

ORDINANCE NO. 8

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ARTICLE I
Purpose Of General Regulation And Ordinance No. 8

Section 1.1. The purpose of this General Regulation and Ordinance (“Ordinance”) is to (1) regulate the construction of and use of Public Sewers, Private Sewers, and Private Sewage Disposal Systems; and (2) the installation and connection of Private Sewers; and the setting of uniform requirements for discharges into the District’s Wastewater collection system and treatment, storage and disposal facilities.

Section 1.2. This Ordinance enables the San Andreas Sanitary District to comply with the administrative provisions of the Clean Water Act; the water quality requirements set by the State Regional Water Quality Control Board; the applicable Effluent limitations, National standards of performance, toxic and pre-treatment Effluent standards, and any other discharge criteria which are required or authorized by State or Federal Law and to derive the maximum public benefit by regulating the quality and quantity of Wastewater discharge into the systems of the San Andreas Sanitary District.

Section 1.3. This Ordinance provides for the setting of User charges and fees for the equitable distribution of costs to all Users, the issuance of Permits to certain Users, authorized monitoring and enforcement activities and required User reporting.

Section 1.4. Revenues derived from the application of this Ordinance shall be used, in accordance with this Ordinance, to defray the San Andreas Sanitary District’s cost of operating and maintaining an adequate Wastewater collection system, treatment, storage and disposal systems and to provide sufficient funds for capital outlay, bond service costs, capital improvements and depreciation.

Section 1.5. The foregoing sections of this Ordinance are established pursuant to the California Health and Safety Code, Division 6 Sanitary Districts.

ARTICLE II **Definitions**

Unless the context specifically indicates otherwise, the meaning of the terms used in this Ordinance shall be as follows:

Section 2.1. Agent. “Agent” shall mean the authorized representative of the Board of Directors of the San Andreas Sanitary District, or its authorized representative.

Section 2.2. Annexation Fee. “Annexation Fee” shall mean a fee determined to be appropriate by the Board and placed as a condition of approval on a Petition of Annexation.

Section 2.3. Applicant. “Applicant” shall mean the Person making application for a Permit for Sewer Connection, Petition for Annexation, or request for service. Said Applicant shall be the owner of the property to be served for which a Permit is required or his authorized Agent.

Section 2.4. As-Built Map. “As Built Map” shall mean a document that illustrates precisely what changes were made in the field to pipes or appurtenances different from the Owner/Developers Plans.

Section 2.5. Board. “Board” shall mean the duly elected or appointed Board of Directors of the San Andreas Sanitary District.

Section 2.6. Building. “Building” shall mean any structure containing sanitary facilities.

Section 2.7. Building Sewer. “Building Sewer” shall mean a Sewer, privately owned, conveying Wastewater from the Building of the User to a private (service) Sewer at the property or Sewer easement line.

Section 2.8. Capacity Charge. “Capacity Charge” means a charge for public facilities in existence at the time a charge is imposed or charges for new public facilities to be acquired or constructed in the future as set forth in Government Code §66013(b)(3).

Section 2.9. Cesspool. “Cesspool” – see Septic Tank.

Section 2.10. Commercial. “Commercial” shall mean any Premises used for non-Residential purposes.

Section 2.11. Commercial User. “Commercial User” shall mean any property connected to the Public Sewer System where the use is non-residential, including, but not limited to, any non-residential businesses such as retail, industrial, restaurants, and mobile food vendors. In the case of Buildings or facilities which contain multiple offices or businesses a Commercial User shall be defined as each separate business or

Commercial enterprise which has within its facilities and available for its use, or the use of the Public, or uses the facilities of another business on the Property, one or more of the following; a kitchen, washroom, restroom facilities, etc., containing one or more plumbing fixtures.

Section 2.12. Connection. “Connection” means a physical connection of a Private Sewer to the Public Sewer System.

Section 2.13. Connection Fee. “Connection Fee” means a fee for the physical facilities necessary to make a Sewer connection to the Public Sewer System as set forth in Government Code §66013(b)(5).

Section 2.14. Connection Permit. “Connection Permit” means a permit issued by the District pursuant to Article IV allowing a Connection to the Public Sewer System.

Section 2.15. Contractor. “Contractor” shall mean 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.

Section 2.16. Director. “Director” shall mean a duly elected or appointed member of the Board of Directors of the San Andreas Sanitary District.

Section 2.17. District. “District” shall mean the San Andreas Sanitary District, Calaveras County, State of California, its Directors, or its Agent.

Section 2.18. “Dual Use” Property. If a single property is used for multiple purposes, such as a home and a daycare business, then the sewer charge will resort to the higher value use. Include exceptions for business use that is simple in nature, such as a home-office for accounting or a home-office for consulting that doesn’t have customers coming on site.

Section 2.19. Dwelling Unit (EDU). “EDU” shall mean the term used for billing purposes to designate the amount of Sewage flow for a Dwelling Unit.

Section 2.20. Effluent. “Effluent” shall mean the liquid outflow of any facility designed to treat, convey or retain Wastewater.

Section 2.21. Engineer. “Engineer” shall mean the Person designated by the Board to consult with and to supply the District such Engineering data and services as it may require.

Section 2.22. Garbage. “Garbage” shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling and sale of produce, and all other solid wastes transported to the District’s Sewage works, including public Sewers by private or Commercial sources.

Section 2.23. Industrial User. As defined in 40 CFR “Industrial User” shall mean;

A. Any nongovernmental User of public owned treatment works which discharges more than 25,000 gallons per day of sanitary waste, or a volume of process waste or combined process and sanitary waste to 25,000 gallons per day of sanitary waste.

B. Any nongovernmental use of publicly owned treatment works which discharges Wastewater to the treatment works which contains toxic Pollutants or poisonous solids, liquids or other gases in sufficient quantity either singly or by interaction with other wastes to injure or interfere with any Sewer treatment process, constitute a hazard to humans or animals, create a public nuisance or create a hazard in or have an adverse effect upon the waters receiving any discharge from the treatment works.

Section 2.24. Industrial Waste. “Industrial Waste” shall mean either liquid or solid waste from any industrial or Commercial process or activity.

Section 2.25. Inspector. “Inspector” shall mean the Inspector acting for the Board and may be a member of the Board, the Manager, the District Engineer or Inspector appointed by the Board.

Section 2.26. Maintenance Bond. “Maintenance Bond” shall mean security posted by the developer or owner to guarantee that facilities constructed under a connection Permit, or an agreement will be regularly and adequately maintained throughout the maintenance period. Upon acceptance of the improvements in question by the District, responsibility for facility upkeep is transferred to the District, but the Maintenance Bond shall remain in place for the period of time to protect against design defects and/or failures in workmanship.

Section 2.27. Manager. “Manager” shall mean the Person appointed by the Board to administer and enforce the rules and regulations of the District.

Section 2.28. Mobile Food Vendor. “Mobile Food Vendor” shall mean any vehicle or portable building used for the sale and/or preparation of food.

Section 2.29. Multi-Family Dwelling. “Multi-Family Dwelling” as opposed to “Single Family Dwelling”.

Section 2.30. Natural Outlet. “Natural Outlet” shall mean any non-man-made outlet flowing into a water course, pond, ditch, lake or other body of surface or ground water.

Section 2.31. Ordinance. “Ordinance” means General Regulations and Ordinance No. 8 and all subsequent amendments.

