



**ORDINANCE NO. 2026-01**

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## **NORTH OF RIVER SANITARY DISTRICT NO. 1**

### **INTRODUCTION**

This Ordinance outlines the Rules and Regulations for the use of the North of River Sanitary District No. 1 (District) sewage collection, treatment, and disposal facilities. These Rules and Regulations are intended to provide a comprehensive description of the manner in which the District operates and serves its customers and shall be followed and adhered to by all persons and entities doing business with the District. As in any set of Rules and Regulations, not all circumstances can be envisioned. The Board of Directors of NORSD shall apply and interpret these Rules and Regulations, taking into consideration any unique or unusual circumstances on a case by case basis.

Industrial users of the North of River Sanitary District No. 1 system are also subject to the provisions of the District's Industrial Discharge Ordinance. Food Service Establishments are also subject to the provisions of the District's Fats, Oils, and Grease (FOG) Discharge Ordinance.

## CHAPTER 1 – GENERAL PROVISIONS

### 1.01 Purpose and Policy

This Ordinance, in conjunction with the FOG Discharge Ordinance and the Industrial Discharge Ordinance, sets requirements for discharges into the wastewater collection, treatment, and disposal systems of North of River Sanitary District No. 1 (hereinafter referred to as “District”) and enables the District to comply with administrative provisions of grant regulations of the Federal Water Pollution Control Act, also known as the Clean Water Act, water quality requirements set by the Regional Water Quality Control Board and applicable effluent limitations, national standards of performance, toxic and pretreatment effluent standards, and any other discharge criteria which are required or authorized by State or Federal law, and to derive the maximum public benefit by regulating the quality and quantity of wastewater discharged into those systems. This Ordinance also provides for the setting of user charges and fees for the equitable distribution of cost to all users, and the issuance of sewer permits.

### 1.02 Scope

- 1.02.1 This Ordinance shall be interpreted in accordance with the definitions set forth in Chapter 1.03.
- 1.02.2 The provisions of this Ordinance shall apply to the direct or indirect discharge of all liquid-carried wastes to facilities of the District. This Ordinance among other things provides for the regulation of sewer construction in areas within the District, the quantity and quality of discharged wastes, the setting of waste discharge fees to provide for equitable distribution of costs, the approval of plans for sewer construction, the issuance of permits for certain wastewater discharges and of other miscellaneous permits and the establishment of penalties for violation of this Ordinance.
- 1.02.3 Food service establishments shall also be subject to the provisions of the FOG Discharge Ordinance. Industrial dischargers shall also be subject to the provisions of the Industrial Discharge Ordinance.

### 1.03 Definitions

The definitions given in this Chapter shall be used in the interpretation of this Ordinance, the issuance of permits, the making of charges for service and all other operations of this Ordinance unless another meaning for the word is apparent from the context.

Waste constituents and characteristics shall be measured by Standard Methods unless expressly stated, or as established by Federal or State regulatory agency.

- |                           |  |
|---------------------------|--|
| 1. “Act” or “Federal Act” | Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. & 1251, et. seq., as well as any guidelines, limitations, and standards promulgated by the United States Environmental Protection Agency pursuant thereto. |
| 2. “Annexed Area”         | Consists of areas annexed to but not part of the original boundaries of the District.  |
| 3. “Applicant”            | The person making application for sewer service who shall be the owner of the premises to be served.   |
| 4. “Beneficial Uses”      | Uses of the waters of the State that may be protected against quality degradation, including but not necessarily limited to, domestic, municipal, agricultural and industrial supply, power generation,  |

recreation, aesthetic enjoyment, navigation and the preservation and enhancement of fish, wildlife and other aquatic resources or specified by Federal or State law.

5. "Biochemical Oxygen Demand (B.O.D.)"  
The quantity of oxygen utilized in the biochemical oxidation of organic matter in five days at twenty degrees centigrade (20°C), as determined by the appropriate procedure in "Standard Methods" expressed in milligrams per liter.
6. "Board" or "Board of Directors"  
The Governing Board of the North of River Sanitary District No. 1.
7. "Building"  
Any structure used for human habitation or a place of business, recreation or other purpose requiring sanitary facilities.
8. "Categorical Pretreatment Standard" or "Federal Categorical Pretreatment Standard"  
Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. Section 1317) which apply to a specific category of users and which appear in 40 CFR Chapter 1, Subchapter N, parts 405-471.
9. "Cesspool"  
An excavation in the ground made for receiving sewage and so constructed that the solid matter is retained and the liquid portion is permitted to seep away.
10. "Chemical Oxygen Demand" or "C.O.D."  
The measure of chemically decomposable material in wastewater expressed in terms of mass per volume (mg/l) as represented by the oxygen utilized as determined by the appropriate procedure described in "Standard Methods".
11. "Chlorine Demand"  
The difference between the amount of chlorine added to a wastewater sample and the amount remaining at the end of a 30-minute period as determined by the procedures given in "Standard Methods".
12. "Code"  
The Uniform Plumbing Code as adopted by the County from time to time.
13. "Collector Sewer"  
Collector sewers gather flows from individual buildings and businesses and transport the material to a main line or trunk line sewer. The collector sewers are usually the smallest lines in the collection system except for laterals. The District minimum diameter for collector sewers is 8 inches.
14. "Commercial Service Connection"  
Any non-domestic and non-industrial service, including a domestic service which contains a commercial business in addition to or part of a residence.
15. "Community Sewer"  
A sewer owned or operated by the District, or a sewer owned or operated by another person or entity which is tributary to and discharges into an interceptor, or a treatment or disposal facility owned or operated by the District.
16. "Compatible Pollutant"  
Biochemical oxygen demand, suspended solids, pH and fecal Coliform

bacteria, plus additional pollutants identified in the District's Waste Discharge Requirements (WDR's) for the District's treatment and disposal works that was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree.

17. "Composite Sample" The sample resulting from the combination of individual wastewater samples taken at selected intervals based on increment of either flow or time.
18. "Connection" Any connection between the applicant or customer's equipment or facilities, and the District's equipment, or facilities.
19. "Contamination" An impairment of the quality of the waters of the State by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease. Contamination shall include any equivalent effect resulting from the disposal of wastewater, whether or not waters of the State are affected.
20. "County" The County of Kern.
21. "County Engineer" The Engineer of Record for the County of Kern.
22. "Customer" Utility user.
23. "Discharger" Any person or entity that discharges or causes a discharge to a public or community sewer.
24. "Dissolved solids" or "Dissolved Matter" The solid matter in solution in the wastewater and shall be obtained by evaporation of a sample from which all suspended matter has been removed by filtration as determined by the procedures in "Standard Methods".
25. "District" The North of River Sanitary District No. 1 (NORSRD) which is legally authorized to construct, maintain, and operate a sewer collection system and wastewater treatment and disposal facilities.
26. "District Engineer" The North of River Sanitary District No. 1's engineer, as appointed from time to time.
27. "Domestic Discharge" The water carried wastes produced from non-commercial and non-industrial activities, and which result from the normal human living processes.
28. "Effluent" Partially or completely treated liquid outflow of any facility designed to treat, convey or retain wastewater.
29. "Emergency" A situation which reasonably appears to present an imminent endangerment to the health or welfare of persons, or the environment, or which threatens to interfere with the operation of the District's sewerage system.

30. “Food Service Establishment”  
Any place or business where food is provided for individual portion service directly to the consumer, whether the food is provided free of charge or sold, and whether the food is consumed on or off the premises.
31. “FOG”  
FOG is the acronym for Fats, Oils, and Grease and is primarily a byproduct of food preparation and cooking.
32. “FOG Discharge Ordinance”  
Current FOG Discharge Ordinance as adopted by the District.
33. “Force Main”  
Pressure pipes located on the discharge of sewage pumps. They transport the flow discharged from the sewage pumps by pressure to a gravity sewer.
34. “Garbage”  
Solid food wastes from the domestic, commercial, and institutional preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
35. “General Manager”  
The General Manager of the North of River Sanitary District No. 1, as appointed from time to time.
36. “Grab Sample”  
A sample taken from a wastewater stream without regard to the flow in the wastewater stream and over a period of time not to exceed 15 minutes.
37. “Grease Removal Device”  
Any hydromechanical grease interceptor that automatically, mechanically removes non-petroleum fats, oils, and grease (FOG) from the waste stream, the control of which are either automatic or manually initiated.
38. “Grease Trap”  
An under sink plumbing device designed to collect most greases and solids before they enter a wastewater disposal system.
39. “Incompatible Pollutant”  
Any pollutant which is not a compatible pollutant as defined in this Ordinance.
40. “Industrial Connection”  
A sewer connecting an industrial waste system to the public sewer.
41. “Industrial Discharge Ordinance”  
Current Industrial Discharge Ordinance as adopted by the District.
42. “Industrial User”  
Any user who discharges non-domestic or non-commercial wastewater to any of the District’s sewerage systems or any other system tributary thereto.
43. “Industrial Waste or Wastewater”  
All liquid wastes and wastewater from industrial sources excluding domestic and commercial wastewater and uncontaminated water, and includes all wastewater from any producing, manufacturing, processing, agricultural, or other operation where the wastewater discharged includes significant quantities of wastes of nonhuman origin.

