes of certain sections, the City shall be defined as the Utilities Department and the Engineering Department with the Engineering Department performing reviews on behalf of the Utilities Department to assure compliance with the Utilities Department standards and specifications.

*City Engineer* means the Director of the Engineering Department, (i.e., City Engineer) or their deputy, agent, designee or representative.

*City Water Service Area* means all incorporated areas of the City, which are not currently served water by a private water company.

*Civil Sanction* means that part of the law (i.e., this code) which is designed to secure enforcement by imposing a penalty. A punitive act taken by the City against an individual or customer, which has violated this code.

*Commercial Unit* means non-residential units which are intended to facilitate all types of employment-generating or business uses, including, but not limited to retail and service establishments, neighborhood convenience stores, business parks and professional offices, research and development centers, storage warehouses and industrial units.

*Conveniently Accessible* (for meter locations) means located in an open area with not less than three (3) feet in diameter access around the meter.

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*Customer(s)* means any person (legal or natural), partnership, association, company, private corporation, public corporation, political subdivision, the United States and the State of Arizona, who requests or receives water from the City's public water distribution system or reclaimed water from the City's reclaimed water distribution system or untreated Central Arizona Project water from City facilities.

*Development Fees* means a fee assessed by the City to offset costs to the City associated with providing necessary public services to a development.

*Director or Utilities Director* means the Public Works – Utilities Director of the City of Peoria or their authorized deputy, agent, designee or representative.

*Dwelling Unit* means:

- (i) *Multiple-Family Dwelling Unit* means mobile home space within a mobile home park, a travel trailer space within a travel trailer park, a hotel, motel, rest home, apartment, condominium units served by a single meter, and any other building in which more than one (1) family may reside either temporarily or on a permanent basis.
- (ii) *Single-Family Dwelling Unit* means any unit attached or detached served by an individual meter in which only a single-family may reside, other than a multiple-family dwelling unit.

*Industrial Unit* means a business use or an activity involving and/or including, but not limited to, resource extraction, manufacturing, fabrication, assembly, and warehousing.

*Institutional Unit* means a use or activity involving and/or including, but not limited to a public and public/private group use of a nonprofit nature, typically engaged in public service or a religious institution, hospital, public or private school or college, and public agency.

*Minor Land Division* means:

- (i) The division of one parcel of land into three or less parcels.
- (ii) Application for a building permit on a single lot, parcel or tract that is not a lot, parcel or tract located within a recorded subdivision and which may be divided into one or more additional lots, parcels or tracts, regardless of whether the property owner has indicated any intent to do so.

*Non-Potable Water* means water delivered through the City's non-potable water distribution system. Non-potable water is not designated to meet the Environmental Protection Agency's and

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Arizona Department of Environmental Quality's drinking standards but is appropriate for other use.

*Non-Potable Water Delivery* means City service to provide non-potable water for, but not limited to, commercial, recreational and landscaping purposes and recharge.

*Non-Potable Water Distribution System* means the network of public non-potable wells, waterlines, pumping and booster stations, storage facilities and related equipment/appurtenance, which compose the basic grid and distribution system for non-potable water service to the point of delivery for non-potable water.

*Non-Potable Water Service Line* means an approved type of pipe carrying non-potable water from the public non-potable waterline to the point of delivery.

*Non-Potable Water Use Service Agreement* means a separate written agreement between the City and a City non-potable water customer that governs the delivery of non-potable water by the City. It is an implied condition of every non-potable water service agreement that all of the provisions of this Code pertaining to non-potable water and any failure to deliver non-potable water because there is inadequate availability of non-potable water for any priority customer is not a breach of the non-potable water use service agreement.

*Point of Delivery for Non-Potable Water* means the non-potable water meter or such other location as determined in the sole discretion of the Utilities Director and located on or proximately to a customer's property to which the City will deliver non-potable water and have access to for inspection and/or replacement.

*Point of Delivery for Reclaimed Water* means the reclaimed water meter or such other location as determined in the sole discretion of the Utilities Director or their designee and located on or proximately to a customer's property to which the City will deliver reclaimed water and have access to for inspection and/or replacement.

*Point of Delivery or Point of Service Delivery* means the terminal end of a service connection from public water system. If a meter is installed at the end of the service connection, then the point of service delivery shall mean the downstream end (i.e., customer side) of the meter. If an un-metered connection exists, then the point of service delivery shall mean at the point of demarcation between the public right-of-way or easements and private property. Also, the water meter or such other location as will be determined in the sole discretion of the Director or their authorized deputy, agent, designee or representative, and located on or proximately to a customer's property to which the City will deliver water and have access to for inspection and/or replacement.