Section 2.32. Performance Bond. “Performance Bond” shall mean security posted to ensure that in the event default on the part of a developer, owner, or Contractor, sufficient funds are available to finish the construction of Sewer System Improvements.

Section 2.33. Permit. “Permit” shall mean any written authorization required pursuant to this or any other regulations of the District.

Section 2.34. Person. “Person” shall mean individual, partnership, firm company, corporation, association, joint stock company, partnership, organization, society, group, trust, estate, governmental entity or other legal entity, or their legal representatives, Agents or assigns.

Section 2.35. pH. “pH” shall mean the logarithm (base 10) of the reciprocal of the concentration of hydrogen’s expressed in grams per liter of solution. On a scale of 1 to 14 which measures acidity and alkalinity; 7.0 being neutral, 0-6.9 being acidic, and 7.1-14 being basic or alkaline.

Section 2.36. Portable Toilet. “Portable Toilet” means a portable or mobile enclosure containing a toilet that is not connected to the Public Sewer System. Examples include, but are not limited to, porta pottys used as a temporary toilet for construction sites and large gatherings and events.

Section 2.37. Private Sewer. “Private Sewer” shall mean that portion of the Sewer line extending from the public Sanitary Sewer to the property or Sewer easement line where it receives Sewage from a Building Sewer.

Section 2.38. Private Sewage Disposal System (On-site System). “Private Sewage Disposal System,” or “On-site System” shall mean a system for disposal of Sewage other than a public or community system, including, but not limited to, Septic Tank-soil absorption systems and chemical toilets.

Section 2.39. Plumbing Fixture. “Plumbing Fixture” shall mean any item which contains a collection device for Wastewater connected directly or indirectly to the Sanitary Sewer system including but not limited to a toilet, urinal, shower, tub, sink, basin, lavatory, floor drain or automatic washing machine.

Section 2.40. Pollutant. “Pollutant” shall mean anything which degrades the quality of the environment. For water Pollution this may include any substance, vector, or quality (such as heat) that degrades or alters the inherent quality of the water.

Section 2.41. Pollution. “Pollution” shall mean an alteration of the quality of the waters of the State by waste to a degree which unreasonably affects such waters for beneficial use of facilities which serve such beneficial uses. Pollution may include contamination.

Section 2.42. Premises: “Premises” shall mean a parcel of real property including any improvements thereon.

Section 2.43. Property Owner. “Property Owner” means the person(s) or entity that the public records reflect is the owner of title for a parcel of real property.

Section 2.44. Public Sewer System. “Public Sewer System” shall mean a Sanitary Sewer owned and operated by the San Andreas Sanitary District and dedicated to public use.

Section 2.45. Residential. “Residential” shall mean a building or other structure or vehicle used as a residence.

Section 2.46. Sanitary Sewer. “Sanitary Sewer” shall mean any Sewer which carries only domestic Sewage and Commercial and Industrial Wastes, and to which storm, surface and ground waters are not intentionally allowed.

Section 2.47. Separator. “Separator” shall mean a device or trap to reduce the amount of grease, sand or oil entering the Sewer system.

Section 2.48. Septic Tank. “Septic Tank” shall mean a tank not connected to the public Sanitary Sewer in which the settled Sewage sludge is in immediate contact with the Sewage flowing through the tank, while the organic solids are decomposed by bacterial action.

Section 2.49. Septic Trucks (Vacuum Pump Trucks). “Septic Trucks” shall mean any vehicle capable of removing and transporting Sewage from a Cesspool, Septic Tank, vault or Privy.

Section 2.50. Sewage. “Sewage” shall mean any and all waste substance, liquid or solid, associated with human habitation, or which contains or may be contaminated with human or animal excretion or excrement, offal or feculent matter.

Section 2.51. Sewage Works. “Sewage Works” shall mean all facilities for collecting, pumping, treating and disposing of Sewage.

Section 2.52. Sewer. “Sewer” shall mean a pipe or conduit for carrying Sewage, and is intended to be used interchangeably with the term Sanitary Sewer.

Section 2.53. Sewer Service Charge. “Sewer Service Charge” shall mean the amount regularly charged, as set forth in this Ordinance, to all Users of the District’s Sewage works for the ongoing cost of treating, storing and disposing of Sewage AND to operate, maintain, and repair the existing Sewage works of the District, including Public Sanitary Sewers.

Section 2.54. Sewer System Improvement. “Sewer System Improvement” shall mean those improvements, including, but not limited to Sewer extensions, which are deemed

necessary by the District to serve one or more owners of Premises which are not now served by the District Sewer system, but are within the boundaries of the District.

Section 2.55. Shall and May. “Shall” is mandatory; “May” is permissive.

Section 2.56. Single Family Dwelling. “Single Family Dwelling” shall mean a property which is designed, improved or used as a residence for one family only, and which is not designed, improved or used for any other purpose.

Section 2.57. State. “State” shall mean the State of California.

Section 2.58. Storm Water. “Storm Water” shall mean water to which no Pollutant has been added, either intentionally or accidentally, other than street wash, surface water, rain water runoff, or drainage, but excludes Sewage, Commercial and Industrial Waste.

Section 2.59. Suspended Solids. “Suspended Solids” shall mean solids that either float on the surface of or are in suspension in water, Sewage, or their liquids, and which is removable by laboratory filtering.

Section 2.60. Unit. “Unit” shall mean a physical space for occupancy. A Residential Unit means a space for one residence. As an example, a Single Family Dwelling would be one Residential Unit, while a building with 9 apartments would have 9 Residential Units. A Commercial Unit means a space for one business. As an example, a Commercial building with 4 spaces for separate businesses would have 4 Commercial Units.

Section 2.61. User. “User” shall mean any Person who contributes, causes or Permits the contribution of Wastewater into the District’s Public Sewage System. A User may be the legal owner of a Premises served, or any Person who has requested the Sewer Service Charge be billed to him or her.

Section 2.62. Variable Charge. “Variable Charge” means the portion of a monthly Sewer Service Charge based on average water usage set forth Article VII, Section 7.5.

Section 2.63. Wastewater. “Wastewater” shall mean the liquid portion of industrial or domestic wastes from dwellings, Commercial Buildings, industrial facilities and institutions which may be present whether treated or untreated which is contributed into or Permitted to enter the Public Sewage works.

ARTICLE III
Use of Public Sewers Required

Section 3.1. It shall be unlawful for any Person to place, deposit or allow to be deposited in any manner, except as authorized by the District, upon public or private property within the District, any Sewage, Wastewater, human or animal excrement, or other objectionable organic waste.

Section 3.2. It shall be unlawful to discharge into any Natural Outlet or watercourse within the District, any Sewage, Wastewater, Industrial Wastes, chemicals or other liquid or solid Pollution, Pollutant, or materials.

Section 3.3. Except as hereinafter provided, it shall be unlawful to construct or maintain any Private Sewage Disposal System intended or used for the disposal of Sewage, Wastewater, Industrial Wastes, chemicals or other liquid or solid Pollution, Pollutant, or materials within the District.

Section 3.4. Use of Portable Toilets. Portable Toilets shall not be used as an alternative for the Public Sewer System. Therefore, Portable Toilets shall not be allowed except under the following limited conditions:

- A. Property where an active building permit exists,
- B. Use by public agencies or public utilities
- C. Upon a permit being issued by the District.

