

RIVER PINES PUBLIC UTILITY DISTRICT

BYLAWS, RULES AND PROCEDURES

All Chapters and Articles Adopted Ordinance No. 00-01

April 12, 2000

**Except Chapter 1.05 Utility Payment Procedures and
Chapter 2 Water System, Article 1 General Provisions**

Adopted Ordinance No. 2011-001

April 28, 2011

Title 1 – General Administration and Operations

Chapter 1 – General Provisions

- 1.01.010 Definitions
- 1.01.020 Interpretation of Language
- 1.01.30 Computation of Time
- 1.01.40 References to Certain Officers, etc. Apply to Amador Local Health District
- 1.01.50 Date of District Election
- 1.01.60 Regular Meetings – Day and Time
- 1.01.70 Meeting Place
- 1.01.80 Meetings to be Public
- 1.01.90 Quorum
- 1.01.100 Presiding officer – Chairman – Vice Chairman
- 1.01.110 Call to Order – Temporary Chairman
- 1.01.120 Order of Business – Assembly of Officers
- 1.01.130 Addressing the Board of Directors
- 1.01.140 Decorum
- 1.01.150 Preparation of Agendas
- 1.01.160 Closed Sessions – Confidentially
- 1.01.170 Basis of Personnel System

Chapter 1.03 - District General Manager

- 1.03.010 General Provisions and Duties
- 1.03.020 Limitations
- 1.03.030 Staff Vacancies
- 1.03.040 Salary and Expense Reimbursement

Chapter 1.05 - Utility Payment Procedures

- 1.05.010 Bill Payment and Delinquency
- 1.05.020 Application for Service or Discontinuance of Service
- 1.05.21 Deposits, Establishment and Reestablishment of Credit
- 1.05.022 Amortization
- 1.05.030 Connections in General
- 1.05.040 Connection Charges
- 1.05.050 Restriction or Interruption
- 1.05.051 Fraud or Abuse
- 1.05.060 Right of Access
- 1.05.70 Pipe and Facility Maintenance
- 1.05.080 Alternative Collection
- 1.05.090 Utility Charges are Responsibility of Real Property Owner
- 1.05.100 Charges for Facility Standby Accounts
- 1.05.101 Charges for Voluntary Lock Off Accounts
- 1.05.102 Enforcement of District Rules and Procedures

1
1
2
2
2
2
2
2
2
2
3
3
3
3
3
4
4
4
4
4
4
5
5
5
6
6
6
6
6
7
7
8
8
8
8
8
8
8
9
9
9
9
9

Chapter 2 - Water System	10
<u>Article I General Provisions</u>	10
2.01.010 Setting of Rates	10
2.010.020 Rates Outside the District	10
2.010.030 Rates by Contract	10
2.01.040 Commencement and End of Charges	10
2.01.050 Metered Service	10
2.01.060 Billing Adjustment	10
2.01.070 Responsibility for Loss or Damage	11
2.01.071 Agency Equipment and Facilities	11
2.01.072 Unreadable Meters	11
<u>Article II Main Extension</u>	11
2.01.080 Policy	11
2.08.080 Application – Determination of Necessity	11
2.01.090 Applicant’s Obligation	12
2.01.100 Mains to Extend Full Frontage	12
2.01.110 Minimum Size	12
2.01.120 Fire Hydrants	12
2.01.130 Oversized Mains	12
<u>Article III Waste Prevention</u>	12
2.01.220 Waste	12
2.01.230 Defined	12
2.01.250 Enforcement Procedures	12
2.01.260 Strict Application	13
2.01.270 Appeals	13
2.01.280 Violation – Infraction	13
2.01.290 Emergency Water Conservation – Purpose	13
Chapter 2.10 - Prevention of Cross-Contamination	14
2.10.010 Purpose	14
2.10.020 Definitions	14
2.10.030 Where Protection is Required	15
2.10.040 Type of Protection	15
2.10.050 Responsibilities	16
2.10.060 Approval of Backflow Prevention Device Testers	16
2.10.070 Discontinuance of Service	16
Chapter 3 - Sewer System	17
<u>Article I – General Provisions</u>	17
3.01.010 Purpose and Policy	17
3.01.020 Definitions	17
<u>Article II – Discharge Restrictions</u>	17
3.01.030 Prohibited Discharges	17

3.01.040 Storm Drainage and Groundwater	18
3.01.050 Septic Tanks	19
3.01.060 Garbage Grinders	19
3.01.070 Direct Discharge – Use of Service Sewer	19
3.01.080 Holding Tank Waste	19
3.01.090 Grease, Oil, and Sand Interceptors	19
3.01.100 Industrial Waste Permits	20
3.01.110 Other Legal Restrictions	20
3.01.120 Connections Outside District	20
3.01.130 Screening of Industrial Waste	20
<u>Article III – Service Charge and Capacity Fees</u>	20
3.01.150 Classification	20
3.01.160 Domestic System Service Charges	20
3.01.170 Domestic System Capacity Fees	21
3.01.180 Industrial System Service Charges	21
3.01.190 Industrial System Capacity Fees	22
3.01.200 Adjustment and Additions	22
3.01.210 Holding Tank Waste Charges	22
3.01.240 Charges and Fees	22
3.01.250 Billing and Collections	22
3.01.260 Appeals	23
<u>Article IV – Construction and Extensions</u>	23
3.01.270 Permit	23
3.01.280 Design Standards	23
3.01.290 Application for Service	23
3.01.300 Purpose	23
3.01.310 Application	23
3.01.320 Applicant’s Obligation	23
3.01.330 Extension for Full Frontage Width	24
3.01.340 Minimum Diameter	24
3.01.350 Reimbursement – Oversized Mains	24
3.01.360 Cease and Desist Order	24
3.01.370 Compliance Timetable	24
3.01.380 Appeals	24
3.01.390 Liability	25
3.01.400 Injunction	25
3.01.410 Damage to Sewerage System – Charge	25
3.01.420 Civil Penalties	25
3.01.430 Termination of Service	25
3.01.440 Public Notice of Violation	26

Title 1 GENERAL ADMINISTRATION AND OPERATIONS

Chapter 1 – General Provisions

1.01.010 Definitions.

The following words and phrases, whenever used in this code or the ordinances of the Public Utilities District of River Pines, California, shall be construed as defined in this section, unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

- A. "Board of Directors" means the District Board of Directors of the River Pines Public Utilities District. "All its members" or "all Board of Directors members" means the total number of Board of Directors members holding office.
- B. "County" means the county of Amador.
- C. "District" means the River Pines Public Utilities District, or the area within the territorial limits of the River Pines Public Utilities District, California, and such territory outside of the District over which the District has jurisdiction or control by virtue of any constitutional or statutory provision.
- D. "District Manager" is that person charged with the day-to-day management and operations of the District, and whose duties are more fully described in Chapter 1.03 DISTRICT GENERAL MANAGER.
- E. "Law" denotes applicable federal law, the Constitution and statutes of the State of California, the ordinances of the District of River Pines, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.
- F. "May" is permissive.
- G. "Month" means a calendar month.
- H. "Must" and "shall" are each mandatory.
- I. "Oath" includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".
- J. "Owner" applied to a building or land includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety of the whole or a part of such building or land.
- K. "Person" includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.
- L. "Personal property" includes money, goods, chattels, things in action and evidences of debt.
- M. "Preceding" and "following" mean next before and next after, respectively.
- N. "Property" includes real and personal property.
- O. "Real property" includes lands, tenements and hereditary entitlements.
- P. "State" means the State of California.
- Q. "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs or other public ways in this District which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state.
- R. "Tenant" and "occupant" applied to a building or land include any person who occupies the whole or a part of such building or land, whether alone or with others.
- S. "Written" includes printed, typewritten, mimeographed, or otherwise reproduced in permanent visible form.
- T. "Year" means a calendar year.

1.01.020 Interpretation of Language.

All words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

1.01.030 Computation of Time.

Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Sunday or a holiday, in which case it shall also be excluded.

1.01.040 References to Certain Officers, etc., apply to Amador Local Health District.

A. Wherever in this code or any district ordinance, resolution, order or law, the terms "housing department", "board of health", "health officer" or similar names are used designating the enforcing authority of any such ordinance, resolution, order or law relating to public health and sanitation in the District, the designations "housing department", "board of health", "health officer" or similar titles shall apply also to and include the Amador local health district and its duly appointed officers and employees.

