

# ATTACHMENT 2



**A.R.S. §11-1606 Application Process Notice  
Regional Wastewater Reclamation Department  
Preliminary Sewer Layout Acceptance**

According to A.R.S. 11-1602, also known as the "Regulatory Bill of Rights" and A.R.S. 11-1606, any applicant who obtains from Pima County Regional Wastewater Reclamation Department (RWRD) an application for the license of acceptance of Preliminary Sewer Layout is entitled to receive the information in this notice regarding the steps, time frames and contact information associated with the application process.

Preliminary Sewer Layout acceptance is required for any project that will be constructed by a private party to serve any development and either (a) involves new public sewer construction that will be turned over to RWRD for ownership upon completion and acceptance by RWRD, (b) contains an existing public sewer or public sewer easement within the project boundaries, or (c) may require construction of new public sewer within the project boundaries to serve a property upstream of the development. Preliminary Sewer Layouts are accepted by RWRD as authorized by Pima County Code Section 13.20.030 and Chapter 13.12.

Preliminary Sewer Layout Acceptance is one of a series of licenses that may be required prior to connecting to the RWRD Public Sewer System. Other licenses that may also be required prior to connecting to the RWRD Public Sewer System may include Sewerage Capacity Allocation (RWRD), Sewer Improvement Plan Acceptance (RWRD), Final Plat Acceptance (RWRD), Construction Authorization (PDEQ) and Public Sewer Construction Permit (RWRD).

**A. Applicant Steps to Preliminary Sewer Layout (PSL) Acceptance**

**Step 1. Pre-Submittal**

A pre-submittal meeting is recommended prior to starting this process. Please contact RWRD at (520) 724-6719. A pre-submittal review may expedite the acceptance process.

**Step 2. Submittal Elements:**

- a. The applicant shall submit to RWRD one Preliminary Sewer Layout (PSL) folded per Pima County standards  
[http://www.pimaxpress.com/Subdivision/Documents/Folding\\_instructions.PDF](http://www.pimaxpress.com/Subdivision/Documents/Folding_instructions.PDF).
- b. The PSL shall be prepared and sealed by an Arizona professional registrant in conformance with the Preliminary Sewer Layout review checklist, which can be found online at: <https://webcms.pima.gov/government/wastewaterreclamation/sewerlayout/>.  
The development plan, tentative plat, site plan or other equivalent document may serve as the PSL, so long as it meets all of the requirements of a PSL.
- c. The applicant shall submit the Preliminary Sewer Layout Review Checklist, which shall be completed, signed and sealed by the same registrant who prepared and sealed the PSL.
- d. The applicant shall submit a completed Type II- Sewerage Capacity Availability Request (or current Type II- Sewerage Capacity Availability Letter or Type III- Sewerage Capacity Allocation Letter if previously issued) before or at the same time that the PSL submittal is made. (See Sewerage Capacity Allocation application process notice.) A Type II- Sewerage Capacity Availability Letter is required prior to PSL acceptance. The Type II- Sewerage Capacity Availability Request and PSL may be reviewed concurrently.

**Step 3. Where and How to Submit:**

By MAIL or PHYSICAL DELIVERY to:

**Pima County RWRD – Public Works Building  
201 N. Stone Ave. 1<sup>st</sup> Floor  
Tucson, AZ 85701**

**Step 4. Review Fee Payment:**

The applicant shall pay review fees made payable to the Pima County Treasurer as follows:

1 <sup>st</sup> Submittal.....	\$166.00 plus \$50.00 per sheet
2 <sup>nd</sup> Submittal.....	\$50.00 per sheet
Subsequent Submittals.....	\$39.00 per sheet

**Step 5. Additional Prior-to-Acceptance Requirements:**

- a. Applicant shall submit additional information as requested.
- b. Applicant shall submit a current Type II- Sewerage Capacity Availability Letter or Type III- Sewerage Capacity Allocation Letter.
- c. If required applicant shall submit RWRD-approved legal descriptions and RWRD-prepared owner-signed sewer easements that are required to be dedicated by separate instrument to serve existing public sewer.
- d. Applicant shall submit documentation from the jurisdiction in which the project is located indicating the jurisdiction Project Number associated with the PSL.