Section 3.5. Connection of Vehicles to Sewer System. Connection of vehicles including but not limited to recreational vehicles, trailers, food trucks, and all other mobile sources of Sewage, and excluding mobile home parks with a permit issued by the District, to the Public Sewer System, is hereby prohibited.

ARTICLE IV
Service and Connection to District Public Sewers

Section 4.1. It shall be unlawful for any Person to make a connection with or opening into, use, alter, or disturb any Sanitary Sewer or appurtenance thereof without first obtaining a written Permit as provided in this Article from the District. It shall further be unlawful for anyone to expand or change the use of property already connected to the Public Sewer System without obtaining a written Permit as provided in this Article from the District. As an example, prior to adding a room onto an existing home, the owner of the parcel shall be required to obtain a written connection Permit from the District and pay appropriate capacity fees, if any.

Section 4.2. The District shall issue connection Permits in accordance with the requirements of this Article. Absent a written agreement to the contrary approved by the Board, the District shall not commit to serve new Users or existing Users seeking additional capacity until a formal application for connection has been made. All Persons seeking to connect to the District's Public Sewer System shall follow the procedures set forth herein in obtaining a Connection Permit.

Section 4.3. Users wishing to apply for connection to the District's Sewer System or obtain additional capacity in excess of their existing Connection Permit, including, but not limited to, due to an increase in discharge in volume or character or change in type of use, shall submit a fully completed written application ("Connection Application") for each connection requested to the District in the form provided by the District together with a nonrefundable application administrative fee established and revised from time to time by Board resolution for each Residential and Commercial Connection Application to cover the District's costs of administration of the application. The Connection Application shall be signed by the owner of the property seeking the connection to the Public Sewer System. The following are examples of when the owner of an existing Connection Permit must apply for additional capacity with a Connection Application before expanding use or obtaining a building permit from the County:

A. On Residential Units, adding of a bedroom to the Unit in excess of the existing Connection Permit.

B. On Commercial Units, changing the use of the Unit that would cause the discharge to exceed the capacity allowed in the Connection Permit.

C. On Commercial Units, discharging more effluent into the Public Sewer System that exceeds the capacity allowed in the Connection Permit.

Section 4.4. Upon receipt of the Connection Application and administrative fee, the District Manager shall determine if an application is complete and whether the District's Public Sewer System has capacity and facilities to serve the Applicant and inform the Applicant in writing whether a Connection Application has been approved or denied.

Section 4.5. Upon notification of approval of a Connection Application by the District, the Applicant shall pay a Connection Fee and a Capacity Charge set forth herein.

Section 4.6. The Connection Fee for each physical connection shall be based on the size of lateral Sewer pipe, and established as follows:

A. Up to a 4 Inch connection – The fee shall be established and revised from time to time by Board resolution.

B. Connection Fees for pipes greater than 4 Inch shall be established on a case by case basis by the District for physical facilities necessary to make a Sewer connection in an amount not to exceed the District's necessary costs and expenses.

Section 4.7. The Capacity Charge for each Connection shall be calculated as follows:

A. For the treatment and disposal capacity created prior to the District's 2008 Wastewater Treatment Plant Upgrades ("2008 Upgrade"), there is no capacity charge.

B. For the treatment and disposal capacity created by the 2008 Upgrade, the Capacity Charge shall be \$46.83 multiplied by the estimated gpd of waste produced by the connection using Table 1A.

C. The Capacity Charge for any use not specifically covered by Table 1A shall be determined by the Board after consideration of the recommendations of the District Manager.

D. If an Applicant disagrees with the estimated flow used by the District to determine the Capacity Charge for a Commercial use, the Applicant may install at the Applicant's sole expense, a recording flow meter approved by the District. Should the actual metered flows differ from the estimated flows by 10% or more, higher or lower, the Capacity Charge will be recalculated based upon the actual metered flows. Should the recalculated Capacity Charge be less than the Capacity Charge previously paid by the Applicant, then the District shall refund the difference to the Applicant. Should the recalculated Capacity Charge be greater than the Capacity Charge previously paid by the Applicant, then the Applicant shall pay the difference to the District within 15 days. A Lien may be placed if payment is not made in 15 days and the existing service may be subject to termination as set forth in this Ordinance.

E. After the physical connection is made, the District shall verify the Commercial User's estimated daily flows using the User's actual daily water consumption during the 12 months following connection. If the Commercial User's discharge exceeds the Capacity allowed in the Connection Permit within 18 months of the physical connection, then the property owner shall immediately submit a Connection Application for the additional capacity. In the event the property owner fails to comply with this section, the District shall revoke the Connection Permit, physically disconnect the property from the Public Sewer System and charge the property owner for all

administrative costs incurred by the District, including the cost to physically disconnect the Sewer lateral.

F. Capacity Charges shall be non-refundable upon physical connection to the Public Sewer System unless otherwise provided in this Article.

Section 4.8. Upon receipt of the Connection Fee and Capacity Charge, the District Manager shall issue the Applicant a Connection Permit entitling the Applicant to make the physical connection to the Public Sewer System and discharge Sewage into the Public Sewer System in an amount equal to the Connection Permit.

Section 4.9. Absent a written agreement approved by the Board, Connection Permits may only be used on the property identified in the permit and may not be transferred to another parcel.

Section 4.10. All Connection Permits must be obtained prior to a Building Permit being issued by the Calaveras County Building Department. Any property already connected to District Public Sewer System that seeks to increase its discharge into the Public Sewer System or change its Connection Permit approved use shall first comply with the Connection Application process set forth in this Article prior to said increase or change.

Section 4.11. The District may change the conditions set at the time permission to discharge into the Public Sewer System was granted, or impose further conditions with respect thereto, by reason of increased flow, change in character of the waste, or for any other cause which increases the difficulty or cost of handling such waste or a change in the State discharge requirements.

Section 4.12. The District Manager may require an Applicant for a Connection Permit to file an engineer's statement stamped and signed by a licensed engineer, or affidavit, to assist the District in determining the amount of the Capacity Charge and the Sewer Service Charge. Each statement or affidavit shall contain such information as may be required by the District. Failure to file a statement or affidavit may result in denial of the application. Each such statement or affidavit, and the information contained therein, shall be subject to verification by the District or its Agent.

Section 4.13. All costs and expenses incidental to the installation and connection of the Private Sewer to the Public Sewer System shall be borne by the Applicant.

Section 4.14. The Applicant shall indemnify the District for any loss or damage it suffers that is directly or indirectly related the Applicant's connection to the Public Sewer System.

Section 4.15. Absent a written agreement with the District approved by the Board, if the Applicant for a Connection Permit fails, for any reason, to complete the physical connection to the Public Sewer System within one year of the issuance of the Connection Permit, the Connection Permit shall automatically be revoked and the

balance of the Connection Fee and Capacity Charge deposited for the Connection Permit, after deducting the District's administrative expenses incurred, shall be refunded to the owner of the property at the time of the refund. If, after revocation of the Connection Permit the owner of the parcel desires a Connection Permit, the owner shall submit a new application pursuant to this Article.

Section 4.16. Any Person connecting to the Public Sewer System without a Connection Permit shall be guilty of a misdemeanor and shall be assessed all applicable monthly services charges and fees plus a penalty of twenty-five (25) percent of the applicable fees and costs incurred by the District in terminating the unlawful connection.