B. None of the provisions of this section shall be construed as limiting, subtracting from or releasing the police department of the district or any other department or officer of this District from the performance of his duties in the enforcement of the laws, orders and ordinances mentioned in this section, the provisions of this section being permissive.

1.01.050 Date of District Election.

The election heretofore held is consolidated with the statewide general election to be held on the first Tuesday after the first Monday in November of each even-numbered year, pursuant to Government Code §36503.5.

1.01.060 Regular Meetings – Day and Time.

Regular meetings of the District Board of Directors shall be held on the second Wednesday of each month at 7 p.m. In case the meeting day falls upon a legal holiday, then the regular meeting which otherwise would have occurred on that day shall be held on the first business day thereafter at the hour of seven p.m. In case the regular meeting falls on Christmas Eve or New Year's Eve, then the regular meeting which otherwise would have occurred on that day shall be held on the first business day thereafter at the hour of seven p.m.

1.01.070 Meeting Place.

All regular meetings of the Board of Directors shall be held in the Community Hall, district Offices, River Pines, California, or at such other place as the Board of Directors may deem appropriate, subject to notice requirements as provided by law. If by reason of fire, flood, earthquake or other emergency, it is unsafe to meet in the place so designated, the meetings may be held for the duration of the emergency at such place as is designated by the Chairman.

1.01.080 Meetings to be Public.

All meetings of the Board of Directors shall be open to the public.

1.01.090 Quorum.

A majority of all members elected to the Board of Directors shall constitute a quorum at any regular or special meeting of the Board of Directors. Unless otherwise required by law, a simple majority of the members present may take action or adopt ordinances or resolutions.

1.01.100 Presiding Officer – Chairman – Vice Chairman.

The presiding officer of the Board of Directors shall be the Chairman who shall be elected by the Board of Directors annually at the first regular meeting after the canvass of votes done in conjunction with the statewide general election in even-numbered years. In years where there is no general statewide election, the chairman shall be elected at the first regular meeting in December. At the time of the election of the Chairman, one of the members of the Board of Directors shall be chosen as Vice Chairman. If the Chairman is absent or unable to act, the Vice Chairman shall serve until the Chairman returns or is able to act. The Chairman shall preserve strict order and decorum at all regular and special meetings of the Board of Directors. He shall state every question coming before the Board of Directors, call for the vote, announce the decision of the Board of Directors on all subjects and decide all questions of order, subject, however, to an appeal to the Board of Directors, in which event a majority vote of the Board of Directors shall govern and conclusively determine such question of order. He shall sign all ordinances adopted by the Board of Directors during his presence. In the event of the absence of the Chairman, the Vice Chairman shall sign ordinances as then adopted.

1.01.110 Call to Order – Temporary Chairman.

The Chairman, or in his/her absence the Vice Chairman, shall take the chair at the hour appointed for the meeting, and shall immediately call the Board of Directors to order. In the absence of the Chairman or Vice Chairman, the District Clerk, or the acting District Clerk shall call the Board of Directors to order whereupon the members of the Board of Directors present shall elect a temporary Chairperson. Upon the arrival of the Chairman or Vice Chairman, the temporary Chairperson shall immediately relinquish the chair upon the conclusion of the business immediately before the Board of Directors.

1.01.120 Order of Business – Assembly of Officers.

At the hour set by this chapter or other ordinance on the day of each regular meeting, the members of the Board of Directors, the District Clerk, District Manager and District's attorney shall take their regular stations in the Board of Directors chambers and the business of the Board of Directors shall be taken up for consideration and disposition in the following order, except that with the majority consent of the Board of Directors, matters may be taken out of order and that the order of business set forth in this section may be changed from time to time by the adoption of an ordinance by the District Board of Directors:

- A. Roll call;
- B. Pledge of allegiance;
- C. Presentation;
- D. Consent calendar (Reading, comments by the public, Board of Directors action)'
- E. Public hearings;
- F. Communications;
 - 1. Claims filed against the District of River Pines,
 - 2. Reports: boards/commissions/task forces/committees,
 - 3. Appointment;

- G. Regular calendar;
- H. Ordinances;
- I. Comments by the public on non-agenda items;
- J. Comments by District Board of Directors members on non-agenda items;
- K. Closed session;
- L. Adjournment.

1.01.130 Addressing the Board of Directors.

- A. any interested person may, subject to the rules of procedure adopted hereunder, speak on any item coming before the Board of Directors. It shall not be required that persons wishing to speak give prior written notice, but priority shall be given to those who have so notified the District Clerk in advance.
- B. After a motion is made and seconded, no person shall address the District Board of Directors without first securing permission of the Board of Directors to do so.
- C. Remarks by the public shall be made only from the podium. Speakers shall first give their names and addresses for the record and no one shall be permitted to enter into any discussion without permission of the presiding officer.

1.01.140 Decorum.

- A. Board of Directors. While the Board of Directors is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise delay or interrupt the proceedings or the peace of the Board of Directors nor disturb any member while speaking or refuse to obey the orders of the Board of Directors or its presiding officer, except as otherwise provided by this chapter. Any member who, after warning by the Chair repeatedly violates these rules may be ejected for the remainder of the meeting by two-thirds vote of the Board of Directors.
- B. Other Persons. Any person making personal, impertinent or slanderous remarks or who becomes boisterous during the Board of Directors meeting shall be forthwith, by the presiding office, barred from further audience at the meeting before the Board of Directors, unless permission to continue is granted by a majority vote of the Board of Directors.

1.01.150 Preparation of Agendas.

- A. Consistent with the provisions of the Ralph M. Brown act (Government Code Section 54950 et seq.), the agenda for Board of Directors meeting shall be prepared by the District Manager and distributed by the District Clerk.
- B. Matters may be placed on the agenda for consideration by the District Board of Directors by request of:
 - 1. Any member of the District Board of Directors;
 - 2. The District Manager;
 - 3. The District Clerk;
 - 4. The District's attorney.
- C. any reasonable request by any person named in this section to place a matter on the agenda shall be honored, subject to the District Manager's discretion as to the preparation of accompanying staff reports.

1.01.160 Closed Sessions – Confidentiality.

- A. No officer, employee or agent of the District shall, without proper authorization, divulge confidential information received by such person as part of his or her official duties during any closed session of the

District Board of Directors authorized under the Ralph M. Brown Act (Government Code Section 54950 et seq.) as it now exists or may later be modified.

B. such confidential information may include but is not limited to matters involving pending litigation, property acquisition, labor negotiations, personnel matters or other information, the disclosure of which would reasonably be likely to prejudice the good faith conduct of district business, constitute an unwarranted invasion of privacy, or place the District at an unfair disadvantage in negotiations.

C. For purposes of this section, "proper authorization" means:

1. In matters of personal privacy, a waiver by the individual enjoying such right of privacy;
2. The order or subpoena of a court of competent jurisdiction;
3. Authorization by the District Board of Directors as a body;
4. Conclusion or finalization of the matter or subject involved, as determined by the District Board of Directors.

D. Nothing in this chapter shall be deemed a waiver of any other confidential privilege for any information established elsewhere by statute or case law.

1.01.170 Basis of Personnel System.

Pursuant to the Meyers-Milias-Brown Act of the State of California, the District Manager is instructed and authorized to prepare and present to the District Board of Directors for its consideration and adoption a comprehensive system of personnel administration.

Chapter 1.03 – District General Manager

1.03.010 General Provisions and Duties.

A. The General Manager shall be the administrative head of the District under the direction and control of the Board of Directors, except as otherwise provided herein. The General Manager shall have authority over all employees of the District, and all noncontract and professional employees.

B. The General Manager shall be responsible for the efficient administration of all District affairs. In addition to these general powers, it shall be the duty of the General Manager to:

1. Enforcement of all laws and ordinances of the District;
2. Exercise control over, order and give direction to employees, and to give direction to contracted and professional employees when under his direction;
3. Effect such administrative reorganization, position or practices as may be indicated in the interests of effective, efficient and economic conduct of District;
4. Supervise day-to-day operations of District;
5. Recommend to the Board of Directors for adoption such measures, policies, resolution and ordinances as deemed necessary;
6. To keep Board fully advised as to District financial condition and needs;
7. Oversee purchase of all supplies for District. No expenditures shall be submitted to Board except on recommendation of General Manager;
8. Investigate and report to Board any complaint made to District, unless Board delegated by Board to other person or entity;
9. Prepare, cause to be prepared, all notices and agendas of Board meetings;
10. Attend and take part in Board discussions.