**B. RWRD Preliminary Sewer Layout Review Process**

Upon receipt of the PSL submittal package, an administrative completeness review will be performed by RWRD, based upon the submittal requirements identified above in Steps 1-4. If the submittal package is deemed complete, the applicant will receive written or electronic notice within the administrative completeness time frame specified in Section C. The package will be considered complete if no notification is given at the end of the administrative completeness review time frame.

If the submittal package is deemed incomplete, the applicant will receive written or electronic notice within the administrative completeness time frame specified in Section C, identifying the missing items. The administrative completeness review time frame and overall time frame are suspended until the Applicant submits all missing items to RWRD in order to complete the submittal package.

Once the PSL submittal package is determined by RWRD to be administratively complete, RWRD will perform a substantive review of the submittal. The purpose of this review is to ensure the proposed sewer design meets all applicable design standards, which are summarized in the PSL review checklist, which can be found online at:

<https://webcms.pima.gov/government/wastewaterreclamation/sewerlayout/>.

RWRD may make one comprehensive written or electronic request for corrections, at which point the substantive review time frame and overall time frame will be suspended until RWRD receives the corrections from the applicant. The Applicant shall re-submit the corrected plans reflecting the additional requested information along with the 2<sup>nd</sup> Submittal Review Fee as specified in Step 4. The applicant will receive a written or electronic notice of acceptance or denial, along with the basis for denial, within the overall time frame specified below in Section C, unless other time frames are established between RWRD and the applicant in accordance with A.R.S. 11-1605. Additional submittals, if allowed, are subject to the Step 4 Subsequent Submittal Fee.



**C. Process Time Frames for Preliminary Sewer Layout Acceptance**

- |  |                         |
|--|-------------------------|
| 1. Administrative Completeness Review.....                 | 5 business days         |
| 2. Substantive Review.....                                 | 20 business days        |
| 3. Overall Time Frame.....                                 | 25 business days        |
| 4. For exemptions, extensions, or significant changes..... | See A.R.S. 11-1601-1610 |

**D. Process Contact Information**

- |   |                   |                |
|---|-------------------|----------------|
| 1. Submittals, Fees and Payments.....     | Gerry Kozlowski   | (520) 724-6503 |
| 2. Plan Review.....                       | Lorenzo Hernandez | (520) 724-6645 |
| 3. Escalation and Problem Resolution..... | Lorenzo Hernandez | (520) 724-6645 |

**E. Applicant's Regulatory Rights**

Under A.R.S. § 11-1609, you may request that the County clarify its interpretation or application of a statute, ordinance, regulation, delegation agreement or authorized substantive policy statement that affects the issuance of your Preliminary Sewer Layout Acceptance by providing the County with a written request that states:

- Your name and address;
- The statute, ordinance, regulation, delegation agreement or authorized substantive policy statement or part thereof that requires clarification;
- Any facts relevant to the requested ruling;
- Your proposed interpretation of the applicable statute, ordinance, regulation, delegation agreement or authorized substantive policy statement or part thereof, that requires clarification; and,
- Whether, to the best of your knowledge, the issues or related issues are being considered by the County in connection with an existing license or license application.



**NOTICE:**

**Per HB2212, the following will take in effect on July 03, 2015**

**County License Application Forms**

**A.R.S. §11-1604 (Prohibited acts by county and employees; enforcement; notice) provides:**

**A. A county shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or delegation agreement.**

**A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.**

**B. Unless specifically authorized, a county shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.**

**C. This section does not prohibit county flexibility to issue licenses or adopt ordinances or codes.**

**D. A county shall not request or initiate discussions with a person about waiving that person's rights.**

**E. This section may be enforced in a private civil action and relief may be awarded against a county. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a county for a violation of this section.**

**F. A county employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the county's adopted personnel policy.**

**G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.**