

TITLE 1

SEWER SYSTEM AND USAGE

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CHAPTER 1.01

CODE ADOPTION*

Sections:

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1.01.010 Adoption.

Pursuant to the provisions of Section 4766 of the Health and Safety Code and Section 25120 and following sections of the Government Code, there is hereby adopted the "North

*Pursuant to the provisions of §4766 of the Health and Safety Code and §25120 et seq. of the Government Code.

San Mateo County Sanitation district, a subsidiary district of the city of Daly City, District Code 1988" and it shall be sufficient to refer to said Code as the "District Code" (Ord. 72 §1, 1988).

1.01.020 Title--Citation--Reference.

This code shall be know as the "North San Mateo County Sanitation District Code" and it shall be sufficient to refer to said Code as the "District Code" in any prosecution for the violation of the provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the "District Code". Further reference may be had to the titles, chapters, sections and subsections of the "District Code" and such references shall apply to that numbered title, chapter, section or subsection as it appears in the Code. (Ord. 72 §2, 1988)

1.01.030 Ordinance passed prior to adoption of the Code.

The last ordinance included in this code Ordinance 70, passed July 13, 1987. The following Ordinance, passed subsequent to Ordinance No. 70, but prior to adoption of this code, is hereby adopted and made a part of this code: Ordinance No. 71, passed June 27, 1988. (Ord. 72 §3, 1988)

1.01.040 Reference applies to all amendments.

Whenever a reference is made to this code as the "North San Mateo County Sanitation District District Code" or to any portion thereof, or to any ordinance of the North San Mateo County Sanitation District, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. (Ord. 72 §4, 1988)

1.01.050 Title, chapter and section headings.

Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof. (Ord. 72 §5, 1988)

1.01.060 Reference to specific ordinances.

The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code. (Ord. 72 §6, 1988)

1.01.070 Effect of code on past actions and obligations.

Neither the adoption of this code nor the repeal or amendment hereby of any ordinance or part or portion of any ordinance of the North San Mateo County Sanitation District District

Code shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license, fee, or penalty at said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee, or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect. (Ord. 72 §7, 1988)

1.01.080 Effective date.

This code shall become effective on the date the ordinance adopting this code as the "North San Mateo County Sanitation District District Code" shall become effective. (Ord. 72 §8, 1988)

1.01.090 Constitutionality.

If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The Board of Directors of the North San Mateo County Sanitation District hereby declares that it would have passed this code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect. (Ord. 72 §9, 1988)

CHAPTER 1.04

GENERAL PROVISIONS

Sections:

1.04.010	Purpose and policy.
1.04.020	Definitions.
1.04.030	Abbreviations.
1.04.040	Rules and regulations adopted.
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1.04.060	Relief on application.
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1.04.010 Purpose and policy.

- A. This title sets forth rules and regulations and uniform requirements for direct and indirect contributors and connections into the wastewater collection and treatment system for the North San Mateo County Sanitation District and enables the district to comply with all applicable state and federal laws required by the Clean Water Act of 1977, as amended, and the general pretreatment regulations (40 CFR, Part 403), as amended.
- B. The objectives of this title are:
1. To provide rules and regulations for the use and construction of sanitary sewer facilities;
 2. To regulate direct and indirect contributors to the district wastewater system through the issuance of permits, authorize monitoring and enforcement activities, and require industrial user reporting;
 3. To prevent the introduction of pollutants into the district wastewater system which will interfere with the operation of the system, including interference with its use or disposal of sludge.
 4. To prevent the introduction of pollutants into the district wastewater system which will pass through waters or the atmosphere or otherwise be incompatible with the system;
 5. To improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and

6. To provide for equitable distribution of the cost of the district wastewater system (Ord. 74, §1, 1991: Ord. 56 § 1.1, 1982)

1.04.020 Definitions.

For the purpose of this title, the terms used in this title are defined as follows:

1. "Act" or the "Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.
2. "Applicant" means the person making application to the district for sewer or plumbing connection or installation or discharge and shall be the owner or his authorized agent of premises to be served.
- 2.1 "Approval Authority" means the State of California.
3. "Authorized representative of industrial user" means:
 - (a) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation;
 - (b) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively;
 - (c) A duly authorized representative of the individual designated in subdivisions (a) and (b) of this subsection if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
4. "Biochemical oxygen demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at twenty degrees Centigrade, expressed in terms of weight and concentration (milligrams per liter (mg/l)).
5. "Board" means the board of directors of the district.
6. "Building" means any structure used for human habitation or a place of business, recreation or other purposes.
7. "Building sewer" means that portion of a side sewer beginning at the plumbing or drainage outlet of any building or industrial facility and running to the property line or to a private sewage disposal system.
- 7.1 "Bypass" means the intentional diversion of wastestreams from any portion of an industrial user's treatment facility.
- 7.2 "Bypass not violating applicable pretreatment standards or requirements" means that an industrial user may allow bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for

essential maintenance to assure efficient operations. These bypasses are subject to the provisions of Section 1.30.210.

8. "Categorical standards" means national categorical pretreatment standards or pretreatment standards.
9. "City" means the City of Daly City.
10. "Combined sewer" means a sewer designed to receive both surface runoff and sewage.
11. "Common facilities" means facilities used by more than one occupancy such as laundry room, recreational areas or similar use or uses.
- 11.1 "Compliance" means a 100% compliance or a compliance status in which one minor violation occurs over a short duration and is corrected within twenty-four (24) hours of Industrial User notification during the last quarter.
12. "Contractor" means an individual, firm, corporation, partnership or association duly licensed by the state of California to perform the type of work to be done under the permit.
- 12.1 "Control Authority" refers to the Board of Directors of the North San Mateo County Sanitation District.
13. "Cooling water" means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
14. "County" means the County of San Mateo, California.
15. "Direct discharge" means the discharge of treated or untreated wastewater directly to the waters of the state of California.
16. "District" means North San Mateo County Sanitation District.
17. "District engineer" means the person or persons appointed by the board to administer and enforce the engineering aspects of the rules and regulations of the district.
18. "District manager" means the person or persons appointed by the board to administer and enforce the rules and regulations of the district.
19. "Environmental Protection Agency" or "EPA" means the U.S. Environmental Protection Agency, or where appropriate, the term may also be used a designation for the administrator or other duly authorized official of such agency.

20. "Garbage" means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
21. "Grab sample" means a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
22. "Holding tank waste" means any waste from holding tanks such as flow equalization facilities, vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- 22.1 "Inconsistently Achieving Compliance" means a compliance status in which more than one minor violation occurs during the last quarter or if a violation is not corrected within twenty-four (24) hours but still is not significantly violating during the last quarter.
- 22.2 "Indirect Discharge" or "Discharger" means the introduction of pollutants into the Wastewater Treatment Plan from any non-domestic source regulated under this Chapter and Section 307(b), (c) or (d) of the Act.
23. "Industrial user" or "User" means a source of Indirect Discharge.
24. "Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: (1) inhibits or disrupts the Wastewater Treatment Plant, its treatment processes or operations, or its sludge processes, use or disposal and (2) therefore is a cause of violation of any requirements of the district's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA) the Clean Air Act, the Toxic Substance Control Act, and the Marine Protection, Research and Sanctuaries Act.
25. "Lateral sewer" means the portion of a side sewer lying within a public street connecting a building sewer to the main sewer.
26. "Main sewer" means a public sewer designed to accommodate more than one lateral sewer.
27. "Multiple dwelling" means a building for residential rental, lease or similar purposes containing more than one kitchen or having facilities for the occupancy of more than one person or family, including but not limited to the following: hotels, motels, auto courts, trailer courts, apartment houses, duplexes, roominghouses, boardinghouses and dormitories.

28. "National categorical pretreatment standard" or "pretreatment standard" means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Clean Water Act and 40 CFR Chapter I, Subchapter N, Parts 401-471 and amendments, which applies to a specific category of industrial users.
- 28.1 "National Pretreatment Standard", "Pretreatment Standard" or "Standard" means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to National Pretreatment Standards. This term includes prohibitive discharge limits found in 40 CFR 403.5.
29. "National Pollution Discharge Elimination System permit" or "NPDES permit" means a permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
30. "National prohibitive discharge standard" or "prohibitive discharge standard" means any regulation developed under the authority of 307(b) of the Act and 40 CFR, Section 403.5.
- 30.1 "New Source" means any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
- A. The building, structure, facility or installation is constructed at a site of which no other source is located; or
 - B. The building structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - C. The production or wastewater generating process of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant and the extent of which the new facility is engaged in the same general type of activity as the existing sources should be considered.
 - 1) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs (B) or (C) of this section but otherwise alters, replaces or adds to existing process

or production equipment.

- 2) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - (i) Begun, or caused to begin, as part of a continuous on site construction program.
 - (a) Any placement, assembly or installation of facilities or equipment; or
 - (b) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures or facilities which is necessary for the placement, assembly or installation of new source facilities or equipment; or
 - (ii) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss and contracts for feasibility, engineering and design studies do not constitute a contractual obligation under this paragraph.
31. "Outside sewer" means a sanitary sewer beyond the limits of the district and not subject to the control or jurisdiction of the district.
- 31.1 "Pass Through" means a discharge which exits the Wastewater Treatment Plant into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the district's NPDES permit (including an increase in the magnitude or duration of a violation).
32. "Permit" means any written authorization required pursuant to this or any other regulation of the district for the installation of, connection to, or discharge into any sewerage facilities.
33. "Person" means any human being, individual, firm, company, partnership, association and private or public and municipal corporations, the United States of America, the state of California, districts and all political subdivisions, governmental agencies and mandatories thereof.
34. "pH" means the logarithm (base 10) of the reciprocal of the concentrations of hydrogen ions expressed in grams per liter of solution.

35. "Pollutant" means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.
36. "Pollution" means the manmade or man-induced alteration of the chemical, physical, biological and radiological integrity of water.
- 36.1 "POTW Treatment Plant" means that portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste at 153 Lake Merced Boulevard, Daly City, CA.
37. "Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in the wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited under this chapter. Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with the combined wastestream formula.
38. "Pretreatment requirements" means any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.
39. "Private sewer" means that portion of a sewer serving an independent sewage disposal system not connected with a public sewer and which accommodates one or more buildings or industries.
40. "Public sewer" means a sewer lying within a street and which is controlled by or under the jurisdiction of the district.
- 40.1 "Publicly Owned Treatment Works" or "POTW" means the treatment works which is owned by the North San Mateo County Sanitation District and operated by the City of Daly City. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes and other conveyances which convey wastewater to the North San Mateo County Sanitation District. This definition also means the district, as defined in Section 502(4) of the Act, has jurisdiction over the Indirect Discharges to and the discharges from the treatment works.

- 40.2 "Regional Administrator" or "Administrator" means the appropriate EPA Regional Administrator.
41. "Regional board" means the California Regional Water Quality Control Board, San Francisco Bay Region.
- 41.1 "Requester" means an Industrial User or a POTW or other interested person seeking a variance from the limits specified in a categorical Pretreatment Standard.
42. "Sanitary sewer" means a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
43. "Sewage" means a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments.
44. "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.
45. "Sewer" means a pipe or conduit for carrying sewage.
46. "Sewerage works" means all facilities owned or controlled by the district, except private sewers, for collecting, pumping, treating and disposing of sewage.
47. "Side sewer" means the sewer line beginning at the foundation wall of any building and terminating at the main sewer and includes the building sewer and lateral sewer together.
48. "Significant Industrial User (SIU)", except as provided in paragraph A of this section, means all industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater to the district (excluding sanitary noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the district's treatment plant; or is designated by the district, as defined in 40 CFR 402.12(a), on the basis that the industrial user has a reasonable potential for adversely affecting the district's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).
- A. Upon a finding that an industrial user meeting the criteria in the above paragraph of this section has no reasonable potential for adversely affecting the district's operation or for violating any pretreatment standard or requirement, the district may at any time, on its own initiative or in response to a petition received from an industrial user,

and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.

- 48.1 "Significant Noncompliance" is one or more of the following:
- A. Chronic violations (exceeding the daily maximum limit or the average limit 66% of the time during a six (6) month period) of the same pollutant parameter;
 - B. Technical Review Criteria (TRC) violations (33% or more of measurements for each pollutant parameter taken during a six (6) month period equal or exceed the product of the applicable limit and the TRC value (1.4 times the limit for a conventional pollutant or 1.2 times the limit for a toxic pollutant);
 - C. A violation of pass through or interference;
 - D. A discharge of imminent endangerment to human health, welfare, or the environment, or which required the district to use its emergency authorities under 40 CFR 403.8(f)(1)(vi)(B);
 - E. Violations of a compliance schedule milestone by ninety (90) days;
 - F. Violations of report submittal deadlines by thirty (30) days;
 - G. Failure to report noncompliance; and
 - H. Any other violation deemed significant by the district manager.
- 48.2 "Significantly Violating Compliance" means a compliance status of the last quarter in which one or more of the following is found: (a) a violation which remains uncorrected forty-five (45) days after notification of noncompliance; (b) a violation which is part of a pattern of noncompliance over a twelve (12) month period; (c) a violation which involves a failure to accurately report noncompliance; (d) or a violation which resulted in the POTW exercising its emergency authority.
49. "Single-dwelling unit" means and refers to the place of residence--detached or attached dwelling unit--that can be legally owned by a person or persons including, but not limited to condominiums, townhouses and rowhouses.
50. "Standard Industrial Classification (SIC)" means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget (1972).