44. “Inspector” A person authorized by the District to inspect wastewater generation, conveyance, processing and disposal facilities.
45. “Interceptor” A device for retaining sand, silt, grit, mineral material, petroleum solvent, grease or oil by gravity-differential separation from wastewater and of a design and capacity approved by the General Manager, the County Health Department, or the City or County Building Inspector.
46. “Interference” A discharge which, alone, or in conjunction with a discharge or discharges from other sources, or both:
- a. Inhibits or disrupts the District’s sewerage system, its treatment processes or operations, or its sludge processes, use or disposal; and
  - b. Therefore is a cause of a violation of any requirements of the District’s Waste Discharge Order (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act, and all similar laws, regulations, ordinances or rules that may be enacted, promulgated, or adopted from time to time.
47. “Lateral Sewer” A sewer that conveys liquid wastes from a building structure or property to a collector, main line, or trunk sewer. All costs associated with maintaining a lateral sewer shall be borne by the property owner or user.
48. “Local Sewer Agency” See “District”.
49. “Main Line Sewer” Main line sewers collect flows from collector sewers and transport them to trunk line sewers.
50. “Manager” See “General Manager”.
51. “Mass Emission Rate” The weight of material discharged to the sewer system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular constituent or combination of constituents.
52. “May” Is permissible.
53. “North of River Sanitary District (NORS D)”  
See “District”

54. “Nuisance” Anything which is injurious to health, or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfort or enjoyment of life or property. A public nuisance is one which affects at the same time an entire community or neighborhood or a considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
55. “Offsite Charges” A charge made by the District to property owners, applicants or developers for connecting to the existing public sewage system.
56. “Ordinance” This Ordinance as enacted by the District’s Board of Directors.
57. “Owner” The person or the persons in whose name(s) the legal title to the property appears by deed recorded in the County Recorder’s Office, or the person in possession of the property or buildings under claim of, or exercising acts of ownership over same for himself, or as executor, administrator, guardian or trustee of the owner or the purchaser under contract.
58. “Pass Through” A discharge which exits the wastewater treatment plant in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of the District’s Waste Discharge Requirements.
59. “Peak Flow Rate” The flow rate at which wastewater is discharged to a public sewer during the highest 30 minute flow period in the preceding 12 months.
60. “Permit” A written permit issued by the Manager or his authorized representative.
61. “Person” Any individual, partnership, corporation, firm, company, association, public agency, or society and any other organization or group of persons, public or private.
62. “pH” The negative of the logarithm (base 10) of the activity of hydrogen ions expressed in moles per liter of solution.
63. “Pollution” An alteration of the quality of the waters of the State by waste to a degree which unreasonably affects such waters for beneficial use or facilities which serve such beneficial users. Pollution may include contamination.
64. “Premises” A lot or parcel of real property, including any improvements thereon, under one ownership, except where there are well-defined boundaries or partitions such as fences, hedges or other restrictions preventing the common use of the property by the several tenants, in which case each portion may be deemed by the District to be separate premises for purpose of receiving, using, and paying for service. Multi-family dwellings and office buildings may be classified as single premises.

65. “Pretreatment” The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater thereby rendering them less harmful to the District’s wastewater system prior to introducing such pollutants into the system. This reduction or alteration can be obtained by physical, chemical or biological processes, by process changes, or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.
66. “Pretreatment Requirements” Any substantive or procedural requirement related to pretreatment, including Categorical Pretreatment Standards and prohibitive discharge standards imposed on an industrial discharger.
67. “Private Sewage Disposal System” A septic tank, cesspool or such other facility.
68. “Private Sewer” A sewer laid by private parties other than a lateral, to serve one or more buildings which are not immediately adjacent to a public sewer, so as to connect the building or buildings to a public sewer, and irrespective of whether the sewer is constructed in public or private property.
69. “Properly Shredded Garbage” The food wastes from the preparation, cooking and dispensing of food 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 one-fourth inch in any dimension.
70. “Public Corporation” The State of California and any political subdivision thereof, any incorporated municipality therein, any public agency of the State or any political subdivision thereof, or any corporate municipal instrumentality of this State.
71. “Public Sewer” A sewer in which all owners of abutting properties have equal rights, and is controlled and maintained by the District.
72. “Radioactive Material” Material containing chemical elements that spontaneously change their atomic structure by emitting any particles, rays or energy forms.
73. “Receiving Waters” or “Receiving Stream” A river, ocean, stream, or other watercourse into which wastewater or treated effluent is discharged.
74. “Record Drawing” The construction plans approved by the District that have been modified to show the changes from the original design that were made during construction.
75. “Renter” Non-owner utility user.
76. “Residential Service Connection” Service to a single family dwelling, duplex, flat, or apartment that is used for human occupancy. See also “Lateral Sewer”.
77. “Saddle” A connection installed on a main line sewer by boring a hole in the sewer pipe and installing a prefabricated fitting.

78. “Sand Trap” See “Interceptor”.
79. “Septic Tank” An approved water-tight tank or compartment for use in eliminating, disposing, digesting or reducing solid substances in sewage before disposing of the effluent in a cesspool or leaching system.
80. “Service Charge” The monthly or annual charge for each user’s proportionate share (as required by the Federal Act) of the District’s cost of operation, maintenance, replacement, debt service, capital recovery, administration and reserves and shall be billed to each customer monthly.
81. “Sewage” See “Wastewater”
82. “Sewage Pumping Plant” Any facility designed and constructed to raise sewage in elevation or to overcome head losses due to pipe friction.
83. “Sewage Treatment Plant” Any works or device for the treatment of sewage, except a septic tank or a cesspool.
84. “Sewerage System” or “Sewage Works” All facilities for collecting, pumping, treating and disposing of sewage; the sewer system.
85. “Sewer” A pipe or conduit for carrying sewage together with appurtenant manholes and cleanouts.
86. “Shall” and “Will” As used in this document shall both mean a mandatory or obligatory act or requirement.
87. “Single Family Residence” A type of housing unit designed or intended for occupancy by one household on a single parcel. This unit may be one of many types of construction to include those constructed on site, a manufactured home, a travel trailer, etc. This includes “single family attached” where units on separate parcels share a common wall.
88. “Multi-Family Construction” Multiple dwellings on a single parcel either as one building and/or multiple buildings. A dwelling unit being one kitchen, bathroom, living/sleeping area for occupancy by one household.
89. “Accessory Dwelling Unit” An accessory dwelling unit (ADU) is a residential dwelling unit that provides complete independent living facilities as part of a “multi-family construction” on a single parcel.

90. “Single Family Residence Equivalent” (SFRE)  
The capacity required to meet the estimated potential demand of the typical residential user expressed in terms of the volume of wastewater discharged, usually average daily flow in gallons per day weighted for wastewater constituents and characteristics in excess of the typical average strength of domestic wastewater.
91. “Slug load”  
Any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four hour concentration or flows during normal operation.
92. “Solid Wastes”  
The non-liquid carried wastes normally considered to be suitable for disposal with refuse at sanitary landfill refuse disposal sites.
93. “Special Sewer”  
Any public sewer constructed within the boundaries of the District, territory annexed to the District, or areas outside the District in which the cost was not directly assessed to or borne by the abutting property and which has been, or may hereafter be designated as a “Special Sewer” by Ordinance of the Board of Directors.
94. “Special Sewer Fee”  
The fee established by Ordinance of the Board of Directors to be paid by any person, firm or corporation upon issuance of a permit to connect to a special sewer.
95. “Standard Methods”  
The current edition of Standard Methods for the Examination of Water and Wastewater as published by the American Public Health Association (et al).
96. “Standard Specifications for Sanitary Sewer System Improvements”  
The latest edition of the Improvement Standards for the District for facilities to be owned and/or operated by the District.
97. “Storm Drain”  
Any conduit, channel or ditch that carries storm and surface waters and drainage in which a flow of water occurs, either continuously or intermittently, but excludes sewage, industrial wastes and wastewater, other than uncontaminated cooling water or irrigation water.
98. “Subscriber”  
Another public or private utility company providing sewer service to more than one person and one parcel of land, but for which some part of its sewer treatment or other sewer service is provided by the District by contract or other previous agreement.
99. “Suspended Solids” (S.S.)  
The insoluble solid matter suspended in wastewater, which are separable by laboratory filtration in accordance with the procedure as described in “Standard Methods”.
100. “Total Organic Carbon (T.O.C.)”  
The measure of total organic carbon in domestic or other wastewaters as determined by the appropriate testing procedure as described in “Standard Methods”.

101. "Trade Secrets" Shall include but shall not be limited to any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.
102. "Trunk Sewer" A sewer designed to receive wastewater from collector or main line sewers which is constructed, maintained and operated by the District. Trunk sewers generally do not have house connections or industry connection sewers directly attached. Trunk sewers are usually the largest lines in the collection system and transport the majority of the flows to the sewage treatment plant.
103. "Uncontaminated Water" Any wasted water of the community not contaminated or polluted with wastewater and which is suitable or could readily be made suitable for discharge to a storm water drainage system or natural drainage area.
104. "Unsanitary" A condition which is contrary to sanitary principles or is injurious to health and means, in particular, any sewer connection, construction or condition, temporary or permanent, which would permit or make possible by any means whatsoever, for any unapproved foreign matter to enter a domestic or public sewer system or for any sewage to escape a sewer connection or public sewer.
105. "User" or "Utility User" Discharger.
106. "Waste" Sewage and all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation or of human or animal nature, including such wastes placed within containers of whatever nature prior to and for the purpose of disposal.
107. "Waste Discharge Requirements" or "WDR's" Requirements issued to the District by the California Regional Water Quality Control Board for disposal of treated wastewater pursuant to Water Code Section 13263, as may be amended from time to time.
108. "Wastewater" The water-carried wastes of the community derived from domestic, commercial or industrial sources, whether treated or untreated, discharged into or permitted to enter a community sewer. Rainwater, groundwater or drainage of uncontaminated water is not wastewater.
109. "Wastewater Constituents and Characteristics" The individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity and strength of wastewater.
110. "Waters of the State" Any water, surface or underground, including saline waters within the boundaries of the State.

#### 1.04 Administration

Except as otherwise provided herein, the General Manager shall administer, implement, and enforce the provisions of this Ordinance. Any power granted or duties imposed upon the General Manager may be delegated by the General Manager to persons acting in the beneficial interest of or in the employ of the District.

#### 1.05 Sewer Regulation Application to Public Agencies

The provisions of this Ordinance shall be applicable to any building, structure or property situated within the District which is owned, leased, controlled, operated or occupied by the United States, the State of California, the County of Kern, or by any public or quasi-public agency, corporation or association.

