

SANITARY SEWER SYSTEM ORDINANCE

PART 1 - GENERAL PROVISIONS

Sec. 1100. Enabling Authority. This chapter is adopted pursuant to authority granted by Public Utilities Code Section 16461 which allows a Public Utility District to construct, establish, and maintain drains and sewers.

Sec. 1200. Application. This chapter shall apply to all sewer facilities of the Tranquility Public Utilities District, including but not limited to, pump stations, building sewers and lateral sewers as defined in Part 2100.

PART 2 - DEFINITIONS

Sec. 2100. Definitions. (A) For the purpose of this Ordinance, unless it is plainly evident from the context that a different meaning is intended, the following terms used herein are defined as follows:

- A. Back-water Valve: A device whose purpose is to prevent flow in a sewer in a direction opposite to that of the intended drainage;
- B. Board: The Board of the Tranquillity Public Utilities District;
- C. Building: Any structure used for human habitation, or a place of business, recreation, or other activity and containing sanitary facilities;
- D. Building Sewer: That portion of any sewer beginning at the plumbing or drainage outlet of any building, industrial facility, or preliminary treatment facility, and ending at the property line;
- E. Cesspool or Seepage Pit: An excavation in the ground which receives the discharge from a sewer for the purpose of allowing said discharge to percolate into the ground;
- F. Cleanout: A branch fitting installed in a sewer or other pipe for the purpose of providing access for cleaning;
- G. County: County of Fresno, State of California;
- H. Crown: The highest point of the inside surface of a sewer cross-section;
- I. District: Tranquillity Public Utilities District;
- J. District Engineer: Registered Civil Engineer appointed by the Board to perform regular and/or special engineering services;
- K. District's Representative: Any person legally authorized by the District;
- L. Fixture: Any sink, tub, shower, toilet, or other facility connected by drain to the sewer;
- M. Garbage: Solid wastes from the preparation, cooking, and dispensing of food and from the handling, storage and sale of agricultural products;
- N. Lateral Sewer: The portion of a sewer lying within a public right-of-way or easement, and connecting a building sewer to a main sewer;
- O. Lot: Any piece or parcel of land, bounded, defined, or shown upon a plot or deed recorded in the office of the County Recorder of Fresno County, provided, however, that in the event any structure is located upon more than one parcel of land all under one ownership and as herein defined, the term "lot" shall include all

- such parcels of land. For purposes of land which is to be annexed to or served by the District, the term "lot" shall be defined as (1) a minimum size parcel or parcels into which said land can be subdivided or split as permitted by the local zoning regulations, or (2) the actual number of parcels into which said land is subdivided or split as evidenced by records filed with the County Recorder;
- P. Main Sewer: Those sewers, excluding lateral sewers, whose main purpose is to accept sewage from laterals and convey it to the treatment plant;
 - Q. Manhole: A structure for the purpose of providing access of a man to a buried sewer;
 - R. Permit: Any written authorization required pursuant to this Ordinance;
 - S. Person: Any human being, individual, firm, company, partnership, association, corporation, government or agency;
 - T. Privy: An excavation in the ground receiving or intended to receive human body wastes;
 - U. Public Sewer: That portion of a sewer lying within a public right-of-way or easement, including main sewers subject to the jurisdiction of, the District;
 - V. pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution;
 - W. Septic Tank: A structure for treating sewage before disposal in a seepage pit or other leaching system;
 - X. Sewage: Any water-carried wastes from residences, business buildings, public buildings, institutions, and industrial facilities;
 - Y. Sewage Works or Sewerage: All facilities for collecting, pumping, treating, and disposing of sewage;
 - Z. Sewer: A pipe or conduit for carrying sewage;
 - AA. Side Sewer: A sewer beginning at the plumbing or drainage outlet of any building, industrial facility, or preliminary treatment facility and terminating at a main sewer, and including the building sewer and lateral sewer together;
 - BB. Shall and May: Shall is mandatory; may is permissive;
 - CC. Standard Specifications: The Standard Specifications of the District when adopted;
 - DD. Trunk Sewer: The same as main sewer.

PART 3 - HOUSE SEWERS GENERAL REGULATIONS AND MATERIALS

Sec. 3100. Separate Connection for Each Building. Every building in which plumbing fixtures are installed shall be separately and independently connected with public sewer or septic tank except as provided herein.

Sec. 3110. Exception: Dwelling in Rear. Where a dwelling is on the rear of a lot, on the front of which is another building and the total street frontage of the said lot does not exceed sixty (60) feet, and is under one ownership, a separate sewer connection will not be required.

