



# **Proposed Municipal Code Revisions**

**Title 13 - Sewer Ordinance**  
Revised March 10, 2011

## Title 13 SEWERS\*

\*For provisions regarding sewer rates, see applicable ordinances on file in the office of the city clerk.

### Chapters:

- 13.04 Use Regulations
- 13.08 Construction and Extension
- 13.12 Sewer Rates

### Chapter 13.04 USE REGULATIONS\*

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13.04.010 Short title.

The ordinance codified in this title may be cited as the "Willits Sewerage Ordinance." (Ord. 90-11 § 3).

13.04.020 Intent and purpose.

- A. The purpose of this title is to establish uniform standards for the discharge of wastes into the wastewater collection and treatment system for the city of Willits, "city". The ordinance codified in this title is enacted in compliance with the Clean Water Act of 1977 and the regulations promulgated thereunder (40 CFR, Part 403).
- B. The objectives of this title are:
  - 1. To prevent the introduction of pollutants into the system which will interfere with its operation; and to prevent the pass through of inadequately treated waste water into the receiving waters which may be incompatible with the system or contaminate the resulting sludge.
  - 2. To improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and
  - 3. To provide a basis for distribution of costs according to use.
- C. This title provides for:
  - 1. The regulation of discharges to the system through the issuance of permits to certain nondomestic users;
  - 2. The enforcement of general requirements of the other users;
  - 3. Authorizes monitoring and enforcement activities;
  - 4. Requires user reporting;
  - 5. The setting of fees for the equitable distribution of costs resulting from the program established herein.
- D. This title shall apply to the city and to persons outside the city who are, by contract or agreement with the city, users of the Willits POTW.(Ord. 90-11 § 3).

13.04.030 Applicability.

The ordinance codified in this title shall apply to all sewers and other sewerage facilities both public and private constructed or used in the city and to all persons who use or perform work upon said facilities.  
(Ord. 90-11 § 3).

13.04.040 Definitions.

Unless the context specifically indicates otherwise, the following terms shall, for purposes of this title, have the meaning indicated as follows:

"Act" or "the act" means the Federal Water Pollution Control Act.

"Applicant" means the person applying for sewer service, sewer service

connection, or sewer system extension.

"Approval authority" means the director of the Regional Water Quality Control Board.

"BMP" (denoting Best Management Practices) or means physical, structural or managerial practices that decreases the potential for facilities to pollute drinking water. They can be used singly or in combination as appropriate in a particular situation.

"BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at twenty degrees centigrade, expressed in milligrams per liter.

"Building" means any structure used for human habitation or a place of business, recreation or other purpose containing sanitary facilities.

"Building sewer" means that portion of any 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.

"Categorical standards" means and refers to National Categorical Pretreatment Standards or Pretreatment Standards.

"CFR" means Code of Federal Regulations.

"City" means the city of Willits, Mendocino County, California, and its authorized representatives.

"Combined sewer" means a sewer receiving both surface runoff and sewage.

"Contractor" means an individual, firm, corporation, partnership or association duly licensed by the state to perform the type of work to be done under the permit.

"City" means and refers to the superintendent of the POTW.

"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.

"Cost" means the actual or estimated value of materials, equipment rentals, personal services, or other expenses incurred, including taxes, engineering and overhead.

"County health department" means the department of public health of the county of Mendocino, acting through its director.

"CWA" means Clean Water Act as Amended (33 U.S.C. §§1251 et seq.).

"Direct discharge" means the discharge of treated or untreated wastewater directly into the waters of the state of California.

"Director" means the director of ~~public works sewer~~ of the city or ~~his~~ the director's designated subordinate. In the absence of a director of ~~public works sewer~~, the ~~executive coordinator~~ city manager shall designate a person who shall act in the capacity of the director in discharging responsibilities established by this title.

"Dwelling unit" or "family unit" means a place of habitation which includes, but is not limited to a place to cook or prepare food, a toilet, or sleeping quarters for one person or a small group of persons constituting a unit.

"EPA" means the U.S. Environmental Protection Agency.

"Garbage" means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

"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.

"Holding tank waste" means any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

"I & I" or "I/I" or "Inflow and Infiltration" means the water discharged into the sewer system from sources other than regular, legal connections. Inflow includes flow from yard drains and foundation drains. Infiltration is the seepage of groundwater into the sewer system. Seepage often occurs through defective or cracked pipes, pipe joints, connections or manhole walls.

"Indirect discharge" means the discharge or the introduction of nondomestic pollutants from any source regulated under Section 307 (D) or (C) of the Act, into the POTW.

~~"Industrial user" means a source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Act.~~ a person or entity who discharges industrial or commercial wastes to the Wastewater facilities in the City of Willits. Industrial users are required to obtain a wastewater discharge permit prior to discharging into the city's sewer system. This includes septage haulers and user's contributing commercially produced F.O.G., such as food service establishments

"Industrial wastes" means the liquid wastes from industrial processes as distinct from sanitary sewage.

"Interference" means the inhibition or disruption of the POTW treatment processes or operations which contributes to ~~a violation of any requirement of the city's NPDES permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with Section 405 of the Act.~~ or is a cause of a violation of any requirement of the POTW's Waste Discharge Requirements (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 Federal, State or local regulations).

"L" means Liter.

"Lateral sewer" means the portion of sewer lying within a public street or easement connecting a building sewer to the main sewer.

"Main sewer" means a public sewer designed to accommodate more than one lateral sewer.

"mg" means Milligrams

"mg/L" means Milligrams per liter

"National Pollution Discharge Elimination System or NPDES permit" means a permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

"Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

"Off-site" means and refers to facilities located outside the area owned or controlled by the applicant.

"On-site" means and refers to facilities located within the area owned or controlled by the applicant and within streets or easements immediately adjacent to such area.

"Outside sewer" means a sanitary sewer beyond the limits of the city not subject to the control or jurisdiction of the city.

"pH" means the logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.

"Pass Through" is a discharge which exits the POTW 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 violation of any requirement of the POTW's waste discharge requirements (including an increase in the magnitude or duration of a violation) or threatens, or is a potential threat, to pollute or degrade groundwater.

"Permit" means any written authorization required pursuant to this or any other regulation of the city for the installation of any sewerage works.

"Persons" means any human being, individual, firm, company, partnership, association, private or public corporation, municipality, the United States of America, the state of California, districts, and all political subdivisions, governmental agencies and mandatories thereof.

