

AN ORDINANCE OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT, ADDING CHAPTER 15, TO THE DISTRICT CODE ESTABLISHING POLICIES AND REGULATING THE INSTALLATION, CONNECTION AND USE OF THE DISTRICT SANITARY SEWER SYSTEM

BE IT ORDAINED by the Board of Directors of the Rancho Murieta Community Services District, Rancho Murieta, Sacramento County, California, as follows:

SECTION ONE:

Chapter 15, is added to the District Code to read as follows:

SECTION 1.00 General Provisions.

- 1.01 Title. This Chapter shall be known as the "Sanitary Code" or "Sewer Code" and may be cited as such.
- 1.02 Scope of Service. The provisions of this Chapter shall apply to sanitary sewer facilities and service in, upon or affecting the territory of the Rancho Murieta Community Services District, and the design, construction, alteration, use, and maintenance of public sanitary sewers, pumping equipment and facilities, treatment plants and facilities, connections; and services, and all system appurtenances; the disposal of sewage and drainage of buildings; the issuance of permits and the collection of fees therefor; fees to pay for the costs of checking plans, inspecting construction, and making record plans of the facilities permitted hereunder; providing penalties for violation of any of the provisions hereof; and all other necessary or related matters.
- 1.03 Violation Unlawful. Following the effective date of this ordinance, it shall be unlawful for any person to connect to, construct, install or provide, maintenance and use any other means of sewage disposal connection to a public sewer in the manner provided in this Chapter.

SECTION 2.00 Definitions.

For the purposes of this Chapter, the following terms shall have the following meanings unless the context clearly indicates otherwise.

- 2.01 Applicant. shall mean the owner, or the agent of the owner, of the property for which sanitary sewer service is being requested.

- 2.02 Board. shall mean the Board of Directors of the Rancho Murieta Community Services District.
- 2.03 Building. shall mean any structure used for human habitation or a place of business, recreation or other purposes.
- 2.04 Building Sewer. shall mean that portion of a side sewer beginning at the plumbing or drainage outlet of any building or industrial facility and running to the property line or to a private sewage disposal system.
- 2.05 Business Service. shall mean the provision of sewer service for use in connection with commercial premises devoted primarily to operations for profit including offices, stores, markets, apartments, hotels, motels, automobile trailer parks or courts, service stations and the like.
- 2.06 Combined Sewer. shall mean a sewer designed to receive both surface runoff and sewage.
- 2.07 Contractor. shall mean an individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under the permit.
- 2.08 County. shall mean the County of Sacramento, California.
- 2.09 Customer. shall mean the owner or agent of the owner of the property receiving sanitary sewer service.
- 2.10 District. shall mean the Rancho Murieta Community Services District.
- 2.11 District Sewer System. shall mean that system of sanitary sewers designed and connected to carry away and dispose of the Rancho Murieta Community Services District's domestic and industrial wastes, and to any territory served by agreement.
- 2.12 Engineer Consultant. shall mean the consulting engineer hired by the District to provide technical engineering services and recommendations.
- 2.13 General Manager. shall mean the person appointed by the Board to the position of General Manager of the Rancho Murieta Community Services District.
- 2.14 Lateral Sewer. shall mean the portion of a side sewer lying within a public street connecting a building sewer to the main sewer and maintained by the District.
- 2.15 Main Sewer. shall mean a public sewer designed to accommodate more than one lateral sewer.

- 2.16 Multiple Dwelling. shall mean a building for residential purposes containing more than one kitchen or having facilities for the occupancy of more than one person or families, including, but not limited to the following: hotels, motels, trailer courts, apartment houses, duplex, rooming house, boarding house and dormitories.
- 2.17 Permits. shall mean the District's written approval or authorization for an action. A permit may only be issued by the District upon the completion of the appropriate District application form for the action sought, payment of all applicable fees and charges, and compliance with all applicable District ordinances, rules and regulations, as well as local, state and federal laws.
- 2.18 Person. shall mean any human being, individual, firm, company, partnership, association, private corporation and districts.
- 2.19 Premises. shall mean a parcel of real estate, including any improvements thereon, which is determined by the District to be a single unit for purposes of receiving, using and paying for service. In making this determination, the District shall take into consideration such factors as whether the unit could reasonably be subdivided and whether the unit is being used for a single enterprise, apartment or dwelling.
- 2.20 Private Sewer. shall mean a sewer serving an independent sewage disposal system not connected with a public sewer and which accommodates one or more buildings or industries.
- 2.21 Public Sewer. shall mean a sewer lying within a street, easement or right of way and which is controlled by or under the jurisdiction of the District.
- 2.22 Refuse. shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
- 2.23 Sanitary Sewer. shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
- 2.24 Sewage. shall mean a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments.
- 2.25 Sewage Treatment Plant. shall mean any arrangement of devices and structures used for treating sewage.
- 2.26 Sewer. shall mean a pipe or conduit for carrying sewage.

- 2.27 Sewerage Works. shall mean all facilities owned or controlled by the District except private sewers, for collecting, pumping, treating and disposing of sewage.
- 2.28 Side Sewer. shall mean the sewer line beginning at the foundation wall of any building and terminating at the main sewer and includes the building sewer and lateral sewer together.
- 2.29 Single Family Unit. shall mean and refer to the place of residence for a single family.
- 2.30 Standard Specifications. shall mean a set of documents, now in existence or to be published, containing design and construction standards for all sewerage works within the District. Such standards shall, until otherwise ammended, be those of the predecessor sewage service provider as of the date of the District entrance upon providing sewage service (October 1, 1983).
- 2.31 Storm Sewer or Storm Drain. shall mean a sewer which carries storm and surface or ground waters and drainage, but excludes sewage and polluted industrial wastes.
- 2.32 Street. shall mean any public highway, road, street, avenue, alley, way, public place, public easement or right of way.

SECTION 3.00 General Policies.

- 3.01 General Policy of Operating System. The District shall operate and maintain the sewer system in an efficient and economical manner and supply sewer service as fairly and equitably as possible. The charges to be made for service shall be set at rates necessary to enable the District to recover all costs of supplying sewer service including, but not limited to, the costs for the following:
- (a) Collecting, pumping, treating, storing sewage, and reusing waste water;
 - (b) Customer service;
 - (c) Administration;
 - (d) Overhead;
 - (e) Debt service;
 - (f) In-lieu taxes;
 - (g) Replacement and maintenance of facilities, and
 - (h) All other necessary and appropriate expenses.