1.03.020 Limitations.

Nothing in this code shall be constituted as a limitation on the power or authority of the Board of Directors to enter into any supplemental agreement with the General Manager delineating additional terms and conditions of employment not inconsistent with terms of this code. Further, Board may

revise "Job Description" of position to include requirements, terms, and conditions not inconsistent with terms of this code.

1.03.030 Staff Vacancies.

The General Manager shall select and recommend to the Board of Directors for appointment or hiring, qualified individuals to fill staff vacancies. General Manager is responsible to see that all staff is evaluated at least annually. General Manager may make recommendations to Board of Directors that disciplinary action be taken against District employees.

1.03.040 Salary and Expense Reimbursement.

The General Manager shall be reimbursed for all actual expenses incurred in the performance of his job. The salary and benefits for the General Manager shall be established by the Board of Directors and reviewed annually independently of negotiations with other employees.

Chapter 1.05 - Utility Payment Procedures *- See Attached Amended Bylaws - 2011-001 Ordinance*

1.05.010 Bill Payment and Delinquency.

A. Payment. All bills for the services enumerated in this chapter are due and payable upon receipt thereof, at the office of the District, Community (Town) Hall, River Pines, California, or at the location of the outside billing and bookkeeping service, if one is retained by the District, and become delinquent twenty (20) days after the postmark date of the bill. The District may provide that charges for any utility services be collected together and that all charges shall be billed upon the same bill and collected as one item. [Government Code §54345 and Public Utilities Code §12810]. If all or part of a bill is not paid, the District may discontinue any and all service for which the bill is rendered. [Government Code §54346].

B. Delinquency. The District shall send notice of delinquent bills, and if all delinquent charges for service are not paid within ten (10) days after the postmark date of this notice, then the District may discontinue all service furnished to the customer by the District. Prior to any discontinuance of service furnished to the customer by the District, the customer shall be given the opportunity to be heard as to any adjustment of any bill. The hearing shall be held before the Director of Finance, his designee or in the absence of this position, the Board. In the event of a discontinuance of service, as provided in this subsection, the District may require as a condition precedent to the resumption of service that the customer pay:

1. The amount of the delinquent bill;
2. The cost to the District of discontinuing and resuming service; and
3. A deposit in an amount not exceeding the estimated amount of charges for two (2) months service.

The Director of Finance or in the absence of this position, the Board may negotiate a one-time repayment schedule (amortization) for up to six (6) months within any twelve (12) month period when in the opinion of the Director of Finance or the Board the customer can demonstrate financial hardship due to the recent loss of employment or other hardship condition.

C. Closing Bills. Closing bills are due and payable on the date which service is discontinued.

D. Late Charges. Delinquent bills shall be assessed a late charge at a rate of 10% and 1.5% per month interest for accounts delinquent beyond one (1) month. [Public Utilities Code §12811]. The late charge may be waived by the Director of Finance or in the absence of this position, the Board or the General Manager, when considered to be in the best interest of the District and when a customer can

present evidence of financial hardship or convincing information that timely payment could not have been reasonable expected.

E. Absence of a Director of Finance and/or Public Works Director. In the absence of a Director of Finance and/or Public Works Director being employed by the District the authority and responsibilities assigned these positions, as provided in this subsection, shall be divided between the Board, the General Manager or designee, the Chief Plant Operator, and the outside billing and bookkeeping service, if such a service is retained by the District as set forth by resolution of the Board.

1.05.020 Application for Service or Discontinuance of Service.

On provided forms, all applications for service must be completed, signed and submitted by the property owner along with the Grant Deed for the property to be serviced, the service connection fee as set by the District's Rate Schedule, and any applicable deposit to the Director of Finance or in the absence of this position, to the General Manager or outside billing and bookkeeping service, if one is retained by the District, before a new service may commence. On provided forms, all applications for discontinuance of service must be completed, signed and submitted by the property owner to the Director of Finance or in the absence of such a position, to the General Manager or outside billing and bookkeeping service, if one is retained by the District, before a service may be discontinued and a final billing statement issued for the account. The Director of Finance or in the absence of this position, the General Manager shall issue all orders for services, changes or discontinuances.

1.05.021 Deposits, Establishment, and Reestablishment of Credit.

Each applicant for service will be required to establish credit with the District, which may be considered established under one of the following conditions:

1. Applicant can provide credit references acceptable to the District.
2. Applicant has been a water and /or wastewater customer of the District for the last twelve (12) consecutive months with no discontinuance of service for nonpayment of service billing, and have not received more than two (2) notices of service termination during that twelve (12) month period, or
3. Applicant makes a cash deposit to secure payment of service bills as set in the District's Rate Schedule.

A customer's deposit may be credited to their account if the account remains current after on (1) year. If the customer requests discontinuance of service, the District will refund the deposit or the balance remaining which is in excess of unpaid service fees and bills for service; provided the customer has no other delinquent accounts with the District. The decision to require a deposit and furnish service shall be based upon the credit worthiness of the applicant as determined by the District. The District may use all or a portion of the deposit to pay any outstanding service fees, utility bill and penalties thereon as well as District costs of collection of outstanding fees, bill charges, and penalties to apply to the closing bill at the time service is terminated. If the District uses all of a part of the deposit, an additional amount adequate to maintain the deposit, not to exceed the estimated amount of charges for two (2) months service, shall be a condition of continued service. [Government Code §60375.5 and Public Utilities Code §16481.6]. A customer whose service has been discontinued for failure to pay bills presented to them by the District shall be required, before service is resumed, to reestablish credit by paying said delinquent bills, to make a cash deposit as set by the District's Rate Schedule, and to make all payments to the District in the form of cash or money order for six (6) months.

1.05.022 Amortization.

Upon Board review and approval, by motion, an account may be amortized over six (6) months with in any twelve (12) month period. The customer must complete, sign, and submit a provided Amortization Agreement to the District. To remain in compliance with an amortization agreement, the account must also be kept current as charges accrue in each subsequent billing period. [Government Code §60372(c) and Public Utilities Code §16482(c)]. If a customer fails to comply with an amortization agreement, the District shall give notice to the customer at least 48 hours prior to termination of the conditions the customer is required to meet to avoid termination, but this notice does not entitle the customer to further investigation by the District. [Government Code §60373(d) and Public Utilities Code §16482.1(e)].

1.05.030 Connections in General.

No person except a duly authorized employee of the District shall make any water, electrical or sewer service connection to the District supply lines. Water and sewer tapping includes bringing the supply lines to a point six (6) inches inside the property line. Electrical connection includes the service drop and necessary meter. On all new and reconstructed buildings where water, sewer and electrical connections are involved, the equipment and equipment locations must be approved by the inspecting authority. A service charge will be billed to the customer when trouble calls involve customer caused service interruptions. All costs of water tapping and sewer connection shall be borne by the applicant for service connections and shall be charged at actual cost to the District. However, a flat rate may be established by the provisions of Section 2.01.030.

1.05.040 Connection Charges.

The Public Works Director or in the absence of this position, the Chief Plant Operator, may with the approval of the Director of Finance or in the absence of this position, the Board, establish or change rates charged for water and sewer connections based on the average cost to the District for such connections made within the preceding six (6) month period.

1.05.050 Restriction or Interruption.

The District reserves the right to limit the amount of water supplied to any customer or to different parts of the District should it appear necessary to so do, and shall not be liable for temporary discontinuance of any service or damages caused as a result of discontinuance of any service while making repairs or replacements.

1.05.051 Fraud or Abuse.

Service may be discontinued without notice, if necessary to protect the District or the District system against fraud or abuse.

1.05.060 Right of Access.

Authorized employees of the District shall have the right of access to any premises receiving any service from the District at reasonable hours for the purposes of inspection, repair or replacement of District equipment, or to read a meter.