51. "Standard specifications" means a set of documents containing design and construction standards for all sewerage works within the district.
52. "Storm sewer" or "storm drain" means a sewer which carries storm and surface or ground waters and drainage, but excludes sewage and polluted industrial wastes.
53. "Stormwater" means any flow occurring during or following any form of natural precipitation and resulting therefrom.
54. "Street" means any public highway, road, street, avenue, alley, way, public place, public easement or right-of-way.
55. "Suspended solids" means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.
56. "Toxic pollutant" means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provision of CWA 307(a) or other acts.
- 56.1 "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
57. "User" means any person who contributes, causes or permits the contribution of wastewater into the district's sewerage system.
58. "Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof. (Ord. 79, §1, 1992: Ord. 78, §§1, 2, 3, 4, 1992: Ord. 74 §§2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 1991: Ord. 56 §1.2, 1982)

1.04.030 Abbreviations.

The following abbreviations shall have the designated meanings:

BOD	-	Biochemical oxygen demand
COD	-	Chemical oxygen demand
CFR	-	Code of Federal Regulations
EPA	-	Environmental Protection Agency
NPDES	-	National Pollutant Discharge Elimination System
POTW	-	Publicly owned treatment works
SWDA	-	Solid Waste Disposal Act, 42 U.S.C. 6901, et seq.
SIC	-	Standard Industrial Classification
TOC	-	Total organic carbon
USC	-	United States Code
TSS	-	Total suspended solids
mg/l	-	Milligrams per liter

(Ord. 74 §18, 1991; Ord. 56 §1.3, 1982)

1.04.040 Rules and regulations adopted.

The rules and regulations set out in this title respecting sewer construction and use, construction of sanitary sewer facilities, disposal of sewage and drainage of buildings and connection to the sewage works of the district are adopted, and all work in respect thereto shall be performed as required in this title and not otherwise. These regulations shall be subject to modification whenever necessary to meet new waste discharge requirements of any state or federal authority having jurisdiction in the establishment of any waste discharge requirements. (Ord. 56 §1.4, 1982)

1.04.050 Violation declared unlawful.

Following the effective date of the ordinance codified in this title, it is unlawful for any person to connect to, construct, install, alter or provide, maintain and use, any other means of sewage disposal from any building in the district except by connection to a public sewer in the manner provided in this title (Ord. 56 §1.7, 1982)

1.04.060 Relief on application.

- A. When any person, by reason of special circumstances, is of the opinion that any provision of this title is unjust or inequitable as applied to his premises, he may make written application to the board, stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises.

- B. If such application is approved, the board may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances. (Ord. 56 §1.8, 1982)

1.04.070 Relief on board's motion.

The board may, on its own motion, find that by reason of special circumstances any provision of this title should be suspended or modified as applied to a particular premises and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof. (Ord 56 §1.9, 1982)

1.04.080 Compliance required.

No public sewer, side sewer, building sewer, pretreatment facility or other sewerage facility shall be installed, altered or repaired within the district until a permit for the work has been obtained from the district and all fees paid in accordance with the requirements of this title, and rules and regulations of the district. (Ord. 56, §1.10, 1982)

1.04.090 Plumbing and sewers on private property.

The installation, use, maintenance, repair and inspection of all plumbing and sewers inside private property shall be subject to and governed by the Plumbing Ordinance of the city and county, now existing or as hereafter amended. (Ord. 56 §1.11, 1982)

1.04.100 Severability.

If any section, subsection, sentence, clause or phrase of this title or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this title or the application of such provisions to other persons or circumstances. The board declares that it would have passed the ordinance codified in this title or any section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional. (Ord 56 §12.3, 1982)

CHAPTER 1.08

USE OF PUBLIC SEWERS REQUIRED

Sections:

- 1.08.010** Disposal of wastes.
- 1.08.020** Treatment of waste required.
- 1.08.030** Unlawful disposal.
- 1.08.040** Compliance required prior to occupation.
- 1.08.050** Connection to public sewer required.
- 1.08.060** Transfer of sewer connection permit--Application.

1.08.010 Disposal of wastes.

It is unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the district, or in any area under the jurisdiction of the district, any human or animal excrement, garbage, or other objectionable waste. (Ord. 56 §2.1, 1982)

1.08.020 Treatment of waste required.

It is unlawful to discharge to any stream or watercourse any sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this title. (Ord. 56 §2.2, 1982)

1.08.030 Unlawful disposal.

Except as provided in this title, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage. (Ord. 56 §2.3, 1982)

1.08.040 Compliance required prior to occupation.

No building, industrial facility, or other structure shall be occupied until the owner of the premises has complied with all rules and regulations of the district and/or applicable regulations of the city and county. (Ord. 56 §2.4, 1982)

1.08.050 Connection to public sewer required.

The owner of any building situated within the district and abutting on any street in which there is now located or may in the future be located a public sewer of the district is required at his expense to connect the building directly with the proper public sewer, in accordance with the provisions of this title, within ninety days after date of official notice to do so, provided that such public sewer is within two hundred feet of the nearest point of the property. (Ord. 56 §2.5, 1982)

1.08.060 Transfer of sewer connection permit-- Application.

- A. Generally. This section shall apply to those certain sewer allocations and/or sewer connection permits that comply with the following:
1. The transfer of sewer connection permit shall not cause the increase flow and strength to existing wastewater treatment plant capacity;
 2. Approval and compliance with all city and county general plans, ordinances, resolutions and policies that have jurisdiction within the boundaries of the district.
- B. Applications Required--Time Limit. Transfer pursuant to this amendment is optional and shall only be allowed if application is made to the district in writing, executed by all owners of record of the building site, on a form prescribed by the district. The application shall be accompanied by a transfer fee in the sum of one hundred fifty dollars and a current title report indicating that all current taxes and all assessments appurtenant to the building site from which capacity is being transferred have been paid in full. This condition will require that assessments be fully paid, and not just that current installments be paid. The title report shall indicate the names and addresses of any lienholder on the building site from which capacity is being transferred. In addition, the applicant shall obtain signatures of approval of transfer of all lienholders whose liens have not been paid in full. The application form shall contain a hold harmless clause, wherein the person requesting transfer holds the district harmless from any liability occurring as a result of allowance of the transfer.
- C. Limitations on Sites Involved in Capacity Transfer.
1. Sewer permits transferred pursuant to this title may only be transferred to a building site in the identical ownership as the building site from which the sewer permit was transferred. Ownership shall be determined at the time of the transfer application. The person requesting transfer shall present documentary evidence of such ownership acceptable to the district's manager. The building site to which the sewer permit is transferred may be located within either the district, or town of Colma, or Westborough County Water District. The building site shall be credited with up to the same gallons per day of wastewater generated by the transferring property as determined by the district. Any excess gallons not required for the building site to which the sewer permit is transferred shall revert to North San Mateo County Sanitation District. It shall be acceptable for the building site to which the sewer permit is proposed to be transferred to be in escrow with transfer pending at the time of application, provided the applicant provides proof of such escrow and that the applicant provides the district with proof of recorded title.

2. In addition to subdivision 1 of this subsection, the building site from which the sewer permit is being transferred must have been in use within the twelve-month period prior to the application for transfer, (1) the abandoned building's sewer connection to the system must be made inoperable by removal of fixtures, plugging the connection, or other suitable means, and (b) the structure must be converted to another appropriate use not requiring sanitary sewer service or the structure must be demolished or removed from the site, returning the property to its natural condition. The transfer of sewer capacity by and between properties owned by public governmental agencies is exempt from the requirements and conditions of this subsection.
- D. **Limitations on Further Transfers.** Sewer permits transferred pursuant to this section may only be transferred once. Once transferred to the new building site, no further transfer shall be allowed to another site. If the wastewater treatment plant is at capacity, a sewer connection restriction shall be recorded on the property from which the sewer permit was transferred. The property shall not be granted a sewer permit until wastewater capacity is available. Sewer permits may not be transferred to a purchaser of the building site to which is attached prior to the completion of substantial work.
- E. **Substantial Work Defined.** "Substantial work" means and includes all of the following:
1. Foundation inspected and completed; and
 2. Subgrade completed; and
 3. Slash and debris removed; and
 4. Sewer inspected and installed to street later.
- F. **Joint Program.** It is declared that the intent of the district that the program implemented in this section be a joint program in conjunction with the town of Colma and Westborough County Water District, and that the program shall not be implemented in their jurisdictions unless or until such agencies adopt an ordinance with identical provisions, which ordinance is in full force and effect. Further, the transfer of sewer system capacity and related permitting authority by and between various governmental jurisdictions is specifically authorized upon approval by the district.
- G. **Restriction and Termination of Program.** Nothing in this section shall create any vested right in any applicant to a sewer connection permit. The district reserves the right to terminate the program or limit the number of transfers at any time. In accepting applications, the district is not representing that any specific amount of sewer capacity exists or that it can serve any specific number of uses at the time of application or at any time in the future.

H. Appeal. Decisions, actions, or interpretations of the district staff regarding this section may be appealed to the district board of directors. Such an appeal may be initiated by filing a written notice of appeal within ten working days of such decision, action or interpretation. Upon receipt of such an appeal, a hearing shall be set at the next regular meeting of the board of directors at which time is available. (Ord. 67 §1, 1987)

CHAPTER 1.12

PRIVATE SEWAGE DISPOSAL

Sections:

- 1.12.010** **Where public sewer is not available.**
- 1.12.020** **Permit required.**
- 1.12.030** **Inspection required.**
- 1.12.040** **Design requirements.**
- 1.12.050** **Abandonment of facilities.**
- 1.12.060** **Maintenance.**
- 1.12.070** **Additional requirements.**

1.12.010 Where public sewer is not available.

Where a public sewer is not available under the provisions of Section 1.08.050, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this title. (Ord. 56 §3.1, 1982)

1.12.020 Permit required.

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the district engineer and the health department of the city or county. (Ord. 56 §3.2, 1982)

1.12.030 Inspection required.

A permit for private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the district engineer and the city and/or county. The district, city and/or county shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the district, city and/or county when the work is ready for final inspection, and before any underground portions are covered. (Ord. 56 §3.3, 1982)

1.12.040 Design requirements.

The type, capacities, locations and layouts of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the state of California and the health department of the city and/or county. No septic tank or cesspool shall be permitted to discharge to any public sewer or any stream or watercourse. (Ord. 56 §3.4, 1982)

1.12.050 Abandonment of facilities.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 1.08.050, a direct connection shall be made to the public sewer in compliance with the ordinances, rules and regulations of the district, and any septic tanks, cesspools and similar private disposal facilities shall be abandoned and filled with suitable material as determined by the district engineer. (Ord. 56 §3.5, 1982)

1.12.060 Maintenance.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the district. (Ord. 56 §3.6, 1982)

1.12.070 Additional requirements.

No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by any law, ordinance, rule or regulation or by the district or Health Department of the state, city or county. (Ord. 56, §3.7, 1982)

CHAPTER 1.16

BUILDING SEWERS, LATERAL SEWERS AND CONNECTIONS

Sections:

- 1.16.010** Permit required.
- 1.16.020** Design and construction requirements.
- 1.16.030** Separate sewers required--Exceptions.
- 1.16.040** Old building sewers.
- 1.16.050** Cleanouts.
- 1.16.060** Lifting sewage by artificial means where sewer is too low.
- 1.16.070** Connection to public sewer.
- 1.16.080** Maintenance of side sewers.
- 1.16.090** Testing.

1.16.010 Permit required.

In accordance with Chapter 1.32 of this title, no person shall construct or alter a building sewer, lateral sewer, or make or alter a connection with any public sewer, without first obtaining a written permit from the district and paying all fees and connection charges as required in this title. (Ord. 56 §4.1, 1982)

1.16.020 Design and construction requirements.

Design and construction of building sewers and lateral sewers shall be made by a California-registered professional civil engineer in accordance with the requirements of the district and in accordance with district standard specifications. (Ord. 56 §4.2, 1982)

1.16.030 Separate sewers required--Exceptions.

- A. No two adjacent buildings fronting on the same street shall be permitted to join in the use of the same side sewer. Every building or industrial facility must be separately connected with a public sewer if such public sewer exists in the street upon which the property abuts or in an easement which will serve the property. However, one or more buildings located on property belonging to the same owner may be served with the same side sewer during the period of the ownership. Upon the subsequent subdivision and sale of a portion of the lot, the portion not directly connected to such public sewer shall be separately connected, in accordance with Chapter 1.28 of this title, to such public sewer and it is unlawful for the owner thereof to continue to use or maintain such indirect connection.
- B. Notwithstanding the provisions of this section, single-family residential units with common walls, condominiums, stock operatives, community apartments or other similar improvements which entitle owners of interests therein to occupy independent ownership interests and to make joint use of utility and other

services, which may be provided by facilities owned in a common, may, upon issuance of a permit authorizing such common use by the district manager, be permitted to maintain a common side sewer or sewers. (Ord. 56 §4.3, 1982)

1.16.040 Old building sewers.

Old building sewers may be used in connection with new buildings only when they are found, upon examination and test, to meet all requirements of the district. The applicant shall bear cost of the examination and test, in accordance with Chapter 1.32 of this title. (Ord. 56 §4.4, 1982)

1.16.050 Cleanouts.

Cleanouts in building sewers shall be provided at expense of the owner, in accordance with the city and/or county plumbing code, and the district standard specifications. All cleanouts shall be maintained by owner, watertight. (Ord. 56 §4.5, 1982)

1.16.060 Lifting sewage by artificial means where sewer is too low.

In all buildings in which, in the opinion of the district engineer, any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by artificial means approved by the district engineer, and discharged to the public sewer at the expense of the owner. (Ord. 56 §4.6, 1982)

1.16.070 Connection to public sewer.

The connection of the lateral sewer into the public sewer shall be made in accordance with district standard specifications and at the applicant's expense. The connection to the public sewer shall be made in the presence of a district direction. Any damage to the public sewer shall be repaired in conformance with district standard specifications at the cost of the applicant. (Ord. 56 §4.7, 1982)

1.16.080 Maintenance of side sewers.

Side sewers shall be maintained by the owner of the property served thereby. Where the side sewer provides service to single-family residential units with common walls, condominiums, stock cooperatives, community apartments or other similar improvements, the obligation to maintain the side sewer shall be in the homeowners' association or other entity responsible for the maintenance of the property and facilities owned in common. (Ord. 56 §4.8, 1982)

1.16.090 Testing.

All building sewers and lateral sewers shall be tested in accordance with district standard specifications. (Ord. 56 §4.9, 1982)

CHAPTER 1.20

PUBLIC SEWER CONSTRUCTION

Sections:

- 1.20.010 Permit required.
- 1.20.020 Design and construction standards.
- 1.20.030 Plans, profiles and specifications required.
- 1.20.040 Subdivisions.
- 1.20.050 Easements or rights-of-way.
- 1.20.060 Persons authorized to perform work.
- 1.20.070 Compliance with local regulations.
- 1.20.080 As-built drawings.
- 1.20.090 Completion of sewerage works required--Testing.
- 1.20.100 Reimbursement agreement.
- 1.20.110 Special reimbursement agreements.
- 1.20.120 Required improved sewer.