"Plumbing system" means all plumbing fixtures and traps, or soil, waste, special waste and vent pipes, and all sanitary sewer pipes within a building and extending to the building sewer connection three feet outside the building wall.

"Pollution" means the manmade or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

"POTW" see "Publicly owned treatment works"

"Premises" is a separate identifiable and transferable lot or parcel of real property, including the improvements, except that portions having well-defined boundaries, such as walls, fences, or hedges which prevent the common use of the property by all occupants, for the purpose of this title shall be determined separate premises.

"Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants in a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes.

"Private sewer" means a sewer serving an independent sewage disposal system not connected with a public sewer and which accommodates one or more buildings or industries.

"Publicly owned treatment works (POTW)" means a treatment works, as defined by Section 2.2 of the Act (33 U.S.C. 1292), which is owned in this instance by the city. This definition includes any sewers that convey wastewater to the POTW treatment plant.

"Public sewer" means a sewer lying within a street or easement and which is controlled by or under the jurisdiction of the city.

"Residence" means the place of residence for a single family. Property improved for

multifamily purposes shall be described in terms of the number of dwelling units that the facilities thereon provide for single family usage.

"Sanitary sewer" means a sewer which carries sewage and to which stormwaters, surface waters, and groundwaters are not intentionally admitted.

"Sanitary Sewer Overflow" or "SSO" means an event in which untreated wastewater is discharged from the sewer system into the environment.

"Sewer" means a pipe or conduit for carry sewage.

"Sewerage system" means all facilities for collection, pumping, treating and disposing of sewage.

"Shall" is mandatory. "May" is permissive.

"SIC" means Standard Industrial Classification.

"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.

"Significant industrial user" means any industrial user of the city's wastewater disposal system who (1) has a discharge flow of ten thousand gallons or more per average work day, or (2) has flow greater than five percent of the flow in the city's wastewater treatment system, or (3) has in his wastes containing, toxic pollutants, as defined pursuant to Section 307 of the Act or (4) is found by the city, Regional Water Quality Control Board or the E.P.A. to have significant impact on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emission generated by the system.

"Significant Noncompliance" means a compliance status in which an industrial user has a violation which meets one or more of the following criteria:

1. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits;
2. Any other violation of a pretreatment standard or requirement that the City determines has caused, alone or in combination with other discharges, interference or pass through;
3. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment;
5. Failure to provide, within ninety (90) days after the due date, any required compliance reports.
6. Failure to accurately report non-compliance;

"Standard industrial classification (SIC)" means a system of classifying industries as identified in the SIC Manual, 1976, Office of Management and Budget.

"State" means the state of California.

"Storm sewer or storm drain" means a sewer which carries stormwater and surface waters or groundwaters and drainage, but excludes sewage and polluted industrial wastes.

"Stormwater" means any flow occurring during or following any form of natural precipitation and resulting therefrom.

"Street" means any public highway, road, street, avenue, alleyway, public

place, public easement or right-of-way.

"~~Superintendent~~" "Supervisor" means the person designated by the city to supervise the operation of the POTW and who is charged with certain duties and responsibilities or ~~his~~ an authorized representative.

"Suspended solids" means solids that either float on the surface of, or are in suspension in water, sewerage, or other liquid, and which are removable by laboratory filtering.

"SWDA" means Solid Waste Disposal Act (42 U.S.C. §§6901 et seq.).

"System extension" means extension of public sewerage facilities to serve areas to which service is not available from existing sewage collection facilities.

"Trunk sewer" means a sewer which receives flow from several main sewers, and which is designated as a trunk sewer by the director.

"Toxic pollutant" means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the E.P.A. under the provision of G.W.A. 307 (a).

"Upset" shall mean an exceptional incident in which a discharger is in a state of non-compliance with the Categorical Pretreatment Standards due to factors beyond the reasonable control of the discharger, and excluding noncompliance due to the extent cause by operations error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.

"USC" means United States Code.

"User" means any person who contributes, causes or permits the contribution of wastewater into the city's POTW.

"Wastewater" means a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwaters, surfacewaters and stormwaters as may be present.

"Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently, under natural conditions.

"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.

Additional Definitions. For the purposes of this title, additional terms shall have the meaning indicated in Chapter 1 of the Uniform Plumbing Code of the International Association of Plumbing.

(Ord. 90-11 § 3).

#### 13.04.050 Disposal of wastes.

It is unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner upon public or private property within the city or in any area under the jurisdiction of the city, any human or animal excrement, garbage or other prohibited waste as defined by this title.

(Ord. 90-11 § 3).

13.04.060 Treatment of wastes required.

It is unlawful to discharge on land, or to any stream or watercourse any sewage, industrial wastes or other polluted water, except where suitable treatment has been provided in accordance with provisions of this title.

(Ord. 90-11 § 3).

13.04.070 Unlawful disposal.

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 within the city, except in connection with facilities approved by the director in conjunction with construction projects or other special events.

(Ord. 90-11 § 3).

13.04.080 Occupancy prohibited.

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 city.

(Ord. 90-11 § 3).

13.04.090 Private sewage disposal-Prohibition.

New private sewage disposal systems shall not be occupied until the owner of the premises has complied with all rules and regulations of the city.

(Ord. 90-11 § 3).

13.04.100 Private sewage disposal-Existing systems.

A. The prohibition contained in Section 13.04.090 shall not apply to any private systems existing at the time of the adoption of the ordinance codified in this title, and to any private systems that may exist at the time of annexation of any premises that are outside of the city at the time of adoption of the ordinance codified in this title.

The owner of any private system shall maintain such system in a safe and sanitary manner at all times, at no expense to the city.

B. If, at any time, a public sewer is within three hundred feet of any single building, or, in the case of a group of buildings, within two hundred additional feet distant for every additional building, the owner or owners of such building or buildings situated within the city shall be required at ~~his~~ the owner's expense to connect the building to the public sewer in accordance with the provisions of this title within ninety days after notice by the director to do so. (Ord. 90-11 § 3).

13.04.110 Drainage into sanitary sewers prohibited.

No drains from any roof, surface drains for rainwater, or storm sewers shall be connected to any sanitary sewer. No surface water or stormwater, seepage, cooling water or unpolluted industrial process waters shall be permitted to enter any sanitary sewer by any device or method whatsoever.