- 3.02 District's Responsibility for Sewer System. The District shall be responsible for operating, maintaining and replacing all portions of the sewer system which are owned by the District. The District shall not be responsible for operating, maintaining or replacing that portion of the sewer system not owned by the District. The installation of a District measuring device upon private property or within a portion of the sewer system not owned by the District shall not create an obligation on the part of the District for operation, maintenance or replacement of any works or facilities not owned by the District.
- 3.03 Unauthorized Use of District Sewer Service. No person shall supply sewer service to any person or to any premises except as authorized by District permit or as approved in writing by the District for service outside the District or for temporary service.
- 3.04 District Ownership and Control. The portion of the sewer system, including the sewer main, and service connection, which is located in the public way or in easements, shall be under the exclusive control of the District and owned, managed, and operated under the direction of the General Manager.
- 3.05 Disposal of Wastes. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the District, in any area under the jurisdiction of said District, any human or animal excrement, refuse or other objectionable waste.
- 3.06 Treatment of Wastes Required. It shall be unlawful to discharge to any stream or watercourse any sewage, industrial waste or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this Chapter.
- 3.07 Unlawful Disposal. Except as herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage.
- 3.08 Occupancy Prohibited. No building, industrial facility, or other structure shall be occupied until the owner of the premises has complied with all rules and regulations of the District and/or applicable regulations of the County.
- 3.09 Sewer Required. The owner of any building situated within the District and abutting on any street in which there is now located or may in the future be located a public sewer of the District, is hereby

required at his expense to connect said building directly with the proper public sewer in accordance with the provisions of this Chapter within ninety (90) days after date of official notice to do so, provided that said public sewer is within two hundred (200) feet of the nearest point of the property.

3.10 Private Sewer Lines. The customer shall be responsible for the proper operation and maintenance of the customer's private sewer line and for any damages to the sewer system resulting from the customer's private sewer line.

3.11 Access to District-Owned Property. The District shall have access, at all reasonable hours, to service connections and other property owned by the District, whether located on or off the customer's premises, for the purposes of inspection, installation, repair, maintenance, operation, or removal of the District's property.

3.12 Unsafe Apparatus; Detrimental or Damaging Conditions. If an unsafe or hazardous condition is found to exist on the customer's premises, or if the use of sewer service is found to be detrimental or damaging to the District or its customers, the service may be discontinued without notice, provided that the District shall notify the customer immediately of the reasons for the discontinuance and the corrective action to be taken by the customer before service can be restored.

3.13 Fraudulent Use of Service. When the District has discovered that a customer has obtained sewer service by fraudulent means, or has diverted the sewer service for unauthorized use, the service to that customer may be discontinued in the manner set forth in Section 11.00 herein. The District shall not be required to restore service until the customer has complied with all rules and requirements of the District and the District has been reimbursed for the full amount of the service rendered and the actual or estimated costs to the District incurred by reason of the fraudulent use.

3.14 Inspection of Customer-Owned Property. A customer's private sewer line shall be open for inspection at all reasonable times to a representative of the District. However, before a District representative enters a customer's premises for the purpose of inspecting non-District owned facilities, the District shall obtain the occupant's consent or the District shall give 24 hour advance notice, in writing, to the occupant of the District's intention to enter and inspect the customer's private sewer line.

- 3.15 Interference with District Employees. Except as provided in Section 3.09 hereof, it shall be unlawful for any person to interfere, seek or cause to interfere, with the inspection, installation, removal, maintenance, or other lawful activity by the General Manager or the General Manager's authorized representative, of any part of the sewer system owned by the District.
- 3.16 Obstructions Prohibited. Subject to approval of the Board, no person shall place or cause to be placed on any sewerline easement any wires, fences, trees, buildings or other structures, either temporary or permanent, or any refuse, rubbish, debris or other objects which may impede or otherwise interfere with the ready access by the District to any portion of the sewer system owned by the District. Any such obstruction, upon the written request of the Manager, shall immediately be removed by the violator at no expense to the District or removed by the District at violator's expense, and shall not be replaced.
- 3.17 Continuity of Service. The District shall not be liable for any interruption, or insufficiency of sewer service at the customer's point of connection, or for any loss or damages occasioned thereby.
- 3.18 Street Work.
- (a) When a person who opens, grades, excavates, fills or does other street construction, deems it necessary to expose, remove, raise, lower or otherwise affect any portion of the sewer system owned by the District, the person performing such street construction shall give at least seven (7) days advance notice in writing to the District of the person's intention to perform such construction and immediate notice upon exposure or contact with such system.
 - (b) At its option, the District may elect to perform the removal, raising, lowering or other construction on the District's sewer system which is necessitated by the street construction. Prior to the District performing the construction on its sewer system, the person requiring the street construction shall pay the District a reasonable deposit in an amount not to exceed the estimated cost of the District's construction. When the District completes its construction, the District shall refund that portion, if any, of the deposit which exceeds the actual costs of construction and the person requiring the construction shall pay the amount, if any, by which the actual costs of construction exceeds the deposit.
 - (c) The person performing the street construction shall be liable for any damage to the District's

sewer system resulting from the street construction or from the person's construction on the District's sewer system.

- 3.19 Contractors Hired by the Distirct. Portions of this Chapter may be waived for persons hired by the District to construct any part of the District's sewer system.
- 3.20 Delegation of Authority. The General Manager shall have the authority to delegate the performance of any of the Manager's responsibilities to any District employee or independent contractor.
- 3.21 Standards. All procedures, design, work, materials, capacities, facilities and other improvements shall be based on the applicable provisions of the latest revisions of State and Local regulations and generally accepted standards of sewer works practice insofar as deemed appropriate by the District considering the conditions and where not in conflict with District standards. Such regulations and standards are included in but not necessarily limited to the following references:

SECTION 4.00 Private Sewage Disposal.

- 4.01 Sewer Not Available. Where a public sewer is not available under the provisions of Section 3.09, the building sewer shall be connected to a private sewage disposal system, complying with provisions of this Chapter.
- 4.02 Permit Required. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the General Manager and the Health Department of the County.
- 4.03 Inspection Required. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the County. County shall inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the District, and County when the work is ready for final inspection, and before any underground portions are covered.

- 4.04 Design Requirements. The type, capacities, locations and layout of a private sewer disposal system shall comply with all requirements of the Department of Public Health of the State of California and the Health Department of Sacramento County. Unless otherwise approved by the District, no septic tank or cesspool shall be permitted to discharge to any public sewer or any stream or watercourse.
- 4.05 Abandonment of Facilities. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 3.09, and unless otherwise approved by the District, a direct connection shall be made to the public sewer in compliance with the ordinances, rules and regulations of the District, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material as determined by the County.
- 4.06 Cost of Maintenance by Owner. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District.
- 4.07 Additional Requirements. No statement contained in this Chapter shall be construed to interfere with any additional requirements that may be imposed by any law, ordinance, rule or regulation or by the District or of the Health Department of the State of California or the County of Sacramento.