1.20.010 Permit required.

In accordance with Chapter 1.32 of this title, no person shall construct, extend or connect to any public sewer without first obtaining a written permit from the district and paying all fees and connection charges and furnishing bonds as required therein. The provision of this section requiring permits shall not be construed to apply to contractors constructing sewers and appurtenances under contracts awarded and entered into by the district. (Ord. 56 §5.1, 1982)

1.20.020 Design and construction.

Minimum standards for the design and construction of sewers within the district shall be in accordance with the district standard specifications heretofore adopted by the board. Copies are on file at the district office. The district manager, with the consent of the board, may permit modifications or may require higher standards where unusual conditions are encountered. (Ord. 56 §5.2, 1982)

1.20.030 Plans, profiles and specifications required.

The application for a permit for public sewer construction shall be accompanied by three complete sets of plans, profiles and specifications, complying with all applicable ordinances, rules and regulations of the district, prepared by a civile engineer registered in the state of California, showing all details of the proposed work based on the accurate survey of the ground. The application and fee, together with the plans, profiles and specifications, shall be examined by the district which shall, within twenty days, approve them as filed or require them to be modified as deemed necessary for proper installation. After examination by the district, the application, plans, profiles, and specifications shall be submitted to the board at its next regular meeting for its consideration. When the board is satisfied that the proposed work

is proper and the plans, profiles and specifications are sufficient and correct, it shall order the issuance of a permit predicated upon the payment of all connection charges, fees, and furnishing bonds and deposits as required by the district. The permit shall prescribe such terms and conditions as the board finds necessary in the public interest. (Ord. 56 §5.3, 1982)

1.20.040 Subdivisions.

The requirements of Sections 1.20.010 and 1.20.020 of this chapter shall be fully complied with before any final subdivision map shall be approved by the board. The final subdivision map shall provide for the dedication for public use of streets, easements or rights-of-way in which public sewer lines are to be constructed. If a final subdivision map of a tract is recorded and the work of constructing sewers to serve the tract is not completed within the time limit allowed in the permit, the board may extend the time limit or may complete the work and take appropriate steps to enforce the provisions of the bond furnished by the subdivider. (Ord. 56 §5.4, 1982)

1.20.050 Easements or rights-of-way.

In the event that an easement is required for the extension of a public sewer or the making of connections, the applicant shall procure and have accepted by the board a proper easement or grant of right-of-way having a minimum width of ten feet sufficient in length to allow the laying and maintenance of such extension or connection. (Ord. 56 §5.5, 1982)

1.20.060 Persons authorized to perform work.

Only properly licensed contractors shall be authorized to perform the work of public sewer construction within the district. All terms and conditions of the permit issued by the district to the applicant shall be binding on the contractor. The requirements of this section shall apply to side sewers installed concurrently with public sewer construction. (Ord. 56 §5.6, 1982)

1.20.070 Compliance with local regulations.

Any person constructing a sewer within a street shall comply with all state, county or city laws, ordinances, rules and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof, and shall obtain all permits and pay all fees required by the department having jurisdiction prior to the issuance of a permit by the district. (Ord. 56 §5.7, 1982)

1.20.080 As-built drawings.

As a condition of final acceptance by the district, three sets of as-built drawings showing the actual locations of all mains, structures, wyes, laterals, and other changes to the construction drawings, shall be filed with the district. (Ord. 56 §5.8, 1982)

1.20.090 Completion of sewerage works required--Testing.

Before acceptance of any sewerage works by the district and prior to the admission of any sewage into the system, the sewerage works shall be tested and shall be complete, in full compliance with all requirements of the district standard specifications and to the satisfaction of the district manager. (Ord. 56 §5.9, 1982)

1.20.100 Reimbursement agreement.

Where the cost of the public sewer main extension has been deposited or paid by the person making such extension, the district may thereafter, but not for longer than ten years after the date such extension is originally connected to the district's sewerage system, collect from any person connecting to such extension, except the person originally installing such extension, that fraction of the cost of such extension, as approved by the district, as the number of recorded parcels owned by such person subsequently connecting to such extension bears to the total number of recorded parcels held by potential users along the extension, as determined by the district as of the time the extension is connected to the district's sewer system. Such sums as are thus actually received by the district shall be paid by the district to the person originally making such extension, but the district shall in no way be obligated to assure that the person making such extension is paid the total cost thereof, nor obligated to initiate any action nor incur any expense to collect any sum to be paid such person; nor shall such refund be made from any other revenues of the district. Where more than one person contributes toward the making of the extension, such sums as are actually collected shall be refunded to such persons, pro rata, according to the amounts which they severally contribute toward the cost of the extension and pursuant to the preceding plan. (Ord. 56 §5.10, 1982)

1.20.110 Special reimbursement agreements.

Where special conditions exist, in the opinion of the district, relating to any agreement pursuant to Section 1.20.100, they shall be the subject of a special contract between the district and the person making the public sewer main extension. (Ord. 56 §5.11, 1982)

1.20.120 Required improved sewer.

When a subdivision or other development is proposed in an area where existing sewer is inadequate in size and/or design to accommodate additional sewerage from such subdivision or development, the applicant shall be required to bear the costs for the construction of the required improved service or services. The reimbursement agreement as set forth in Section 1.20.100 may be considered by the district. (Ord. 56 §5.12, 1982)

CHAPTER 1.24

USE OF PUBLIC SEWERS

Sections:

- 1.24.010 Prohibited infiltration/inflow discharges.**
- 1.24.020 Prohibited discharges.**
- 1.24.030 Discharges that may be prohibited by district engineer.**
- 1.24.040 Acceptance of deleterious wastes.**
- 1.24.050 Maintenance of pretreatment facilities.**
- 1.24.060 Interceptors--required.**
- 1.24.070 Interceptors--maintenance.**
- 1.24.080 Control manholes.**
- 1.24.090 Measurements and tests.**
- 1.24.100 Special agreements.**
- 1.24.110 Swimming pools.**
- 1.24.120 Plumbing fixtures.**

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1.24.010 Prohibited infiltration/inflow discharges.

No leaders from roofs, surface drains for rainwater or storm sewers shall be connected to any sanitary sewer. No surface or storm water, seepage, cooling water or unpolluted industrial process waters shall be permitted to enter any sanitary sewer by any device or method whatsoever. The provisions of this section relating to surface or storm water shall not apply to those portions of the district which are served by combined sewers except in the following cases: in case of new construction, and/or alterations of such type that the city of Daly City requires the entire structure be brought up to code, roof leaders and surface drains shall be connected to curb side.

(Ord. 56 §6.1, 1982)

1.24.020 Prohibited discharges.

No person shall discharge or cause to be discharged any of the following pollutants to any public sewer, whether sanitary or combined, which cause Pass Through or Interference:

1. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the sewerage works or to the operation of the wastewater treatment process. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides. Pollutants which create a fire or explosion hazard including wastestreams with a closed up

- flash point of less than 140°F (60°C) (using the test methods specified in 40 CFR 261.21) are also prohibited. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the district resulting in Interference are prohibited;
2. Any waste containing toxic or poisonous solids, liquids or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans, or create a public nuisance. Discharges that result in toxic gases, fumes or vapors in a quantity capable of causing worker health and safety problems;
 3. Any waste having a pH lower than 5.5 or high than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the district; pollutants which will cause corrosive structural damage to the district, but in no case discharges with pH lower than 5.0, unless the works is specifically designed to accommodate such discharges;
 4. Solids or viscous pollutants in quantities or of such size capable of causing obstruction to the flow in the POTW resulting in Interference with the proper operation of the sewerage works, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, paper dishes, cups, containers, etc., either whole or ground by garbage grinders;
 5. Heat dischargers in amounts which will inhibit biological activity in the district resulting in Interference, but in no case heat in such quantities that the temperature at the POTW exceeds 40°C (104°F) unless the Approval Authority, upon request, approves alternate temperature limits;
 6. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits set by the district manager in compliance with state or federal regulations;
 7. Petroleum oil, nonbiodegradable cutting oil, or products of mineral origin in amounts that cause Interference or Pass Through are prohibited;
 8. Discharge of trucked or hauled wastes to sanitary sewers except at points designated by the Control Authority;
 9. Any pollutant, including oxygen demanding pollutants, (BOD, etc.) released in a Discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW;
 10. Liquid wastes from: (1) septic tank pumpings; (2) chemical toilet wastes; and (3) pleasure boat wastes;

11. Any discharge alone or in conjunction with other discharges which may cause the district's effluent or any other product of the district such as residues, sludges or scums to be unsuitable for reclamation and reuse or which will cause the district to violate its NPDES permit including wastewater containing in excess of:

Ammonia	40.0 mg/1
Arsenic	0.31 mg/1
Cadmium	0.20 mg/1
Total chromium	1.64 mg/1
Copper	1.12 mg/1
Cyanide	0.32 mg/1
Lead	0.79 mg/1
Mercury	0.01 mg/1
Nickel	0.90 mg/1
Silver	0.60 mg/1
Zinc	2.00 mg/1
Phenols	19.37 mg/1

(Ord. 78 §5, 1992: Ord. 56 §6.2, 1982)

1.24.030 Discharges that may be prohibited by district engineer.

In no case will a Federally mandated prohibition be altered to be less stringent (e.g. 40 CFR 403.5(b)). No person shall discharge or cause to be discharged the following described substances, materials, or wastes if it appears likely in the opinion of the district engineer that such wastes may harm either the sewers, sewage treatment process or equipment, or can endanger personnel or property or create a public nuisance. In forming an opinion as to the acceptability of these wastes, the district engineer will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewer to which they discharge, sewer material, treatment process, treatment plant capacity and other pertinent factors. The substances so subject to prohibition include, but are not limited to:

1. Any water or waste which may contain more than 100 milligrams per liter of fat, oil or grease;
2. Any garbage that has not been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension;
3. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials in the POTW;
4. Liquid wastes that have been collected and held in tanks or containers shall not be discharged into the sewerage system unless first approved in writing by the district engineer, including payment of processing charges as set forth in Chapter 1.32. Wastes of this category include but are not limited to:

- (1) industrial wastes collected in containers or tanks;
 - (2) oils and grease; and
 - (3) any other material, not classified as residential sewage, including chemicals and other materials stored on the premises of the user which might, directly or indirectly, enter the district sewer, accidentally or otherwise.
5. Any wastes containing phenols or other taste or odor producing substances in concentrations exceeding limits which may be established by the district engineer;
6. Materials which exert or cause:
- a. Unusual concentrations of inert suspended solids;
 - b. Excessive discoloration;
 - c. Unusual biochemical oxygen demand (BOD), chemical oxygen demand (COD) or chlorine requirements in such quantities as to constitute a significant load on the POTW;
 - d. Unusual volume of flow or slugs. As used in this section, "slug" means any discharge of water, sewage or waste which in concentration of any given constituent, or in quantity of flow, exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four-hour concentration or flow during normal operation.
7. A Significant Industrial User may, upon direction of the district, be required to provide a slug and spill control plan. If the district determines that such plan is needed, the plan shall include but not limited to, the following information:
- a. Description of discharge practices including non-routine batch discharge,
 - b. Description of stored materials,
 - c. Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition under 40 CFR 403.5(B), with procedures for follow-up written notification within five (5) days,
 - d. Procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response. (Ord. 78 (part) §6, 1992: Ord. 56 §6.3, 1982)

1.24.040 Acceptance of deleterious wastes.

- A. If any wastes containing the characteristics listed in Section 1.24.020 or 1.24.030, which in the judgement of the district engineer may have a deleterious effect upon the sewerage works, process, equipment, or receiving water, is to be discharged to a public sewer, the district engineer may do one or more of the following:
1. Require a pretreatment to an acceptable condition prior to discharging to a public sewer;
 2. Require control over the quantities and rates of discharge;
 3. Require payment, in an amount established by the board, to cover the added cost of handling and treating the wastes.
- B. If the district engineer requires pretreatment or equalization of flow, the design and installation of the plans and equipment shall be subject to the review and approval of the district, and in accordance with applicable sections of Chapter 1.28, and no construction of such facilities shall commence until such approval is obtained in writing. (Ord. 56 §6.4, 1982)

1.24.050 Maintenance of pretreatment facilities.

Where pretreatment or flow equalization facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense and to the satisfaction of the district, in accordance with Chapter 1.28. (Ord. 56 §6.5, 1982)

1.24.060 Interceptors--Required.

Grease, oil and sand interceptors shall be provided at the owner's expense when, in the opinion of the district engineer, they are necessary for the proper handling of liquid wastes, containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for buildings used for residential purposes. All interceptors shall be of a type and capacity approved by the district engineer, and shall be so located as to be readily and easily accessible for cleaning and inspection. (Ord. 56 §6.6, 1982)

1.24.070 Interceptors--Maintenance.

All grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. (Ord. 56 §6.7, 1982)

1.24.080 Control manholes.

When required by the district engineer, the owner of any property served by the side sewer carrying industrial wastes shall install a suitable control manhole in the side sewer to facilitate observation, sampling and measurement of wastes. Such manhole shall be installed in a safe and accessible location, and shall be constructed in accordance with plans approved

by the district engineer. 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, in accordance with Chapter 1.28. (Ord. 56 §6.8, 1982)

1.24.090 Measurements and tests.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this title shall be performed in accordance with procedures established by the Regional Administrator pursuant to Section 305(h) of the Act and contained in 40 CFR Part 136 and amendments thereto or with any other test procedures approved by the Regional Administrator (Section 136.4 and 135.5). Sampling shall be performed in accordance with the techniques approved by the Regional Administrator. Where 40 CFR Part 136 does not include sampling or analytical techniques for the pollutants in question or where the Regional Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other sampling and analytical procedures, including procedures suggested by the POTW or other parties, approved by the Regional Administrator. (Ord. 78 §7, 1992: Ord. 56 §6.9, 1982)

1.24.100 Special agreements.

With the exception of provisions needed to meet federal and state of California requirements for discharge to public sewers, 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 and subject to such terms and conditions as might be required by the district. (Ord. 56 §6.10, 1982)

1.24.110 Swimming pools.

It shall be allowable for any person to discharge the contents of a swimming pool into a sanitary sewer, with the following provisions:

1. Filter backwash water will be wasted via an air gap to the sanitary sewer;
2. A sump will be provided which is large enough to handle the anticipated flow;
3. A backflow preventer will be installed so as to prevent contaminated water from flowing back into the swimming pool;
4. The owner shall notify the North San Mateo County Sanitation District in advance of the discharging of the water so that the district inspector will be present during the operation. (Ord. 69 §3, 1987: Ord. 56 §6.11, 1982)

1.24.120 Plumbing fixtures.

Construction of new residential and commercial uses shall contain low-flow plumbing fixture units as approved by the district. Any modification to existing uses shall include installation of low-flow plumbing fixture units as approved by the district. (Ord. 78 §8, 1992; Ord. 56 §6.12, 1982)

CHAPTER 1.28

INDUSTRIAL DISCHARGERS

Sections:

1.28.001	Legal authority.
1.28.010	Use of public sewers.
1.28.020	Federal categorical pretreatment standards.
1.28.030	Federal categorical pretreatment standards--modification
1.28.040	State requirements.
1.28.050	Right of revision.
1.28.060	Excessive discharge.
1.28.065	Emergency notice.
1.28.070	Written notice.
1.28.080	Notice to employees.
1.28.090	Fees and charges.
1.28.100	Industrial wastewater discharge permit.
1.28.105	Confidentiality.
1.28.110	Permit--application.
1.28.120	Permit--modifications.
1.28.130	Permit--conditions.
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1.28.001 Legal authority.