Sec. 3120. Exception: Appurtenant Buildings. Service buildings, such as a garage, servants' quarter, powerhouse, or other like buildings where required as an adjunct to and to be used in

connection with a residence, public building, or commercial plant, may be connected to the house sewer serving the main building.

Sec. 3130. Materials. House sewer lines may be made of any materials allowed by the Uniform Plumbing Code then in effect, and approved by the Building Inspector. Conformance with ASTM standards for the materials used shall apply.

Sec. 3140. House Sewers; Size and Specifications. House sewers shall be not less than four (4) inches in diameter and shall have a continuous and even fall of not less than one-quarter (1/4) of an inch to the foot, except where solid rock or other unusual condition is encountered, then, with the approval of the District, the requirements for an even grade may be altered to best suit the given condition and to provide the best fall available under the circumstances.

Sec. 3150. Protection of House Sewers Where Substandard Depth. When a house sewer is connected to a trunk sewer in the street, that portion of the house sewer from the curb line to the property line which has less than two and one-half (2-1/2) feet of cover between the top of the pipe and the curb or the top of the ground shall be protected as required by the District.

Sec. 3160. Old House Sewers, Use of. Old house sewers may be used in connection with new plumbing work when upon examination they are found to conform to the requirements governing new house sewers as provided in this ordinance.

Sec. 3170. Permits: When Required. A permit will not be required for the purposes of removing stoppages or repairing leaks in any house sewer.

Sec. 3180. Building Courts: Common Pipe. House sewers from a building court may be connected to a trunk sewer through a common pipe, provided that such common pipe is of adequate size, as determined by the District and it shall be run in as direct a line to the trunk sewer as possible. A riser of the requirements and specifications of the District shall be placed within two and one-half (2-1/2) feet of the point of connection of the house sewer located the farthest from the public sewer. Such house sewers connecting to this common pipe shall be laid under the same requirements as if they were to connect directly to a trunk sewer.

Sec. 3190. New Septic Tanks, Etc.: Repairs to Old. Where a public sewer is located within a distance of two hundred (200) feet (measured along streets, alleys, avenues, or public rights-of-way upon which the property abuts), or where in the opinion of the District a public sewer is available, no new septic tank or leach line, field or wells shall be constructed, and no repairs to old septic tanks, leach lines, fields or wells, shall be made, and no septic tanks or wells shall be pumped; said property shall connect to the public sewer where such connection can be accomplished by gravity flow, and the aforesaid septic tank or well shall be abandoned and removed or filled as required by law and to the satisfaction of the District.

Sec. 3200. Grease Traps, Catch Basins, Sumps, Etc. To prevent sand, grease, soil or other objectionable matter entering the sewerage system, restaurants and public places serving food shall be provided with grease traps, and public and private garage floor drains and public wash racks shall be provided with catch basins or sumps of a design approved by the District. Garage

and oiling pits shall not be connected to any sewerage system.

PART 4 - GENERAL RULES

Sec. 4000. Standard Specifications. The District may, by resolution, establish standard specifications for the construction of sewerage works, and such specifications, when adopted, shall become part of this ordinance.

Sec. 4100. Private Sewage Systems Unlawful. No person shall connect to, use, provide, or maintain any system for the handling or treating of sewage or other liquid wastes within the boundaries of the District that was not in existence and use at the time of adoption of this chapter, except as herein provided, or upon authorization given by resolution of the Board.

Sec. 4200. Protection from Damage. No unauthorized person shall break, damage, deface, uncover, or tamper with any structure, appurtenance, equipment or other property, which is a part of the District sewage works. No manhole shall be covered or made inaccessible. If required by changes in surface grade made necessary because of property development, and/or subdivisions, manholes shall be reconstructed by the developer and/or sub divider to conform to this requirement.

Sec. 4300. Investigation Powers. District representatives shall carry evidence establishing their position as an authorized representative of the District and upon presentation and exhibiting these proper credentials and identification shall be permitted to enter in and upon all buildings and premises within the District for the purposes of inspection, observation, measurement, sampling, testing, or otherwise performing such duties as may be necessary in carrying out the provisions of this chapter.

Sec. 4400. Correction of Violation. Any person found to be in violation of any provision of this chapter shall be served by a representative of the District with written notice stating the nature of the violation and providing a reasonable time limit for the correction thereof. Said time limit shall be not less than two (2) or more than seven (7) working days, unless the District determines otherwise. Such person shall permanently and completely correct the violation within the period allowed.

