CHAPTER 11

MCWD SEWER CODE

DIVISION I     ADMINISTRATION

Section 1.01     Title

This chapter shall be known as the “Sanitary Sewer Code”, and may be cited as such.

Section 1.02     Scope

The provisions of this chapter shall apply to the discharge or disposal of all wastes including any material which may cause pollution of underground or surface waters in, upon, or affecting the territory of the Mammoth Community Water District, and the design, construction, alteration, use, and maintenance of public sewers, house laterals, industrial connections, liquid waste pretreatment plants, sewage pumping plants, sand and grease interceptors; the issuance of permits and the collection of fees therefore and fees to pay for the cost of checking plans, inspecting construction, and making record plans of the facilities permitted hereunder; and providing penalties for violation of any of the provisions thereof.
DIVISION II    DEFINITIONS

Section 2.01    Scope

The words and phrases appearing in this Chapter are defined and shall be construed as hereinafter set forth, unless it shall be apparent from the context that they have a different meaning.

Section 2.02    District

“District” means the Mammoth Community Water District.

Section 2.03    Board

“Board” means the Board of Directors of the Mammoth Community Water District.

Section 2.04    District Manager

“District Manager” shall mean the Manager of the District or other person designated by the Board to perform the services or make the determinations permitted or required under this chapter by the District Manager.

Section 2.05    Person

“Person” shall mean any person, firm, company, corporation, partnership, association, any public corporation, political subdivision, city, county, district, the State of California, or the United States of America, or any department or agency thereof.

Section 2.06    Owner

“Owner” shall mean any person who by contract of sale, grant deed, or other evidence of estate, color of right or color of title has fee title to any lot, premises, or parcel of land.
{Amended by Ord 02-21-08-04, eff: 5/1/2008}

Section 2.07    Premises

“Premises” shall mean any lot, or any piece or parcel of land comprising two or more lots of record in one ownership, or any building or other structure or any part of any building or structure used or useful for human habitation or gathering or for carrying on a business or occupation or any commercial or industrial activity.

Section 2.08    County Health Officer

“County Health Officer” means the County Health Officer of the County of Mono, or his authorized deputy, agent, representative, or inspector.

Section 2.09    Ordinance

“Ordinance” means an ordinance of the Mammoth Community Water District.
Section 2.10  Section

“Section” means a section of this chapter unless some other chapter, ordinance, or statute is mentioned.

Section 2.11  Inspector

“Inspector” means the authorized inspector, deputy, agent or representative of the District.

Section 2.12  Licensed Contractor

“Licensed Contractor” means a contractor having a valid license issued pursuant to Chapter 9, Division 3, of the Business and Professions Code, State of California, which license includes the activities listed on permit applied for.

Section 2.13  Permittee

“Permittee” means the person to whom a permit has been issued pursuant to the provisions of this chapter.

Section 2.14  Pollution of Underground or Surface Waters

“Pollution of Underground or Surface Waters” means affecting such waters in a manner which, if allowed to continue, would render them unfit for human or animal use or toxic to vegetation to an extend adversely affecting plant growth.

Section 2.15  Lot

“Lot” means any piece or parcel of land bounded, defined, or shown upon a map or deed recorded or filed in the office of the County Recorder of Mono County, provided, however, that in the event any building or structure covers more area than a lot as defined above, the term “lot” shall include all such pieces or parcels of land upon which said building or structure is wholly or partly located, together with the yards, courts and other unoccupied spaces legally required for the building or structure.

Section 2.16  Street Property Line

As used in this chapter, “Street Property Line” means a building line, where one has been established by ordinance, otherwise the street property line itself.

Section 2.17  Frontage

“Frontage” means the length or width in feet applied to a lot based on the benefit received from the abutting sewer, as determined by the District.

Section 2.18  Commercial Building

Adopted by Ord. No. 02-03-72-1; repealed by Ord. No. 08-05-82-27.
Section 2.19     Sewage

“Sewage” means any water borne or liquid wastes including domestic sewage and industrial waste, but does not include or mean storm water, ground water, roof or yard drainage.

Section 2.20     Domestic Sewage

“Domestic Sewage” means the water borne wastes derived from the ordinary living processes and of such character as to permit satisfactory disposal, without special treatment, into the public sewer or by means of a private sewage disposal system.

Section 2.21     Effluent

“Effluent” means the liquid flowing out of any treatment plant or facility construed and operated for the partial or complete treatment of sewage or industrial waste.

Section 2.22     Industrial Waste

“Industrial Waste” means any and all waste substances, liquid or solid, except domestic sewage and includes among other things radioactive wastes and explosives, noxious or toxic gas when present in the sewerage system.

Section 2.23     Public Sewer

“Public Sewer” means a main line sanitary sewer, dedicated to public use.

Section 2.24     Main Line Sewer or Force Main Sewer

“Main Line Sewer” or “Force Main Sewer” means any public sewer in a dedicated right of way in which changes in alignment and grade occur only at manholes, or where angle points or curves between manholes have been approved by the District. Such sewer lines are generally eight inches or more in diameter.

Section 2.25     House Lateral

“House Lateral” means that part of the sewer piping within the street or right of way that extends from the property or sewer right of way line to a connection with the main line sewer.

Section 2.26     Tapping

“Tapping” means the forming of a Tee or Wye branch connection to a main line sewer by installing a Tee or Wye Saddle after the sewer is in place.

Section 2.27     Tee or T

“Tee or “T” means a fitting for a branch on which the spur joins the barrel of the pipe at an angle of approximately 90 degrees.
Section 2.28  Saddle

A “Wye Saddle” is a short pipe fitting with a shoulder at one end to allow the application of the fitting to a hole tapped in the main line sewer such that the short pipe shall form a 45-degree angle from the main line sewer pipe.

A “Tee Saddle” is a short pipe fitting with a shoulder at one end to allow the application of the fitting to a hole tapped in the main line sewer such that the short pipe shall form a ninety-degree angle from the main line sewer pipe.

Section 2.29  Wye or Y

“Wye” or “Y” means a fitting for a branch on which the spur joins the barrel of the pipe at an angle of approximately 45 degrees.

Section 2.30  Chimney

“Chimney” means a vertical section of a sewer pipe extending either from a vertical tee set 90 degrees to the main line or from a long radius ¼ bend set vertically at the curb or property line, and in either case suitably reinforced with concrete.

Section 2.31  Seepage Pit

A “Seepage Pit” is a lined excavation in the ground that receives the discharge of a septic tank, so designed as to permit the effluent from the septic tank to seep through its bottom and sides.

Section 2.32  Septic Tank

A “Septic Tank” is a water-tight receptacle which receives the discharge from a sewage system, designed and constructed so as to retain solids, digest organic matter through a period of detention and allow the liquids to discharge into the soil outside of the tank through a drain field system or one or more seepage pits.

Section 2.33  Interceptor

An “Interceptor” is a device designed and installed so as to separate and retain deleterious, hazardous or undesirable matter from wastes.

Section 2.34  Sewage Pumping Plant

“Sewage Pumping Plant” means any works or device used to raise sewage from a lower to a higher level or to overcome friction in a pipeline.

Section 2.35  Customer

“Customer” shall mean any person described herein who receives sewage service from or discharges sewage to the District system and, except as specifically provided in this Chapter, shall be the owner.

{Amended by Ord 02-21-08-04, eff: 5/1/2008}
Section 2.36   Private Sewer Line

That portion of the sewer collection system that is located on the owner’s side of the property or sewer right-of-way line.  {Amended by Ord 02-21-08-04, eff: 5/1/2008}

Section 2.37   Collection System

The system by which sewage is collected throughout the service area within the District, including, but not limited to, private sewer lines, house laterals, mainline sewers, pumping plants and all other appurtenances.
DIVISION III   GENERAL PROVISIONS AND REGULATIONS

Section 3.01   Amendments
Whenever a power is granted to any portion of this chapter, such references apply to all amendments and additions thereto.

Section 3.02   Delegation of Powers
Whenever a power is granted to or a duty imposed upon the District by provisions of this chapter, the, the power may be exercised or the duty performed by an authorized person or agent of the District.

Section 3.03   Validity
If any provision of this chapter or the application thereof to any person or circumstance, is held invalid, the remainder of the chapter, and the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 3.04   Enforcement
The District Manager shall enforce the provisions of this chapter and for such purpose shall have the powers of a peace officer. Such powers shall not limit or otherwise affect the powers and duties of the County Health Officer.

Section 3.05   Minimum Standards
Facilities shall be designed so as to produce an effect that will not pollute underground or surface waters, create a nuisance, or menace the public peace, health, or safety. The District Manager shall consult with the Health Officers and officials of public agencies, and from time to time, promulgate standards that may vary according to location, topography, physical conditions, and other pertinent factors.

Section 3.06   Penalty for Violation
Every person violating any provision of this chapter or any conditions or limitations of permit issued pursuant thereto is guilty of a misdemeanor and upon conviction is punishable by fine not exceeding five hundred dollars ($500.00).

Section 3.07   Continued Violation
Each day during which any violation described in this chapter as willful continues shall constitute a separate offense punishable as provided by this chapter.

Section 3.08   Notice
Unless otherwise provided herein, any notice required to be given by the District Manager under this chapter shall be in writing and served in the manner provided in the Code of Civil Procedure for the service of process, or by registered or certified mail. If served by mail, the notice shall be sent to the last address known to the District Manager. Where the address is unknown, service may be made as above provided upon the owner of record of the property.
Section 3.09  Time Limits

Any time limit provided for in this chapter may be extended by mutual written consent of both the District and the permittee or applicant, or other persons affected.

Section 3.10  Identification

Inspectors and sewer maintenance men shall identify themselves upon request when entering upon the work of any contractor or property owner for any inspection of work required by this chapter.

Section 3.11  Maintenance Inspections

The District Manager may inspect, as often as he deems necessary, every main line sewer, sewage pumping plant, waste pre-treatment plant, sewer connections, interceptor, or other similar appurtenances to ascertain whether such facilities are maintained and operated in accordance with the provisions of this chapter. All persons shall permit and provide the District Manager with access to all such facilities at all reasonable times.

Section 3.12  Access Requirements

No object, whether a permanent structure, or a temporary structure, or any object which is difficult to remove, shall be located on a sewer easement or placed in such a position as to interfere with the ready and easy access to any facility described in Section 3.11. Any such obstruction, upon request of the District Manager, shall be immediately removed by the violator at no expense to the District and shall not be replaced.

Section 3.13  Interference with Interceptors

No person shall, during reasonable hours, refuse, resist, or attempt to resist the entrance of the District Manager into any building, plant, yard, field, or other place or portions thereof in the performance of his duty within the power conferred upon him by law or by this chapter.

Section 3.14  Maintenance of Plants, Interceptors, and Other Facilities

The requirements contained in this chapter, covering the maintenance of sewage pumping plants, waste pre-treatment plants, interceptors, or other appurtenances, shall apply to all such facilities now existing or hereafter constructed. All such facilities shall be maintained by owners thereof in a safe and sanitary condition, and all devices or safeguards that are required by this chapter for the operation of such facilities shall be maintained in good working order.

This section shall not be construed as permitting the removal or non-maintenance of any devices or safeguards on existing facilities unless authorized in writing by the District Manager.

Section 3.15  Operation and Maintenance of House Laterals and Private Sewer Lines

a) The owner of the property served by the District’s collection system shall be responsible for the operation and maintenance of the private sewer line, and all devices or safeguards required by this
Chapter, which are located upon the owner’s property and which are outside the District’s right-of-way line.  (Amended by Ord 02-21-08-04, eff: 5/1/2008)

b) The District shall be responsible for the operation and maintenance of that portion of the collection system that is in the District’s right-of-way, which has been dedicated to the District or which is not located upon the owner’s property served by the District’s collection system.  (Amended by Ord 02-21-08-04, eff: 5/1/2008)

c) The owner served by the District’s collection system shall be responsible and liable for all costs involved in the repair of all damage caused by the owner or agents thereof to the collection system, including but not limited to sewer obstructions, wherever located.  (Amended by Ord 02-21-08-04, eff: 5/1/2008)

Section 3.16  Rain and Surface Water Drainage

No pool, receptacle, area, or roof that receives or disposes of rain-water or surface water shall be connected to any private or public sewage disposal system.

Section 3.17  Notice to Stop Work

Whenever any construction is being done contrary to the provisions of any law, standard, or ordinance, the District Manager shall issue a written notice to the responsible party to stop work on that portion of the work on which the violation has occurred.  No work shall be done on that portion until corrective measures have been taken and approved by the District Manager.

Section 3.18  Mandatory Sewer Connections

All occupancies requiring sanitation facilities as defined in the Uniform Building Code shall be connected to the public sewer. Notwithstanding any provision to the contrary, structures shall be connected to the public sewer by July 1, 1973 if the public sewer is available. Availability shall mean a public sewer that has been constructed and is in use within one (100) feet of the premises.

No person shall cause or permit the disposal of sewage or other liquid waste into any drainage system that is not connected to the public sewer when such connection is required by this section.

Section 3.19  Liability of Contractor for Damaged Lines

a) For the purposes of this section only, the term “contractor” shall indicate a person with whom the District has contracted for the construction of any sewer lines or facilities.

b) As between the contractor and the District, the District shall be liable for any damage to an existing sewer line or facility on a construction site when such damage does not result from the contractor’s failure to exercise reasonable care and which does result from the District’s failure to identify the damaged line or facility upon the plans or specifications provided to the contractor.

c) This section shall not be deemed to require the District to indicate the presence of existing lines or facilities whenever the presence of these lines can be inferred from the presence of other visible facilities.
on or adjacent to the construction site. This section shall not be deemed to relieve the District from identifying main lines or other facilities on its plans and specifications.

Section 3.20 Warning Notices

a) For the purposes of this section, a requesting party is defined to include any person who desires to examine the District’s plans and specifications regarding the location of any lines or facilities and who is not a District employee, or contractor as defined in Section 3.19 (a).

b) A requesting party shall be provided the following warning notice in writing and shall execute a copy thereof: WARNING NOTICE. The locations of Mammoth Community Water District underground facilities shown in and on the District’s records, maps, as-builts, etc., are believed to be accurate. The District does not warrant that all facilities are located as shown. A party engaging in any excavation in the District shall take all steps necessary to avoid contact with underground facilities that may result in injury to persons, property or damage to the District’s facilities. The final determination of the exact location and the cost of repair to damaged facilities shall be the responsibility of the excavating person.

Section 3.21 Location of Lateral Inconsistent with District As-Builts

Whenever a house lateral is not located as shown on District as-built maps, District personnel shall assist to the extent possible to determine the location of the house lateral by use of surface and underground line detector. However, the District shall bear no expense for equipment, excavation and/or labor expenses incurred by any person in determining the location of District lines, house laterals and other facilities.

This section shall not apply to construction undertaken by District contractors, as defined in Section 3.19 (a).

Section 3.22 Non-existent Laterals Shown On As-Builts

a) Before a house lateral, that is shown to exist on District maps, is determined to be non-existent, the person attempting to locate the house lateral shall contact the Operations and Maintenance Manager for determination relative to the amount of digging and/or research to be required of the person in locating the house lateral. The District shall not be liable for any expenses for equipment, excavation, and/or labor incurred by any person in determining the existence of any laterals, lines, or other facilities.

b) When the District has previously been provided with as-built maps and the Manager has made a determination that no house lateral exists as shown on the District as-builts, the Manager or the Operations and Maintenance Manager shall:

i) Waive any applicable main line tap fees and

ii) Install the house lateral at the District’s expense if there is an existing main servicing the property.

c) This section shall not apply to construction undertaken by District contractors, as defined in Section 3.19 (a).
DIVISION IV     GENERAL POWERS AND DUTIES

Section 4.01     Record of Fees

The District Manager shall keep in proper books a permanent and accurate account of all fees received under this chapter, giving the names and addresses of the persons on who’s accounts the same were paid, the date and amount thereof, and the number of permits granted if any, which books shall be open to public inspection.

Section 4.02     Estimated Valuations

Whenever the fees required by this chapter are based on valuations, the District Manager shall determine the estimated valuation in all cases, and for such purposes he shall be guided by approved estimating practices.

Section 4.03     (Repealed)

Adopted by Ord. No. 02-03-72-1; amended by Ord. No. 11-04-82-36; repealed by Ord. No. 03-07-84-04.

Section 4.04     Joint Action with Other Public Agencies

The District Manager may contact, confer, and negotiate with officials of any public agency and may recommend to the Board a contract by which the District and one or more public agencies may jointly exercise any powers pertinent to the enforcement of this chapter and any similar statute, ordinance, rule or regulation of such public agencies, common to all.

Section 4.05     (Repealed)

Adopted by Ord. No. 02-03-72-1; repealed by Ord. No. 04-15-82-11

Section 4.06     District Manager to Issue Permit

If it appears from the application for any permit required by this chapter that the work to be performed there under shall be done according to the provisions of this chapter, the District Manager upon receipt of the fees hereinafter required shall issue such permit.

Section 4.07     Certificate of Final Inspection

When it appears to the satisfaction of the District Manager that all work done under the permit has been constructed according to, and meets the requirements of all the applicable provisions of this chapter, and that all fees have been paid, the District Manager, if requested, shall cause to be issued to the permittee constructing such work a certificate of final inspection. The said certificate shall recite that such work as is covered by the said work is in an approved condition.

Section 4.08     Relief on Application

When any person, by reason of special circumstances, is of the opinion that any provision of this Chapter is unjust or inequitable as applied to his/her use or premises, he/she may make written application to the
Board, stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his/her use or premises. If such application be approved, the Board may, by appropriate action, suspend or modify the provision complained of, as applied to such use or premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

Section 4.09 Relief on Own Motion

The Board may, on its own motion, find that by reason of special circumstances a provision of this chapter is unjust or inequitable as applied to a particular premises or use, and may, by appropriate action, suspend or modify the provision as applied to such premises or use during the period of such special circumstances, or any part thereof.
DIVISION V  PERMITS

Section 5.01  Permit Request

No person other than the persons specifically excluded by this chapter, shall commence, do or cause to be done, construct or cause to be constructed, use or cause to be used, alter or cause to be altered, or connect to any public sewer, mainline sewer, house lateral, sewage pumping plant, or other similar appurtenance in the Mammoth Community Water District without first obtaining a Sewer Permit from the District Manager and paying the appropriate fees as set forth in this chapter.

Section 5.02  When Permit Not Required

The provisions of this chapter requiring permits shall not apply to contractors constructing public sewers and appurtenances under contracts awarded by the Board and entered into under proceedings pursuant to any of the special procedure statutes of this State providing for the construction of sewers and the assessing of the expense thereof against the lands benefited thereby, or under contracts between the contractor and the District.

Section 5.03  Validity of Permits

A.  1.  (a)  is hereby repealed

A.  1.  (b)  The usage of a permit for a lot or premises other than the lot or premises for which the permit was issued shall be considered an unauthorized usage and is prohibited.

A.  1.  (c)  The usage of a permit for a lot or premises, which has an increased number of units, hook-ups or taps, than that for which the permit was issued shall be considered an unauthorized usage and is prohibited.

A.  1.  (d)  The usage of a permit for a lot or premises which has more fixture units or facilities than that for which the permit was issued shall be considered an unauthorized usage and is prohibited until and unless fees are paid for the additional fixture units/facilities at the rates set forth in Section 6.03.G. and for any additional plan checking at the rates set forth in Section 6.01.

A.  1.  (e)  (1)  The usage of a permit for any lot or premises which has a different design as to its distribution system, fixture units, or facilities from that shown on the plans for which the permit was issued, shall be unauthorized unless the permittee first provides the District with a revised set of plans showing the different design and the permittee pays all administrative fees the District incurs in reviewing and inspecting the revised plans, including, but not limited to, pre-plan check fees and inspection fees.  This requirement is in addition to other requirements or limitations imposed upon the usage of permits as set forth in this Code.

A.  1.  (e)  (2)  is hereby repealed.

A.  2.  is hereby repealed.

A.  2.  (a)  The unauthorized usage of a permit in a manner prohibited by Section 5.03.A.1. imposes a different or greater demand upon the District’s sewer system.  Therefore, the owner shall apply to the District for a new permit to authorize the increase in the number of hook-up units, fixture units or taps
from that specified in the existing permit. The owner applying for a new permit shall comply with the District’s then existing ordinances, rules, and regulations concerning permits, including, but not limited to, the payment of the appropriate fees and charges, and compliance with the District’s water saving and water conservation device requirements set forth in Section 2.38 and 3.22 of Chapter 12 of the District Code. Such compliance shall fully occur within sixty (60) days of written notice from the District of the unauthorized usage. In the event that the owner fails to timely comply, the District may revoke the permit and the permittee shall be subject to the provisions of Section 5.03.A.3. below.

A. 2. (b) is hereby repealed

A. 3. When the District determines that an unauthorized usage of a permit has occurred, the District shall, in addition to all other enforcement devices set forth in this code, have the option of declaring part, or all, of the unauthorized usage to be void and demand that the unauthorized acts cease until such time as appropriate permits have been applied for and obtained, if available, and/or all appropriate fees and charges have been paid.

A. 4. The terms “unit”, “hook-ups”, “taps”, “Fixture Units” and “Facilities”, as used in this Section, shall refer to those terms as specified in Section 6.03.

B. is hereby repealed.

C. Any assurance of sewer service issued by the District, in any form, in addition to the conditions as ordained heretofore, shall also be issued on the provision that the assurance is given on the state of facts existing on the date of that issuance, and that such facts may change subsequent to the date of issuance.

D. 1. is hereby repealed.
D. 2. is hereby repealed.
D. 2. (a) is hereby repealed.
D. 2. (b) Repealed by Ord. 02-28-91-06.
D. 2. (c) is hereby repealed.
D. 4. is hereby repealed.
D. 5. is hereby repealed.
D. 5. (a) is hereby repealed.
D. 5. (b) is hereby repealed.
D. 5. (c) is hereby repealed.
D. 5. (d) is hereby repealed.

D. 6. (a) Notwithstanding any other section of the District Code, no permit shall be issued for any development for which the Town of Mammoth Lakes requires approval of a final tract map except upon the following conditions:

D. 6. (a) The application for issuance of a permit shall be accompanied by a certified copy of documentation from the Town of Mammoth Lakes indicating the Town’s approval of a tentative map for the proposed development; and

D. 6. (b) Any permits so issued shall automatically become void upon the expiration or invalidation of the tentative map, unless a valid final map has been approved and issued in place thereof. This provision shall be in addition to any other section of the District Code pertaining to the issuance, vesting or invalidation of permits, including, but not limited to the provisions of Section 5.03. H.
E. Repealed
F. Repealed

G. A letter of sewer availability for a single family residential unimproved lot subdivision or other development shall, in addition to all other terms and conditions required by District rules, regulations and ordinances, provide that said letter does not unconditionally guarantee any priority or reservation of capacity but that the developer or subsequent purchaser must acquire a sewer permit prior to construction of any improvements. Said letter shall further provide that such permits will be issued by the District solely on a first-come, first served basis and only to the extent there is then remaining available capacity in the physical facilities for conveyance and treatment. The letter shall also indicate that such permits will be issued only upon payment of all then applicable fees and charges and in accordance with and subject to all then applicable District rules, regulations and ordinances.

H. [Subsection H: Ord No. 10-20-05-15 repealed and superseded by Ord No. 11-02-05-15, as follows]

H.1. There shall be a permit for each hook-up unit or portion thereof, as defined in Section 6.03 of Division VI of this Chapter 11.

H.2. Any permit or assurance of sewer service shall be issued on a first-come, first-served basis. To maintain the validity of a permit and to keep a permit in full force and effect, the following conditions must be met within 3 years from the date of the issuance of the permit, except that the General Manager may extend an un-expired permit for a period not to exceed one year upon written request by the permittee made prior to the expiration of the permit:

H.2.a. Those portions of the project’s collection system which are to be constructed by the permittee, shall be inspected and approved by the District and dedicated to the District.

H.2.b. The permittee has timely complied with the requirements of Section 5.03.I. of Division V of Chapter 12 of the District Code, regarding water service to the same premises described in the permit for sewer service; and

H.2.c. The permittee has paid all applicable fees and charges required by this Chapter 11, and has otherwise complied with all applicable provisions of this Chapter 11 in connection with the issuance of permits and the initiation of sewer service.

H.3. A permit shall become null and void if the permittee fails to comply with the provisions of this Section 5.03.H., or if a building permit from the Town of Mammoth Lakes is not obtained within one year from the date of issuance of the District’s permit. If sewer service has commenced pursuant to the provisions of Section 6.04 of Chapter 11 of the District Code, such service shall terminate as of the date that the permit becomes null and void. If any permit becomes null and void and the connection charges paid for such permit are not refunded, then the amount of such charges shall be credited against any connection charges due on a subsequent application for sewer service for the same premises described in the void permit.

I. Repealed Ord. 09-15-88-24
J. Repealed Ord. 09-15-88-24
K. {Repealed Ordinance 11-02-05-15}
Section 5.04  Application for Sewer Permit

Any person requiring a Sewer Permit shall make written application to the District Manager.

The District Manager shall provide printed application forms of the permits provided for by this chapter, indicating thereon the information to be furnished by the applicant. The District Manager may require in addition to the information furnished by the printed form, any additional information from the applicant that will enable the District Manager to determine that the proposed work or use complies with the provisions of this chapter.

