

DESCRIPTION OF LEGAL ADVERTISING
 Bill #797
 3349008

TERMS: Please pay from this invoice. It is due upon presentation and is past due after 15 days.

Legal Ad. Cost 21.00
 Extra Proofs _____
 Notary Fee 2.00
 Total Amt due 23.00

- Washoe County Clerk
- Charlotte James
- P. O. Box 11130
- Reno, NV 89520

MONTH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
October															x							x									

PROOF OF PUBLICATION

STATE OF NEVADA,
 COUNTY OF WASHOE

ss.

Doris Mertz

being first duly sworn, deposes and says: That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice _____ of _____ County Ordinance

_____ of which a copy is hereto attached, was first published in said newspaper in its issue dated the 15th day of Oct, 1984 and, _____ Oct 22, the full period of 2 days, the last publication thereof being in the issue of October 22 19 84.

Signed Doris Mertz

Subscribed and sworn to before me this 22nd day of October, 1984

Joan G. Dunphy
 Notary Public

NOTICE OF COUNTY ORDINANCE
 NOTICE IS HEREBY GIVEN that Bill No. 797, Ordinance No. 624, entitled "An ordinance establishing a schedule of rates and charges for provision of sanitary sewer by Washoe County within the Lemmon Valley Service Area; requiring the Department of Public works to submit billing to all sanitary sewer users within the service area; requiring payment thereof; and providing procedures for its enforcement," was adopted on October 9, 1984, by Commissioners Williams, King, Lillard, McDowell, and Ritter.
 Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
 Judi Bailey
 County Clerk
 3349008-Bill#797
 Oct. 15.22-bja133

PLEASE STAMP & SIGN FOR PAYMENT

JOAN G. DUNPHY
 Notary Public - State of Nevada
 Appointment Recorded In Washoe County
 MY APPOINTMENT EXPIRES DEC. 22, 1987

SUMMARY: Adopts a schedule of rates and charges for sewage disposal service Lemmon Valley sewer service area and providing procedures for its enforcement.

BILL NO. 797

ORDINANCE NO. 624

AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES AND CHARGES FOR PROVISION OF SANITARY SEWER BY WASHOE COUNTY WITHIN THE LEMMON VALLEY SERVICE AREA; REQUIRING THE DEPARTMENT OF PUBLIC WORKS TO SUBMIT BILLINGS TO ALL SANITARY SEWER USERS WITHIN THE SERVICE AREA; REQUIRING PAYMENT THEREOF; AND PROVIDING PROCEDURES FOR ITS ENFORCEMENT

THE BOARD OF WASHOE COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN;

ARTICLE 1 GENERAL PROVISIONS

1. Short Title. This ordinance may be cited as "Lemmon Valley Sewer Service Area Sewer Service Charge Ordinance".

2. Enabling Statutes. This ordinance is adopted pursuant to NRS 244.366 and 318.205.

3. Enterprise. The County will furnish a system used for the collection of domestic and industrial wastewater, including all parts of the enterprise, all appurtenances thereto, and lands, easements, rights in land, contract rights and franchises.

4. Separability. If any section, subsection, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstances is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this ordinance or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared to be unconstitutional.

5. Relief on Application. When any person by reason of special circumstances, is of the opinion that any provision of this ordinance is unjust or inequitable as applied to his premises, he may make written application to the Board stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises.

If such application be approved, the Board may, by

resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

6. Relief on Own Motion. The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and ordinance should be suspended or modified as applied to a particular premise and may, by resolution, order such suspension or modification for any such premises during the period of such special circumstances, or any part thereof.

7. The County shall send out bills for sewer service used for which no payment has been received. The County shall use these current rates for determining the payments used.

ARTICLE 11 - DEFINITIONS

1. Additional Definitions. For the purpose of this ordinance, additional terms shall have the meanings indicated in Chapter 1 of the latest edition of the Uniform Plumbing Code as prepared by the International Association of Plumbing and Mechanical Officials.

2. Applicant shall mean for the Person, Business or governmental agency making application for a permit for a sewer or plumbing installation or to discharge wastewater into any sewer.

3. Application shall be a written request for sewer service as distinguished from an inquiry as to the availability of, or charges for such services.