#### 1.06 Damaging or Tampering With System

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the public sewer system. Any person violating this provision shall be in violation of this Ordinance and charges shall be filed with the appropriate authority.

#### 1.07 Excavators Responsible for Damage

Contractors, utility companies and private and commercial excavators shall locate all sewer lines prior to any excavation work and shall be held responsible for any damage, accidental or willful.

#### 1.08 Dumping Without Approval

No persons shall dump or cause to be dumped, into any manhole, cleanout or flushing inlet any materials (solid, liquid, or gaseous) whatsoever without prior approval of the District.

#### 1.09 Unauthorized Service Connections, Extensions, or Improvements

1.09.1 Construction of a service connection, extension, or improvement prior to making application and paying all charges in accordance with the District Ordinance is not permitted. Any person doing so is guilty of a misdemeanor. An unauthorized sewer connection, when discovered by the District, may require payment equal to twice the avoided user charges in effect during the period of time since such unauthorized service connection was made and twice the connection fee currently in effect at the time of discovery. Such unauthorized connections may be disconnected by District until payments and penalties required by this ordinance are deposited with the District. The payments and penalties as provided herein shall be reduced to a penalty of twenty-five percent (25%) added to the retroactive service charges and current connection fee provided that payment in whole is made to the District as billed within ten working days of written notification by certified mail.

1.09.2 Notwithstanding the provisions of this Chapter, the Board of Directors shall have the right to alter or reduce the penalties and provisions herein in public session at a regularly scheduled Board meeting upon recommendation of the Manager or upon appeal by the penalized party.

## 1.10 Violation - Notice

- 1.10.1 The District shall notify any person found to be in violation of this Ordinance of any limitation or requirement of a permit issued hereunder before the District takes any action to implement Chapter 1.12 of the Ordinance. The District shall take no action until the elapse of 15 calendar days from date Notice was given.
- 1.10.2 Unless otherwise provided herein, any notice required to be provided to the District under this Ordinance shall be in writing and served in person or by Registered, Certified, or First Class mail. If served by mail, the notice shall be forwarded to the address listed below:

NORTH OF RIVER SANITARY DISTRICT NO. 1  
204 Universe Avenue  
Bakersfield, CA 93308

Attention: General Manager

- 1.10.3 Notice shall be deemed to have been given at the time of deposit, postage prepaid, in a facility regularly serviced by the United States Postal Service.

## 1.11 Time Limits

Any time limit provided in any written notice or in any provision of this Ordinance may be extended only by a written directive of the District.

## 1.12 Penalty for Violation and Civil Liability

- 1.12.1 Every person violating any provision of this Ordinance including the failure to pay any fees, charges or surcharges imposed hereby, or any condition or limitation of a permit or plan approval issued pursuant thereto, is subject to legal action by the District. The District may, upon authorization of its Board of Directors, sue and/or take other appropriate action to recover any amounts due the District under the provisions of State Law and this Ordinance. Each day during which any violation continues to occur shall constitute a separate offense.
- 1.12.2 Any person who intentionally or negligently violates any provision of this Ordinance, the FOG Discharge Ordinance or the Industrial Discharge Ordinance, pertaining to the subject matter of either subparagraphs (a) or (b) below, or any condition or limitation of a permit or plan approval related thereto, shall be in violation of this Ordinance and shall be civilly liable to the District for actual damages caused by such violation.
- a. Not pretreating any FOG or Industrial wastewater discharge which would otherwise be detrimental to the collection system and/or treatment works or its proper and efficient operation and maintenance.
  - b. Not preventing the entry of such wastewater into the collection system and treatment works.

### 1.13 Cease and Desist Orders

When the District finds that a discharge of wastewater has taken place in violation of prohibitions or limitations of this Ordinance or the provisions of a wastewater discharge permit, the General Manager may issue a cease and desist order and direct that those persons not complying with such prohibitions, limitations, requirements, or provisions:

1. Cease discharge immediately; or
2. Comply immediately; or
3. Comply in accordance with a time schedule set forth by the District.

### 1.14 Injunction

Whenever a discharger of wastewater is in violation of the provisions of this Ordinance, the District may petition the Superior Court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate in restraining the continuance of such discharge.

### 1.15 List of Violators

The District may annually publish in the newspaper of general circulation in the Kern County area a list of any users who significantly violated applicable pretreatment requirements, standards, or other provisions of this Ordinance at least once during the twelve (12) previous months. The notification may also summarize any enforcement actions taken against the user(s) during the same twelve (12) months. A significant violation is one which remains uncorrected forty-five (45) days after notification by the District.

### 1.16 Termination of Service

The District may revoke any wastewater discharge permit or terminate sewerage service for any violation as to any provision of this Ordinance. All costs for terminating service shall be paid by the discharger; all costs for reinstating service shall be paid the discharger.

### 1.17 Harmful Contributions

The District may suspend sewerage service when such suspension is necessary, in the opinion of the District, in order to stop an actual discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the District's sewerage facilities, or causes the District to violate any state or federal law or regulation.

### 1.18 Damage to Facilities

When a discharge of waste causes an obstruction, damage, or any other impairment to District facilities, the District may assess a charge against the user for the work required to clean or repair the facility and add such charge to the user's sewer service charge.

### 1.19 Protection From Damage

- 1.19.1 No person, persons or entity other than those designated and authorized by the District, shall open any sewer manhole covers or tamper with such covers in any manner.

- 1.19.2 No person, persons or entity other than those designated and authorized by the District, shall enter any District Facilities, such as the Wastewater Treatment Plant, or any Sewage Pumping Plant.
- 1.19.3 No person, persons or entity shall maliciously, willfully or negligently break, damage, destroy, deface any structure, appurtenance or equipment which is a part of the District's sewer system.
- 1.19.4 Violators shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation.
- 1.19.5 When the Board of Directors, Manager, a designated Staff member, or other designated person determines that a violation of the Penal Code, Section 554, (E&H), may have occurred, the Manager shall contact the Kern County District Attorney's office and inquire concerning the feasibility of filing criminal charges against the person, persons or entity suspected of violating any such Penal Code Sections.
- 1.19.6 If after such inquiry, the Board of Directors determines that it is in the best interest of the District to file such criminal charges, and that there is a reasonable possibility of successful prosecution of any such person or entity, then the Manager shall on behalf of the District, file charges with the Kern County District Attorney's office.

## 1.20 Falsifying of Information

Any person who knowingly makes any false statement, representation, record, report, plan or other document filed with the District or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this Ordinance, is subject to the civil liabilities imposed under Chapter 1.12 of this Ordinance.

## 1.21 Shut-off From Sewer Line

The General Manager shall have the power to temporarily shut off any premises from the use of the public sewerage system and/or any municipal industrial waste pipeline of the District where the occupant or user of such premises is placing in such public sewerage system and/or municipal industrial waste pipeline substances in violation of this Ordinance. The General Manager shall report the circumstances of such shut-off to the Board of Directors at its next meeting following such shut-off. Expense incurred by the District to shut off and to reestablish sewer service shall be born by the Owner of the parcel served.

## 1.22 Determination of Charges - Failure to Pay Action

The Board of Directors shall have the right to make charges for the discharge of any wastes into the public sewerage system of the District. The same shall be fixed from time to time by Resolution or Ordinance of the Board of Directors. Any person who refuses to pay such charges shall not discharge any wastes into any sewer pipeline within the District, and upon direction of the Board of Directors, the General Manager shall cut off the premises of such person from the use of any sewer, for the discharge of any wastes.

## 1.23 Recording of Fees and Charges

The District shall keep a permanent and accurate account of all fees and charges (other than sewer service charges collected through the County tax roll) received under this Ordinance, the FOG Discharge Ordinance, and the Industrial Discharge Ordinance, containing the names and addresses of the persons on whose account the fees and charges were paid, the date and amount thereof, and the purpose for which charges were paid.

## 1.24 Estimated Quantities and Values

Unless otherwise provided herein, whenever the fees and charges required by this Ordinance are based on estimated values or estimated quantities, the District shall make such determinations.

## 1.25 Reconsideration and Appeal Procedures

- 1.25.1 Any permit applicant, permit holder, authorized industrial wastewater discharger or other discharger adversely affected by any decision, action, or determination made by or on behalf of the District in interpreting or implementing the provisions of this Ordinance or any permit issued hereto, may file with the District a written request for reconsideration. Written requests for reconsideration must be received by the District within one year of the date of the decision, action, or determination for which reconsideration is requested. Each written request shall be accompanied by a filing fee in the amount of two hundred dollars (\$200.00). The filing fee is intended to cover the cost of District staff's intake of the request and the General Manager's review and action upon such request. Such request shall be acted upon by the General Manager within fifteen (15) days from the date of filing.
- 1.25.2 If the ruling made by the General Manager is unsatisfactory to the person requesting reconsideration, the person may make a written appeal to the Board of Directors within fifteen (15) days after notice of the action taken by the General Manager by filing the same with the General Manager.
- 1.25.3 The written appeal shall be accompanied by a hearing fee in the amount of seven hundred and fifty dollars (\$750.00). Within thirty (30) days after the written appeal is filed, the Board of Directors shall hold a hearing on the appeal. At this hearing, the applicant, permit holder, discharger, or appellant may appear in person or through counsel; the District may appear through the General Manager or through counsel; and either side shall be entitled to present evidence and cross-examine witnesses. Notices of the hearing shall be given in accordance with Chapter 1.10 at least fifteen (15) days prior to the date of hearing.
- 1.25.4 Within forty-five (45) days after the hearing is closed, the District shall make a final ruling on the appeal. No decision, action or determination of the General Manager shall be stayed by any procedure authorized by this Ordinance.

## 1.26 User Charges and Fees

The District, by Resolution or Amendments to this Ordinance, the FOG Discharge Ordinance, and the Industrial Discharge Ordinance, may periodically establish fees and charges for sewage services provided by the District, based upon cost influencing factors such as flow, pollutant mass emission rates and volumes, costs associated to install new facilities, costs associated to upgrade, remodel, repair or expand facilities, and the degree of effort required for purposes of billing, inspection, monitoring and administration.