SECTION 5.00 Connection to and Construction of Sewer Facilities

- 5.01 In General. Nothing in this Chapter shall be construed as preventing or limiting the right of the District to require or undertake the preparation of engineering, economic, environmental or financing evaluations from any person requesting sewer service from the District, which service necessitates the installation of sewer facilities, and thereafter to require the construction of such facilities as a condition of service, all without cost to the District.
- 5.02 Installation of Service Connections.
- (a) Whenever practicable, the service connection from the sewer main to the customer's property line shall be installed at the time the main is constructed.
 - (b) Main line extensions, and service connections shall be installed only after the District's issuance of a permit and after payment by the customer of all District fees and charges.
 - (c) Main line extensions, and service connections shall be installed, at the District's option, either by the District or by persons hired by

the District or under the supervision of District employees.

(d) When main line extensions, and/or service connections are not installed by the District, the main line extension, and/or service connection shall be installed only by bonded contractors licensed to perform such installation.

(e) When the District determines that any installation shall be performed by the District or persons hired by the District, the applicant shall pay in advance an amount of funds equal to the approximate costs of construction and other necessary expenses. Upon completion of construction, the District shall refund any funds paid by the applicant and the applicant shall pay the amount, if any, by which the actual costs exceed the deposit.

5.03 Installation of Private Sewer Line. The customer shall, at the customer's own expense, install according to District standards the customer's private sewer line. The private sewer line shall remain the sole property of the customer.

5.04 Financial Responsibility for Installation of Sewer Facilities. An applicant who installs or causes to be installed any part of the District sewer facilities shall be financially liable for the costs of installation, and all incidents thereof.

5.05 Relocation of Service Connection at Customer's Request. Upon a customer's written request, a service connection may be relocated by the District, provided that the relocation, in the opinion of the General Manager, is not detrimental to the District's sewer system. The cost of the relocation shall be borne by the customer and shall be payable in advance to the District. The cost of the relocation shall include the applicable costs and fees for all construction (if the construction is performed by persons hired by the District), design, installation, inspection, administration, overhead, and any other necessary, related expenses.

5.06 Relocation of Service Connection at District's Request. Where a service connection is relocated for the convenience or protection of the District, the relocation shall be at the expense of the District provided such relocation is not made necessary by the customer.

5.07 Separate Service Connection. Separate premises, whether owned by the same or different persons, shall not be supplied with sewer service through the same service connection.

5.08 Division of Presently Served Premises. When premises currently served by the District's sewer system are divided into two or more premises, the existing service connection shall be considered to belong to the premises which the service connection most directly enters and the new premises shall require the installation of additional service connection(s) and payment of all applicable fees and charges.

5.09 Plans

(a) Each application for a permit, for which installation of sewer facilities is necessary, shall be accompanied by three sets of plans and specifications for the installation.

(b) The plans shall be the exclusive property of the District.

(c) The Manager shall determine the adequacy of the proposed sewer facilities as to size, type and quality of materials, and as to the location of facilities to serve the proposed development, including off-tract sewer lines and other appurtenances.

(d) The District Manager or Engineer shall certify in writing whether the plans and specifications submitted conform to District standards.

5.10 Easements and Rights-of-way.

(a) Any applicant who installs or proposes to install sewer facilities shall furnish the District all necessary easements and rights-of-way for such facilities and the subsequent operation and maintenance thereof.

(b) If the applicant cannot furnish the necessary easements and rights-of-way, the District may, at its sole option, acquire such easements and rights-of-way, subsequent to the applicant's payment to the District of all funds necessary to cover the District's cost of such acquisition.

(c) Until the necessary easements and rights-of-way have been properly executed and recorded, the District shall not approve any plans for sewer facilities to be constructed by the person across the property of another person, the District shall not accept for public use any such sewer facilities and no person shall place into use any such sewer facilities.

- 5.11 Performance Bond. The applicant shall post a surety bond, cash or other security satisfactory to the District to guarantee the faithful performance of any agreement for the applicant's construction of the sewer facilities. The surety bond, cash or security shall be in the sum of one hundred percent (100%) of the estimated cost of the work, or in such other sum as may be fixed by the District. The surety bond, cash or security shall, in addition to guaranteeing the faithful performance of the work, guarantee the maintenance of the portion of the sewer facilities constructed by the applicant for a period of one year following the District's written acceptance of the work.
- 5.12 Liability. The District and its officers, agents and employees shall not be liable for any injury or death of any person or damage to any property arising during or stemming from the performance of any work by an applicant. The applicant shall be answerable for, indemnify and hold harmless, the District and its officers, agents and employees, including all costs, expenses, attorney's fees and other fees and interest, incurred in defending the same or in seeking to enforce this provision. The applicant shall be solely liable for any defects in the performance of the applicant's work or for any failure, damage, injury, claim or loss which may develop therefrom.
- 5.13 Dedication Requirements. An Offer of Dedication of the sewer facilities, excluding any private sewer lines, shall be included in any application for a permit. The District shall not accept for dedication any portion of the sewer facilities which are not constructed in conformity with the requirements of the main line agreement, if any, and of this Chapter.
- 5.14 As-Built Plans. Two sets of blue-line prints and one set of reproducible drawings delineating as-built sewer lines and appurtenances shall be filed with the District prior to, and as a condition of, the District's approval and acceptance of construction by an applicant. No certificate of final inspection shall be issued until such prints and drawings are filed.
- 5.15 Inspection. The Manager shall have the right to inspect all work during and subsequent to its construction. When the construction is completed, the work must be inspected and approved by the Manager before the newly constructed sewer facilities may be connected to the District's sewer system.

SECTION 6.00 Building Sewers, Lateral Sewers and Connections.