4. Area shall be the Lemmon Valley Sewer Service Area.

5. Billing Period shall be the period for which a billing is made. For residential services, it may be an average quarter and need not coincide with three consecutive calendar months (i.e. may be billed on a cycle of between 90 and 92 days). For all other services, it may be for an average month and need not coincide with the calendar month (i.e. may be billed on a cycle of 28 to 31 days).

6. Biochemical oxygen demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C.

7. Board shall mean the Board of County Commissioners.

8. Building shall mean any structure used for human habitation or a place of business, recreation or other purpose requiring wastewater disposal services.

9. Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer. The building drain extends three (3) feet outside the inner face of the building wall.

10. Building Sewer shall mean that portion of any sewer beginning at the building drain and extending to the property line or to a private sewage disposal system.

11. Collection System shall mean the system of sewers, manholes, pump stations and appurtenances receiving liquid wastes from buildings and premises for transmission to the treatment facility.

12. Combined Sewer shall mean a sewer intended to receive both surface runoff and sewage.

13. Commercial Building shall mean any building, structure or facility or a portion thereof, devoted to the purposes of trade or commerce, such as a store or office building.

14. Contractor shall mean an individual, firm, corporation, partnership or association duly licensed by the State of Nevada to perform the type of work to be done under the Permit.

15. County shall mean the County of Washoe, Nevada.

16. County Sanitary Engineer shall mean the Engineer appointed and acting for the County and shall be a Registered Civil Engineer in the State of Nevada.

17. Cubic Foot is the volume of water which occupies one cubic foot. The cubic foot is equal to 7.481 gallons.

18. Customer shall mean the person in whose name service is rendered as evidenced by his signature on the application or contract for that service, or, in the absence of a signed instrument, by the receipt and payment of bills regularly issued in his name regardless of the identity of the actual user of the service.

19. Date of Presentation shall be the date upon which a bill or notice is either postmarked or hand delivered to the Customer.

20. Domestic Wastewater shall mean the spent water from building water supply to which has been added the waste materials of bathroom, kitchen and laundry.

21. Easement shall mean an acquired legal right for the specific use of land owned by others.

22. Fixture shall mean any sink, tub, shower, water closet or other facility connected by drain to the sewer.

23. Fixture Unit is defined and has that weighted value assigned in the latest edition of the Uniform Plumbing Code.

24. Floatable Oil is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by pretreatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and does not interfere with the collection system.

25. Gallon is the volume of water which occupies 231 cubic inches.

26. Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

27. Inspector shall mean an individual designated to inspect facilities which are the subject of this ordinance.

28. Industrial Wastewater shall mean the wastewater from industrial processes, trade or business as distinct from domestic wastewater.

29. Lateral Sewer shall mean the portion of a public sewer lying within a public street connecting a building sewer to the main sewer.

30. Law is any statute, rule or regulation established by Federal, State, County or Municipal authorities.

31. Lemmon Valley Sewer Service Area shall mean the following area: T.20N., R.18E. all of Sections 3, 4, 8, 9, 10, 11; N 1/2 Section 15, N 1/2 S.W. 1/4 Section 15; N 1/2 Section 16; N 1/2 Section 17; and N 1/2 S.E. 1/4 Section 17. T.21N., R.19E. all of Sections 26, 27, 33, 34, and 35 M.D.B. & M.

32. Living Unit shall mean any residence, apartment, or other structure to be occupied for habitational purposes by a single person or family and requiring wastewater disposal services.

33. Main Sewer shall mean a public sewer designed to accomodate more than one lateral sewer.

34. May is permissive (see "shall", Sec. 56).

35. Metered Service is a service for which charges are computed on the basis of measured quantities of water or

wastewater.

36. Natural Outlet shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.

37. Outside Sewer shall mean a sanitary sewer beyond the limits of the Sewer Service Area not subject to the control or jurisdiction of the County.

38. Permanent Service is a service which, in the opinion of the County Sanitary Engineer, is of a permanent and established character. The use of the sewer may be continuous, intermittent or seasonal in nature.

39. Permit shall mean any written authorization required pursuant to this or any other regulation of the Service Area for the installation or operation of any wastewater works.