(Ord. 90-11 § 3).

13.04.120 General discharge prohibitions.

No user shall introduce or cause to be introduced, directly or indirectly, to the POTW any pollutant or wastewater which will cause Pass Through or Interference. These general prohibitions apply to all users of the POTW whether or not the users are subject to categorical pretreatment standards or any other national, state or local pretreatment standards or requirements. No user shall discharge or cause to be discharged any of the following wastes to any public sewer:

- A. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive solid, liquid or gas, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140° F or 60° C. At no time, shall two successive readings on an explosion hazard meter be more than five percent, nor any single reading over ten percent of the lower explosive limit (LEL) of the meter;
- B. Any waste containing toxic or poisonous solids, liquids or gases, in sufficient quantity either singly or by interaction with other wastes to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair or interfere with any sewage treatment process, ~~constitute a hazard to humans,~~ or create a toxic effect in the receiving waters of the POTW, or exceed the limitation set forth in a categorical pretreatment standard;
- C. Any waste having a pH lower than 5.5 or having any other corrosive property or detrimental characteristic that may cause ~~capable of causing damage or hazard to structures, equipment or personnel~~ injury to maintenance personnel or wastewater treatment, or may cause damage to structures, equipment or other physical facilities of the sewer system;
- D. Any wastewater containing substances that may precipitate, solidify or become viscous at temperatures between 40°F (4.4°C) and 100°F (37.7°C). Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewerage works, such as, but not limited to, cooling water, petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, ashes, cinders, sand, mud, straw, shavings, paper dishes, cups, containers, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, spent lime, stone or marble dust, metal, glass, grass clippings, rags, wood, plastics, or sludge from any process in amounts that will cause Interference or Pass Through;
- E. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance be discharged to the POTW which causes the POTW to be in noncompliance with the City's sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act or the Toxic Substances Control Act, or state criteria applicable to the sludge management method being used;
- F. Any substance which will cause the POTW to violate its NPDES permit or

- receiving water quality standards;
- G. Any wastewater having a temperature which will inhibit biological activity in the POTW resulting from interference;
- H. Any pollutants, including oxygen-demanding pollutants released at a flow rate and/or pollutant concentration which will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentrations of pollutants that exceed for any time period longer than fifteen minutes more than five times the average twenty-four-hour concentration, quantities or flow during normal operation;
- I. Any wastewater containing any radioactive wastes or isotopes of such concentration as may exceed applicable state or federal regulations.(Ord. 90-11 § 3);
- J. Any pool water, spa water, or pond water which is acceptable to be discharged to other facilities where such facilities are available.
- K. Any substance which is not amenable to treatment by the processes employed at the treatment plant.
- L. Any slug loading.
- M. Any wastewater that comes into contact with any process utilizing tetrachloroethene.

#### 13.04.130 Wastes which may be prohibited.

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 director that such wastes may harm either the sewers, sewage treatment process or equipment, or can endanger personnel or property or create a public nuisance. The director, in forming his an opinion as to the acceptability of these wastes, the director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers to which they discharge, sewer material, treatment process, treatment plan capacity, and other pertinent factors. The substances so subject to prohibition include, but are not limited to:

- A. Any liquid or vapor having a temperature higher than two hundred degrees Fahrenheit;
- B. Any water or waste which may contain more than one hundred milligrams per liter of fat, oil or grease;
- C. 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;
- D. Any water or wastes having a pH higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structure, equipment or personnel;
- E. Any waters or wastes containing suspended solids of such character or quantity that unusual attention or expense is required to handle such materials in the sewerage system;
- F. Any wastes containing phenols or other taste- or odor-producing substances, in concentrations exceeding limits which may be established by the director;
- G. Materials which cause excessive discoloration;
- H. Total sulfides in excess of 1.0 milligrams per liter;
- I. Wastes containing substances which cannot be treated by the sewage treatment

process utilized by the city or which cannot meet the requirements of the Regional Water Quality Control Board. (Ord. 90-11 § 3).

13.04.140 Acceptance of deleterious wastes.

- A. Upon application to discharge any wastes having any of the characteristics listed in Section 13.04.130 and which in the judgement of the director will have a deleterious effect upon the sewerage works, process, equipment or receiving water, the director may do one or more of the following:
1. Require preparation of a detailed report on expected waste characteristics. The report shall cover physical, chemical and hydraulic characteristics and shall include a projection of future waste characteristics. The report shall be prepared by a licensed civil engineer or chemical engineer;
  2. Require pretreatment to an acceptable condition prior to discharge to a public sewer;
  3. Require control over the quantities and rates of discharge;
  4. Require payment to cover the added cost of testing, handling and treating the wastes;
  5. Refuse to accept the waste into the public sewer system.
- B. If the director requires pretreatment or equalization of flow, the design and installation of the required plant and equipment shall be subject to the review and approval of the director, and no construction of such facilities shall commence until approval of construction plans and specifications is obtained in writing from the director. (Ord. 90-11 § 3).

13.04.150 Federal Categorical Pretreatment Standard.

Federal Categorical Pretreatment Standards for a particular industry category shall apply at any time if more stringent than the limitations developed by this title. (Ord. 90-11 § 3).

13.04.160 Specific pollutant limitations.

No person shall discharge wastewater containing in excess of the following:

- 0.10 mg/1 Arsenic
- 0.10 mg/1 Cadmium
- 1.00 mg/1 Copper
- 0.10 mg/1 Cyanide
- 0.20 mg/1 Lead
- 0.01 mg/1 Mercury
- 1.00 mg/1 Nickel
- 0.10 mg/1 Silver
- 0.50 mg/1 Total chromium
- 1.00 mg/1 Zinc
- .002 mg/1 Total chlorinated hydrocarbons
- 0.50 mg/1 Phenolic compounds
- 2.00 mg/1 Total toxic organics

(Ord. 90-11 § 3).

13.04.170 State requirements.

State limitations on discharges shall apply at any time they are more stringent than Federal Standards and the standards developed by this title. (Ord. 90-11 § 3).

13.04.180 Excessive discharge.

No user shall use dilution of a discharge, either process or domestic, as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in either this title or Federal Categorical Pretreatment Standards. (Ord. 90-11 § 3).