## 1.27 Collection of Delinquent Accounts

### 1.27.1 Penalties for Delinquent Payment

A penalty of ten percent (10%) of the amount of the bill, plus an additional one percent (1.25%) per month or fraction thereof may be added to all delinquent accounts.

#### 1.27.2 Discontinuance of Service for Delinquent Bills

From and after the time that a sewer bill has been delinquent for sixty (60) days, the District may, if the delinquent bill, with penalties, is not paid within fifteen (15) days after mailing a Notice of Delinquency and Discontinuance of Service by first class mail, to the address of the premises to which service is billed according to District Records, shut off sewer service to the premises by any appropriate means. Reconnection shall be made only upon prior payment of charges, penalties and interest due, plus the actual cost of disconnection and reconnection as determined by the District and payment of a security deposit.

#### 1.27.3 Establishment of Liens Against Property

Delinquent charges, fees, penalties, and interest shall constitute a lien against the lot or parcel of land against which the charge is imposed if said charge remains delinquent for a period of sixty (60) days, and the District may record a Notice of Lien as to any such parcels with the County Recorder of Kern County. The District may further record a Notice of Release or Discharge of Lien upon the payment of any such delinquent charges.

#### 1.27.4 Collection of Delinquent Charges on Tax Roll

For any charges, fees, penalties, and interest which have been delinquent for sixty (60) days, the District shall annually, cause a written report to be prepared and filed with the Secretary, pursuant to Section 5473 and 5473a of the Health and Safety Code, and the Secretary shall thereupon cause notice to be given and published, pursuant to Section 5473.1 of a hearing thereon and upon their placement upon the ensuing tax roll. Upon conclusion of the hearing, and in accordance with the Board's determinations thereon, the Secretary shall thereafter file with the County Auditor the adopted report, and said charges shall be added to and collected with the taxes on said property, as provided in Section 5473.4 et.seq., of the Health and Safety Code.

#### 1.27.5 Collection by Legal Action

The Manager is further authorized and directed to institute, or cause to be instituted, and to prosecute, in the name of the District, appropriate legal action for the collection of the delinquent sewer charges and penalties.

### 1.28 Disputed Billings

#### 1.28.1 Review

The Notice of Delinquency shall inform the user that any disputed portion of the billing may be reviewed with the Manager (or a designated management employee) within ten (10) days of the date of the Notice. The person requesting review shall send a written statement supporting the basis for dispute to the District Office, attention of the Manager. At the General Manager's discretion the requested review may also include consideration of whether the user shall be permitted to amortize the unpaid balance of the account over a reasonable period of time.

#### 1.28.2 Review by Board

If the Manager (or designated management employee) does not resolve the dispute to the user's satisfaction within five (5) working days, the user may request in writing that the dispute be scheduled with the Board of Directors at their next regular meeting at which the customer will be given an opportunity to be heard by the Board. No termination of service shall occur while such review is under consideration, providing provisions of Chapter 5 are complied with.

### 1.28.3 Payment to Avoid Discontinuance of Service

To avoid discontinuance of service, full payment of the undisputed portion of the bill must accompany the written statement by the due date.

## 1.29 Existing Wastewater Discharges

Any entity discharging wastewater into the District's collection system without a valid permit or written permission from the District is in violation of this Ordinance and is subject to legal action as specified in Chapter 1.12.

## 1.30 Severability

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

## 1.31 Informal Bidding Procedures

### 1.31.1 Informal Bid Procedures.

Public projects, as defined by the Act and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code.

### 1.31.2 Contractors List

The agency shall comply with the requirements of Public Contract Code Section 22034.

### 1.31.3 Notice Inviting Informal Bids.

Where a public project is to be performed which is subject to the provisions of this Ordinance, a notice inviting informal bids shall be circulated using one or both of the following alternatives:

1. Notices inviting informal bids may be mailed, faxed, or emailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with Section 1.31.2.
2. Notices inviting informal bids may be mailed to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the department/agency soliciting bids, provided however:
  - (i) If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.
3. The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for submission of bids.

### 1.31.4 Award of Contracts.

1. The General Manager is authorized to award informal contracts pursuant to this Section.
2. If all bids received are in excess of two hundred twenty thousand dollars (\$200,000), the District's Board of Directors may, by adoption of a resolution by a four-fifths vote, award the contract, at two hundred thirty-five thousand dollars (\$235,000) or less, to the lowest responsible bidder, if it determines the cost estimate of the District was reasonable.

## 1.32. Compensation of Directors and Board Secretary

1. Each Board member shall receive compensation in the amount of one hundred fifty dollars (\$150) for attendance at each of the following events on behalf of the District, provided that such compensation shall not exceed ten (10) days in any calendar month:
  - a. Regular Board meetings
  - b. Adjourned meetings
  - c. Special Board meetings
  - d. Advisory or committee body meetings
  - e. Training and Educational seminars or conferences
  - f. Negotiation Sessions
  - g. Depositions
  - h. Meetings with the General Manager, District consultants, managers, engineers, or other professionals for the purpose of conducting District business or potential business.
  - i. Any other activity the Board requests in writing a member attend, which request shall be made in advance of attendance.
2. The Board Secretary shall receive compensation in the amount of one hundred fifty dollars (\$150) for attendance at each of the following events on behalf of the District, provided that such compensation shall not exceed ten (10) days in any calendar month:
  - a. Regular Board meetings
  - b. Adjourned meetings
  - c. Special Board meetings

## CHAPTER 2 – SEWER CONNECTIONS/PERMITS

### 2.01 Required

No person, firm or corporation shall make, construct, install, alter, repair or enlarge any building sewer or connect any such building sewer to a public sewer without first obtaining the applicable permit(s) and approval of sewerage construction plans and specifications from the Manager or a designated representative in accordance with the requirements of this Ordinance. The connection Permit for new construction, additional construction, and tenant improvements is provided on the District website. Additionally, all food service establishments shall comply with the permit requirements of the FOG Discharge Ordinance and all industrial dischargers shall comply with the permit requirements of the Industrial Discharge Ordinance.

### 2.02 Fee to Accompany Application

The General Manager shall require payment by the applicant for fees established by this Ordinance, the FOG Discharge Ordinance, the Industrial Discharge Ordinance, or as may be amended from time to time by Resolution or Ordinance.

### 2.03 Approval of Plans

The General Manager may require submittal of site plans, floor plans, and plumbing plans as necessary to determine potential occupancy. This requirement shall include both original site development as well as later tenant improvements, additional structures, and additional dwelling units.

Any person proposing to construct any type of sewage works, lateral sewer, or industrial connection which will discharge directly or indirectly to District facilities shall obtain District approval of plans and specifications as described in Chapter 3.02 of this Ordinance.

### 2.04 Issuance of Permits

The District will issue a permit for sewer service under this Ordinance, the FOG Discharge Ordinance, or the Industrial Discharge Ordinance only if the District is satisfied that the sewer construction, sewer connection, industrial connection or other procedures, conform to the requirements of this Ordinance, the FOG Discharge Ordinance, the Industrial Discharge Ordinance, and the District's "Standard Specifications for Sanitary Sewer System Improvements".

### 2.05 Local Sewer Not Available

Direct attachment of a lateral sewer to a trunk sewer will be permitted only if the District determines that a suitable collector or main line sewer is not available, that adequate trunk sewer capacity exists, that the connection will function properly, and that the connection will not adversely affect existing or anticipated facilities or operations of the District.

## 2.06 Permit Shall Not Relieve Discharger of Duties

The approval of plans or the issuance of a permit shall not relieve the discharger of any duty imposed upon him pursuant to this Ordinance, the FOG Discharge Ordinance, or the Industrial Discharge Ordinance.

## 2.07 Permit Not Required to Remove Stoppage

Nothing in this Ordinance shall be deemed or construed to require the application or permit for the purpose of removing stoppages in any building sewer except that done within any public right-of-way. Reconstruction of a sewer lateral pipeline will require a permit.

## 2.08 When Permit Not Issued

No permit shall be issued for the following:

1. The connection of a lateral sewer to a collector, main line, or trunk sewer that is not in a dedicated street, alley or within a recorded easement;
2. The connection of a lateral sewer to a collector, main line, or trunk sewer that has not been constructed or installed to the satisfaction of the District in accordance with plans, profiles and specifications approved by the District.

## 2.09 Temporary Permits

2.09.1 A permit shall be required of all users granted temporary permission to discharge into the District's sewer. This temporary permit may be granted when no alternative method of disposal is reasonably available. The provisions of Chapter 5 of this Ordinance pertaining to wastewater strength and characteristics shall apply.

2.09.2 Users granted permission to discharge wastes of uncertain effect upon the treatment process may require bonding for the District. The amount of the bond shall be determined by the District.

## 2.10 Penalty for Violation of Chapter

The District shall charge a penalty in the amount of 100% of the applicable permit fee for violations of this Chapter.

## 2.11 Inspections

The District will conduct inspections of new and modified connections as required by the permit(s) issued under this Chapter, and as required by law.

## CHAPTER 3 – CONSTRUCTION OF SEWAGE WORKS

### 3.01 District Specifications and Standards

- 3.01.1 When sewer service is requested for property within the District which does not abut an adequate sewer collection facility, an extension or improvement of the District's system shall be required. Such facilities may include, but are not limited to, lateral sewers, collector sewers, main line sewers, trunk sewers, manholes, backflow prevention devices, pump stations and clean outs, hereinafter referred to as "sewer".
- 3.01.2 District requirements concerning design criteria, plan checking, pipeline design, pipe material, minimum grades, location, depth, manhole criteria, clearances between water and sewer lines, standard specifications, construction inspection and testing, insurance, and contracts for sewer system improvements are detailed in the most recent publication of "Standard Specifications for Sanitary Sewer System Improvements" published by the District.