Sec. 4500. Liability for Damages for Violation. Any person violating a provision of this chapter shall be liable for all damages resulting from such violation including attorney's fees and costs, or which may otherwise arise from actions taken in the correction thereof.

Sec. 4600. Relief. Any person, who by reason of special circumstances, believes that the application of any portion of this chapter as to him is unjust or inequitable may make written application to the District for relief. Said application shall set forth all of the special facts and circumstances and shall request the specific relief or modification desired. The Board, upon receipt of such application and after such investigation as deemed necessary, may take action to grant such relief or modification as it finds necessary. The Board, on its own motion and without an application, may, when special circumstances make the application of this chapter a hardship or unjust or inequitable, modify or suspend such portion of this chapter for the period

during which the special circumstances exist. An application for relief under this section shall be in writing.

Sec. 4700. Permit and Fees Required Before Work Done. No sewer connected or to be connected to the District's sewerage works shall be installed, altered, or repaired until a permit for the work is obtained from the District and all fees required have been paid.

Sec. 4800. Use of Existing Sewer. Before a permit shall be issued for a sewer connection in any areas within the District, which property shall use any then existing sewerage facilities of the District for which such property shall not have made full payment of its share of the cost thereof, the owner or applicant shall pay to the District a sum of money for such privilege to be computed by the District.

Sec. 4900. Permit Fees. Permit fees for construction, repair, or maintenance of private sewerage works shall be as provided in the Uniform Plumbing Code.

PART 5 - MAIN EXTENSIONS

Sec. 5100. Main Extensions to New Customers. Mains extended to serve new customers shall be subject to all of the provisions of this chapter. No main extension will be made by the District except on an approved dedicated street, alley or recorded easement.

Sec. 5200. Main Extensions Independently Acted Upon. Each case of main extension shall be independently acted upon by the District Board and it shall be the sole judge of whether or not such extension shall be made.

Sec. 5300. Cost of Main Extensions. The cost of main extensions outside the original assessment district, other than to subdivisions, may be pro-rated against all lots or property that may ultimately be benefited by connection to the sewer system.

Sec. 5400. Main Extensions to Subdivisions. Where sewer main extensions are required for subdivisions, it will be the responsibility of the owner or sub divider to pay the cost for complete installation of all sewer facilities required within the subdivision and for extension of sewer transmission mains from the subdivision to the nearest existing main of adequate capacity for the area to be served. Such transmission main and sewer facilities shall be subject to all the requirements of the District. Upon official acceptance by the District, the District shall assume full ownership, maintenance and control of such mains and sewer facilities.

PART 6 - STANDARDS AND REGULATIONS

FOR QUALITY OF SEWER DISCHARGE

Sec. 6200. No Discharge of Storm Waters, Into Sewers. It is unlawful for any person to discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters into any sanitary sewer.

Sec. 6400. Other Waters and Wastes Prohibited. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes into any public sewers.

- A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150EF.);
- B. Any water or wastes which may contain more than one hundred (100) parts per million, by weight, of fat, oil, or grease;
- C. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
- D. Any garbage that has not been properly shredded;
- E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, woods, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;
- F. Any water or wastes having a pH lower than 5.5 or higher than 9.00, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works;
- G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant;
- H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;
- I. Any noxious or malodorous gas or substance capable of creating a public nuisance.

Sec. 6500. Grease, Oil and Sand Interceptors. Grease, oil and sand interceptors shall be provided when, in the opinion of the District, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the District, and shall be located so as to be readily and easily accessible for cleaning and inspection.

Sec. 6510. Same; Construction. 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, water-tight, and equipped with easily removable covers which, when bolted in place, shall be gas-tight and water-tight.

Sec. 6520. Same; Maintenance. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

Sec. 6530. Maintenance at Side Sewers. Side sewers, including lateral sewers and wyes, shall be maintained by the owner of the property serviced in good working condition at his or her

sole cost and expense.

Sec. 6600. Right to Regulate Water and Wastes and Require Preliminary Treatment, Etc.

A. The admission into the public sewers of any waters or wastes having (1) a five (5) day biochemical oxygen demand greater than three hundred (300) part per million by weight, or (2) containing more than three hundred fifty (350) parts per million by weight of suspended solids, or (3) containing any quantity of substances having the characteristics, described in Section 6400 of this part, or (4) having an average daily flow greater than two (2%) percent of the average daily sewage flow of the District, shall be subject to the review and approval of the District.