13.04.190 Accidental discharges.

- A. Prevention Facilities. Each user shall provide protection from accidental discharge of materials prohibited or otherwise regulated by this title. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the city for review, and shall be approved by the city before construction of the facility. If an accidental discharge occurs, it is the responsibility of the user to immediately notify the POTW by the quickest possible means. Notification shall include location of the discharge, type of waste, concentration and volume, and corrective actions.
- B. Written Notice. The user shall submit to the superintendent of the POTW a detailed written account of the accidental discharge and the measure taken by the user to prevent similar future occurrences. 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 POTW, 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 as a result of discharge. (Ord. 90-11 § 3).

13.04.200 Maintenance of pretreatment facilities.

Where pretreatment 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 director. (Ord. 90-11 § 3).

13.04.210 Control manholes.

When required by the director, the owner of any property served by a side sewer carrying industrial wastes shall install an approved control manhole in the side sewer to facilitate observation, sampling and measurement of wastes. Such manholes shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the director. The director may require that a separate side sewer be provided for discharge of sanitary sewage, and may require that a control manhole be installed on each side sewer. The manholes 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. It is unlawful for any person or entity, other than a person or entity specifically authorized

by the director, to remove a manhole cover or open a manhole for any purpose whatsoever.  
(Ord. 90-11 § 3).

#### 13.04.220 Control facilities required.

Grease, oil and sand interceptors, pH neutralizing chambers, screens or other control facilities shall be provided when, in the opinion of the director, they are necessary for the proper handling of liquid wastes containing harmful ingredients. All interceptors shall be of type and capacity approved by the director, and shall be so located as to be readily and easily accessible for cleaning and inspection. All control facilities shall be maintained by the owner, at his their expense, in continuous and efficient operation at all times. No sanitary sewage shall be discharged into control facilities provided for industrial wastes.  
(Ord. 90-11 § 3).

#### 13.04.230 Sampling and Inspection.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this title shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, and shall be determined at the control manhole provided for in Section 13.04.210, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the side sewer is connected.

Inflow and Infiltration (I/I) within the City of Willits has become significant and has reached the point that sewer system overflows from the collection system will result if I/I is not abated. The City is under a mandate from the State to ensure that sewer system overflows do not occur. Sampling and testing shall include testing of sewer mains, manholes, private sewer laterals, and other associated collection system infrastructure for leakage of unwanted ground and surface waters from entering the wastewater collection system. This testing is sometimes referred to as "infiltration/inflow (I/I)" testing. This type of testing and associated work includes but shall not be limited to: physical observation of the system, cleaning and removal of internal deleterious materials from mains and laterals, installation of lateral clean-outs or other appropriate facilities for easy access on or near right of way boundaries or on private property if necessary, mapping of the sewer system, television inspection of sewer mains and private laterals, dye testing, smoke testing, flow rate monitoring, pressure testing, water infiltration simulation testing, as well as other forms of work or testing for this purpose.

The city shall 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 city or their representative ready access at all reasonable times to all parts of the premises for the

purposes of inspection, sampling, records examination or in the performance of any of their duties (Ord. 90-11 § 3).

#### 13.04.240 Service outside city-General prohibitions.

Except as provided in Section 13.04.250, sewerage service will not be rendered to premises outside the city boundaries.

(Ord. 90-11 § 3).

#### 13.04.250 Service outside city-Special agreements.

No statement contained in this title shall be construed as preventing any special agreement or arrangement between the city and any person or entity whereby waste may be accepted by the city for treatment, subject to payment and to such terms and conditions as might be required by the city and set forth in a resolution of the city council, if the following provisions are met:

- A. That payment of the applicable sewer connection charge, established by this article, shall be made before connection of the premises to the sewer.
- B. That any ordinances codified in the Willits Municipal Code apply to all Sewer Agreements established with the city. Any code violations by an individual or entity with a Sewer Agreement are subject to the enforcement measures by the city as provided in Section 13.04.350.

#### 13.04.260 Swimming pools.

It is unlawful for any person to discharge the contents of a swimming pool into a sanitary sewer except in a manner approved by the director. (Ord. 90-11 § 3).

#### 13.04.270 Appeal.

- 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/her~~ the individual's premises, ~~he/she~~ the individual may make written application to the director stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his/her premises. The director shall reply to the application, in writing, with an opinion regarding the merit of the requests. If denied by the director, the applicant may then appeal the director's decision to the city council.
- B. If such application is approved, the city council may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the initial application, and continuing during the period of the special circumstances or as specified in the resolution. (Ord. 90-11 § 3).

#### 13.04.280 Damage to city property.

Any person damaging any sewerage facilities or other city property or violating any of the provisions of the title rules or regulation, shall become liable to the city for any expense, loss or damage occasioned by reason of such damage or such violation. (Ord. 90-11 § 3).

#### 13.04.290 Administration.

It shall be the responsibility of the ~~director of public works~~ sewer director of the city to conduct the operations of the sewerage system in accordance with the provisions of this title and to enforce all its provisions. The director shall take all actions necessary to carry out the specific requirements and intent of this chapter. (Ord. 90-11 § 3).

#### 13.04.300 Wastewater permits.

All ~~significant~~ industrial users proposing to contribute to the POTW shall obtain a wastewater discharge permit from the city before connecting to or contribution to the POTW. All existing significant users connected to or contributing to the POTW shall obtain a wastewater permit within ninety (90) days after the effective date of the ordinance and codified in this title. (Ord. 90-11 § 3).

- A. Permit Application. Users seeking a wastewater discharge permit shall complete and file with the sewer director, an application in the form prescribed by the director, and accompanied by the applicable fees. The director will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the director may issue a wastewater discharge permit subject to terms and conditions provided herein.
- B. Permit Conditions. Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations and terms the sewer director deems necessary to protect the city's sewer system and treatment works. Permits are also subject to user charges and fees established by the city. The conditions of wastewater discharge permits shall be uniformly enforced by the sewer director in accordance with this chapter, and applicable state and federal regulations.
- C. Revocation of Permit. Any user who violates the following conditions of the permit or of this chapter, or applicable state and federal regulations, is subject to having their permit revoked:
1. Failure of a user to factually report the wastewater constituents and characteristics of the user's discharge;
  2. Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
  2. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or
  4. Violation of conditions of the permit.
- D. Monitoring Facilities. The city may require the user to construct at the user's expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer or internal drainage systems and may also require sampling or metering equipment to be provided, installed, and operated at the user's expense.
- E. Sampling and Inspection. The city may inspect the facilities of any user to ascertain whether the purpose of this chapter is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the city or its representative ready access at all reasonable times to all parts of the premises for the purposes of inspecting or sampling or in the performance of any of their duties.
- F. Pretreatment. Users shall make wastewater acceptable under the limitations

established herein before discharging to the city sewer. Any facilities required to pretreat wastewater to a level acceptable to the city shall be provided and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review and approval. 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 city under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the City prior to discharge.