### 3.02 Approval of Plans for Construction of Sewer System Improvements or Extensions

- 3.02.1 The applicant shall submit to the District for review and approval, construction plans, specifications, and other details as required to fully describe the proposed sewer system improvements. The plans shall have been prepared under the supervision of and shall be signed by a Civil Engineer registered in the State of California.
- 3.02.2 Proposed improvements for industrial users shall also be subject to the provisions of the Industrial Discharge Ordinance. Proposed improvements for food service establishments shall also be subject to the provisions of the FOG Discharge Ordinance.
- 3.02.3 Plans and specifications for sewer construction shall comply with the requirements specified in the latest edition of the District's "Standard Specifications for Sanitary Sewer System Improvements" as described in Chapter 3.01, unless special arrangements have been made with the General Manager to use other applicable requirements or standards.
- 3.02.4 Inspection of all sewer construction shall be made by personnel of the District, or its authorized representative.
- 3.02.5 Approval of plans and specifications for sewer system construction shall expire one year after date of approval unless construction has been initiated by that time.
- 3.02.6 Upon District approval of the plans and specifications, the design shall be incorporated into an extension or improvement agreement outlining the terms and conditions required by the District. The agreement shall be placed on the Board of Directors agenda for action.

### 3.03 Plan Approval and Permits Not Transferable

Approval of plans for sewer construction and connection permits are not transferable from one person to another person or from one location to another location.

### 3.04 Installation and Ownership of Extension of Facilities

The applicant shall have the facilities constructed and installed by a licensed contractor approved by the District. The District reserves the right to construct, with its own personnel or by contract, at cost to the applicant, taps or connections to existing pipes and any other complex or difficult construction which may be crucial to proper operation and function of District facilities. The applicant may be required to furnish an irrevocable letter of credit, bond, or other acceptable surety to guarantee completion and payment for any facilities constructed under the agreement. Upon completion, final inspection and acceptance in writing by the District, the off-site facilities shall be owned and operated by the District as part of its sewer system.

### 3.05 Sizing of Facilities

- 3.05.1 The normal minimum pipe line size for public sewer shall be eight (8) inches inside diameter; however, the District may specify larger or smaller pipe line size under appropriate conditions.
- 3.05.2 Grease traps or interceptors shall be sized in accordance with District, County or City Standards that are in effect at the time of installation of such device.

### 3.06 Location of New Facilities

- 3.06.1 The extension or improvement of sewers shall be located only on land owned by the District in fee, in streets with an acceptable encroachment permit, existing public utility easements, or in an easement granted to the District.
- 3.06.2 The location is subject to the District's approval of alignment, accessibility and safety of the facilities.
- 3.06.3 The applicant shall convey or grant to the District without cost such land and/or easements the District determines necessary for the facilities.
- 3.06.4 The District may also require an easement for future extensions.
- 3.06.5 Land shall be conveyed to the District, free and clear of liens or encumbrances except encumbrances of record that are acceptable to the District.
- 3.06.6 Easements shall be granted in a form satisfactory to the District. The pipeline shall abut all parcels served.
- 3.06.7 An easement shall be granted to District along the entire length of the applicant's parcel except in cul-de-sacs, dead-end roadways or other situations where the District determines that the pipeline may terminate and remote service be provided.

### 3.07 Inspection of Construction

- 3.07.1 Inspection by the District during construction and upon project completion will be conducted.
- 3.07.2 The Contractor building the sewer shall notify the District at least seven (7) working days in advance of the time the connection is to be performed.

3.07.3 Construction inspection requirements are further described in the “Standard Specifications for Sanitary Sewer System Improvements” and Chapter 4 of this Ordinance

### 3.08 Expense to be Borne by Applicant

All costs and expense incidental to the installation and connection of a lateral sewer, sewer line extension, or sewer system improvement shall be borne by the Applicant. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer, extension, or improvement.

### 3.09 Obligation for Lateral Sewer

The District does not assume any obligation or expense for maintaining any lateral sewer from the public sewer to the premises served. All costs associated with maintaining a lateral sewer shall be borne by the user or land owner. All service and expense of operation and maintenance of the District sewer shall be borne by the District.

### 3.10 Record Drawings and Proof of Service Certification

3.10.1 Upon completion and final inspection by the District, Applicant shall submit a complete set of record drawings of the facility acceptable to the District.

3.10.2 After all conditions for acceptance of the facility have been met, the District will issue written documentation to the County Building Department.

### 3.11 First Year Warranty Responsibility

3.11.1 For a period of one (1) year from the date of acceptance by the District, the Applicant shall warrant for the repair of all defects, leaks or failure occurring in the facilities, which are, as determined by the District, due to negligence in the manufacture and/or installation of the facilities exclusive of operation of the system by the District or its agents, acts of a third party or acts of God.

3.11.2 Failure by the Applicant to pay for any of the repairs described above after being billed by the District will result in a lien being placed against the property by the District.

3.11.3 In the District’s discretion, the District may require the Applicant, or the Applicant’s contractor, to submit a one (1) year repair guaranty, together with one of the following: a maintenance bond (in form acceptable to the District), a certificate of deposit, or an irrevocable letter of credit, in an amount not less than ten percent (10%) of the construction costs of the facilities before the improvements are accepted by the District.

### 3.12 Documentation of Project Costs

For projects involving District reimbursement or reimbursement by other users, the Applicant shall provide the District with copies of all invoices for materials, equipment, employed labor and District costs for construction of the project marked “PAID” and signed by the Applicant or his authorized agent.

### 3.13 Cost Reimbursed by the District

3.13.1 Reimbursement of reasonable costs to an Applicant for extension of permanent facilities required to be larger than needed by the Applicant may be made pursuant to the District reimbursement policies outlined herein.

3.13.2 The District will collect and disperse funds for partial reimbursement of oversized facilities constructed by others under the conditions set forth below.

- a. The District shall be under no obligation to make any reimbursement payment whatsoever, except as outlined herein. All questions as to the meaning of any portion shall be as interpreted by the District.
- b. Proposed facilities must be constructed in accordance with plans and specifications approved by the District. The District may require that the facilities have sufficient capacity not only to serve the Applicant's areas, but other areas beyond, or in addition to the Applicant's areas.
- c. Any applicant who requires service through facilities or improvements constructed by others pursuant to a reimbursement agreement and for which Applicant did not contribute to the cost of construction shall pay a pro rata reimbursement fee in addition to all other required charges prior to service being provided. A three percent (3%) administration charge may be added to the reimbursement fee, or \$250, whichever is larger, to compensate District for administration of the reimbursement contract. An area of benefit which identifies parcels having access to the constructed facility shall be determined at the sole discretion of the District and a map of the area shall be attached to the reimbursement agreement. The District shall make an estimate of future use within the area of benefit based upon knowledge and investigation of those same factors by which sizing of the constructed facility was determined. This total projected future use, calculated as Single Family Residence Equivalent (SFRE), assigned to the mapped area of benefit plus the verified cost of the project constitute those factors by which a contractually obligated reimbursement fee shall be calculated according to the following formula:

Rf = Reimbursement Fee

Cp = Cost of project

Tc = Total capacity of facility expressed in SFRE's as determined solely by District

Sf = Number of SFRE's required by Applicant's parcel

$$Rf = (Cp \div Tc) \times Sf$$

- d. Annually the District will disperse any collected reimbursement funds to the Applicant who constructed the facilities without interest. Applicant shall keep the District informed of any change of Applicant's mailing address.
- e. All obligations for reimbursement of any excess capacity costs shall cease at the end of ten (10) years following the date of transfer of title to District of the reimbursable facilities. In no event shall reimbursement payments exceed total project construction costs less capacity used by the original Applicant.
- f. The Applicant's rights to reimbursement funds shall not be transferable or assignable without the express written consent of the Board of Directors.

### 3.14 Environmental Impact Report Charge

Unless all such environmental processing has been done by the County or another agency, the District may determine that an environmental impact study or report is required for a proposed extension facility necessary to serve an Applicant's land. The Applicant shall be responsible for the costs of preparing such a study and/or report, including engineering, administration, and legal costs incurred by the District relating to Applicant's project.

### 3.15 Connections to Collector Sewers

Lateral sewer connections to collector sewers shall be through the use of sanitary wyes or service saddles as determined by the District.

### 3.16 Connections to Main Line Sewers

If a person desires to connect a lateral sewer to a main line sewer, and in the opinion of the District no other suitable connection or clean out exists, such person may file an application with the District to do so. At the sole discretion of the District the connection will be made by either tapping the main line or by installing a manhole on the main line. In either case the work shall be done by a licensed contractor, approved by the District. All work shall be done in compliance with applicable standards.

### 3.17 Connections to Trunk Lines

Connection of individual parcels or single family residences to trunk lines shall not be done unless specifically approved by the General Manager. All connections to trunk line sewers shall be through the use of manholes or other methods approved by the District.

### 3.18 Conformance of Lateral Sewers

The connection of the lateral sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations. All such connections shall be made gas-tight and water-tight. Any deviation from the prescribed procedures and materials must be approved by the District before installation. Mortar, lead or tar joints will not be permitted.

### 3.19 Protection of Excavations - Restoration of Property

All excavations for sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

### 3.20 Abandoned Lateral Sewer or Connection

Any abandoned lateral sewer or connection shall be plugged or capped at the expense of the Applicant or property owner of the premises which the lateral sewer serves, at a point and in a manner approved by the inspector. The restored use of an abandoned lateral sewer shall not be approved by the inspector if the line or connections thereto do not meet construction standards at the time of application for reuse.

### 3.21 Unsanitary Building Sewer - Order to Repair or Replace

If, in the course of inspection process, an existing lateral sewer is found to be in an unsanitary condition, the District shall order the lateral sewer or connection to be repaired, modified or replaced. It shall be the obligation of the owner of the premises served to comply with such order at the owner's expense.

### 3.22 Conformance With Building and Plumbing Regulations

The size, slope, alignment, materials of a sewer and the methods to be used in excavating, placing of pipe, jointing, testing and backfilling the trench, shall all conform to the District's Standard Specifications for Sanitary Sewer Improvements, the requirements and standards of the current building and plumbing codes, and to other applicable rules, regulations and standards.