- 6.01 Permit Required. In accordance with Section 9.00 of this Chapter no person shall construct a building sewer, lateral sewer to make a connection with any public sewer without first obtaining a written permit from the District and paying all fees and connection charges as required therein.
- 6.02 Design and Construction Requirements. Design and construction of building sewers and lateral sewers shall be in accordance with the requirements of the District and in accordance with District Standard Specifications.
- 6.03 Separate Sewers. No two adjacent buildings fronting on the same street shall be permitted to join in the use of the same side sewer. Every building or industrial facility must be separately connected with 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. However, one or more buildings located on property belonging to the same owner may be served with the same side sewer during the period of said ownership. Upon the subsequent subdivision and sale of a portion of said lot the portion not directly connected to such public sewer shall be separately connected to a public sewer, and it shall be unlawful for the owner thereof to continue to use or maintain such indirect connection.
- 6.04 Old Building Sewers. Old building sewers may be used in connection with new buildings only when they are found, upon examination and test, to meet all requirements of the District.
- 6.05 Cleanouts. Cleanouts in building sewers shall be provided in accordance with the County Plumbing Code and the District Standard Specifications. All cleanouts shall be maintained watertight.
- 6.06 Sewer Too Low. In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by artificial means approved by the General Manager, and discharged to the public sewer at the expense of the owner.
- 6.07 Connection to Public Sewer. The connection of the lateral sewer into the public sewer shall be made in accordance with District Standard Specifications and at the applicant's expense. The connection to the public sewer shall be made in the presence of a District Inspector and under his supervision and direction. Any damage to the public sewer shall be repaired in conformance with District Standard Specifications at the cost of the applicant.

- 6.08 Maintenance of Side Sewer. Side sewers shall be maintained by the owner of the property served thereby.
- 6.09 Testing. All building sewers and lateral sewers shall be tested in accordance with District Standard Specifications.

- 5.16 Certificate of Final Inspection and Completion. When the Manager determines that all work done under the permit and main line extension agreement, if any, has been constructed according to, and meets the requirements of, all applicable provisions of this Chapter, the agreement, and other District rules and regulations, and when all fees have been paid, the Manager shall authorize the issuance of a Certificate of Final Inspection and Completion.
- 5.17 Ownership Upon Dedication. When the Certificate of Final Inspection and Completion is issued, the District shall accept the Offer of Dedication and authorize the connection of the new sewer facilities. Upon connection to the District's sewer system, the new sewer facilities, excluding private sewer lines, shall become the exclusive property of the District.

SECTION 7.00 Main Sewer Line Extensions.

- 7.01 Sewer Main Extension. Any person requesting sewer service from the District which necessitates an extension of the District's main sewer line shall apply to the District for a main line extension agreement on the forms prescribed by the District.
- 7.02 Formation of an Assessment District. At the District's sole option, the District may utilize any statutory or other procedure concerning assessment districts to finance the construction of the main line extension, service connections and related appurtenances.
- 7.03 Size of New Sewer Line. The District may require the installation of a sewer line larger than that necessary to adequately serve the applicant's property. When the District requires the installation of a larger sewer line, the District shall either:
- (a) Pay the difference in cost, as determined by the District, between the size necessary to serve the applicant's construction and the larger sewer line or;
 - (b) Perform the installation itself, subsequent to the receipt from the applicant of a sum sufficient to cover the cost of installation, and other necessary expenses, of the sewer line required by the applicant;
 - (c) Require the applicant to construct the larger line subject to reimbursement as hereinafter provided;
 - (d) A combination of the foregoing.

7.04 Reimbursement for Extensions. When an applicant enters into a sewer line extension agreement with the District which requires the installation of a sewer line larger than that necessary to adequately serve the applicant's property, the agreement shall provide for a refund to the applicant as follows:

- (a) Within the limits specified herein, when the sewer line extension has been installed at the applicant's sole expense, the applicant shall be entitled to such percentage as the Board may determine, of the capital improvement connection fee received by the District for connection into the sewer line extension paid for by the applicant.
- (b) Any amounts collected by the District for the sewer line component, subject to Section 5.04(a), shall be refunded to the applicant within ninety days following the District's receipt thereof; provided that no refund shall be made for connections made after five (5) years from the date of completion of the sewer line extension.
- (c) The total amount which may be refunded to the applicant shall not exceed such percentage as the Board may determine of the net amount advanced to the District for the extension, if installed by the District; or such percentage of the estimated cost, as determined by the Board, for such extension if installed by the applicant.

7.05 Pre-Existing Sewer Line Extension Agreements. Notwithstanding any section of this Chapter, all sewer line extension agreements on or before adoption of this sewer code shall be governed by the rules under which the pre-existing sewer line extension agreements were made at the time of execution of that particular agreement.

SECTION 8.00 Public Sewer Connections.

8.01 Permit Required. In accordance with Section 8.00 of this Chapter, no person shall construct, extend or connect to any public sewer without first obtaining a written permit from the District and paying all fees and connection charges and furnishing bonds as required therein. The provision of this Section requiring permits shall not be construed to apply to contractors constructing sewers and appurtenances under contracts awarded and entered into by the District.

8.02 Design and Construction Standards. Minimum standards for the design and construction of sewers within the District shall be in accordance with the District Standard Specifications adopted by the Board. Copies are or will be on file at the District Office. The

Board of Directors on recommendation of the Engineering-Consultant and/or General Manager, may permit modifications or may require higher standards.

- 8.03 Plans, Profiles and Specifications Required. The applications for a permit for public sewer construction shall be accompanied by three (3) complete sets of plans, profiles and specifications complying with all applicable ordinances, rules and regulations of District, prepared by a Civil Engineer registered in the State of California, showing all details of the proposed work based on an accurate survey of the ground. The application, together with the plans, profiles and specifications shall be examined by the Engineer-Consultant and General Manager who shall require them to be modified as deemed necessary for proper installation. After the above review, the application, plans, profiles and specifications shall be submitted to the Board at its next regular meeting for its consideration. When the Board is satisfied that the proposed work is proper and the plans, profiles and specifications are sufficient and correct, it shall order the issuance of a permit predicated upon the payment of all connection charges, fees and furnishing bonds and deposits as required by the District. The permit shall prescribe such terms and conditions as the Board finds necessary in the public interest.
- 8.04 Subdivisions. The requirements of Section 7.01 and 7.02 of this Chapter shall be fully complied with before any final subdivision map shall be approved by the Board. The final subdivision map shall provide for the dedication for public use of streets, easements or rights-of-way in which public sewer lines are to be constructed. If a final subdivision map of a tract is recorded and the work of constructing sewers to serve the tract is not completed within the time limit allowed in the permit, the Board may extend the time limit or may complete the work and take appropriate steps to enforce the provisions of the bond furnished by the subdivider.
- 8.05 Easements or Rights-of-Way. In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the Board a proper easement or grant of right of way having a minimum width of ten (10) feet sufficient in law to allow the laying and maintenance of such extension or connection.
- 8.06 Persons Authorized to Perform Work. Only properly licensed contractors shall be authorized to perform the work of public sewer construction within the District. All terms and conditions of the permit

issued by the District to the applicant shall be binding on the contractor. The requirements of this section shall apply to side sewers installed concurrently with public sewer construction.