1.05.070 Pipe and Facility Maintenance.

The property owner or occupant of premises where District service are supplied shall keep all service pipes, valves, connections or other facilities used in connection with such supply in good repair at all times, and the District shall not be liable for damage sustained by reason of such owner or occupant neglect.

1.05.080 Alternative Collection.

The Board may provide for the collection of rate charges, fees, penalties, or other charges in any lawful manner and may provide for collection by action at law, and all remedies for the collection and enforcement thereof are cumulative and may be pursued alternatively or consecutively as the Board determines by resolution. [Public Utilities Code §12811.1]. The District may elect to place a lien on a property with delinquent charges. [Public Utilities Code §12811 and Health]. The District may elect to use the procedure set forth to utilize the Amador County secured property tax rolls to collect delinquent water and sewer charges, penalties, and interest, along with administrative expenses associated with such collection method. [Water Code §55501.1 and Health & Safety Code §6520.10 and §6520.11].

1.05.090 Utility Charges are Responsibility of Real Property Owner.

All utility service and usage charges will be the responsibility of the real property owner (property owner of record). All billing statements, notices and other service account documents will be mailed to the property owner of record for services supplied by the District. [Public Utilities Code §1281131 and §16469(b)]. If any tenant is permitted to receive billing statements by the District, it in no way releases or relieves the property owner from liability for any unpaid charges, fees, and penalties. If unpaid charges exist, the District will not allow utility service to said property until such time as all delinquent charges, fees, and penalties are paid.

1.05.100 Charges for Facility Standby Accounts.

In order to provide for future development of undeveloped parcels a "Standby Fee" shall be assessed on all parcels within the District boundaries to which water is made available for any purpose by the District pursuant to the District Rate Schedule.

1.05.101 Charges for Voluntary Lock Off Accounts.

The costs of utility services are to be shared as equitably as possible among the District's utility customers. District services are ready upon demand 24 hours every day to meet customers' potential needs, which place consistent financial demands on the District's systems. Base service rate bills reflect, among other things, the overhead required to keep utility services in place, regardless of whether a particular customer uses the service during any billing period. In order to contribute to the sustainability of the water and sewer systems, but to also provide relief to a customer with special circumstances, a monthly fee of \$35.00 will be established for those parcels that have a water and/or sewer connection, but have no use due to the structure on the property receiving service sustaining damage which makes it uninhabitable/usable or is completely destroyed. The property owner of record must make a written request to the Board for the transfer of their account from an active account to a "Voluntary Lock Off" account. If the property qualifies and the Board approves, by motion, the customer's meter will be locked off and the account placed on Voluntary Lock Off account status. Upon written request of the property owner of record to transfer the account to active status, the account will be charged the reconnection fee set by the District's Rate Schedule, the meter returned to service and all rates set in the District's Rate Schedule applied to the account in subsequent billings. The Board may, by resolution, adjust the Voluntary Lock Off fee when it is in the best interest of the District and financial demands on the system require it.

1.05.102 Enforcement of District Rules and Procedures.

The District and its authorized personnel shall enforce the provisions of the District Rules, Procedures, General Administration and Operations and for such purpose may use every lawful means at its disposal in so doing, including termination of services to the property of any customer for failure to comply with any rule, policy, or procedure of the District. The collection and enforcement of rates,

charges, fees, special taxes, assessments, and penalties and interest are cumulative and may be pursued alternatively, consecutively, or simultaneously.

Chapter 2 - Water System

Article 1 - General Provisions

2.01.010 Setting of Rates.

The schedule of water rates will be those established and adopted by the District Board of Directors from time to time in accordance of law.

2.01.020 Rates Outside the District.

The District will not normally serve water outside the District limits. In those cases where it is authorized by the Board, the rate shall be one hundred-fifty (150) % of the rate for service inside the District limits.

2.01.030 Rates by Contract.

In cases not provided for by this chapter, the rate may be fixed by special contract, as agreed upon by the Director of Finance or in the absence of this position, the Board and the Public Works Director or in the absence of this position, the Chief Plant Operator on behalf of the District, and the water user involved. If such rates cannot be agreed upon by the Director of Finance and the Public Works Director, the Board shall fix and determine proper rates, and such determination shall be final.

2.01.040 Commencement and End of Charges.

Water charges shall in all cases commence to accrue when the water is turned on through the District's water meter, at rates determined by the District's Rate Schedule proportioned for the period from that date until the following last day of the billing period, as may be established by the District.

2.01.050 Metered Service.

1. Meters will be required on all new residential, commercial, and industrial water services within District boundaries covered by the following conditions:
 1. All new property annexations to the District requesting District water service;
 2. All existing parcels, which have had no previous District water service and District water service is requested;
 3. When a parcel is split, water services to all parcels will be metered;
 4. All parcels at which a single-family dwelling(s) is being replaced by multiple family units or a nonresidential use;
 5. All parcels where off-site improvements are required;
 6. When any water customer requests water service upsizing or relocation.
2. Metered water service shall be installed on all existing commercial and industrial users when the Public Works Director or in the absence of this position, the Chief Plant Operator determines the installation of metered water service to be in the best interest of the District.
3. Meters on existing commercial and industrial water services not covered under subsection A of this section shall be installed by the District at the District's expense. Meters on all new water services and those covered in subsection A on this section shall be installed by the District, but shall be paid for by the property owner.

2.01.060 Billing Adjustments.

When it is found that any charges for water service, connection fees, installation fees, abandonments, etc., have been incorrectly billed or that no billing has occurred, the District has the right to make

adjustments as determined by the Public Works Director or in the absence of this position, the General Manager or outside billing and bookkeeping service, if retained by the District. Billings for undercharges or credits for overcharges shall be subject to the three (3) year limitation period. [Civil Code §338].

2.01.070 Responsibility for Loss or Damage.

The District's jurisdiction and responsibility ceases at the end of the District's service connection and the District shall not be responsible for any loss or damage caused by the negligence, want of proper care, or wrongful acts of the property owner or any of the property owner's tenants, agents, employees, contractor's, licensees, or permittees in installing, maintaining, using, operating or interfering with any water receiving equipment beyond the District meter connection. The District shall not be responsible for damage caused by faucets, valves and other equipment which may be open at any time water is turned on at the meter.

2.01.071 Agency Equipment and Facilities.

All service pipe and equipment needed to serve a property up to and including the meter shall be owned by the District whether installed on public or private property. District equipment or facilities required for service which are installed on customer's property may be repaired, replaced or removed by the District without consent of the property owner or the property owner's tenants, agents, employees, contractor's, licensees, or permittees.

2.01.072 Unreadable Meters.

When it is not possible to read a meter due to any reason, a bill will be rendered to the property owner based on an estimated usage. In estimating consumption, due consideration will be given to fluctuations in usage caused by seasonal changes or known service interruptions. Where a meter cannot be read without undue difficulty or not at all because of an obstruction, the property owner will be notified and requested to correct the condition.

Subsequent to the District's initial notification to a property owner to remove any object(s) obstructing the District's water meter, a charge may be added to the property owner's account each time District staff is dispatched to verify such removal and/or the District may discontinue service if the condition is not corrected.

Article II - Main Extension

2.01.080 Policy.

The district board of directors is desirous of adopting a water main extension policy that is fair and equitable to all developing properties and that provides that the cost of extensions shall be distributed among subsequently developing properties connecting thereto.

2.08.080 Application-Determination of Necessity.

A. Whenever a property owner is desirous of obtaining water service, an application shall be made to the public works director for water service.

B. The Public Works Director determines that a water main extension is necessary, the applicant will be required to install at his own expense the water main extension in accordance with engineering plans furnished by applicant and approved by the Public Works Director. The plans shall be prepared in accordance with the current District design standards and this article.

2.01.110 Minimum Size.

The minimum size water main shall have a nominal inside diameter of six inches except as approved by the Public Works Director in accordance with the District public improvement design standards. In areas zoned or master planned for commercial and industrial uses, the minimum size shall be eight inches in diameter. Larger size mains may be required as determined by the Public Works Director from the District water plan.

2.01.120 Fire Hydrants.

The installation of fire hydrants or provisions for fire hydrants shall be included in any main extension and the applicant shall pay for the cost of such hydrants. Fire Hydrant location and type shall be as approved by the Fire Chief.