Where necessary, in the opinion of the District, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the Biochemical Oxygen Demand to three hundred (300) parts per million and the suspended solids to three hundred fifty (350) parts per million by weight, or (2) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 6400 of this section, or (3) control the quantities and rates of discharge of such waters or wastes.

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the District and of the Water Pollution Control Board of the State of California, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Sec. 6700. Preliminary Treatment Facilities. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner, at his expense.

Sec. 6710. Installation of Control Manholes. When required by the District, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurements of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the District. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Sec. 6720. Measurements, Tests and Analyses. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is shall be determined in accordance with "Standards Methods for the Examination of Water and Sewage," published by American Waterworks Association, and shall be determined at the control manhole, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

Sec. 6800. Special Agreements with Industrial Concerns. No statement contained in this

chapter shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefor by the industrial concern.

Part 7

SEWER CONNECTION FEES AND SEWER SERVICE CHARGES

Sec. 7100. Applications. Applications for sewer connections and/or sewer service shall be submitted at the District on prescribed forms provided by the District, the current form is attached as Attachment A.

Sec. 7200. Compliance of Applicant. Application approved for sewer service and/or sewer connections will signify the applicant's willingness and intention to comply with all ordinances and regulations relating to sewer service and/or connections and to make payment for such sewer service fees, connection fees, sewer construction permit deposits, and inspection fees, as well as other pertinent contingent fees set forth by resolution and by other applicable rules and regulations.

Sec. 7300. Sewer connection/capacity fees. The sewer connection fee has been or shall be set by ordinance or resolution in accordance with California Health and Safety Code Section 5474, as amended. The current fees are effective as of November 2011 and are set forth in Attachment B. The sewer connection fee may be adjusted each July 1 in proportion to the change in the Amended Construction Cost Index for the State of California in the Engineering News-Record.

Connection fees and inspection fees for commercial customers are due and payable at the time of application for a wastewater discharge permit. The number of equivalent dwelling units shall be used to compute the amount of the connection fee.

If the proposed connection cannot be made, the fee will be refunded when approved by the District engineer.

Sec. 7400. Sewer service charges. The sewer service charges has been or shall be set by ordinance or resolution in accordance with California Health and Safety Code Section 5471, as amended. The monthly sewer and connection fees are effective as of November 2011, and are set forth in Attachment B to this Ordinance.

A sewer service charge is levied and assessed upon each premises which discharges sewage that ultimately passes through the District's sewer system.

The record owner of the property shall be responsible for payment of the sewer service charge. Any agreement between landlords and tenants to the contrary will not relieve the landlord or record owner of the property of the responsibility for payment of the sewer service charges to the District.

Sewer service charges may be collected either by issuing a manual bill for payment or through the tax roll of Fresno County. The method utilized is determined in part by the District based upon the estimated volume and type of wastewater discharge into the sewer.

Payment of sewer service charges for new connections are paid for at the time the wastewater discharge permit is paid. If the permit is for an existing building, the sewer service charges will be prorated for the fiscal year based upon the date the permit is issued. If the permit is for new construction or connection, then a time credit of four months shall be allowed when computing the amount of sewer service charges due between the day of application and the next billing in which the account can be included on the tax roll. This prorated amount shall be paid at the time the wastewater discharge permit is issued.

Sewer charges that are not paid within 40 days of the billing date shall be subject to a basic penalty not to exceed 10 percent for the nonpayment of the sewer service charges, in accordance with California Health and Safety Code Section 5473.10, as amended. An additional penalty of not to exceed one and one-half percent per month for the unpaid sewer service charges and the basic penalty may also be imposed.

Sewer service charges that remain delinquent for a period of 60 days shall constitute a lien against the property for which the sewer service was provided in accordance with the procedures stated in California Health and Safety Code Section 5473.11, as amended.

Delinquent sewer service charges may be collected on the tax roll in the same manner and at the same time as the general taxes, pursuant to California Health and Safety Code Section 5473a, as amended. The District may also seek other collection methods as provided by law.

In addition or in the alternative, and at the option of the District, the District may file a civil action for the collection of any amounts due and unpaid. This remedy shall be cumulative and in addition to other remedies for enforcing payment.

Sec. 7500. Refunds, back charges, and changes in use resulting in different rates, sewer service charges and/or connection fees.

Sec. 7510. Increased Rates. Whenever the use of any premises previously connected to the District system is changed so that there is a fee applicable to such premises increased from that which existed at the time original application was made, there shall immediately become due, owing and payable to the District the increase in fees applicable. The charges imposed by this regulation shall become delinquent 60 days following the date they become due.

