

UNIFORM PLUMBING ORDINANCE 2019-01



CARMEL AREA WASTEWATER DISTRICT

EFFECTIVE DATE: May 17, 2019

ORDINANCE NO. 2019-01

AN ORDINANCE (1) REPEALING ORDINANCE NO. 84 AND NO. 91-06 CONCERNING UNIFORM PLUMBING ORDINANCE OF THE CARMEL SANITARY DISTRICT, AND (2) ADOPTING NEW AND REVISED UNIFORM PLUMBING ORDINANCE OF THE CARMEL AREA WASTEWATER DISTRICT

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THE BOARD OF DIRECTORS OF THE CARMEL AREA WASTEWATER DISTRICT
("CAWD") DOES ORDAIN AS FOLLOWS:

1. Ordinance No. 84 and 91-06 Repealed. Ordinance No. 84, "Uniform Plumbing Ordinance of the Carmel Sanitary District," passed and adopted on August 19, 1980, and Ordinance No. 91-06 amending Ordinance No. 84, passed and adopted on 12/19/1991 are hereby repealed in their entirety.
2. Adopted. The attached "2019 Uniform Plumbing Ordinance of the Carmel Area Wastewater District" (Exhibit A) consisting of 33 pages, establishing new and revised standards governing sewer piping, construction design, disposal of sewage, and various other related matters, is hereby adopted by the District, to read in its entirety as set forth in Exhibit A, incorporated herein by this reference.
3. Summary of Ordinance. An ordinance regulating the use of public and private sewers, the installation and connection of building laterals, the installation of sewer laterals and public sewer main extensions, providing permits and fees for the installation and connection of sanitary sewers, establishing charges, providing penalties for the violation of the provisions hereof. A true and certified copy of the full text of this ordinance and the incorporated Exhibit A are on file and available for inspection at the District offices.

4. Severability. The Board declares that each section, subsection, paragraph, subparagraph, sentence, clause, phrase, and graphic of this ordinance, including incorporated Exhibit A, is severable and independent of every other section, subsection, paragraph, subparagraph, sentence, clause, phrase and graphic of this ordinance. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or graphic of this ordinance is held invalid, the Board declares that it would have adopted the remaining provisions of this ordinance irrespective of the portion held invalid, and further declares its express intent that the remaining portions of this ordinance should remain in effect after the invalid portion has been eliminated.

5. CEQA Exempt. This approval is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be stated with certainty that adoption of the standards set out in Exhibit A is not an activity that may have a significant effect on the environment, and therefore is not subject to CEQA. (CEQA Guidelines, Section 15601(b)(3))

6. Publication. No later than 15 days following the adoption hereof, this ordinance shall be published once in a newspaper published in the District.

7. Effective Date. This ordinance shall take effect and be in force 14 days after publication per Section 6 of this ordinance.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Carmel Area Wastewater District duly held on April 25, 2019, by the following vote:

AYES: BOARD MEMBERS: D'Ambrosio, Townsend, White, Siegfried, Rachel

NOES: BOARD MEMBERS:



President of the Board

ATTEST:



Secretary of the Board

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SECTION 1.0 - DEFINITIONS AND TERMS

1.01 DEFINITIONS AND TERMS

For the purpose of this Ordinance, the following words and abbreviations shall be defined as follows:

ANALYSES - As defined in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, or EPA Standard Procedures.

APPLICANT - Any Person making application for a Permit for a Sewer or plumbing installation who shall be the property owner or owner's authorized agent of premises to be served by the Sewer for which a Permit is requested.

BOARD - The Board of Directors of Carmel Area Wastewater District.

BUILDING - Any structure used for human habitation or a place of business, recreation or other purposes.

BUILDING LATERAL - The Sewer line beginning two feet from the foundation wall of any Building and terminating at the Main Sewer.

CITY - The City of Carmel-by-the-Sea.

CONTRACTOR OR PLUMBER - An individual, firm, corporation, partnership, or association duly licensed by the State of California to perform the type of work to be done as shown on the approved plans.

COUNTY - The County of Monterey, California.

DISTRICT - Carmel Area Wastewater District (CAWD).

DISTRICT ENGINEER – Principal Engineer of the Carmel Area Wastewater District or his/her authorized representative(s).

DISTRICT STANDARDS - The latest edition of the District's "Sanitary Sewer Standard Plans and Specifications ."

DOMESTIC SANITARY SEWER - Water-carried wastes from residences, hotels, motels, restaurants, schools, and business establishments, but excluding all ground water, surface water, Storm Water and Industrial Wastes.

ENGINEER – District (Principal) Engineer of the Carmel Area Wastewater District or his/her authorized representative(s).

FOG – Non -petroleum fats, oil and grease

GARBAGE - All solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

GENERAL MANAGER - General Manager of the Carmel Area Wastewater District or his/her authorized representative(s). The General Manager or his/her authorized representative shall administer and enforce the rules and regulations for the District, unless the Board otherwise designates.

GREASE INTERCEPTOR- A plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept non-petroleum fats, oil and grease (FOG) from the wastewater discharge.

GREASE TRAP – see Hydromechanical Grease Interceptors.

HYDROMECHANICAL GREASE INTERCEPTORS – A plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept FOG from a wastewater discharge and is identified by flow rate, and separation and retention efficiency. Hydromechanical Grease Interceptors are generally installed inside.

INDUSTRIAL WASTES - The wastes of producing, manufacturing and processing operations of every kind and nature, not including domestic sanitary Sewage.

INSPECTOR - The individual official(s) authorized by the General Manager and/or District Engineer to administer and enforce the provisions of this Ordinance as adopted or amended.