G. Protection from Accidental Discharge. Each user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this chapter.

H. Confidential Information. All information and data on a user obtained from reports, questionnaires, permit application, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the city that the release of such information would divulge information, processes or methods which would be detrimental to the user's competitive position. When requested by the person furnishing a report, the portions of a report 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 shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the city as confidential, shall not be transmitted to any governmental agency or to the general public by the city until and unless prior and adequate notification is given to the user.

I. Special Agreements. Special agreements and arrangements between the city and any persons or agencies may be established when, in the opinion of the city, unusual or extraordinary circumstances compel special terms and conditions.

J. Discharge Reports. The city may require that any person discharging or proposing to discharge wastewater into the city's sewer system file a periodic discharge report, as prescribed by 13.04.34

~~13.04.310 Permit-Application. Fats, Oils and Grease (FOG) Source Control Program Users required to obtain a wastewater permit shall complete and file with the city an application form accompanied by a fee established by a resolution of the city council. Existing users shall apply for a wastewater permit within ninety days after the effective date of the ordinance codified in this title, and proposed new users shall apply at least 90 days prior to connecting to or contribution to the POTW. The city will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the city may issue a wastewater permit subject to the terms and conditions provided herein.~~

The purpose of the F.O.G. Program is to reduce Sanitary Sewer Overflows (SSOs) and blockages, and to protect public health and the environment by minimizing public

exposure to unsanitary conditions. By controlling the discharge of fats, oils and grease to the wastewater collection system, excessive buildup in sewer lines can be lessened, thereby increasing the system's operating efficiency and reducing the number of sewer line blockages and overflows.

A. General FOG Discharge Prohibitions. No Food Service Establishment (FSE) shall discharge or cause to be discharged into the sewer system FOG that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer lateral which connects the FSE to the sewer system.

B. Specific FOG Prohibitions. The following specific prohibitions shall apply to all FSEs:

1. Discharge of any FOG-containing wastewater that is not connected to a grease removal device is prohibited, unless a waiver has been granted in accordance with Subsection (L).
2. Non-grease laden sources such as, but not limited to, hand-wash sinks, toilets, urinals, and stormwater, shall not be connected to a grease removal device.
3. No dishwasher shall be connected to a grease trap.
4. Discharge of wastewater with temperatures in excess of 140° F (60° C) into any grease trap is prohibited.
5. Garbage disposals (food grinders) shall be prohibited at all new FSEs. Existing FSEs shall remove all garbage disposals when they remodel or within one hundred eighty (180) days from receiving a notice from the sewer director to remove its garbage disposal(s) based on the sewer director's finding that the FSE at any time caused or contributed to an SSO.
6. Direct disposal of any waste cooking oil into any drain or cleanout that is connected to the sewer system is prohibited.
7. Introduction of any additive into a grease removal device or directly into the sewer system for the purpose of emulsifying FOG, biologically/chemically treating FOG for grease remediation, or as a supplement to any grease removal device maintenance is prohibited, unless specifically authorized in writing by the director.

C. Wastewater Discharge Permit Required. All FSEs shall obtain a Wastewater Discharge Permit. Nothing in the permit is intended to relieve the Food Service Establishment of any local, state, or federal regulation. Any denial of a permit may be appealed under Section 13.04.270. All permit terms are subject to the same conditions outlined under Section 13.04.300.

F. Best Management Practices. All FSEs shall implement Best Management Practices (BMPs) in an effort to minimize the discharge of FOG to the sewer system.

G. FOG Pretreatment Required for New and Existing Food Service Establishments. FSEs are required to install, operate and maintain an approved type and adequately sized grease removal device necessary to maintain compliance with the objectives of this section, subject only to the variance and waiver provisions and other exceptions of this action. The grease removal device shall adequately separate and remove FOG contained in wastewater discharges from FSEs prior to discharge to the sewer system. Fixtures, equipment, and drain lines located in the food preparation and cleanup areas of FSEs that are sources of FOG discharges shall be connected to the grease interceptor.

- H. Waiver from Grease Removal Device Requirement. An FSE may apply for and be granted a conditional waiver. An FSE requesting a waiver must demonstrate that it has negligible FOG discharge and insignificant impact to the sewer system. The director may deem it necessary to impose special conditions in lieu of a grease removal device, including, but not limited to line cleaning cost recovery. Denial or revocation of a waiver may be appealed pursuant to Section 13.04.270 .
- M. Grease Removal Device Requirements. Any FSE that is required to provide FOG pretreatment shall install, operate, and maintain an approved type and properly sized grease removal device. The director will determine whether the grease removal device is acceptable during the permit application process. Approved grease removal devices conform to the latest approved edition of the California Uniform Plumbing Code.
- N. Grease Interceptor Maintenance Requirements. Grease interceptors shall be maintained in efficient operating condition by periodic complete removal of all contents of the devices including wastewater, accumulated FOG, floating materials, sludge and solids.
1. No FOG that has accumulated in a grease interceptor shall be allowed to pass into any sewer lateral, sewer system, storm drain, or public right of way during maintenance activities.
  3. The maintenance frequency for Food Service Establishments with grease interceptors shall be determined in one of the following methods:
    - a. Grease interceptors shall be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation does not exceed the 75% of the total capacity of the interceptor. Cleaning intervals shall not exceed six (6) months.
    - b. The owner/operator of a Food Service Establishment may submit a request to the Director asking for a change in the maintenance frequency at any time. The Food Service Establishment has the burden of responsibility to prove that the change reflects actual operating conditions based on the average FOG accumulation over time, and meets the requirements of accumulating grease and solids at a maximum of 75% capacity prior to cleaning.
    - c. If the grease interceptor contains, at any time, FOG and solids accumulation that exceeds the 75% capacity, the Food Service Establishment shall be required to have the grease interceptor serviced immediately so that all FOG, sludge and other materials are completely removed from the interceptor. If necessary, the Food Service Establishment may be required to increase the maintenance frequency of the grease interceptor from its current frequency.
    - d. Wastewater, accumulated FOG, floating materials, sludge, solids, and other materials removed from the grease interceptor shall be disposed offsite properly by licensed waste haulers in accordance with federal, state, and/or local regulations.
- O. Grease Trap Requirements. Grease traps may be authorized by the Director through a variance under Subsection (K) with the following conditions:
1. Grease traps shall be installed in waste lines leading from drains, sinks and other fixtures or equipment where grease may be introduced into the sewer system in quantities that can cause blockage.

