

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER IV

LAND SUBDIVISIONS

SECTION 1

GENERAL

REGULATION 1. Definitions

- a. "Approved" or "Approval" means approved in writing by the Department.
- b. "Common usage pipelines" means all those water and wastewater drain lines where the ownership and maintenance are vested as an undivided interest.
- c. "Condominium" means a subdivision established as a horizontal property regime pursuant to A.R.S. Title 33, Chapter 9, Section 1201 et Seq.
- d. "Department" means the Maricopa County Health Department or its designated representative.
- e. "Garbage" means putrescible animal and vegetable wastes from the handling, preparation, cooking and consumption of food.
- f. "Refuse" means all putrescible and nonputrescible solid waste (except body wastes), including garbage, rubbish, ashes, street cleaning, dead animals, abandoned automobiles, and solid market and industrial wastes.
- g. "Subdivision" or "Subdivided Lands" means improved land or lands divided or proposed to be divided for the purpose of sale, lease, or for cemetery purposes whether immediate or future, into six or more lots, parcels or fractional interests. This paragraph shall not apply to the division or proposed division of land located in Maricopa County into lots or parcels each or which is, or will be, thirty-six acres or more in area including to the centerline of dedicated roads or easements, if any, contiguous to the lot or parcel.

REGULATION 2. Plan Approval Required

- a. A preliminary plat of any proposed subdivision must be submitted to the Department, either directly or through the planning department having jurisdiction,

for review and comments. The plat must indicate the proposed source of domestic water and the proposed method of sewage disposal. In addition, the distance to the closest public water and sewer line must be shown.

- b. No subdivision or portion thereof shall be sold, offered for sale, leased or rented by any person and no permanent building shall be erected thereon until plans, specifications and a recorded plat or a final approved plat by the Board of Supervisors of Maricopa County or the appropriate city council of such subdivision and related data have been filed with and approved by the Department and the required fees paid. The plans and specifications shall include provision for an adequate and safe water supply, and approved sewage disposal facility for every lot in the subdivision, garbage disposal facilities and other pertinent matters, including the results of soil and percolation tests as may be required by the Department. The installation of required facilities shall be in accordance with the approved plans or any approved revision thereof.
- c. The plans of proposed water supply and sewage disposal systems shall be submitted in a format as requested by the Department.
- d. In reviewing subdivision plans and plats for approval, the Department shall take notice of the proximity of existing community or municipal sewers and sewage disposal systems and the feasibility and reasonableness of connecting the subdivision thereto. Where the Department determines that such connections may practically, reasonably and properly be made, this shall be shown on the plans before any approval is granted.
- e. In cases where connection of a subdivision to a community water well system or a community sewage disposal system is permitted, the owner of the system shall hold a Certificate of Approval to Operate from the Arizona Department of Environmental Quality and a Certificate of Convenience and Necessity from the Arizona Corporation Commission or the system shall be otherwise controlled so as to insure the quality, continuity and duration of operation and maintenance required by the Department and Arizona Department of Environmental Quality.
- f. The distance of the subdivision to the nearest public water supply main and sewer main of a municipal or community system shall be shown on the plans.

REGULATION 3 Size of Lots

In the case of lots upon which the installation of individual wells and/or individual sewage disposal systems will be necessary, lot sizes shall be sufficient to meet the following requirements:

- a. Where both the water supply and individual sewage disposal system must be developed on the same lot, the minimum lot size shall be one acre, excluding streets, alleys and other rights-of-way.
- b. Where water from a central system is provided, the lot size shall be sufficient to accommodate the individual sewage disposal system and provide for at least 100 percent expansion of this system based on a four bedroom house built within the bounds of the property.
- c. Where lots are zoned for commercial uses the lot shall be sufficient to accommodate the sewage disposal system and provide for at least 100 percent expansion of the system within the bounds of the property allowing a minimum of six feet distance to the property lines or easement lines.
- d. All cases shall comply with Chapter II, Sewage and Wastes, Section 8, Individual Sewage Disposal Systems, Regulation 6, Individual Sewage Disposal System Location. With the application for approval of the subdivision, the subdivider shall submit written proof acceptable to the Department that the operators of the water system and/or public sewerage system will provide these sanitary facilities to each individual lot in the subdivision prior to human occupancy.

REGULATION 4. Violations

Any person, firm, company or corporation who offers for sale or rent any tract of land contrary to these regulations shall be prosecuted as provided by law.