MAIN SEWER - A Public Sewer lying within a public road/Street or District Sewer easement designed to accommodate one or more Sewer laterals and for which suitable access can be provided for maintenance reasons at the sole discretion of the District. Main Sewers are subject to inspection and approval by the Carmel Area Wastewater District and when accepted by Resolution of the Board, becomes the maintenance responsibility of the Carmel Area Wastewater District.

MULTIPLE DWELLING - A Building or group of Buildings on a Building site which, in whole or in part, is designed for, or occupied by members of two (2) or more living groups dwelling independently of each other in separate areas or units.

OUTSIDE SEWER - A Sanitary Sewer beyond the limits of the District not subject to the control or jurisdiction of the District.

PERMIT - Any written authorization required pursuant to this or any other regulation of District for the installation of any Sewer works.

PERSON - Any human being, individual, firm, company, partnership, association and private or public and municipal corporations, the United States of America, the State of California, districts and all political subdivisions, governmental agencies and mandatories thereof.

PLUMBER OR CONTRACTOR. See Contractor, Section 1.7.

PRIVATE LATERAL – That portion of a Sewer Lateral beginning 2 feet from the perimeter walls at the plumbing outlet of any Building or industrial facility and running to and including the connection to the Main Sewer, or to a private Sewage disposal system. All Sewer laterals are not owned by the District.

PRIVATE SEWER - A common Sewer privately owned that connects one or more Building Sewers to the Public Sewer. A Private Sewer includes Sewer main, manholes and all appurtenances which have not been accepted by Resolution of the District Board.

PUBLIC SEWER - A Sewer lying within a Street or easement and which is controlled by and or under the jurisdiction of the District.

SANITARY SEWER - A Sewer which carries Sewage and to which storm, surface and ground waters are not intentionally admitted.

SEWAGE - A combination of water-carried wastes from residences, business Buildings, institutions and industrial establishments.

SEWAGE TREATMENT PLANT - Any arrangement of devices and structures used for treating Sewage.

SEWER - A pipe or conduit for carrying Sewage.

SEWER LATERAL – A Sewer which connects the plumbing system of a house or Building to the Main Sewer. This is the same as Private Lateral.

SINGLE FAMILY UNIT - Refers to the place of residence for a single living group.

STANDARD SPECIFICATION - Document containing design and construction standards for all Sewer works within the District, as adopted by the Board and subsequent amendments, the District Standards, Standard Specifications for Public Works Construction, latest Edition (Greenbook) by Public Works Standards, Inc and the Uniform Plumbing Code, latest edition. If in conflict, the standards govern in the order stated in this definition with the CAWD Standard Specifications having precedence.

STORM DRAIN - A pipeline which carries storm and surface or ground waters and drainage and excludes Sewage.

STORM WATER - The water running off or draining from the surface and sub-surface of an area during and after a period of precipitation.

STREET - A public highway, road, Street, avenue, alley, way, public place, public easement or right of way.

UNIFORM PLUMBING CODE - The latest edition of the International Association of Plumbing and Mechanical Officials, Uniform Plumbing Code.

SECTION 2.0 - GENERAL PROVISIONS

2.01 RULES AND REGULATIONS

The following rules and regulations regarding Sewer system construction and disposal of Sewage and connection to the Sewer works of the District are hereby adopted, and all work in respect thereto shall be performed as herein required and not otherwise.

2.02 PURPOSE

This Ordinance is intended to provide rules and regulations for the use and construction of Sanitary Sewer facilities hereafter installed, altered or repaired within the District. This Ordinance shall not apply retroactively, and in the event of an alteration or repair hereafter made, it shall apply only to the new materials and methods used therein.

2.03 SHORT TITLE

This Ordinance shall be known as the Uniform Plumbing Ordinance of the Carmel Area Wastewater District.

2.04 VIOLATION UNLAWFUL

It shall be unlawful for any Person to connect to, construct, install or provide, maintain and use any other means of Sewage disposal from any Building in said District except by connection to a Public Sewer in the manner as provided in this Ordinance.

2.05 RELIEF ON APPLICATION AND WAIVERS

When any Person, by reason of special circumstances, is of the opinion that any provision of this Ordinance is unjust or inequitable as applied to his/her 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 premises.

Action to approve such request may be subject to such conditions as the Board deems appropriate, including a condition that a real property owner who requests relief under this section shall enter into and execute an agreement incorporating such conditions, in a form acceptable to District Legal Counsel, to include, without limitation, a provision to indemnify, defend and hold harmless the District, its Board, employees and agents, from any claims, actions, damages or losses resulting in any manner from such waiver, suspension or modification, which agreement shall be recorded and shall be binding upon the property owner's successors and assigns.

The Board at its discretion may, but only to the extent compatible with State and Federal laws, rules and regulations pertaining to wastewater facilities. constructed in

part with grant funds, by resolution, waive, suspend, or modify any requirement or provision of this Ordinance.

2.06 PERMITS AND FEES

No Public Sewer, Building Lateral or other Sewer facility shall be installed, altered, or repaired, within the District until a Permit for the work has been obtained from the District and all fees paid in accordance with the requirements of the ordinances, rules and regulations of District.

2.07 PLUMBING AND SEWERS ON PRIVATE PROPERTY

The installation, use, maintenance, repair and inspection of all plumbing within Buildings shall be subject to compliance with the plumbing regulations of the City and County, now existing or as hereafter amended.

2.08 QUALIFICATIONS AND DUTIES OF PLUMBERS

Every Plumber operating, conducting and carrying on a trade or business, or performing plumbing work in the District must be actively licensed in the C-36 (Plumbing) specialty therefor issued by the Contractors State License Board of the State of California. It shall not be lawful for any Person to carry on, conduct or operate in the trade or business of plumbing in the District unless he/she is a Plumber licensed as herein provided, and has filed a copy of insurance carried as set forth in Section 2.09.