The district shall have the authority to:

- A. Deny or condition 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;
- B. Require compliance with applicable Pretreatment Standards and Requirements by Industrial Users including requiring the development of a compliance schedule by each Industrial User as may be required in Section 1.28.145, and submission of all notices and self-monitoring reports as may be required by Section 1.28.150.

- C. Control through permit, order or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards or Requirements;
- D. Allow POTW representatives to enter any premises of any Industrial User in which a Discharge source or pretreatment system is located or in which records are required to be kept to assure compliance with Pretreatment Standards. Such Authority shall be at least as extensive as the authority provided under Section 308 of the Act;
- E. Carry out all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by Industrial Users, the compliance or noncompliance with applicable Pretreatment Standards and Requirements by Industrial Users;
- F. Immediately following informal notice to discharge, halt or prevent any discharge of pollutants to the POTW which reasonably appears to present an imminent endangerment to the health or welfare of persons;
- G. Halt or prevent any Discharge to the POTW which presents or may present an endangerment to the environment or which threatens to interfere with the operation of the POTW: The POTW can avail itself of such authority only after the affected Industrial Users have been given notice and an opportunity to respond.
- H. Obtain remedies for noncompliance by any Industrial User of any Pretreatment Standards and Requirements. Pretreatment Standards and Requirements which will be enforced through the remedies contained in this subsection shall include but will not be limited to, the duty to allow or carry out inspections, entry or monitoring activities; any rules, regulations, or orders issued by POTW; or any reporting requirements imposed by POTW or these regulations. Said remedies shall include but will not be limited to the following:
 - 1. Seek injunctive relief for violation of Pretreatment Standards and Requirements by Industrial users; and
 - 2. Seek or assess civil or criminal penalties in at least the amount of \$1,000.00 per day for each violation by Industrial Users of Pretreatment Standards and Requirements. (Ord. 74 §19, 1991)

1.28.010 Use of public sewers.

When the district manager determines that a user(s) is contributing to the district any of the substances enumerated in Chapter 1.24 in such amounts as to interfere with the operation of the sewage system, the district manager shall: (a) advise the user of the impact of the contribution on the sewage system and (b) develop effluent limitation(s) for such user to correct the interference with the sewage system. (Ord. 56 §7.1, 1982)

1.28.020 Federal categorical pretreatment standards.

The National categorical pretreatment standards, located in 40 CFR Chapter I, Subchapter N, Parts 405-471, are hereby incorporated into this code. Upon the official announcement of the federal categorical pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this title for sources in that subcategory, shall immediately supersede the limitations imposed under this title. The district manager shall notify all affected users of the applicable reporting requirements under 40 CFR Part 403.12. Permits will be modified as soon as possible (e.g. ninety (90) days) subsequent to a change in Federal standards. (Ord. 78 §9, 1992; Ord. 56 §7.2, 1982)

1.28.030 Federal categorical pretreatment standards--Modification.

Where the district's wastewater treatment system achieves consistent removal of pollutants limited by federal pretreatment standards, the district may apply to the EPA (with a copy to the regional board) for modification of specific limits in the federal pretreatment standards. "Consistent removal" means reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic harmless state in the effluent which is achieved by the system in ninety-five percent of the samples taken when measured according to the procedures set forth in Section 403.7(c)(2) of "General Pretreatment Regulations for Existing and New Sources of Pollution" (Title 40 of the Code of Federal Regulations, Part 403) published pursuant to the Act. The district may then modify pollutant discharge limits in the federal pretreatment standards if the requirements contained in 40 CFR, Part 403, Section 403.7, are fulfilled and prior approval from the EPA is obtained. (Ord. 56 §7.3, 1982)

1.28.040 State requirements.

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this title. (Ord. 56 §7.4, 1982)

1.28.050 Right of revision.

The district reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Section 1.04.010 of this title. (Ord. 56 §7.5, 1982)

1.28.060 Dilution prohibited as substitute for treatment.

Except where expressly authorized to do so by an applicable Pretreatment Standard or Requirement, no Industrial User shall ever increase the use of process water, or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard or Requirement. The Control Authority may impose mass limitations on Industrial Users which are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass

limitations is appropriate. (Ord. 78 §10, 1992: Ord. 56 §7.6, 1982)

1.28.065 Emergency Notice.

Immediately upon a discharge or hazardous discharge, User is to immediately notify the POTW and advise of the date, time, type and quantity of material discharged, and available control as applicable. (Ord. 74 §20, 1991)

1.28.070 Written notice.

- A. Within five (5) days following any slug load or accidental discharge, the user shall submit to the district manager a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the district. fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this chapter or other applicable law.
- B. If sampling performed by an Industrial User indicates a violation, the user shall notify the Control Authority within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the report analysis to the Control Authority within thirty (30) days after becoming aware of the violation.
- C. Control Authority may perform sampling at the Industrial User's site at a frequency of at least once per month, or perform sampling at the user's site between the time when the user performs its initial sampling and the time when the user receives the results of this sampling.
- D. The Industrial User shall notify the POTW, the EPA Regional Waste Management Division Director and the State hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number and the type of discharge (continuous bath, or other).
- E. All reports, notice of violations, resampling requirements shall be submitted as required in 40 CFR 403.12. (Ord. 78 §11, 1992: Ord. 56 §7.7, 1982)

1.28.080 Notice to employees.

A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure. (Ord. 56 §7.8, 1982)

1.28.090 Fees and charges.

It is the purpose of this section to provide for the recovery costs from industrial users of the district's wastewater treatment and collection disposal system for the implementation of the program established herein including the following items:

1. Fees for reimbursement of costs of setting up and operating the district's pretreatment program;
2. Fees for monitoring, inspections and surveillance procedures;
3. Fees for permit applications;
4. Fees for consistent removal (by the district) of pollutants otherwise subject to federal pretreatment standards;
5. Other fees as the district may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this section, and are separate from all other fees chargeable by the district. The fees will be determined by the district manager based on the cost of the items set out in this section. (Ord. 56 §7.9, 1982)

1.28.100 Industrial wastewater discharge permit.

In addition to any other requirements of this title, all significant users proposing to connect to or contribute to the district sewerage works shall obtain an industrial wastewater discharge permit before connection. (Ord. 56 § 7.10, 1982)

1.28.105 Confidentiality.

Any information submitted to the EPA or the district manager pursuant to 40 CFR Part 2 (Public Information) may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application for or instructions or, in the case of other submissions, by stamping the words 'confidential business information' on each page containing such information. If no claim is made at the time of submission, the EPA or the district manager may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR Part 2 (Public Information).

- A. Effluent data. Information and data provided to the district manager pursuant to this Section which is effluent data shall be available to the public without restriction.
- B. State or POTW. All other information which is submitted to the State or POTW shall be available to the public at least to the extent provided by 40 CFR 2.302. (Ord. 78 §12, 1992; Ord. 74 §21, 1991)

1.28.110 Permit--application.

- A. Users required to obtain an industrial wastewater discharge permit shall complete and file with the district an application containing the following information:
1. Name, address, and location (if different from the address);
 2. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
 3. Wastewater constituents and characteristics including but not limited to those mentioned in Chapter 1.24;
 4. Time and duration of contribution;
 5. Average daily and three-minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any;
 6. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation;
 7. Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
 8. Where known, the nature and concentration of any pollutants in the discharge which are limited by the district;
 9. If additional pretreatment and/or O&M will be required to meet the pretreatment standards;
 10. Each product produced by type, amount, process or processes and rate of production;
 11. Type and amount of raw materials processed (average and maximum per day);
 12. Number and type of employees, and hour of operation of plant and proposed or actual hours of operation of pretreatment system;
 13. Any other information as may be deemed by the district to be necessary to evaluate the permit application.
- B. The district will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the district may issue an industrial wastewater contribution permit subject to terms and conditions provided in this chapter. (Ord. 56 §7.11, 1982)

1.28.120 Permit-modifications.

As required by the Clean Water Act, the industrial wastewater contribution permit of Users subject to National Categorical Pretreatment Standards, shall be revised to require compliance of such standard. Where a User, subject to a National Categorical Pretreatment Standard has not previously submitted an application for a wastewater contribution permit as required by Section 1.28.110, the User shall apply for a wastewater contribution permit within ninety (90) days of the publication of the applicable National Categorical Pretreatment Standard. In addition, the User with an existing wastewater contribution permit shall submit to the district manager within ninety (90) days after the publication of an applicable Federal Categorical Pretreatment Standard the information required by subsections (A)(8) and (9) of Section 1.28.110. (Ord. 78 §13, 1992; Ord. 74 §22, 1991; Ord. 56 §7.12, 1982)

1.28.130 Permit-conditions.

Industrial wastewater discharge permits shall be expressly subject to all provisions of this title and all other applicable regulations, user charges and fees established by the district. Permits will be issued for a period of no more than five (5) years. (Ord. 78 §14, 1992; Ord. 56 §7.13, 1982)

1.28.140 Permit-- transfer.

Industrial wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the district. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit. (Ord. 56 §7.14, 1982)

1.28.142 Incorporation of federal reporting requirements.

The Federal reporting requirements, found at 40 CFR 403.12, are hereby incorporated into this code. (Ord. 78 §15, 1992)

1.28.145 Requirements for the development of compliance.

The district shall require (A) the development of a compliance schedule by each Industrial User for the installation of technology required to meet applicable Pretreatment Standards and Requirements and (B) the submission of all notices and self-monitoring reports from Industrial Users as are necessary to assess and assure compliance by Industrial Users with Pretreatment Standards and Requirements including but not limited to the reports required in 40 CFR, Part 403.12.

- A. Existing Industrial Users subject to such categorical Pretreatment Standards and currently discharging to or scheduled to discharge to the district shall be required to submit to the district manager a report within one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or one hundred eighty (180) days after the final administrative decisions made upon a category determination submission under Section 40 CFR, Part 403.6(a)(4), whichever is later which contains:

1. **Identifying Information.** The User shall submit the name and address of the facility including the name of the operator and owners;
2. **Permits.** The User shall submit a list of any environmental control permits held by or for the facility;
3. **Description of Operations.** The User shall submit a brief description of the nature, average rate of production and Standard Industrial classification of the operations carried out by such Industrial User. This description should include a schematic process diagram which indicates points of Discharge to the POTW from the regulated processes.
4. **Flow measurement.** The User shall submit information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
 - a. Regulated process streams; and
 - b. Other streams as necessary to allow use of the combined wastestream formula of 40 CFR, Part 403.6(e). The district manager may allow for verifiable estimates of these flows where justified by cost or feasibility considerations.
5. **Measurement of Pollutants.**
 - a. The User shall identify the Pretreatment Standards applicable to each regulated process.
 - b. In addition, the User shall submit the results of sampling and analysis identifying the nature and concentration (or mass, where required by the Standard or district manager) of regulated pollutants in the Discharge from each regulated process. Both daily maximum and average concentration (or mass, where required) shall be reported. The sample shall be representative of daily operations;
 - c. A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organics. For all other pollutants, 24-hour composite samples must be obtained through flow proportional composite sampling techniques where feasible. The district manager may waive flow-proportional composite sampling for any Industrial User that demonstrates that flow proportional sampling is infeasible. In such cases, sample may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the User demonstrates that this will provide a representative sample of the effluent being discharged.
 - d. The User shall take a minimum of one (1) representative sample

to compile that data necessary to comply with the requirements of this paragraph.

- e. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to the pretreatment, the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula of 40 CFR, Part 403.6(e) in order to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR, Part 403.6(e) this adjusted limit along with supporting data shall be submitted to the district manager.
 - f. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question or where the Regional Administrator determines that the 40 CFR Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the POTW or other parties, approved by the Regional Administrator.
 - g. The district manager may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
 - h. The baseline report shall indicate the time, date and place of sampling, and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW,
6. Certification. A Statement reviewed by an authorized representative of the Industrial Users and certified by a qualified professional indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O and M) and/or additional pretreatment is required for the Industrial User to meet the Pretreatment Standards and Requirements.
7. Compliance schedule. If additional pretreatment and/or O and M will be required to meet the Pretreatment Standards, the shortest schedule by which the Industrial user will provide such additional pretreatment and/or O and M. The completion date in this schedule shall not be later than the compliance date established for applicable Pretreatment Standard.