### 3.23 Elevation of Sewer

Whenever possible, the lateral sewer shall be designed and constructed to permit gravity flow to the public sewer.

### 3.24 Separate Sewers

3.24.1 No two adjacent lots fronting on the same street shall be permitted to join in the use of the same side sewer unless so specified by the Manager.

3.24.2 Every building or industrial facility must be separately connected to a public sewer if such public sewer exists in the street upon which the property abuts or in an easement which will serve said property.

3.24.3 However, one or more buildings located on a single piece of property belonging to the same owner may be served with the same lateral sewer during the period of said ownership.

3.24.4 Should the owner subsequently subdivide and sell a portion of the property, then the portion not directly connected with the public sewer must be separately connected to the public sewer, and it shall be unlawful for the owner thereof to continue to use or maintain an indirect connection. It shall be the sole responsibility of the parcel owner that is not to be connected directly to the public sewer to obtain a Sewer Connection Permit and to construct all lateral facilities required to connect to the public sewer.

### 3.25 Maintenance of Lateral Sewer

3.25.1 Lateral sewers shall be maintained by the owner of the property served.

3.25.2 In the General Manager's discretion, if a District serviceman is sent out at a discharger's request, and it is determined that the discharger's equipment is at fault, a charge will be made equal to the District's cost of the service call or a fee established by the District, whichever is greater.

### 3.26 Notification of Premises Ready for Inspection

The applicant for a sewer permit shall notify the District when the building sewer is ready for inspection and connection to the public sewer.

### 3.27 Reconnection

If any sewer connection has been disconnected from the public sewer by the District for failure to comply with provisions of this Ordinance, the applicant shall reapply to the District for a permit to reconnect the building sewer.

### 3.28 Manhole Reconstruction

The work of adjusting manholes on District sewers to new grades shall be performed by a licensed contractor in accordance with established procedures of the District. The person proposing or performing work requiring the adjustment of manholes on District sewers to a new grade shall coordinate his work with the District.

### 3.29 Observance of Safety Rules

While performing the work designated in this Ordinance on private or public property, all parties shall observe all safety rules and regulations applicable under federal, state and county codes. Applicant shall be solely responsible for the safety of all persons and property during construction of sewer improvements. The Applicant shall hold the District, the District's consultants and their directors, officers and employees harmless against liability claims and demands for any personal injury, death or property damage.

### 3.30 Backflow Devices – Sewer Customers Shall Install

The District may at any time require a discharger to install, at the discharger's expense, a backflow device in the discharger's lateral sewer, where the lateral sewer may be subject or exposed to backup from sewage in the District's sewer system. Protection of private property from damage caused by sewage backup through a sewer lateral is the sole responsibility of the property owner, and shall not be compensated by the District.

## CHAPTER 4 – INSPECTIONS

### 4.01 Entry by District Inspector for Investigation

- 4.01.1 Any inspector of the District, or District authorized personnel who properly identify themselves, shall be allowed entry into buildings or premises regulated by this Ordinance for the purpose of investigation, inspection, observation, measurements, sampling and testing in accordance with the provisions of this Ordinance. The inspector or his representative shall have no authority to demand technical information concerning any processes of any industries beyond that point having a direct bearing on the kind and source of discharge to the public sewers.
- 4.01.2 Inspection of every facility that is involved directly or indirectly with the discharge of wastewater to the District's sewer systems may be made by the District as deemed necessary. These facilities shall include but not be limited to sewers; sewage pumping plants; pollution control plants; all industrial processes; industrial wastewater generation, conveyance and pretreatment facilities, devices and connection sewers; and all similar sewerage facilities. Inspections may be made to determine that such facilities are maintained and operated properly and are adequate to meet the provisions of this Ordinance.
- 4.01.3 Authorized personnel of the District shall be provided access to all of the above facilities or the other facilities directly or indirectly connected to the District's sewerage system at all reasonable times including those occasioned by emergency conditions. Any permanent or temporary obstruction to easy access to the sewerage facility to be inspected shall promptly be removed by the facility user or owner at the written or verbal request of the General Manager and shall not be replaced.

### 4.02 Observation of Safety Rules During Investigations

While performing the work on private properties referred to in Chapter 4.01 above, the inspector or duly authorized employees of the District shall observe all safety rules applicable to the premises established by the property owner or their designated agent.

### 4.03 Entry on Private Property

Any official of the District shall have the right of entry into buildings or premises regulated by this Ordinance for the purpose of examining and inspecting the construction or condition of such sewer, industrial wastewater treatment facility, monitoring manhole, pretreatment facility, sewage pumping plant, or any other appurtenances pertaining to discharges or connection to the public sewer, and every person owning, controlling or otherwise occupying such structure or premises shall permit such entrance and give such aid as may be necessary or required for such examination and inspection.

### 4.04 Right of Entry to Inspect

No person shall interfere with, delay, resist or refuse entrance to an authorized District inspector attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the District's sewerage systems. Failure to allow timely access to these facilities shall constitute a violation of this Ordinance.

#### 4.05 Compliance of Construction

All construction and installation made pursuant to the provisions of this Ordinance shall be subject to inspection by and shall meet with the acceptance of the inspector. The acceptance by the inspector shall not relieve any person from fully complying with all of the provisions of this Ordinance and any and all amendments thereto.

#### 4.06 Request for Construction Inspection

When the construction or installation is ready for inspection, the applicant shall request an inspection by the District. The District shall make such inspection within a reasonable time after such request is made by the applicant. A written request for inspection shall be submitted to the District at least forty-eight (48) hours before the inspection is to be made.

#### 4.07 Work Noncompliance

Whenever any sewer work is being done contrary to the provisions of the District Standards, the provisions of this Ordinance or any other applicable regulation, the inspector will not accept any of these facilities into the District until corrections are made and the facilities comply.

#### 4.08 Frequency of Inspections

Any District authorized personnel may inspect as often as deemed necessary every sewage pumping plant, building sewer, dilution basin, neutralization basin, backwater trap or valve or other similar appurtenances, for the purpose of ascertaining whether such facilities are maintained and operated in accordance with the provisions of this Ordinance. All persons shall permit the District to have access to all such facilities at all reasonable times.

#### 4.09 Improper Use of Connected Sewers

4.09.1 The District hereby reserves the right to inspect any existing lateral or industrial connection that discharges wastewater to a District sewer. If it is found that such sewers are improperly used or improperly maintained, thereby causing discharge of septic wastewater, excessive groundwater, debris or any other objectionable substance to the District's sewers, the District will give written notice of the unsatisfactory condition to the offending discharger and shall direct the condition to be corrected within a period specified by the District.

4.09.2 In cases of continued noncompliance with the District's directive, the District may disconnect the offending discharger from the District's sewerage system.

#### 4.10 Additional Requirements for the Inspection and Sampling of Industrial Facilities

Additional requirements for the inspection and sampling of industrial facilities are included in the Industrial Discharge Ordinance.

## CHAPTER 5 – DISCHARGE QUALITY LIMITS

### 5.01 Prohibited Uncontaminated Drainage

No discharger shall discharge or cause to be discharged any storm water, surface water, ground water, rain water, street drainage, yard drainage, water from fountains, ponds, or swimming pools, roof runoff, subsurface drainage, uncontaminated cooling water, or uncontaminated industrial process waters to any public sewer, unless specifically allowed by the District.

### 5.02 Prohibited Discharges

No discharger shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers the following constituents unless specifically authorized by the District as determined in the Permit. The following values are adopted from the “Maximum Allowable Headworks Loading and Local Discharge Limits Development” report, dated 2017, and other sources. Industrial dischargers shall also be subject to the provisions of the Industrial Discharge Ordinance. Food service establishments shall also be subject to the provisions of the FOG Discharge Ordinance.

5.02.1 Wastewater from industrial and commercial sources containing constituents in excess of the quantities listed below:

<u>Constituent</u>	<u>Industrial and Commercial Limits</u> (mg/l)
Aluminum	0.83
Ammonia	25
Arsenic	0.01
Biochemical Oxygen Demand (BOD)	260
Boron	26
Cadmium	0.07
Chloride	1000
Chemical Oxygen Demand (COD)	520
Copper	2.4
Dissolved Sulfide	40
Electro Conductivity	1837
Lead	0.57
Mercury	0.03
Nickel	0.83
Total Nitrogen	40
Oil and Grease	100
Total Phenols	3.0
Silver	1.9
Sulfate	2000
Total Chromium	0.70
Total Cyanide	0.60
Zinc	0.37
Total Suspended Solids	460

- 5.02.2 Any gasoline, benzene, ethyl benzene, naphtha, fuel oil, kerosene, toluene, xylene, ethers, alcohol, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides, or other flammable or explosive liquid, solid or gas that is a fire hazard or explosion hazard.
- 5.02.3 Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, which may injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
- 5.02.4 Any wastewater with a pH less than 6 or greater than 9.5, or having any corrosive or detrimental characteristic that may cause injury to wastewater treatment or maintenance personnel, or may cause damage to structures, equipment or other physical facilities of the sewerage system.
- 5.02.5 Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or damage to the sewerage facilities, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, blood, paunch manure, hair, hides or fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders, grease, garbage particles greater than one-fourth (1/4) inch in any dimension, animal internal parts or tissue, bones, spent lime, stone or marble dust, grass clippings, spent grains, spent hops, wastepaper, glass grinding or polishing wastes.
- 5.02.6 The release of toxic, hazardous wastes, malodorous gas or malodorous gas producing substances that can pass through the wastewater treatment plant making it unsuitable for disposal.
- 5.02.7 Any waste with an incompatible pollutant in excess of that permitted in the District's Waste Discharge Requirements (WDR's).
- 5.02.8 Any waste which causes the District's effluent or any other product of the treatment process, residues, sludges, or scums, to be unsuitable for reclamation, reuse, or disposal.
- 5.02.9 Discoloration or any other condition which affects the quality of the District's treatment works effluent in such a manner that the WDR's established by the Regional Water Quality Control Board cannot be met.
- 5.02.10 Quantities or rates of flow which overload the District's collection or treatment facilities, or cause excessive District collection or treatment cost.
- 5.02.11 Conditions which violate any statute or any rule, regulation, or resolution of any public agency or state or federal regulatory body having jurisdiction over the discharge of wastewater through the sanitary sewer system.
- 5.02.12 Any waste having a temperature of 150°F (degrees Fahrenheit) or higher or which would result in influent temperatures at the treatment plant in excess of 100°F.
- 5.02.13 Any wastes requiring an excessive quantity of chlorine or other chemical compound used for disinfection purposes that hinder the operation of the treatment plant or cause other problems such as odors, fumes, or hazards.
- 5.02.14 Any water or wastes containing algaecides, fungicides, antibiotics, insecticides, herbicides, strong oxidizing agents, or strong reducing agents.
- 5.02.15 Any wastewater containing substances that may precipitate, solidify, or become viscous at temperatures between 40°F and 100°F.