- 8.07 Compliance with Local Regulations. Any person constructing a sewer within a street shall comply with all State, County laws, ordinances, rules and regulations pertaining to the curing of pavement, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof and shall obtain all permits and pay all fees required prior to the issuance of a permit by the District.
- 8.08 "As-Built" Plans. Two sets of blue-line prints and one set of reproducible drawings delineating as-built sewer mains, structures, wyes, laterals, and appurtenances shall be filed with the District prior to, and as condition of acceptance of construction by an applicant. No certificate of final inspection shall be issued until such prints and drawings are filed with the District.
- 8.09 Completion of Sewerage Works Required. Before acceptance of any sewerage works by the District and prior to the admission of any sewage into the system, the sewerage works shall be tested and shall be complete in full compliance with all requirements of the District Standard Specifications and to the satisfaction of the General Manager and the Engineer-Consultant.
- 8.10 Reimbursement Agreement. Providing for collection and disbursement of fees for connection to a privately financed main sewer line.
- (a) purpose. Whenever the construction of main sewer line within the District at private expense (other than through assessment District proceedings) is completed after adoption of the ordinance and the District Board on advice of the General Manager and Engineer-Consultant finds that such main sewer line when so contracted potentially will serve properties or persons other than those paying the cost of construction thereof, partial reimbursement of construction cost shall be the subject of a contract between the district and the person making the public sewer main extension.

SECTION 9.00 Permits and Fees

- 9.01 In General. No public sewer, side sewer, building sewer or other sewerage facility shall be installed, altered or repaired within the District until a permit for the work has been obtained from the District and all fees paid in accordance with the requirements of the ordinances, rules and regulations of District.

- 9.02 Permit Required. No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenances or perform any work on any lateral or building sewer without first obtaining a written permit from the District.
- 9.03 Application for Permit. Any person legally entitled to apply for and receive a permit shall make such application on forms provided by the District for that purpose. He shall give a description of the character of the work proposed to be done and the location, ownership, occupancy, and use of the premises in connection therewith. The General Manager may require plans, specifications or drawings and such other information as he may deem necessary.
- 9.04 If the General Manager determines that the plans, specifications, drawings, descriptions or information furnished by the applicant is in compliance with the ordinances, rules and regulations of the District he shall issue the permit applied for upon payment of the required fees as hereinafter fixed.
- 9.05 Compliance with Permit. After approval of the application, evidence by the issuance of a permit, no charge shall be made in the location of the sewerage works, the grade, materials, or other details from those described in the permit or as shown on the plans and specifications for which the permit was issued, except with written permission from the General Manager.
- 9.06 Agreement. The applicant's signature on an application for any permit shall constitute an agreement to comply with all the provisions, terms and requirements of this and other Articles, rules and regulations of the District and with the plans and specifications he has filed with his application, if any together with such correction or modifications as may be made or permitted by the District, if any. Such agreement shall be binding upon the applicant and may be altered only by the District upon written request for alteration from the applicant.
- 9.07 Fees - Revised.
- 9.08 Fees - Building Sewer Connection Charge. Connection charges for single family units, for multiple dwelling, commercial, industrial, public and other uses and for changes in use of existing properties, within or without the boundaries of the District shall be paid to the District by the owner, or by any other person obligated to pay such charge, who desires the connection of any such property to the sewerage works of the District or to make any changes in existing connections thereto based on the following schedules:

(a) Capital Connection Charges by Type of Facility:

1. Residential - single family, or any type of dwelling intended for permanent occupancy served by:

5/8" x 3/4" Meter	\$1,000.00
3/4" Meter	\$1,380.00

2. For multiple dwelling, commercial, industrial the Capital Connection Fee shall be .75 times the number of dwelling units times the fee for a 5/8" x 3/4" metered service.

9.09 Collection of Connection Fees Charges. All connection charges shall be due prior to connection to the sanitary sewer system of the District.

9.10 Payment of Sewage Use Charges. There is hereby levied and assessed upon each premises having any sewer connection to the District Sewage System or who are discharging sewage which ultimately passes through the District Sewage System, a monthly service charge or rental payable as hereinafter provided in the attached Exhibit A.

9.11 Collection of Sewer Use and Service Charges and Rates. All sewer use and service charges and rates shall be billed on the same bill as and collected together with rates and charges for other District services. If all or any part of such a bill is not paid, the District may discontinue any or all of the services for which the bill is rendered in the manner set forth in Section 11.03 of this Article.

(a) Services shall be billed bi-monthly (every sixty (60) days), during and for that service period, and shall become delinquent at the end of that billing service period.

(b) A penalty of 10% shall be added to each delinquent account which is over _____ days past due. Monies paid where any portion of the account is delinquent shall first be credited to the delinquent portion and then to the current billing.

(c) Unpaid sewer service charges imposed by this Article, when the charges are recorded, shall constitute a lien upon the parcel or real property to which the water service was supplied. The District shall include a statement on its bills to the effect that any water service charges and penalties thereon remaining unpaid shall, when recorded, constitute a lien on the parcel to which the water service was supplied. The District may from time to time compile lists of such delinquent charges and record them with the County Recorder as liens,

provided that the District shall first have given notice to the customer and an opportunity to be heard as required by law.

- (d) All rates, charges, penalties and interest which remain delinquent may be collected in the same manner as the general taxes for the District for the forthcoming year, provided that the District shall first have given the customer notice and an opportunity to be heard as provided by law. After delinquent amounts have been turned over to the County Auditor for collection, no payment shall be received by the District on the delinquent amounts except as collected by the County Tax collector.

9.12 Fees - Permit and Inspection Charges.

- (a) Sewer service - A fee of \$150.00 shall be paid to the District for issuing a permit and inspecting each sewer service installation.
- (b) Inspection charges shall be due prior to connection to the Sanitary Sewer System of the District.

9.13 Performance Guarantee - Public Sewer Construction.

The applicant shall post a surety bond, cash or other security satisfactory to the District to guarantee the faithful performance of any agreement for public main extension entered into with the Board. Said surety bond, cash or security shall be in the sum of one hundred per cent (100%) of the estimated costs of the work or in such other sum as may be fixed by the Board, and shall in addition to guaranteeing the faithful performance of the work, guarantee the maintenance of the sewer main for a period of one year following the completion and acceptance of the work by the District.

- 9.14 All Work to Be Inspected. All sewer construction work shall be inspected by an inspector acting for the District to insure compliance with all requirements of the District. No sewer shall be covered at any point until it has been inspected and passed for acceptance. No sewer shall be connected to the District's public sewer until the work covered by the permit has been completed, inspected and approved by the inspector. If the test proves satisfactory and the sewer has been cleaned of all debris accumulated from construction operations the General Manager shall issue a certificate of satisfactory completion.