- a. Where the Industrial User's Categorical Pretreatment Standard has been modified by a removal allowance, the combined wastestream formula and/or a Fundamentally Different Factors variance (40 CFR, Part 403.13) at the time the User submits the report required by paragraph A of this Section, the information required by paragraphs A6 and A7 of this section shall pertain to the modified limits.
 - b. If the Categorical Pretreatment Standard is modified by a removal allowance the combined wastestream formula and/or a Fundamentally Different Factors variance after the User submits the report required by paragraph A of this section, any necessary amendments to the information requested by paragraphs A6 and 7 of this section shall be submitted by the User to the district manager within sixty (60) days after the modified limit is approved.
- B. **New Sources.** At least ninety (90) days prior to commencement of Discharge, New Sources and Sources that become Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall be required to submit to the district manager a report which contains the following information:
1. **Identifying Information.** The User shall submit the name and address of the facility including the name of the operator and owners;
 2. **Permits.** The User shall submit a list of any environmental control permits held by or for the facility;
 3. **Description of Operations.** The User shall submit a brief description of the nature, average rate of production and Standard Industrial classification of the operations carried out by such Industrial User. This description should include a schematic process diagram which indicates points of Discharge to the POTW from the regulated processes.
 4. **Flow measurement.** The User shall submit information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
 - a. Regulated process streams; and
 - b. Other streams as necessary to allow use of the combined wastestream formula of CFR 40, Part 403.6(e). The district manager may allow for verifiable estimates of these flows where justified by cost or feasibility considerations.
 5. **Measurement of Pollutants.**

- a. The User shall identify the Pretreatment Standards applicable to each regulated process.
- b. In addition, the User shall submit the results of sampling and analysis identifying the nature and concentration (or mass, where required by the Standard or district manager) of regulated pollutants in the Discharge from each regulated process. Both daily maximum and average concentration (or mass, where required) shall be reported. The sample shall be representative of daily operations.
- c. A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organics. For all other pollutants, 24-hour composite samples must be obtained through flow proportional composite sampling techniques where feasible. The district manager may waive flow-proportional composite sampling for any Industrial User that demonstrates that flow proportional sampling is infeasible. In such cases, sample may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the User demonstrates that this will provide a representative sample of the effluent being discharged.
- d. The User shall take a minimum of one (1) representative sample to compile that data necessary to comply with the requirements of this paragraph.
- e. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to the pretreatment, the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula of 40 CFR, Part 403.6(e) in order to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR, Part 403.6(e) this adjusted limit along with supporting data shall be submitted to the district manager.
- f. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question or where the Regional Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question sampling and analysis shall be performed by using

validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the POTW or other parties, approved by the Regional Administrator.

- g. The district manager may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
 - h. The baseline report shall indicate the time, date and place of sampling, and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW,
- C. New Sources shall also be required to include in this report information on the method of pretreatment the Source intends to use to meet applicable Pretreatment Standards. New Sources shall give estimates of the information requested in paragraphs B4 and B5 of this Section. (Ord. 74 §23, 1991)

1.28.150 Reporting requirements from permittee.

Reports from Significant Noncategorical Industrial Users shall be submitted to the Contract Authority at least once every six months (January 1 and July 1 of each calendar year). Reports will give a description of the nature, concentration, and flow of pollutants. These reports shall be based on sampling and analysis performed in the period covered by the report and performed in accordance with the techniques described in 40 CFR, Part 136 and amendments thereto. Reports are required as identified in 40 CFR 403.12 of all industrial permittees including but not limited to the following items:

- A. Compliance Data Report. Within ninety days following the date for final compliance with applicable pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the sewerage works, any industrial user subject to pretreatment standards and requirements shall submit to the district manager a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such pretreatment standards and requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, to bring the user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user, and certified to be a qualified professional.
- B. Compliance Schedule Progress Reports. Progress reports shall be submitted not later than fourteen (14) days of a milestone in the compliance schedule and within fourteen (14) days of the final day for compliance. Progress Reports

must be submitted to the POTW indicating whether or not the milestone or final compliance date was met and, if not, when compliance with that increment of progress is expected, the reason for delay, and the steps being taken by the Industrial User to return the construction to the schedule established.

- C. Periodic Compliance Reports. Any user subject to a pretreatment standard after the compliance date of such pretreatment standard, or, in the case of a new source, after commencement of the discharge into the sewerage works, shall submit at least every six (6) months compliance reports to the district manager as outlined in the industrial wastewater discharge permit. The report shall indicate the nature and concentration of pollutants in the effluent which are limited by the permit and shall include the information required by Federal regulations.
- D. Notice of Potential Problems, including slug loading. All categorical and noncategorical Industrial Users shall notify the POTW immediately of all discharges that could cause problems to the POTW, including any slug loadings, as defined by 40 CFR 403.5(b), by the Industrial User.
- E. Monitoring and analysis to demonstrate continued compliance. All reports shall be submitted to the POTW and shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the Control Authority, of pollutants contained therein, which are limited by the applicable Pretreatment Standards.
- F. Notification of Changed Discharge. All Industrial Users shall promptly notify the POTW in advance of any substantial change in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the industrial User has submitted initial notification under 40 CFR 403.12 (p). (Ord. 78 §17, 1992: Ord. 78 §16, 1992: Ord. 74 §24, 1991: Ord. 56 §7.15, 1982)

1.28.152 Signatory Requirements for Industrial User Reports.

Reports required by paragraphs A and B of this Section shall include the certification statement as set forth in 40 CFR, Part 403.6(a)(2)(ii) and shall be signed as follows:

- 1. By a responsible corporate officer, if the Industrial User submitting the reports required by Section 1.28.150 is a corporation. For the purpose of this paragraph, a responsible corporate officer means
 - (a) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for this corporation, or

- (b) the manager of one or more manufacturing, production or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales of expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. By a general partner or proprietor, if the Industrial User submitting the reports required by Section 1.28.150 is a partnership or sole proprietorship respectively.
 3. By a duly authorized representative of the individual designated in paragraphs 1 and 2 of this section if:
 - a. The authorization is made in writing by the individual described in 1 and 2 of this Section;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
 - c. The written authorization is submitted to the Control Authority.
 4. If an authorization under paragraphs 1 and 3 of this Section is no longer accurate because of a different individual or position having responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraphs 1 and 3 of this Section must be submitted to the Control Authority prior to or together with any reports to be signed by an authorized representative. (Ord. 78 §18, 1992)

1.28.155 Certification.

All reports submitted to the EPA or the district manager shall be certified, as per 40 CFR, Part 403.6(a)(2)(ii). These reports are, but not limited to, Application for Permits, Baseline Monitoring Reports, Ninety Day Compliance Data Reports and Periodic Compliance Reports. (Ord. 74 §25, 1991)

1.28.160 Monitoring facilities.

- A. The district may require to be provided and operated at the industrial user's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. The

monitoring facility should normally be situated on the industrial user's premises, but the district may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed, with permission of the city or county, in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

- B. There shall be ample room in or near such sample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.
- C. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the district's requirements and all applicable local construction standards and specifications. (Ord. 56 §7.16, 1982)

1.28.170 Inspection and sampling.

The district may inspect the facilities of any User to ascertain whether the purpose of this title is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the district or their representative ready access for the purposes of inspection, sampling, records examination or in the performance of any of their duties, at least twice annually or more often as required by the Users' permit. The district, Regional Board and EPA shall have the right to set up on the User's property such devices as are necessary to conduct sampling inspection and copying, compliance monitoring and metering operations. Where a User has security measures enforced which would require proper identification and clearance before entry into their premises, the User shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the district, Regional Board and EPA will be permitted to enter without delay, for the purposes of performing their specific responsibilities. (Ord. 74 §26, 1991; Ord. 56 §7.17, 1982)

1.28.175 Recordkeeping requirements.

- A. Any Industrial User and the district shall maintain records of all information resulting from any monitoring activities required by this chapter. Such records shall include for all samples:
 - 1. The date, exact place, method and time of sampling and the names of the person or persons taking the samples;
 - 2. The dates analyses were performed;
 - 3. Who performed the analyses;
 - 4. The analytical techniques/methods used; and;
 - 5. The results of such analyses.

- B. Any Industrial User and the district shall be required to retain for a minimum of three (3) years any records of monitoring activities and results (whether or not such monitoring activities are required by this chapter) and shall make such records available for inspection and copying by the district manager and the Regional Administrator (and POTW in the case of an Industrial User). This period of retention shall be extended during the course of any unresolved litigation regarding the Industrial User or POTW or when requested by the district manager or the Regional Administrator.
- C. Any POTW to which reports are submitted by an Industrial User shall retain such reports for a minimum of three (3) years and shall make such reports available for inspection and copying by the district manager and the Regional Administrator. This period of retention shall be extended during the course of any unresolved litigation regarding the Discharge of pollutants by the Industrial Users or the operation of the POTW Pretreatment Program or when requested by the district manager or the Regional Administrator. (Ord. 74 §27, 1991)

1.28.180 Pretreatment.

- A. Users shall provide necessary wastewater treatment as required to comply with this title and shall achieve compliance with all federal categorical pretreatment standards within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the district shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the district for review and shall be acceptable to the district before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the district under the provisions of this title. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the district prior to the user's initiation of the changes.
- B. The district shall annually publish in the newspaper of largest circulation within the district, a list of those users which were in Significant Noncompliance at least once during the previous twelve (12) months.
- C. All records relating to compliance with pretreatment standards shall be made available to the public, officials of the EPA or regional board, upon request, consistent with the requirements of the Public Access Act (Government Code Sections 6250-6265). (Ord. 78 §19, 1992; Ord. 74 §28, 1991; Ord. 56 §7.18, 1982)

CHAPTER 1.30

ADMINISTRATIVE ENFORCEMENT REMEDIES

Sections:

1.30.010	Notification of violation.
1.30.020	Consent orders.
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1.30.040	Compliance order.
1.30.050	Cease and desist orders.
1.30.060	Administrative fines.
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1.30.080	Termination of permit.
1.30.100	Judicial remedies.
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1.30.120	Civil penalties.
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1.30.140	Performance bonds.
1.30.150	Water supply severance.
1.30.160	Public nuisances.
1.30.200	Treatment upsets.
1.30.210	Treatment bypasses.

1.30.010 Notification of violation.

Whenever the Control Authority finds that any industrial user has violated or is violating the district code, or a wastewater permit or order issued hereunder, the Control Authority or his agent may serve upon said user written notice of this violation. Within ten (10) days of the receipt date of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Control Authority. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation. (Ord. 79 §2 (part), 1992)

1.30.020 Consent orders.

The Control Authority is hereby empowered to enter into Consent Orders, assurances of voluntary compliance or other similar documents establishing an agreement with the industrial user responsible for the noncompliance. Such orders will include specific action to be taken by the industrial user to correct the noncompliance within a time period also specified by the order. Consent Orders shall have the same force and effect as administrative orders issued pursuant to Section 1.30.40 below. (Ord. 79 §2 (part), 1992)

1.30.030 Show cause hearing.

The Control Authority may order any industrial user which causes or contributes to violation of this Code or wastewater permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any principal executive, general partner or corporate officer. Whether or not a duly notified industrial user appears as noticed, immediate enforcement action may be pursued. (Ord. 79 §2 (part), 1992)

1.30.040 Compliance order.

When the Control Authority finds that an industrial user has violated or continues to violate the code or a permit or order issued thereunder, the Control Authority may issue an order to the industrial user responsible for the discharge directing that, following a specified time period, sewer service shall be discontinued unless adequate treatment facilities, devices, or other related appurtenances have been installed and are properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment technology, additional self-monitoring and management practices. (Ord. 79 §2 (part), 1992)

1.30.050 Cease and desist orders.

When the Control Authority finds that an industrial user has violated or continues to violate this Code or any permit or order issued hereunder, the Control Authority may issue an order to cease and desist all such violations and direct those persons in noncompliance to:

1. Immediately comply;
2. Take such appropriate remedial or preventative action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge. (Ord. 79 §2 (part), 1992)

1.30.060 Administrative fines.

Notwithstanding any other section of this code, any user who is found to have violated any provision of this code, or permit and orders issued hereunder, shall be fined in an amount not to exceed one thousand dollars (\$1,000.00) per violation. Each day on which noncompliance shall occur or continue shall be deemed a separate and distinct violation. Such assessments may be added to the users's next scheduled sewer service charge and the Control Authority shall have such other collection remedies as he has to collect other service charges. Unpaid charges, fines and penalties shall constitute a lien against the individual user's property. Industrial users desiring to dispute such fines must file a request for the Control Authority to reconsider the fine within ten (10) days of being notified of the fine. Where the

Control Authority believes a request has merit, the Control Authority shall convene a hearing on the matter within fifteen (15) days of receiving the request from the industrial user. (Ord. 79 §2 (part), 1992)

1.30.070 Emergency suspensions.

- A. The Control Authority may suspend the wastewater treatment service and/or wastewater permit of an industrial user whenever such suspension is necessary in order to stop an actual or threatened discharge presenting or causing an imminent or substantial endangerment to the health or welfare of persons, the POTW, or the environment.
- B. Any user notified of a suspension of the wastewater treatment service and/or the wastewater permit shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Control Authority shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Control Authority shall allow the user to recommence its discharge when the endangerment has passed unless the termination proceedings set forth in Section 1.30.080 are initiated against the user.
- C. An industrial user which is responsible, in whole or in part, for imminent endangerment shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the Control Authority prior to the date of hearing described in Section 1.30.030. (Ord. 79 §2 (part), 1992)

1.30.080 Termination of permit.

Significant industrial users proposing to discharge into the POTW, must first obtain a wastewater discharge permit from the Control Authority. Any user who violates the following conditions of the Code or a wastewater discharge permit or order, or any applicable or State and Federal law, is subject to permit termination:

- 1. Violation of permit conditions;
- 2. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- 3. Failure to report significant changes in operations or wastewater constituents and characteristics;
- 4. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring or sampling.