40. Person shall mean any individual, firm, company, partnership, association, corporation or group.

41. pH shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .

42. Plant shall mean the Lemmon Valley Wastewater Treatment Plant.

43. Plumbing Outlet shall mean any part of a plumbing system to which a fixture is attached.

44. Plumbing System shall mean all plumbing fixtures and traps; all soil, waste, vent pipes, and all sanitary sewer pipes within a building and the building drain.

45. Premises shall mean all of the real property and services to a single integrated activity operating under one name to one or more buildings, locations or services, provided: (a) such buildings, locations or services are to a single unit of property; or (b) such buildings, locations or services are on two or more units of property immediately adjoining, except for intervening public highways, streets, alleys or waterways.

46. Private Sewer shall mean a sewer serving an independent wastewater disposal system not connected with a public sewer and which accommodates one or more buildings or industries.

47. Properly Shredded Garbage shall mean garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2-inch in any direction.

48. Public Sewer shall mean a sewer lying within a public highway, road, street, avenue, alley, way, public place, public easement or right of way and which is controlled by or under the jurisdiction of the County.

49. Residential Equivalent shall mean 25 weighted fixture units as defined in the latest edition of the Uniform Plumbing Code.

50. Sanitary Sewer shall mean a sewer which carries liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

51. Service Classification shall mean:

- A. Commercial Unit - Group I Service: Service to office buildings, private clubs, motels or hotels, or portions thereof, without kitchen, laundry or other facilities (excepting toilet facilities) which require wastewater disposal services.
- B. Commercial Unit - Group II Service: Service to all commercial buildings not in Group I, or portions thereof, and shall include but not be limited to, department stores, restaurants, clubs and schools.
- C. Industrial Service: Service to customers engaged in a process which creates or changes raw or unfinished materials into another form or product. (Factories, mills, machine shops, mines, pumping plants, creameries, canning and packing plants, or processing activities.)
- D. Residential Service: Service to a customer in a single family dwelling, mobile home or building, or in an individual flat, condominium, or apartment in a multiple family dwelling, or building or portion thereof occupied as the home, residence or sleeping place of one or more persons.

52. Service Connection. The point of connection of the Customer's piping with County's facilities.

53. Sewage is the spent water of community. The preferred term is "wastewater", Sec. 63.

54. Sewer shall mean a pipe or conduit that carries wastewater.

55. Side Sewer shall mean the sewer line beginning three (3) feet outside the foundation wall of any building and terminating at the main sewer and shall include the building

sewer and lateral sewer together.

56. Shall is mandatory (see "May" Sec. 34).

57. Slug shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works as determined by the County Sanitary Engineer.

58. Storm Sewer or Storm Drain shall mean a sewer which carries storm water, groundwater, subsurface water, or unpolluted water from any source.

59. Storm Water shall mean excess water entering sewers during rainfall, snowfall, or following and resulting therefrom.

60. Suspended Solids shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

61. Unpolluted Water is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation or receiving water quality standards and would not benefit by discharge to the sanitary sewers and wastewater treatment facilities provided.

62. Wastewater shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

63. Wastewater Facilities shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

64. Wastewater Treatment Works shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".

65. Watercourse shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

ARTICLE III. CONNECTION

Connection Charges. The following charges are hereby established and shall be collected prior to final map approval by the Board or at the time of issuing the permit for a sewer connection which ever occurs first:

- A. Single Family Unit. Persons desiring connection to the sanitary sewer system of the Service Area shall pay to the County connection charge at the following rates:

Residents within the Service Area \$1,500

- B. Commercial Unit - All Classes. Persons desiring connection to the sanitary sewer system of the Service Area shall pay to the County a connection charge based on the weighted fixture unit residential equivalent of the premises, where a residential equivalent is 25 weighted fixture units. A minimum connection fee shall be \$1500 with an additional \$60 per weighted fixture unit for all units in excess of 25.

ARTICLE IV. USER CHARGE SCHEDULE

1. Service Charges. Any users of the Service Area's sewerage facilities shall pay to the County a sewer service charge in accordance with the following schedule:

- A. Residential User. For each family occupying a single family unit the following charges shall apply:

(1) Single Family Unmetered - \$55.35 per quarter.