Section 4.17. Any Person who discharges Sewage or Wastewater into the Public Sewer System in excess of the Connection Permit issued to them by the District shall immediately reduce the discharge to comply with the Connection Permit and shall be subject of any or all of the following at the discretion of the District Manager:

A. A 25% service charge on each monthly Sewer Service Charge set forth in Article VII of this Ordinance for during each month there is a violation starting with the date of the violation first occurred.

B. Termination of the connection permit and physical disconnection of the sewer connection to the Public Sewer System.

C. Pay all of the District's costs incurred, including staff time, in connection with the excess discharge.

TABLE 1 A

Estimated Water Consumption at Different
Types of Establishments

Type of Establishment	Approximate Daily Flow gpd/unit*
<u>Residential Units:</u>	
Single Family Residences, per bedroom	90
Apartments, per bedroom	90
Condominiums, per bedroom	90
Trailer Home, per bedroom	90
<u>Temporary Residential Units:</u>	
Hotels, per room	70
per employee	15
Boarding Houses, per resident	62
Bed and Breakfast, per bedroom	40
Motels, per room	70
<u>Camps:</u>	
Pioneer Type Camp, per camper	25
Children's Camp, central toilet and bath, per camper	50
Day Camp, no meals, per camper	15
Luxury Camp, private bath, per resident	100
Labor Camp, per resident	50
Trailer Park, with private toilet and bath, per trailer stall	180
<u>Restaurants:</u>	
Conventional Restaurant, per seat	10
Conventional Restaurant, 24 hrs., per seat	20
Fast Food Restaurant, per seat	8
Bars and Cocktail Lounges, per seat	25
Tavern, per seat	20
<u>Institutions:</u>	
Jail, per inmate	80
per employee	20

Hospitals, per bed	150
per employee	10
School, with cafeteria or lunch room, per student	18
School, with cafeteria and showers, per student	25
Boarding School, per student	75
<u>Commercial:</u>	
Theater, three showings per day, per seat	5
Service Stations, per vehicle served	10
per set of pumps	90
Retail Stores, per parking space	5
per employee	10
Residential Country Club, per bedroom	90
Transient Country Club, serving meals, per seat	5
General Office, per employee	15
Laundromat, per machine	600
Swimming pools, toilet and shower, per visitor	10
Public Parks, with flush toilets, per visitor	8
Fairgrounds (based on daily attendance), per visitor	1
Community Center, no on-site food, per seat	4
Assembly Hall, no on-site food, per seat	4

* The above water consumption rates are intended to be a general guideline only. Water consumption rates may vary depending upon the specific details of a particular user or project. District may request additional information from project applicants to more accurately estimate a project's wastewater production. At the District's discretion, higher or lower water consumption rates may be used for a specific project.

ARTICLE V
Private Sewer Lateral Connections

Section 5.1. A separate and independent Private Sewer lateral shall be provided for every Building. All Private Sewer laterals shall be designed and constructed in accordance with the specifications and details in Attachment A.

Section 5.2. The installation of all Private Sewer systems and connections to the Public Sewer System shall be made in accordance with the specifications and details in Attachment A.

Section 5.3. A readily accessible cleanout shall be installed on the Private Sewer lateral at or near the property line of the parcel being served.

Section 5.4. A readily accessible cleanout shall be installed at the junction of the Building Sewer and the Private Sewer lateral, two feet outside the Building line. A two-way cleanout may be installed at the junction of the Building Sewer and private lateral Sewer subject to the approval of the District. All cleanouts shall be extended to grade.

Section 5.5. Additional cleanouts shall be installed on the Private Sewer lateral at intervals not to exceed one hundred feet (100') on straight runs.

Section 5.6. Every change in alignment, or grade, in excess of twenty-two and a half degrees in a Private Sewer lateral, shall have a cleanout installed at the alignment or grade change. All cleanouts shall be extended to grade.

Section 5.7. The conduit for Private Sewer laterals within the public right-of-way or easement, and on private property, shall be one of the following types of pipe:

A. Standard Ductile Iron Pipe conforming to AWWA C 151. The pipe shall be cement mortar lined in accordance with AWWA C 104. The pipes exterior surface shall have a minimum 1 mil thick coating of either coal tar or asphalt base.

B. P.V.C. Sewer Pipe with rubber gasket joint conforming to A.S.T.M. D 3034 (SDR 26).

All pipe must be new, first quality and be laid in conformance with good construction practice.

Section 5.8. A backflow prevention device shall be installed on all Private Sewer laterals at the junction of the Building Sewer and the Private Sewer lateral.

Section 5.9. Physical connections into existing public Sewer lines for Private Sewer laterals shall be the responsibility of the Property Owner and shall only be connected by a contractor properly licensed by the State of California to make the connection and under the inspection of the District.

Section 5.10. The Applicant for the connection Permit shall notify the District when the Private Sewer lateral is ready for inspection and connection to the Public Sewer System. Said notification shall be no less than forty-eight hours prior to the connection to the Public Sewer System. A District Inspector or its Agent shall be on site for all such connections.

Section 5.11. The size and slope of the Private Sewer lateral shall be subject to the approval of the District, but in no event shall the inside diameter of the pipe be less than four inches. The slope of the Private Sewer lateral shall not be less than two feet of slope per one hundred lineal feet of pipe.

Section 5.12. Wherever possible, the Private Sewer lateral shall be brought to the Building at an elevation below the basement floor. No Private Sewer lateral shall be laid parallel to or within three feet of any load-bearing wall.

Section 5.13. The Private Sewer lateral shall have a minimum of thirty inches of cover unless otherwise approved by the District. Pipe having less than thirty inches of cover shall be ductile iron or encased in concrete. Change in direction or grade in excess of 5 degrees at any one joint shall not be made.

Section 5.14. There shall be at least four inches of compacted bedding sand beneath the pipe and at least twelve inches of compacted bedding sand above the pipe. No back-fill material shall be placed over the bedding sand until the work has been inspected.

Section 5.15. In all Buildings in which any plumbing fixture is too low to permit gravity flow to the public Sewer, such Sewage shall be conveyed to the Public Sewer by a private pump lift system. The private pump lift system shall be sized in accordance with the manufacturer's specifications. Prior to installation, all private pump lift systems shall be approved and inspected by the District. All costs associated with the private pump lift system, including but not limited to the purchase, installation, operation and maintenance of the private pump lift system shall be the sole responsibility of the landowner

Section 5.16. As provided in Section 5.160 all costs of installation and maintenance of a pump lift station shall be borne by the User.

Section 5.17. Any installation not in accordance with this Article, or installed without inspection by the District, shall be immediately removed by the Property Owner.

Section 5.18. All Private Sewer laterals shall be tested for infiltration/exfiltration by an approved method as contained in the provisions of the Uniform Plumbing Code.

Section 5.19. All excavations for Private Sewer lateral installations shall be adequately guarded with barricades and when necessary, lights so as to protect the public from hazards. All work shall be in conformance with Federal, State and Local health and safety laws.

Section 5.20. Streets, sidewalks, parkways and other public property disturbed in the course of the construction of the Private Sewer lateral shall be restored in a manner satisfactory to the public authority having jurisdiction thereof. A letter from the authority concerned must be filed in the District office by the Applicant stating that all conditions have been met.

Section 5.21. All costs of connection to the Public Sewer System that are not part of the Connection Fee shall be borne by the Applicant.