2.09 INSURANCE

Plumbers doing work permitted by the District shall obtain and maintain workers' compensation insurance as required by California law, and general and automobile liability insurance, no less than one million dollars (\$1,000,000). Neither this section, nor any other section of this Code, nor any predecessor section is or was intended to create or impose any responsibility upon CAWD to ensure that the Contractor obtains and maintains this insurance, such responsibility being solely that of the Contractor. CAWD may, however, investigate a Contractor's insurance coverage at any time. Failure of a Contractor to obtain and maintain required insurance may cause the denial, suspension and/or revocation of Permits, at the sole discretion of CAWD.

The Plumber shall carry general liability and property damage insurance with limits approved by the District Counsel but in no case less than one million (\$1,000,000) dollars, naming as additional assured the Carmel Area Wastewater District, its officers, employees, and agents; and in addition, a warranty holding harmless the District, its officers, employees and agents from any liability occurring or alleged to be caused by the construction operations.

Certificates issued by the insurance carrier shall be submitted to the District with the Plumber's application for a Permit, unless such certificate has been filed previously with the District. The required insurance certificates shall show that the insurance policies are for the proper amounts, are in force for the duration of the work, and bear an endorsement or statement waiving right of cancellation or reduction in coverage without ten days written notice to be delivered by registered mail to the District.

2.10 LIABILITY

The District and its officers, agents and employees shall not be answerable for any liability or injury or death to any Person or damage to any property arising during or growing out of the performance of any work by an 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 or its officers, agents, or employees, including all costs, expenses, fees and interest incurred in defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects' in the performance of his/her work or any failure which may develop therein.

2.11 RESPONSIBILITY FOR DEFECTS AND GUARANTEE OF THE WORK PERFORMED

Property owners shall be held responsible for any and all acts of agents or employees performed under this Ordinance by virtue of his/her or their Permit. Upon being notified by the Inspector of any defect arising therefrom in the work performed or of any violation of this Ordinance, the Person or Persons having charge of said work shall immediately correct the same.

The property owner shall warrant and guarantee to the District to correct any defects in a Building lateral or public Sewer for a period of one year after completion.

2.12 SAFETY REQUIREMENTS

The Owner or Plumber doing the work shall be solely and completely responsible for condition of the job site, including safety of all Persons and property during performance of the work. This requirement shall apply continuously and not be limited to normal working hours.

The services of the District in conducting construction review of the Owner's or Plumber's performance is not intended to include review of the adequacy of the Owner's or Plumber's work methods, equipment, bracing or scaffolding, or safety measures in, on, or near the construction site. All work and materials used shall be in accordance with all applicable City, County, State and Federal rules, regulations and codes.

SECTION 3.0 - USE OF SEWERS REQUIRED

3.01 DISPOSAL OF WASTES

It shall be unlawful for any Person to place, deposit, or Permit to be deposited upon public or private property within the District, or in any area under the jurisdiction of said District, any Sewage, Garbage, or other objectionable waste.

3.02 TREATMENT OF WASTES REQUIRED

It shall be unlawful to discharge to any stream or watercourse any Sewage, Industrial Wastes, or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this Ordinance and other applicable District Ordinances.

3.03 UNLAWFUL DISPOSAL

(a) Except as herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit or other facility intended or used for the disposal of Sewage.

(b) No rain, surface or subsurface water shall be connected to or discharged into any Sanitary Sewer system.

(c) No commercial food waste grinder shall be connected to a private Sewage disposal system unless permission has first been obtained from the General Manager.

(d) No Industrial Wastes or high strength wastes shall be discharged into any Sanitary Sewer system except in special cases that are discretionary based on the review of the proposed waste stream by the District Engineer and Plant Superintendent; and such waste stream will be subject to a custom fee computation.

(e) An approved watertight Sewage or wastewater holding tank, the contents of which, due to their character, must be periodically removed and disposed of at some approved off-site location, shall be installed only when required and approved by the City or County Health Officer to prevent anticipated surface or subsurface contamination or pollution damage to the Public Sewer, or other hazardous or nuisance condition.

3.04 COMPLIANCE PRIOR TO OCCUPANCY

No Building, industrial facility, or other structure shall be occupied until the property owner of the premises has complied with all rules and regulations of District and/or applicable regulations of the City and County.

3.05 SEWER REQUIRED

(a) The owner of any Building situated within the District in which plumbing fixtures are installed is required at his/her expense to connect said building directly with the

proper public Sewer in accordance with the provisions of this Ordinance, within ninety (90) days after date of District notice to do so.

(b) Septic tanks installed and in place on or before adoption date in the District may continue in use as long as they are functioning properly.

(c) Cesspools must not be used in the District for disposal of Sewage.

(d) On every lot or premises hereafter connected to Public Sewer, all plumbing systems or parts thereof, shall be connected with such Public Sewer.

3.06 SEPARATION OF SANITARY SEWERS AND WATER MAINS

This Section is intended to be in conformance with Title 22 of the California Administrative Code, Chapter 16, SECTION 4, Section 64572. Water mains and Sewers shall not be installed in the same trench and shall be separated as required by the State with Sanitary Sewers always located lower than water mains.

(a) Parallel Construction: The horizontal distance between pressure water mains and Sanitary Sewers shall be at least ten (10) feet measured from the nearest outside edge of each pipe barrel. The horizontal distance between water service connections and Building Laterals shall be as specified in the Uniform Plumbing Code.

(b) Perpendicular Construction (crossing): The bottom of pressure water mains shall be no less than 45-degrees to and at least one (1) foot above the top of Sanitary Sewers where these lines must cross.