Section 5.05

Added by Ord. No. 03-07-84-04, repealed by Ord. No. 06-16-94-26

Section 5.06  Refunds

The permittee shall be entitled to a refund of all moneys paid pursuant to Sections 6.02, 6.03, and 6.14, less any costs incurred by the District in connection with the permit and a refund processing fee $25.00. In order to be entitled to such a refund, the permittee must request the refund in writing and not have commenced water service. The written request must be delivered to the District or postmarked by the United States Postal Service within one year of the date of issuance of the permit. No refunds will be made if such request is not made in a timely manner.

Section 5.07  Sewers in Public Ways

Before granting any permit for the construction, installation, repair or removal of any sewer, or appurtenances thereto, which will necessitate any excavation of fill, in, upon, or under any public street, highway or right-of-way under the jurisdiction of another public agency, the District Manager shall require the applicant to fill out the necessary forms of the agency having jurisdiction and pay the required fee. The District will obtain the encroachment permit required.

Section 5.08  Plan Approval Required

No sewer Construction Permit shall be issued until the District Manager has checked and approved the plans in accordance with the other applicable provisions of this chapter.

Section 5.09  Pumping Plants

Before granting a permit for the construction of any sewage pumping plant the District Manager shall check and approve the plans or required modification thereof as to their compliance with county, state, and other governmental laws or ordinances and shall require that the facilities be adequate in every respect for the use intended.

Section 5.10  Excessive Discharge of Sewage

Any person proposing to have sewage discharged from any property to a public sewer in quantities or at a rate greater than the capacity for which the sewer was designed, when such additional quantities will immediately overload the sewer, shall be denied a permit to connect any facilities to the sewer which will discharge more than the proportionate share allotted to the property. However, if such additional
discharge will not immediately but may in the future overload the sewer, a conditional permit to connect to the sewer may be issued after the owner of the property agrees by a covenant satisfactory to the District Manager recorded against the land to construct or to share in the cost of construction of additional sewer capacity at such future time as the District Manager determines that an overload situation exists or is imminent. The owner of the property shall supply a faithful performance bond guaranteeing compliance with the terms of the covenant, in a penal sum that, in the opinion of the District Manager, equals the future cost of construction of sewer facilities to carry such additional discharge.

The faithful performance bond shall be kept in full force and effect until such additional discharge is discontinued or until such additional sewer facilities are completed, and this obligation shall pass to succeeding owners of the property.

If any owner fails to supply and keep in effect the required faithful performance bond or fails to comply with the terms of the covenant, the conditional permit allowing such additional discharge may be revoked, and the continuing of such additional discharge thereafter will constitute a violation of this chapter.

The provisions of this section shall also apply to any property previously connected to a public sewer, the discharge from which is later proposed to be increased or is found to have been increased substantially beyond the proportionate share of public sewer capacity allotted to the property.

Section 5.11 Pre-Plan Check Policy

Prior to the issuance of a permit, the permittee shall submit two (2) sets of plans to the District for pre-plan check. The plans shall be checked for compliance with all District specifications, rules, and regulations. Prior to the District performing the pre-plan check, the applicant shall pay a fee to the District as specified in Section 6.17 of this code. Such a pre-plan check is not an assurance of sewer service, nor a sewer permit for the particular project. The submittal of plans and/or documents for pre-plan check shall not constitute nor be considered an application for a sewer permit.

Section 5.12 Inspections for Transfer of Permits

A. Is hereby repealed
B. Is hereby repealed
1. Is hereby repealed
2. Is hereby repealed
3. Is hereby repealed
4. Is hereby repealed
(Added by Ord. 02-28-91-06, amended by Ord. 10-17-91-26, 05-21-92-13, and 08-19-93-23)
(Added by Ord. No. 01-15-98-01)

Section 5.13 Underutilization of Hook-Up Units

A. Except as otherwise provided in the District Code, when land uses at a premises no longer exist for which hook-up unit fees were paid, and the owner of the subject premises desires that the permit for the unused hook-up units remain in effect, the District shall impose only its base charge for such non-used hook-up units and, where applicable, discontinue service. Unless the owner provides the written notice specified in Subsection B. below, the District will impose its base charges for non-uses hook-up units.

B. When land uses at a premises no longer exist for which hook-up unit fees were paid, the owner of such premises may relinquish such unused hook-up units, and, where applicable, have service discontinued.
The owner of the premises must give the District written notice thereof. Upon receipt of such written notice, the District shall discontinue any sewer service charges, including base charges, imposed respecting such relinquished units, and, where applicable, discontinue service. Such discontinuation shall occur in the month during which such written notice is received, and any charges for the month shall be imposed according to the number of days in the month for which the hook-up units remained in effect. There shall be no refund of hook-up unit fees paid on the relinquished units. If after relinquishment of the unused units, the owner of the subject premises later desires to renew service or increase the number of authorized hook-up units at such premises, the owner shall apply for such renewed service or additional units in accordance with the ordinances, rules and regulations of the District regarding applications for sewer service, except that the amount of any capacity fees (hook-up unit fees) previously paid for the relinquished units shall be deducted from the amount of capacity fees due pursuant to the application.
DIVISION VI  FEES AND CHARGES

Section 6.01  Plan Checking Fees

Any person required by this chapter to have plans checked should pay to the Mammoth Community Water District the fee or fees required by this section.

<table>
<thead>
<tr>
<th>Main Line Sewer</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000’ or less</td>
<td>$75.00</td>
</tr>
<tr>
<td>1001’ – 2000’</td>
<td>$75.00 plus $0.05/ft. over 1000 ft.</td>
</tr>
<tr>
<td>2001’ – 3000’</td>
<td>$125.00 plus $0.05/ft. over 2000 ft.</td>
</tr>
<tr>
<td>3001’ – 4000’</td>
<td>$175.00 plus $0.04/ft. over 3000 ft.</td>
</tr>
<tr>
<td>4001’ – 5000’</td>
<td>$215.00 plus $0.04/ft. over 4000 ft.</td>
</tr>
<tr>
<td>5001’ – 6000’</td>
<td>$255.00 plus $0.03/ft. over 5000 ft.</td>
</tr>
<tr>
<td>6001’ – 7000’</td>
<td>$285.00 plus $0.03/ft. over 6000 ft.</td>
</tr>
<tr>
<td>7001’ – and up</td>
<td>$315.00 plus $20.00/1000’ or portion thereof</td>
</tr>
</tbody>
</table>

Pumping Plants  $75.00

Interceptors  $20.00

Other Facilities  $1.50 for each $100.00 or fraction thereof of the total valuation of the work

If any portion of the plans, after having been checked, are required to be redrawn or rechecked, as a result of additional footage of main line sewer, the applicant shall pay a rechecking fee based on $0.05 per foot of additional main line sewer. However, there will be a minimum rechecking fee of $10.00. No plan checking will be done until the required rechecking fee is paid.

Applications are available in the District office and are to be filled out by the Engineer submitting the plan.

Section 6.02  Sewer Construction Permit Fee

A. Before granting any permit for the construction of a main line sewer, house lateral sewer, sewage pumping plant, and whenever a permit for any waste treatment or disposal facility is required by the District, the District Manager shall collect fees shown in Table I from the applicant to cover the cost of field and structure inspection of the proposed construction procuring or preparing record plans, automobile mileage and all overhead and indirect costs.
TABLE I – INSPECTION AND RECORD PLAN FEES

<table>
<thead>
<tr>
<th>Main Line Sewer</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>50’ or less</td>
<td>$40.00</td>
</tr>
<tr>
<td>50’ – 350’</td>
<td>$40.00 plus $0.40/ft over 50 ft.</td>
</tr>
<tr>
<td>350’ – 1351’</td>
<td>$160.00 plus $0.30/ft over 350 ft</td>
</tr>
<tr>
<td>Over 1350’</td>
<td>$460.00 plus $0.15/ft over 1350 ft</td>
</tr>
<tr>
<td>Manhole Reconstruction</td>
<td>$25.00</td>
</tr>
<tr>
<td>Pumping Stations</td>
<td>$25.00</td>
</tr>
<tr>
<td>Pre-Treatment Facilities</td>
<td>$25.00</td>
</tr>
<tr>
<td>Interceptors</td>
<td>$25.00</td>
</tr>
<tr>
<td>House laterals in street</td>
<td>$40.00</td>
</tr>
<tr>
<td>House Connection at Property Line</td>
<td>$25.00</td>
</tr>
<tr>
<td>Structure Inspection</td>
<td>$25.00 Per Building</td>
</tr>
</tbody>
</table>

(Table Amended by Ordinance No. 03-21-13-07, effective 3/21/2013)

B. For other items of construction, not identified above, which relate to the District’s water system, the applicant shall pay, in addition to the fees specified above, a fee of $1.50 for each $100.00 or fractional part thereof, of the total valuation of the items subject to this subsection.

Section 6.03 Sewer Connection Charges

A. All sewer connection charges shall be paid to the District upon approval of an application and prior to issuance of a permit.

B. Sewer connection charges shall be imposed based on the water meter size serving the premises in accordance with the schedule set forth in Section 6.03.E. An automatic annual escalator shall be added to the sewer connection charges at the beginning of each District fiscal year beginning April 1, 2020. The escalator will be based on the “ENR 20-city construction cost index” as shown in the Engineering News Record (ENR). The sewer connection charges shall be increased by the percent change of the cost index for the previous year ending December 31.

C. If there is an adequate, existing house lateral to which a premises shall be connected, no -tap is required. If there is an existing house lateral which is not adequate for the premises to be served or if there is not an existing house lateral to which the premises to be served may be connected, then the customer will be billed for the District’s costs for any work completed by the District in relation to tapping the mainline.

(Amended by Ord. No. 03-21-13-07, effective 3/21/2013)

D. Connections of house laterals or of a force main into the District’s existing force main shall be charged the applicable sewer connection charge for each related water meter installed, except for meters installed for irrigated landscaped areas. The District shall bill the property owner for its costs to perform any tap required under these circumstances.
(Amended by Ord. No. 03-21-2013, effective 3/21/2013)

E. The sewer connection charge schedule is as follows:

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Sewer Connection Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4 - inch</td>
<td>$3,125</td>
</tr>
<tr>
<td>1 - inch</td>
<td>$8,216</td>
</tr>
<tr>
<td>1 1/2 - inch</td>
<td>$16,006</td>
</tr>
<tr>
<td>2 - inch</td>
<td>$29,999</td>
</tr>
<tr>
<td>3 - inch</td>
<td>$62,981</td>
</tr>
<tr>
<td>4 - inch</td>
<td>$127,928</td>
</tr>
<tr>
<td>6 - inch</td>
<td>$223,773</td>
</tr>
</tbody>
</table>

F. Section deleted by Ordinance 03-21-13-07

Section 6.04  Billing for Sewer Services

The District shall begin billing for sewer service when the private sewer line is connected to the house lateral, and such connection has been inspected and approved by the District. The commencement of sewer service shall not relieve a permittee from timely compliance with the requirements of Subsection 5.03 H of Division V of this Chapter 11; and the permit is subject to revocation and service is subject to termination if such timely compliance does not occur.

(Ordinance No. 10-20-05-15 repealed and superseded by Ordinance No. 11-02-05-15)

Section 6.05  Fees for Processing Sewer Easements

For each private contract requiring the processing of sewer easements, the District Manager shall collect from the applicant a fee of forty dollars ($40.00) for the first parcel description and thirty dollars ($30.00) for each additional parcel description through which a sewer easement is required. In addition, a policy of title insurance insuring the easement in favor of the District shall be furnished at the sole cost of the applicant.

In the event it is necessary to rewrite the description because of the realignment or revision, the District Manager shall collect an additional fee of thirty dollars ($30.00) for each new parcel description necessary.

Section 6.06  (Repealed)

Adopted by Ord. No. 02-03-72-1; repealed by Ord. No. 04-15-82-11

Section 6.07  Fees for Preparing or Checking Special Studies

Before proceeding with the preparation of any special study, the District Manager shall collect from the person making the request for the study, as determined by the District Manager. This fee shall not be less than $100.00. If, after the fee is paid, a change in the study is requested which will increase the cost of preparing the study, supplemental fees shall be collected in the amount of the estimated additional cost.
Studies prepared by others and submitted for checking by the District shall be subject to the fee requirements stated above, except that the minimum fee shall be $50.00.

Section 6.08  
Cesspool Truck Disposal

Operators of septic pump trucks required to discharge the contents of their tanks into the District’s wastewater treatment facility may do so upon payment of a disposal fee of $1.70 per 100 gallons of sewage. Approval from the District shall be required prior to discharge.

Section 6.09  
Collection of Fees Charged

All fees and charges set forth in Sections 6.01, 6.02, 6.03, 6.14, 6.15, and 6.17 shall be paid prior to issuance of any permit.

Section 6.10  
Stand-by or Sewer Availability Charge

A yearly stand-by or sewer availability charge shall be levied on undeveloped land within the District to which sewer is made available whether the sewer is used or not. The charge shall be ten dollars ($10.00) per year for each acre of land or parcel of land of less than one acre in area and the charge shall be added to and become a part of the annual tax levied upon the land.

In the event that the sewer stand-by charge remains unpaid on the first day of the month before the month in which the Board of Supervisors of Mono County is required to levy the taxes for county purposes, a six (6) percent penalty shall accrue thereon. The amount of the unpaid stand-by charge plus the amount of the penalty shall be added to and become a part of the annual tax levied upon the land and shall constitute a lien on that land.

Section 6.11  
Rates and Charges for Sewer Service

A.  For the purpose of this section only, the specified terms shall have the following definitions

1.  “Domestic users” shall mean all residential users, including single family residences, condominium units, apartment units, mobile homes and motel

2.  “Commercial users” shall mean all business or other similar users, including RV spaces, commercial units, motels, ski dormitories, laundries, laundromats, service stations, car washes, restaurants, bars, theaters, hospitals, schools, and public buildings, and unoccupied storage/warehouses, swimming pools (semi-public), spa/hot tubs (semi-public).

3.  “Industrial user” shall mean:

   (a) Any non-governmental, nonresidential user of a publicly owned treatment works:

      (i) identified in the Standard Industrial Classification Manual, 1972, Office
of Management and Budget, as amended; and

(ii) which discharges more than 25,000 gallons per day (gpd) of sanitary wastes, or which discharges, after exclusion of domestic wastes or discharges from sanitary conveniences, the weight of biochemical oxygen demand (BOD) or suspended solids (SS) equivalent to that weight found in 25,000 gpd of sanitary waste; or

(b) any non-governmental user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works.

4. “Commercial unit” shall mean each office, store, or other separately owned or operated commercial space or structure, including any commercial user which is not otherwise specifically identified.

5. “Mobile home” shall mean a trailer or other similar vehicle, which is located more or less permanently on a lot and is used as a residence.

6. “RV space” shall mean any short-term parking and/or service space for transitory trailers, campers or other recreational vehicle.

7. “Laundry” shall mean a commercial laundering facility.

8. “Laundromat” shall mean a self-service laundry utilized by the public.

9. “Public building” shall mean any public service building, including a police station or fire station or any other publicly owned building not otherwise specifically identified.

B. Each lot or premises which is connected to, and each owner receiving sewer service from, the District’s collection system shall pay a monthly sewer charge, as identified in Section 6.11.C. {Amended by Ord 02-21-08-04, eff: 5/1/2008}

1. In addition to the monthly sewer charge, an industrial user shall pay a monthly waste quality surcharge which shall be computed by the District in accordance with the following formula:

\[ C = V \{ a(SS - 200) + (BOD - 250) \} K \]

C=Monthly quality discharge fee in dollars

V=Average daily volume of waste discharged in gallons determined by the District

SS=Suspended solids in the waste discharge expressed in milligrams/liter
BOD=Five day biochemical oxygen demand of the waste expressed in milligrams/liter

a & b = Costs assessed for each pound of suspended solids and biochemical oxygen demand

K=Constant to convert the formula to a monthly fee in dollars

K=( 365 x 8.34)/(12 x 1,000,000)

In the event that the average waste discharge characteristic and surcharge factor is disputed, the discharger shall submit a request for an analysis and flow measurement to the District and bear all expenses associated with measurement and sampling.

2. For each industrial user, the District may require the installation, at the expense of the industrial user, of District approved recording and sampling devices or sewage meters on the user’s premises for use by the District. Such devices or meters shall be available for inspection by District personnel at any reasonable time. The industrial user shall be responsible for the maintenance, repair and replacement of all sampling or recording devices, sewage meters, and related equipment. The industrial user shall be responsible for any damage or expense involved in the repair or replacement for which the industrial user, its agents, officers or employees is or are responsible.

3. At its sole option and as an alternative to the industrial user charge, the District may require an industrial user to pre-treat the user’s sewage flow so that the flow, after exclusion of domestic wastes or discharges from sanitary conveniences, is less than the equivalent weight in BOD and SS found in 25,000 gpd of sanitary waste.

(Section 6.11.C. of Chapter 11 of the District Code is hereby amended by Ordinance 06-11-12-08)
(Section 6.11.C. of Chapter 11 of the District Code is hereby amended by Ordinance 01-21-16-02)

C. The total per unit monthly sewer charge shall be:

<table>
<thead>
<tr>
<th></th>
<th>Beginning:</th>
<th>4/1/16</th>
<th>4/1/17</th>
<th>4/1/18</th>
<th>4/1/19</th>
<th>4/1/20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>$20.31</td>
<td>$20.52</td>
<td>$20.73</td>
<td>$20.94</td>
<td>$21.15</td>
<td></td>
</tr>
<tr>
<td>Multi Family*</td>
<td>$17.48</td>
<td>$17.66</td>
<td>$17.84</td>
<td>$18.02</td>
<td>$18.21</td>
<td></td>
</tr>
<tr>
<td>RV Space</td>
<td>$2.95</td>
<td>$2.98</td>
<td>$3.01</td>
<td>$3.05</td>
<td>$3.09</td>
<td></td>
</tr>
<tr>
<td>Motel Units*</td>
<td>$9.23</td>
<td>$9.33</td>
<td>$9.43</td>
<td>$9.53</td>
<td>$9.63</td>
<td></td>
</tr>
<tr>
<td>Ski Dorm/Bed</td>
<td>$2.95</td>
<td>$2.98</td>
<td>$3.01</td>
<td>$3.05</td>
<td>$3.09</td>
<td></td>
</tr>
<tr>
<td>Commercial Unit</td>
<td>$13.08</td>
<td>$13.22</td>
<td>$13.36</td>
<td>$13.50</td>
<td>$13.64</td>
<td></td>
</tr>
<tr>
<td>Laundry - Commercial</td>
<td>$782.51</td>
<td>$790.34</td>
<td>$798.25</td>
<td>$806.24</td>
<td>$814.31</td>
<td></td>
</tr>
<tr>
<td>Laundromat - Public Use</td>
<td>$479.95</td>
<td>$484.75</td>
<td>$489.60</td>
<td>$494.50</td>
<td>$499.45</td>
<td></td>
</tr>
<tr>
<td>Service Station</td>
<td>$23.98</td>
<td>$24.22</td>
<td>$24.47</td>
<td>$24.72</td>
<td>$24.97</td>
<td></td>
</tr>
<tr>
<td>Car Wash</td>
<td>$60.02</td>
<td>$60.63</td>
<td>$61.24</td>
<td>$61.86</td>
<td>$62.48</td>
<td></td>
</tr>
<tr>
<td>Restaurant Seat</td>
<td>$2.43</td>
<td>$2.46</td>
<td>$2.49</td>
<td>$2.52</td>
<td>$2.55</td>
<td></td>
</tr>
<tr>
<td>Bar Seat</td>
<td>$1.26</td>
<td>$1.28</td>
<td>$1.30</td>
<td>$1.32</td>
<td>$1.34</td>
<td></td>
</tr>
<tr>
<td>Theater Seat</td>
<td>$0.61</td>
<td>$0.62</td>
<td>$0.63</td>
<td>$0.64</td>
<td>$0.65</td>
<td></td>
</tr>
<tr>
<td>Public Building</td>
<td>$40.07</td>
<td>$40.48</td>
<td>$40.89</td>
<td>$41.30</td>
<td>$41.72</td>
<td></td>
</tr>
<tr>
<td>Elem School/Student*</td>
<td>$0.90</td>
<td>$0.91</td>
<td>$0.92</td>
<td>$0.93</td>
<td>$0.94</td>
<td></td>
</tr>
<tr>
<td>High School/Student*</td>
<td>$1.07</td>
<td>$1.09</td>
<td>$1.11</td>
<td>$1.13</td>
<td>$1.15</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4/1/16</td>
<td>4/1/17</td>
<td>4/1/18</td>
<td>4/1/19</td>
<td>4/1/20</td>
<td></td>
</tr>
<tr>
<td>--------------------------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td></td>
</tr>
<tr>
<td>Storage or Warehouse*</td>
<td>$18.06</td>
<td>$18.25</td>
<td>$18.44</td>
<td>$18.63</td>
<td>$18.82</td>
<td></td>
</tr>
<tr>
<td>Swimming Pool (semi-pub)</td>
<td>$11.96</td>
<td>$12.08</td>
<td>$12.21</td>
<td>$12.34</td>
<td>$12.47</td>
<td></td>
</tr>
<tr>
<td>Spa or Hot Tub (semi-pub)</td>
<td>$ 6.10</td>
<td>$ 6.17</td>
<td>$ 6.24</td>
<td>$ 6.31</td>
<td>$ 6.38</td>
<td></td>
</tr>
<tr>
<td>Hospital Bed</td>
<td>$27.58</td>
<td>$27.86</td>
<td>$28.14</td>
<td>$28.43</td>
<td>$28.72</td>
<td></td>
</tr>
<tr>
<td>Juniper</td>
<td>$13.15</td>
<td>$13.29</td>
<td>$13.43</td>
<td>$13.57</td>
<td>$13.71</td>
<td></td>
</tr>
<tr>
<td>Mill Cabins</td>
<td>$20.30</td>
<td>$20.51</td>
<td>$20.72</td>
<td>$20.93</td>
<td>$21.14</td>
<td></td>
</tr>
</tbody>
</table>

*Multi Family includes condominium units, apartment units and mobile units
*Motel Units include all motel rooms and motel manager’s units.
*Schools are based on average daily attendance.
*Storage or Warehouses are unoccupied.

The rate increase effective on April 1 of each year will be applied beginning with the April billing cycle.

D. Each common space or area for a condominium, apartment, or similar structure shall constitute one unit for purposes of determining sewer charges.

E.1. No sewer service shall be furnished to any premises or persons except through a service connection in compliance with the District’s rules and regulations.

F. The District shall not charge its monthly sewer charge as identified in Section 6.11.C. with respect to any lot or premises which is connected to the District’s collection system during the period that, as determined by the General Manager, such lot or premises has been rendered unusable due to circumstances beyond the control of the permittee, his/her officers, directors, employees, agents, tenants, or independent contractors; provided that such period of relief from the monthly sewer charge shall not extend beyond three years except that the General Manager may extend the period for one additional year. Circumstances beyond the permittee’s control may include, but are not limited to, fire, earthquake, explosion or other natural disaster. In the case of a lot or premises occupied by multiple commercial and/or domestic users where one or more, but not all,of the premises of such commercial and/or domestic users on such lot or premises has or have been rendered unusable as described above, the reduction in the monthly sewer charges shall be equal to the total of such charges for those domestic and commercial users whose premises have been rendered unusable.

G. The sewer service rates and charges set forth in this Section 6.11 shall be adjusted April 1 of each year by the percentage change in the Los Angeles – Riverside – Orange County Consumer Price Index (All Urban Consumers) for the prior April 1 to March 31 period, except that the Board of Directors of the District may determine to reduce or eliminate any such adjustment for any fiscal year depending on circumstances existing at such time; provided that for the April 1, 2003 to March 31, 2004 fiscal year, the sewer service rates and charges shall be adjusted on July 1, 2003, according to the percentage change in such index for the April 1, 2002, to March 31, 2003 period. The Los Angeles – Riverside – Orange County Consumer Price Index (All Urban Consumers) has been selected because it changes in it most reflect changes experienced in the District’s cost to operate, maintain and repair its sewer system.
{Ordinance 06-19-03-04}

2. No sewer service shall be furnished to any premise or persons free of charge.
Section 6.12  Collection of Sewer Use and Service Charges and Rates

All sewer use and service charges and rates may be billed on the same bill as and collected together with rates and charges for any other District services. If all or any part of such a bill is not paid for any service, the District may discontinue any or all of the service for which the bill is rendered.

A. All services shall be billed on a monthly basis. The monthly billing statement will be for service rendered during the preceding month. A statement shall become delinquent on the twentieth (20th) day of the month following the month in which the statement is mailed. {Date change amended by Ordinance No. 01-10-08-01, Eff: 02/09/2008}

B. A one-time basic penalty of ten percent (10%) of the charge or rate for a month shall be added to each delinquent charge for the first month the charge is delinquent. Thereafter, an additional penalty of one-half (1/2) of one percent (1%) per month shall be added to all delinquent charges and basic penalties until such time as, pursuant to subsection (e) hereof, the Board may request the County Auditor to include the amount of delinquencies on the bills for taxes against the respective lot or parcel. Prior to the collection of delinquent amounts pursuant to subsection (d) hereof, monies paid where any portion of an account is delinquent shall first be credited to the delinquent portion and then to the current billing. Once the transfer of delinquent amounts have been turned over the County Auditor’s office for collection, no payment shall be received by the District on said delinquent amounts except as collected by the County Auditor’s office.