(2) Multiple Family Units (per unit) - \$55.35 per quarter.

- B. Commercial Units - All Classes.

(1) Sewer service fees for commercial users which employ outside water uses such as irrigation or vehicle washing, which does not enter the sewer system, shall be determined by water meter records which exclude such outside uses. Where facilities for measuring outside water usage are not available the commercial user shall be billed on total water usage based on the following schedule.

(2) Basic and Minimum Charge - \$55.35 per quarter, plus

(3) For each 100 gallons in excess of 3,000 gallons as measured by the water meter per quarter - \$0.10

per 100 gallons.

(4) Any applicable surcharge as determined under (D), Extra Strength Waste.

(5) In the event the commercial water use is not metered, the quarterly sewer service charge for a commercial establishment shall be based upon the establishments number of fixture units. A charge of \$55.35 per quarter shall be a minimum and shall be the charge for up to 25 fixture units. Each fixture unit in excess of 25 shall have a charge of \$2.25 per quarter associated with it.

C. Industrial Units. For users in this category the following schedule of charges shall apply:

Note: The Basic and Minimum Charge assessed in this category contemplates the following factors: (a) 1,000 gallons per month, or less and (b) domestic waste discharge with a five-day average BOD of 240 mg/l, or less; an average suspended solids of 170 mg/l, or less; a total phosphorus as P of 11.0 mg/l, or less; and a total Nitrogen as N of 26.0 mg/l or less.

(1) Sewer service fees for industrial users which employ outside water uses such as irrigation or vehicle washing which does not enter the sewer system shall be determined by water meter records which exclude such outside uses. Where facilities to measure outside water uses are not available, the industrial user shall be billed on total water usage based on the following schedule.

(2) Basic and Minimum Charge - \$55.35 per quarterly, plus

(3) For each 100 gallons in excess of 1,000 gallons per month - \$0.10 per month, plus

(4) A surcharge which shall be calculated as follows:

$$\begin{aligned} \text{Surcharge} = & [(BOD_I - BOD_D) \times V \times 8.34 \times 30 \times \\ & \$0.069/\text{lb of BOD}] + \\ & [(SS_I - SS_D) \times V \times 8.34 \times 30 \times \$0.063/\text{lb} \\ & \text{of SS}] + \\ & [(P - P) \times V \times 8.34 \times 30 \times \$0.993/\text{lb} \\ & \text{of P}] + \\ & [(N - N) \times V \times 8.34 \times 30 \times C] \end{aligned}$$

Where: I = Industrial/Commercial Wastewater
 D = Local Domestic Wastewater
 C = Total Cost for Specific Parameter
 (\$/lbs./day) as determined by the County
 Sanitary Engineer.
 V = Wastewater Flow (MGD)
 BOD = BOD (mg/l)
 SS = Suspended Solids (mg/l)
 P = Total Phosphorus as P (mg/l)
 N = Total Nitrogen as N (mg/l)
 [] = Never less than zero

There is currently no charge for nitrogen removal because it is not a discharge requirement at the time of this writing. A surcharge will be developed for industrial/commercial nitrogen when nitrogen removal becomes a part of the treatment process.

plus

(5) A surcharge for any other component of the wastewater which is identified by the Contractor as causing an increased cost of collection, treatment, disposal and administration. The amount of the surcharge shall be determined by the County Sanitary Engineer and shall not exceed the proportional amount of increased cost of collection, treatment disposal and administration attributable to the wastewater component.

(6) In the event the industrial water use is not metered, the quarterly sewer service charge for a industrial establishment shall be based upon the establishments number of fixture units. A charge of \$55.35 per quarter shall be a minimum and shall be the charge for up to 25 fixture units. Each fixture unit in excess of 25 shall have a charge of \$2.25 per quarter associated with it.

D. Extra Strength Waste. If the waste discharged by a commercial or residential user is determined by the County Sanitary Engineer to have strength or characteristics which exceed that of domestic wastewater or causes increased costs as described in (C) above, the user shall be regulated and charged as an Industrial Unit.

E. Failure to Receive Bill. Failure to receive a bill does not relieve a customer of the obligation to pay for services received.