Sec. 7520. Back Charges for Unpaid Sewer Service. The District is authorized to require back charges in the event that a property has been discharging into the sewer system without payment of sewer service charges. The back charges may be imposed for up to four years.

Sec. 7600. Refund/Reduction of Sewer Service Charges and/or Connection Fees. The District is authorized but not required to allow refunds of annual sewer service charges and/or connection fees to nondischarging parcel owners and to property owners which have been

overcharged for sewer service and/or connection fees. The District is authorized to discontinue assessing nondischarging parcels for sewer service and to reduce the assessment of over-charged parcels to an appropriate level of service charge. Only those amounts that were overcharged will be refunded, and without accrued interest. Notwithstanding any other provision of law, the District shall not have the authority to refund or reduce sewer service or connection charges for charges made beyond any applicable statute of limitations period.

Equivalent dwelling unit determination.

The number of equivalent dwelling units (EDUs) assigned to each structure is determined in Exhibit A.

TRANQUILLITY PUBLIC UTILITY DISTRICT

FEES AND CONNECTION CHARGE SCHEDULE

Date: December, 2011

<u>Classification</u>	<u>Permit and Inspection Fee</u>	<u>Connection Fee</u>
Single Family Residence	\$200.00	\$475.00
Multiple Units	\$200.00	\$475.00 Per dwelling unit.
Commercial Buildings	\$200.00	\$475.00 Per one quarter Acre of property or for each 1,500 square feet of interior floor space, whichever is greater.
Industrial Buildings	\$200.00	The same as Commercial above, except that surrounding land used solely for agricultural purposes or containing no structural improvements and with no fixture units shall not be considered as property subject to the connection charge, but shall be subject to the charge applicable at such future time as improvements requiring a connection are made and a permit requested. Industries considered by District as wet industries or with unusual waste water problems shall be subject to a charge as determined by an engineering study by District or pre-treatment requirements in lieu of such charges. Costs of such study, if pre-treatment, wet industry or other unusual waste water problems are determined to exist shall be charged to the industry in addition to all other charges.
Sewer main relocations (Inspection Only)	At District Cost	
Repairs, disconnects	At District Cost	
Alterations, additions	At District Cost	\$100.00 per trap fixture** for unit added.
Swimming pool discharge	Not permitted	

**Trap fixture shall be determined as defined in that certain plumbing code entitled "Western Plumbing Officials Uniform Plumbing Code," adopted by the Western Plumbing Officials Association.

Service Fees

Alterations, additions	At District Cost	\$100.00 per trap fixture**for unit added.
Swimming pool discharge	Not permitted	

**Trap fixture shall be determined as defined in that certain plumbing code entitled "Western Plumbing Officials Uniform Plumbing Code," adopted by the Western Plumbing Officials Association.

Service Fees

Sewer Service Charge	\$25.00 Per service unit for each month of service. Service outside of the District boundaries will be charged \$31.00 per month. (Fees billed bi-monthly only to <u>property owner(s)</u> , payable by mail only to District office).
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TRANQUILLITY PUBLIC UTILITY DISTRICT

Agreement to Establish Sewer Account

Name _____ _____ (Property Owner)	Today's date _____
Service Address _____	Person 1: SSN # _____ Person 2: SSN # _____
Driver's License _____ (Copy of Driver's License is required)	Phone # _____
Date to begin sewer service _____	Cell # _____
Residential _____ Number of person living at this address _____	
Commercial _____ Type of Business _____	
Name of former owner: _____ Forwarding Address (if known) _____	If you have a TENANT Name of Tenant _____ Address of Tenant _____

A signed Customer Agreement signed by the Property Owner is due before sewer service can continue or begin.

The Tranquillity Public Utility District will bill the Property Owner monthly for sewer service. The Property Owner may choose to have the bills sent to a Lessee but is responsible for ultimate payment of the bill. All bills are due 30 days from the bill date of each month (no postmarks). Payments may be mailed to: P.O. Box 622, Tranquillity, CA 93668.

- I understand that sewer service will be furnished and used with the rules, regulations, and ordinance of Tranquillity Public Utility District.

- I hereby guarantee payment of all costs for sewer services rendered to this property in accordance with this application and agree to immediately notify the Tranquillity Public Utility District of any changes to this account.
- I am hereby notified that a 10% Penalty may be assessed to my account if payment is not received by 40 days after the billing date.
- I understand that once a bill is sixty days delinquent a lien may be placed on the property for nonpayment.

I have read and understand the conditions above.

Property Owner _____ Date: _____

Date _____ Payment Method _____

District Representative _____