C. The District shall include a statement on its bill to each customer, or shall provide such statement to each customer by any other means, that any charges remaining delinquent for a period of sixty (60) days shall constitute a lien against the lot or parcel of land against which the charges were imposed. {Amended by Ord 02-21-08-04, eff: 5/1/2008}

D. All rates, charges, penalties, and interest which remain delinquent as of June 30th each year shall be collected in the same manner as the general taxes for the District for the forthcoming fiscal year provided that the District shall give notice as provided by law.

E. In the event that any customer fails to make such payment as provided above, the customer, shall be deemed to be in default and, in such cases, the District is required to bring action to collect any sum in default under District ordinance terms, the customer shall pay, as an additional penalty, any and all attorney’s fees and/or court and legal costs incurred by the District to bring such action. The District shall not be limited to any one remedy in the event of default, but may avail itself of any remedy or legal procedure available to it in such event. {Amended by Ord 02-21-08-04, eff: 5/1/2008}

Section 6.13  Billing Procedures

A. Except as otherwise specified herein, the District shall directly bill each customer receiving sewer service, and each lot or premises connected to the District’s collection system. The monthly sewer charge shall be payable by each customer. Each customer shall be liable to the District for payment of the monthly sewer charge regardless of whether service is provided through an individual lateral or multi-customer lateral. {Amended by Ord 02-21-08-04, eff: 5/1/2008}

B. Where owners of premises in a multi-unit structure are billed individually and belong to a
homeowners or similar association, the association shall provide to the District current and up-dated lists of the owners of each premises. The association shall inform the District in timely fashion of any change in ownership in its members.

C. Notwithstanding Section 6.13A, the District may elect to send a composite bill to groups of customers when each of the following conditions are met:

1. The owners to be billed as a group own lots or premises in a multi-unit living structure;
2. The owners have formally organized in writing into a homeowners or similar association;
3. The homeowners or similar association, through properly executed covenants, conditions, articles of incorporation or by-laws, has the power to act as the sole agent for the owners concerning water and sewer charges in a manner which binds individual owners; and
4. The association enters into a written agreement with the District which provides, among other matters, that;
   a) The association shall be responsible for and guarantee payment of all such charges within the time required by the District’s rules and regulations, regardless of whether any single owner has paid the owner’s share of such charges to the association:
   b) The District shall bill to and the association shall pay all delinquent penalty and interest charges on the composite bills;
   c) The District’s bill or other notices to the association shall constitute a bill or other notice to each individual owner who shall agree that no other notice or bill to individual owners shall be necessary for, or a prerequisite to, the District’s exercise of its powers to terminate service, or place liens on each owner’s property or exercise other legal remedies necessary to preserve the collection of and collect delinquent bills and charges; and  {Amended by Ord 02-21-08-04, eff: 5/1/2008}
   d) The bill shall consist of the sum of the total monthly sewer charges for each owner represented by the association. Service to a common area shall be treated as service to a single unit.  {Amended by Ord 02-21-08-04, eff: 5/1/2008}

D. All applications for service shall constitute a written agreement to pay for all service rendered pursuant to the application and to be bound by all applicable District rules and regulations. An application shall be signed by the owner who shall be responsible for the bills for sewer service provided.  {Amended by Ord 02-21-08-04, eff: 5/1/2008}

Section 6.14  Fee for District Installation of House Laterals.

The permittee shall pay all fees and charges associated with the installation of the house lateral. The permittee shall pay the appropriate fee for installation of the lateral to the District prior to the time of issuance of a permit by the District. The amount of the fee shall be as follows:
SEWER LATERAL INSTALLATION CHARGES
As Performed by District Forces For:
Case I and Case II

Cost estimates as shown are for District forces to install the required 6” sewer house laterals from the main sewer line to a point on the right of way line and/or property line (assume nominal 30’ run) for Case I* and Case II* conditions. Case III* conditions or excavation in excess of 7 feet will be performed by a licensed sewer contractor.

HOUSE LATERAL INSTALLATION – CASE I – CASE II

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Item Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excavation</td>
<td>22</td>
<td>C.Y.</td>
<td>$5.00</td>
<td>$110.00</td>
</tr>
<tr>
<td>Pipe Material &amp; Installation</td>
<td>30</td>
<td>L.F.</td>
<td>$7.00</td>
<td>$210.00</td>
</tr>
<tr>
<td>Bedding</td>
<td>4</td>
<td>C.Y.</td>
<td>$9.50</td>
<td>$38.00</td>
</tr>
<tr>
<td>Backfill</td>
<td>18</td>
<td>C.Y.</td>
<td>$6.50</td>
<td>$117.00</td>
</tr>
<tr>
<td>A.C. Pavmt. Repair</td>
<td>60</td>
<td>Sq.Ft</td>
<td>$1.50</td>
<td>$90.00</td>
</tr>
</tbody>
</table>

TOTAL COST: $565.00
TOTAL AMOUNT – DEPOSIT: $565.00

*See Exhibits C, D, and E concerning Case I, Case II, and Case III conditions, respectively.

Section 6.15 Application Fee

A. When a person applies for a permit, the applicant shall pay to the District an application fee of $50 per application submitted. The District shall not accept an application until it receives the application fee.

B. If a permit is issued, the application fee paid pursuant to this section and the pre-plan check fees paid pursuant to Section 6.17 shall be applied to the overall fees required under this Division for the issuance of a permit.

C. Any person who has paid an application fee pursuant to this section and/or pre-plan check fees pursuant to Section 6.17 and whose application is canceled or withdrawn shall not be entitled to a refund or credit respecting such paid fees.

D. An application shall be deemed canceled if the applicant does not pay the applicable sewer connection charges within one year from the date of the application.

(Section 6.15 Amended by Ordinance No. 10-16-08-14)

Section 6.16 Deposit

a) Prior to receiving sewer service, an applicant for sewer service shall deposit with the District a sum equal to three (3) months of the meter inoperative rate for sewer service.

b) A deposit shall be required for each lot or premises when any of the following conditions occur:
1. Whenever an owner of property receiving sewer service from the District transfers the property to a new owner, the new property owner shall pay a deposit to the District as identified in Section 6.16 (a).

2. Whenever there is a change in the customer receiving sewer service, the new customer shall pay a deposit to the District as specified in Section 6.16 (a).

3. Any District customer whose sewer service is disconnected due to non-payment of District charges shall pay a deposit, as specified in Section 6.16 (a), as a prerequisite for resumption of sewer service. (Amended by Ord 02-21-08-04, eff: 5/1/2008)

c. Notwithstanding Section 6.16 (a), (b) (1), or (b) (2), an existing customer within the District who has not incurred any penalties or late charges on any sewer account with the District for nine (9) months of the immediately preceding twelve (12) months, shall not be required to deposit with the District an amount as identified in Section 6.16 (a). (Amended by Ord 02-21-08-04, eff: 5/1/2008)

d. Notwithstanding Section 6.16 (a) and (b), the District shall not retain as a deposit a sum greater than three (3) months of the meter inoperative rate for sewer service for any single lot or premises.

e. The District may use the deposit to pay any sewer bill, and penalties thereon, which are otherwise unpaid by the customer. The District may also use the deposit for its costs of collecting the unpaid sewer bill and penalties. If the District uses part or all of a customer’s deposit, that customer shall pay the District a sum adequate to maintain a deposit equal to three (3) months of the meter inoperative rate as a condition of continued sewer service. (Amended by Ord 02-21-08-04)

f. The amount of deposit not used by the District shall be refunded to the customer when the customer voluntarily terminates sewer service with the District. (Amended by Ord 02-21-08-04)

g. The amount of the deposit not used by the District may be credited to the account of the customer at such time as the District determines a deposit is no longer required, provided the District has held the deposit for a minimum of twelve (12) months. (Amended by Ord 02-21-08-04)

Section 6.17 Pre-Plan Check Fee

At the time an application is made to the District for a sewer permit, the applicant shall pay to the District a pre-plan check fee in accordance with the following table:

<table>
<thead>
<tr>
<th>Water Meter Size</th>
<th>Plan Check Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4 INCH METER</td>
<td>$25</td>
</tr>
<tr>
<td>1 INCH METER</td>
<td>$65</td>
</tr>
<tr>
<td>1 1/2 INCH METER</td>
<td>$117</td>
</tr>
<tr>
<td>2 INCH METER</td>
<td>$142</td>
</tr>
<tr>
<td>3 INCH METER</td>
<td>$194</td>
</tr>
<tr>
<td>4 INCH METER</td>
<td>$323</td>
</tr>
<tr>
<td>6 INCH METER</td>
<td>$568</td>
</tr>
</tbody>
</table>
**Section 6.18 Additional Sewer Connection Charges**

In addition to the payment of the sewer connection charges existing as of November 2, 2005, in accordance with and as set forth in Section 6.03 of Division VI of Chapter 11 of the District Code, all persons submitting applications for sewer service ("Applicant” or “Applicants”) on and after December 2, 2005, shall also be subject to the sewer connection charges that may be adopted by the District pursuant to the connection fee study presently underway by the District. In the event that the adopted sewer connection charges are higher than those existing as of November 2, 2005, then the difference between the connection charges paid by the Applicant and what the Applicant would be required to pay pursuant to the increased connection charges shall be paid by the Applicant. The District shall provide the Applicant with written notice of the amount due. The amount due shall be paid within 45 days after the date of the notice. If the new sewer connection charges are less than those existing on November 2, 2005, then the District shall refund the difference to the Applicant within 15 days after the effective date of the new connection charges. Connection charges due hereunder shall be subject to the provisions of Section 6.12 of Division VI of Chapter 11 of the District Code regarding the enforcement and collection of water charges. The District may disconnect service if connection charges due hereunder are not timely paid.

If, prior to the Applicant’s payment of any additional connection charges required by this Section 6.18, an Applicant transfers ownership of the premises for which an application for sewer service was submitted on or after December 2, 2005, the Applicant shall notify the buyer of the premises of the potential for payment of such additional connection charges.

All applications received on or after December 2, 2005, and until the effective date of the water and sewer connection charges that may be adopted pursuant to the connection fee study presently underway shall contain the following:

> “By signing this Application, the undersigned, in accordance with Section 6.18 of Division VI of Chapter 11 of the District Code, agrees to pay, in addition to the water and sewer connection charges in effect as of November 2, 2005, the difference between the amount paid and the amount which the Applicant would be required to pay pursuant to the charges adopted by the District pursuant to the connection fee study currently underway.”

This Section 6.18 shall apply only to applications for sewer service received on and after December 2, 2005, to the effective date of any new sewer connections charges adopted by the District pursuant to the connection fee study referenced herein.

(Ordinance No. 10-20-05-16 repealed and replaced by No. 11-02-05-16)

**Section 6.19 New Connection Charges Resulting From Remodel or Redevelopment**

If a larger water meter size is required in accordance with Section 6.25 of Division VI of Chapter 12, then the permittee also shall pay additional sewer connection charges reflecting the difference in the prevailing connection charge for the required larger meter and the prevailing connection charge for the existing meter to be replaced. There shall be no cash credits or refunds for meter down-sizing. (Ordinance No. 07-20-06-21)
Section 6.21  Supplemental Water Connection Charges for Minaret Road Property Owners

In addition to the payment of the water connection charges in accordance with and as set forth in Section 6.03 of Division VI of Chapter 12 of the District Code, all property owners along Minaret Road submitting applications for water service that will be provided through connection to the water mainline installed in Minaret Road by Stonegate Mammoth, LLC shall be subject to a supplemental water connection charge in accordance with and as set forth in Exhibit A attached hereto and incorporated herein by this reference. Interest shall be added to each supplemental water connection charge at the rate of 9% per annum, simple interest, based on the number of months, or portions thereof, from January 26, 2006, to the date that a property owner along Minaret Road files an application with the District to connect to the above-mentioned water mainline and the District’s water system, but in no event shall interest be charged for a period of more than 24 months. The supplemental water connection charge and interest shall be paid at the same time as the water connection charges set forth in Section 6.13 are paid. The supplemental water connection charge and the interest thereon shall be subject to the same rules and regulations governing the Section 6.03 water connection charges, including but not limited to those rules and regulations respecting refunds, and collection and enforcement.

(Ordinance No. 12-21-05-19) [Amended by Ordinance No. 01-26-06-01]

Section 6.22  Charges for Customer Requested Service Call

For any customer requested service call, there shall be a $50 per hour charge with a minimum one hour charge.

(Added by Ordinance No. 07-19-12-09)
DIVISION VII     DESIGN STANDARDS

Section 7.01     New Main Line Sewers

New main line sewers shall conform to the requirements of this division, unless otherwise specifically excepted.

Section 7.02     New Sewage Pumping Plants

New sewage pumping plants shall conform to the requirements of this division unless otherwise specifically excepted.

Section 7.03     New House Laterals

New house laterals shall conform to the requirements of this division.

Section 7.04     Sewer Service for Large Lots

Where a lot is of sufficient size that the Zoning Ordinance does not prohibit its division into smaller parcels, each of such possible parcels upon which one or more buildings containing plumbing facilities are or may be located, shall be considered as a separate lot. Separate house laterals shall be constructed to the main line sewer for each of such possible parcels except where the owner has filed an affidavit stating that the land will be held as a unit and that before any division of land is made, separate sewerage facilities will be provided for each parcel. If the main line sewer does not extend to a point from which such possible parcels can be served in accordance with the requirements of Section 7.14, the main line sewer must be extended in compliance with Section 7.14.

Section 7.05     Plans by Registered Civil Engineer

Any plans submitted for approval under the provisions of this chapter shall be prepared by or under the direction of and shall be signed by a Registered Civil Engineer of the State of California.

Section 7.06     Sewer Plans

a) Before a Sewer Permit may be issued, plans for the proposed construction shall be submitted to and approved by the District. The plans submitted shall become the exclusive property of the District.

b) After the fees required by this Chapter have been paid, the District shall check the submitted plans for compliance with the requirements of this Chapter and other applicable laws and ordinances of the city, county, state and other governmental entities.

c) The plans submitted shall be identical to plans for the same project submitted to the city, county or other governmental entity. The District shall be notified of any changes in the plans. Any changes in the plans must be checked and approved by the District prior to the issuance or modification of the sewer permit and shall be subject to Section 6.01, concerning plan checking fees.

d) All structures, facilities, and other appurtenances shown on the plans shall comply with all applicable District standards including, but not limited to, design.
e) The plans submitted shall be adequate for the District to determine the proposed demand to be placed on the District’s sewer system. The plans submitted shall be adequate for the District to calculate the applicable fees and charges.

Section 7.07 Sewer Easement Requirements

A person who wishes to have constructed a sewer in an easement under the provisions of this Chapter shall present to the District a request for processing, sufficient information to enable the preparation of written description, the appropriate fees, and plans showing the locations of all structures in the proximity of the sewer.

The location and dimensions of a sanitary sewer easement shall be sufficient to provide present and future sewer service to abutting areas and adequate access for maintenance, as determined by the District. No easement shall be less than ten feet in width.

Until the required easements have been properly executed and recorded, no plans shall be approved by the District for construction of sewer facilities across private property and no sewer facility shall be accepted for public use nor placed in use by any person.

Section 7.08 Size of Main Line Sewer

The size of main line sewer pipe shall be determined by standards of design listed below, but in no case shall it be less than eight (8) inches inside diameter unless approved by the District.

For Zoning in the Following Categories

<table>
<thead>
<tr>
<th>Coefficient Cubic</th>
<th>Feet Per Second Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Areas:</td>
<td></td>
</tr>
<tr>
<td>R-1</td>
<td>0.004</td>
</tr>
<tr>
<td>R-2</td>
<td>0.008</td>
</tr>
<tr>
<td>R-3</td>
<td>0.0012</td>
</tr>
<tr>
<td>R-4</td>
<td>0.0016*</td>
</tr>
<tr>
<td>Commercial Areas:</td>
<td></td>
</tr>
<tr>
<td>C-1 through C-4</td>
<td>0.015*</td>
</tr>
</tbody>
</table>

*Individual building or commercial capacities shall be the determining factor when they exceed the coefficients shown.

The coefficient to be used for any zoned areas not listed will be determined by the District based upon the intended development and use.

Sizes and Grades: Pipes 15” and under in diameter shall be designed to flow at ½ depth at maximum flows with n = 0.013. Pipe 18” in diameter and over shall be designed to flow at ¾ depth at maximum flows with n = 0.013.

Minimum grades for various sizes of pipe are listed below:
6” pipe at $s = .010$ feet per foot
8” pipe at $s = .004$ feet per foot
10” pipe at $s = .0032$ feet per foot
12” pipe at $s = .0024$ feet per foot
15” pipe at $s = .0015$ feet per foot
18” pipe at $s = .0014$ feet per foot
21” pipe at $s = .0012$ feet per foot

Gradients shall be set to two figures divisible evenly by 4, such as $s = 0.0036$, whenever possible. Standard plan and profile drawings are available at the District.

For determining the maximum flow in the main line sewer appropriate acreage and per capita sewage flow data shall be used.

For convenience in computations, four house connections per acre may be used for tracts with average size lots of 7,500 square feet in area, making $Q_{max}$ per connection in medium density residential areas = 0.0010 cfs. Acreage shall be taken to center of bounding streets and/or back lot line.

**Section 7.09  Velocity**

A main line sewer shall be designed to provide a minimum velocity of two (2) feet per second for pipes flowing one-half full, except that the District Manager may approve a gradient that will develop a lower velocity if he finds that a gradient that will develop a velocity of (2) feet per second in unobtainable.

**Section 7.10  Grades**

The slope of the sewers shall be shown on the plans in feet of fall per 100 feet of horizontal distance expressed as a percentage. Slopes used expressed in percentages shall be divisible, without remainder, by four (4) in the hundredth column. For example,.036% complies with this section.

**Section 7.11  Depth of Sewer**

The minimum depth for main line sewers shall be seven and one-half feet (7.5) feet.

Where ground water is present, the depth for residential main line sewers must be sufficient to provide for a house lateral with a minimum depth of at least five (5) feet below the curb grade or center line of street or alley grade at the property line. Exceptions to the above minimum may be made only as a special condition only after review and approval by the District.

**Section 7.12  Structures**

Manhole structures shall be placed in the main line sewer at all changes of alignment and gradient. The maximum distance between structures shall be not more than four hundred (400) feet. All structures shall be designed according to the standard drawings for structures on file with the office of the District. If a cleanout is used at the upstream end of the line, a maximum distance of two hundred (200) feet shall be used.
Section 7.13  Alignment and Location of Sewer in Street

Where design considerations permit, main line sewers shall have a straight alignment and shall be located five (5) feet from and on the northerly and easterly sides of the center lines off streets or alleys, except on major or secondary highways where separate sewers shall be located in the roadway six (6) feet from each curb line.

Section 7.14  Location of End Structures

End structures shall be placed at whichever of the following locations is farthest upgrade:

A. Not less than ten (10) feet upgrade from the downgrade lot line of the last lot being served.

B. Not more than forty (40) feet downgrade from the upgrade lot line of the last lot being served, if there may be a future extension of the main line sewer.

C. At a location where the house lateral and building sewer can be constructed in a straight alignment at right angles to the main line sewer.

Section 7.15  Asbestos Cement Pipe

Asbestos cement pipe shall conform to Federal Specifications Ss-P351a and shall be of pipe class required to meet the particular installation conditions. Pipe lengths shall be standard thirteen (13) foot lengths except that a maximum of ten percent (10%) of the total footage of any one size and class may be furnished in shorter lengths.

Section 7.16  Vitrified Clay Pipe

Vitrified clay pipe main line and house lateral sewers shall be constructed of the class designated as extra strength pipe.

Sewer pipe installed under a conduit or other structure, or at depths greater than twenty (20) feet or in other locations where the District determines that additional protection is required, shall be reinforced with a concrete cradle, or encased in concrete, or reinforced by other approved means, which will protect the pipe.

Sewer pipe installed in streets or public easements with the top of the pipe less than four (4) feet below the surface, as determined during construction or indicated on the plans, shall be encased in concrete, or other approved means to protect the pipe.

Section 7.17  Substructures

All substructures which will be encountered in the construction or which will be installed as part of the improvement shall be shown and designated on the plan. Large substructures, which require special treatment in the design of the sewer, shall also be shown in the profile.
Section 7.18  Soil Conditions

Soil conditions, particularly in areas known to have high ground water rock, or filled ground, shall be prospected and the results shown on the profile.

Section 7.19  Bench Marks

A system of bench marks on the U.S.C. & G.S. Sea Level Datum of 1929 and adequate to construct the work shall be shown on the profile. The elevation of the sewer at the point where the system is to be discharged shall be shown as determined by the field from the above shown datum.

Section 7.20  Material of Pipe

All pipe other than asbestos cement, vitrified clay, or cast iron shall first be approved for use by the District and shall be equivalent to vitrified clay or cast iron pipe in strength, effectiveness, durability and safety in accordance with the use intended.

Section 7.21  House Laterals

a) For each lot, a six (6) inch internal diameter house lateral sewer shall be provided in the street a straight in alignment and grade between the mainline sewer and the property line, with minimum depths as required by Section 7.11 and at right angles to the mainline sewer whenever possible. Existing 4-inch house laterals and 4-inch wyes and easements may be used for connection to the sewer.

As shown in Exhibit A of this chapter, house laterals shall be marked at the property line with a #4 reinforcing bar extending from a point twelve (12) inches above the house lateral to a point four (4) above the ground. The buried end of the #4 reinforcing bar shall be bent to provide an eight (8) inch right angle. Plastic “Idento-tape” labeled “sewer” shall extend from the end of the house lateral to ground surface and shall be laid the end of the house lateral to ground surface and shall be laid twelve (12) inches above the entire length of the house lateral.

b) A District inspector shall be present during the installation of all house laterals to insure that the locations of all hose laterals are properly marked on as-built maps and to insure that the hose laterals are marked with a steel stake or some other means to guarantee easy location of the house lateral at any future date.

Section 7.22  Depth of lateral in Street

The depth of house laterals at the property line shall be sufficient to provide service to the lowest or farthest point to be served on the lot at a minimum grade of 2% with the top of the pipe not less than one foot below the ground surface at any point. The minimum depth for house laterals at the property line shall be five and one-half (5½) feet below the curb grade or the center line of street or alley grade.

Section 7.23  Exception May be Granted

If a literal compliance with any engineering requirements of this chapter is impossible or impractical because of peculiar conditions in no way the fault of the person requesting an exception, and the purposes of this chapter may be accomplished and public safety secured by an alternate construction or procedure,
and the District Manager so finds that such alternate complies with sound engineering practice, he may grant an exception permitting such alternate construction or procedure

Section 7.24  Repealed

(Adopted by Ord. No. 02-03-72-1; repealed by Ord. No. 04-15-82-11)

Section 7.25  Water and Sewer Separation

Water and sewer connections to District mains shall be separated so that no potential cross-connection exists. Water connections shall be a minimum of twelve (12) inches above the top of the house lateral with a horizontal separation of two (2) feet minimum from the structure to the mains. If the vertical and horizontal separations cannot be met as stipulated, a horizontal separation of ten (10) feet shall be required. Water and sewer line crossings on the applicant’s property shall have a vertical separation of three (3) feet minimum between the bottom of the water line and the top of the house connection (water line on top). If the clearance is less than three feet, the sewer shall be encased in a concrete envelope for distance of five (5) feet on each side of the water line, measured at right angles, from the outside of the water line. The concrete encasement shall provide a minimum of six (6) inches of cover around the periphery of the sewer line.

Section 7.26  As-Built Plans

Two sets of blue-line prints and one set of reproducible drawings delineating As-Built sewers and appurtenances shall be filed with the District prior to and as a condition of approval and acceptance of construction. No certificate of final inspection will be issued until “As Builts” have been filed with the District.

Section 7.27  Pipe Bedding

Materials used for pipe bedding within the pipe zone shall be granular select sand approved by the District. Material within the pipe zone shall extend from six (6) inches below the pipe to twelve (12) inches over the top of pipe. Select sans shall be free from stone clods or other deleterious material and shall be placed in the trench on each side of the pipe for the full length of the trench in six (6) inch layers. Each layer shall be thoroughly compacted by tamping or, where the material is sufficiently granular in nature as determined by the District, by water settling. In all cases, backfilling of the pipe zone must be done by hand. Particular attention is to be given to the underside of the pipe fittings to provide a firm support along the full length of the pipe. Backfill shall be compacted to ninety (90) percent in accordance with ASTM D1557.

Section 7.28  Backfill

All backfill material, placement thereof, and compaction shall be in accordance with the requirements of the agency having jurisdiction thereof. In road right-of-way, backfill shall be in accordance with the encroachment period. In no case, however, will a lesser degree of compaction than herein before specified be permitted in the pipe zones. Excavated materials that do not comply with the requirements of the governing agency shall be replaced at the Contractor’s expense. Unsuitable material excavated shall become the property of the Contractor and shall be removed from the work site.
Section 7.29  Inclusion of Other Utilities within Pipe Trench

No other utility shall be allowed in the pipe trench excavated for sewers or sewer appurtenances within the county rights-of-way. Utilities crossing over or under sewers shall be adequately marked and protected against future excavations for necessary repair of sewer lines.
DIVISION VIII  INSPECTION

Section 8.01   Inspection by District Manager Required

All work done under the provision for this chapter shall be subject to inspection by and shall meet the approval of the District Manager, provided, however, that approval by the District Manager shall not relieve the permittee or any other applicable ordinance.