F. Checks Not Honored by Bank. Checks presented in payment of bills which are returned by a bank shall

be treated as though no payment has been made. Redemption of returned checks may be required to be by cash or equivalent. The customer shall reimburse the County for any returned check fees charged by a bank to the County.

G. Checking Fee.

1. Any applicant, customer or developer requiring approval of plans by the County, or desiring plan checking shall pay to the County the following fee or fees.

A minimum of \$200 plus \$5 per lot for all lots in excess of 40 within the subdivision.

2. If any portion of the plans after being checked are required to be redrawn or rechecked, the applicant shall pay the additional cost of checking based upon the actual expenses of the rechecking service. No plan checking will be done until the required fee is paid.

3. In the case of rechecking, the fee shall be based upon an estimated cost of the service, and payment in excess of costs will be returned to the applicant.

H. Structure Under Construction. For the purposes of this ordinance, until a structure has installed plumbing fixtures the structure shall be considered under construction and disconnected from the sewer system of the District. No charges otherwise provided herein will be accrued during this period.

I. Review of Sewer Service Charges. The Board shall annually review the service charges set out in Article III and IV and determine that the charges are adequate to meet the costs of operating the wastewater treatment facility.

ARTICLE V. BILLING AND COLLECTION

1. Billing. The regular billing period will be for a ninety (90) day period for all residential customers and thirty (30) days for all other customers.

2. Opening and Closing Bills. Opening and closing bills for less than the normal billing period shall be prorated based on actual days of connection.

3. Billing Time. Bills for sewer service shall be rendered at the beginning of each billing period and are payable upon presentation. Bills rendered pursuant to this ordinance shall be for service provided, irrespective of the effective date of the ordinance.

4. Penalties. Accounts not paid within 30 days of presentation are delinquent and shall be charged a ten dollar (\$10.00) late payment processing fee plus a penalty of 15% Annual Percentage Rate on the outstanding balance. Accounts of Customers who pay at least one-third of their total quarterly bill within thirty days of receipt of the bill, one-half of the balance within the next thirty days, and the balance within the last thirty days shall be exempted from any penalties.

5. Represents Lien on Property. Until paid, all rates, tolls and charges provided in this ordinance constitute a perpetual lien on and against the property served and may be foreclosed upon as provided by law.

6. Collection by Suit. As an alternative to any of the other procedures herein provided, the County may bring an action against the customer for the collection of the amount of the delinquent rate and all penalties and costs of collection including a reasonable attorney's fee.

ARTICLE VI. DISPUTED BILLS

1. Disputed Bills. In the case of a dispute between a Customer and the County as to the correct amount of any bill rendered by the County for sewer service furnished to the Customer, the Customer will deposit with the County the amount claimed by the County to be due.

2. Failure to Make Deposit. Failure on the part of the Customer to make such deposit within fifteen (15) days after written notice by the County that such deposit be made or service may be discontinued, shall warrant the County in discontinuing the service to the Customer without further notice.

3. Arbitration of Dispute. In the event of dispute between the Customer and the County respecting any bill, charge or service, the County shall forthwith make such investigation as shall be required by the particular case, and report the result thereof to the Customer. In the event that the complaint cannot be satisfactorily adjusted, the County or the Customer may make application to the County for adjustment of the complaint, and the County shall notify the Customer in writing or otherwise that he has the privilege of appeal to the Board.

ARTICLE VII. DISCONNECTION

1. Customer's Request for Discontinuance of Service. A Customer may have service discontinued by giving not less than five (5) days advance notice thereof to the County. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required five (5) days advance notice.

When such notice is not given, the Customer will be required to pay for service until five (5) days after the County has knowledge that the Customer has vacated the premises or otherwise has discontinued sewer service.

2. Discontinuance of Service by County.

A. For Nonpayment of Bills. A Customer's service may be discontinued for nonpayment of a bill for service furnished if the bill is not paid within fifteen (15) days after presentation, provided the County has given the Customer at least five (5) days prior notice of such intention.