Section 5.22. Any materials or construction methods not otherwise specifically stated herein, or covered by the specifications and details in Attachment A shall conform to good construction practice and be approved by the District prior to installation.

Section 5.23. Any changes made in the field that deviate from the plans approved by the District Manager, shall be approved and inspected by the District.

Section 5.24. All installed improvements shall be documented in As-Built Maps and drawings. All measurements of changes must be taken accurately from a known point and dimensioned on reproducible paper, and be neat and legible. One set of reproducible As-Built Maps and drawings shall be submitted to the District prior to final approval and acceptance by the District Manager.

ARTICLE VI
Use Of Public Sewers

Section 6.1. No Person shall discharge or cause to be discharged any Storm Water, surface water, ground water, roof runoff, yard drainage, swimming pool or spa water, subsurface drainage, cooling water, Garbage (See also Section 6.20) or Industrial Wastes to any Public Sewer System.

Section 6.2. No Person shall operate, deliver, or remove a Portable Toilet or bathroom system, including, but not limited to portapoties, within the boundaries of the District without obtaining a Permit from the District. All Sewage generated by a Portable Toilet system shall be discharged into the Public Sewer System in accordance with the permit issued by the District.

Section 6.3. No Person shall discharge or cause to be discharged any of the following described waters or wastes to any Public Sewer System:

- A. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.
- B. Any water or waste which may contain more than 100 part per million, by weight, of fat, oil or grease.
- C. Any gasoline, benzene, naphtha fuel oil, or other flammable or explosive liquid solid or gas.
- D. Any Garbage.
- E. Any solid or viscous substance capable of causing obstruction to the flow in Sewers, or other interference with the proper operation of the Sewage work such as ashes, cinders, sand, mud, straw, wood, wood shavings, metal, metal shavings, glass, rags, feathers, tar, disposable diapers, or plastics.
- F. Any waters, liquids or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the Public Sewer System.
- G. Any radioactive liquid or material.
- H. Any herbicide or pesticide.
- I. Any liquid or solid materials from any Septic Tank or vacuum pump truck (Septic Trucks).

J. Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any Sewage treatment process or constitute a hazard in the receiving waters of the Sewage treatment plant.

K. Any waters or wastes containing Suspended Solids of such character and quantity that unusual attention or expense is required to handle such materials at the Sewage treatment plant.

L. Any noxious or malodorous gas or substance capable of creating a public nuisance.

M. Any swimming or wading pool or spa/hot tub water.

N. Any rainfall runoff or irrigation drainage.

Section 6.4. No person shall connect a non-sewage source, (e.g. storm water runoff and drainage), to the Public Sewer System. Non-sewage sources including but not limited to roof downspouts, catchbasins, irrigation runoff, landscape drainage, site drainage, parking lot drainage, and pool drainage. Any connections to the Public Sewer System in violation of this section shall be immediately physically disconnected from the Public Sewer System at the sole cost and expense of the property owner.

Section 6.5. Grease, oil and sand Separators shall be required and installed for all gasoline service stations, car washes and any Commercial establishment for the repair and maintenance of automobiles, trucks and machinery.

Section 6.6. Grease and oil Separators shall be required and installed for all restaurants, grocery stores, public event facilities and other Commercial establishments that contain facilities for the cleaning, cooking or processing of food or foodstuff.

Section 6.7. Separators shall be designed in accordance with the Plumbing Code and Attachment A. Detailed plans shall be prepared by the landowner and shall be approved by the District prior to installation.

Section 6.8. Separators shall be located where they are readily accessible for cleaning and inspection, as approved by the District Manager.

Section 6.9. Separators shall be properly operated and maintained, including regular pumping and cleaning, at the sole cost and expense of the owner or occupant of the Premises. Separators shared by multiple users may be used only if approved in advance by the District Manager upon the property owner providing sufficient evidence of an operation and maintenance agreement between the multiple users sharing the separator.

Section 6.10. Separators shall be inspected as deemed necessary by the District, but in no case less than once every twelve months. Records of all inspections shall be

maintained at the District office. Routine inspections shall be at the expense of the District. The property owner shall be responsible for the costs of the District for any follow-up inspections required by the District to verify that the Separator is being operated and maintained properly. In addition to any expenses incurred by the District, the property owner shall be responsible for the time spent by District staff to re-inspect the Separator, based on labor rates in place at the time of inspection.

Section 6.11. Separators no longer in use shall be properly abandoned in accordance with the Plumbing Code.

Section 6.12. A reproducible As Built Map shall be filed with the District office within five working days after completion of construction of a Separator, and prior to the final approval and acceptance by the District.

Section 6.13. When requested by the District, the owner of any property contributing Industrial Waste to the Public Sewer System shall install a suitable control manhole in owner's Building Sewer for observation, sampling, and measurement of the Industrial Waste. Such manhole shall be constructed in accordance with plans prepared by the owner and approved by the District. The control manhole shall be fully accessible and safely located. The control manhole shall be installed, operated and maintained by the owner at owner's sole cost and expense. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this Article shall be made in accordance with the latest edition of "Standard Methods for the Examination of Water and Sewage," published by the American Public Health Association, and shall be made at the control manhole provided for in this section or upon suitable samples taken at such control manhole. In the event no special manhole has been required by the District, the control manhole shall be considered to be the nearest downstream manhole in the Public Sewer System to the point at which the Private Sewer is connected.

Section 6.14. When requested by the District, the owner of any property contributing Industrial Wastes with a volume greater than two percent of the total flow in the Public Sewer System, shall install and maintain at owner's sole cost and expense, an approved flow recording device for the continuous measurement of the volume of waste being discharged to the public Sewer. The flow measuring station and the records therefrom shall be accessible at all times to the District, and copies of the flow measurements shall be regularly furnished to the District.

Section 6.15. The District may require a property owner to install an on-site sewage pretreatment facility when in the District's sole discretion it determines that it is necessary to pretreat the Sewage from the property prior to its discharge to the Public Sewer in order to mitigate the potential for a violation of the District's discharge permit. Plans for such on-site pretreatment facilities shall be prepared by a licensed and registered professional engineer and submitted to the District for review and approval prior to construction. The construction and installation of the on-site pretreatment facility shall be inspected and approved by the District. The property owner shall be

responsible for all costs and expenses related to the design, construction, operation and maintenance of the on-site pretreatment facility.

ARTICLE VII
Monthly Sewer Service Charges

Section 7.1. For the purpose of providing funds for payment at or before maturity of the principal and the interest on all bonds heretofore and hereafter issued by the District for the purpose of the acquisition, construction, and completion of the District's Public Sewer System and for the purpose of defraying the cost of maintenance and operation of the Public Sewer System, there are hereby levied and assessed upon all Premises having or required hereby to discharge Sewage into or through the Public Sewer System, monthly Sewer Service Charges for the collection, treatment and disposal of Sewage furnished or available to such Premises by the Public Sewer System. Such charges shall result in the distribution of the aforementioned costs among all Users in the proportion to their use of the Public Sewer System. Sewer Service Charges shall be established by Board Order from time to time in an amount that does not exceed the amounts in Table 7A.

Section 7.2. Residential Monthly Sewer Service Charge. All Residential Units, and undeveloped property with a Residential Connection, shall be charged a monthly Sewer Service Charge of one EDU per Residential Unit at the amount established by Board Order, regardless of occupancy of the Unit. As an example, an apartment building with 9 rental units, 3 of which are vacant, would be charged one EDU per each for the 9 units, for a total of 9 EDUs that would be charged to the property owner.