After the fee required has been paid and the permit issued, the District Manager shall inspect the construction for compliance with the requirements of this chapter.

Section 8.02   Notification When Ready for Inspection

The permittee shall notify the District Manager at least twenty four hours prior to the time any inspection is to be made.

Section 8.03   Work Shall be Uncovered and Convenient

At the time of the inspection the permittee shall have all work uncovered and convenient, and shall give the District Manager every facility to make a thorough inspection.

Section 8.04   Correction of Defective Work

If the construction does not conform to the provisions of this chapter, or if the permittee fails to prosecute the work with such diligence as to insure its completion within the time specified, the District Manager shall notify the permittee in writing to comply. If the permittee fails to comply within five (5) days after the written notice, the permit shall be suspended or revoked in accordance with the procedures set forth hereinafter.

Section 8.05   Materials and Construction to meet Standard Specifications

All material used in any work done under provisions of this chapter shall be new, first-class material and shall conform to, and the manner of construction shall meet all the requirements prescribed by this chapter, by the “Standard Specifications for Public Works Construction”, and by “Standard Requirements for Design and Construction of Water Distribution Systems within the Mammoth Community Water District”, on file in the office of the District Manager before a certificate of final inspection will be issued.

Section 8.06   Facilities Not to be Used Prior to Final Inspection

No sewer or other facility constructed under the provisions for this chapter shall be placed in use until the work has been approved by the District Manager and a certificate of final inspection has been issued. Exceptions to this requirement may be made only when the work is substantially complete and has been inspected, and if the District Manager determines that the best interest of the public will be served by permitting such use prior to completion or the work.
DIVISION IX  MAINTENANCE

Section 9.01  Removal of or Injury to Sewer

An unauthorized person shall not remove or cause to be removed, or injure or cause to be injure, any portion of any public sewer, sewage pumping plant, water pollution plant, or any appurtenances thereto.

Section 9.02  Opening Manhole

An unauthorized person shall not open or enter, or cause to be opened or entered, for any purpose whatsoever, any manhole in any public sewer.

Section 9.03  Dumping Effluent

The District Manager may permit operators of “Cesspool” pump trucks to dispose of septic tank, seepage pit or cesspool effluent which does not contain harmful concentrations of industrial liquid waste, oils, greases, or other deleterious substances into certain designated manholes, upon payment of the fee specified in Section 6.09. No person shall dump such effluent in any manhole other than those to accept such effluent if it fails to meet the aforementioned requirements.

Section 9.04  Cleaning Manholes

When septic tank, seepage pit or cesspool effluent is dumped into a specified manhole under permission from the District Manager, it shall be discharged through a pipe or hose in a manner such that none of the effluent shall be left adhering to the sides or shelf of the manhole, and if any such effluent is inadvertently allowed to adhere to the sides of shelf of the manhole, the manhole shall be thoroughly cleaned with clear water.
DIVISION X   DISCHARGE OF WASTE TO THE PUBLIC SEWER

Section 10.01   Waste Disposal Permit Required

A person discharging waste into a public sewer shall obtain a waste disposal permit from the District prior to discharge.

The District shall not grant such a permit unless it finds that sufficient capacity exists in the public sewer to allow for such waste or in the case of the FOG Control Program set forth in Division XVI of this Chapter, that the FSE or Property Owner is complying with the provisions of that Division.

Section 10.02   Revocation of Permit

The General Manager may recommend that revocation of, and the Board may revoke, any permit, if after a public hearing, if a public hearing is requested, or otherwise, after due investigation, the Board finds that the Permittee has failed to correct conditions as required by the District, or that fraud or deceit was employed in obtaining the permit, or that any other violation of this chapter exist.

Section 10.03   Application Form

The District shall provide application forms for the permit required by this Chapter indicating thereon the information to be furnished by the applicant. The District may require in addition to the information furnished by the application, any additional information from the applicant which will enable the District to determine that the proposed disposal complies with the provisions of this chapter.

Section 10.04   Permit

If it appears from the application for any permit required by this article that the proposed disposal complies with the provisions of this chapter, the District, upon receipt of the fees hereinafter required, shall issue such permit, with applicable general conditions and with or without any special conditions.

Section 10.05   Liquid Waste Disposal

Before granting a Waste Disposal Permit to any applicant, the District shall determine either that the waste is one which will not damage or destroy the public sewer or cause an unwarranted increase in the cost of maintenance of the public sewer or retard or inhibit the treatment of the sewage or is one that can be made acceptable by pre-treatment.

Section 10.06   Pretreatment Plans Required

In the event pretreatment or special facilities are required to make the waste acceptable as provided under the provisions of this Chapter the applicant shall install any required facilities, prepare any required pretreatment plan, and have the same reviewed and approved by the District before the District will issue a permit.

Section 10.07   Limitations on Use of Sewer

A person shall not place, throw, or deposit, or cause or permit to be placed, thrown, or deposited in any public sewer or main line sewer any dead animal, offal, or garbage, fish, fruit, or vegetable waste, or other
solid matters, or materials or obstructions of any kind whatever of such nature as shall clog, obstruct or fill such sewer, or which shall interfere with or prevent the effective use or operation thereof. A person shall not cause or permit to be deposited or discharged into any such sewer any water or sewage or liquid waste of any kind containing chemicals, greases, oils, tars, or other matters in solution or suspension, which may clog, obstruct or fill the same, or which may necessitate or require frequent repair, cleaning out or flushing of such sewer to render the same operative or which may obstruct or cause an unwarranted increase in the cost of treatment of the sewage. Storm runoff water shall not be discharged into a sanitary sewer.

Section 10.08  Water

No uncontaminated water shall be discharged into a public sanitary sewer except by written permission from the District.

Section 10.09  Garbage

Except as prohibited in Division XVI of this Chapter 11, garbage resulting from the preparation of food may be discharged in the public sewer if ground to a fineness sufficient to pass through a 3/8 inch screen. Excessive or unnecessarily large quantities of water shall not be used to flush ground garbage into the sewer. The use of garbage disposals is highly discouraged. Domestic food waste is best disposed of in the trash.

Section 10.10  Temperature of Effluent

A person shall not discharge into the public sewer effluent to a temperature exceeding one hundred forty (140) degrees Fahrenheit.

Section 10.11  Control of pH

Before any person shall discharge acids or alkalis into the public sewer, he shall control the pH to the extent the District finds adequate.

Section 10.12  Toxic Substances

All toxic chemical substances shall be retained or rendered acceptable before discharge into the public sewer.

Section 10.13  Rights of Permittee

Within the time specified in the notice of violation of suspension, the permittee shall correct and remedy the conditions so specified, to the satisfaction of the District Manager, or file with the Board a denial that all of the conditions so specified exist and request a public hearing.

Section 10.14  Application Fee for Waste Permit

Except for the specific fee for a FOG disposal permit provided in Division XVI of this Chapter, the District shall collect an application fee of Fifty Dollars ($50.00) with each application, which fee shall be separate and apart from any fees or deposits collected or imposed under other ordinances or regulations or by
reason of any license, agreement of contract between the applicant and other public agency. Such application fee shall not be refunded even if the application is denied.

Section 10.15 Waste Treatment Plants or Facilities Required

Except for the mandatory installation of a Grease Control Device required by Division XVI of this Chapter, waste treatment plants, pre-treatment facilities or interceptors shall be installed whenever the District shall find as a fact that such facilities are required to safeguard the public health; prevent pollution of streams, or bodies of surface or underground water, prevent pollution of storage reservoirs, either natural or artificial; prevent damage or increased maintenance costs in the sewage system and District’s wastewater treatment plant; prevent damage to public or private property; prevent a public nuisance; or to comply with applicable regulations of any other public agency.

Section 10.16 Installation

Grease Control Devices or other waste treatment plants or pre-treatment facilities shall be installed and constructed so that they shall be at all times easily accessible for inspection and maintenance. The District may require an inspection manhole on the FSE’s or owner’s property for sampling and measurement of flow.

Section 10.17 Maintenance and Operation of Private Treatment Plants or Facilities

All waste treatment plants or facilities and all appurtenances thereto, now existing or hereafter constructed under jurisdiction of this Chapter shall be maintained by the owner or person having jurisdiction of the property affected in good operating condition and safeguards which are required by this Chapter for the operation thereof, and all records of such operation shall be maintained in good order.

Section 10.18 Access to Properties

The District shall be permitted at all reasonable hours to inspect waste treatment plants or facilities and to enter and inspect the place, enclosures, or structure where wastes or effluent are discharged or deposited.

Section 10.19 Installation of Sand and Grease Interceptors

Each restaurant shall have an installed sand and grease interceptor. The interceptor shall be installed at the expense of the restaurant owner. The interceptor shall be maintained by the said owner, at the owner’s expense, in continuous and efficient operation at all times. The interceptor so installed either shall be of the same type and design as that shown in Exhibit B, attached to this Chapter, or shall be of a type and design approved by the District prior to the interceptor’s installation. Any other commercial facility used or designed for the preparation, processing and distribution of food products shall comply with this section when so directed in accordance with Section 10.15 of the Ordinance and Chapter.

Section 10.20 Time for Compliance

Notwithstanding the provisions of Section 10.19 of this chapter, no restaurant, which has been in continuous operation since February 2, 1972, shall be required to install a sand and grease interceptor until forty-five days after the happening of any of the following:
a) The transfer of any ownership interest in the restaurant;

b) The issuance of Mono County of any building permit for any construction to be performed on the premises;

c) The backup or discharge of raw sewage on or from the premises;

d) Or until five years from the date of adoption of this ordinance, whichever shall first occur.

Section 10.21 Waiver of Sand and Grease Interceptor Requirement

The provisions of Sections 10.19 and 10.20 of this Chapter requiring installation of sand and grease interceptors may be waived by the District with respect to those restaurants whose owners can demonstrate to the satisfaction of the District that wastewater introduced into the District’s sewage collection system from the restaurant will not cause or contribute to line seepage or otherwise adversely affect sewage treatment. Any person requesting a waiver pursuant to this Section shall provide the following information in writing on a waiver application provided by the District:

1) Types of food prepared and method of preparation.

2) Number of meals served during peak twenty-four (24) hour period.

3) Description of dishwashing facilities and flow capacities.

4) Time that dishwashing facilities are in use during peak twenty-four hour period.

The restaurant owner and/or operator, their successors or assigns shall notify the District of any change in the information stated in the application within ten (10) days of any such change. The District at any time may revoke any waiver granted upon thirty (30) days written notice to the restaurant owner and/or operator if it finds that wastewater from the restaurant contributes to or causes line stoppage or otherwise adversely affects sewage treatment. The restaurant owner or operator shall comply with the provisions of Section 10.19 of this Chapter within the thirty (30) day periods.
DIVISION XI   ENFORCEMENT

Section 11.01   Authority of District

A) The charges and rentals levied pursuant to this chapter shall be collected by the Board, who shall make and enforce such regulations as may be necessary for safe, economical and efficient management and protection of the District distribution system, and such regulation, collection, creating and refunding of such charges or rentals.

B) In the event of a violation of any of the laws of the State of California, Mono County, or the ordinances of the District or rules and regulations, the District shall notify the person or persons causing, allowing, or committing such violation, in writing, specifying the violation and upon the failure of such person or persons to cease or prevent further violation within five (5) days after the receipt of such notice, the District shall have authority to disconnect the property served from the District system.

Section 11.02   Public Nuisance

Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this or any other ordinance, 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 building or industrial facility during the period of such violation.

Section 11.03   Public Nuisance, Abatement

During any period of disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon the District shall cause proceedings to be brought for the abatement of the occupancy of said premises by human beings during the period so such disconnection. In such event, and as a condition of reconnection, there is to be paid to the District a reasonable attorney’s fee and cost of suit arising in said action.

Section 11.04   Discontinuance of Service

Service may be discontinued for any one of the following reasons:

a) Delinquency in the payment of any bill, except that residential service shall not be discontinued for nonpayment in any of the following situations:

1) During the pendency of any investigation by the District of a customer dispute or complaint.

2) When a customer has been granted an extension of the period for payment of a bill.

3) On the certification of a licensed physician and surgeon that to do so will be life threatening to the customer and the customer is financially unable to pay for service within the normal payment period and is willing to enter into a amortization agreement with the District and requests permission to amortize, over a period not to exceed 12 months, the unpaid balance of any bill asserted to be beyond the means of the customer to pay within the normal payment period.

B) The unauthorized taking of water or the taking of water in excess of the amount paid for.
C) Failure of the customer to maintain his facilities in a suitable condition to prevent waste of water.

D) The existence of any unprotected cross connections on the customer’s premises or the lack of adequate backflow protection at the service connection.

E) Any violation by the customer of any rules and regulations of the District governing water service.

Section 11.05 Notice and Hearing Prior to Discontinuance of Residential Service for Non-Payment

A) At least ten (10) days before any proposed discontinuance of residential service for non-payment of a delinquent account the District shall mail a notice, postage pre-paid, to the customer to whom the service is billed of the proposed discontinuance. Such notice shall be given not earlier than nineteen (19) days from the date of mailing the District’s bill for such service and the ten (10) day period shall not commence until five (5) days after the mailing of the notice. In addition to the ten day notice provided for in the preceding sentence, the District shall make a reasonable, good faith effort to contact an adult person residing at the premises of the customer by telephone or in person at least forty-eight (48) hours prior to any discontinuance of such service.

B) Every notice of discontinuance of service required by this section, shall include all of the following information:

1. The name and address of the customer whose account is delinquent.
2. The amount of the delinquency.
3. The date by which payment or arrangements for payment is required in order to avoid discontinuance.
4. The procedure by which the customer may initiate a complaint or request an investigation concerning service or charges, unless the District’s bill for service contains a description of that procedure.
5. The procedure by which the customer may request amortization of the unpaid charges.
6. The procedure for the customer to obtain information on the availability of financial assistance, including private, local, state or federal sources, if applicable.
7. The telephone number and name of a representative of the District who can provide additional information or institute arrangements for payment.

Section 11.06 Notice and Hearing Prior to a Discontinuance Other than a Discontinuance of Residential Service for Non-payment

At least ten (10) days before discontinuing service, other than the discontinuance of residential service for non-payment of a delinquent account, which is provided for in Section 11.05, the District shall provide for in a written notice which shall specify the reason for the proposed discontinuance and inform the customer of the procedure for and the availability of the opportunity to discuss the reason for the
proposed discontinuance with the General Manager, or his or her designee, who in empowered to review disputes and rectify errors and settle controversies pertaining to such proposed discontinuance of service. The name and phone number of the General Manager, or his or her designee, shall be included in any such notice of proposed discontinuance given to a customer.

**Section 11.07 Discontinuance of Service on Weekends, Holidays or After Hours**

No water service shall be discontinued to any customer or user because of any delinquency in payment on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the District are not open to the public.

**Section 11.08 Amortization of Delinquent Bill for Residential Service**

Every complaint or request for investigation by a residential customer that is made within five (5) days of receiving the disputed bill, and every request by a residential customer that is made within thirteen (13) days of the mailing of the notice required by Section 11.05 for an extension of the payment period of illness asserted to be beyond the means of the customer to pay in full during the normal period for payment shall be reviewed by the General Manager, or his or her designee. The review shall include consideration of whether the customer shall be permitted to amortize the unpaid balance of the account over a reasonable period of time, not to exceed twelve (12) months. Any customer whose complaint or request for an investigation has resulted in an adverse determination by the General Manager, or his or her designee, may appeal the determination to the Board of Directors.

**Section 11.09 Authority to Settle Controversies Relating to Discontinuance and to Permit Amortization of Delinquent Bills**

The General Manager, or his or her designee, is hereby authorized to investigate complaints and review disputes pertaining to any matters for which service may be discontinued and to rectify errors and settle controversies pertaining to such matters. The General Manager, or his or her designee, is also authorized upon a proper showing by a residential customer of the customer’s inability to pay a delinquent bill during the normal period, to grant permission to amortize the unpaid balance over a reasonable period of time, not to exceed twelve (12) months. At his or her discretion, the General Manager may bring such controversies to the board for settlement by the Board prior to the discontinuance of any such service.

**Section 11.10 Notice Required Prior to Discontinuance of Service for Failure to Comply with Amortization Agreement**

If an amortization agreement is authorized, no discontinuance of service shall be effected for any residential customer complying with such agreement, if the customer also keeps the account current as charges accrue in each subsequent billing period. If a residential customer fails to comply with an amortization agreement the District shall not discontinue service without giving notice to the customer at least forty-eight (48) hours prior to discontinuance of the conditions the customer is required to meet to avoid discontinuance, but the notice does not entitle the customer to further investigation by the District.
Section 11.11     Notice of Discontinuance of Residential Service to Customers on Master Meters

Whenever the District furnishes residential service to a master meter or furnishes individually metered service to a multi-unit residential structure, mobile home park, or farm labor camp where the owner, manager, or farm labor employers listed by the District as the customer of record, the District shall make every good faith effort to inform the actual users of the service, by means of a notice, when the account is in arrears, that service will be discontinued within ten (10) days. Such notice shall also inform the actual users that they have the right to become District customers without being required to pay the amount due under the delinquent account. Nothing in this section shall require the District to make service available to actual users unless each actual user agrees to the District’s terms and conditions of service and meets the requirements for the District’s rules and regulations. If one or more actual users are willing and able to assume responsibility for the entire account to the satisfaction of the District, or if there is a physical means, legally available to the District, of selectively terminating service to those actual users who have not met the requirement of the District’s rules and regulations, the District shall make service available to the actual users who have met those requirements.

Section 11.12     Reconnection

When service has been disconnected as provided in this ordinance the customer shall pay the unpaid account balance in full plus a reconnect charge of Seventy-five dollars ($75.00) before any disconnected service will be reconnected.

Section 11.13     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 ordinance, rules and regulations, and not as a penalty.

Section 11.14     Lien

Each rate, charge, penalty, or rental levied by or pursuant to this chapter on property is hereby made a lien upon said property as hereinabove provided.

Section 11.15     Cumulative Remedies

All remedies set forth herein for the collection and enforcement of charges, rates and penalties are cumulative and may be pursued alternatively or consecutively.
DIVISION XII   OUTSIDE DISTRICT SEWER SERVICE

Section 12.01  Application of Division

To the extent the terms, provisions, and sections of this Division on service outside the District’s boundaries, and on contracts for such service, may be inconsistent or in conflict with the terms, provisions, and sections of any other Division or part of this Chapter, the terms, provisions, and sections of this Division on sewer service outside the District’s boundaries shall prevail solely with respect to service outside the District’s boundaries and contracts for such service. All other terms, provisions, and sections of any other Division, unless expressly otherwise provided.

Section 12.02  Scope

The provisions of this Division shall apply (a) to the discharge or disposal of all wastes including any material which may cause pollution of underground or surface waters from sources outside the Mammoth Community Water District in, upon, or affecting the territory of the District; (b) to the design, construction, alteration, use, and maintenance of public sewers, house laterals, industrial connections, liquid waste pretreatment plants, sewage pumping plans, sand and grease interceptors; (c) to the collection of fees for District services relating to Section 12.02 (a) or (b); and (d) to provide penalties for violation of any of the provisions hereof.

Section 12.03  Definitions

When used in this Division, the following additional terms, words and phrases shall have the following definitions.

A. “Applicant” means a person who has applied for a contract for outside District sewer service pursuant to the provisions of this Division.

B. “Outside District Sewer Service” means the provision of District sewer service to, or the receipt into the District collection system of sewage, effluent or industrial waste from, any premises located outside the geographical boundaries of the District.

C. “Outside Customer” means any person who receives outside District sewer service pursuant to contract.

D. “Appropriate Public Agency” means the appropriate public agency as defined by California Water Code Section 31100.

E. “Outside Sewage Facilities” shall mean all those devices, which the District determines, must be installed to District standards and maintained by the outside customer for collection, deposit, and transmission of sewage or effluent to the District sewer system.

Section 12.04  Contracts

A. Division V of this Chapter shall not apply to this Division XII.
B. **Contracts Required** – No outside District sewer service shall be provided in the absence of an effective contract between the District and the outside customer. No person shall commence, do or cause to be done, construct or cause to be altered, or connect to any public sewer, force main, house lateral, sewage pumping plant, or other similar appurtenance of or in the Mammoth Community Water District boundaries without first applying for and obtaining a contract from the District for Outside District Sewer Service.

C. **Application For Contract** – Any person desiring outside District sewer service shall make written application to the District Manager for a contract for such service. The applicant shall be the owner, or the United States Forest Service permittee for, the lot or premises for which outside District sewer service is requested, or the agent of the owner of USFS permittee authorized in writing to make the application on behalf of the owner or USFS permittee.

The District Manager shall provide printed application forms for the contracts provided for by this Division, indication thereon the information to be furnished by the applicants. The District Manager may require in addition to the information furnished on the printed form, any other information form the applicant, which will enable the District Manager to determine that the proposed contract, complies with the provisions of this Code.

D. **Contract Required for Continued Service** – All persons who have received outside District sewer service prior to the adoption of this Division shall be provided such service only upon the execution of an effective contract with the District.

E. **Board Approvals** – A contract for outside District sewer service shall be effective only when approved by (1) the District Board or its authorized representative, (2) the appropriate public agency, and (3) the U.S. Forest Service if U.S. Forest Service sewer lines or facilities are to be used to provide sewer service to the outside customer. If the appropriate public agency or the U.S. Forest Service withdraws its approval, the contract shall voided.

F. **Charges** – All contracts to provide outside District sewer service shall include charges for the provision of services in conformity with the rates established in Section 12.05 of the Division.

G. **Fees and Deposit Payment Required** – Outside District sewer service shall not become effective until the outside customer pays all fees and charges, and a deposit required pursuant to the Division

H. **Contracts Conditional Upon Service to District Customers** – All contracts for outside District sewer service shall specify the period of time for which the outside customer is entitled to receive District sewer service. Installation, construction, and maintenance of sewage facilities by an outside customer shall not create a vested right to continuing service.

I. **Non-Assignment** – Outside District sewer service contracts shall provide that they may not be assigned by the outside customer without the express prior written consent of the District, and that no other lot or premises shall be connected to the outside sewage facilities for the premises covered by the contract.

J. **No obligation to Provide Water** – The District’s provision of outside District sewer service shall in no way obligate, bind or otherwise commit the District to provide water service of any nature to an outside customer.
K. **Sewage Facilities and Transmission Lines** – Outside sewage facilities shall be installed and constructed pursuant to District design standards and procedures including, but not limited to, those standards and procedures set forth in Section 3.05, Division VII (Sections 7.01 through 7.29), and Section 8.05 of this Chapter. As required therein, no installation or construction shall be undertaken until plans have been submitted to and approved by the District.

L. **Inspection Required** – No outside District sewer service contract shall become effective until the District Manager or representative thereof has inspected the outside customer’s sewage facilities and a certificate of final inspection is issued as provided for in this Chapter.

M. **Tapping of District System** – Tapping the District’s sewer collection system for the purpose of connecting the outside customer’s sewage facilities to the District’s system shall be done only by the District or under the District’s supervision.

N. **Liability** – The District and its officers, agents and employees shall not be answerable for any liability for injury or death to any person or damage to any property arising during or stemming out of the performance of any work by such applicant. The applicant shall be answerable for, and shall save the District and its officers, agents and employees harmless from any liability imposed by law upon the District and its officers, agents, or employees, including all costs, expenses, fees and interest incurred on defendant same or in seeking to enforce its provisions. The applicant shall be solely liable for any defects in the performance of applicant’s work or any failure, which may develop therein.

O. **Industrial Waste** – Non-industrial waste may be discharged into the outside sewer facilities or the District collection system in the absence of an express contract provision allowing such discharge.

**Section 12.05 Fees and Charges**

A. **Application Fees**

1. Any person who has received outside District sewer service prior to the adoption of this section and who applies for outside District sewer service on or before September 1, 1984, shall pay no application fee.

2. Any person other than as specified in Section 12.05A1 shall, when applying for outside District sewer service, pay a non-refundable application fee of $50.00.

B. **Plan Checking Fees** – Any person required by this Division to have plans for proposed outside sewage facilities checked and approved shall pay to the District a fee or fees at the rate set forth in Section 6.01 of this Chapter.

C. **Inspection Fees**

1. Any person whose outside sewage facilities were inspected by the District or the District’s representative prior to the adoption of this section shall pay no inspection fee for District inspection of these outside sewage facilities pursuant to section 6.02 of this Chapter.
2. The fees for the inspection of any outside sewage facilities other than as specified in Section 12.005C1 shall be as set forth in Section 6.02 of this Chapter.

D. **Tapping Fees** – The owner will be billed for the costs of any work performed by the District for the purpose of tapping into a District sewer main.
(Amended by Ordinance No. 03-21-13-07, effective 3/21/2013)

E. **Outside District Sewer Services Rates and Charges** – Each lot or premises which is connected to, and each owner or customer receiving sewer service from the District shall pay a monthly sewer service charge for the use of the collection system and sewage treatment facilities within the District, plus an operation and maintenance charge for the use of the collection system and facilities located outside the District boundaries but connected thereto. Each customer shall pay a monthly sewer service charge for those months in which the customer is authorized by the District to receive District sewer service.
(Ordinance No. 06-19-03-04)

3. For the purpose of Section 12.05E, the following terms shall have the following definitions:

a) “Cabin Unit” shall mean a cabin or similar structure, which is occupied primarily on a residential basis and is similar in use to a single-family residence, condominium unit, apartment unit, or mobile home.

b) “Lodge Unit” shall mean each individual unit of a lodge, hotel, or similar facility, which rents out the use of its facilities on a commercial basis and is similar in use to a motel room.

c) “Commercial Unit” shall mean each store or separately owned or operated recreational commercial space or structure, including a pack station, or any other commercial user, which is not specifically identified herein.