5.02.16 Any radioactive wastes or isotopes of such half-life or concentration that may exceed limits established by applicable state or federal regulations.

5.02.17 Any wastes that cause impairment of the effective maintenance or operation of the sewerage system.

### 5.03 Limitation on the Use of Garbage Grinders

5.03.1 Waste from garbage grinders shall not be discharged into a community sewer except:

- a. Waste generated from single family or multiple family residential dischargers; or
- b. Where the user has obtained approval from the District prior to the date of adoption of this Ordinance.

5.03.2 Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the community sewer with no particle greater than one-fourth inch in any dimension. Garbage grinders shall not be used for grinding plastic, paper products, inert materials, or garden refuse.

### 5.04 Limitation on Wastes from Medical Establishments

5.04.1 Medical establishments are defined as hospitals, clinics, medical offices, dental offices, mortuaries, veterinarian offices, convalescent homes and similar establishments.

5.04.2 All medical wastes regulated under the California Medical Waste Management Act (Health and Safety Code §§117600-118360) shall be managed in compliance with state law prior to any discharge to the sewer system.

5.04.3 Medical establishments may discharge certain wastes through a District approved grinder installation. Grinders must be installed and maintained in accordance with manufacturer specifications, and demonstrated to reduce all material to a size not exceeding one-quarter inch (1/4") in any dimension. Approval may be suspended or revoked for improper operation or maintenance. All particles will be freely carried under normal flow conditions. Allowable wastes that may be discharged with the use of grinding are:

- a. Wet organic kitchen wastes from food preparation and disposal excluding all paper and plastic items.
- b. Infectious wastes may be discharged only where such wastes present no reasonable potential for exposure to sewer workers or public health, as determined by the District.

5.04.4 Allowable wastes that may be discharged without grinding are those which are generated from activities associated with hand washing, toilet use, or activities similar in nature to domestic or residential uses.

5.04.5 Medical establishments discharging wastes under this section shall maintain written procedures for waste segregation and grinder use and provide training to applicable staff.

5.04.6 Prohibited discharges include the following.

- a. Solid waste generated in the rooms of patients who are not isolated because of a suspected or diagnosed communicable disease.
- b. Recognizable portions of human or animal anatomies.
- c. Sharps shall not be introduced into grinders or the sewer system, whether intact, damaged, or intentionally rendered unrecognizable.
- d. Pharmaceutical wastes, chemotherapeutic agents, diagnostic reagents, electronic medical devices, batteries, pressurized containers, or any other materials containing hazardous, toxic, or persistent constituents.
- e. Other wastes or constituents excluded by other provisions of this Ordinance.

5.04.7 Nothing in this Chapter shall be construed to limit the authority of the County Health Officer to define wastes as being infectious and, with the concurrence of the General Manager, require that they be discharged to the sewer.

5.04.8 In declared public health emergencies, the General Manager, in coordination with the Public Health Officer, may temporarily authorize alternative discharge conditions necessary to protect public health.

5.04.9 Nothing in this Chapter shall be construed to authorize sewer discharge as a primary method of medical waste treatment or disposal, except for those waste categories expressly permitted herein.

5.04.10 Any costs incurred by the District resulting from prohibited discharges shall be recoverable from the responsible discharger.

## 5.05 Potentially Harmful Discharges

No person shall discharge or cause to be discharged to the public sewer any substances, materials, waters, or wastes if it appears likely, in the opinion of the District, that such wastes may harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or may otherwise endanger life, limb, public property or constitute a nuisance. In forming an opinion as to the acceptability of these wastes, the District will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The District reserves the right to limit any discharger or the discharge of any constituent to the sewage system which causes or has the potential to cause a violation of regulations enforced by state, federal, or other public agencies of jurisdiction.

## 5.06 Charge for Excessive Sewer Maintenance

No person shall discharge or cause to be discharged to a sewer, either directly or indirectly, any waste that creates a stoppage, plugging, breakage, any reduction in sewer capacity or any other damage to sewers or sewerage facilities of the District. Any excessive sewer or sewerage maintenance expenses attributable thereto will be charged to the offending discharger by the District.

## 5.07 Maintenance of Facilities

Where preliminary treatment or flow equalizing facilities are provided for any water or waste, they shall be maintained continuously in satisfactory and effective operation by the owner, at their expense.

## 5.08 Dilution Water

The practice of adding dilution water for the purpose of diluting wastes which would otherwise exceed applicable maximum concentration limitations will not be allowed, unless approved by the District.

## 5.09 Limitations of Flow

### 5.09.1 Flow Limiting Devices

When in the opinion of the District, the quantity of wastewater discharged to the collection facilities is in any way detrimental to said facilities or is in excess of the capacity of that system, the District may require the implementation of flow limiting devices by individual users. The flow limiting devices shall be of a type approved by the District and shall be installed on those fixtures designated by the District and at the user's expense.

### 5.09.2 Water Conservation Devices required.

The District may require that all applicants for new sewer service connections shall be required to furnish proof of installation of water conservation devices in residential, commercial and/or industrial buildings that meet the requirements of the state of California or local law, whichever is less.

## 5.10 Accidental Discharges

5.10.1 Each user will ensure that their facility cannot accidentally discharge prohibited materials, other substances regulated by this Chapter, or other "problem" discharges, including slug loadings. Such protection shall be provided and maintained at the user expense. Detailed plans showing protection shall be submitted to the District for review and shall be approved by the District before construction of the facility. All existing users shall complete such a plan within twelve (12) months of the date that this Ordinance becomes effective. No user who commences contribution to the wastewater treatment plant after the effective date of these amendments to this Ordinance shall be permitted to introduce pollutant(s) into the system until accidental discharge procedures have been approved by the District.

5.10.2 Review and approval of such plans and operation procedures shall not relieve the user from the responsibility to modify the user's facility as necessary to meet the requirements of this Chapter. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the District of the incident. The notification shall include location of discharge, type of waste, concentration and volume and corrective actions. Any fines or penalties incurred by the District as a result of an accidental discharge shall be assessed against the accidental discharger.

5.10.3 Within five (5) days following an accidental discharge, the user shall submit to the District a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the wastewater treatment plant, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this Ordinance or other applicable law.

## 5.11 Limitations of Point of Discharge

No person shall discharge any substances directly into a manhole or other opening in a community sewer other than through an approved building sewer, unless upon written application by the user and payment of the applicable user charges and fees, the District issues a permit for such direct discharges.

## 5.12 Wastewater Discharge Surveys

All potential dischargers, as determined by the District, may be required to have an annually updated Discharge Survey Report on file with the District. The Discharge Survey Report may include, but not be limited to, nature of user's business, production quantities, hours of operation, number and classification of employees, or other information which relates to the user's operation, including wastewater discharge. Such reports may also include the chemical constituents and quantity of liquid or gaseous materials stored on site even though they are not normally discharged.

## CHAPTER 6 – MANDATORY HOOK-UP AND ABATEMENT OF PUBLIC NUISANCE

### 6.01 Use of Septic Tanks as a Public Nuisance

It is hereby found and determined that, because of soil percolation rates, soil depths, topography, shallow groundwater, water quality, lot sizes, and septic system operations, the continued use of on-site wastewater disposal facilities within the District's boundary, will result in: significant water quality degradation of water supplies, health hazards; will unreasonably affect such waters for beneficial uses; and will be offensive to the senses and an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life and property. It is further found, determined, and declared, pursuant to Section 31103 of the Water Code, that from and after the completion of the sewer system, the continued use of septic tanks for sewage disposal therein will be and is a public nuisance. All buildings within 100 feet of the public sewer system shall be connected to the public sewer.

### 6.02 Mandatory Connection to Sewer by District at Owner's Expense

If it appears that the use of a septic system tank, cesspool or other local means of sewage disposal is contaminating the water, or creating a public health hazard, or is a public nuisance, the General Manager shall report that fact and the evidence in support thereof to the Board. The Board may thereupon give written notice to the property owner that the Board will, not less than sixty (60) days after the giving of such notice, determine whether such condition has occurred or is occurring. Notice shall be given by mailing to the address of the owner as shown on the County Assessment roll, and to the occupants by mailing to the address of the premises, or by hand delivery to an adult person residing on the premises, or by posting at the entry or other conspicuous place on the premises. Any person interested may appear at said hearing and be heard on the matter. If the Board finds, at the conclusion of said hearing that such condition is occurring or that it has occurred, the Board may order the owner of said premises to connect the property with the adjoining sewer, within a time to be specified by the Board. Upon the failure to do so, the Board shall order that said work be done, at a reasonable cost, by the District's own forces or by another person contracting with the District therefore. The District shall thereupon have a lien upon said property for all applicable connection fees or charges, and the District, or such other person doing such work at the District's request, shall thereupon have a lien upon said property for the work done and materials furnished, and such work and materials furnished shall be held to have been done and furnished at the insistence of the owner, and any persons claiming or having any interest in said real estate.