2. Grease traps shall be properly sized and installed in accordance with the latest approved edition of the California Uniform Plumbing Code.
3. The original design of the grease trap shall not be modified unless the manufacturer recommends the modification in writing.
  - a. Any modification will be at the FSE's expense.
  - b. The city is not liable for any non-compliance as a result of any modification.
4. Grease traps shall be maintained in efficient operating conditions by removing accumulated grease. The interval between cleaning will be established by the Director, but shall not exceed two (2) weeks. Baffles shall be removed and cleaned during the maintenance process, when applicable.
5. Grease traps shall be kept free of all food residues and any FOG waste removed during the cleaning and scraping process.
6. Grease traps shall be inspected periodically to check for leaking seams and pipes and for effective operation of the baffles and flow regulating devices.
7. Grease traps and their baffles shall be maintained free of all caked on FOG and waste.
8. Dishwashers and food waste disposal units shall not be connected to or discharged into any grease trap.
9. The temperature of any water entering a grease trap shall not exceed 140° F (60° C).

Q. Rights of Inspection and Sampling.

The city shall have the right to inspect and sample any FSE ensure compliance with this ordinance as established by Section 13.04.230.

S. Enforcement.

Enforcement of the FOG Control program shall follow the provisions set forth in Section 13.04.350 and 13.04.370.

13.04.320 Permit Duration. Permits will be issued for a specified time period, not to exceed five years. The user shall apply for permit reissuance a minimum of one hundred eighty days prior to the expiration of the user's existing permit. Terms and conditions of the permit may be subject to modification by the city during the term of the permit as limitations or requirements as identified in sections 13.04.150, 13.04.160 and 13.04.170 are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least thirty days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

13.04.330 - Permit-Transfer restrictions.

Wastewater permits are issued to a specific user for a specific operation. A wastewater 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 city. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit. (Ord. 90-11 § 3).

13.04.340 - Periodic compliance reports.

- A. 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 POTW, shall submit to the superintendent during the months of June and December, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards.
- B. The superintendent may impose mass limitations on users which are using dilution to meet applicable pretreatment standards. In such cases, the periodic compliance report shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the concentration, or production and mass where requested by the superintendent, of pollutants contained therein which are limited by the applicable pretreatment standard. The frequency of monitoring shall be prescribed in the applicable pretreatment standard. All analysis shall be performed in accordance with procedures established in Section 304(g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other procedures approved by the administrator. Sampling shall be performed in accordance with the techniques approved by the administrator. (Ord. 90-11 § 3).

13.04.350 - Enforcement.

A. Harmful Contributions.

- 1. The city may suspend the wastewater treatment service and/or a wastewater permit when such suspension is necessary, in the opinion of the city, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW or causes the city to violate any condition of its NPDES permit.
- 2. Any person notified of a suspension of the wastewater treatment service and/or the wastewater permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the city shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The city shall reinstate the wastewater permit and/or the wastewater treatment service upon proof of the elimination of the noncompliance discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the city within fifteen days of the date of occurrence.

B. Revocation of Permit. Any user who violates the following conditions of this section, or applicable state and federal regulations, is subject to having his permit revoked in accordance with the procedures of Section 13.04.350 of this chapter.

- 1. Failure of a user to factually report the wastewater constituents and characteristics of his discharge;
- 2. Failure of the user to report significant changes in operations or wastewater constituents and characteristics;

3. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or,
  4. Violation of conditions of the permit.
- C. Notification of Violation. Whenever the city finds that any user has violated or is violating this title, wastewater contribution permit, or any prohibition, limitation of requirements contained herein, the city may serve upon such person a written notice stating the nature of the violation. Within thirty days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the city by the user. If the plan is not submitted to the city within the time allowed and the violation is not corrected forthwith, the city shall set the matter for a show cause hearing.
- D. Show Cause Hearing.
1. The city may order any user who causes or allows an unauthorized discharge to enter the POTW to show cause before the city council why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the city council regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the city council why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten days before the hearing. Service may be made on any agent or officer of a corporation.
  2. The city council may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the assigned department to:
    - a. Issue, in the name of the city council, notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
    - b. Take the evidence;
    - c. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the city council for action thereon.
  3. At any hearing held pursuant to this title, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.
  4. After the city council has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed on existing treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.
- E. Legal Action. If any person discharges sewage, industrial wastes or other wastes

into the city's wastewater disposal system contrary to the provisions of the ordinance codified in this title, federal or state pretreatment requirements, or any order of the city, the city attorney may commence an action for appropriate legal and/or equitable relief in any court of competent jurisdiction. (Ord. 90-11 § 3).

#### 13.04.360 Penalty-Costs.

- A. Civil Penalties. Any user who is found to have violated an order of the city council or who wilfully or negligently failed to comply with any provision of the ordinance codified in this title, and the orders, rules, regulations and permits issued hereunder, shall pay a fine established by a resolution of the city council. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the city may recover reasonable attorneys' fees, court costs, court reporters; fees and other expenses of litigation by appropriate suit at law against the person found to have violated this ordinance or the orders, rules, regulations, and permits issued hereunder.
- B. Falsifying Information. Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to the ordinance codified in this title or wastewater permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under the ordinance codified in this title, shall, upon conviction, be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months, or by both.

#### 13.04.370 Severability.

If any provision, paragraph, word, section or article of the ordinance codified in this title is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

(Ord. 90-11 § 3).

#### 13.04.380 Conflict.

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of the ordinance codified in this title are hereby repealed to the extent of such inconsistency or conflict.

(Ord. 90-11 § 3).