(a) For public sewer construction, the owner or owners and/or contractor shall deposit with the General Manager a sum to be fixed by the Board prior to commencement of work. Said sum shall be estimated to equal the cost of inspecting said work and other expenses regularly incurred in connection therewith. The amount to be charged for inspection shall be on a time basis at the rate of \$8.00 per hour and \$12.00 per hour for all Saturday and Sunday and Holiday work and also all time in excess of 8 hours per work day. Should the amount of the deposit exceed the costs incurred by the District, the excess shall be refunded to owner or owners and/or contractors following the conclusion of the work. Should the amount of the deposit be insufficient to pay such costs incurred by the District, the owner or owners and/or contractor shall advance such additional sums as shall be necessary to pay said costs prior to the final inspection of the work.

9.15 Notification. It shall be the duty of the person doing the work authorized by permit to notify the office of the District in writing that said work is ready for inspection. Such notification shall be given not less than forty-eight (48) hours, Saturdays, Sundays and Holidays excluded, before the work is ready to be inspected. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the District before giving the above notification.

9.16 Condemned Work. When any work has been inspected and the work condemned and no certification of satisfactory completion given, a written notice to that effect shall be given instructing the owner of the premises, or the agents of such owner, to repair the sewer or other work authorized by the permit in accordance with the ordinances, rules and regulations of the District.

9.17 All Costs Paid by Owner. All costs and expenses incident to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the work.

9.18 Street Excavation Permit. A separate permit must be secured from the County or any other person having jurisdiction thereover by owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections.

9.19 Liability. The District and its officers, agents and employees shall not be answerable for any liability or injury or death to any person or damage to any property arising during or growing out of the performance of any work by such applicant. The applicant shall be answerable for, and shall save the District and its officer, agents and employees harmless from any liability imposed by law upon the District or its officers, agents, or employees, including all costs, expenses, fees and interest incurred on defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of his work or any failure which may develop therein.

9.20 Time Limit on Permits. If work under a permit is not commenced within six (6) months from the date of issuance of the permit or if after partial completion the work be discontinued for a period of one (1) year, the permit shall thereupon become void and no further work shall be done until a new permit shall have been secured. A new fee shall be paid upon the issuance of said new permit.

Section 10.00 Rates and Charges.

10.01 Sewer Service When Service Connection is Adequate.

Where an existing and adequate service connection are properly connected to the District sewer system, and which is or has been legally servicing the premises or for which a District connection permit has been issued, an applicant for sewer service from the District shall be entitled to such service after the applicant submits an appropriate application to the District, and complies with all other District regulations. However, if the applicant is delinquent in any bills to the District, the applicant shall pay such bills in full, prior to receiving District sewer service.

10.02 Sewer Service When Service Connection is Inadequate.

Where the installation or enlargement of a sewer line, or service connection is necessary prior to the District's supplying service to an applicant, the applicant shall submit a connection permit application to the District for service. If the District has sufficient sewer system capacity to supply sewer service, the District shall accept the application. The District shall furnish the sewer service subsequent to the applicant's construction, or payment for the construction, of the necessary portions of the sewer system; the applicant's payment of all fees to the District; the applicant's compliance with all District rules and regulations; and the applicant's payment in full of all delinquent charges, if any, owed to the District.

10.03 Installation Fees. When the District installs a service connection, the District shall collect the following deposits from an applicant prior to the installation of the service connection. The installation of all service connections shall be on the basis of actual cost. If the actual cost of the installation is less than the deposit, the District shall refund the difference within 60 days of the installation. If the actual cost of the installation is greater than the deposit, the applicant shall be billed for the difference.

- (a) Fees to be advanced by applicant for installation of a service connection;

The amount of the fee shall be determined by the Manager based on an estimate of the cost of installing the service connection on a time and material basis plus an overhead charge as determined by the Manager, such overhead charge currently being 20%.

10.04 Capital Improvement Connection Fee. The District shall collect from all applicants for sewer service connection under Sections 8.01 and 8.02, a Capital Improvement Connection Fee, (CICF) to ensure the continued availability of facilities through periodic system expansion and replacement, based on the following schedule:

- (a) Capital Improvement Connection Fee by type of facility:

1. Residential - Single family, or any type of dwelling intended for permanent occupancy served by:

5/8" x 3/4" Meter	\$1,000.00
3/4" Meter	\$1,380.00

2. For multiple dwelling, commercial, and/or industrial facilities the CICF shall be .75 times the number of dwelling units times the fee for a 5/8" x 3/4" inch service.

10.05 Rates for General Sewerage Service. There is hereby levied and assessed upon each premises having any sewer connection to the District sewerage system or who are discharging sewage which ultimately passes through the District sewage system, a monthly service charge payable as provided below:

Sewer service charge for each residential premise, for each unit - \$14.00 monthly or \$28.00 bi-monthly.

Flat Rate Sewer Service Charge for:

Country Club	\$173.00 per month
Mobile Village	\$248.00 per month
Training Center	\$158.00 per month
Stables	\$ 53.00 per month
Airport	

SECTION 11.00 Prohibited Use of Public Sewers.

11.01 Drainage into Sanitary Sewers Prohibited. No leaders from roofs, surface drains for rain water or storm sewers shall be connected to any sanitary sewer. No surface, storm water, artesian well flows, cooling water or unpolluted industrial process waters shall be permitted to enter any sanitary sewer by any device or method whatsoever.

11.02 Wastes Prohibited in Public Sewers. No person shall discharge or cause to be discharged any of the following wastes to any public sanitary sewer.

(a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive solid, liquid or gas.

(b) Any waste containing toxic or poisonous solids, liquids or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans, or create a public nuisance.

(c) Any waste having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the District.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewerage works, such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, disposable diapers, feathers, tar, plastics, wood, unground garbage, paper dishes, cups, containers, etc. either whole or ground by garbage grinders.

11.03 Types of Waste Which May be Prohibited. No person shall discharge or cause to be discharged the following described substances, materials, or wastes if it appears likely in the opinion of

the General Manager and/or the Engineer-Consultant that such wastes may harm either the sewers, sewage treatment process or equipment, or can endanger personnel or property or create a public nuisance. In forming his opinion as to the acceptability of these wastes, the General Manager shall give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers to which they discharge, sewer material, treatment process, treatment plant capacity and other pertinent factors. The substances so subject to prohibition include, but are not limited to:

- (a) Any liquid or vapor having a temperature higher than 150 F.
- (b) Any water or waste which may contain more than 100 milligrams per liter of fat, oil, or grease.
- (c) Any garbage that has not been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewer, with no particle greater than one-half inch in any dimension.
- (d) Any waters or wastes having a pH higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structure, equipment and personnel of the District.
- (e) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials in the sewerage works.
- (f) Any septic tank sludge or other digested sludge.
- (g) Any wastes containing phenols or other taste or odor producing substances, in concentrations exceeding limits which may be established by the Board.
- (h) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits set by the Board in compliance with State or Federal regulations.
- (i) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids.
 - (2) Excessive discoloration.