Noncompliant industrial users will be notified of the proposed termination of their wastewater permit and be offered an opportunity to show cause under Section 1.30.030 why the proposed action should not be taken. (Ord. 79 §2 (part), 1992)

1.30.100 Judicial remedies.

If any person discharges sewage, industrial wastes, or other wastes into the wastewater disposal system contrary to the provisions of the code or any order or permit, issued hereunder, the Control Authority, through the District Counsel, may commence an action for appropriate legal and/or equitable relief in the Superior Court for San Mateo County. (Ord. 79 §2 (part), 1992)

1.30.110 Injunctive relief.

Whenever an industrial user has violated or continues to violate the provisions of this code or permit or order issued hereunder, the Control Authority, through District Counsel may petition the Court for the issuance of a preliminary or permanent injunction or both, as may be appropriate, which restrains or compels the activities on the part of the industrial user. The Control Authority shall have such remedies to collect these fees as it has to collect other sewer service charges. (Ord. 79 §2 (part), 1992)

1.30.120 Civil penalties.

- A. Any industrial user who has violated or continues to violate this code or any order or permit issued hereunder, shall be liable to the Control Authority for a civil penalty of not more than \$10,000 but at least \$1,000 plus actual damages incurred by the POTW per violation per day for as long as the violation continues. In addition to the above described penalty and damages, the Control Authority may recover reasonable attorney fees, court costs and other expenses associated with the enforcement activities, including sampling and monitoring expenses.
- B. The Control Authority shall petition the Court to impose, assess and recover such sums. In determining amount of liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the industrial user's violation, corrective actions by the industrial user, the compliance history of the user, and any other fact as justice requires. (Ord. 79 §2 (part), 1992)

1.30.130 Criminal prosecution.

Violations – Generally

- A. Any industrial user who willfully or negligently violates any provision of this code or any order or permit issued hereunder shall, upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed \$1,000 per violation per day or imprisonment for not more than six (6) months or both.
- B. In the event of a second conviction, the user shall be punishable by a fine not to exceed \$3,000 per violation per day or imprisonment for not more than one

(1) year or both.

Falsifying Information

- A. Any industrial user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this code, or wastewater permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this code shall, upon conviction, be punished by a fine of not more than \$1,000 per violation per day or imprisonment for not more than six (6) months or both.
- B. In the event of a second conviction, the user shall be punishable by a fine not to exceed \$3,000 per violation per day or imprisonment for not more than one (1) year or both. (Ord. 79 §2 (part), 1992)

1.30.140 Performance bonds.

The Control Authority may decline to reissue a permit to any industrial user which as failed to comply with the provisions of the Code, or any order, or previous permit issued hereunder unless such user first files with it a satisfactory bond, payable to the District, in a sum not to exceed a value determined by the Control Authority to be necessary to achieve consistent compliance. (Ord. 79 §2 (part), 1992)

1.30.150 Water supply severance.

Whenever an industrial user has violated or continues to violate the provisions of this Code, or an order or permit issued hereunder, water service to the industrial user may be severed and service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply. (Ord. 79 §2 (part), 1992)

1.30.160 Public nuisances.

Any violation of the prohibitions or effluent limitations of this Code or permit or order issued hereunder is hereby declared a public nuisance and shall be corrected or abated as directed by the Control Authority or his agent. Any person(s) creating a public nuisance shall be subject to the provisions governing such nuisances, including reimbursing the POTW for any costs incurred in removing, abating or remedying such nuisance. (Ord. 79 §2 (part), 1992)

1.30.200 Treatment upsets.

- A. Any industrial user which experiences an upset in operations that places it in a temporary state of noncompliance which is not the result of operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation, shall inform the Control Authority immediately upon becoming aware of the upset. Where such

information is given orally, a written report shall be filed by the user within five (5) days. The report shall contain:

1. A description of the upset, its causes, and impact on the discharger's compliance status.
 2. The duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance is continuing, the time by which compliance is reasonably expected to be restored.
 3. All steps taken or planned to reduce, eliminate, and prevent recurrence of such an upset.
- B. An industrial user which complies with the notification provisions of this Section, in a timely manner, shall have an affirmative defense to any enforcement action brought by the Control Authority for noncompliance with this code, or an order to permit issued hereunder by the user, which arises out of violations attributable to and alleged to have occurred during the period of the documented and verified upset. (Ord. 79 §2 (part), 1992)

1.30.210 Treatment bypasses.

- A. A bypass of the treatment system is prohibited unless all of the following conditions are met:
1. The bypass was unavoidable to prevent loss of life, personal injury or severe property damage;
 2. There was no feasible alternative to the bypass, including the use of auxiliary treatment or retention of the wastewater; and
 3. The industrial user properly notified the Control Authority as described in paragraph B below.
- B. Industrial users must provide immediate notice to the Control Authority upon discovery of an unanticipated bypass. If necessary, the Control Authority may require the industrial user to submit a written report explaining the causes, nature and duration of the bypass, and the steps being taken to prevent its recurrence.
- C. An industrial user may allow a bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it is for essential maintenance to ensure efficient operation of the treatment system. Industrial users anticipating a bypass must submit notice to the Control Authority at least ten (10) days in advance. (Ord. 79 §2 (part), 1992)

CHAPTER 1.32

PERMITS AND FEES

Sections:

1.32.010	Permit--required.
1.32.020	Permit--application.
1.32.030	Compliance with permit.
1.32.040	Agreement.
1.32.050	Application for annexation.
1.32.060	Annexation--fees.
1.32.070	Fees--assessment connection charge.
1.32.080	Fees--building sewer connection charges.
1.32.090	Fees--Additional connection charges.
1.32.100	Fees--Condominium conversion charges.
1.32.110	Fees--Environmental Quality Act.
1.32.120	Fees--Industrial wastewater discharge permit.
1.32.130	Fees--Special connection charges.
1.32.140	Fees--Sewer service charges.
1.32.150	Delinquent accounts.
1.32.160	Performance guarantee--public sewer construction.
1.32.170	Inspection.
1.32.180	Notification.
1.32.190	Condemned work.
1.32.200	All costs paid by owner.
1.32.210	Street excavation permit.
1.32.220	Liability.
1.32.230	Time limit on permits.

1.32.010 Permit-- required.

No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenances or perform any work on any lateral building sewer without first obtaining a written connection permit from the district. No person shall contribute to the district any of the substances enumerated in Chapter 1.24 without first obtaining a written industrial wastewater discharge permit from the district. (Ord. 56 §8.1, 1982)

1.32.020 Permit--application.

- A. Any person legally entitled to apply for and receive a permit shall make such application on forms provided by the district for that purpose. He shall give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. The district manager shall require plans, specifications or drawings and such other information as he may deem necessary.

B. If the district manager determines that the plans, specifications, drawings, descriptions or information furnished by the applicant are in compliance with the ordinances, rules and regulations of the district, the district manager shall issue the permit applied for upon payment of the required fees. The permit issued shall be valid for a period not to exceed six months. The permit may be extended upon request by the applicant for a period not to exceed sixty days; thereafter, the permit shall become void and a new application must be submitted for the district's approval. (Ord. 56 §8.2, 1982)

1.32.030 Compliance with permit.

After approval of the application, evidenced by the issuance of a permit, no change shall be made in the location of the sewerage works, the grade, materials, or other details from those described in the permit or as shown on the plans and specifications for which the permit was issued, except with written permission from the district manager. (Ord. 56 §8.3, 1982)

1.32.040 Agreement.

The applicant's signature on the application for any permit shall constitute an agreement to comply with all of the provisions, terms and requirements of this title and other ordinances, rules and regulations of the district, and with the plans and specifications he has filed with his application, if any, together with such corrections or modifications as may be made or permitted by the district, if any. Such agreement shall be binding upon the applicant and may be altered only by the district upon the written request for the alteration by the applicant. (Ord. 56 §8.4, 1982)

1.32.050 Application for annexation.

A. Any person legally entitled to apply for, and granted, annexation to the district shall make application on forms provided by the district for that purpose.

B. The applicant shall provide a legal description of the property proposed for annexation along with a location map, ownership, existing and proposed use of the property in connection therewith. The district manager may require plans, specifications or drawings and such other information as he may deem necessary. (Ord. 56 §8.5, 1982)

1.32.060 Annexation--fees.

The owner of lands within areas proposed to be annexed to the district shall first make preliminary application on forms provided by the district, along with the preliminary fee as provided in Chapter 1.52. Subsequent to district review and approval of such preliminary application, the owner shall deposit with the district manager a sum to be fixed by the district manager prior to commencement of proceedings by the board on the proposed annexation. The amount to be fixed by the district manager shall be in a sum estimated to equal the engineering, legal and publication costs, and all other charges which may be incurred by the district in preparing and examining maps, legal descriptions and other documents in relation thereto, and other expenses regularly incurred in connection therewith. Should the amount of

the deposit exceed the costs incurred by the district, the excess shall be refunded to the owner or owners following the conclusion of the final hearing on the proposed annexation. Should the amount of the deposit be insufficient to pay such costs incurred by the district, the owner or owners shall advance such additional sums as shall be necessary to pay the costs prior to the final hearing on the proposed annexation. In addition, the owner shall bear the expense of any filing fees, or other fees, required by the local agency formation commission or other state or local agency having jurisdiction over the annexation. (Ord. 56 §8.6, 1982)

1.32.070 Fees--assessment connection charge.

For any unit or lot, or part of the property which may be annexed that abuts on or can be directly served by any existing sewerage works of the district constructed or acquired pursuant to a special assessment proceeding, an additional connection charge equal to the amount which the property would have been assessed for the improvement shall also be collected and paid for the privilege of using the sewerage works.

Such sum shall not include any amounts for which bonds of the district are then outstanding and to which the property is or shall become subject. (Ord. 56 §8.7, 1982)

1.32.080 Fees--building sewer connection charges.

Connection charges for single dwelling units, new single-family residence with secondary unit, conversion of single-family residence to one with secondary unit, for multiple dwellings, commercial, industrial, public and other uses and for changes in use of existing properties, or alterations in connections from existing properties, within or without the district, shall be paid to the district by the owner, or by any other person obligated to pay such charge, who desires the connection of any property to the sewerage works of the district or to make any changes in existing connections or uses thereto based on the fees as provided in Chapter 1.52. If a connection permit becomes void and a new permit is required, a new fee shall be paid upon the issuance of the new permit. Previous connection fees paid by the applicant may be credited toward the new fee. The credit shall not be applicable after twelve months from the initial fee paid.

A. Single-family Dwelling Units, New Single-family Residence with Second Unit, Conversion of Single-family Resident to One with Secondary Unit, Multiple Dwellings, Commercial, Industrial and Other Uses. A fee shall be paid to the district for issuing a connection permit and inspecting each building sewer installation as provided in Chapter 1.52.

B. Alteration of Existing Sewer Installation/Change of Use. A fee shall be paid to the district for issuing a permit and inspecting any work adding to, altering, extending, or changing use of an existing building sewer installation, as provided in Chapter 1.52.

C. Sewer Service Charge. At the time connection is made, in addition to any connection charges, an annual sewer service charge adopted by the district shall be paid for such services on a prorated basis to the next June 30th, according to the number of months to run.

D. Failure to Obtain Permit. In the event any part of the side sewer is installed

without the issuance of a permit and the inspection of the sewer, the fee for the issuance of the permit and the inspection of the sewer shall be double the current rate plus an additional fee as provided in Chapter 1.52. (Ord. 68 §§3,4, 1987; Ord. 56 §8.8, 1982)

1.32.090 Fees--additional connection charges.

In addition to any other fees and charges established by the ordinances, resolutions, rules and regulations of the district, there shall be collected, prior to connection to the sanitary sewer system of the district, special additional connection charges for any parcel, unit, lot or part of any property that abuts on or can be served by an existing main sewer or sewerage works of the district constructed by or at the expense of the district for which the parcel, unit, lot or part of any property did not pay its proportionate cost of installation. Such charges shall be collected where the facilities to serve the property consist of a main sewer or any sewer manhole, pumping station or any other sewer facility, together with all appurtenances thereto, which was constructed by or for the district in order to coordinate the construction of the facilities with any street improvement program of the city or the county, or to meet the requirements of the district master plan or for meeting the anticipated requirements for sewer service from the district, or for any other reason, which facilities were paid for by the district, which additional connection charge shall be in a sum to be computed by the district manager on the basis of the actual cost of the installation of the service, sewer lateral, sewer main, manhole, or pumping facility, including all expenses incidental thereto and all engineering, legal, inspection and other charges. (Ord. 56 §8.9, 1982)

1.32.100 Fees--condominium conversion charges.

In addition to any other fees and charges established by the ordinances, resolutions, rules and regulations of the district, there shall be collected, when a multiple unit structure is converted, through the condominium process, to single-family residential units, a fee as provided in Chapter 1.52. (Ord. 56 §8.10, 1982)

1.32.110 Fees--Environmental Quality Act.

Where the district is the lead agency of a responsible agency for any project under the state and local guidelines adopted pursuant to the Environmental Quality Act, the person or persons beneficially interested shall deposit with the district the estimated cost of the district preparation of materials, reports and the making of evaluations of the proposed project as estimated by the district manager. Should the amount of deposit be inadequate to meet the district's costs as lead agency or as a responsible agency involved in providing consultation to the lead agency, as required by law, the district shall, prior to completion of the district's evaluation of the proposed project, notify the person or persons beneficially interested of the amount necessary to complete the review of the proposed project which shall be immediately deposited with the district. Should there be a surplus remaining in the deposit following completion of the district's evaluation of the project, the surplus shall be returned to the person or persons making such deposit. (Ord. 56 §8.11, 1982)

1.32.120 Fees--industrial wastewater discharge permit.

In addition to any and all other fees chargeable by the district, applicants and holders of industrial wastewater discharge permits, as described in Chapter 1.28, shall be subject to fees as provided in Chapter 1.52. (Ord. 56 §8.12, 1982)

1.32.130 Fees--special connection charges.

In addition to any other charges established in this chapter, the district may establish special connection charges for any sewer connection when, in the opinion of the board of directors of the district, the circumstances of such connection necessitate the establishment of unusual conditions or necessitate the payment of charges over and above those established in this chapter. (Ord. 56 §8.13, 1982)

1.32.140 Fees--sewer service charges.

Sewer service charges shall be payable in accordance with the provisions of the ordinances of the district relating to the collection of sewer service charges on the tax roll, or in accordance with Section 1.32.080(C), or in accordance with the provisions of any outside service agreement, or in accordance with the provisions of any special joint sewage disposal agreement. (Ord. 56 §8.14, 1982)

1.32.150 Delinquent accounts.

If a bill is not paid on or before the day on which it is due, a penalty accrues amounting to ten percent of the amount due plus one and one-half percent of the original amount due for each month it is delinquent. At the option of the district, this charge may be collected at the same time and in the same manner as any other charge collected by the county tax collector. (Ord. 56 §8.15, 1982)

1.32.160 Performance guarantee--public sewer construction.

The applicant shall post a surety bond, cash or other security satisfactory to the district to guarantee the faithful performance of any agreement for public main extension entered into with the Board. Said surety bond, cash or security shall be in the sum of one hundred percent of estimated costs of the work, or in such other sum as may be fixed by the board, and shall, in addition to guaranteeing the faithful performance of the work, guarantee the maintenance of the sewer main for a period of one year following the completion and acceptance of the work by the district. (Ord. 56 §8.16, 1982)

1.32.170 Inspection.

A. All sewer construction work shall be inspected by an inspector acting for the district to ensure compliance with all requirements of the district. No sewer shall be covered at any point until it has been inspected and passed for acceptance. No sewer shall be

connected to the district's public sewer until the work covered by the permit has been completed, inspected and approved by the inspector. If the test proves satisfactory and the sewer has been cleaned of all debris accumulated from construction operations, the district shall issue a certificate of satisfactory completion.