E.4. The sewer service rates and charges set forth in this Section 12.05.E. shall be adjusted April 1 of each year by the percentage change in the Los Angeles – Riverside – Orange County Consumer Price Index (All Urban Consumers) for the prior April 1 to March 31 period, except that the Board of Directors of the District may determine to reduce or eliminate any such adjustment for any fiscal year depending on circumstances existing at such time; provided that for the April 1, 2003 to March 31, 2004 fiscal year, the sewer service rates and charges shall be adjusted on July 1, 2003, according to the percentage change in such index for the April 1, 2002, to March 31, 2003 period. The Los Angeles – Riverside – Orange County Consumer Price Index (All Urban Consumers) has been selected because changes in it most reflect changes experienced in the District’s costs to operate, maintain and repair its sewer system.

F. **Deposit Required**

1. Any person who has received outside District sewer service prior to the adoption of this section shall deposit a sum equal to the rate for three months sewer service as provided for in Division, on or before September 1, 1984.

2. Any person, other than as specified in Section 12.05F1, shall deposit a sum equal to the rate for three months sewer service as provided for in the Division, prior to being provided outside District sewer service.
3. Notwithstanding Sections 12.05F1 and F2, the General Manager is hereby authorized to increase or decrease the amount of deposit required of any outside customer as the General Manager so determines in the Manager's sole discretion.

4. Section 6.03, 6.10, and 6.13B and C of Division VI of this chapter shall not apply to service pursuant to this Division XII.

{Subsection 12.05.G. and subsections 12.05.H.c. & d. are hereby amended by Ordinance 01-21-16-02}

G. The monthly base charge for each customer, including the United States Forest Service and those customers located in the Lakes Basin, shall be the following:

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The rate increase effective on April 1 of each year will be applied beginning with the April billing cycle.

For the purpose of determining the monthly base charge, each Forest Service comfort station shall be treated as a public building, as determined by the District.

H. Operation and Maintenance Charges

a. The operation and maintenance charge for use of the collection system and other sanitary sewer facilities located outside of the District boundaries but connected thereto shall be determined based upon the average daily flow contributed by each outside customer and the outside customer’s utilization of pump stations and related facilities located outside the District boundaries. For any outside customer whose sewer service does not utilize any pump stations or related facilities located outside the District facilities, the operation and maintenance charge shall be $0.00.

b. The United States Forest Service shall pay monthly operation and maintenance charges, which shall be its proportionate share of average daily, flow for use of facilities including pump stations located outside the District boundaries.

c. Each customer, other than the United States Forest Service, shall pay monthly operation and maintenance charges based on the proportionate share of average daily flow for use of facilities including pump stations located outside the District boundaries. The operations and maintenance charge for each customer whose sewer service utilizes a pump station outside the District boundaries shall be:
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<td>$24.79</td>
<td>$25.04</td>
</tr>
<tr>
<td>Out of District Commercial or Public</td>
<td>$15.48</td>
<td>$15.64</td>
<td>$15.80</td>
<td>$15.96</td>
<td>$16.12</td>
</tr>
<tr>
<td>Out of District Restaurant/Seat</td>
<td>$2.28</td>
<td>$2.31</td>
<td>$2.34</td>
<td>$2.37</td>
<td>$2.40</td>
</tr>
<tr>
<td>Out of District Campground unit</td>
<td>$2.69</td>
<td>$2.72</td>
<td>$2.75</td>
<td>$2.78</td>
<td>$2.81</td>
</tr>
<tr>
<td>Out of District Picnic Area or Trailhead</td>
<td>$1.35</td>
<td>$1.37</td>
<td>$1.39</td>
<td>$1.41</td>
<td>$1.43</td>
</tr>
</tbody>
</table>

The rate increase effective on April 1 of each year will be applied beginning with the April billing cycle.

d. Each customer, other than the United States Forest Service, shall pay an annual replacement charge to fund replacement projects located outside the District boundaries and/or on United States Forest Service land. The annual replacement charge for each customer receiving sewer service outside the District boundaries and/or on United States Forest Service land shall be:

Beginning:  
<table>
<thead>
<tr>
<th></th>
<th>4/1/16</th>
<th>4/1/17</th>
<th>4/1/18</th>
<th>4/1/19</th>
<th>4/1/20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mill City and Out of District</td>
<td>$91.58</td>
<td>$92.50</td>
<td>$93.43</td>
<td>$94.37</td>
<td>$95.32</td>
</tr>
</tbody>
</table>

The Replacement Cost charge is imposed per Cabin, Commercial, Public, Restaurant or Motel complex.
DIVISION XIII  CONSTRUCTION OF SEWER LINES

Section 13.01  Definitions

For the purposes of this Division, the specified terms are defined as follows:

a) “Developer” means any person, excluding those persons specified in Section 5.02, who installs or causes to be installed one or more structures which will be connected to the District collection system.

b) “Force main extension” is any extension of the force main between the existing District force main and the lots which are being improved or which are owned by the developer. A force main extension does not include a force main constructed within the tract of land which is being improved or which is owned by the developer.

Section 13.02  Financial Responsibility for Construction of Sewer Line

A developer who installs, and/or causes to be installed any part of the District collection system is financially responsible for the installation, and all incidents thereof, of that portion of the sewer collection system.

Section 13.03  Construction of Collection System

a) When a developer proposed to construct a force main and/or one or more house laterals, the developer may perform such construction, subject to the requirements of the District.

b) When the developer performs the tap between the house lateral constructed by the developer and a force main constructed by the developer, no tapping fee shall be charged. Other connection fees, including hook-up fees, fixture unit fees, and sewerage facility fees shall be charged as set forth in Section 6.03.

c) Except as specified in Section 13.03 (a), construction of house laterals, taps, main line and all other parts of the District’s collection system (excluding private sewer lines and meters, as set forth in Section 3.31) shall be performed solely by District personnel or by independent contractors hired by the District. The time at which the District shall perform such construction shall be scheduled with the District at the time the permit is issued. Time and material costs not covered by the tapping fee in Section 6.03 or the charges authorized by Section 6.16 shall be charged to the developer in addition to any other fees required by this chapter. Installation of a house lateral under Case III conditions (see Section 6.14) shall be charged on a time-and-material basis. The District may require the payment of one or more deposits for the District’s construction costs, prior to and during construction.

Section 13.04  Performance Guarantee

A developer shall post a surety bond, cash or other security satisfactory to the District to guarantee the faithful performance of any agreement entered into with the District for the extension of the mainline or for construction of the collection system. The surety bond, cash or security shall be in the sum of 100 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 collection system for a period of one year following the completion and acceptance of the work by the District.

Section 13.05 Liability

The District and its officers, agents and employees shall not be liable for any injury or death to any person or damage to any property arising from the performance of any work by a developer. The developer shall be answerable for, and shall hold harmless the District and its officers, agents and employees from any liability imposed by law upon the District or its officers, agents or employees, including all cost, expenses, attorney fees, and other fees, and interest incurred in defending the same or in seeking to enforce this provision. The developer shall be solely liable for any defects in the performance of the developer’s work or any failure, which may arise there-from.

Section 13.06 Formation of Improvement District

a) When a developer installs or causes to be installed any part of the District collection system, the developer may request in writing that the District form an improvement district, pursuant to the California County Water District Law, to include that real property which is served and benefited (or to be served and benefited) by the collection system installed or caused to be installed, by the developer.

b) The District may agree to from an improvement district only after receiving the developer’s written request for formation thereof and the developer’s written agreement to pay all sums reasonably incurred by the District in the formation and operation of the improvement district.

c) If the District agrees to form an improvement district, the developer shall pay the District an initial fee, to be determined by the District, towards the District’s cost of forming the improvement district. The District shall not take any steps toward the formation of the improvement district until it receives this initial fee.

d) The developer may withdraw the request for the formation of an improvement District if no prejudice will result there-from to the District or its customers.

e) The developer shall be liable for all costs reasonably incurred by the District in the formation and operation of the improvement district whether or not the improvement district is formed.

Section 13.07 Size of New Force Main

The District may require the developer to install a force main larger than that necessary to adequately service the developer’s proposed construction. When the District requires the installation of larger force main, the District shall either (a) pay the difference in cost, as determined by the District, between the size necessary to serve the developer’s construction and the larger force main or (b) perform the installation itself subsequent to the receipt from the developer of a sum sufficient to cover the cost of installation, and other necessary expenses, of the mainline required by the developer.

Section 13.08 District’s Option to Construct Facilities

Whenever a developer applies for an assurance of sewer service or a sewer permit which involves the extension of the District’s force main, the District, at its sole option may install such facilities subsequent
to the developer’s advancement to the District of funds sufficient to cover the costs of construction and other necessary expenses.

Upon completion of construction, the District shall refund any funds advanced in excess of the actual cost to be borne by the developer.

**Section 13.09  Application for Force Main Extension Agreement**

Whenever a developer applies for a sewer permit or an assurance of sewer service, which involves a force main extension, the developer may also apply to the District for a main line extension agreement, which provides for partial reimbursement to the developer of the developer’s costs of constructing the main line extension. The District may accept the application and approve a force main extension agreement.

**Section 13.10  Force Main Extension Agreement**

Whenever a developer enters into a force main extension agreement with the District, the agreement may provide for a refund to the developer as follows:

a) Within the limits specified herein, when the force main extension has been installed at the developer’s sole expense, the developer shall be entitled to 25% of the hook-up fees received by the District for hook-ups into the force main extension paid for by the developer.

b) Any amount collected by the District for hook-up fees, subject to section 13.10 (a), shall be refunded to the developer within ninety days following the date of collection; provided that no refund shall be made for collections made after five (5) years from the date of completion of the extension.

c) The total amount to be refunded to the developer shall not exceed 90% of the net amount paid by the developer to the District for the extension, if installed by the District, or 90% of the estimated cost, as determined by the District, for such extension if installed by the developer.

**Section 13.11  Dedication Requirements**

An offer of dedication of that portion of the collection system to be constructed, excluding private sewer lines, shall be included in any application concerning construction of the collection system.

No portion of the collection system shall be accepted by the District for dedication unless that portion to be accepted has been constructed in conformity with the requirements of the District. When the construction of the collection system has been completed and accepted by the Board, it shall become the property of the District.

**Section 13.12  Availability of Sewer Service**

Added by Ord. No. 03-07-84-02, amended by Ord. No. 12-04-86-26, and Repealed by Ord. 08-19-93-23.

**Section 13.13  Initiation of Sewer Service**

{Section 13.13 repealed by Ordinance 11-02-05-15}
DIVISION XIV  SEWER IMPROVEMENT DISTRICT NO. 1 OF THE MAMMOTH COMMUNITY WATER DISTRICT

Section 14.01 Application

The provisions of this Division shall apply to only Sewer Improvement District No. 1 of the Mammoth Community Water District.

Section 14.02 Supplemental Sewer Service Charge

In addition to the sewer service charges set forth in Section 6.11 of Chapter 11 of the District Code, each lot or premises which is connected to, and each owner or customer receiving sewer service from, the District’s collection system within Sewer Improvement District No. 1 of the Mammoth Community Water District shall pay a supplemental monthly sewer service charge of $12.37 for each single family residence. The supplemental sewer service charge shall be collected at the same time, and in the same manner, as are the District’s sewer service charges set forth in Section 6.11 of Chapter 11 of the District Code. Such supplemental sewer service charges shall also be subject to the same penalties and interest, and procedures for collection as are delinquent sewer service charges.

The sewer service rates and charges set forth in this Section 14.02 shall be adjusted April 1 of each year by the percentage change in the Los Angeles – Riverside – Orange County Consumer Price Index (All Urban Consumers) for the prior April 1 to March 31 period, except that the Board of Directors of the District may determine to reduce or eliminate any such adjustment for any fiscal year depending on circumstances existing at such time; provided that for the April 1, 2003 to March 31, 2004 fiscal year, the sewer service rates and charges shall be adjusted on July 1, 2003, according to the percentage change in such index for the April 1, 2002, to March 31, 2003 period. The Los Angeles – Riverside – Orange County Consumer Price Index (All Urban Consumers) has been selected because changes in it most reflect changes experienced in the District’s costs to operate, maintain and repair its sewer system.

(Ordinance No. 06-19-03-04)

Section 14.03 Sewer Standby Charge

Each lot or premises within Sewer Improvement District No. 1 of the Mammoth Community Water District, which is not connected to, or receiving sewer service from the District’s sewer collection system shall pay a monthly sewer standby charge of $12.37. Such sewer standby charges shall be collected in the same manner as are the District’s sewer service charges set forth in Section 6.11 of Chapter 11 of the District Code. Delinquent sewer standby charges shall be subject to the same penalties and interest, and collection procedures as are delinquent sewer service charges. Standby charges that have become delinquent, together with interest and penalties thereon, shall be a lien on the affected premises or lot when a certificate is filed in the office of the Mono County Recorder specifying (a) the amount of the delinquent charges together with interest and penalties thereon, (b) the name of the owner of record of the premises or parcel which is subject to the charge, and (c) the Assessor’s Parcel Number and legal description of the premises or lot. Such lien shall have the same force, effect, and priority as a judgment lien. Within 30 days of receipt of payment of all amounts due, including recordation fees paid by the District, the District Secretary is hereby authorized and directed to file for recordation a release of the lien.
DIVISION XV  RECYCLED WATER PROGRAM

Section 15.01  Recycled Water Program Policy

It is the policy of the District that recycled water determined to be available pursuant to Water Code Section 13550 shall be used for non-potable uses within the District’s designated service area when its use is economically justified; its use is financially and technically feasible; and its use is consistent with legal requirements, preserves the public health, safety and welfare, and protects the environment (Policy).

Production, distribution and use of recycled water in the District designated service area are regulated by the Master Permit, provisions in Title 22 of the California Code of Regulations and the Water Code regarding recycled water, and this Ordinance, including all attachments and appendices made a part hereof.

Section 15.02  Designated Recycled Water Service Area

The District recycled water service area is identified in Attachment A, “Permit Area Map” (District Designated Service Area), and is hereby adopted.

Section 15.03  Recycled Water Use Rules and Regulations

Procedures, restrictions and other requirements for recycled water use, including the process for a user to obtain recycled water service, and controls to protect public health are set forth in Attachment B, “Requirements for Recycled Water Users” (Requirements), and are hereby adopted. The Requirements identify rules governing the design, construction, operation and maintenance of reclaimed water use facilities, construction specifications, inspections and monitoring of reclaimed water user facilities and sites, and compliance with the Requirements in the use of reclaimed water.

The Requirements’ enforcement procedures and penalties for violations of the Requirements, as such may be amended from time to time, are hereby adopted.

Section 15.04  Operations and Maintenance Plan

The “Operations and Maintenance Plan for Recycled Water Users,” attached as Attachment C, establishes the standard procedures, specifications, and limitations for the safe and orderly development and operation of off-site and on-site recycled water facilities and systems in the District’s Designated Service Area, and is hereby adopted.

The Operation and Maintenance Plan’s enforcement procedures and penalties for violations, as such may be amended from time to time, are hereby adopted.

Section 15.05  Monitoring and Reporting/ Compliance and Inspection Program

The Monitoring and Reporting / Compliance and Inspection Program identifies the District’s plan for conducting routine compliance inspections and the process for responding to violations. The Monitoring and Reporting / Compliance and Inspection Program is attached as Attachment D, and is hereby adopted.
The Monitoring and Reporting / Compliance and Inspection Program’s enforcement procedures and penalties for violations, as such may be amended from time to time, are hereby adopted.

Section 15.06 General Enforcement and Sanctions

A. General

The District reserves the right to take any action necessary with respect to the operation of a user’s recycled water system to safeguard the public’s health. If existing or potential hazards are evidenced at any time during construction or operation of the recycled water system, the District may terminate recycled water service immediately, without notice. These hazards include but are not limited to cross-connections with the potable system, improper tagging, signing or marking, or unapproved/prohibited uses.

B. Public Nuisance

Discharge of wastes or the use of recycled water in any manner in violation of this Division XV or of any agreement issued hereunder is hereby declared a public nuisance and shall be corrected or abated as directed by the District. Any person creating such a public nuisance is guilty of a misdemeanor.

C. Injunction

Whenever a discharge of wastes or use of recycled water is in violation of this Division XV or otherwise causes or threatens to cause a condition of nuisance, the District may seek injunctive relief as may be appropriate to enjoin such discharge or use.

D. Agreement Revocation

In addition to any other statute or rule authorizing termination of recycled water service, the District may revoke an agreement issued hereunder if a violation of any provision of this Division XV is found to exist or if a discharge of wastes or use of recycled water causes or threatens to cause a nuisance.

E. Penalty

Any owner and/or operator who violates this Division XV shall, for each day of violation, or portion thereof, be subject to a fine not exceeding $1,000. In addition, recycled water service to the property may be discontinued.
MCWD Recycled Water Service Area / Permit Area Map
RULES AND REGULATIONS FOR RECYCLED WATER USERS

I. Introduction

California Water Code section 13523.1(b) sets forth the requirements for master permits issued by the Lahontan Regional Water Quality Control Board (LRWQCB), including a condition that permittees establish and enforce rules or regulations for recycled water users governing the design and construction of recycled water use facilities and the use of recycled water, in accordance with the uniform statewide reclamation criteria established pursuant to Water Code section 13521.

A. Document Scope and Applicability
This document contains the Mammoth Community Water District Recycling Program Rules and Regulations (Rules and Regulations) governing the design, construction, operation, maintenance and monitoring of recycled water use facilities and the use of recycled water in the Mammoth Community Water District recycled water service area.

The document covers requirements for existing sites and new developments and provides the recycled water user information necessary to meet all applicable regulations.

Unless otherwise stated, these Rules and Regulations shall apply to any and all users to whom the Mammoth Community Water District (District) distributes tertiary recycled water pursuant to the Master Permit.

B. Definitions that Apply to these Rules and Regulations
Authorized Recycled Water Use Site (Site) is a site authorized for use of recycled water; the uses of recycled water and the site location must comply with the Master Permit.

Incidental Runoff is any small amount of recycled water that leaves the Site as a result of over-spray or leakage from sprinklers, over watering, breaks in lines, or overflow of impoundments that contain recycled water during storms.

Master Permit means LRWQCB Order No. R6V-2009-0035 and contains requirements established by the LRWQCB for the District pursuant to Water Code section 13523.1.

Permit means any LRWQCB issued waste discharge requirements (WDRs), water recycling requirements (WRRs), or master permit.

Person is any individual, partnership, corporation, governmental subdivision or unit of a governmental subdivision, or public or private organization or entity of any character.

Recycled water is water produced by the District that is suitable for a beneficial use.

User is any person to whom the District distributes recycled water under the Master Permit. User does not include persons who have been independently issued Permits by the LRWQCB.

User Agreement is a contractual agreement between the User and the District that establishes the conditions for recycled water service and use. (Note: “User Agreement” is the term used to describe any agreement, contract, permit, ordinance, memorandum of understanding or other such document used...
Waste Discharge Requirements (WDRs) are requirements established for the District by the LRWQCB pursuant to Water Code section 13263.

Water Recycling Criteria are the criteria established by the California Department of Public Health (CDPH) generally dealing with the levels of constituents in recycled water and the means to protect the public health. The criteria are established pursuant to Water Code Section 13521, and are contained in the CCR, Title 22, Division 4, Chapter 3; also referred to as the "Uniform Statewide Reclamation Criteria."

Water Recycling Requirements (WRRs) are requirements established for the District by the LRWQCB pursuant to Water Code section 13523.

II. Requirements for Recycled Water Users

A. User Responsibility

The User is responsible for the operation and maintenance of the recycled water system downstream of the District’s point of connection with the User, unless such responsibility is otherwise clearly outlined in the User Agreement.

The District shall not be liable for any water damage or other damage caused by the User due to defective or broken plumbing or faulty service, nor shall the District be liable for damage caused by the User’s facilities. This includes changes in the recycled water quality that may occur from sitting in ornamental lakes, storage tanks, pipelines, etc.

B. Water Supply Contingency

If, at any time during construction or operation of the recycled water system, existing or potential hazards are found, the District has the right and the responsibility to immediately suspend, with or without notice, recycled water service in the interest of protecting the public health.

The District may supply water to the affected area either temporarily or permanently from the potable water system with appropriate backflow protection.

C. Procedures to Obtain Permission to Use Recycled Water

The procedures are slightly different depending on whether the service is for a new facility or for an existing facility.

Every Site must obtain a User Agreement from the District prior to receiving recycled water. User Agreements will be issued only after the Site has met all of the applicable Rules and Regulations. Typically, these requirements concern construction, inspection, cross-connection certification, Site-supervisor training, a schedule of the hours that recycled water will be utilized, and required irrigation management documentation. Following issuance of the User Agreement, a Site may receive recycled water in accordance with the requirements of the User Agreement, the Rules and Regulations, and the Master Permit.
<table>
<thead>
<tr>
<th>Process</th>
<th>Applicable Documents or Actions Required</th>
<th>Responsible Entity</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Step 1 – Consult with District to determine recycled water availability and project feasibility; Review Rules and Regulations</strong></td>
<td>Discussion with District General Manager and District Engineer; District’s Rules and Regulations</td>
<td>User</td>
</tr>
<tr>
<td><strong>Step 2 - Prepare draft plans and specifications</strong></td>
<td>California Department of Public Health (CDPH) requirements in California Code of Regulations (CCR) Titles 17 and 22(^1), District Rules and Regulations</td>
<td>User</td>
</tr>
<tr>
<td><strong>Step 3 - Submit Application for recycled water use</strong></td>
<td>District’s User Application Form</td>
<td>User</td>
</tr>
<tr>
<td><strong>Step 4 - Identify distribution issues, verify allowed uses, estimate quantity of water and delivery schedule</strong></td>
<td>Verification of information provided in the Application Form. Send conditional approval in writing with caveat that project commencement is contingent upon User receiving all regulatory approvals.</td>
<td>District</td>
</tr>
<tr>
<td><strong>Step 5 – Complete California Environmental Quality Act (CEQA) Process</strong></td>
<td>Make sure there is proper CEQA documentation for the Site</td>
<td>User</td>
</tr>
<tr>
<td><strong>Step 6 – Consult with health agencies (recommended)</strong></td>
<td>Describe project and show draft plans to CDPH and LCRWQCB</td>
<td>District / User</td>
</tr>
<tr>
<td><strong>Step 7 – Finalize and submit plans and specifications</strong></td>
<td>Plans and specifications submitted to DPH; DPH Cross-Connection Plan Approval Application and fee.</td>
<td>User</td>
</tr>
<tr>
<td><strong>Step 8 - Provide materials and/or training to User on proper operation of a recycled water system</strong></td>
<td>District’s Recycled Water Users Rules and Regulations to be provided by District; Site Supervisor training to be provided by District (or an other equivalent program can be substituted)</td>
<td>District / User</td>
</tr>
<tr>
<td><strong>Step 9 – Consult with LRWQCB (recommended)</strong></td>
<td>Describe project and discuss Engineering Report needs</td>
<td>User / District</td>
</tr>
<tr>
<td><strong>Step 10 – Final plans and specifications</strong></td>
<td>Obtain approval of final plans and specifications from District</td>
<td>User</td>
</tr>
<tr>
<td><strong>Step 11 – Prepare / amend Engineering Report</strong></td>
<td>CDPH Guidelines for Preparation of an Engineering Report for the Production, Distribution and Use of Recycled Water(^2); District’s information on water reclamation plants; User completes the Engineering Report; the District provides information related to treatment facilities; the report must be prepared and stamped by a</td>
<td>District /User</td>
</tr>
<tr>
<td>Step</td>
<td>Description</td>
<td>Responsible Party</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>12</td>
<td>Submit Engineering Report to District, CDPH and LRWQCB</td>
<td>Completed Engineering Report</td>
</tr>
<tr>
<td>13</td>
<td>If applicable, submit revised Engineering Report to agencies</td>
<td>Revisions/additional information may be requested by District, CDPH and/or the LRWQCB</td>
</tr>
<tr>
<td>14</td>
<td>Authorization of project under existing or new LRWQCB permit</td>
<td>Letter or permit</td>
</tr>
<tr>
<td>15</td>
<td>Notification of Final Regulatory Approvals</td>
<td>District sends copy of CDPH or LRWQCB letter or permit to User</td>
</tr>
<tr>
<td>16</td>
<td>Draft User Agreement or amendment (if Site is not covered under existing Agreement)</td>
<td>District’s User Agreement</td>
</tr>
<tr>
<td>17</td>
<td>Approve User Agreement or Amendment</td>
<td>Present User Agreement or amendment to District Board and User for approval</td>
</tr>
<tr>
<td>18</td>
<td>Pre- and post-construction inspections</td>
<td>Contact District prior to construction to arrange for site inspections, initial cross-connection and backflow prevention device testing; District Rules and Regulations</td>
</tr>
<tr>
<td>19</td>
<td>Approval of final construction</td>
<td>By District</td>
</tr>
<tr>
<td>20</td>
<td>Begin project implementation</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Submit revised as-built drawings of recycled water distribution system if necessary</td>
<td>Must be provided to District if any modifications have been made to original drawings</td>
</tr>
</tbody>
</table>

**D. General Requirements**

Use of recycled water must comply with all applicable state laws, regulations, the Master Permit, and any amendments thereto, District Ordinances, and these Rules and Regulations.