(3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment plant.

(4) Unusual volume of flow or slugs. As used herein, slug shall mean any discharge of water, sewage or waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes or more than five (5) times the average twenty-four (24) hours concentration or flow during normal operation.

(j) Wastes containing substances which are not amenable to treatment by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the Regional Water Quality Control Board, Central Valley Region.

11.04

Acceptance of Deleterious Wastes. If any wastes containing the characteristics listed in Section 11.03 which in the judgement of the General Manager may have a deleterious effect upon the sewerage works, process, equipment, or receiving water, is to be discharged to a public sewer, the General Manager may do one or more of the following:

(a) Require pretreatment to an acceptable condition prior to discharging to a public sewer.

(b) Require control over the quantities and rates of discharge.

(c) Require payment, in an amount established by the Board to cover the added cost of handling and treating the wastes.

11.05

Pretreatment or Equalization of Flow. If the General Manager and/or the Engineer-Consultant recommended pretreatment or equalization of flow, the design and installation of the plants and equipment shall be subject to the review and approval of the District and no construction of such facilities shall commence until said approval is obtained in writing.

11.06 Maintenance of Pretreatment Facilities. Where pretreatment facilities are provided for any waters or wastes, unless otherwise provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense and to the satisfaction of the District.

11.07 Interceptors Required. Grease, oil and sand interceptors shall be provided when in the opinion of the General Manager they are necessary for the proper handling of liquid wastes, containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for buildings used for residential purposes. All interceptors shall be of a type and capacity approved by the Board, and shall be so located as to be readily and easily accessible for cleaning and inspection.

11.08 Maintenance of Interceptors. Unless otherwise provided, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

11.09 Control Manholes. When required by the General Manager, the owner of any property served by the side sewer carrying industrial wastes shall install a suitable control manhole in the side sewer to facilitate observation, sampling and measurement of wastes. Such manholes, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the General Manager and Engineer-Consultant. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

11.10 Measurements and Tests. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods of the Examination of Water and Wastewater", and shall be determined at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the side sewer is connected.

11.11 Swimming Pools. It shall be unlawful for any person to discharge the contents of a swimming pool into a sanitary sewer without notification to said District, twenty-four (24) hours in advance.

11.12 Special Agreements. No statement contained in this Chapter shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment thereof by the industrial concern and subject to such terms and conditions as may be required by the District.

SECTION 12.00 Special Types of Sewer Service.

12.01 Sewer Service Outside District.

- (a) The District may provide or allow sewer service to property outside its boundaries when the Board finds that such service shall not adversely affect the sewer service within the District and that a surplus of sewer collection and treatment capacity exists.
- (b) In the event that, because of increased usage or other causes, service outside the District becomes adverse to the District's interest or the interest of District customers located within the District or surplus sewer and/or treatment capacity is no longer available for such outside use, the District may discontinue or disconnect the service outside the District 120 days after the District gives written notice to the person or premises receiving the sewer service that such outside service is to be terminated.
- (c) Except as set forth in this Section, the rules and regulations of the District shall apply to all customers outside the District.
- (d) Rates and charges to all customers outside the District shall be one hundred fifty percent (150%) of the applicable rate and charges for customers within the District, as set forth in Section 7.00. No Capital Improvement Connection Fee (CICF) shall be charged for sewer service outside the District.
- (e) Prior to receiving service, a customer outside the District shall deposit an amount equal to three months of the District's applicable rates for sewer service.
- (f) The supply of sewer service to persons or premises outside the District shall not create a vested right with the person or premise outside the District to continue to receive sewer service from the District nor any credit or refund for improvements made to receive such sewer service.

SECTION 13.00 Industries and Industrial Users.

- 13.01 In General. All applications for connections to the District sewerage system from industries of any sort shall be submitted to the Board for consideration and approval before the permission is granted for said connection and use. The Board shall have the power to regulate both the quantity and quality of any industrial waste, and monthly sewerage use charges.
- 13.02 The applicant shall install approved type screens to remove all solids retained on the mesh screen required by; the State Board of Health.
- 13.03 The applicant shall install an approved flume and automatic recording device, all at the company's expense, when required by the District.
- 13.04 The District shall have the right at all times to check the operation of the screening mechanism, the operation of the recording mechanism and to make a record of the readings.

SECTION 14.00 Collection of Rates and Enforcement Provisions.

- 14.01 Collection of Charges for Sewer and Other Services.
The periodic charges imposed by this Chapter may be collected together with charges for any other utility service supplied by the District. If all or any part of the bill is not paid, the District may discontinue any or all of the services for which the bill is rendered in the manner herein provided.
- 14.02 Billing. All sewer service accounts may be billed periodically at bi-monthly (approximately sixty day) intervals except for mid-cycle starts.
- (a) Flat rate accounts shall be billed during the service period (approximately sixty (60) days) for which the bill is rendered.
- (b) Metered accounts shall be billed in arrears; meters shall be read as nearly as possible at regular intervals.
- 14.03 Persons Billed.
- (a) The District shall bill the property owner directly for all sewer services provided to the owner's premises.
- (b) The property owner shall be liable for payment of all District charges regardless of whether the bill is sent to the owner's home address or the address of other owned premises.

- 14.04 Due Date. All bills shall become due and payable on the date of presentation.
- 14.05 Delinquency.
Bills for service are delinquent when the bills remain unpaid in part or in whole for thirty or more days after the bill is due.
- 14.06 Delinquencies -- Basic Penalty.
(a) A one-time basic penalty of ten percent (10%) of the rate for one month shall be added to each delinquent bill for the first month the bill is delinquent.
(b) After assessing the basic penalty provided in Section 14.06(a), thereafter an additional penalty of one-half (0.5 percent) per month shall be added to all delinquent charges and basic penalties remaining unpaid, until and unless the Board requests the county auditor to include the amount of all delinquencies on the bills for taxes levied against the appropriate premises as set forth in Section 14.09.
- 14.07 Payment of Part of Delinquency. Monies paid where any portion of an account is delinquent shall first be credited to the delinquent portion of the bill and then to the current billing.
- 14.08 Liens. Unpaid sewer service charges imposed by this Chapter, when the charges are recorded, shall constitute a lien upon the parcel of real property to which the sewer service was supplied. The District shall include a statement on its bills to the effect that any sewer service charges and penalties thereon remaining unpaid shall, when recorded, constitute a lien on the parcel to which the sewer service was supplied. The District may from time to time compile lists of such delinquent charges and record them with the County Recorder as liens, provided that the District shall first have given notice to the customer.
- 14.09 Collection of Delinquent Charges With Taxes.
All rates, charges, penalties and interest which remain delinquent may be collected in the same manner as the general taxes for the District for the forthcoming year, provided that the District shall first have given the customer notice and an opportunity to be heard as provided by law. After delinquent amounts have been turned over to the County Auditor for collection, no payment shall be received by the District on the delinquent amounts except as collected by the County Tax Collector.