B. For public sewer construction, the owner or owners and/or contractor shall deposit with the district manager a sum to be fixed by the district manager prior to commencement of work. The sum shall be estimated to equal the cost of inspecting the work and other expenses regularly incurred in connection therewith.

C. Should the amount of the deposit be insufficient to pay such costs incurred by the district, the owner and/or contractor shall advance such additional sums as shall be necessary to pay the costs prior to the final inspection of the work. Should the amount of the deposit exceed the costs incurred by the district, the excess shall be refunded to the owner(s) and/or contractor following the conclusion of the work. (Ord. 56 §8.17, 1982)

1.32.180 Notification.

It shall be the duty of the person doing the work authorized by permit to notify the office of the district in writing that such work is ready for inspection. Such notification shall be given not less than forty-eight hours. Saturdays and Sundays and holidays excluded, before the work is ready to be inspected. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the district before giving the above notification. (Ord. 56 §8.18, 1982)

1.32.190 Condemned work.

When any work has been inspected and the work condemned and no certification of satisfactory completion given, a written notice to that effect shall be given instructing the owner of the premises, or the agent of such owner, to repair the sewer or other work authorized by the permit in accordance with the ordinances, rules and regulations of the district. (Ord. 56 §8.19, 1982)

1.32.200 All costs paid by owner.

All costs and expenses incidental to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the owner. The owner shall indemnify the district from any loss or damage that may directly or indirectly be occasioned by the work. (Ord. 56 §8.20, 1982)

1.32.210 Street excavation permit.

A separate permit must be secured from the city and/or county or any other person having jurisdiction thereover by owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections. (Ord. 56 §8.21, 1982)

1.32.220 Liability.

The district and its officers, agents, and employees shall not be answerable for any liability or injury or death to any person or damage to any property arising during or growing out of the performance of any work by such applicant. The applicant shall be answerable for, and shall save the district and its officers, agents, and employees harmless from any liability imposed by law upon the district or its officers, agents or employees, including all costs, expenses, fees and interest incurred on defending same or in seeking to enforce this provision. The applicant shall be solely liable for any defects in the performance of his work or any failure which may develop therein. (Ord. 56 §8.22, 1982)

1.32.230 Time limit on permits.

As provided in Section 1.32.020 of this chapter, permits issued shall be valid for a period of not to exceed six months. If work under a permit is not commenced within sixty days from the date of issuance of the permit, the permit shall thereupon become void and no further work shall be done until a new permit shall have been secured. A new fee shall be paid upon the issuance of the new permit. (Ord. 56 §8.23, 1982)

CHAPTER 1.36

OUTSIDE SEWERS

Sections:

- 1.36.010** **Permits and fees.**
- 1.36.020** **Special outside agreements.**
- 1.36.030** **Granting of permit optional.**
- 1.36.040** **Connection agreement required.**

1.36.010 Permits and fees.

Permission shall not be granted to connect any lot or parcel of land outside the district to any public sewer in or under the jurisdiction of the district unless fees shall be payable prior to connection. At the time the connection is made, a connection fee or fees shall become due. In addition to any connection charges, an annual sewer service charge adopted by the district shall be paid for such services on July 1st of each year for the ensuing year. Such fee shall be prorated for the period to the next June 30th, according to the number of months to run. (Ord. 56 §9.1, 1982)

1.36.020 Special outside agreements.

Where special conditions exist relating to an outside sewer, they shall be the subject of special contract between the applicant and the district. (Ord. 56 §9.2, 1982)

1.36.030 Granting of permit optional.

The granting of permission for outside areas to connect to district sewers shall be optional with the board. (Ord. 56 §9.3, 1982)

1.36.040 Connection agreement required.

In no event shall such permission be granted unless the applicant shall first enter into a contract in writing whereby he shall bind himself, his heirs, successors and assigns to abide by all ordinances, rules and regulations in regard to the manner in which such sewer shall be used and the manner of connecting therewith, and also shall agree to pay all fees required for securing the permit and a sewer service charge as adopted by the district. (Ord. 56 §9.4, 1982)

CHAPTER 1.40

ADMINISTRATION

Sections:

- 1.40.010** District manager--responsibility for enforcement.
- 1.40.020** Discharge reports.
- 1.40.025** Notification of changed discharge.
- 1.40.030** Monitoring programs.
- 1.40.040** Inspection facilities.
- 1.40.050** Pretreatment facilities.
- 1.40.060** Trade secrets.
- 1.40.070** District inspection.

1.40.010 District manager--responsibility for enforcement.

- A. The district manager is charged with responsibility for the district's wastewater control program and the administration and enforcement of the provisions of this title.
- B. In order to effectively administer and enforce the provisions of these regulations, the district manager may require any discharger to comply with any or all of the requirements set out in Sections 1.40.020 through 1.40.070. (Ord. 56 §10.1, 1982)

1.40.020 Discharge reports.

- A. The district manager may require discharge reports, including but not limited to questionnaires, technical reports, sampling reports, and test analyses, and periodic reports of wastewater discharge.
- B. When a report filed by a person pursuant to this section is not adequate in the judgment of the district manager, he may require such person to supply such additional information as the district manager deems necessary.
- C. The discharge report may include, but not be limited to, nature of the process, volume and rates of wastewater flow, elements, constituents, and characteristics of the wastewater, together with any information required in an application for wastewater discharge permit. (Ord. 56 §10.2, 1982)

1.40.025 Notification of changed discharge.

All Industrial Users shall promptly notify the POTW in advance of any substantial change in the volume or character of pollutants in their discharge. (Ord. 74 §29, 1991)

1.40.030 Monitoring program.

- A. The district manager may require of dischargers such technical or monitoring programs, including the submission of periodic reports, as he deems necessary, provided that the burden, including costs, of such programs and reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained for the monitoring program, in addition to the sewage disposal and other charges established by the district.
- B. The monitoring program shall require the Discharger to conduct a sampling and analysis program in compliance with 40 CFR Part 136 in accordance with 40 CFR Part 403.12(g) (4). The discharger may either:
1. Conduct his own sampling and analysis program provided he demonstrates to the district manager that he has the necessary qualifications and facilities to perform the work; or
 2. Engage a private consulting firm or laboratory, certified by the State of California, Department of Health Services. (Ord. 74 §30, 1991: Ord. 56 §10.3, 1982)

1.40.040 Inspection facilities.

The district manager may require any nonresidential discharger to construct, at his own expense, a sampling facility or inspection manhole together with necessary related measuring and sampling equipment, in accordance with construction standards and specifications of the district. The sampling facility or inspection manhole shall be constructed on the side sewer of the discharger and within the public right-of-way at a location approved by the district, provided that the district manager may permit the installation of such facilities on the premises of the discharger at a location which will permit district access to the facility at all times. Construction shall be completed within sixty days of written notification from the district manager, unless such time is extended by the district manager for good cause. The district manager may require the discharger to install such sampling facilities or inspection manholes on each side sewer. (Ord. 56 §10.4, 1982)

1.40.050 Pretreatment facilities.

Pretreatment systems or devices may be required by the district manager, as set forth in Chapter 1.28. (Ord. 56 §10.5, 1982)

1.40.060 Trade secrets.

When requested by the person furnishing a report or permit application or questionnaire, the portions other than relative to effluent characteristics of the report, or other document, which might disclose trade secrets or secret processes, shall not be made available for inspection by the public but shall be made available to governmental agencies for use in making studies; provided, however, that such portions of a report, or other document, shall be

available for use by the district or the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. (Ord. 56 §10.6, 1982)

1.40.070 District inspection.

- A. The district may inspect the facilities of any discharger to ascertain whether the provisions of this title are being met and the wastewater discharge limits are being complied with. Such inspection shall be made with the consent of the owner or possessor of such facilities or, if such consent is refused, with a warrant duly issued pursuant to the procedure set forth in Title 13 (commencing with Section 1822.5) of Part 3 of the State of California Code of Civil Procedure; provided, however, that in the event of an emergency affecting the public health or safety, such inspection may be made without consent or the issuance of a warrant.
- B. To verify the wastewater flows and strength reported by dischargers or to determine compliance with this title, inspection, measurement and sampling may be conducted from time to time by the district. The district shall have the right to install, maintain, and operate necessary sampling and measuring equipment on the premises of the discharger.
- C. Industrial Users shall make records available for inspection and copying by the district manager and the Regional Administrator. (Ord. 74 §31, 1991: Ord. 56 §10.7, 1982)

Chapter 1.44

ENFORCEMENT

Sections:

- 1.44.010** **Violation--notice--remedy.**
- 1.44.020** **Violation constitutes public nuisance.**
- 1.44.030** **Disconnection.**
- 1.44.040** **Public nuisance abatement--attorney's fees.**
- 1.44.050** **Procedures constitute enforcement rather than penalty.**
- 1.44.060** **Violation--misdemeanor.**
- 1.44.070** **Liability of violation.**
- 1.44.080** **Appeal.**

1.44.010 Violation--notice--remedy.

Any person found to be violating any provision of this title or any ordinance, rule or regulation of the district, except Section 1.20.090 whereby sewage works connected to the district system in violation of Section 1.20.090 shall be immediately disconnected, and Section 1.48.010, shall be served by the district manager or other authorized person with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The time limits shall be not less than two nor more than seven working days. The offender shall, within the period of time stated in such notice, permanently cease all violations. All persons shall be held strictly responsible for any and all acts of agents or employees done under the provisions of this title or any ordinance, rule or regulation of the district. Upon being notified by the district manager of any defect arising in any sewer or of any violation of this title, the persons having charge of the work shall immediately correct the same. (Ord. 56 §11.1, 1982)

1.44.020 Violation constitutes public nuisance.

Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this title or any ordinance, rule or regulation of the district or other state or federal authority having jurisdictions, is declared to be a public nuisance. The district may cause proceedings to be brought during the period of such violation. (Ord. 56 §11.2, 1982)

1.44.030 Disconnection.

As an alternative method of enforcing the provisions of this title or any ordinance, rule or regulation of the district, the district manager shall have the authority and procedures (after informal notice to the discharger) to immediately and effectively halt or prevent any discharge of pollutants to the POTW which reasonably appears to present an imminent endangerment to the health or welfare of persons. The POTW shall also have authority and procedures (which shall include notice to the affected Industrial Users and an opportunity to respond) to halt or prevent any Discharge to the POTW which presents or may present an endangerment to the

environment or which threatens to interfere with the operation of the POTW. Upon disconnection, the district manager shall estimate the cost of disconnection from and reconnection to the system, and the owner shall deposit with the district a sum equal to such estimate, before such user is reconnected to the system. The district manager shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnection. (Ord. 74 §32, 1991: Ord. 56 §11.3, 1982)

1.44.040 Public nuisance abatement--attorney's fees.

During the period of such disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon the district shall cause proceedings to be brought for the abatement of the occupancy of the premises by human beings during the period of such disconnection. In such event, and as a condition of reconnecting, there is to be paid to the district a reasonable attorney's fee and cost of suit arising in such action. (Ord. 56 §11.4, 1982)

1.44.050 Procedures constitute enforcement rather than penalty.

The district declares that the procedures set out in Sections 1.44.010 through 1.44.040 are established as a means of enforcement of the terms and conditions of its ordinances, rules and regulations, and not as a penalty. (Ord. 56 §11.5, 1982)

1.44.060 Violation--misdemeanor.

Section 47666 of the Health and Safety Code of the state of California provides that a violation of a regulation or ordinance of a county sanitation district is a misdemeanor, punishable by fine, imprisonment, or both. Each and every connection or occupancy in violation of the ordinances, rules and regulations of the district shall be deemed a separate violation and each and every day or part of a day a violation of the ordinance, rule or regulation continues shall be deemed a separate offense hereunder and shall be punishable as such. (Ord. 56 §11.6, 1982)

1.44.070 Liability for violation.

Any person violating any of the provisions of the ordinances, rules or regulations of the district shall become liable to the district for any expense, loss or damage occasioned by the district by reason of such violation. (Ord. 56 §11.7, 1982)

1.44.080 Appeal.

- A. Any permit applicant, permit holder, or other discharger affected by any decision, action, or determination, including cease and desist orders, made by the district manager in interpreting or implementing the provisions of this title, or any permit issued hereunder, may file with the district manager a written request for reconsideration within ten days of such decision, action, or determination, setting forth in detail the facts supporting the request. The request for reconsideration shall be acted upon by the district manager within

ten days from the date of filing or the close of the reconsideration hearing. The decision, action, or determination shall remain in effect during such period of review by the district manager.