(c) Certain local conditions, including but not limited to topography and available space, may create a situation where there is no alternative but to install water mains or Sewer lines at less than the required separation. In such cases, rigid construction requirements subject to special provisions must be met. These special provisions will be in accordance with the latest State Board requirements.

SECTION 4.0 - PRIVATE SEWAGE DISPOSAL AND PRETREATMENT FACILITIES

4.01 ABANDONMENT OF FACILITIES

At such time as a Public Sewer becomes available to a property served by a private Sewage disposal system, except as otherwise provided in Section 3.05, a direct connection shall be made to the Public Sewer in compliance with the ordinances, rules and regulations of District. Exceptions to this Section shall be requested in writing to the Board and shall be approved by the Board and are subject to approval by the Board.

(a) Every abandoned Building Lateral or part thereof, shall be in an approved manner not more than five (5) feet inside the property line.

(b) Every cesspool, septic tank and seepage pit which has been abandoned or has been otherwise discontinued from further use shall have the Sewage removed therefrom and be completely filled with earth, sand, gravel, concrete or other material approved by the County or City.

(c) The top cover or arch over the cesspool, septic tank or seepage pit shall be removed before filling and the filling shall not extend above the top of the vertical portions of the sidewalls or above the level of any outlet pipe until inspection has been called and the cesspool, septic tank or seepage pit has been inspected. After such inspection, the cesspool, septic tank or seepage pit shall be filled to the level of the top of the ground.

4.02 COST OF MAINTENANCE BY OWNER

The property owner shall operate and maintain existing private Sewage disposal and pretreatment facilities in a sanitary manner at all times, at no expense to the District.

4.03 GREASE, OIL AND SAND INTERCEPTORS

(a) All nondomestic users shall be required to install and maintain a grease, oil, and sand interceptor when the General Manager and/or, District Engineer or their designee finds that it is necessary for the proper handling of liquid waste containing grease, flammable wastes, and sand or any other harmful constituents that may be properly eliminated from the Sewage system by use of an interceptor or trap.

If required, an approved type interceptor complying with the provisions of this Section and the District's Pretreatment Ordinance, shall be installed in the waste line leading from sinks, drains and other fixtures or equipment in the following establishments: restaurants, cafes, lunch counters, cafeterias, bars and clubs; hotel, hospital, sanitarium, factory or school kitchens, or other establishments where grease, oil or sand may be

introduced into the Sewage system in quantities that can effect line stoppage or hinder Sewage treatment or private Sewage disposal.

(b) Plans shall be submitted, and approval obtained from the General Manager and/or District Engineer prior to the installation of any waste pretreatment facilities in any food establishment set forth in subsection (a) of this Section.

(c) Each Grease Interceptor required by this Section shall have an approved volume not less than that given in Table IV-1.

(d) All drains from kitchen areas including pre-wash, food waste disposal units, dishwasher and Garbage can wash shall be connected to the Grease Interceptor. Toilets, lavatories and other sanitary fixtures shall not be connected to any Grease Interceptor.

(e) All fixtures discharging into a Grease Interceptor shall be individually trapped and vented in an approved manner.

(f) Each Grease Interceptor shall be so installed and connected that it shall be at all times easily accessible for inspection, cleaning and removal of the intercepted grease.

(g) Interceptors shall be maintained in efficient operating condition by periodic removal of the accumulated grease. No such collected grease shall be introduced into any drainage piping, public or private.

(h) Each Grease Interceptor shall be constructed of durable materials satisfactory to the General Manager and/or District Engineer and shall have a full-size gas tight cover which can easily and readily be removed.

(i) Types and models of grease interceptors other than those required by this section may be permitted. However, the General Manager and/or District Engineer may require tests necessary to determine the grease collecting efficiency of the various types and kinds of grease interceptors in order to establish the rate of flow or other rating thereof. Such test requirements may be revised or modified from time to time as deemed necessary.

(j) Grease Interceptors required by this Ordinance shall not be installed until the type and/or model has been subjected to, and has fully complied with, tests acceptable to the General Manager and/or District Engineer. Where existing conditions are found acceptable as determined by the General Manager and/or District Engineer, such facilities as presently exist will be allowed to remain in use. Whenever it shall come to the attention of the District that any grease interceptor is no longer acceptable or does

not comply with the provisions of this Section, the General Manager and/or District Engineer shall immediately suspend or revoke such approval and require corrective measure.

TABLE IV-1

Grease Interceptors

Food Service Operations

<u>Seating Capacity</u>	<u>Volume in Gallons</u>
10 to 35	500
36 to 60	750
61 to 80	1000
81 to 110	1250
111 to 135	1500

For seating capacities above 135, use the following formula: Seating Capacity x 11.25 = interceptor size in gallons

Note: Hospital-type and residential care operations shall use the above formula, substituting number of beds for seating capacity.

4.04 ADDITIONAL REQUIREMENTS

No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by any law, ordinance, rule or regulation of the District or of the Health Department of the State or of the City or County.

SECTION 5.0 - BUILDING LATERAL AND CONNECTIONS

5.01 PERMIT REQUIRED

In accordance with Section 8 of this Ordinance, no Person shall construct a Building Lateral, or make a connection with any Public Sewer without first obtaining a written Permit from the District and paying all fees and connection charges as established.

5.02 DESIGN AND CONSTRUCTION REQUIREMENTS

Design and construction of Building Laterals shall be in accordance with this Ordinance and District Standards. All new Building Sewers shall have a minimum slope of 1/4-inch per foot and a maximum slope of 3 inches per foot unless specifically permitted by the District. Public Sewers which are laid in public easements, roadways, or provide Sewer service for two or more Building sites of record shall be six inches or greater in diameter.