Premises to which charges have become delinquent may be disconnected from the sewer system. The County shall estimate the cost of disconnection of such premises and the cost of reconnection thereto, and such user shall deposit the cost as estimated of disconnection and reconnection before such premises are reconnected to the sewer system. The amount of the cost of disconnection and reconnection over the deposit shall constitute a charge and be collected as such. The amount of the deposit not used shall be repaid or applied as a deposit.

B. For Noncompliance with Rules. The County may discontinue service to any Customer for violation of these rules after it has given the Customer at least five (5) days written notice of such intention. Where safety of water supply is endangered, or the discharge to the sewer is dangerous to public safety, service may be discontinued or curtailed immediately without notice.

C. For Infiltration or Illegal Connections. Where negligence, infiltration, illegal connection or discharge of harmful wastes into the collection system, on or from a Customer's premises occurs, the County may make such corrections as may be indicated at Customer's expense, if such practices are not remedied within five (5) days after it has given the Customer written notice to such effect.

D. For Unsafe Apparatus or Where Service is

Detrimental or Damaging to the County or its Customers. If any unsafe or hazardous condition is found to exist on the Customer's premises, or if the sewage or waste therefrom, by apparatus or illegal or prohibited connections, apparatus, equipment or otherwise, is found to be detrimental or damaging to the County or its Customers, the service may be discontinued without notice. The County will notify the Customer immediately of the reasons for the discontinuance and the corrective action to be taken by the Customer before service can be restored.

- E. For Fraudulent Use of Service. When the County has discovered that a Customer has obtained service by fraudulent means, or has altered the sewer service for unauthorized use, the service to that Customer may be discontinued without notice. The County will not restore service to such Customer until that Customer has complied with all filed rules and reasonable requirements of the County and the County has been reimbursed for the full amount of the service rendered and the actual cost that the County incurred by reason of the fraudulent use.

3. Restoration of Service.

- A. To be Made During Regular Working Hours. The County will endeavor to make reconnections during regular working hours on the day of the request, if conditions permit; otherwise, reconnection will be made on the regular working day following the day the request is made.
- B. To Be Made At Other Than Regular Working Hours. When a Customer has requested that the reconnection be made at other than regular working hours, the County will reasonably endeavor to so make the reconnection if practicable under the circumstances, but will be under no obligation to do so, unless an emergency exists.

4. Refusal to Serve.

- A. Conditions for Refusal. The County may refuse an Applicant for service under the following conditions:
- (1) If the Applicant for service is not within the boundaries of the Service Area.
 - (2) If the intended use of the service is of such a nature that it will be detrimental or injurious to existing Customers.


- (3) If the Applicant fails to comply with any of the rules as approved by the Board.
- (4) If, in the judgment of the County, the Applicant's installation for utilizing the service is unsafe or hazardous or subject to freezing, or flooding, or of such nature that satisfactory service cannot be rendered.
- (5) Where service has been discontinued for fraudulent use, the County will not serve an Applicant until it has determined that all conditions of fraudulent use or practice have been corrected.
- (6) When the collection lines or treatment facilities do not have capacity or the capability to receive and treat sewage or liquid waste without contamination of the ground or surface waters of the Lemmon Valley Basin, or in violation of Health Department requirements.
- (7) If the County's leased capacity at the Plant has been allocated, and additional capacity cannot be obtained.

B. Notification to Customers. When an Applicant is refused service under the provisions of this rule, the County will notify the Applicant promptly of the reason for the refusal to serve and of the right of the Applicant to appeal the County's decision to the Board.

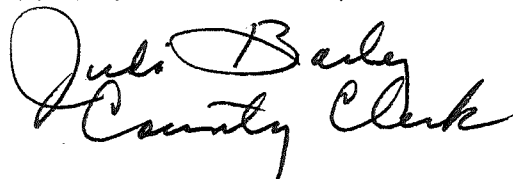
Proposed on the 28th day of August, 1984.
 Proposed by Commissioner/s Ritter.
 Passed on the 9th day of October, 1984.

Vote:

Ayes: Commissioners: Williams, King, Ritter, McDowell and Lillard
 Nays: Commissioners: None
 Absent: Commissioners: None


 BELIE WILLIAMS
 Chairman of the Board

ATTEST:


 County Clerk

JUDI BAILEY, County Clerk

This ordinance shall be in force and effect from and after the day of October 22, , 1984.