### 6.03 Enforcement of Lien

The liens for connection fees and charges provided for herein shall be enforced in the same manner as those provided for in Health and Safety Code section 6520.10.

The liens for work done and materials furnished provided for herein shall be enforced in the same manner as those provided for in Part 6 (commencing with Section 8000), Division 4 of the Civil Code.

### 6.04 Placing Forced-Connection Costs on County Tax Rolls

Alternatively to the enforcement of the lien as provided in Chapter 7.02 and 7.03 above, the Board may in such cases declare that the amount of the costs of such work and the administrative expenses incurred by the Board, together with connection charges and other applicable charges, be transmitted to the County Assessor and Tax Collector, whereupon it shall be the duty of such officers to add the amount of the assessment to the next regular bill for taxes levied against the lot or parcel of land.

## 6.05 Lien on Property When Owner Requests Connection

Any owner may request the Board to construct all necessary pipes and plumbing to connect his property to the District's sewer system. If the Board does such work or has such work done, the District or the person doing such work at the request of the Board shall have a like lien upon the property.

## 6.06 Authorization for This Chapter

It is the intent of this Chapter that the Board shall have all of the powers and authority conferred upon District by Section 31103 of the Water Code (declaring the use of septic tanks to be a public nuisance), and under Sections 5463 and 5464 of the Health and Safety Code (relating to procedures upon refusal or failure to connect dwellings with sewers), but nothing herein shall preclude the District to utilize any other power or authority for violations or enforcement. "Owner" as used in this Chapter shall also mean and include reputed owner.

## CHAPTER 7 – CHARGES AND FEES

### 7.01 Classification of Users

The District hereby establishes user classifications for connection fees attached hereto as Exhibit A and classifications for service charges attached hereto as Exhibit B. The purpose of these classifications and determinations is to facilitate the regulation of wastewater discharges, provide an effective means of source control, and to provide a basis for all fixing and levying of charges and fees for services on an equitable basis to all users. All classifications not specifically listed in the Exhibits will be determined on a case by case basis by the District from the most similar classifications listed. Food service establishments will also be subject to the provisions of the FOG Discharge Ordinance. Industrial users will also be subject to the provisions of the Industrial Discharge Ordinance.

### 7.02 Determination of Wastewater Flow, Constituents and Characteristics by User Classification

7.02.1 The District hereby determines the quantities of wastewater flow, constituents and characteristics for each user classification based upon an estimate for the “typical” within each classification shown. The estimate is determined by the District to be reasonable and is based upon such factors as the number of fixtures, seating capacity, population equivalent, annual production of goods and services, number of employees, or such other factors relating to an equitable determination within and between classifications. For the purpose of setting charges and for the determination of quantities of wastewater flow, constituents and characteristics may be expressed in single family residence equivalents (SFRE) weighted for wastewater constituents and characteristics in excess of the typical average strength of domestic wastewater.

7.02.2 The flow measured in single family residential equivalents (SFRE) for each within a classification is assumed for purposes of this Ordinance to be uniform. Flow monitoring devices such as sewage or water meters are not a feasible, practical or acceptable means of determining demand flow for single family residential users.

### 7.03 Basis of Charges and Fees

The basis for the allocation of the charges and providing fees for a service shall be based on SFRE, or other basis related to the nature of the cost of service provided. SFRE equivalence is as follows:

Flow	300 gpd
BOD <sub>5</sub>	260 mg/L
TSS	460 mg/L

This equivalence may be adjusted from time to time by Ordinance or Resolution.

#### 7.04 Connection Fees

Connection fees shall be collected to insure the equitable recovery of the District's capital costs. A portion of the connection fees may also be allocated to fund a capital reserve fund. The connection fees are based on SFRE factors as outlined in Exhibit A. These fees will be adjusted from time to time by resolution or ordinance, based on the most current rate study.

#### 7.05 Service Charges

Service charges shall be collected to insure the equitable recovery of the District's cost for providing the sewer service including the daily operation and maintenance costs of the facility. A portion of the service charges may also be used to fund a capital reserve account for the replacement of existing equipment and facilities. The service charges are based on SFRE values as outlined in Exhibit B. These fees will be adjusted from time to time by resolution or ordinance, based on the most current rate study.

#### 7.06 Changes to Tenant Improvements

Connection fees and service charges will be recalculated when changes are made to tenant improvements. If an increase in SFRE is calculated, payment of additional connection fees will be required and service charge rates will be adjusted (based on the difference between the existing and proposed SFRE).

#### 7.07 Other Charges and Fees

The District may at any time establish a schedule of charges and fees to pay for the costs of other services provided, to insure an equitable recovery of the District's cost of providing sewer service, including but not limited to:

- a. Monitoring Service - The cost of monitoring wastewater volume discharge demand, constituents or characteristics.
- b. Application Fees - The cost of administration, engineering or other related or required costs to process permit application.
- c. Permit Inspection Fees – The cost to physically inspect and accept connections to the District's collection system and to update the District's records.
- d. Appeal Fees - The cost of administration, engineering, legal or other related costs to process appeals.
- e. Standby Assessments - The cost of maintaining capacity in a readiness to serve status for the benefit of unimproved parcels of land.
- f. Line Charges - The cost of repaying the costs associated with the District installing collection, main line, interceptor sewers, sewage pumping plants, or appurtenances to serve a designated area.
- g. Assessment Charges - The costs for running an assessment or assessment district across lands for the installation of sewer collection, treatment and disposal facilities. These fees and charges may include the actual costs of the improvement, engineering, legal, financial, and administrative costs.

**EXHIBIT A**

**USER CLASSIFICATIONS FOR  
CONNECTION FEES**

(Minimum charge per parcel connected to the sewer is 1.00 SFRE)

<u>User Classification</u>	<u>SFRE Equivalence</u>
Single family residence (residence of any size)	1.00
Multi-family construction	
Primary or first residential unit	1.00
Additional units 1 bedroom or “studio”	0.42
2 bedrooms	0.71
3 bedrooms	1.00
Accessory Dwelling Unit (adu) and Jr. adu	TBD according to State law
Motel and hotel room w/o kitchen(ette)	0.33/room
Motel and hotel room w/ kitchen(ette)	0.50/room
Rooming house	0.33/room
Campgrounds	
Overnight & trailer w/central facilities	0.33/space
RV w/individual wastewater hookup	0.50/space
Barber shops, beauty shops, nail salons, tattoo parlor	0.30/station
Service station	
With public restrooms	2.00
No public restroom	1.00
Recreational vehicle dump station	5.00/station
Automobile repair shops	1.00
Mortuary	0.40/employee
Bakeries, catering service	0.30/employee
Restaurants, taverns	0.17/seat
Bars, cardrooms, casinos	0.10/seat
Bowling alley	0.80/alley
Theater, indoor (based on maximum seat capacity)	0.02/seat
Fitness center	0.02/machine
Laundries & laundromats	0.83/machine
Fire station	0.20/employee
Offices (commercial business)	0.10/employee
Dentists	0.50/exam chair
Physician or veterinary office or clinic	0.50/exam room
Retail stores	0.10/employee
Airports	1.00/ toilet/urinal + 0.10/employee
Food markets, convenience stores	0.10/employee
Food markets w/garbage grinders	4.00 + 0.10/employee
Public buildings	0.10/employee
Schools	0.07/student
Meeting halls and churches	0.02/seat
Restroom buildings	1.00/ toilet/urinal
Hospitals and convalescent homes	0.40/bed
Industrial discharges	Per Industrial Discharge Ordinance

Others not included on the above list shall be determined by the District on a case by case basis.

## EXHIBIT B

### USER CLASSIFICATION FOR SERVICE CHARGES

<u>User Classification</u>	<u>SFRE Equivalence</u>
Single Family Residence	1.0 SFRE
Multiple Units (including adu and jr.adu)	1.0 SFRE + 0.72 SFRE for each additional unit
Hotel – Motel	1.0 SFRE + 0.48 SFRE for each additional unit
Mobile Home	1.0 SFRE + 0.72 SFRE for each additional unit
RV Park	0.5 SFRE for each space
Medical and Veterinary Offices and Clinics	1.0 SFRE for each doctor or exam room
Dental Offices and Clinics	0.5 SFRE for each exam chair
Hospitals and Convalescent Homes	1.0 SFRE + 0.33 SFRE/bed + 0.03/employee
Mortuary	0.40 per employee
Airports	1.0 SFRE per toilet + 0.01 SFRE per both inbound and outbound passenger
Churches and Meeting Halls	1.0 SFRE + 0.01 per seat over 100
Theaters	1.0 SFRE + 0.02 per seat over 50
Fitness Centers	1.0 SFRE + 0.02 per machine over 50
Bowling Alley	1.0 SFRE + .10 per alley over 10
Fire Stations	2.0 SFRE + 0.20 per employee over 10
Schools	0.03 SFRE per student (ADA) and other personnel
Public Buildings	1.0 SFRE + 0.10 SFRE per employee over 10
Commercial Offices	1.0 SFRE + 0.10 SFRE per employee over 10
Retail Stores	1.0 SFRE + 0.10 SFRE per employee over 10
Barber Shop, Beauty Shop, Nail Salon	0.50 per station
Bakeries, catering service	0.30 per employee
Food Markets, Convenience Stores	1.0 SFRE + 0.10 SFRE per employee over 10
Restaurant, Food Court, Coffee Shop	1.0 SFRE + 0.03 SFRE per seat over 10
Bars, Cardrooms, Casinos, Taverns	1.0 SFRE + 0.03 SFRE per seat over 10
Gas Station or Garage	1.0 SFRE
Gas Station w/Public Restroom	2.0 SFRE
Restroom Buildings	1.0 SFRE per toilet
Laundries or Laundromats	0.80 SFRE per machine
Grinder – Commercial	4.0 SFRE
RV Dump Station	5.0 SFRE
Industrial	Per Industrial Discharge Ordinance

Others not included on the above list shall be determined by the District on a case by case basis.