If the on-site recycled water system is found to be in violation of the Rules and Regulations, the District will direct the User to mitigate for these violations. A site inspection will be scheduled after a reasonable period to ensure compliance. Failure to comply may result in termination of recycled water service.
E. General Prohibitions
Use of recycled water for any purposes other than those explicitly approved in the User Agreement is strictly prohibited.

The User shall insure that the storage, distribution or use of recycled water shall not create a nuisance as defined in Water Code section 13050(m).

The User shall not discharge recycled water from treatment facilities, irrigation holding tanks, storage ponds, or other containment, other than for permitted reuse, except in accordance with the MasterPermit, contingency plans authorized by the LRWQCB or for an approved discharge to a municipal sewage treatment system.

F. Process to Obtain Permission to Use Recycled Water
Except as provided by District Ordinances, any User who wishes to receive recycled water produced by the Districts must enter into a User Agreement with the District. The User Agreement shall include the District’s terms and conditions for the use of recycled water.

Any User who intends to utilize recycled water produced by the District for an authorized use at a Site must file a User Application Form (Application) with the District and receive approval in writing from the District before the use of recycled water can begin for that use and Site.

The Application filed by the User shall include:

1. A detailed description of the proposed Site with:
   (a) A map showing the specific boundaries of the proposed Site;
   (b) The person or persons responsible for operation and maintenance of the Site (O&M Staff), including the person designated as the Site Supervisor and contact information;
   (c) Evidence that the O&M Staff and Site Supervisor have received appropriate training from the District or an equivalent training program or the date by which training will occur prior to delivery of recycled water such that the Site is operated and maintained in compliance with applicable laws and regulations, the District’s Master Permit, and these Rules and Regulations; and
   (d) The specific use to be made of the recycled water at each Site.

Design plans and a description of best management practices that show that the quality of waters of the State will be protected.

2. Plans and specifications describing:
   (a) Proposed piping systems to be used;
   (b) Pipe locations for both recycled and potable systems;
   (c) Type and location of the outlets and plumbing fixtures that will be accessible to the public; and
   (d) The methods and devices to be used to prevent backflow of recycled water into the potable water system.
3. A recycled water system operations manual or the date by which a recycled water system operations manual will be submitted prior to the delivery of recycled water.

4. Emergency cross-connection response plan in accordance with the District’s Operation and Maintenance Manual or the date by which the emergency cross-connection response plan will be submitted prior to delivery of recycled water.

Any User who wishes to receive recycled water produced by the District must follow the process presented in Table 1 that shows the various agencies involved in the process, documents that must be completed, how documents are routed, etc.

III. DESIGN, INSTALLATION, AND INSPECTION

A. Purpose
The purpose of this section is to provide designers of on-site irrigation systems with rules and guidelines for the design, installation and inspection of recycled water irrigation systems.

B. What you can expect to find in this section
• Requirements for design, installation and inspection of new recycled water irrigation systems.
• Requirements for design, installation and inspection of existing irrigation systems that are converting from a potable to a recycled water supply

C. DESIGN REQUIREMENTS AT THE SERVICE CONNECTION

1. Exceptions for Existing Irrigation Systems
With the exception of pipe identification and pipe separation, facilities where the existing buried piping system is converted from potable to recycled water must meet the same requirements as new facilities. However, any new buried piping added to existing piping at a retrofitted site must meet the identification and separation requirements for new systems. In addition, any existing piping uncovered for any reason during construction must be marked according to pipe identification requirements to the extent feasible.

2. Required wye strainer and pressure regulator
Unless otherwise directed by these Rules and Regulations, all recycled water services must be equipped with a wye-strainer (20-mesh or finer screen) installed as close as practicable to the meter box, and a pressure regulating valve installed immediately downstream of the strainer. Both of these devices must be installed in an underground box or boxes. Prior to determining available pressure, designers should take into account the pressure losses incurred by these facilities.

3. Point of Connection Location
Designers must contact the District to verify the water meter location, the size of the lateral, and meter available to serve their facility.

4. Separation Requirements
All recycled water service laterals and meters must be at least ten feet (horizontal separation) from the nearest potable water facility, including pipelines, meters and hydrants.
Designers should check to see that laterals and meters that serve their Site meet these requirements. In the event that a horizontal separation less than ten feet has been provided, designers should bring this to the attention of the District before proceeding with on-site system design.

5. **Backflow Prevention: Protection of the Public Recycled System**

Since recycled water is not used for drinking purposes, *backflow protection is not normally necessary on recycled water irrigation systems*. However, a backflow protection on the User’s recycled water system will be required if it is determined that there is a backflow hazard on-site which threatens the integrity of the distribution system. Examples of Sites that may be required to install backflow protection devices are:

- irrigation Sites where direct chemical fertilizer injections systems are installed on the irrigation system,
- irrigation Sites where recycled water impoundment may cause a backflow hazard

In such cases, backflow prevention devices might be required at the recycled water service connection or at specific, on-site locations as appropriate to the situation. Backflow prevention assemblies must be shown on plans and a type approved by CDPH. It will be the responsibility of the User to provide test reports for on-site backflow prevention devices, whereas backflow devices at the service connection fall under the District test program.

Devices must be properly maintained, inspected quarterly and tested at least annually. Backflow prevention devices, when required on recycled water systems, must be conspicuously labeled. Test equipment must be dedicated for use with recycled water. Backflow testing equipment used for recycled water must not be reused on potable water systems.

D. **DESIGN REQUIREMENTS FOR ON-SITE FACILITIES**

1. **No Cross-Connections**

No cross-connections are allowed between the recycled water system and any other water system.

2. **Pipe Separation**

   a. **Horizontal separation**

A minimum horizontal separation of ten feet between parallel, buried recycled and potable water pipelines should be maintained. If a ten-foot horizontal separation is not practical, a separation of at least four feet may be allowed subject to special construction conditions. Designers should consult with the District for specific design requirements. In no case is horizontal separation of less than four feet or construction in the same trench as potable facilities allowed.

<table>
<thead>
<tr>
<th>Horizontal Separation</th>
<th>Construction Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 4’</td>
<td>Not allowed</td>
</tr>
<tr>
<td>4’ - 10’</td>
<td>Must meet one of these requirements:</td>
</tr>
<tr>
<td></td>
<td>• Solvent welded PVC pipe on recycled water system</td>
</tr>
<tr>
<td></td>
<td>• Restrained PVC pipe for recycled or potable</td>
</tr>
<tr>
<td></td>
<td>• Restrained joint ductile iron pipe on recycled water system</td>
</tr>
<tr>
<td></td>
<td>• Soldered copper pipe on recycled water system</td>
</tr>
<tr>
<td></td>
<td>• Sleeve potable pipe</td>
</tr>
<tr>
<td></td>
<td>• Sleeve recycled pipe</td>
</tr>
</tbody>
</table>
b. Vertical Separation at Crossings

Where a buried constant pressure recycled water pipeline crosses a buried potable water pipeline, it must be located a minimum of 12 inches below the potable water pipeline. Constant pressure recycled water pipelines are allowed over potable water pipelines with a minimum of 12 inches vertical separation if a full standard pipe length is centered over the crossing, or the recycled water pipeline is installed in a pipe sleeve which extends a minimum of 10 feet on either side of the potable water piping. NOTE: Intermittently pressurized irrigation laterals may be located a minimum of 12 inches above potable water pipelines without sleeving.

<table>
<thead>
<tr>
<th>Vertical Separation</th>
<th>Construction Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 1’ below potable</td>
<td>Not allowed</td>
</tr>
<tr>
<td>1’ or greater below potable</td>
<td>No special construction required</td>
</tr>
<tr>
<td>Less than 1’ above potable</td>
<td>Not allowed</td>
</tr>
</tbody>
</table>
| 1’ or greater above potable | Depth of cover requirement has to be satisfied.
A full standard pipe length must be centered over the crossing, or the recycled pipeline must be installed in a pipe sleeve which extends a minimum of 10 feet on either side of the potable water piping. |

3. Pipe Class

<table>
<thead>
<tr>
<th>Type of Recycled Water Piping</th>
<th>Size</th>
<th>Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constant pressure PVC</td>
<td>1.5” diameter and smaller</td>
<td>Schedule 40 or greater</td>
</tr>
<tr>
<td></td>
<td>2.0” diameter and larger</td>
<td>Class 315 of greater</td>
</tr>
<tr>
<td>Intermittent pressure PVC lateral piping</td>
<td></td>
<td>Class 200 or greater</td>
</tr>
<tr>
<td>Copper piping</td>
<td></td>
<td>Type “K” or greater</td>
</tr>
</tbody>
</table>

4. Depth of cover and thrust blocking

All on-site recycled water piping must be buried to a minimum depth from finished grade to top of pipe (minimum cover) according to the following schedule:

<table>
<thead>
<tr>
<th>Type of Recycled Water Piping</th>
<th>Minimum Cover</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intermittent Pressure (all sizes)</td>
<td>12 inches</td>
</tr>
<tr>
<td>Constant Pressure, 2.5 inch diameter and smaller</td>
<td>18 inches</td>
</tr>
<tr>
<td>Constant Pressure, 3-inch diameter and larger</td>
<td>24 inches</td>
</tr>
</tbody>
</table>
All recycled water piping other than PVC piping with solvent welded joints must be protected against movement with thrust blocks or restrained joints or other approved methods conforming to the UPC Section 609.1.4.

5. Prevent Overspray, Runoff and Ponding

Irrigation systems must be designed and operated to minimize overspray, runoff and ponding. Designers must specify appropriate irrigation devices to prevent overspray in narrow areas. In the event that, during the coverage test, noticeable overspray, runoff and/or ponding is observed, facilities will be adjusted or removed and relocated as needed. This requirement does not apply to landscape impoundments such as fountains, ponds or lakes.

6. Protection of Drinking Fountains and Outdoor Eating Areas

Drinking fountains, outdoor eating areas and other similar facilities (e.g. snack bars) located within the approved use area must be protected from overspray or contact with recycled water. Protection may be accomplished by relocating the irrigation system or relocating or modifying the protected facilities.

7. Protection of Aquifers

Irrigation systems must be designed to prevent irrigation of recycled water within 50 feet of any domestic water supply well. In addition, recycled water impoundments must be located at least 100 feet (horizontal separation) from any domestic water supply well.

8. Protection of Public Potable Water Systems – Backflow Prevention

Although not normally a part of on-site recycled water irrigation systems, it must be noted that backflow prevention devices are a required and important part of potable water service connections to sites where recycled water is used. At premises where both recycled water and potable water are present in separate piping systems with no interconnection, a reduced pressure (RP) principal backflow prevention device must be located as close as practical to the downstream side of every potable water meter.

All RP devices must be inspected quarterly and tested at least annually. The User is responsible for the coordinating the testing. An AWWA-certified backflow prevention device tester must do the device testing. Test reports must be provided to the District. The User and District must maintain records for a minimum of three (3) years.

9. Hose Bibs

Hose bibs are not allowed on recycled water systems.

E. DESIGN APPROVAL

Before any new recycled water system is constructed or any existing recycled water system is modified, on-site recycled water system plans prepared by the User must be approved by the District. Approval will be contingent upon evidence that all applicable design requirements for a recycled water system are satisfied and that the system as designed can be operated in accordance with the Rules and Regulations. While the District reviews plans, the User is responsible for meeting all applicable requirements.
F. INFORMATION REQUIRED ON PLANS

The following is a brief list of the information required on the plans for every on-site recycled water system. Note that compliance with every item on this list does not guarantee that the plans will be approved since regulations and policies may change and some Sites may require additional provisions.

- Indicate all sources of water on the plans.
- Show the location and size of all water meters on the piping plans.
- Show location and type of all backflow prevention devices for potable water systems (generally, backflow prevention devices are not used on recycled water systems).
- Show location and type of all strainers, pressure regulating valves, and master valves.
- Show location of all water pipelines (including potable and well lines) crossing the Site. If space does not permit this information to be placed on the irrigation plans, then a separate site or utility plan can be used to show this information. Exception for an existing irrigation system converting to recycled water: Although it may not be possible to show the location of all water pipelines at this Site, all locations where future recycled water piping must be separated from the potable water piping must be clearly indicated on the plans.
- Supply the following information box for each recycled water system with its own meter; place this information on the same sheet as the meter/point of connection it pertains to. Fill out the ten items as applicable, but do not delete any of them.

<table>
<thead>
<tr>
<th>GENERAL SITE INFORMATION for RECYCLED WATER USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. LANDSCAPED RECYCLED WATER IRRIGATION USE AREA: (square footage).</td>
</tr>
<tr>
<td>2. PUBLIC ACCESS TO SITE GROUNDS IS (indicate: UNRESTRICTED or RESTRICTED).</td>
</tr>
<tr>
<td>3. OWNER: (legal property owner’s name).</td>
</tr>
<tr>
<td>4. PROPERTY MANAGER CONTACT: (name, title, and telephone number).</td>
</tr>
<tr>
<td>5. TENANT (S): [name(s) &amp; phone number(s); if not applicable, state NOT APPLICABLE].</td>
</tr>
<tr>
<td>6. ON-SITE WELL LOCATIONS: (for example, ONE; if none, state NONE).</td>
</tr>
<tr>
<td>7. WELLS ON ADJACENT SITES LOCATED WITHIN 50 FT. OF RECYCLED WATER APPROVED USE AREA OR WITHIN 100 FT. OF ANY RECYCLED WATER IMPOUNDMENT: (for example, ONE; if none, state NONE).</td>
</tr>
<tr>
<td>8. OUTDOOR DRINKING FOUNTAINS IN/NEAR THE RECYCLED WATER APPROVED USE AREA: (for example, ONE; if none, state NONE).</td>
</tr>
<tr>
<td>9. OUTDOOR EATING AREA(S) IN/NEAR THE RECYCLED WATER APPROVED USE AREA: (for example, ONE; if none, state NONE).</td>
</tr>
<tr>
<td>10. WATER FEATURES ON SITE: (examples below; if none, state NONE).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number</th>
<th>Type</th>
<th>Water Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>One</td>
<td>fountain</td>
<td>recycled</td>
</tr>
<tr>
<td>One</td>
<td>pond</td>
<td>potable</td>
</tr>
</tbody>
</table>

- Clearly identify all adjacent streets, and locations of all major improvements on the Site.
• Show the location of all drinking fountains, outdoor eating areas, and other public facilities supplied with recycled or potable water service. Public facilities include, but are not limited to, restrooms, snack bars, swimming pools, wading pools, decorative fountains and showers. Show the pipelines feeding all of these facilities.
• Show the location of any wells, lakes, ponds, reservoirs, or other water impoundments located on the Site or within 100 feet of the site, and indicate the type of water source.
• Indicate that the separation between potable and recycled water lines meets minimum requirements. (See Design Requirements in Section III.C.) Show sleeving where recycled water pipelines cross over potable water pipelines.
• When potable water piping is not present on the Site, state in a note that the cross-connection test required by the Rules and Regulations is waived for Sites where potable water piping is not present.
• Show all details necessary to properly construct the system, including the details conforming to the requirements of the District. The purpose of the details is to show the materials and methods necessary to clearly identify all water systems on the Site.
• Include an irrigation equipment legend specifying all materials of construction for the system, including:
  – A pipe schedule listing pipe sizes, materials of construction, and type of water conveyed by the piping.
  – A listing of valve types, including quick coupling valves.
  – All pertinent information for each type of sprinkler head and/or emitter.
  – Indication of purple-colored pipe with recycled water stenciling and quick coupling valves with purple covers where recycled water is used.
• All Sites using recycled water must post clearly visible signs conforming to the Master Permit. Show proposed sign locations on irrigation plans.
  – For many Sites, typical locations for signs are at the property line near crosswalks, at driveway entrances, and at outdoor eating areas.
  – For streetscapes (parkways, frontage or backup landscaping), place signs at street corners and entranceways as appropriate to notify passersby. In any case, signs must be placed no further than 1,000 feet apart.
  – For medians, a sign should be placed at the beginning and end of every median, and another approximately equidistant from the ends of the median for longer median areas.
  – For decorative fountains, ponds, and other water features, a sign should be placed at the feature.
• Add a signature line for the District to all irrigation plan sheets, detail sheets, and specification sheets that pertain to the recycled water irrigation system.

G. INSTALLATION AND CONSTRUCTION INSPECTION

1. Pipe Identification
a. Installation criteria
All new piping, whether for a new or retrofitted system, must be installed according to the approved plans and marked per these Rules and Regulations to clearly distinguish between recycled water and potable water systems.

b. Identification of Buried Recycled Water Lines
The use of purple colored pipe with continuous wording "RECYCLED WATER – DO NOT DRINK" printed on opposite sides of the pipe is the preferred method for identification of new buried recycled water piping (constant-pressure mainlines/intermittent-pressure laterals). Pipe must be laid with wording facing upwards.

An acceptable alternative: all new buried recycled water lines (constant-pressure mainlines/intermittent-pressure laterals) must be identified by continuous lettering on three inch (3") minimum width, purple marking tape with one inch black or white contrasting lettering bearing the continuous wording "RECYCLED WATER – DO NOT DRINK." This tape must run continuously on top of all piping (mainlines and laterals) and must be attached to piping with plastic tape banded around the marking tape and the pipe every five feet on center. Marking tape must extend to all valve boxes and/or vaults and exposed piping.

c. Identification of Existing Buried Recycled Water Lines
Existing buried piping which will be converted to recycled water use need not be marked unless the piping becomes exposed, such as during installation of new pipeline or maintenance of existing pipe. The exposed section must be marked as indicated above for new piping.

d. Identification of Above Grade Recycled Water Lines
All above grade recycled water pipelines, whether new or existing, must be labeled with the words "RECYCLED WATER - DO NOT DRINK" and color coded purple to differentiate recycled water pipelines from potable water pipelines. If purple identification tape is used to label the pipe and/or color code the pipe, the tape must be adhesive, permanent, and resistant to environmental conditions. Purple bands may also be painted around the circumference of the pipe at ten-foot intervals for color-coding. Purple PVC pipe is not an acceptable alternative for color-coding because the purple color will fade when exposed to sunlight.

e. Identification of Recycled Water Lines inside Structures
Exposed (not buried) constant pressure recycled water irrigation pipelines, such as copper or galvanized pipelines, that might be used in a structure such as a parking garage to route recycled water, must be identified per UPC Appendix J, with the exception that the labeling on the piping must read “CAUTION: RECYCLED WATER – DO NOT DRINK.” Intermittent-pressure lines inside a structure must be identified by affixing decals to this piping at ten-foot intervals and wherever the piping changes directions. These decals must be purple in color and must be imprinted in nominal one-inch-high, black, uppercase letters, with the words “RECYCLED WATER – DO NOT DRINK,” and must be adhesive, permanent, and resistant to environmental conditions.

2. Valve Boxes
All remote control valves, isolation valves, pressure reducing valves, and strainers for on-site recycled water systems must be installed below grade in a valve box. Green, black, or purple valve boxes and lids are acceptable.
Valve boxes must have an advisory label or “nameplate” permanently molded into or affixed onto the lid with rivets, bolts, etc. Labels must be constructed of a purple weatherproof material with the wording "RECYCLED WATER - DO NOT DRINK - NO TOMAR" permanently stamped or molded into the label.

3. Quick Coupling Valves

New quick coupling valves must be made specifically for recycled water use. New quick coupling valves must be 3/4-inch or one-inch nominal size and of brass construction with a maximum working pressure of 150 psi. The covers on all new quick coupling valves must be permanently attached and made of purple rubber or vinyl with the words "RECYCLED WATER" imprinted on the locking cover. To prevent unauthorized use, the valve must only be operated by a special coupler key for opening and closing the valve. New quick coupling valves must be installed approximately 12 inches from walks, curbs, header boards or paved areas. Quick coupling valves used in the recycled water system must be installed in a valve box, where applicable, and a recycled water identification tag must be permanently attached to the quick coupling valve or the inside of the box so that it is clearly visible when the box lid is removed.

Any wands, sprinkler heads, fittings, or other attachments used in conjunction with the quick coupling valves must be labeled with the words, "RECYCLED WATER - DO NOT DRINK." Attachments used in a recycled water system must not be used in a potable water system.

The installation of quick coupling valves on a potable water system in the vicinity of a recycled water irrigation system must be of a different type to prevent accidental cross-connection or contamination by accidentally interconnecting or interchanging attachments. Keys and attachments must not be interchangeable. Retrofitted potable water system quick coupling valves must be modified to meet standards for new recycled water quick coupling valves.

4. Other Valves and Devices

a. Isolation Valves

New and existing isolation valves must be installed in a marked valve box with a recycled water identification tag on the valve operator or, if the valve operator is too deep to reach, at the top of the valve box extension.

b. Remote Control Valves

New and existing remote control valves must be installed in a marked valve box with a recycled water identification tag on the valve.

c. Pressure Regulating Valves and Strainers

New and existing pressure regulating valves and strainers must be installed in a marked valve box with a recycled water identification tag on the valve/strainer.

d. Water Meters, Pumps, Pump Control Valves, Air/Vacuum Relief Valves

All of these recycled water devices must be tagged with a recycled water identification tag.

e. Recycled Water Backflow Prevention Devices

If applicable, these devices must be tagged with a recycled water identification tag.

f. Potable Water System Devices

At recycled water use sites where potable water is used, all potable water meters and above grade water
devices, such as backflow prevention devices and hose bibs, must be tagged or labeled with potable water identification tags, or labels.

5. **Identification Tags and Stickers**

Identification tags and stickers must be weatherproof and durable, such as plastic or plastic coated. Recycled water identification tags and stickers must have a purple background with permanent black lettering stating "RECYCLED WATER - DO NOT DRINK" and "AVISO, AGUA IMPURA - NO TOMAR". Potable water identification tags and labels must have a blue background with "POTABLE WATER" and "AGUA PARA TOMAR" in permanent black lettering.

6. **Irrigation Controllers**

New recycled water system controllers must be automatic with multiple start/stop times for any 24 hour period and installed according to the approved plans and local codes. All recycled water system controllers must be identified by affixing a sticker or "nameplate" to the outside of the controller cabinet, the inside of the controller cabinet, or the outside or inside of the controller cabinet enclosure. Stickers or nameplates must be weatherproof, and must contain wording in English and Spanish indicating that the controller is for a recycled water system.

7. **Irrigation and Water Feature Advisory Signs**

All Sites using recycled water must post clearly visible signs conforming to the Rules and Regulations and installed per the locations indicated on the approved plans.

a. **Irrigation Systems at Fenced Facilities**

Advisory signs indicating the use of recycled water must be installed at all entrances to the User’s facility. The District may require additional signing on a case by case basis.

b. **Irrigation Systems at Facilities Not Surrounded by Fences**

Advisory signs must be placed where they can be easily seen. To the extent necessary to advise passerbys, signs must be posted at the property line near crosswalks, at driveway entrances, at outdoor eating areas, or as otherwise determined by the District. For streetscapes (parkways, frontage or backup landscaping), place signs at street corners as appropriate to notify passerby. Signs must be placed no further than 1,000 feet apart. For medians, a sign is usually placed at the beginning and end of every median, and another approximately equidistant from the ends of the median for longer median areas.

The signs must include the words "IRRIGATED WITH RECYCLED WATER - DO NOT DRINK – NO BEBER." The lettering on the signs must be a minimum of 1/2-inch in height and must be black or white on a purple colored background and include the District logo. Where required for aesthetic or corporate identity purposes, alternate color-coding schemes may be adopted subject to the approval of the District. Consult the District for final approval of signs using alternate color-coding.

c. **Decorative Fountains, Ponds, and Other Water Features**

Minimum requirements for water feature signs:

- Minimum wording: “This ____ [insert type of water feature here, such as Fountain, Pond, etc.] Uses Recycled Water – Do Not Drink – No Beber.”
- Minimum size: no less than 4 inches high by 8 inches wide.
- Must be permanently, legibly printed and posted in conspicuous places.
Colors for lettering and background follow the same guidelines as for irrigation signs.

The District must be consulted for final approval of all signs, as well as the number of signs required per water feature and the placement of those signs.

H. Vehicle Requirements

Vehicles used for distributing recycled water for soil compaction and dust control or other uses shall have an adequate tank and plumbing systems to ensure that leaks and ruptures will not occur in the course of normal use.

Control valves shall be provided and configured such that recycled water can be applied in a controlled fashion on the Site and completely retained during transit.

Spray heads or nozzles shall be provided and configured such that recycled water is applied to prevent runoff, ponding, or windblown spray conditions.

Each tank shall be equipped with an approved air-gap separation between the filler tube and the tank to prevent back-siphonage.

Each tank used to store and/or transport recycled water must be flushed and disinfected prior to storage and/or transport of potable water or recycled water of better quality.

The vehicles shall be clearly labeled to indicate that recycled water is contained in the vehicle.