2.01.130 Oversized Mains.

Wherever the District requires that a water main larger than eight inches in diameter be installed in order to serve additional property or to conform to the water master plan, the applicant shall be reimbursed the difference in cost between the actual water main to be constructed and an eight inch diameter water main.

Article III – Waste Prevention

2.01.220 Waste.

The waste of water is prohibited and any waste shall make the person subject to the provisions of this article.

2.01.230 Defined.

“Waste of water” includes but is not limited to the following:

1. Failure to repair a controllable leak of water;
2. The watering of lawns, flowerbeds, landscaping, ornamental plants or gardens in an excessive manner, or in violation of any emergency guidelines;
3. Washing of sidewalks, driveways, parking area, patios, streets or other exterior paved areas or buildings except when required to remove any spillage of substances that may be a danger to public health or safety;
4. Washing with water any motor vehicles, trailers or movable equipment other than with a bucket and rinsing the vehicle or equipment by use of a hose for not more than three minutes;
5. Use of a hose without a positive shut off nozzle;
6. The excess watering of any area so that water flows into a gutter or any drainage area, with any equipment or in any way for more than three minutes;
7. Over watering of lawns or landscapes from November 1 through February 28, or during or immediately following a rain.

2.01.250 Enforcement Procedures.

A. Whenever the District becomes aware of a waste of water, the District shall notify the person at the premises where the waste of water occurred by delivering an information sheet. The information sheet shall describe the waste of water in order that it be corrected, cured or abated immediately or within such specified time as the District believes is reasonable under the circumstances. In addition, the information sheet may be given to any other person known to the District that is responsible for

that waste of water or the correction thereof and may be delivered to the premises every time a waste of water occurs.

B. In the event of a second waste of water within a twelve month period, the District will send a written notice stating the date(s), time(s), and type(s) of water waste to the person who regularly receives the utility bill for the premises where the wasting occurred.

C. In the event of a third waste of water within twelve months of any previous waste of water, a written notice will be mailed assessing a thirty-five dollar charge to be added to the next monthly utility bill.

D. In the event of a fourth waste of water within twelve months of any previous waste of water, a written notice will be mailed assessing a seventy-five dollar charge to be added to the next monthly utility bill.

E. In the event of a fifth or any subsequent waste of water within twelve months of any previous waste of water, a written notice will be mailed assessing a one hundred and fifty dollar charge to be added to the next monthly utility bill. The District may also require the owner or user to pay for the cost of installation of a water meter service as a prerequisite to continuing service. The District may also install a flow restriction device on the water service and require the owner or user to pay for the costs of installation and/or removal.

2.01.260 Strict Application.

If the Public Works Director or a designated representative determines the strict application of any of the provisions of this article may cause undue hardship or public health or safety to suffer, or if other special circumstances exist, the strict application may be waived. Special circumstances would include, but not be limited to: newly planted areas, newly seeded area, washing down after cement work and pressure washing a building before painting. The decision of the Public Works Director may be appealed to the District Board of Directors as described in Section 2.01.270 of this article.

2.01.270 Appeals.

If the ruling made by the Public Works Director is unsatisfactory to the person requesting consideration, the person may, within twenty days after notification of the District's action, file a written appeal to the District Board of Directors. The District Board of Directors shall hear the written appeal within twenty days from the date of filing. The District Board of Directors shall make a final ruling on the appeal within twenty days of the hearing. The Public Works Director's decision, action or determination shall remain in effect during such period of reconsideration except that any surcharges assessed under this article will be stayed until the District Board of Directors has made its decision.

2.01.280 Violation – Infraction.

In addition to the enforcement procedures and surcharges set forth in this article, any person who wastes water, as defined in this article, may also be charged with an infraction.

2.01.290 Emergency Water Conservation – Purpose.

The purpose of emergency water conservation is to assist meeting water pressure and/or supply demands when the water system cannot or may not be adequate and the failure to meet such demands may result in harm to the water system and/or jeopardize the health and safety of the public. The Public Works Director or a designated representative shall determine the degree of emergency and determine what additional restrictions of water use or other appropriate actions must be taken to protect the water system and the citizens of River Pines.

Chapter 2.10 - Prevention of Cross-Contamination

2.10.010 Purpose.

The purpose of this chapter is (1) to protect the public potable water system against actual or potential cross connections by isolating within the premises, contamination or pollution that may occur because of some undiscovered or unauthorized cross connection on the premises; (2) to eliminate cross connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption; (3) to eliminate cross connections between drinking water systems and other sources of water or process water used for any purpose which may jeopardize the safety of the drinking water supply; (4) and to prevent the making of cross connections in the future. The latest edition of the Manual of Cross Connection Control Procedures and Practices prepared by the State Department of Health Services is also made part of these regulations. These regulations are adopted in accordance with Title 17 entitled Regulations Relating to Cross Connections of the State Administrative Code.

2.10.020 Definitions.

Unless otherwise defined in this chapter, terms shall be as adopted in the latest edition of the Manual of Cross Connection Control Procedures and Practices prepared by the State Department of Health Services.

- A. "Approved water supply" means any potable water supply approved by the health agencies of the state, county and District.
- B. "Auxiliary water supply" means any water supply on or available to a premises other than the public potable water supplied by the District.
- C. "Backflow" means the flow of water or any other substance into the distribution pipes of a potable water supply system from any other source than the public water system. Backflow can be caused by either backpressure or backsiphonage.
- D. "Backflow prevention device" means a device or means, which has been approved by the District, designed to prevent backflow.
- E. "District" means the River Pines Public Utilities District, Amador County, California.
- F. "Consumer" or "user" means the owner or operator of a private water system having a service from a public water system.
- G. "Contamination" means an impairment of the quality of the potable water system by any foreign substance.
- H. "Cross connection" means an unprotected actual or potential connection between a potable water system and any source or system containing unapproved water or any other substance.
- I. Hazard, Degree of. "Degree of hazard" means an evaluation of the actual or potential risk to public health and the adverse effect of the hazard upon the potable water system as determined by the District.
- J. "Multiple service" means two or more water service connections at a single premise.
- K. "Premises" means a parcel of real estate including any improvements thereon which is determined by the District to be a single user for purposes of receiving, using and paying for service.
- L. "Public water system" means the potable water supply system operated by the District from District well to the consumers' service connections.
- M. "Service connection" means the terminal end of a service from the public water system, i.e. where the District loses jurisdiction and sanitary control at its point of delivery to the consumer's water system.

2.10.030 Where Protection is Required.

- A. Each service connection to premises having an auxiliary water supply shall be protected against backflow into the public water system.
- B. Each service connection to premises on which any substance is or may be handled such that entry into the on-site water system is possible shall be protected against backflow of the substance into the public water system. This shall include the handling of process waters and water originating from the public water system, which have been subject to deterioration in quality.
- C. Each service connection to any premises that have internal cross connections unless such cross connections are abated to the satisfaction of the District.

2.10.040 Type of Protection.

The protective device required shall depend on the degree of hazard. In determining the degree of hazard and type of backflow prevention device to be required, the following criteria shall be used:

- A. At the service connection to any premises where there is an auxiliary water supply handled in a separate piping system with no known or easily established cross connections, the public water supply shall be protected by a double check valve assembly.
- B. At the service connection to any premises where there is an auxiliary water supply where cross connections are known to exist which cannot be practically eliminated, or where the auxiliary water supply may be contaminated, the public water system shall be protected by an air gap separation or a reduced pressure principle backflow device.
- C. At the service connection to any premises on which a substance that would be objectionable but not hazardous to health is handled in such a manner that may permit its entry into the water system, the public water system shall be protected by a double check valve assembly.
- D. At the service connection to any premises on which any material dangerous to health, or toxic substances handled in toxic concentrations, is handled in such a manner that may permit its entry into the on-site water system, the public water system shall be protected by an air gap separation or a reduced pressure principle backflow device.
- E. At the service connection to any sewage treatment plant, sewage pumping station, storm water pumps or reclaimed water reuse areas, the public water system shall be protected by an air gap separation or a reduced pressure principle backflow device.
- F. At the service connection where the District determines that a special hazard exists, the public water system shall be protected by a backflow prevention device as determined by the degree of hazard.
- G. At all service connections to premises having a multiple service with no known cross connections or special hazards, the public water system may be required to be protected by double check valves, and where there may be cross connections or special hazard, the public water system shall be protected by reduced pressure principle devices
- H. Where a booster pump is installed on the service to any premise, such pump shall be equipped with regulating devices such that the inlet pressure will not fall below 10 psig.
- I. New commercial/industrial shell buildings with unknown future uses shall leave sufficient space (one foot per diameter inch of service, plus one foot) after the meter box for possible future installation of a backflow prevention device.