### Chapter 13.08 CONSTRUCTION AND EXTENSION

#### Sections:

#### I. Building Sewers, Lateral Sewers, Connections

13.08.010 Permit required.

13.08.020 Design and construction requirements.

13.08.030 Separate side sewers.

13.08.040 Old building sewers.

13.08.050 Cleanouts.

13.08.060 Sewage lift.

13.08.070 ~~Connection to public sewer.~~ Sewer connection required.

- 13.08.080 Testing.
- 13.08.090 Maintenance.

## II. Construction

- 13.08.100 Permit required.
- 13.08.110 Design and construction standards.
- 13.08.120 Subdivisions.
- 13.08.130 As-constructed drawings.
- 13.08.140 Completion of sewerage works required.

## III. System Extensions

- 13.08.150 Procedure.
- 13.08.160 Construction by applicant.
- 13.08.170 Reimbursement terms and agreement.
- 13.08.180 City construction and reimbursement for construction of sewer lines.

## I. Building Sewers, Lateral Sewers, Connections

### 13.08.010 Permit required.

No person shall construct a building sewer, lateral sewer, or make a connection with any public sewer without first obtaining a written permit from the city and paying all fees and connection charges as required in this title.

(Ord. 76-4 §4.01).

### 13.08.020 Design and construction requirements.

Design and construction of building sewers and lateral sewers shall be in accordance with the requirements of the plumbing code and in accordance with city standard specifications. Lateral sewers shall be of four-inch minimum diameter, and shall be equal in size or larger than connected building sewers.

(Ord. 76-4 §4.02).

### 13.08.030 Separate side sewers.

In general, separate premises shall be served by separate side sewers. Multiple-dwelling units in the same structure may be served by a single side sewer; however, separate multiple-dwelling structures shall be served separately. Adjacent commercial and industrial structures located on a single parcel of land and served under a single account may be served by a single side sewer. Upon the subsequent subdivision and sale of a portion of said parcel, the portion not directly connected to such public sewer shall be separately connected to a public sewer, and it is unlawful for the owner or occupant thereof to continue to use or maintain such indirect connection.

(Ord. 76-4 §4.03).

### 13.08.040 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 city.

(Ord. 76-4 §4.04).

#### 13.08.050 Cleanouts.

Cleanouts in building sewers shall be provided in accordance with the plumbing code and city standard specifications. All cleanouts shall be maintained watertight. In locations that the director may designate, an approved pressure relief connection shall be installed on each building sewer adjacent to its connection with the lateral sewer. (Ord. 76-4 §4.05).

#### 13.08.060 Sewage lift.

In all buildings in which 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 director and discharged to the public sewer at the expense of the owner. (Ord. 76-4 §4.06).

#### 13.08.070 ~~Connection to public sewer.~~ Sewer Connection Required

Every building or structure in which plumbing fixtures are installed, and every premises having piping thereon, which conveys sewage or other liquid wastes to an approved point of disposal, shall be connected to the city's sewer system. The connection of the lateral sewer into the public sewer shall be made in accordance with city standard specifications and at the applicant's expense. The connection to the public sewer shall be made by the city. (Ord. 76-4 §4.07).

#### 13.08.080 Testing.

All building sewers and lateral sewers shall be tested in accordance with city standard specifications. (Ord. 76-4 §4.08).

#### 13.08.090 Maintenance.

Building sewers and all other sewerage facilities located on private property shall be maintained by the owner of the property served thereby. The city's responsibility shall be limited to:

- A. The maintenance of the sewer mains;
- B. Insuring that the laterals are installed properly with the necessary cleanout; and
- C. Advising the property owners that if there is a lateral problem it is the responsibility to acquire the services of a private sewer cleaning company. If an emergency situation arises and the city crews are required to clean the lateral out, the affected property owner shall be billed for time and material. (Ord. 86-16 §2).

## II. Construction

#### 13.08.100 Permit required.

No person shall construct, extend, or connect to any public sewer without first obtaining a written permit from the city 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 city.  
(Ord. 76-4 §5.01).

#### 13.08.110 Design and construction standards.

Minimum standards for the design and construction of sewers within the city shall be in accordance with city standard specifications as set forth by the director. Such specifications shall include provisions governing materials, workmanship, testing, and warranty of sewerage facilities. The director may permit minor modifications or may require higher standards where unusual conditions are encountered. Minimum size main sewer shall be six-inch diameter.

(Ord. 76-4 §5.02).

#### 13.08.120 Subdivisions.

The requirements of any ordinance of the city enacting rules and regulations covering subdivisions, insofar as they relate to public sewer construction, are incorporated in this chapter and become a part of this chapter and shall be complied with by a person constructing, extending, or connecting to any public sewer. All sewers constructed in rights-of-way or easements shall be conveyed to and owned by the city.

(Ord. 76-4 §5.03).

#### 13.08.130 As-constructed drawings.

As a condition of final acceptance by the city, three sets of "as-constructed" drawings showing the actual locations of all mains, structures, wyes, laterals, and other changes to the construction drawings shall be filed with the city.

(Ord. 76-4 §5.04).

#### 13.08.140 Completion of sewerage works required.

Before acceptance of any sewerage works by the city 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 specifications and to the satisfaction of the director.

(Ord. 76-4 §5.05).

### III. System Extensions

#### 13.08.150 Procedure.

- A. Sewer system extensions may be made as general city improvements, as improvements under assessment district proceedings, by application for system extension as part of subdivision improvements, or by application for system extension by an individual applicant.
- B. Financing of sewer system extensions by assessment district proceedings shall be in accordance with district improvement plans.
- C. Charges for sewer system extensions made pursuant to applications are set forth in Section 13.12.070. For extensions made to serve premises not contiguous to existing adequate main sewers, the applicant may be required to advance the

estimated cost of the intervening facilities or to construct such facilities. A portion of the cost of such improvements shall be reimbursable. All applicable charges shall be paid by applicant in advance of construction.

- D. The city will construct, or contract for construction of, all sewer system extensions on public rights-of-way and easements except as provided in this chapter or as ordered by the director. System extensions made as part of subdivision improvements or required to serve a new subdivision shall be constructed by the applicant.  
(Ord. 76-4 §8.01).

13.08.160 Construction by applicant.

Construction of sewer system extensions by an applicant as part of subdivision improvements shall be in accordance with the requirements of the city.  
(Ord. 76-4 §8.02).