Section 7.3. Commercial Monthly Sewer Service Charge. Each Commercial Unit shall be charged a separate and distinct Sewer Service Charge. As an example, a Commercial building with 4 Commercial Units being served by a single Sewer connection would be charged a separate Commercial Rate Charge for each Unit based on the Wastewater strength/flow of each Unit listed in Table 7B. Each Commercial Unit shall be charged a flat rate based on the Wastewater strength/flow of the use together with a Variable Charge based on the Unit's monthly water consumption at the amount established by Board Order. A Commercial Unit that is vacant for a minimum of thirty (30) days shall be charged a Group 1 rate in Table 7B.

Section 7.4. Wastewater Strength/Flow Charge. The District Manager shall determine the Wastewater strength/flow for each Commercial Unit for each Commercial connection using the Categories for Commercial Accounts in Table 7B and assign it the corresponding charge at the amount established by Board Order.

Section 7.5. Variable Charge. Each Commercial Connection shall be charged a variable charge based on the average monthly water usage for a previous six (6) month period which shall be revised twice a year as set forth in this Section. The District Manager shall establish the variable charge for each Commercial Connection for the six (6) month period from July 1 through December 31 and from January 1 through June 30. The District Manager shall calculate the Variable Charge as follows:

A. For the July 1 through December 31 Variable Charge, the monthly average water usage for the Commercial Connection between November 1 and April 30.

B. For the January 1 through June 30 Variable Charge, the monthly average water usage for the Commercial Connection between May 1 and October 31.

Section 7.6. Undeveloped Commercial Property. For each Commercial Connection on undeveloped commercial property, the District Manager shall assign the Wastewater Strength/Flow using Table 7B based on the use identified in the Connection Application and Capacity permitted for the Connection.

Section 7.7. Commercial Uses of Residential Units. Except for Residential Units with a Category 1 Commercial Use that does not involve customers or clients coming and going to the Residential Unit for commercial purposes, the monthly Sewer Service Charge for a Residential Unit that is also used for a Commercial Use shall be based on the use with the greater monthly service charge. As an example, a Residential Unit that is also used as a beauty shop, the monthly Sewer Service Charge would be based on the charge for a beauty shop since it is greater than the charge for a Residential use.

Section 7.8. Water Meters Encouraged. For Commercial Connections with multiple Commercial Units (e.g. businesses), that have separate water meters for each Commercial Unit, the Variable Charge determining each Unit's monthly Sewer Service Charge shall be based on the water meter for that Unit. For Commercial Connections with multiple Commercial Units (e.g. businesses) served by a single water meter, the Variable Charge for each Unit's monthly Sewer Service Charge shall be determined by the District Manager whose determination shall be based on an apportioned percentage based on the type of Commercial Use, the Wastewater strength/flow in Table 7B, and vacancy of any of the Units serviced by the water meter.

Section 7.9. Residential and Commercial Change in Use. The Property Owner with the Connection shall notify the District in writing within 15 days whenever there are any of the following changes that occur with a Residential Unit or Commercial Unit:

A. A Residential Unit or Commercial Unit becomes a multiuse property under this Article.

B. A Residential Unit is used for Commercial Use.

C. A change in the type of use of a Commercial Unit.

D. A Commercial Unit has a new business that is different than the business that previously occupied the Unit.

Any change in the monthly Sewer Service Charge shall be made retroactively to the date the change occurred. Any change in use that exceeds the capacity permitted to the Connection

shall apply for and obtain additional capacity as set forth in Article IV within 20 days of the change in use. The changed use that results in exceeding the permitted capacity shall cease immediately upon the failure to timely obtain additional capacity. The Property Owner shall be charged a penalty of ten (10) percent of the amount due, plus a monthly penalty of one (1) percent per month of the delinquent amount per month until fully paid for failure to provide timely written notice to the District of a change in use.

Section 7.10. Rate Change Notification. The property owner of each Residential Unit and Commercial Unit that has a change in its rates shall be notified by mail the month that the District becomes determines that a change has occurred.

Section 7.11. Minimum Rate. In no case shall the monthly Sewer Service Charge be less than the fixed rate for Residential Units or the assigned Wastewater strength/flow charge rate without a Variable Charge.

Section 7.12. All Sewer Service Charges shall be collected on a monthly basis. Charges will be due and payable at the District office within twenty (20) days of the date of the bill. The District sends monthly statements that reflect charges for the previous month's sewer usage.

Section 7.13. All Sewer Service Charges shall become delinquent twenty (20) days following the due date.

Section 7.14. All delinquent Sewer Service Charges shall be charged a penalty of ten (10) percent of the amount due, plus a monthly penalty of one (1) percent of the delinquent amount per month until fully paid.

Section 7.15. The Property Owner shall be responsible for the payment of all Sewer Service Charges, including past due amounts incurred during their ownership. The District may record a lien against the Property Owner's delinquencies and/or collect them as part of the County property tax bill.

Section 7.16. All monthly Sewer Service Charges shall be the responsibility of the Property Owner as shown on the official records on file at the Calaveras County Assessor's Office, or as otherwise directed in writing and properly filed with the District by the Property Owner.

Section 7.17. Absent an agreement recommended by the District Manager and approved by the District Board of Directors, Sewer Service Charges shall become effective immediately upon a physical connection to the Public Sewer System. The Sewer Service Charge in this Articleshall be charged prorate for any connect that does not occur on the first day of the billing cycle of the District.

Table 7A

Proposed Calculated Wastewater Rates

CALCULATED WW RATES - RESIDENTIAL AND COMMERCIAL SUMMARY						
Customer Type - Residential or Commercial	Existing Rate	2017-18	2018-19	2019-20	2020-21	2021-22
Residential Customers (per EDU)	\$69.00	\$66.50	\$67.50	\$71.00	\$73.73	\$76.24
Commercial - Group 1 Low Strength/Low Flow Fixed, Monthly Charge per EDU per Acct. or Business Variable Charge per 1,000 Gal	*	\$71.49 \$4.44	\$72.57 \$4.50	\$76.32 \$4.74	\$79.27 \$4.92	\$81.95 \$5.09
Commercial - Group 2 Medium Strength/Low Flow Fixed, Monthly Charge per EDU per Acct. or Business Variable Charge per 1,000 Gal	*	\$91.16 \$5.20	\$92.53 \$5.28	\$97.36 \$5.55	\$101.08 \$5.77	\$104.44 \$5.96
Commercial - Group 3 Medium Strength/Medium Flow Fixed, Monthly Charge per EDU per Acct. or Business Variable Charge per 1,000 Gal	*	\$385.06 \$5.25	\$390.84 \$5.33	\$411.24 \$5.60	\$426.97 \$5.82	\$441.14 \$6.01
Commercial - Group 4 Medium Strength/High Flow Fixed, Monthly Charge per EDU per Acct. or Business Variable Charge per 1,000 Gal	*	\$1,302.51 \$5.34	\$1,322.02 \$5.42	\$1,391.08 \$5.71	\$1,444.28 \$5.93	\$1,492.08 \$6.12
Commercial - Group 5 High Strength/Low Flow Fixed, Monthly Charge per EDU per Acct. or Business Variable Charge per 1,000 Gal	*	\$198.39 \$6.64	\$201.35 \$6.74	\$211.96 \$7.09	\$220.00 \$7.36	\$227.11 \$7.60
Commercial - Group 6 High Strength/High Flow Fixed, Monthly Charge per EDU per Acct. or Business Variable Charge per 1,000 Gal	*	\$4,231.34 \$5.99	\$4,294.67 \$6.08	\$4,520.07 \$6.40	\$4,692.18 \$6.64	\$4,845.48 \$6.86
Commercial - Group 7 Schools Fixed, Monthly Charge per EDU per Account Variable Charge per 1,000 Gal	*	\$1,344.33 \$5.18	\$1,364.48 \$5.26	\$1,435.66 \$5.53	\$1,490.63 \$5.75	\$1,540.15 \$5.94

* Commercial customers currently pay a base rate of \$69.00 per EDU. Commercial customers exceeding 5,400 gallons per month pay a base charge plus a proportionate charge.