I. Required Temporary Connection to Potable Water Service

In order to prevent cross-connections, an irrigation system is usually not allowed to receive recycled water until its Site has passed a required cross-connection test. This means that this irrigation system must be supplied with water from a jumper (temporary connection) to an on-site potable water system up to and during the cross-connection test. After passing this test, the jumper must be removed and the system connected to the recycled water meter. Jumpers, providing water from the public recycled water system into the on-site recycled water system, are prohibited at all times. Irrigation systems not needing a temporary potable water source are usually systems where there is no potable water at the site, such as some streetscapes and medians.

J. Inspection

1. Construction Inspection

The LRWQCB requires that the District conduct on-site inspections during the construction phase to ensure that materials, installation and procedures are in accordance with the approved plans, specifications, and all applicable regulations. Accordingly, the User must notify the District of the schedule for all phases of planning, construction and start up so that inspections can be scheduled. The constant-pressure mainline piping portion of all systems must conform to the requirements of the UPC Sections 103.5.1 through 103.5.4.2.

2. Cross-Connection Test

The User must conduct a cross-connection test (and the User’s Site must pass this test) before connecting the User’s recycled water irrigation system to the District’s recycled water system at any Site where both recycled and potable water are present in separate piping systems. This test is to ensure the absolute
separation of the recycled and potable water systems. The User must notify the District at least 48 hours prior to the test so that members of the District may be present. The cross-connection test must be done under the supervision of the District’s representatives and performed by an AWWA-certified cross-connection control specialist hired by the User. The Site Supervisor must be present at the test. The test must be done with potable water charging the irrigation system (see Required Temporary Connection to Potable Water Service in Section III.I.) A written report documenting the test results must be submitted by the certified cross-connection control specialist to the Site Supervisor and the District following test completion. Cross-connection test procedures are contained in Appendix E.

3. Final Inspection and Approval to Receive Recycled Water

Before the recycled water irrigation system is connected to recycled water, the District (or its designated representatives) will perform a final inspection to ensure all requirements have been met. This inspection may be coordinated with the cross-connection test. The District's inspector will check to see that the proper equipment was used and that all required tags, labels, and signs are in place.

The District must grant final approval before recycled water can be supplied to the Site. Final approval will be granted when construction has been completed in accordance with approved plans and specifications, all cross-connection tests have been performed, a final on-site inspection has been conducted, and all requirements have been met satisfactorily. After the User Agreement is approved by the District, and all applicable fees have been paid, the District will authorize the installation of the recycled water meter. The CDPH will be forwarded a copy of all test and inspection reports as well as notification that recycled water service has started. During the lifetime of the recycled water system, the District will periodically inspect the recycled water system to ensure compliance with all applicable rules and regulations.

4. Coverage Test

The User is responsible for minimizing overspray, runoff, and ponding from their recycled water irrigation systems – new or converted to recycled water. To ensure that any overspray, runoff, or ponding is in accordance with the Rules and Regulations, the District will conduct an inspection of the on-site system. After the on-site system begins receiving recycled water, the User or User’s representative must contact the District to schedule a coverage test walk through of the system. The User or User’s representative must be in attendance and have persons in attendance capable of making system adjustments. If modifications to the system (other than minor adjustments) are required, the User will be notified in writing of the changes required. Any required modifications to the system must be made in a timely manner. All modifications to the system are the responsibility of the User, and the User must pay all costs associated with such modifications.

5. Record Drawings

The User – or User’s contractor – must prepare record drawings to show the recycled water irrigation system as constructed. These drawings must include all changes in the work constituting departures from the original contract drawings including those involving both constant-pressure and intermittent-pressure lines and appurtenances. All conceptual or major design changes must be approved by the District before implementing the changes in the construction contract. The recycled water irrigation system record drawings must be submitted to the District within ninety (90) days of the Site receiving recycled water.
Operation and Maintenance Plan for Recycled Water Users

This Operations and Maintenance Plan for Recycled Water Users (Manual) identifies general requirements for the operation and maintenance of a recycled water system within the Mammoth Community Water District Recycled Water Service Area. The words capitalized herein shall have the same meaning as in the Rules and Regulations for Recycled Water Users.

I. User General Responsibilities

By accepting recycled water service, the User agrees to comply with the Rules and Regulations for recycled water use. It is the User’s responsibility to provide surveillance and supervision of its on-site recycled water system in a way that assures compliance at all times with the Rules and Regulations and the Master Permit.

II. Recycled Water Use Area Site Supervisor

A. Site Supervisor Designation

The User must designate a representative to be the Site Supervisor of the Site. The Site Supervisor represents the owner, tenant, or property manager as a liaison to the District. The Site Supervisor must have the authority to carry out any requirements of the Rules and Regulations and/or the District. It is recommended that the Site Supervisor be an employee who is permanently stationed at the Site. At a minimum, the Site Supervisor must make frequent visits to the Site.

B. Site Supervisor Training

The designated Site Supervisor must attend a Site Supervisor Certification Workshop, or District approved equivalent, no later than 15 days prior to receiving recycled water service. Failure to attend the Site Supervisor Certification Workshop may result in the termination of recycled water service.

C. Changing the Site Supervisor

The User must notify the District immediately of any change in personnel for the Site Supervisor position. Upon a change in personnel, the new Site Supervisor must attend a Site Supervisor Certification Workshop, or District approved equivalent, no later than 15 days prior to the position change. Failure to attend the Site Supervisor Certification Workshop may result in the termination of recycled water service.

D. Requirements of Site Supervisor Position

- Received training and be able to demonstrate knowledge of the application and maintenance of a recycled water system.
- Be available to the District at all times and have the authority to carry out any requirements of the District.
- Be responsible for the installation, operation and maintenance of the recycled and potable water systems, and for the prevention of potential hazards or potential violations regarding recycled water use.
- Ensure that notification signs at the Site are properly installed and maintained, and that all recycled and potable water facilities are properly labeled, tagged or otherwise identified.
- Be knowledgeable of the provisions contained in Titles 17 and 22 of the California Code of Regulations relating to the safe use of recycled water and maintain accurate records.
• Be aware of, and familiar with, this Manual.

• Ensure that all employees of the Site involved with the use of recycled water are instructed in the safe and responsible use and handling of the recycled water.

• Immediately inform the District of any failures, violations and emergencies that occur involving the recycled or potable water systems.

• Ensure that there are no cross-connections made between the potable and recycled water systems. Be familiar with the basic concepts of backflow and cross-connection prevention, system testing, and related emergency procedures, and participate in all cross-connection tests.

• Conduct an annual self-inspection of the Site and provide a written report to the District.

III. Personnel Training

It is the responsibility of the User to train all operations personnel so they are familiar with the use of recycled water. Supervisory personnel and the Site Supervisor shall ensure that employees are not using recycled water carelessly or improperly. Any training program should include, but not be limited to, the following:

• Operations personnel must be aware that recycled water, although highly treated, is non-potable. Recycled water may never be used for human consumption.

• Operations personnel must understand that working with recycled water is safe if common sense is used and appropriate regulations are followed.

• Operations personnel must understand that conditions such as ponding, runoff and windblown spray into unapproved areas are not allowed.

• Operations personnel must understand that there is never to be a direct connection between the recycled water system and the potable water system.

• Operations personnel must become familiar with the Rules and Regulations.

• Good personal hygiene must be followed (for example, washing hands after working with recycled water).

Training programs should also instruct personnel in proper procedures for reporting unauthorized discharges, identifying and correcting cross connections, and modifying the system in the event of an earthquake or other disaster.

I. General System Operations

A. System Responsibilities

The District is responsible for the operation and maintenance of the recycled water system upstream of and including the recycled water meter.

The User is responsible for maintaining and operating the on-site recycled water system downstream of the recycled water meter. This includes the following:
• Obtain all permits required for the operation and maintenance of the on-site recycled water system.
• Apply recycled water in accordance with the Rules and Regulations.
• Maintain the on-site recycled water system, including signs, markings, and tags in accordance with the Rules and Regulations.
• Ensure all materials used during the repair and maintenance of the system are approved or recommended for recycled water use.
• Obtain prior authorization from the District before making any modifications to the approved recycled water system.
• Report all violations and emergencies to the appropriate local authority.
• Submit annual self-inspection report to the District.

B. Site Operating Conditions
The User must comply with the following conditions.

1. Runoff Conditions
The irrigation systems must be designed, constructed and operated to minimize to the fullest extent practical runoff outside the approved use area.

2. Ponding Conditions
The irrigation systems must be designed, constructed and operated to minimize to the fullest extent practical ponding within or outside of the approved use area. This does not apply to approved recycled water impoundments.

3. Windblown Spray Conditions
The irrigation systems must be designed, constructed and operated to minimize to the fullest extent practical windblown spray from leaving the approved use area. The recycled water system must be operated to prevent overspray or windblown spray into unapproved areas.

4. Unapproved Uses
Use of recycled water for any purposes other than those explicitly described in the Master Permit is strictly prohibited.

5. Use in Unapproved Areas
The delivery and use of recycled water for any reason, including approved uses, in areas other than those explicitly approved in the User Agreement and without the prior approval of the District, is strictly prohibited.

6. Cross-Connections
Cross-connections, as defined by the California Code of Regulations, resulting from the use of recycled water or from the physical presence of a recycled water service, whether by design, construction practice, or system operation, are strictly prohibited.

If any cross-connection is discovered, the User shall immediately turn off the system, notify the District and implement an emergency cross-connection response plan.
7. Hose Bibbs

Hose bibbs or other appurtenances that might allow public access to the recycled water system for unapproved use or for cross-connection to the potable water system are strictly prohibited in all areas accessible to the general public. In these areas, only quick-couplers are allowed and must be of a different type than those that may be used on the Site’s potable water system. Hose bibbs may be used on the recycled water system in areas that do not allow any public access but must be conspicuously labeled “RECYCLED WATER -- DO NOT DRINK” in both English and Spanish (or any other language determined by the District to be in common use in the area), along with a “Do Not Drink” symbol. Workers in these areas must be instructed not to drink from these hose bibbs.

8. Drinking Fountains and Eating Areas

Drinking fountains located within the approved use area must be protected from contact with recycled water by direct application through irrigation or other approved use. Lack of protection, whether by design, construction practice or system operation, is strictly prohibited.

9. Periods of Operation

Operation of the User’s on-site recycled water system must adhere to the following requirements.

- Irrigation may only occur during periods of least use of the approved area by the general public. This is usually between the hours of 10 p.m. and 6 a.m.; however, areas where public access is generally prohibited or minimized, such as construction dust control, commercial nurseries and freeway landscaping, may be irrigated at such times specifically approved by the District.

- Consideration should be given to allow a reasonable dry-out time before the area is to be used by the public.

- Automatic control systems are to be used and programmed to prevent ponding and runoff of recycled water.

- The recycled water system must not be allowed to operate for periods longer than needed to satisfy the landscape water requirements. Recycled water must never be applied at a rate that is greater than the infiltration rate of the soil. Exceptions to this requirement for purposes such as leaching of soil must be specified in the User Agreement.

- Even though tertiary-treated recycled water is approved for full-body contact by the State Department of Public Health, irrigation of public areas during other times may be performed if the irrigation system is operated manually and is supervised to avoid inadvertently exposing any members of the general public. This provision must be strictly followed.

- Inadvertent public contact with recycled water irrigation spray must always be avoided.

V. General System Maintenance

A. Preventive Maintenance
The User must implement a preventive maintenance program that will ensure that the recycled water system always remains in compliance. A preventive maintenance program should include but not be limited to the following:

A maintenance program for backflow prevention assemblies that includes at least annual testing by a tester certified by the American Backflow Prevention Association (ABPA) or AWWA must be carried out. Records of annual tests, repairs and overhauls must be kept by the User with copies forwarded to the District and others as required by law.

The Site Supervisor is required to perform preventive maintenance to ensure that the recycled water system always remains in compliance with the Rules and Regulations. As part of a preventive maintenance program, the Site Supervisor should:

- Perform regular inspections of the entire recycled water system including sprinkler heads, drip irrigation system emitters, spray patterns, piping and valves, pumps, storage facilities, lakes, controllers etc. Immediately repair all broken sprinkler heads, faulty spray patterns, leaking pipes or valves, or any other noted condition that violates the recycled water use requirements.

- Check all recycled water identification signs, tags, stickers, and above grade pipe markings for their proper placement and legibility. Replace damaged, unreadable, or missing signs, tags, stickers, and pipe markings.

- Check spray patterns to eliminate ponding, runoff and wind-blown spray conditions. If evidence of ponding or runoff is noted, affected areas should be indicated on a sketch and sprinkler heads should be adjusted to prevent further ponding or runoff. Evidence of mosquitoes breeding within ponding should be noted and immediately eliminated.

- Establish and maintain an accurate record keeping system of all inspections, modifications and repair work.

**B. Equipment Cleaning**

Any device, hose, pipe, meter, valve, tank, pump, truck, etc. which has been used with recycled water may not be used to convey potable water nor attached to the potable water system unless it is cleaned, disinfected and approved by the District per District requirements.

**C. Irrigation System Modifications**

The User must not make any modifications to its on-site recycled water system (or potable system, if it is in close proximity to the recycled system) without the prior approval of the District.

This includes modifications to the approved plans or to an operational system. Detailed plans of any modifications should be submitted to the District and the modifications inspected and approved by the District before their being placed in operation.

However, routine maintenance of the irrigation system, such as pipeline repairs, sprinkler replacement and other similar activities that don’t result in a substantial change in either the recycled or potable water systems, or any agreed to operating plans, don not need prior approval by the District.

Emergency modifications or repairs that must be made by the User to its system in order to prevent contamination, damage or a public health hazard shall be covered under emergency procedures.

Additionally, converting any piping used for recycled water back to potable water, such as switching from a recycled water system to a backup potable water system, requires prior approval of the District.
VI. Emergency Procedures

A. Emergency

In case of earthquake, flood, fire, major freeze, nearby construction, or other incident, which could cause damage to the recycled or potable water systems, the Site Supervisor must inspect the domestic and recycled water systems for damage as soon as it is safe to do so. If either system appears damaged, both the domestic and recycled water systems should be shut off at their points of connection. The Site Supervisor must immediately contact the District for further instruction.

B. Contamination of Potable Water

If contamination of the potable water system is suspected or known, due to a cross-connection on the User’s premises, the User must immediately notify the District. The User shall invoke immediately the Emergency Cross-Connection Response Plan described below. In case of contamination of the potable water system due to a cross-connection on the User’s premises, the District and the County Health Department must be immediately notified by the User. The User shall immediately invoke the Emergency Cross-Connection Response Plan.

C. Emergency Modifications

Emergency modifications or repairs can be made by the User to the recycled water system without the prior approval of the District to prevent contamination, damage or a public health hazard. As soon as possible after the modification (but within three days), the User must notify the District of the emergency modifications and file a written report.

D. Emergency Cross Connection Procedures

In the event that a cross-connection is suspected or occurs, the following emergency cross connection response plan must be implemented immediately:

1. The User must notify the District by telephone immediately. This notification must be followed by a written notice within 24 hours that includes an explanation of the nature of the cross-connection, date and time discovered, and the contact information of the person reporting the cross-connection.

2. The District will notify the Mono County Public Health - Environmental Health Division and State Department of Public Health (DPH) of the reported cross connection.

3. The User must immediately shut down the recycled water supply to the facility.

4. The User must keep the potable system pressurized and post "Do Not Drink" signs at all potable water fixtures and outlets.

5. The User must provide bottled water for employees until the potable water system is deemed safe to drink.

6. The User must follow the procedures outlined by the State DPH and the District.

After final approval has been obtained from the State DPH, the District will bring the recycled water system back into service and inform the User to remove the "Do Not Drink" signs from all potable water fixtures and outlets.

VII. Irrigation Management Plan

The User shall prepare and submit to the District an Irrigation Management Plan which shall include measures to ensure the use of recycled water occurs at an agronomic rate while employing practices to
ensure irrigation efficiency necessary to minimize application of salinity constituents (by mass) to Recycled Use Areas. The Irrigation Management Plan shall be for each Site served and shall account for the following:

i. Soil Characteristics;

ii. Recycled water characteristics (nutrients, including nitrogen and phosphorous content, specific ion toxicity, including chloride, boron, sodium, bicarbonate; and other parameter);

iii. Requirements of the plant species being irrigated (e.g., seasonal demand, climate, nutrient requirements);

iv. Climatic conditions; (e.g., precipitation, evapotranspiration rate, wind);

v. Other supplemental nutrient additions (e.g., chemical fertilizers) used in the operation of the Use Area; and,

vi. Management of impoundments used to store or collect recycled water.

Evaporation / Transpiration

The Irrigation Management Plan also shall include sub-irrigation management plans that insure the use of recycled water occurs at an agronomic rate while employing practices to ensure irrigation efficiency necessary to minimize application of salinity constituents (by mass).

VIII. Site inspections

A. Periodic Site Inspections

Periodic site inspections by the District of the User’s recycled water irrigation system are mandated in Water Code Section 13523.1(b)(5). Such inspections include, at a minimum, the visual inspection of all back-flow prevention devices, pump rooms, exposed piping, valves, pressure reducing stations, points of connection, sprinklers, controllers, lakes, storage facilities, signs, labeling, tags, etc. The Site Supervisor’s maintenance records also will be inspected.

The District will conduct periodic inspections of the User’s system and report all violations to the appropriate regulatory agency according to applicable procedures established by law.

The District reserves the right to make unannounced inspections of the Site’s facilities, although at reasonable times.

Upon completion of the inspection, a Site inspection report form shall be signed and dated by both the Site Supervisor and the District. The original form should be kept by the District entity with copies going to the Site Supervisor and any required regulatory agency.

Should a cross-connection be discovered during the inspection, the Emergency Cross-Connection Response Plan shall be immediately implemented by the Site Supervisor.

B. Annual Self Inspection Report

The User shall conduct an inspection at least once per year while the recycled water system is in use. The results of this inspection must be documented and submitted in a written report. The District will mail the report form to the Site Supervisor once a year. The Site Supervisor must submit the results of the observations, along with a description of any corrective actions taken. Upon completion, the Site Supervisor must keep a copy of the report for the User’s records and must return the original. The questions on the annual inspection report are as follows:
1. Is there evidence of recycled water runoff from the Site? Show affected area on a sketch and estimate volume.

2. Is there an odor of wastewater origin at the irrigation Site? If yes, indicate apparent source, characterization, direction of travel, and any public use areas or off-site facilities affected by the odors.

3. Is there evidence of recycled water ponding, and/or evidence of mosquitoes breeding within the irrigation area due to ponded water?

4. Are warning signs, tags, stickers, and above ground pipe markings properly posted to inform the public that irrigation water is recycled water, which is not suitable for drinking?

5. Is there evidence of leaks or breaks in the irrigation system piping, or tubing?

6. Is there evidence of broken or otherwise faulty drip irrigation system emitters or spray irrigation sprinklers?

7. Has your designated Site Supervisor changed in the past year?

8. What corrective actions are being taken to correct any problems noted above?

IX. Unauthorized Discharge

An unauthorized discharge is any amount of recycled water that leaves the Site. The Site Supervisor must report to the District any unauthorized discharge of recycled water, at which time the District will specify if a written report is required. In the event of an unauthorized discharge, the Site Supervisor should make every effort to contain the recycled water and prevent it from entering the storm drain. Contact the District for further directions and disposal instructions.

It is the responsibility of the User to report to the District all system failures that result in an unauthorized discharge of more than 50,000 gallons of tertiary treated recycled water. An immediate oral report followed by a written report is required.

X. Operating Problems

A. Notification

In the event of a break in the system, low pressure, low flow or poor water quality, the User should notify the District.

It is the responsibility of the Site Supervisor to immediately notify the District of any failure or cross-connection in his/her recycled or potable water system, whether or not he/she believes a violation has occurred. It also is the responsibility of the Site Supervisor to immediately notify the District of any violation he/she believes might imminently occur because of any action the User's personnel might take during the operation of the recycled or potable water systems.

If there are any doubts whether a violation has occurred, it is the responsibility of the Site Supervisor to report each occurrence to the District so a decision can be made. It is then the District's responsibility to notify the LRWQCB and local governing agencies of any violations.

B. Violations

Violations of the User Agreement and Rules and Regulations may include but not be limited to non-compliance with any of the following prohibitions: runoff conditions, ponding conditions, windblown spray conditions, leaks or spills resulting from broken or damaged pipelines or appurtenances,
unapproved uses, disposal in unapproved areas, cross-connections, unprotected drinking fountains and unauthorized or prohibited use of hose bibbs, whether willful or by accident. Any willful or accidental act of noncompliance with any existing federal, state or local ordinance, code, law or statute regulating the use of recycled water constitutes a violation.

C. Corrective Action

If the District’s investigation reveals that a violation has occurred on the Site, the District must immediately notify the User of the violation and what corrective actions must be taken. It is the responsibility of the User to immediately initiate corrective action to eliminate the violation. If the District believes the violation constitutes a hazard to the public health, the District must immediately stop recycled water service to the User. It will be at the discretion of the District to decide if a violation has been adequately corrected. The District may impose a startup fee upon resumption of service to a User whose service has been terminated, depending on the provisions of the User Agreement.

D. Causes for Termination of Service

The District reserves the right to revoke a User’s Agreement if any or all of the service conditions are not satisfied at all times. Service to a User may be terminated any time if:

- The District’s distribution system is not capable of supplying recycled water.
- The quality of the recycled water does not comply with the requirements of the Master Permit or the LRWQCB.
- The User’s operation does not conform to all applicable regulations, permit requirements and/or the terms of the User’s agreement.
- There is nonpayment of service fees and charges by the User.
Monitoring and Reporting/Compliance and Inspection Program

This Monitoring and Reporting/Compliance and Inspection Program (Program) is prepared to satisfy the requirements of the Master Permit. The capitalized terms herein shall have the same meaning as set forth in the Rules and Regulations for Recycled Water Users.

I. MONITORING

A. Flow Monitoring

The District shall record the total volume, in million gallons, and the average flow rate, in million gallons per day (mgd), of recycled water provided by the District to each User. This information must be recorded and reported for each calendar month.

B. Agronomic Application Rate Monitoring for Fertilizers and Recycled Water

1. For each calendar month, the District shall record and provide a tabular comparison of the:
   a. volume of water required for plant growth in each irrigated area;
   b. volume of recycled water (and supplemental water) applied to each irrigated area; and
   c. number of acres for each irrigated area.

2. For each calendar month, the District shall record, and provide a tabular comparison of, the:
   a. amount of nitrogen (N) needed for plant growth in each landscape and agricultural area;
   b. total amount of N applied to each area, including the amount of N in the recycled water and the amount of N in any fertilizer applied; and
   c. number of acres for each area.

C. Recycled Water Quality Monitoring

Samples of the recycled water following tertiary treatment and leaving the District Wastewater Treatment Plant for reuse by Users must be collected and analyzed to determine the magnitude of the following parameters:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Units</th>
<th>Type</th>
<th>Minimum Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turbidity¹</td>
<td>NTU</td>
<td>Recorder</td>
<td>Continuous</td>
</tr>
<tr>
<td>Total chlorine residual</td>
<td>mg/L</td>
<td>Recorder</td>
<td>Continuous</td>
</tr>
<tr>
<td>Modal contact time²</td>
<td>minutes</td>
<td>Calculated</td>
<td>Daily</td>
</tr>
<tr>
<td>CT value³</td>
<td>mq-minutes/L</td>
<td>Calculated</td>
<td>Daily</td>
</tr>
<tr>
<td>Total Coliform</td>
<td>MPN/100mL</td>
<td>Grab</td>
<td>Daily</td>
</tr>
<tr>
<td>Kieldahl Nitrogen</td>
<td>mq/L</td>
<td>Composite</td>
<td>Weekly</td>
</tr>
<tr>
<td>Ammonia Nitrogen</td>
<td>mq/L</td>
<td>Composite</td>
<td>Weekly</td>
</tr>
<tr>
<td>Nitrate Nitrogen</td>
<td>mq/L</td>
<td>Composite</td>
<td>Weekly</td>
</tr>
<tr>
<td>Total Dissolved Solids</td>
<td>mg/L</td>
<td>Composite</td>
<td>Monthly</td>
</tr>
<tr>
<td>Sulfate</td>
<td>mq/L</td>
<td>Composite</td>
<td>Monthly</td>
</tr>
<tr>
<td>Chloride</td>
<td>mg/L</td>
<td>Composite</td>
<td>Monthly</td>
</tr>
<tr>
<td>Total Trihalomethane</td>
<td>u/L</td>
<td>Grab</td>
<td>Quarterly</td>
</tr>
<tr>
<td>n-nitrosodimethylamine</td>
<td>u/L</td>
<td>Grab</td>
<td>Quarterly</td>
</tr>
</tbody>
</table>
Priority Pollutants, excluding asbestos (Appendix A to 40CFR part 423)  
as specified  
Grab  
Semi Annually

1For each 24-hour period, record and report the following: average turbidity, amount of time (minutes) the turbidity exceeded five (5) NTUs (if any), and the maximum turbidity.