13.08.170 Reimbursement terms and agreement.

Upon completion and acceptance of facilities for which costs are reimbursable, a reimbursement agreement will be provided by the city and entered into by city and applicant. The reimbursement agreement shall include a detailed description of the facilities for which costs are reimbursable, an exhibition of cost data and calculation of reimbursable costs, and the terms of reimbursement. Minimum annual reimbursement shall be equal to the frontage and connection charges levied for service connections to the reimbursable facilities. No interest shall be paid on reimbursable amounts. The term of all reimbursement agreements shall be ten years.  
(Ord. 76-4 §8.03).

13.08.180 City construction and reimbursement for construction of sewer lines.

The city is authorized by public bid or forced account to expend public funds for the construction of extensions to the city's sewer system. When any public funds are expended to construct any extension to the city's sewer system, the city shall collect or be reimbursed the cost of said construction by each applicant for sewer service who connects a sewer main or lateral to said line. The amount collected from each applicant connecting to the line shall be equal to the actual cost of constructing that portion of the sewer line that is located upon or fronts the applicants property or the parcel to be serviced by the connection. The city is authorized to enter into contracts with applicants for sewer service as are necessary to collect or be repaid for the cost of constructing any sewer line.  
(Ord. 89-13 § 2).

## Chapter 13.12 SEWER RATES\*

\* For statutory provisions authorizing cities to prescribe and collect fees for sewer service, see Health and Saf. Code §§5471, 5474 and 5474.10.

### Sections:

#### 13.12.040 Sewer Service Funds.

13.12.005 Rate changes.

13.12.010 Billing periods.

13.12.020 Payment.

13.12.030 Delinquency--Service discontinued.

13.12.040 Delinquency--Restoration of discontinued service.

13.12.050 Delinquency--Unauthorized turnon.

13.12.060 Disputed charges.

13.12.070 Connection charge.

13.12.080 Lateral sewer installation charges.

13.12.090 Wastewater Discharge Permit User Fees.

#### 13.12.040 Sewer Service Funds.

A. A sewer service fund is hereby established. It shall consist of revenue from sewer service charges, revenue from sewer connection charges, and sewer facility charges as herein defined.

B. All revenue obtained from sewer service charges shall be deposited into said fund, shall be accounted for separately, and shall be expended for the administration, acquisition, construction, reconstruction, maintenance, and operation of wastewater facilities and collection system infrastructure, including payment of interest and principal on bonds issued for such purposes, and for the implementation of the city's pretreatment program. Said fund may also provide a capital reserve for depreciation and improvements to sewer facilities.

Nothing contained in this section shall be construed to restrict or prohibit the making of transfers from said sewer service fund for the purpose of making temporary loans to one or more of the various departments of the city; and provided further that all such temporary loans shall be restored annually to the sewer service fund on or before the last day of each fiscal year.

13.12.005 Rate changes.

All rates or charges established by this title may be changed by the city council by resolution.

(Ord. 86-8 §2).

13.12.010 Billing periods.

Charges for general sewerage service will be rendered annually. Such fees will be fixed by resolution of the city council. Charges for other sewerage services may be rendered at any lesser frequency which the city may choose.

(Ord. 86-1 §2: Ord. 76-4 §7.01).

13.12.020 Payment.

Charges will be collected semi-annually for those charges collected by the county tax collector's office as part of the county's tax collection. Charges collected directly by the city may be collected as deemed necessary by the city.  
(Ord. 76-4 §7.02).

13.12.030 Delinquency--Service discontinued.

The city may discontinue all utility service rendered by the city if county tax payments are delinquent.  
(Ord. 76-4 §7.03).

13.12.040 Delinquency--Restoration of discontinued service.

When service is discontinued because of delinquency in payment of a bill for sewerage service, the utility service shall not be restored until all charges, including a restoration charge equal to the monthly minimum charge, are paid, and a cash deposit is made to reestablish credit. The deposit shall be treated as an application deposit.  
(Ord. 76-4 §7.04).

13.12.050 Delinquency--Unauthorized turnon.

If, after a service is discontinued for delinquency in payment, service is resumed without authorization, the service connection facilities may be removed, and a charge equal in amount to the restoration charge, plus actual cost for restoring service shall be made. This charge is in addition to all other charges and deposits.  
(Ord. 76-4 §7.05).

13.12.060 Disputed charges.

In case of dispute as to payment of taxes, the customer shall present the receipted bill, cancelled check, or other satisfactory evidence of payment before the city may make an adjustment or correction.  
(Ord. 76-4 §7.06).

13.12.070 Connection charge.

An applicant for sewer service shall pay a sewer system connection charge as set by resolution of the city council. Sewer hookup fees shall be waived on city-owned property or city-owned facilities.  
(Ord. 87-8 §2; Ord. 86-8 §3; Ord. 86-1 §3; Ord. 85-8 §1; Ord. 82-6 §1; Ord. 78-4 §1; Ord. 76-4 §10.1).

13.12.080 Lateral sewer installation charges.

- A. An applicant for lateral sewer installation by the city shall pay an installation charge established by resolution of the city council.
- B. Special conditions are as follows:
  - 1. No charge will be made for replacements of lateral sewer installations installed or accepted by the city because of normal deterioration.

2. Charges for construction of lateral sewer installations of sizes other than those tabulated shall be the estimated total cost of the installations.
3. Any condition which, in the opinion of the director, will result in construction costs more than twenty percent above the tabulated charges will be considered unusual. Charges for unusual installations shall be the estimated total cost of the installations.
4. Lateral sewer installations in a new subdivision shall be made by the applicant concurrently with main construction. For such installations, the applicant shall pay an engineering and inspection charge of ten percent of the tabulated installation charges.
5. Special control structures and other appurtenances shall be constructed by the applicant unless otherwise ordered by the director.
6. For any installations in Main Street, the city will contract for installation. Lot developer will pay the cost to the city.  
(Ord. 86-8 §4; Ord. 86-1 §4; Ord. 76-4 §10.2).

13.12.090 Wastewater Discharge Permit User Fees.

All users shall be classified according to the principal activity conducted on the user's premises and based on the typical wastewater constituents and characteristics for that type of user as determined by the city. The purpose of such classification is to facilitate the regulation of wastewater discharges based on wastewater constituents and characteristics to provide an effective means of source control, and to establish a system of user charges and fees which will insure an equitable recovery of the city's costs. All permitted users will be subject to user fees based on the classification of their contributions to the City's sewer system.