The maximum rates in Table 7A were established in accordance with California Constitution Article II, Section 6, also known as Proposition 218, at a public hearing held on December 8, 2016.

Table 7B

New Categories For Commercial Accounts

Commercial accounts have been placed into groups based on the similarity of wastewater flow and strength characteristics. Flow relates to wastewater flow, or how much wastewater enters the system from a particular industry or business. Strength is measured by the biochemical oxygen demand and suspended solids contained in wastewater.

Group #	Strength/Flow	Example Industry Categories
Group 1	Low Strength/Low Flow	Retail, Offices, Beauty Shop, Churches, Parks
Group 2	Medium Strength/Low Flow	Gas Stations, Markets, Auto Repair, Doctor Offices, Community Centers, Restaurants, Car Wash, Light Industrial, Motel, Government Services
Group 3	Medium Strength/Medium Flow	Hotel, Medical Office Building, Laundromat, Retirement Home, Continuation & Charter Schools
Group 4	Medium Strength/High Flow	Mixed Use, Government Centers
Group 5	High Strength/Low Flow	Mortuary
Group 6	High Strength/High Flow	Hospitals
Group 7	Schools	Elementary and High Schools

The categories for Commercial Accounts in Table 7B are based on the District's 2016 Wastewater Rate Study prepared by Stantec Consulting Services Inc. and G. Aronow Consulting.

ARTICLE VIII
Enforcement Measures

Section 8.1. 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, damage, and any monthly service charges in Article VII that would have been charged to a connection occasioned by the District by reason of such violation. A violation of any of the District's Ordinances, rules, or regulations relative to Sewerage service is a misdemeanor pursuant to Health and Safety Code § 6523.

Section 8.2. Discontinuance of Service. The District may refuse to furnish Sewer service and may discontinue all services, as provided in Article VI and VII, to any Premises where the District finds that practices or conditions exist, or are imminent, that would be detrimental or injurious to the system or where necessary to protect itself against fraud, abuse, or improper operational and maintenance procedures.

Section 8.3. Enforcement. The District, the Board and all proper District officers, Agents, or employees shall promptly take all steps, actions or remedies necessary for the collection of fees, charges and penalties as provided in this Ordinance (including the enforcement of the lien of said fees, charges and penalties) which are now or hereafter be provided for in the law. Said remedies for collecting and enforcing said fees, charges and penalties, set forth in the law, are cumulative and may be pursued alternately or consecutively, as the Board determines.

Section 8.4. Violation – Nonpayment of Bills. Upon failure of the owner or User of any Premises to pay any Sewer service charges, or if the owner or User of any Premises violates any other provision of this Ordinance, and said violation continues for a period of 60 days, the District may disconnect the Premises from the system, subject to the hearing provisions of Article VIII, Section 8.10.

Section 8.5. Public Nuisance – Abatement. During the period of such disconnection, human habitation of such Premises shall constitute a public nuisance, and the District may cause proceedings to be brought for the abatement of the occupancy of said Premises by human beings during the period of such disconnection.

Section 8.6. Emergency Disconnection. Notwithstanding the provisions of this Ordinance, if, in the opinion of the District Manager, such violation constitutes a public hazard or menace, the District may immediately enter upon the Premises without notice and do such things including disconnection of the Premises from the system and expending such sums as are necessary to abate such hazard.

Section 8.7. Correction of Violations. Any sum expended by the District in correcting a violation shall be a charge upon the property, the responsible party, and the owner of the property, and the District may collect such sums from the same.

Section 8.8. Reconnection After Violation. The District Manager shall estimate the cost of disconnection and the reconnection to the system, and the owner or User shall deposit the cost, as estimated, of disconnection and reconnection, before the Premises are reconnected to the system.

Section 8.9. Reconnection After Nonpayment of Bills. Whenever Premises have been disconnected from the system for nonpayment of Sewer Service Charges, in addition to the requirements of Article VII, such Premises shall not be reconnected to the system until and unless, within six calendar months from the date of disconnection, all delinquent charges and penalties have been paid and until a connection Permit has been obtained and until such of the following charges as are applicable have been paid: a sewer disconnection fee equal to the actual cost to the District of such disconnection; an application administrative fee and Connection Fee set forth in Article IV for reconnection; and until the owner and/or User of such Premises otherwise has complied with this Ordinance. Reconnection will not be performed by the District. In the event a reconnection is requested more than six calendar months after the disconnection from the system, the owner shall be treated as a new connection request and shall comply with the connection requirements in Article IV of this Ordinance.

Section 8.10. Termination and Disconnection of the Premises from the Public Sewer System. Prior to such termination, unless Section 8.2 is applicable, the following shall apply.

A. The Person or owner shall be given an opportunity to request a review of the proposed termination and the reason therefore with the Manager of the District and if requested, a further review by the Board.

B. The Person or owner may request that the delinquent balance be amortized over a reasonable period of time. The Manager and/or Board, in their sole discretion, may allow such amortization, provided subsequent charges or fees are kept current and an agreement for the terms of amortization of the unpaid balance is entered into by the Person or owner requesting such amortization.

C. A notice shall be sent to such Person or owner at his last known address by first class mail informing him of the proposed termination, the date thereof, and of the above rights at least ten (10) days before such termination.

D. A copy of such notice shall be sent to the Calaveras County Health Department and the Calaveras County District Attorney's office.

E. The District shall request any authorized public officer to take such steps as may be legally taken to abate such Premises and to prohibit occupancy, of such Premises until they shall be re-connected to the District Sewer system.

F. Whenever Premises have been disconnected from the District Sewer system, they shall not be re-connected until all delinquent charges, penalties and all the

District's costs, including but not limited to disconnecting, reconnecting, inspection and Connection Fees have been paid, and permission to reconnect has been obtained, and/or until the owner of such Premises shall otherwise have complied with this Ordinance.