14.10 Adjustment of Bills. The Manager may adjust or grant rebates from the rates or fees provided in this Chapter in the event of a dispute relating to a charge to a customer; provided, however, that all parties affected shall have a right to appeal the Manager's determination to the Board of Directors within fifteen (15) days after receipt of the Manager's written decision. The decision of the Board of Directors thereon shall be final and binding on all parties.

SECTION 15.00 Enforcement Disconnection and Restoration of Service.

15.01 Enforcement. The General Manager shall enforce the provisions of this Chapter and, for such purpose, shall have the powers of a peace officer, if deputized or if authorized by law. Such power shall not be regarded as limitations on or otherwise affecting the powers and duties of the County Health Officer.

15.02 Violation of Chapter. In the event of a violation of any laws, ordinances, rules or regulations of the State of California, the County of Sacramento or the District, respecting the subject matter contained herein, the District shall notify in writing the person or persons causing, allowing, or committing such violation within five (5) days after receipt of such notice, and the General Manager shall have the authority to disconnect the property served from the District sewer system, in the manner set forth herein.

15.03 Public Nuisance. Continued habitation of any building or continued operation of any commercial or industrial facility in violation of the provisions of this or any other Chapter, rule or regulation of the District is hereby declared to be a public nuisance. The District may cause proceedings to be brought for the abatement of the occupancy of the residence, building, industrial, or commercial facility during the period of such violation.

15.04 Disconnection. As an alternative method of enforcing the provisions of this or any other Chapter, rule or regulation of the District, the Manager shall have the authority to disconnect the customer from the District's sewer (water) system, without liability to the District, in the following manner:

- (a) At least ten (10) days before the proposed disconnection of any service, a customer shall be provided with written notice of the procedure for and the availability of an opportunity to discuss the reasons for the proposed disconnection of service.

(b) After notice has been given as specified in subparagraph (a) and prior to disconnection of service, a customer shall have the opportunity to discuss the reason for the disconnection with an employee designated by the District who shall be empowered to review disputed bills, rectify errors, and settle controversies pertaining to disconnection of service.

(c) No service shall be disconnected by reason of delinquency in payment of bills on any Saturday, Sunday, legal holiday, or any time during which the District's office is not open to the public.

- 15.05 Settling Disputes. The General Manager is hereby authorized to review disputes pertaining to any matters for which service may be disconnected and to adjust errors and settle disputes pertaining to such matters.
- 15.06 Public Nuisance and Abatement. During the period of any disconnection, the habitation of such disconnected premises by human beings shall constitute a public nuisance, which shall authorize the District to bring proceedings for the abatement of the occupancy of the premises during the period of the disconnection. In such event, and as a condition of restoring service, the District shall be paid reasonable attorney's fees and costs of suit arising from such action, plus any other necessary charges for or incurred in the restoration of service.
- 15.07 Restoration of Service. When service under this Chapter has been disconnected for any reason, the service shall not be restored until all unpaid sums are paid in full, plus all District expenses for disconnecting and restoring the service, plus a twenty five dollar (\$25) restoration fee. (\$500 Surety Bond - 11.05).
- 15.08 Recovery of Costs. In the event that the District is required to bring legal action to enforce any provision of this Chapter, including but not limited to the collection of delinquent fees and charges, the District shall be entitled to recover its reasonable attorney's fees, interest and other costs of suit.
- 15.09 Means of Enforcement Only. The District hereby declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of its ordinances, rules and regulations, and not as a penalty.
- 15.10 Cumulative Remedies. All remedies set forth herein for the collection and enforcement of rates, charges, and penalties are cumulative and may be pursued alternatively, concurrently, or consecutively.

15.11 Misdemeanor. A violation of any provision of this Chapter is a misdemeanor, punishable by a fine not to exceed five hundred dollars (\$500) or by imprisonment in the County Jail not to exceed six (6) months, or both. Each and every day, or part of a day that a violation of the Chapter continues, shall be deemed a separate offense hereunder and shall be punishable as such.

SECTION 16.00 Miscellaneous Provisions.

16.01 Protection from Damage. 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 District sewerage works. Any person violating this provision shall be subject to the penalties provided by law.

16.02 Powers and Authorities of Inspectors. The officers and any duly authorized employees of the District shall carry evidence establishing his position as an authorized representative of the District and upon exhibiting the proper credentials and identification shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purposes of inspection, reinspection, observation, measurement, sampling, testing, and otherwise performing such duties as may be necessary in the enforcement of the provisions of the ordinances, rules and regulations of the District. All persons shall be held strictly responsible for any and all acts of agents or employees done under this Chapter. Upon being notified by the General Manager of any defect arising therefrom in any sewer or of any violation of this Chapter, the person or persons having charge of said work shall immediately correct the same.

16.03 Severability. The Board hereby declares that it would have passed this ordinance and thereby adopted this Chapter, or any section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared to be unconstitutional.

If any section, subsection, sentence, clause or phrase of the ordinance or the application thereof to any person or circumstances is for any reason held unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Chapter or the application of such provisions to other persons or circumstances.

SECTION TWO:

The establishment, modification, structuring, restructuring and approval of the fees, rates and charges heretofore set forth in SECTION ONE hereof, are for the purposes of continuing to provide funds to meet the District's costs of operation and maintenance, supply and equipment, financial reserve, debt service and capital replacement needs, and are necessary to maintain and improve service within the District's existing service boundaries.

SECTION THREE:

This ordinance shall be posted in at least two public places within the District within fifteen (15) days of its adoption. This ordinance shall take effect upon adoption.

PASSED AND ADOPTED by the Board of Directors of the Rancho Murieta Community Services District, Sacramento County, California, at a meeting duly held on September 28, 1983 by the following vote on roll call:

AYES: Directors, Brandt, Cravens, Devlin, Dudley, Elliott

NOES:

ABSENT:

President, Board of Directors
Rancho Murieta Community
Services District

ATTEST:

Marcia J. Keller
Secretary, Board of Directors