2.10.050 Responsibilities.

A. It is the responsibility of the District to make the determination that a service connection, or the handling of substances within the premises served, constitutes a hazard to the public water system and to determine the degree of hazard and establish the requirements for protection.

B. It is the responsibility of the consumer, at his own expense, to install, maintain and operate approved backflow prevention devices as directed by the District. The consumer shall be responsible to have tests made at least once a year, or more often in those instances where successive tests indicate defective operation of the backflow prevention devices, by an approved backflow prevention device tester. The records of such tests, repairs or overhauls shall be kept and copies submitted to the District. It is also the responsibility of the consumer to prevent cross connections, or pollutants or contaminants from entering their potable water system(s). The consumer's responsibility begins at the service connection and shall include any and all on-premise water distribution piping. The consumer shall allow the Public Works Director or his agents' ready access at all reasonable times to all parts of the premises for the purposes of inspection of either the consumer's water system or backflow prevention device(s).

2.10.060 Approval of Backflow Prevention Device Testers.

A. The District shall maintain in a list of approved backflow device testers. No person shall test and/or make reports of tests of backflow prevention devices unless the person's qualifications have been established to the satisfaction of the District.

B. Every person desiring to qualify as a backflow prevention device tester shall make application to the public works department of the District, and shall have a current district business license.

C. The District will evaluate the applicant's qualifications as a backflow prevention device tester. Any or all of the following may be considered in approving a tester:

1. Certification as a backflow prevention device tester with the American Water Works Association (AWWA);
2. Completion of approved courses in backflow prevention device testing;
3. Experience in backflow prevention device testing;
4. Oral and/or performance evaluations conducted by the District.

D. Approval will be revoked from any tester who fails to comply with any of these regulations or falsifies inspection or maintenance reports. Tester will not be eligible for reapproval for two years.

2.10.070 Discontinuance of Service.

A. The District shall have the authority to discontinue water service to any premises where:

1. Unprotected cross connections are found to exist;
2. A backflow prevention device has not been altered, bypassed or removed;
3. A backflow prevention device has not been properly tested, maintained or repaired;
4. The consumer has not taken proper action as determined by the District to be necessary to protect the potable water supply.

B. The water service is to remain discontinued until such corrections are made. The consumer will be charged for the turning off and on of the water service an amount to be determined by the District.

Chapter 3 – Sewer System

Article I - General Provisions

3.01.010 Purpose and Policy.

These wastewater discharge regulations set uniform requirements for discharges of domestic, industrial waste and storm drainage water into the District sewage system to enable the District to comply with the administrative provisions of the Clean Water Grant Regulations, water quality requirements set by the regional water quality control board and the applicable effluent limitations, national standards of performance, toxic and pretreatment effluent standards, and any state or federal law, and to derive the maximum public benefit by regulating the quality and quantity of wastewater discharged into those systems.

3.01.020 Definitions.

Unless otherwise defined in this chapter, terms shall be as adopted in the latest edition of Standard methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association, and the Water Environment Federation. (Some relevant terms and words are included in Appendix B hereto, and incorporated by reference.) Waste constituents and characteristics shall be measured by the approved methods as defined below.

Article II – Discharge Restrictions

3.01.030 Prohibited Discharges.

No person shall discharge into the sewerage system, natural outlet, street or earth surface, wastes which cause, threaten to cause, or are capable of causing, either alone or by interaction with other substances, any of the following:

- A. Fire or explosion or injury in any way to the sewerage system or the operation of the treatment plant. Prohibited materials include, but are not limited to, gasoline, kerosene, alcohols, solvents, sulfides or any other substance with a closed cup flashpoint of less than one hundred forty degrees Fahrenheit or sixty degrees Celsius using the test methods specified in 40 CFR 261.21 or which causes two consecutive readings on an explosion hazard meter at any point in the sewerage system to be more than five percent, or any single reading more than ten percent of the lower explosive limit (LEL);
- B. Obstruction of flow in a sewerage system or injury of the system or damage to the sewerage collection, or treatment facilities by ashes, cinders, sand, mud, grit, straw, offal, shavings, metal, glass, rags, feather, tar, plastics, wood, sawdust, manure or other solid or viscous substances capable of causing obstruction of the flow or other interference with the proper operation of the sewerage system as determined by the Public Works Director;
- C. Acute worker health and safety problems resulting from the presence of toxic gases, vapors of fumes within the POTW per 40 CFR 403.5(B)(b)(7);
- D. A nuisance or prevention of the effective maintenance or operation of the sewerage system, through having or creating a strong, unpleasant odor;
- E. Air pollution by the release of toxic or malodorous gases or malodorous gas-producing substances;
- F. Interference or pass through at the treatment plant affecting wastewater treatment, land disposal or sludge or scum processing and disposal;

- G. A detrimental environmental impact or a nuisance in the waters or wastewaters of the state or a condition unacceptable to any public agency having regulatory jurisdiction over the District;
- H. Discoloration, or any other condition, in the quality of the District's treatment plant effluent and/or storm system discharge in such a manner that receiving water quality requirements established by law or other contracts cannot be met by the District;
- I. Condition at or near the District's treatment facilities that violate any statute or rule, regulation or ordinance of any public agency of state or federal regulatory body;
- J. Quantities or rates of flow or pollutants which cause interference or overload the District's sewerage system or treatment facilities of cause excessive District collection or treatment costs or hamper treatment facility operation;
- K. Pollutants which can cause corrosive structural damage to the sewerage system or treatment facilities, but in no case a pH lower than 5.0 allowed per federal regulations;
- L. Influent to the treatment plant to be over one hundred four degrees Fahrenheit (forty degrees Celsius);
- M. Waters or waste with a pH factor lower than 6 or higher than 10;
- N. Any discharge which has an average daily concentration exceeding the following technically based local limits:

Toxicant	Maximum Allowable Concentration (mg/L)
Arsenic	2.5
Cadmium	0.5
Chromium, total	29
Copper	3.0
Cyanide, total	1.4
Lead	4.0
Mercury	0.8
Nickel	13
Silver	2.9
Zinc	3.5

- O. Discharges of new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW by industrial users where such contributions do not meet applicable pretreatment standards and requirements or where such contributions would cause the POTW to violate its NPDES permit per 40 CFR 403.8(f)(1)(i);
- P. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origins in amounts that will cause interference or pass through;
- Q. Discharges which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261;
- R. Discharges containing concentrations of tetrachloroethylene (PCE) or trichloroethylene (TCE) exceeding five micrograms per liter for any grab sample.

3.01.040 Storm Drainage and Groundwater.

Rainwater, groundwater, street drainage, subsurface drainage, roof downspouts, exterior foundation drains, groundwater from cleanup operations, or other sources of drainage water shall not be discharged through direct or indirect connections into a domestic system.

3.01.50 Septic Tanks.

No person shall use a septic tank for disposal of wastewater if the property to be served is within one hundred feet of the domestic system unless permitted by the Public Works Director. Where such domestic sewer exists and buildings are inhabited or used by human beings, the property owner(s) shall install lateral service connection(s) in accordance with this chapter.

3.02.060 Garbage Grinders.

A. Wastes from garbage grinders shall not be discharged into a domestic sewer system except:

1. Wastes generated in normal preparation of food by residential users; or
2. Where the user has obtained a permit for that specific use from the District, and agrees to undertake whatever self-monitoring is required to enable the Public Works Director to equitably determine the user charges based on the waste constituents and characteristics.

B. Garbage grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the domestic sewer. Garbage grinders shall not be used for grinding plastic, paper products, inert materials or garden refuse.

3.01.070 Direct Discharge – Use of Service Sewer.

No person shall discharge any substances directly into a manhole or other opening in a sewerage system except through an approved private sewer or house sewer lateral.