5.03 SEPARATE SEWERS

Every Building fronting on the same Street or easement requiring Sewer service shall be separately and independently connected with the Public Sewer; provided, however that where two or more Buildings are on the same parcel, belonging to one owner, and which cannot legally be subdivided, separate connections need not be made with the Public Sewer. No two separate owners of adjacent parcels shall be permitted to join in the use of the same Sewer lateral.

Single family residential units with common walls, condominiums, townhouse, stock cooperative, community apartment or other similar improvements, including commercial condominiums or similar units, which entitles owners of interests therein to occupy independent ownership interests and to make joint use of utility and other services, which may be provided by facilities owned in common, may, upon issuance of a Permit authorizing such common use by the District Engineer or assignee, be permitted to maintain a common Sewer lateral or Sewers. Indemnification language approved by the District shall be included in the covenants, conditions and restrictions.

5.04 USE OF EXISTING LATERAL SEWERS

(a) Property owners shall inspect and provide to the District a report of the results of the inspection of the laterals on their property prepared by a licensed Plumber using closed circuit television (CCTV) inspection or other inspection or test method approved by the District Engineer, and if found defective, the property owner shall obtain a lateral repair Permit and thereafter repair the lateral, as follows:

- (1) When Building a new structure on property with an existing lateral, or when otherwise proposing to connect a previously unconnected structure to an existing lateral;
- (2) As a condition of approval of any major Building remodel project. A major Building remodel project is one that is estimated to cost \$50,000 or more;
- (3) Prior to the close of escrow when the property is transferred via sale or other transfer of ownership by deed, instrument or writing;
- (4) Whenever the District finds that a Sewage overflow emanating from a lateral has encroached upon public property, including but not limited to a Street or the Storm Drain system, or has flowed onto private property owned by another property owner;
- (5) Whenever the District finds that a Sewage overflow emanating from a lateral presents a threat to public health, even if it has not flowed across a property line.

In the absence of a specific deadline, all inspection and testing work shall be completed within 60 days of notification by the District that such inspection is required. Existing laterals shall not be used if they are found to be defective by the inspection or if they fail District mandated tests or if they were constructed of materials deemed unacceptable by the District Engineer.

(6) When as part of its periodic construction and maintenance of Sewer mains, the District discovers defective laterals, the District may order the property owner to conduct an inspection, repair or replacement of any lateral that the District knows or reasonably suspects to be defective.

(b). A lateral shall be considered defective if it has any of the following conditions: tap connections to the sewer main, displaced joints, root intrusion, substantial deterioration of the lines, damaged clean-out, defective clean-out, inflow, infiltration of extraneous water, or other conditions likely to substantially increase the chance for a lateral blockage, or if, within a period of one year, a lateral suffers two or more blockages resulting in overflows. Factory wye connection made of the same material as the Main Sewer is required.

(c) Whenever defective laterals are found, the property owner, at the sole expense of the property owner, shall repair or replace the lateral. The District Engineer shall determine the extent of repair required, and more limited repair than complete replacement of the lateral may be permitted at the sole discretion of the District Engineer. The following requirements shall be met.

(1) A replaced or repaired lateral shall not be covered or backfilled until it has been inspected by a representative of the District.

(2) All repaired or replaced laterals shall be brought into compliance with District requirements. Overflow devices must be installed on all repaired or replaced laterals, and backflow valves are required to be installed on laterals.

(d). In the absence of a specific deadline established by the District, all repair or replacement work shall be completed within 60 days of notification by the District that such repair or replacement is required.

(e). When a lateral is completely replaced in accord with a valid lateral replacement Permit, the property owner is not required to inspect the lateral upon sale of the property for 10 years following the date of complete replacement of the lateral.

(f). Roots, grease, or other material which have accumulated in a lateral cleaned or maintained shall be prevented from entering the Sewer main during the maintenance or repair of the lateral. In the event that material is permitted to enter the main causing or contributing to the cause of a Sewage spill, the property owner and/or Contractor performing such maintenance work, in addition to any criminal penalties imposed, shall be subject to civil liability for any fines or other expense incurred by the District resulting from the spill.

5.05 CLEANOUTS, SEWER RELIEF VALVES & BACKWATER PREVENTERS

(a) Every Building Lateral shall have a cleanout, Sewer relief valve and backwater preventer. A cleanout with Sewer relief valve and a backwater preventer shall be installed in the Building lateral between the Building and the public Sewer, and shall be installed on the Owner's property and at a location in the Building lateral where the Sewage will flow to the public Sewer by gravity.

(b) Building lateral cleanouts shall be installed at intervals not to exceed one hundred feet (100') of straight runs.

(c) Every change in alignment or grade in excess of ninety (90) degrees in a Building Lateral shall be served by a cleanout. All required Building Lateral cleanouts shall be extended to grade. When Building Laterals are located under Buildings, the cleanout requirements of the Uniform Plumbing Code shall apply.

(d) Each cleanout shall be installed so that it opens in a direction opposite to the flow of the waste or at right angles thereto, and except in the case of "wye" branch and end-of-line cleanouts, vertically above the flow of the pipe.

(e) Cleanouts shall be made accessible by yard boxes with removable covers when located in walkways or driveways. The cover may be cast iron or concrete with the ability to vent and the cover shall have permanent lettering cast into its surface as follows: "CO" or "CLEANOUT" or "SEWER". The entire assembly shall have adequate strength to resist applied loads.

5.06 SEWER TOO LOW

In any situation where the lateral is too low to Permit gravity flow to the public Sewer, sanitary Sewage shall be lifted by artificial means (such as a sewage ejector pump system or lift station) approved by the General Manager and/or District Engineer and discharged to the public Sewer at the expense of the property owner.