*Point-of-Use Compliance Program* means a water treatment technology program designed to treat only a portion of the total flow at the point of use with the intent that water treated is for direct consumption (drinking and cooking) and achieves compliance with the maximum contaminant

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levels established in the National Primary Drinking Water Regulations.

*Point-of-Use Treatment Device* means a City-furnished treatment apparatus installed at a customer's faucet, which is an option for the City for compliance with some of the maximum contaminant levels for public water systems where central treatment is not feasible. A point-of-Use ("POU") device is considered a complete water treatment device that includes all components needed to connect it to a public water system under a POU compliance program.

*Potable Water* means water delivered through the City's domestic water delivery system after treatment designated to meet the Environmental Protection Agency's and Arizona Department of Environmental Quality's drinking standards.

*Property Owner* means the person, company, entity or developer which is developing the property. A property owner may in certain circumstances also be the individual requiring an approach main extension and/or be a customer (or future customer).

*Public Water Distribution System* means the network of public waterlines, pumping and booster stations, storage facilities and related equipment/appurtenance, which compose the basic grid and distribution system for water service to the point of delivery.

*Public Waterline or Public Water Main* means a waterline (or water main) owned and maintained by the City.

*Reclaimed Water* means effluent (or a combination of effluent and non-potable water) that has been collected in a sanitary sewer for subsequent treatment in a facility which adheres to federal and state water quality control standards (i.e., Arizona Revised Statutes § 45-101 and any successor statutes), to achieve a quality suitable for its intended use.

*Reclaimed Water Delivery* means City service to provide reclaimed water for, but not limited to, commercial, recreational and landscaping purposes and recharge.

*Reclaimed Water Distribution System* means the network of public reclaimed waterlines, pumping and booster stations, storage facilities and related equipment/appurtenance, which compose the basic grid and distribution system for reclaimed water service to the point of delivery for reclaimed water.

*Reclaimed Water Service Line* means an approved type of pipe carrying reclaimed water from the public reclaimed waterline to the point of delivery.

*Reclaimed Water Use Service Agreement* means a separate written agreement between the City and a City reclaimed water customer, which is not part of any development agreement and that governs the delivery of reclaimed water by the City. It is an implied condition of every reclaimed water service agreement that all of the provisions of this code pertaining to reclaimed water and any

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failure to deliver reclaimed water because there is inadequate availability of reclaimed water for any priority customer is not a breach of the reclaimed water use service agreement.

*Turf* means an area of land, which is planted primarily with plants other than low water using plants.

*Utilities or Utility* means water and wastewater services provided by the city and all lines and facilities related to the provision, distribution, collection, transmission, or disposal of water and wastewater, singularly or collectively.

*Utilities Director* means the Director of the Public Works – Utilities Department, or their authorized deputy, agent, designee or representative.

*Water* means any water (i.e., clear, colorless, nearly odorless and tasteless liquid), from the City's public water distribution system including potable water, non-potable water, reclaimed water or untreated Central Arizona Project water.

*Water Deficiency* means any or all of the following: (1) the use of the water supply and delivery system has approached a level that exceeds the City's ability to provide a supply of water to each customer within a pressure zone or throughout the City or where the available supplies of ground water or surface water delivered to the City are reduced; or (2) the general welfare requires that the water resources available to the City be put to the maximum beneficial use, or unreasonable method of use of water be prevented, and the conservation of such water is to be extended with a look at the reasonable and beneficial use thereof in the interests of the City and for the public welfare. A water deficiency shall be designated a Stage 1 (Water Watch), Stage 2 (Water Alert), Stage 3 (Water Warning), or Stage 4 (Water Emergency).

*Water Distribution Main* means water pipelines, which are generally between eight (8) inches and sixteen (16) inches in diameter, are considered part of the local water delivery system, and may be tapped for individual service connections to properties.

*Water Transmission Main* means water pipelines, which are generally greater than sixteen (16) inches in diameter, are considered part of the regional water delivery system, and are not permitted to be tapped for individual service connection.

(Code 1977, §12-5-15(e))

(Ord. No. 98-115, 1/5/99, Amended)

(Ord. No. 07-37, 11/20/07, Repealed existing Sec. 25-1; enacted new Section 25-1) SUPP 2007-4

(Ord. No. 08-25, 12/02/08, Amended Sec. 25-1) SUPP 2008-4

(Ord. No. 2010-35, 12/07/2010, Amended) SUPP 2010-4

(Ord. No. 2011-23, 11/01/2011, Amended) SUPP 2011-4