2The modal contact time at the highest and lowest flows must be recorded and reported for each 24-hour period where there is production of disinfected tertiary recycled water. The "modal contact time" is the amount of time elapsed between the time that a tracer, such as salt or dye, is injected into the influent at the entrance to a chamber and the time that the highest concentration of the tracer is observed in the effluent from the chamber. For the purpose of this determination, modal contact time shall be derived from a predetermined plot correlating modal contact times to varying flow conditions. (CCR, title 22, sec 60301.600)

3the lowest CT value must be calculated for each 24-hour period. CT (mg-minutes per liter) = chlorine residual (mg/L) x modal contact time (minutes). To calculate the lowest value, first record the following data for the 24-hour period:
   a. Modal contact time under highest flow and corresponding total chlorine residual at that time.
   b. Lowest total chlorine residual and corresponding modal contact time.
   c. Highest total chlorine residual and corresponding modal contact time.
   d. Modal contact time under lowest flow and corresponding total chlorine residual at that time. Next, calculate CT values for each of the four conditions, above. The lowest of the four calculated CT values is the lowest CT for the period.

D. Drinking Water Supply Monitoring

For each semi-annual period (January -June; July -December), a report must be submitted to the LRWQCB providing the results of California Department of Public Health-specified drinking water supply monitoring for municipal supply wells located within a half-mile of any authorized recycled water use site having received recycled water within the previous six months. Groundwater elevations at the time of sampling must also be provided for each well. The reports must be included with the quarterly monitoring reports providing results from the second and fourth quarterly monitoring periods, as specified by Requirement No. II.B of this Monitoring and Reporting Program.

E. Quarterly Recycled Water Use Monitoring

The District must record the following information each quarter (quarters defined in requirement No. 11.8, below) in accordance with Water Code section 13523.1 (b)(4):

1. The total number of Sites that received recycled water during the quarter.
2. A list of all recycled water use Sites. For each Site, the list must include:
   a. Site name
   b. Site location
   c. Name of underlying hydrologic area
   d. User name
   e. Type of use
   f. Site area (acres)
   g. Date of District recycled water use approval
3. A map of suitable scale showing the boundary of the District’s recycled water service area defined in Finding No.9 of the Master Permit and showing the approved recycled water use Site locations.

F. **Inspections and Enforcement Monitoring**

1. The District must provide in its annual report (see Requirement No. II.C, below) an inspection schedule for all recycled water use facilities. The inspection schedule shall document the date of each facility's prior inspection and its respective compliance status. Any facility with a reported incidence of noncompliance in its most recent inspection report must be re-inspected no later than one year from its prior inspection. Any facility that was in compliance during its most recent inspection must be scheduled for a re-inspection no later than three years from its prior inspection.

2. The District must record and report on a quarterly basis all recycled water use Sites inspected pursuant to Requirement No. I.B.4 of the Master Permit during each respective quarter (See Requirement No. II.B., below). The list of Sites inspected must include the following information for each recycled water use Site:
   a. Date of inspection, name of recycled water use Site, user name, and type of use.
   b. A description of all noted violations (including compliance with Requirement Nos. I.C.1 through I.C.14 of the Master Permit.
   c. The date compliance was achieved and the respective corrective action taken, if applicable.
   d. A description of enforcement action taken (if any), including any schedule for achieving compliance.
   e. Date of prior compliance inspection.

3. The District must inspect every month all signage that informs the public that recycled water is currently being used for irrigation purposes at each irrigation recycled water use facility. Maintenance of this signage is required. The results of this inspection must be reported by the District in its quarterly report (see Requirement No. II.B, below).

4. The District must inspect every month all Best Management Practices (BMPs) in place to prevent contamination of potable water supplies (including groundwater). The results of this inspection and measures taken to maintain and repair these BMPs must be reported by the District in its quarterly report (see Requirement No. II.B, below).

5. The District must inspect the recycled water distribution system annually for cross connections with the potable water supply.

6. The District must annually pressure test the recycled water distribution system for leaks or drops in pressure.

G. **Operation and Maintenance Monitoring**

The District must record and maintain records of all actions and analytical results necessary to demonstrate compliance with California Department of Public Health conditions identified in the Master Permit Requirement No. II.B., and to document any operational problems and maintenance activities with the recycled water treatment facilities, distribution system, and User Sites. The District must submit a brief summary of its findings to the LRWQCB with each quarterly monitoring report. This summary must discuss the elements listed below.
1. All modifications or additions to the recycled water treatment facilities, distribution systems, and User Sites.
2. Test results of all backflow prevention devices at each recycled water use Site.
3. The results of cross connection inspections at each authorized recycled water use Site.
4. Test results of the District's recycled water distribution system pressure testing.
5. Any non-routine maintenance conducted on the recycled water treatment facilities, distribution system, and user systems.
6. Any major problems occurring to the recycled water treatment facilities, distribution system, and User systems.

II. REPORTING

A. General Provisions

1. The District must comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made part of this Monitoring and Reporting Program (Attachment I).
2. Pursuant to General Provision No. 1d. of the General Provisions for Monitoring and Reporting, the District must submit to the LRWQCB by September 8, 2009 a Sampling and Analysis Plan (SAP) for consideration of approval. The SAP must include a detailed description of procedures and techniques for:
   a. Sample collection, including purging techniques, sampling equipment, and decontamination of sampling equipment;
   b. Sample preservation and shipment;
   c. Analytical procedures;
   d. Chain of custody control; and
   e. Quality assurance/quality control (QAIQe).

B. Quarterly Reports

Beginning on September 1, 2009, quarterly monitoring reports including the preceding information must be submitted to LRWQCB by the first day of the third month following each quarterly monitoring period. (Water Code, Section 13523.1, subd. (b)(4).)

Quarterly monitoring periods are defined as follows:

   First Quarter January 1 -March 31
   Second Quarter April 1 -June 30
   Third Quarter July 1 -September 30
   Fourth Quarter October 1 -December 31

C. Annual Report

Beginning on April 1, 2010 and continuing thereafter, the District must submit an annual report to the LRWQCB with the information listed:
1. Documentation of the District's compliance with the Master Permit, including progress made towards developing the salt/nutrient management plan that is required by the Master Permit, Requirement No. III.A;
2. The compliance record and the corrective actions taken or planned, which are necessary to bring the District into full compliance with the Master Permit; and
3. The District's time schedule for completing corrective actions needed to achieve compliance.
Attachment A: General Provisions for Monitoring and Reporting Program

ATTACHMENT A

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

GENERAL PROVISIONS
FOR MONITORING AND REPORTING

1. SAMPLING AND ANALYSIS

a. All analyses shall be performed in accordance with the current edition(s) of the following documents:
   i. Standard Methods for the Examination of Water and Wastewater
   ii. Methods for Chemical Analysis of Water and Wastes, EPA
b. All analyses shall be performed in a laboratory certified to perform such analyses by the California State Department of Health Services or a laboratory approved by the Regional Board Executive Officer. Specific methods of analysis must be identified on each laboratory report.
c. Any modifications to the above methods to eliminate known interferences shall be reported with the sample results. The methods used shall also be reported. If methods other than EPA-approved methods or Standard Methods are used, the exact methodology must be submitted for review and must be approved by the Regional Board prior to use.
d. The Discharger shall establish chain-of-custody procedures to insure that specific individuals are responsible for sample integrity from commencement of sample collection through delivery to an approved laboratory. Sample collection, storage, and analysis shall be conducted in accordance with an approved Sampling and Analysis Plan (SAP). The most recent version of the approved SAP shall be kept at the facility.
e. The Discharger shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to ensure accuracy of measurements, or shall insure that both activities will be conducted. The calibration of any wastewater flow measuring device shall be recorded and maintained in the permanent log book described in 2.b, below.
f. A grab sample is defined as an individual sample collected in fewer than 15 minutes.
g. A composite sample is defined as a combination of no fewer than eight individual samples obtained over the specified sampling period at equal intervals. The volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling. The sampling period shall equal the discharge period, or 24 hours, whichever period is shorter.

2. OPERATIONAL REQUIREMENTS

a. Sample Results

Pursuant to California Water Code Section 13267(b), the Discharger shall maintain all sampling and analytical results including: strip charts; date, exact place, and time of sampling; date analyses
were performed; sample collector’s name; analyst's name; analytical techniques used; and results of all analyses. Such records shall be retained for a minimum of three years.

This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

b. Operational Log

Pursuant to California Water Code Section 13267(b), an operation and maintenance log shall be maintained at the facility. All monitoring and reporting data shall be recorded in a permanent log book.

3. REPORTING

a. For every item where the requirements are not met, the Discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time, and shall submit a timetable for correction.

b. Pursuant to California Water Code Section 13267(b), all sampling and analytical results shall be made available to the Regional Board upon request. Results shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

c. The Discharger shall provide a brief summary of any operational problems and maintenance activities to the Board with each monitoring report. Any modifications or additions to, or any major maintenance conducted on, or any major problems occurring to the wastewater conveyance system, treatment facilities, or disposal facilities shall be included in this summary.

d. Monitoring reports shall be signed by:

   i. In the case of a corporation, by a principal executive officer at least of the level of vice-president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates;

   ii. In the case of a partnership, by a general partner;

   iii. In the case of a sole proprietorship, by the proprietor; or

   iv. In the case of a municipal, state or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

e. Monitoring reports are to include the following:

   i. Name and telephone number of individual who can answer questions about the report.

   ii. The Monitoring and Reporting Program Number.

   iii. WOID Number.

f. Modifications

This Monitoring and Reporting Program may be modified at the discretion of the Regional Board Executive Officer.
4. NONCOMPLIANCE

Under Section 13268 of the Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars ($1,000) for each day of violation under Section 13268 of the Water Code.

Annual Self Inspection Report
The RWQCB requires that recycled water customers conduct an inspection at least once per year while the recycled water system is in use. The results of this inspection must be documented and submitted in a written report. The Water Retailer will mail the report form to the Site Supervisor once a year. The Site Supervisor must submit the results of the observations, along with a description of any corrective actions taken (see Appendix F - Sample Forms). Upon completion, the Site Supervisor must keep a copy of the report for their records and must return the original. The questions on the annual inspection report are as follows:

9. Is there evidence of recycled water runoff from the site? Show affected area on a sketch and estimate volume.
10. Is there an odor of wastewater origin at the irrigation site? If yes, indicate apparent source, characterization, direction of travel, and any public use areas or off-site facilities affected by the odors.
11. Is there evidence of recycled water ponding, and/or evidence of mosquitoes breeding within the irrigation area due to ponded water?
12. Are warning signs, tags, stickers, and above ground pipe markings properly posted to inform the public that irrigation water is recycled water, which is not suitable for drinking?
13. Is there evidence of leaks or breaks in the irrigation system piping, or tubing?
14. Is there evidence of broken or otherwise faulty drip irrigation system emitters or spray irrigation sprinklers?
15. Has your designated Site Supervisor changed in the past year?
16. What corrective actions are being taken to correct any problems noted above?
DIVISION XVI    FOG CONTROL PROGRAM

Section 16.01 Purpose

The purpose of the District’s fats, oils and grease (FOG) Control Program is to prevent FOG from entering the District’s sewer collection and treatment system through the establishment of regulations for the discharge of FOG and other insoluble waste from food service establishments (FSE). The purpose of this ordinance is to further implement procedures for recovering costs associated with FOG discharges and blockages, to establish administrative requirements for FSEs, and to establish enforcement procedures for these regulations.

Section 16.02 Definitions

For purposes of this Chapter, the following definitions shall apply:

a) Fats, Oils and Grease (FOG) shall mean and include any waste containing quantities or concentrations of dispersed biodegradable fats, oils and greases.

b) Food Service Establishment (FSE) shall mean any entity utilizing the District’s sewer collection system for operation in a permanently constructed structure, maintained and used or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for consumption by the public or for sale to other entities, its members, or employees.

c) Food Grinder or garbage grinder or garbage disposal shall mean any device installed in the plumbing or sanitary sewage system for the purpose of grinding food waste or food preparation byproducts for the purpose of disposing into the District sewer system.

d) FOG Discharge Permit shall mean the permit issued by the District to a FSE for utilizing the District sewer system in compliance with the terms, conditions, and criteria of the FOG Control Program set forth in this Division.

e) Grease Control Device (GCD) shall mean any Grease Interceptor, Grease Trap, or other mechanism, device, or process, which is attached to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG-laden wastewater prior to its discharge into the District sewer system. “Grease Control Device” also includes any other District approved method to reduce FOG. Grease Control Devices must be sized in accordance with the California Plumbing Code.

f) Grease Interceptor shall mean a District approved multi-compartment device that is required to be located, as according to the California Plumbing Code, between a FSE and the connection to the District sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next. Grease Interceptors must be cleaned, maintained and have the FOG and solids removed and disposed of in accordance with the terms and conditions of the District’s FOG Discharge Permit. Grease Interceptor includes a Gravity Grease Interceptor.

g) Grease Trap shall mean a District approved Grease Control Device that is used to serve individual fixtures. Grease Traps must automatically expel FOG from its interior into an
adjacent collection container. The body must be constructed entirely of stainless steel, have a heating component to liquefy grease, include a flush valve and an integral flow control device on its inlet to prevent flow through the unit in excess of the unit’s flow rate. The Grease Control Device must be cleaned, maintained, and have the FOG and solids removed and disposed of in accordance with the owner’s manual. A Grease Trap is also referred to as a Hydro-mechanical Grease Interceptor.

h) **Property Owner** shall mean a person or entity owning property where a Grease Interceptor is present that is or has potential to serve more than a single FSE.

i) **Remodeling** shall mean a physical change or operational change that increases the amount of FOG discharged to the District sewer system by the FSE in an amount that alone or collectively causes or creates a potential for blockages or sanitary sewer overflows (SSO) to occur.

j) **Waste Hauler** shall mean any person or entity that collects the contents of a Grease Control Device for the purpose of transporting it to a recycling or disposal facility. A Waste Hauler may also provide Grease Control Device maintenance services.

**Section 16.03  Prohibition**

Every owner, tenant, entity, or person receiving sewer service from the District shall have a duty to not cause, permit or allow the accumulation of FOG in the District sewer system. Such persons and entities shall use industry and District approved methods to reduce FOG accumulation in the District sewer system.

**Section 16.04  FOG Discharge Permit Requirement**

1. **FSE**

   No FSE shall discharge into the District’s sewer system without obtaining a FOG Discharge Permit from the District. The FOG Discharge Permit is a legally-binding agreement issued to a FSE to utilize the District sewer system setting forth the terms, conditions, and criteria of the FOG Control Program. The FOG Discharge Permit is prepared and maintained by the District, and its provisions may be modified periodically as required to ensure each FSE’s compliance with the terms and conditions of this chapter, as they may be amended from time to time. Failure to comply with the FOG Discharge Permit conditions will constitute a violation of this chapter. In addition to the FOG Discharge Permit, the District may also issue specific permit conditions to any FSE. In the event that the District issues specific permit conditions to a FSE, the basis for those specific permit conditions shall be disclosed to the FSE in writing and appended to the FOG Discharge Permit. Failure to comply with the individual permit conditions will constitute a violation of this Division.

2. **Property Owners**

   Property owners of commercial properties or their designee(s) identified on the FOG Discharge Permit shall be responsible for the installation and maintenance of a Grease Interceptor serving multiple FSE that are located on a single parcel. The owner of the parcel containing a common use Grease Interceptor shall submit an application for and be the Permittee under a FOG Discharge Permit.
3. **FSE/Property Owners Notification Regarding Planned Changes**

Any existing FSE or Property Owner which substantially changes its menu, operation, or remodels shall submit in writing a detailed description of the proposed changes. The applicability of an existing FOG Discharge Permit, waiver, stay or variance from the requirement to install, operate and maintain a Grease Control Device will be assessed by the District based on the information contained in the description and the Permit, waiver, stay or variance may be revoked and replaced or amended as the changed circumstances warrant.

4. **Permit Application**

a) Each existing FSE/Property Owner shall submit an FOG Discharge Permit Application to the District within forty-five (45) days following the effective date of this Division.

b) All newly constructed FSEs and FSEs which change ownership, shall submit a FOG Discharge Permit Application at least sixty (60) days prior to startup. Any FSE which fails to submit the required FOG Discharge Permit application in a timely manner may be prohibited from discharging to the District sewer system.

5. **Permit Renewal**

Annually, each FOG Discharge Permittee shall renew its FOG Discharge Permit by the expiration date indicated on the Permit, unless the FSE has received a waiver from pretreatment requirements and the FSE has not made any changes to their operations which could increase grease production.

6. **Reporting Requirements**

Each FOG Discharge Permittee shall report to the District any spills of FOG and/or sewage and any unauthorized discharges into the District sewer system within the time period following the occurrence of the event as specified in and according to the requirements set forth in the FOG Discharge Permit.

7. **Right to Enter and Inspect**

The District shall have the right to enter and inspect each FSE premises or property owner’s common use Grease Interceptor for announced or unannounced inspections. The District shall have access to all facilities and records necessary for determining compliance with this Division. An inspection may include a review of all logs and documentation of the FOG Control Program, inspection of all kitchen facilities, and inspection of any and all Grease Control Devices and appurtenant plumbing on the premises.

**Section 16.05 Best Management Practices Required**

All FSEs shall implement Best Management Practices (BMP) in their operations to minimize the discharge of FOG to the District sewer system. Detailed requirements for BMP shall be specified in the FOG Discharge Permit and any appended specific permit conditions. This may include kitchen practices and employee training that are essential to minimizing FOG discharge.
Section 16.06 Food Grinders
The use of a Food Grinder, which discharges food wastes from an FSE into the District sewer system, is prohibited.

Section 16.07 Pretreatment Requirements

1. Pretreatment Required
   All FSEs are required to install, operate and properly maintain approved types and adequately sized Grease Control Devices. Grease Control Devices shall separate and remove FOG contained in wastewater discharges from FSEs prior to discharge of the wastewater to the District sewer system. All fixtures, equipment and drain lines located in the food preparation and clean up areas of the FSE that are potential sources of FOG discharge shall be connected to a Grease Control Device. Detailed requirements for device maintenance shall be specified in the FOG Discharge Permit.

   a) Existing FSE
      All existing FSEs are required to have and to properly operate and maintain a Grease Control Device according to the requirements set forth in the FOG Discharge Permit, unless the FSE has obtained a waiver as described in Section 16.07.2 and 16.07.3 below, and shall be required to follow all requirements of the FOG control program of this Division.

   b) New FSE, FSE Which Change Ownership, and FSE Which Undergo Remodeling
      As of the effective date of this Division, all newly constructed FSEs, FSEs which change ownership, and FSEs which undergo remodeling, see Section 16.02(k), shall be required to install a Grease Control Device, according to requirements of the FOG Discharge Permit, unless a waiver is granted under Section 16.07.2 and 16.07.3 below, and shall be required to follow all requirements of the grease control program of this Division.

2. Waiver for Alternative Pretreatment
   A waiver from the FOG pretreatment requirements to allow alternative pretreatment technology that is at least equally effective in controlling the FOG discharge, in lieu of installing and operating a Grease Control Device, may be granted to a FSE demonstrating that it is impossible or impracticable to install, operate or maintain a Grease Control Device. The applicant shall bear the burden of demonstrating that the alternative method is at least equally effective. The District’s determination to grant a waiver will be based upon, but not limited to, evaluation of the following conditions:

   a) District determination there is no adequate location for installation and/or maintenance of a Grease Control Device.

   b) District determination there is no adequate slope for gravity flow between kitchen plumbing fixtures and the Grease Control Device and/or between the Grease Control Device and the private collection lines or the District sewer system.
c) District determination that alternative pretreatment technology is equivalent to or better than a Grease Control Device in controlling its FOG discharge. In addition, the FSE must be able to demonstrate, after installation of the proposed alternative pretreatment, its effectiveness to control FOG discharge through downstream visual monitoring of the sewer system at its own expense.

3. Waiver from Pretreatment Requirements
A waiver from installation of a Grease Control Device may be granted to a FSE that has been determined to have negligible FOG discharge and insignificant impact to the District sewer system. FSEs which receive a waiver from pretreatment requirements are not required to renew their permit unless the FSE makes any changes as described in 16.04.3. The District’s determination to grant or revoke a waiver shall be based upon, but not limited to, evaluation of the following conditions:

a) District determination that quantity of FOG discharge as measured or as indicated by the size of the FSE based on seating capacity, number of meals served, menu, water usage, amount of on-site consumption of prepared food and other conditions that show contribution to FOG discharges;

b) District determination that adequacy of implementation of BMP and compliance history are sufficient;

c) District determination that sewer size, slope, condition based on visual information, FOG deposition in the sewer by the FSE, and history of maintenance and sewage spills in the receiving sewer system;

d) District determines that the changes in operations that significantly affect FOG discharge; and

e) Any other condition deemed the District deems reasonably related to the generation of FOG Discharges.

4. Operations and Maintenance Requirements
All Grease Control Device shall be maintained in efficient operation at all times by the FOG Discharge Permittee at the Permittee’s expense. Details of required maintenance shall be specified in the FOG Discharge Permit.

Section 16.08 Fees

1. Each FOG Discharge Permit requires an application fee of $100.00. Following a change of ownership, a substantial change in operation, remodeling, or an increase in flow or waste generation of FOG, a revised application must be submitted with payment of an application fee of $100.00. The application fee must be paid when the FOG Discharge Permit
application is submitted to the District. The initial permit has a one-year term and is renewable annually.

2. Each FOG Discharge Permit requires an annual renewal fee of $50.00, which shall be submitted each calendar year on the month which the initial permit was issued.

3. The District will set the application fee and annual renewal fee in accordance with applicable law, and may amend these fees from time to time as permitted by law.

Section 16.09 Enforcement

Failure to comply with the District’s FOG Control Program as provided in this Division, all generally applicable provisions of Chapter 11, and the FOG Discharge Permit or any individual permit conditions will result in enforcement action against the FSE. All fines are defined in this Section and published in the District’s Master Fee Schedule, as both may be amended from time to time.

1. The first violation of the FOG Control Program will result in a warning issued by the District. For each warning, the District will make one attempt to contact the FSE’s responsible party (permittee) as listed on the permit and follow-up any such verbal warning with written confirmation of the violation. If such attempt at direct contact is unsuccessful, the District will mail written notice of the violation to the permittee. The permittee will have seven (7) days from the date of the notice to respond and correct the violation. If the permittee does not correct the violation within this time, a second violation will be issued.

2. Upon the occurrence of two or more violations, the District will notify the permittee in writing by mail of the violation and a fine of $100.00 will be assessed and collected on the next service bill. The permittee will have seven (7) days from the date of the notice to respond and correct the violation. If the permittee does not respond and correct the violation within the seven (7) days, a per day fine of $50.00, up to a maximum of 12 days and $600.00 will be imposed and charged on permittee’s next service bill. The fee, up to its maximum, will be assessed until the earlier of (i) the violation is corrected or (ii) the District declares the permittee to be non-compliant and discontinues sewer service to the permittee pursuant to the subsection 3. below.

3. When three or more violations of the FOG program have been committed and remain uncorrected, the District, after filing a Notice of Abatement pursuant to Section 16.10 below, may disconnect sewer service to the non-compliant permittee.

Section 16.10 Notice of Abatement

1. The District has the right to abate any violation of this Division and to charge the violating permittee or responsible person or entity for damages caused by a prohibited discharge of FOG to the District sewer system. Provided that the District can demonstrate upon reasonable proof that a FSE or responsible person or entity caused FOG build-up or another...
violation of this Division such that a District sewer system or appurtenance is damaged or such that a sewer overflow occurs, or that a sewer overflow is imminent, District shall have the right to serve a Notice of Abatement and to charge the permittee or responsible person or entity for all damages and abatement costs resulting from the violation. In cases of a violation of this Division that requires abatement, the District shall have the right to immediately enter a FSE premises and abate the violation to prevent further damages or violations.

2. If the District abates a violation and incurs costs for that abatement, it shall issue a bill for all damages and abatement costs incurred to the permittee or responsible person or entity as soon as practical. With the issuance of a bill for any damages and abatement costs incurred, the District also shall provide the permittee or responsible person or entity with a copy of all evidence that supports the District’s determination and a copy of this Division. The responsible person or entity shall have the right to appeal the Notice of Abatement and the damages and abatement costs charged by the District in accordance with the following procedures.

3. Upon receipt of Notice of Abatement and any bill for damages and abatement costs, the FSE or responsible person or entity (“Appellant”) may file a written reply rebutting the evidence presented and/or charges imposed by the District. The Appellant may attach any supporting evidence to its reply. The Appellant must file the written reply and supporting evidence with the District’s General Manager no later than 7 working days before the next regularly scheduled Board meeting. Any rebuttal filed by the Appellant will be limited to the issues raised in the original Notice of Abatement and any District staff report attached to the violation. At the Board meeting where an Appellant’s response to a Notice of Abatement will be considered, staff will make a presentation concerning reasons for issuing the Notice of Abatement and supporting evidence, and then the Appellant may present such oral statements, documents, and testimony of witnesses as it may choose. District staff may respond by the production of any additional relevant evidence as staff deems appropriate. The Appellant may only raise those issues in the meeting that were presented in the original Notice of Abatement and any response and staff presentation, unless the Appellant can show good cause and supporting evidence for why the Board should entertain the presentation of any new issues. Any new issues will not be acted on at the scheduled meeting and will not be made part of the record unless such presentation is first approved by the Board.

4. At the conclusion of the staff’s and Appellant’s presentations, the Board may enter into the record of the meeting the facts and its findings with respect to each issue presented by the Appellant and render its decision concerning the Notice of Abatement and District bill, or the Board may choose to take the matter under consideration and issue a written decision setting forth the facts and its findings. If the Board determines to issue a written decision, it shall do so within 15 days after the date of the meeting at which the item is considered. All decisions of the Board are final.