5.07 CONNECTION TO PUBLIC SEWER- WYE INSTALLATIONS

(a) Any Person desiring to have a Building Lateral installed, repaired, replaced, relocated or removed, shall make application to the District for a Permit to allow the work done. All work shall be completed as required in the District's Standard Specifications and Details.

(b) The Plumber installing the Building Lateral shall be responsible for traffic control and public safety during the operation of installing the wye connection, and shall be responsible for complete excavating, shoring, if required, backfilling and repaving as required by the public agency at the location of the proposed wye connection.

(c) All connections to the Public Sewer shall be made with a preformed wye of the same material as the Main Sewer.

5.08 MAINTENANCE OF BUILDING LATERALS

Building laterals shall be maintained by the Owner of the property served. When repairing or constructing a lateral, the Plumber shall report to the District whenever he/she discovers any stoppage observed in the Main Sewers. The District will remove said stoppage.

5.09 ALL COSTS PAID BY OWNER

All costs and expenses incident to the installation and connection for which a Permit has been issued shall be borne by the Owner. The Owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the work.

5.10 INSPECTION

(a) All Sewer construction work shall be inspected by the District. No Sewer shall be covered at any point until it has been inspected and passed for acceptance. No Sewer

shall be connected to the District's Public Sewer until the work covered by the Permit has been completed, inspected, tested and approved by the Inspector.

(b) The Person doing the work authorized by the Permit shall notify the office of the District that said work is ready for inspection. Such notification shall be given not less than forty-eight (48) hours, prior to the start of any Sewer construction during normal District working hours and a request must be made by contacting the Collections Superintendent or assigned Inspector as indicated on the District Permit. Messages or voicemails are not acceptable. This notification applies not only to starting new work, but also to restarting work which has been temporarily halted. No inspections shall be conducted outside of District working hours.

(c) When completed work does not comply with this Ordinance, a notice to that effect shall be given instructing the Owner of the premises, or the agent of such Owner, to repair the Sewer or other work authorized by the Permit in accordance with the ordinances, rules and regulations of the District.

SECTION 6.0- PUBLIC SEWER CONSTRUCTION

6.01 PERMIT REQUIRED

In accordance with SECTION 8 of this Ordinance, no Person shall construct, extend or connect to any Public Sewer without first obtaining a written Permit from the District and paying all fees and connection charges and furnishing bonds as required in this Ordinance. The provision of this Section requiring Permits shall not be construed to apply to Contractors constructing Sewers and appurtenances under contracts awarded and entered into by the District.

6.02 DESIGN AND CONSTRUCTION STANDARDS

Minimum standards for the design and construction of Sewers within the District shall be in accordance with the latest edition of the Sanitary Sewer Standard Specifications and Details adopted by the Board. Copies are on file at the District Office and on the District website. General Manager and/or District Engineer, with the consent of the Board, may Permit modifications or may require higher standards where unusual conditions are encountered.

6.03 PERSONS AUTHORIZED TO PERFORM WORK

Only properly licensed Contractors shall be authorized to perform the work of Public Sewer construction within the District. All terms and conditions of the Permit issued by the District to the Applicant shall be binding on the Contractor. The requirements of this Section shall apply to side Sewers installed concurrently with Public Sewer construction.

6.04 COMPLIANCE WITH LOCAL REGULATIONS

Any Person constructing a Sewer within a Street shall comply with all state, County, or City laws, Ordinances, codes, rules and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof and shall obtain all Permits and pay all fees required by the department having jurisdiction prior to the issuance of a Permit by the District.

6.05 COMPLETION OF SEWER WORKS REQUIRED

Before acceptance of any Sewer works by the District and prior to the admission of any Sewage into the system, the Sewer works shall be tested and shall be complete in full compliance with all requirements of the District Standards and to the satisfaction of the General Manager and/or District Engineer.

6.06 SPECIAL REIMBURSEMENT AGREEMENT

Where special conditions exist, in the opinion of the District, they shall be the subject of a special contract between the District and the Person making the Public Sewer main extension.

6.07 PUBLIC SEWER EASEMENTS

A Main Sewer authorized by the Engineer to be constructed on private property will require that an Easement be granted to the District. Sanitary Sewer easements dedicated to the District shall be a minimum of twenty feet wide unless otherwise specifically permitted by the District. Easements shall be located along property lines and shall be entirely on one side of the property line except as specifically permitted by the District. Easements shall be prepared and submitted as required in the most recent District Standard Specifications.

No structures may encroach on, above or below the surface of the ground in any public Sanitary Sewer easement. This includes footing of foundations or eaves from the roof of any adjacent structure, pools, ponds, or out-buildings on slabs or foundations. Decks, sheds, or other structures that may be easily removed for maintenance of the Sanitary Sewer system may be allowed at the discretion of the District and shall be removed at the Owner's expense when notified in writing by the District.

No trees may be planted in a public Sanitary Sewer easement without first obtaining approval of the District. Trees may be allowed only if District determines that damage to the Sanitary Sewer will not occur from root intrusion and adequate access can be provided for maintenance and repair vehicles. Any repair work by the District requiring the removal of trees or other vegetation planted by the Owner or by prior property Owners shall be at the expense of the present Owner.

All required easements and other legal documents shall be subject to approval by District counsel.

7.0 – MATERIALS

7.01 MINIMUM STANDARDS

(a) Unless otherwise provided for in this Ordinance, all materials, fixtures or devices used or entering into the construction of Sewer systems or parts thereof, shall be submitted to the District for approval and shall conform to approved applicable standards or to other equivalent standards acceptable to the District, and shall be free of defects. All pipe, pipe fittings and fixtures shall be listed or labeled by a listing agency or shall be approved by the District when listing or labeling by a listing agency is not available.

