

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: LLW
DEPUTY RECORDER
1956 PE4

P0230
PIMA CO CLERK OF THE BOARD
PICKUP



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PICKUP
AMOUNT PAID \$ 0.00

ORDINANCE 2007 - 89

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO WASTEWATER; APPENDING PROVISIONS OF PIMA COUNTY CODE, TITLE 13, CHAPTER 20, SANITARY SEWER CONSTRUCTION, CONNECTIONS AND FEES REGARDING REPAIR AND REPLACEMENT OF HOUSE CONNECTION SEWERS

BE IT ORDAINED BY THE PIMA COUNTY BOARD OF SUPERVISORS:

SECTION 1. Amendment. The Pima County Code, Title 13, Chapter 20, is amended as follows:

13.20.070

Repair and Replacement of House Connection Sewers

- A. The Owner of Residential Property owns and shall be responsible for the cleanout, repair, and replacement of the House Connection Sewer serving said Property.
- B. In the event that the House Connection Sewer has been damaged, the Owner may request that the Department repair the damaged portion of the House Connection Sewer located within the public right-of-way.
- C. The Department shall repair or replace that portion of the damaged House Connection Sewer located within the public right-of-way provided:
1. Department funds are available for the repair or replacement; and
 2. The damage to the House Connection Sewer was not caused by the Owner or his agents.
- D. For purposes of this section, a "damaged" House Connection Sewer means that portion of the House Connection Sewer that has been structurally deformed, offset, cracked or broken.
- E. Disputes as to location, extent of damage or the method of repair or replacement of the damaged House Connection Sewer shall be resolved at the sole discretion of the Director.
- F. Funds available for repair or replacement of damaged House Connection Sewers shall be limited to those funds specifically approved for such purposes by the Board of Supervisors each

13146 ORDINANCE

year in the approved Operations and Maintenance budget. However, for Fiscal Year (FY) 2007/08, the approved amount shall be \$75,000.

G. County's repair or replacement of any portion of a House Connection Sewer pursuant to this Section shall not change the ownership of said sewer.

H. The Department shall not be responsible for damages caused to homeowner and third party property resulting from County's failure to perform or to timely perform repair or replacement of building connection piping.

SECTION 2 *Precedence Over Inconsistent Agreements.* This Ordinance shall take precedence over any agreement between Pima County or its predecessors and a user which is inconsistent with this Ordinance.

SECTION 3. *Severability.* If any provision of this ordinance, or the application of any provision thereof is determined by a court of law to be invalid, the invalidity of that provision shall not affect other provisions or the application of this ordinance which can be given effect without the provision determined to be invalid, and to this end the provisions of this ordinance are severable.

SECTION 4. *County Officers and Employees.* The various County officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

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SECTION 5. Effective Date. This ordinance shall become effective 31 days after its adoption.


PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA this 18th day of September, 2007.

PIMA COUNTY BOARD OF SUPERVISORS


Chair


Dated: SEP 18 2007

ATTEST:


Clerk of the Board

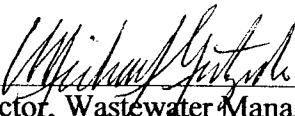
Dated: SEP 18 2007

APPROVED AS TO FORM:


Deputy County Attorney

Dated: September 4, 2007

APPROVED AS TO CONTENT:


Director, Wastewater Management Department

Dated: 9/4/07

44-1510-020007

ORDINANCE 2007 - 89

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ARIZONA; RELATING TO WASTEWATER; APPENDING PROVISIONS OF PIMA
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PIMA COUNTY BOARD OF SUPERVISORS



Chair

SEP 18 2007

Dated: _____

ATTEST:



Clerk of the Board

SEP 18 2007

Dated: _____

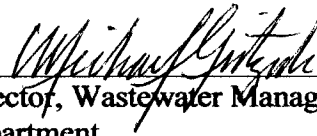
APPROVED AS TO FORM:



Deputy County Attorney

Dated: September 7, 2007

APPROVED AS TO CONTENT:



Director, Wastewater Management
Department

Dated: 9/14/07