3.01.080 Holding Tank Waste.

A user proposing to discharge holding tank domestic waste into a domestic sewer must secure a permit for each separate discharge. This permit shall state the specific location of discharge, the time of day the discharge, the wastewater constituents and characteristics and origin of such wastes. Holding tank wastes discharged at the treatment plant facilities may be given a discharge permit that would apply to more than one separate discharge at the discretion of the Public Works Director. If a permit is granted for discharge of such waste into the domestic sewer, the user shall pay the applicable user charges and fees and shall meet such other conditions as required by the Public Works Director.

3.01.090 Grease, Oil and Sand Interceptors.

Grease, oil and sand interceptors shall be provided by the discharger when they are necessary for the proper handling of wastes containing grease in excess of one hundred-fifty milligrams per liter of animal and vegetable origin and fifty milligrams per liter of mineral origin, or any flammable wastes, sand, grit and other harmful ingredients. All interceptors shall be of a type and capacity approved in writing prior to installation by the Public Works Director and shall be located so as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, usually a minimum of one thousand gallons and equipped with easily removable covers which, when bolted in place, are gastight and watertight. Grease and/or oil/sand interceptors shall be constructed in any place or building having a capacity to serve group meals or commercial and industrial cleaning facilities. Where installed, all grease, oil, sand and grit interceptors shall be maintained by the owners at the owner's expense in continuous efficient operation at all times. Materials collected shall not be reintroduced into the sewerage system. The owner shall maintain records of all maintenance, cleaning and hauling of material and such records shall be available at all times for inspection by District personnel.

3.01.100 Industrial Waste Permits.

Source control of industrial discharges shall be accomplished by use of a permit and monitoring system as described in this chapter. Discharge of industrial waste from any person within the District onto land or to any natural outlet may be permitted only if the discharge complies with all requirements of the regional water quality control board and of all other local, state and federal laws and regulations.

3.01.110 Other Legal Restrictions.

Nothing contained in this chapter shall be construed to limit any additional requirements that may be imposed by the county health officer, by the regional water quality control board, fish and game, or by other governmental agencies having jurisdiction.

3.01.120 Connections Outside District.

No discharge from facilities or properties outside the limits of the District shall be allowed into the sewerage or storm drainage systems.

3.01.130 Screening of Industrial Waste.

No person shall discharge or cause to be discharged to the industrial system an industrial waste that is too large to pass through or, has not been pretreated by being passed through, a screening device with a maximum screen opening of 1.5 millimeters.

Article III – Service Charge and Capacity Fees

3.01.150 Classification.

All users shall be classified for wastewater collection, treatment and disposal purposes in accordance with the principal activity conducted by the person, or the quantity and quality of discharge, as determined by the Public Works Director. The purpose of classification is to facilitate the regulation of wastewater discharge based on quantity and quality of flow, to provide an effective means of industrial waste source control, and to establish a system of sewage service charges and capacity fees which will ensure, but not be limited to, the recovery of District capital, operating and maintenance costs in an equitable manner. It is the responsibility of the user to provide the District a reasonable estimation of wastewater quantity and quality, or other applicable units of measure, and any increases thereof, for the purpose of classification and assessment of service charges and capacity fees.

3.01.160 Domestic System Service Charges.

- A. Basis. Charges for use of the domestic system shall be determined by the volume, biochemical oxygen demand (BOD) and suspended solids (SS) of wastes discharged.
- B. Applicability. Those residential, commercial and industrial users whose discharge of wastes classify them as a moderate-strength user and those dischargers of industrial and commercial wastes that classify as high-strength users shall pay charges as determined in this section. Determination of the category for each specific user shall be made by the Public Works Director.
- C. Moderate-Strength Users. All moderate-strength users shall be assigned sewage service units. The minimum sewage service units assigned to any commercial and industrial user shall be 1.0 unit. Service charges for moderate-strength users shall be determined by multiplying the cost of one sewage service unity by the number of sewage service units assigned to each user.

1. Residential user sewage units shall be based upon the number of bedrooms per dwelling units as follows:

Premises	Sewage Service Units
Single Family Residence	1.00
Mobile Home/Trailer	1.00
Duplex/Triplex (per unit)	0.70
Commercial Trailer Park (per space)	0.65
Apartment (per unit)	0.65
Motel/Hotel (per unit)	0.65

2. Commercial and industrial user sewage service charges shall be based on the number of sewage service units assigned to each user. The unit of measure for determining the number of sewage service units assigned to each user are as follows:

User Descriptions	Units of Measure
Meeting Place, Religious	1.20
Eating Place	1.20
Bar/Tavern	1.20
Service Station	1.20
Office, Store, Warehouse Manufacturer (but can be fixed by comparing water use of establishment with Average residential usage.)	.70

One sewage service unit shall be assigned to each unit of measure. Fees shall be based on a minimum of one sewage service unit and fractions of sewage service units thereafter. At the discretion of the Public Works Director, a commercial user's service charges and/or capacity fees may be based on actual wastewater discharge flows estimated by use of an influent water meter or other appropriate means.

3.01.170 Domestic System Capacity Fees.

The capacity fee shall cover the capital cost associated with the POTW capacity that will be utilized by the discharger. Any actual costs incurred by the District in making the physical connection (tap) shall be separate and in addition to the capacity fee described in this section.

A. Moderate-strength user capacity fees shall be based on a rate per sewage service unit as assigned under Section 3.01.160. The capacity fee for a new commercial or industrial user shall be a minimum of one sewage service unit, and additions or modifications shall be prorated to fractions of sewage service units.

B. High-strength user capacity fees shall be based on a unit rate for flow, BOD, and SS. The estimated annual quantities of each characteristic shall be justified to, and approved by, the Public Works Director for the purpose of determining the capacity fee.

C. District projects and projects funded by the District are exempt from capacity fees as described in this section.

3.01.180 Industrial System Service Charges.

A. Industrial system sewage service charges shall be determined based upon the actual quantity of flow and BOD discharged annually. The unit cost for each characteristic will be determined annually and multiplied by each user's measured effluent characteristics. The total of the two characteristic fees shall be the annual sewage service charge.

B. The unit cost for each characteristic shall be determined by distributing the total operation, maintenance and capital costs to each characteristic at a proportionate rate and dividing each proportionate cost by the total annual quantity of each characteristic discharged to the system.

3.01.190 Industrial System Capacity Fees.

Fees shall be determined on an individual basis by the Public Works director and shall be, in part, based upon the value of existing capacity to be utilized and/or the cost of providing additional new capacity. The Capacity fee shall be based on a unit rate for flow and BOD.

3.01.200 Adjustments and Additions.

A. Service Charge Adjustments. When it is found that a reasonable estimation of wastewater quantity or quality, or other applicable units of measure, have not been used for the assessment of sewage service charges the District has the right to make adjustments as determined by the Public Works Director. Undercharges for the period of incorrect billing up to three years, per California Code of Civil Procedures, Section 338, are due and payable on demand and overcharges will be credited.

B. Capacity Fee Adjustments. Any user, after one full year of operating data is available, may request the Public Works Director to make an adjustment, or the Public Works Director may institute an adjustment, if a significant variation exists between the estimated and actual wastewater quantity or quality, or other applicable units of measure. Increases in capacity fees shall be due and payable on demand at the time the Public Works Director makes the fee adjustment and decreases will be credited.

C. Capacity Fee Additions. When a user has, in the opinion of the Public Works Director, significantly increased either wastewater quantity or quality or units of measure over what was used for all previous capacity fee calculations, additional capacity fee charges shall be assessed for the additional wastewater treatment capacity utilized. Such additional capacity fees shall be due and payable on demand at the current rate at the time the Public Works Director makes the determination.

3.01.210 Holding Tank Waste Charges.

The charge for a discharge of holding tank wastes shall be based on the method for determining charges for the moderate-strength user in the domestic system as outlined in Section 3.01.160(C). Characteristics of BOD and SS shall be determined by random sampling of holding tank waste discharges.

3.01.240 Charges and Fees.

The schedule of charges and fees for domestic system service charges and capacity fees, industrial system service charges and capacity fees, storm drain service charges, inspection sampling and analysis charges, and holding tank waste charges will be those established and adopted by the District Board of Directors from time to time by resolution.

3.01.250 Billing and Collections.

All billing and collections for service charges shall be per Section 1.05 of this code.