(b) Each length of pipe and each pipe fitting, trap, material and device used in a plumbing system shall have cast, stamped, or indelibly marked on it the maker's mark or name, the weight and the quality of the product, when such marking is required by the approved standard that applies. All materials and devices used or entering into the construction of Sewer systems or parts thereof shall be marked and identified in a manner satisfactory to the District.

(c) Standards listed or referenced to in this Section cover materials which will conform to the requirements of this Ordinance, when used in accordance with the limitations imposed in this or other sections thereof and their listing. Where a standard covers material of various grades, weights, quality, or configurations, there may be only a portion of the listed standard which is applicable, as determined by the District.

(d) The provisions of this Ordinance are not intended to prevent the use of any alternate material or method of construction provided any such alternate has first been approved and its use authorized by the General Manager.

(e) The General Manager and/or District Engineer may approve any such alternate provided he/she finds that the proposed design is satisfactory and complies with the intent of this Ordinance and the material offered is for the purpose intended, at least the equivalent of that prescribed in this Ordinance, in quality, strength, effectiveness, durability and safety or that the methods of installation proposed conform to other acceptable nationally recognized plumbing standards.

(f) The General Manager shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding the sufficiency of any proposed material or type of construction.

- (g) Where there is insufficient evidence to substantiate claims for alternates, the General Manager and/or District Engineer may require tests, as proof of compliance, to be made by an approved testing agency at the expense of the Applicant.
- (h) Tests shall be made in accordance with approved standards, but in the absence of such standards, the General Manager shall specify the test procedure.
- (i) The General Manager may require tests to be made or repeated if, at any time, there is reason to believe that any material or device no longer conforms to the requirements on which its approval was based.

7.02 SIDE SEWER MATERIALS

A side Sewer beginning two (2) feet from any Building or structure shall be of one the following materials:

- (a) VITRIFIED CLAY PIPE- Pipe shall be extra-strength unglazed conforming to ANSI/ASTM Designation C-700 (latest revision). The joints shall conform to ANSI/ASTM Designation C-425 (latest revision). Band- seal type Sewer repair coupling with outside stainless-steel shear ring maybe used.
- (b) POLYVINYL CHLORIDE (PVC) GRAVITY SEWER PIPE- Pipe and fittings shall be manufactured in accordance with ASTM Type PSM Designation D-3034 (latest revision), SDR 35; all pipe and fittings shall have rubber ring bell and spigot joints.
- (c) POLYVINYL CHLORIDE (PVC) PRESSURE TYPE SEWER PIPE - Pipe and fittings shall be manufactured in accordance with ASTM Type PSP Designation D-3033 (latest revision).
- (d) Acrylonitrile-Butadiene Styrene - (ABS)Pipe. Pipe and fittings shall be manufactured in accordance with ASTM Type D-2661 (latest revision). Pipe and fittings shall be welded together in accordance with the manufacturer's recommendations using a solvent designed solely for use with ABS pipe.

7.03 CLEANOUTS

Cleanouts shall be as shown in the District's Standards for Private Laterals. Cleanout units shall only be installed after the Building construction has been completed and in the presence of an Inspector.

ABS pipe and fittings may be used with the following exceptions:

- (1) If cast iron is required in heavy load or traffic areas as determined by the General Manager and/or District Engineer.

7.04 BACK WATER PREVENTER VALVES

Back water preventer valves shall be as shown in the District's Standards and shall be so constructed as to insure a positive mechanical seal and to remain closed, except when discharging wastes. Such valves shall remain sufficiently open during periods of low flows to avoid screening of solids and shall not restrict capacities or cause excessive turbulence during peak loads.

8.0 - PERMITS, FEES AND INSPECTION CHARGES

8.01 PERMIT REQUIRED-Laterals

(a) It shall be unlawful for any Person to install, remove, alter, repair or replace, or cause to be installed, removed, altered, repaired or replaced, any Building Lateral without first obtaining a Permit to do such work from the District.

(b) A separate Permit shall be obtained for each Building or structure.

(c) No Person shall allow any other Person to do or cause to be done any work under a Permit secured by a Permittee except Persons in his/her employ.

(d) A Permit shall be valid for sixty calendar days after the date of issuance by the District. Upon expiration of a Permit, no further work defined under such Permit shall be allowed until the Permit is renewed or a new Permit is obtained.

8.02 WORK NOT REQUIRING A PERMIT

A Permit is not required for the following repair work: The repair of leaks in drains, soil, waste or vent pipe, and clearing of stoppages; provided, however, that should any trap, drainpipe, soil, waste or vent pipe be or become defective and it becomes necessary to remove and replace any part or parts, the same shall be considered as new work and a Permit shall be required and inspection made as herein provided.

8.03 APPLICATION FOR A PERMIT

Any Person legally entitled to apply for and receive a Permit shall make application on the form provided by the District. He shall give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. The General Manager and/or District Engineer may require plans, specifications or drawings and such other information as he/she may deem necessary.

If the General Manager and/or District Engineer determines that the plans, specifications, drawings, descriptions or information furnished by the Applicant is in compliance with the ordinances, rules and regulations of the District, the Permit applied for shall be issued upon payment of the required fees.

8.04 COST OF PERMIT

The Applicant shall pay for each Permit at the time of issuance.

Any Person who shall commence any work for which a Permit is required by this Ordinance without first having obtained a Permit therefor shall, if subsequently permitted to obtain a Permit, pay double the Permit fee plus \$100 for such work,

provided, however, that this provision shall not apply to emergency work when it shall be proved to the satisfaction of the General Manager and/or District Engineer that such work was urgently necessary and that it was not practical to obtain a Permit therefore before the commencement of the work. In all such cases, a Permit must be obtained as soon as it is practical to do so and if there be an unreasonable delay in obtaining such Permit, a fine as described in SECTION 11 of this Ordinance shall be charged.