- B. If the ruling made by the district manager is unsatisfactory to the person requesting reconsideration, he may, within ten days after notice of the action by the district manager, file a written appeal to the district manager.
- C. The written appeal shall state all pertinent aspects of the matter, shall include the hearing record if one was requested, and shall be accompanied by a filing fee as set forth in the district's schedule of rates and charges. Within thirty days after the written appeal is received, the district manager shall hold a hearing after due notice to the appellant. The district manager may establish rules and regulations governing the hearing of such appeals. The district manager shall make a final ruling on the appeal within ten days after close of the hearing. The decision, action, or determination shall remain in effect during such period of review by the district manager.
- D. If the decision of the district manager is unsatisfactory to the person appealing, he may file a written appeal to the board of directors of the district within ten days after receipt of the decision.
- E. The board of directors may hear the appeal or refer the matter to a neutral hearing officer for an advisory opinion. The board of directors shall make a final ruling on the appeal within ten days of the close of the hearing or receipt of the advisory opinion. The decision, action, or determination shall remain in effect during such period of review by the board of directors.
- F. The district manager may adopt rules and regulations to implement the provisions of this section. (Ord. 56 §11.8, 1982)

CHAPTER 1.48

MISCELLANEOUS PROVISIONS

Sections:

- 1.48.010** **Protection from damage.**
- 1.48.020** **Powers and authority of inspectors.**
- 1.48.030** **Evaluation of wastewater collection capacity--issuance of permits.**
- 1.48.040** **Right to permit discretionary.**
- 1.48.050** **Power of board to adopt additional rules and regulations.**

1.48.010 Protection from damage.

No authorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the district sewerage works. Any person violating this provision shall be subject to the penalties provided by law. (Ord. 56 §12.1, 1982)

1.48.020 Powers and authority of inspectors.

The officer and any authorized employee of the district shall carry evidence establishing his position as an authorized representative of the district, and upon exhibiting the proper credentials and identification shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purpose of inspection, reinspection, observation, measurement, sampling, testing and otherwise performing such duties as may be necessary in the enforcement of the provisions of the ordinances, rules and regulations of the district. All owners shall be held strictly responsible for any and all acts of agents or employees done under this title. Upon being notified by the district manger of any defect arising therefrom in any sewer or of any violation of this title, the person or person having charge of the work shall immediately correct the same. (Ord. 56 §12.2, 1982)

1.48.030 Evaluation of wastewater collection capacity--issuance of permits.

The district, in issuing any permit or entitlement authorized under the Sanitary Code of the district, shall have the right to evaluate the capacity of its wastewater collection, treatment and/or disposal system and the effect on the same in determining any application for a permit or entitlement. (Ord. 63 §1 (12.5), 1986)

1.48.040 Right to permit discretionary.

The right to any permit or entitlement under this code is discretionary and not mandatory with the board, whose determination on the matter shall be final and conclusive. (Ord. 63 §1 (12.6), 1986)

1.48.050 Power of board to adopt additional rules and regulations.

The board may adopt rules and regulations in furtherance of its powers. In the event that the capacity of the wastewater collection, treatment and/or disposal systems is, in the determination of the board, reaching its capacity in any respect, it may declare a moratorium on any further permits or entitlements and issue rules and regulations in connection with such moratorium. (Ord. 63 §1 (12.7), 1986)

CHAPTER 1.52

FEES AND CHARGES

Sections:

1.52.010 Schedule of fees and charges.

1.52.010 Schedule of fees and charges.

Fees and charges are set out below in Schedule 1.52.010.

Schedule 1.52.010

FEES AND CHARGES

A. SEWER CONNECTION PERMIT FEES

1. Single-family Residential Dwelling.
 - a. 8 dwelling units or less in any one 12-month period by a builder/developer or any subsidiary, partner or joint venture with no more than 33 fixture units per residential unit \$1500 minimum per D/U
 - b. 9 dwelling units or more in any one 12-month period by a builder/developer or any subsidiary, partner or joint venture with no more than 33 fixture units per residential unit \$2500 minimum per D/U

Plus, as to subdivisions (1)(a) and (b) of this subsection, if there is in excess of 33 fixture units,
an additional \$60/fixture unit

Plus, as to subsections (1)(a) and (b) of this subsection,
common facilities \$60/fixture unit

- c. New single-family residence with secondary unit (up to 33 fixture units for the single-family and up to 11 fixture units for the secondary unit)
Per both units \$3,350
- d. Conversion of single-family residence to one with secondary unit (up to additional 11 fixture units for conversion)
Per second unit \$500

As to subdivisions (1)(c) and (d) of this subsection, if there is an excess of 33 fixture units to primary resident or in excess of a total of 11 fixture units in the secondary unit, there is, per fixture unit,
an additional \$60

2. Multiple Residential Dwelling.

Up to and including 21
fixture units \$1875 minimum per D/U

Plus, in excess of 21
fixture units \$60/fixture unit
Plus, common facilities \$60/fixture unit

3. Commercial, Industrial, Public and Other Uses

Plus additional fees which may be charged based on type of use and/or type
and/or amount of discharge \$60/fixture unit
..... \$3000 minimum

4. Condominium Conversion

Difference between charge initially paid for connection as a multiple dwelling,
as credited against charges for single dwellings in effect at time of conversion
to condominium \$60 minimum per D/U

5. Change of Use/Alteration or Addition to Existing Connection

For change of use/alteration or addition
to connection \$60 minimum

Plus, for each fixture unit in excess
of 33 \$60/fixture unit

Plus, additional fees which may be charged based on type of use and/or type
and/or amount of discharge

a. EXCEPTION:

Single Family dwellings found to have an existing unpermitted use with fixture
units in excess of 33, in any community within the District's boundaries
enacting a Voluntary Residential Safety Inspection Program, shall be charged
per unit in excess of 33 fixture units. The single family dwelling must
otherwise meet all requirements of this code.

Per fixture unit in excess
of 33 \$60/per fixture unit

Definition:

"Voluntary Residential Safety Inspection (VRSI) Program" is one that has been
enacted by the local governing body and allows owner-occupied single family

*The above subsection a. of subparagraph 5, paragraph A shall become null and void
as of March 10, 1994.

residences having secondary units, constructed prior to January 1, 1992, to voluntarily have their property inspected by a Building Inspector for the purpose of code compliance.

6. Special Connection Charges

In addition to the fees set out in subsections (A)(1) through (5), the district may impose charges based on type of use, discharge, or impact on the district facilities, to provide equitable distribution of the cost of the district's wastewater system.

B. INSPECTION FEES

1. Single Residential Dwelling
One single residential dwelling unit
(SRDU) \$75/SRDU
2. Multiple Residential Dwelling
For each building sewer
installation \$75/installation
3. Commercial, Industrial, Public and Other Uses
For each building sewer installation \$75/installation

Note 1: This fee does not apply to industrial uses which are required to obtain an industrial waste discharge permit.

Note 2: The District Board of Directors may waive the fee for public use buildings if it finds it would serve the public interest to do so.

4. Industrial Waste Discharge Permit Required Use

In a sum equal to the district's cost for processing the industrial waste discharge permit application and permit, reviewing proposed monitoring programs, and inspecting pretreatment and monitoring facilities. If the district's estimate of expenses exceeds the minimum fee of \$400 per permit by 25%, the fee shall be based on the estimated cost. \$400 minimum
5. Public Sewer Construction
 - a. Encroachment permit \$50
 - b. Inspection charge— In a sum equal to the district's costs for inspection, including but not limited to staff's hourly rate, plus benefits, transportation and administrative costs \$50 minimum

6. Alteration of Existing Use or Installation

NOTE: In the event any part of a sewer is installed or altered without the issuance of a permit and the inspection of the sewer, the fee for the issuance of the permit and the inspection of the sewer shall be double the amounts listed in subsections (A) and (B)(1) through (5), plus an additional fee of \$100 to the district for issuing an encroachment permit. The fee shall be paid upon submittal of an application on a form provided by the district.

7. Swimming Pools

- a. 2" discharge pipe = 4 units
- b. 3" discharge pipe = 6 units
- c. 4" discharge pipe = 8 units

When persons desiring connection for uses which have not been identified, or proposed permanent fixtures have not been determined at the time of submittal of the required application, then the fees set out in subsections A and B are applicable only to the extent of the use and fixture information provided on the plans and application submitted for approval of connection to the sewerage works of the district. Additional fees shall be required upon final determination of use or uses and prior to occupancy by the use or uses in accordance with the fees in this schedule.

C. MISCELLANEOUS FEES, CHARGES AND DEPOSITS

1. Industrial Waste Discharge Permit

Dischargers who are required to obtain an industrial waste discharge permit will pay a sewage disposal charge based on waste strength and volume calculated as follows: (a) The unit charge for each waste constituent multiplied by the allowable limit for that constituent in the discharger's permit, plus (b) the unit charge for volume multiplied by the volume based on the capital and operating costs of collection, treatment, and disposal. In addition to the sewage disposal charge, the discharger shall pay all applicable district permit and monitoring charges.

Waste constituent and
volume unit charge

2. Annexation Fees

- a. Preliminary application \$50
- b. Annexation fee deposit-- In a sum estimated to equal engineering, legal and publication costs, and all other costs which may be incurred by the district in preparing and examining maps, legal descriptions and other documents in relation thereto, and other expenses regularly incurred in connection therewith. In addition, the owner shall bear the expense of any filing fees or other fees required by the local agency formation

commission or other state or local agency having jurisdiction over the annexation.

3. Assessment Connection Charge

For any unit or lot, or part of the property which may be annexed that abuts on or can be directly served by any existing sewerage works of the district constructed or acquired pursuant to a special assessment proceeding, an additional connection charge equal to the amount which the property would have been assessed for the improvement shall also collected and paid for the privilege of using the sewerage works. The sum shall not include any amount for which bonds of the district are then outstanding and to which the property is or shall become subject.

4. Environmental Quality Act Fees

The owner or beneficially interested party shall deposit with the district the estimated cost of the district preparation of materials, reports and the making of evaluations of the proposed project as estimated by the district manager.

5. Appeal Filing Fee \$50

D. SEWER SERVICE CHARGE

A sewer service charge, in a rate adopted annually by the board, shall be paid as follows:

- 1. District users County tax roll
- 2. Outside users
Direct payment to the district on July 1st of each year, or as required by contact with the district for sewer service

When new construction of any type is anticipated to be completed, or is completed, after sewer service charges have been placed on the current year tax roll, the owner shall pay the district a sewer service charge for each unit or use, based on an estimated average charge for a similar unit or use on that current year tax roll, and prorated over the remaining months of that current year. The payment shall be paid to the district prior to final inspection of sewer installations. The owner may submit payment of the sewer service charges concurrent with real estate escrow processed through a real estate title company. However, a copy of the escrow instructions identifying sewer service charges shall be submitted to the district for review and approval.

3. Other users

If the district finds that the method of determining the sewer service charge is not reasonably applicable to certain uses due to the nature of their operation, water usage and wastewater disposal, and certain uses will not on an annual basis pay their fair share for wastewater disposal, the district may require the user to provide a metering device acceptable to the district at the user's expense to permit accurate determination of the volume and character of wastewater discharged into the district's sewerage works. Should the district determine that there is an alternative method for determining the quantity of waste discharge, such method may be used in lieu of the provision of an independent metering device.

- a. Billing/payment: Person(s) whose use falls under subdivision 3 of this subsection shall make payment to the district for use of the district's sewerage system for the disposal of wastewater either monthly or quarterly as determined by the district. The payment shall be payable within thirty days of the date of billing. Should any payment not be made within such period, the enforcement provisions contained in this title shall apply.

FIXTURE UNIT SCHEDULE

<u>Fixture Type</u>	<u>Units</u>
Bathtub	2
Bathtub with shower head	3
Bidets	2
Car wash (stall) (1)	12
Dental units (cuspidors)	1
Drinking fountain (per head)	1
Dishwater (under-counter)	2
Dishwater (commercial type)	25
Laundry tubs and trays	2
Laundry (clotheswashing machines)	2
Laundry self-service clotheswashing machines	8
Laundry, commercial	8
Lavatory (wash basin), single	1
Lavatory (wash basin), double	2
Interceptors for grease, oil, solids, etc.	3
Interceptors for sand, auto wash, etc.	6
Receptors (floor sinks), indirect waste receptors for refrigerators, coffee urn, water station, etc.	1
Receptors, indirect waste receptors for commercial sinks, dishwashers, airwashers, etc.	3
Shower, single stall	2
Shower, gang (one unit per head)	1
Sink (bar)* -- Residential	1
Sink (bar)** -- Commercial	1
Sink (wash-up sinks, wash fountains, etc.)** -- Commercial or industrial, schools, etc.	3
Sink (kitchen)** -- Residential	2
Sink (flushing rim -- clinic)	6
Trailer park traps (1 per trailer)	7
Recreational vehicle park (per space)	7
Recreational vehicle dump station	25
Urinal, stall	2
Urinal, wall**	2
Urinal, trough (per 2 feet)**	3
Water closet, tank-type	6
Floor drains	2
Swimming pools	
a. 2" discharge pipe	4
b. 3" discharge pipe	6
c. 4" discharge pipe	8

* 1½" minimum waste line

** 2" minimum waste line

Drain line stubs which provide a means for future extension of drains shall be assigned the number of fixture units listed in the following schedule.

<u>Diameter of Drain Line</u>	<u>Fixture Units</u>
1½ inches and smaller	2
2 inches	3
2½inches	4
3 inches	5
4 inches	6

(Ord. 69 §§1,2, 1987: Ord. 68 §§1,2,5,6, 1987: Ord. 64 §§1, 2, 1986: Ord. 56 Exhibit A, 1982)