3.01.260 Appeals.

The owner or occupants of any premises who finds that the charges and/or fees provided for in this article are unjust or inequitable may make application to the Public Works Director to have the fees modified, in accordance with Section 3.01.530. A commercial or industrial discharger, after one full year of operating data is available, may request the Public Works Director to make an adjustment, or the Public Works Director may institute an adjustment, if a significant variation exists between the estimated and actual quantities for each characteristic. Increases in capacity fees shall be due and payable on demand at the time the Public Works Director makes the fee adjustment and decreases will be credited. Increases or decreases in sewage service charges shall be implemented in the next billing following the determination by the Public Works Director that adjustment is appropriate. Where water usage is metered, the estimated sewer flows may be compared to a two-bedroom residence (one SSU) to determine or adjust the capacity fee or sewage service charge.

Article IV – Construction and Extension

3.01.270 Permit.

No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any sewerage system or appurtenances, thereof without first obtaining a written permit from the Public Works Director.

3.01.280 Design Standards.

All construction of public sewerage systems or appurtenances thereof shall conform to the design criteria, the standard plans and specifications and the inspection and testing procedures in accordance with current District public improvement design standards.

3.01.290 Application for Service.

Whenever a property owner is desirous of obtaining sewer service where no adequate sewer system exists, an application shall be made to the Public Works Director for sewer service in accordance with Article V of this chapter.

3.01.300 Purpose.

The District Board of Directors is desirous of adopting a sewer service and extension policy that is fair and equitable to all developing properties and that provides that the cost of extension shall be distributed among subsequently developing properties connecting thereto. For purposes of this article, storm drains shall be considered as sewers except as specifically stated otherwise.

3.01.310 Application.

Whenever a property owner is desirous of obtaining sewer service, an application shall be made to the Public Works Director for sewer service. The Public Works Director shall determine the closest adequate sewer and, if an extension is necessary, indicate the size of the main to be extended and the limits of the extension.

3.01.320 Applicant's Obligation.

Whenever the Public Works Director determines that a sewer extension is necessary, the applicant will be required to install, at the applicant's own expense, the sewer extension in accordance with

engineering plans furnished by applicant and approved by the Public Works Director. The plans shall be prepared in accordance with the District design standards.

3.01.330 Extension for Full Frontage Width.

In every case where a sewer is to be tapped to serve a parcel, the same shall be extended the full frontage of the parcel unless the Public Works Director determines that the sewer will not need to be extended to serve any other properties.

3.01.340 Minimum Diameter.

The minimum size sewer main shall have a nominal inside diameter of six inches. The minimum size storm drain shall have a nominal inside diameter of twelve inches. Larger size mains may be required as determined by the Public Works Director in accordance with the District public improvement design standards or the District master sewer and storm drain plans.

3.01.350 Reimbursement - Oversize Mains.

Whenever the District requires that a sewer main larger than ten inches in diameter or a storm drain larger than eighteen inches in diameter be installed in order to serve additional property or to conform to the applicable master plan, the applicant shall be reimbursed for the oversized pipe. The reimbursement shall be based on the difference in cost between the actual pipe to be installed and a ten inch sewer or eighteen inch storm drain as applicable. The difference in cost shall be determined by the Public Works Director. The reimbursement shall be made in accordance with Chapter 16.40.

3.01.360 Cease and Desist Order.

When the District finds that a discharge of wastewater has taken place in violation of prohibitions or limitations of this chapter, or the provisions of a wastewater discharge permit, the Public Works Director may issue an order to cease and desist, and direct those persons not complying with such prohibitions, limits, requirements or provisions to:

1. Comply forthwith;
2. Comply in accordance with a time schedule set forth by the District; or
3. Take appropriate remedial or preventive action in the event of a threatened violation.

3.01.370 Compliance Timetable.

When the District finds that a discharge of wastewater has been taking place, or is threatening to take place, in violation of prohibitions or limitations prescribed in this chapter, or the provisions of a wastewater discharge permit, the District may require the user to submit for approval, with such modifications as it deems necessary, a detailed time schedule of specific actions, which the user shall take in order to prevent or correct a violation of requirements.

3.01.380 Appeals.

A. any user, permit applicant or permit holder affected by any decision, action or determination, including cease and desist orders, made by the Public Works Director, interpreting or implementing the provisions of this chapter or in any permit issued in this chapter, may file with the Public Works Director a written request for reconsideration within twenty days of such decision, action or determination, setting forth in detail the facts supporting the user's request for reconsideration. The Public Works Director may accept the application, reject the application for sound reasons or direct the applicant, at applicant's sole expense, to maintain and operate in a manner satisfactory

to the Public Works Director such indicating or integrating meters as may be required to properly measure the flow, establish sampling equipment, tests and procedures satisfactory to the Public Works Director to determine the characteristics of the wastes.

B. If the ruling made by the Public Works Director is unsatisfactory to the person requesting reconsideration, the person may, within twenty days after notification of the District's action, file a written appeal to the District Board of Directors. The written appeal shall be heard by the Board of Directors within twenty days from the date of filing. The District Board of Directors shall make a final ruling on the appeal within twenty day of the hearing. The Public Works Director's decision, action or determination shall remain in effect during such period or reconsideration.

3.01.390 Liability.

Any person, firm or corporation, or any partner, officer, agent or employee thereof, who deposits or permits to be deposited into the District's sewerage system any wastes other than those permissible under the terms of this chapter and the terms of a valid permit granted under this chapter is liable for any and all damage caused to the District by virtue of such act, including compensation for damage to the District's facilities, and all costs of any legal fees, suits or judgments against the District which may be attributable to such wastes so discharged.

3.01.400 Injunction.

Whenever a discharge of wastewater is in violation of the provisions of this chapter or otherwise causes or threatens to cause a condition of contamination, pollution or nuisance, the District may petition the superior court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate in restraining the continuance of such discharge.

3.01.410 Damage to Sewerage System – Charge.

When a discharge of wastewaters or any other substance causes an obstruction, damage or any other impairment to the District's sewerage system, the District shall assess a charge against the user for the work, materials and services required to clean or repair the affected portions of the sewerage system.

3.01.420 Civil Penalties.

Any person who violates any provision of this chapter or permit condition or who discharges wastewater which causes pollution, or who violates a cease and desist order, prohibition, effluent limitation, national standard of performance, pretreatment or toxidistrict standard shall be liable civilly to a penalty not to exceed six thousand dollars for each day in which such violation occurs. The District's attorney, upon order of the District Board of Directors, shall petition the superior court to impose, assess and recover such sums.

3.01.430 Termination of Service.

The District may revoke any wastewater discharge permit, or terminate or restrict or cease to be terminated or restricted wastewater service to any premises, which may include termination or restriction of the water service if warranted, if a violation of any provisions of this chapter is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution or nuisance as defined in this chapter. The District also reserves the right to immediately disconnect any user, upon danger to human health, the environment, or which threatens to interfere with the treatment plant's operation. This provision is in addition to other statutes, rules or regulations, authorizing termination of service for delinquency in payment.

3.01.440 Public Notice of Violation.

A. In accordance with Federal Pretreatment Regulations 40 CFR 403, the District shall publish, at least annually in the largest daily newspaper circulated in the service area, a description of those industrial users that are found to be in significant violation with any provisions of the chapter or any permit or order issued hereunder during the period since the previous publication.

B. Significant violations include any of the following:

1. Chronic violations of wastewater discharge limitations (sixty-six percent or more of all measurements taken in a six-month period exceed the daily maximum or the long-term average limit for the same pollutant parameter);
2. Technical review criteria (TRC) violations (thirty-three percent or more of all measurements taken in a six-month period exceed 1.2 times the limit for toxics or 1.4 times the limit for BOD, TSS, and oil and grease);
3. Any other violation of an effluent limit the District determines has caused, either alone or in combination with other discharges, pass through or interference;
4. Any discharge that causes endangerment to human health, welfare or the environment, or causes the District to exercise its emergency authority to halt or prevent such discharge;
5. Failure to meet a compliance schedule deadline of enforcement order within ninety days after the scheduled date for starting construction, completing construction, or attaining final compliance;
6. Required reports that are more than ninety days late;
7. Failure to accurately report noncompliance;
8. Any violation determined to adversely affect the operation or implementation of the pretreatment program.