8.05 COMPLIANCE WITH PERMIT

After the issuance of a Permit, no change shall be made in the location of the Sewer works, the grade, materials, or other details from those described in the Permit or as shown on the plans and specifications for which the Permit was issued, except with written permission from the General Manager and/or District Engineer.

8.06 AGREEMENT

The Applicant's signature on an application for any Permit shall constitute an agreement to comply with all of the provisions, terms and requirements of this and other ordinances, rules and regulations of the District, and with the plans and specifications he/she has filed with his/her application, together with such corrections or modifications as may be made or permitted by the District. Such agreement shall be binding upon the applicant and may be altered only by the District upon the written request for the alteration from the Applicant.

8.07 CHARGES FOR ANNEXATION

Annexation charges shall be paid by the property owner(s). The annexation charges shall be paid in the amount and at the time as set forth by a separate ordinance of the District.

8.08 INSPECTION CHARGES

A fee established by resolution of the District Board shall be charged the Applicant for the inspection of all Sewer work, including vent-traps and cleanouts, laterals, and wye connections. An additional fee in the same amount of this fee shall also be charged for each re-inspection of work which was found to be defective during a previous inspection.

8.09 STREET EXCAVATION PERMIT

The Applicant shall obtain the necessary bond and Permit for opening Streets or for encroachments in Streets, required by the City or County and shall comply with existing City and County regulations regarding backfill, paving or repaving.

SECTION 9.0 - OUTSIDE SEWERS

9.01 SPECIAL OUTSIDE AGREEMENTS.

Where special conditions exist relating to any Outside Sewer, they shall be the subject of special contract between the Applicant and the District, and the Applicant shall be charged for Sewage service accordingly.

SECTION 10.0 - MISCELLANEOUS PROVISIONS

10.01 PROTECTION FROM DAMAGE

No Person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the District's Sewer system. Any Person violating this provision shall be subject to the penalties provided by law.

10.02 INSPECTION AUTHORITY

(a) An officer or other employee of the District duly authorized to administer and enforce the rules and regulations of the District may, upon exhibiting proper credentials and identification, request permission to enter in and upon any and all Buildings, industrial facilities, other properties for the purpose of inspection, reinspection, observation, measurement, sampling, testing and otherwise performing such duties as may be necessary in the enforcement of the provisions of the ordinances, rules, and regulations of the District. If permission is granted, the officer or employee shall enter and perform the duties he/she is there to perform. If permission is not granted, in addition to other available options the officer or employee may request the District to seek a warrant to inspect pursuant to Section 1822.50-1822.59 of the California Code of Civil Procedure.

(b) Notwithstanding subsection (a) immediately above, if in the reasonable judgement of such duly authorized officer or employee there exist on or in a Building, industrial facility, or other property circumstances that he or she reasonable believes requires immediate inspection to prevent physical harm to any person or harm or damage to such premises and/or adjacent properties, the officer may enter immediately with or without permission to observe and address the circumstances.

10.03 SEPARABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance or the application thereof to any Person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or the application of such provision to other Persons or circumstances. The Board hereby declares that it would have passed this Ordinance or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional.

SECTION 11.0 - ENFORCEMENT

11.01 VIOLATIONS

Any Person found to be violating any provision of this or any other Ordinance, rule or regulation of the District shall be given written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction there-of. Said time limit shall not exceed five (5) working days or such other time as reasonably determined by District to correct the violation. The offender shall, within the period of time stated in such notice, permanently cease all violations. All Persons shall be held strictly responsible for any and all acts of agents or employees done under the provisions of this or other Ordinance, rule or regulation of the District.

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 during the period of such violation.

11.03 DISCONNECTION

For violation of Section 6.05 of this Ordinance, an immediate disconnection may be made. As a further method of enforcing the provisions of this or any other Ordinance, rule or regulation of the District, the General Manager shall have the power to disconnect the user or subdivision Sewer system from the Sewer mains of the District. Upon disconnection, the General Manager shall estimate the cost of disconnection from and reconnection to the system, and such user shall deposit the cost, as estimated, of disconnection and reconnection before such user is reconnected to the system. The General Manager shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnection.

11.04 PUBLIC NUISANCE ABATEMENT

During the period of such 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 of 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 arising in said action.

11.05 MEANS OF ENFORCEMENT ONLY

The District hereby declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of its Ordinances, rules and regulations, and not as a penalty.

11.06 MISDEMEANOR

Section 6523 of the Health and Safety Code of the State of California provides that a violation of a regulation or ordinance of a District is a misdemeanor, punishable by imprisonment in the County jail not to exceed 30 days, or by fine not to exceed one thousand dollars (\$1000), or by both.

Each and every connection or occupancy in violation of the Ordinances, rules and regulations of the District shall be deemed a separate violation and each and every day or part of a day a violation of the Ordinance, rule or regulation continues shall be deemed a separate offense hereunder and shall be punishable as such.

11.07 LIABILITY FOR VIOLATION

Any Person violating any of the provisions of the Ordinances, rules or regulations of the District shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation.

SECTION 12.0 - REPEAL OF INCONSISTENT ORDINANCES

12.01 INCONSISTENT ORDINANCES

This Ordinance repeals and supersedes Ordinance 84 and 1991-06 and all other Ordinances and part of Ordinances insofar as they conflict with this Ordinance.

12.02 PUBLICATION

Upon adoption, this Ordinance shall be published once in a newspaper of general circulation published in the District and shall take effect one week after such publication.