ARTICLE IX
[Reserved]

ARTICLE X
Sewer Extension And Sewer System Improvements

Section 10.1. Unless there is a written agreement with the District approved by the Board, whenever an application seeks a connection to the District's Public Sewer System or an increase in the level of service pursuant to Article IV and the District, in its sole discretion, determines that the Public Sewer System will need to be extended or increased in capacity to provide service to the Applicant, the Applicant shall submit in writing requesting to extend the Public Sewer System to the District containing the following information:

- A. The assessor parcel number (APN) for the subject property;
- B. The location of the nearest Public Sewer System to the property;
- C. The anticipated discharge from the subject property on a gallons per day basis;
- D. A complete plot plan and contours of the Premises and/or development to be served must accompany this application in triplicate.
- E. A Statement that the property is within the boundaries of the District.
- F. Whether the proposed improvements to the Public Sewer System will be dedicated to the District.
- G. A Statement that the Applicant has the financial ability to construct the improvements to the proposed Public Sewer System.
- H. Whether the Applicant will post a bond or other security sufficient to cover the costs of completion of the improvements to the Public Sewer System.
- I. Whether the Applicant has obtained rights to connection Permits to connect to the proposed improvements to the Public Sewer System.
- J. Whether the proposed improvements to the Public Sewer System will provide for any oversizing for any anticipated future use of the system by other Users.

Section 10.2. A non-refundable application fee in the amount established by Board Resolution shall accompany each application in Section 10.1. The application fee shall cover the costs incurred by the District in processing the application and shall be non-refundable.

Section 10.3. The Board shall be responsible for approval or denial of all applications under this Article

Section 10.4. In reviewing any applications under this Article, the Board shall have the sole discretion on whether to approve or deny any application under this Article. As part of its review, the Board shall take into consideration the following non-exclusive factors:

A. Whether the proposed improvements to the Public Sewer System will be dedicated to the District.

B. Whether the Applicant has the financial ability to construct the improvements to the proposed Public Sewer System.

C. Whether the Applicant will post a bond or other security sufficient to cover the costs of completion of the improvements to the Public Sewer System.

D. Whether the Applicant for the proposed construction has applied for a Permit to connect to the proposed Sewer System Improvements and has paid all applicable fees and charges, provided for in Article IV.

E. Whether the proposed improvements to the Public Sewer System will provide for any oversizing for any anticipated future use of the system by other Users.

F. The recommendations regarding the application from the District's Manager and Engineer.

G. Whether the Applicant has complied with the application requirements in this Article.

Section 10.5. If the Board approves the application, the Applicant and the District shall enter into a Sewer Extension Agreement, the terms of which shall be subject to Board approval, containing or addressing the following:

A. All plans and specifications for the Sewer System Improvements shall be designed by the District's Engineer and shall be installed using the plot plan and contours submitted by Applicant. All costs of engineering and design shall be borne by the Applicant. As an alternative, upon written approval by the District Manager the Applicant may have the necessary Sewer improvement plans engineered and designed by a Person(s) legally authorized to practice civil engineering in the State of California.

B. Under the foregoing Section 10.5, Paragraph A, a non-refundable plan check fee in the amount established by Board Resolution shall be deposited in the District office. In the event that the plan check fee is insufficient to cover the costs incurred by the District in its review of the engineering and design, an additional amount adequate to cover those costs shall be deposited by the Applicant upon notice from the District's Manager.

C. All Public Sewer Systems shall be installed within fifteen foot (15') wide deeded public utility recordable easements and access easements, as determined by the District, dedicated to the District, excepting those Private Sewers within the property boundary of the individual Premises it serves.

D. The Applicant shall transfer by deed any required easements needed to extend the Sewer system from the location of the District system to where it enters the property which is the subject of the application prior to acceptance by the District of the transfer.

E. If determined by the Board that an engineering study is necessary, the cost shall be borne by the Applicant and, shall be made prior to the approval of said Sewer System Improvements. The purpose of the engineering study will be to determine the impact of the proposed Sewer System Improvement on the present District collection system, treatment works, disposal site and discharge Permit.

F. A consulting engineering firm mutually agreed upon by the District and Applicant shall be used to perform the engineering study as set forth in the aforementioned Item E.

G. If it is determined by the engineering study in the aforementioned Items E and F that the District system is inadequate to handle the additional Sewage produced by such Sewer System Improvement, the District may require the Applicant to take the necessary steps to improve the District system and/or discharge Permit to adequately handle the Sewage produced by the proposed Sewer System Improvement.

H. The Applicant shall install all Sewer System Improvements and Sewer infrastructure to the exact design and specification as set forth in the District's Ordinances.

I. The District may require oversized Sewer mains to be installed to allow for future expansion to the Sewer extension or Sewer System Improvements. If oversized is required, the Applicant and District shall enter into a reimbursement agreement entitling the Applicant to oversized fees collected from those obtaining connection Permits from the District and which benefit from the oversized.

J. Prior to construction of any Sewer System Improvements, an inspection fee in the amount of five percent (5%) of the Engineer's estimate for Sewer improvements shall be deposited with the District. If the actual costs of inspection incurred by the District are greater than the fee deposited with the District prior to construction, the Applicant shall pay to the District the amount over the original fee deposit upon notice from the District's Manager. If the actual costs of inspection incurred by the District are less than the fee deposited with the District prior to construction, the District shall refund the balance to the Applicant.

K. Prior to commencement of any construction of Sewer System Improvements, a pre-construction meeting shall take place with Applicant, Applicant's Contractor and Engineer, the District Manager, District Engineer and the District Inspector.

L. Construction of all Sewer System Improvements shall be inspected by the District Inspector or such other Inspector as the District may appoint. The Inspector shall be onsite, and inspect all aspects of the construction, installation and testing of the Sewer improvements. The Property Owner shall pay the District inspection fee established by Board Resolution.

M. Unless provided otherwise in the agreement, the Applicant shall reimburse the District for all expenses it incurs regarding the Sewer System Improvements to the District's Public Sewer System prior to the Board's final approval and acceptance of the Sewer System Improvements.

N. The Applicant shall hold the District harmless for any and all damages arising from said construction of the Sewer System Improvements.

O. All construction practices and procedures are to be in accordance with generally accepted good construction practices and procedures and with the safety and safeguard of the public being exercised at all times during the construction of the Sewer extension or Sewer System Improvement.

P. The Applicant shall provide to the District a set of reproducible As-Built Maps, in duplicate and in a format requested by the District, prior to final approval and acceptance of the Sewer System Improvement by the Board.

Q. The District shall require a cash deposit or Performance Bond to be posted by the Applicant to cover all costs incurred by the District on said Sewer System Improvements. This deposit or bond shall be posted prior to the District performing any service relating to said Sewer System Improvement.

R. The District shall require the Applicant to post cash or other District approved bond, in the amount of one hundred ten percent (110%) of the Engineer's estimate of Sewer System Improvements for said Sewer System Improvements. This bond shall act as a faithful performance and completion bond by Applicant.

S. The District shall require the Applicant to post cash or other District approved bond prior to acceptance of improvements, in the amount of one hundred ten percent (110%) of the actual cost of Sewer improvements for said Sewer System Improvements. This bond shall act as a maintenance bond to guarantee the replacement and repair of the accepted improvements for a period of two (2) years.

T. Upon written request by Applicant and approval by Resolution of the Board, the Applicant shall post a cash bond in an amount set by the District Staff and

Board, to equal the estimated total cost of said Sewer System Improvements plus an additional twenty percent (20%). The District will then have said Sewer System Improvements engineered and constructed to comply with all other conditions of this Ordinance. The Applicant will be refunded a sum equal to the difference between the bond and actual costs incurred by the District on said Sewer System Improvements. The Applicant shall further agree to pay any additional cost over the bond posted that may be incurred by the District on said Sewer System Improvements.

U. The Applicant shall construct the Sewer System Improvement and obtain final approval and acceptance of the Sewer System Improvements by the Board in accordance with the requirements of this Section, prior to recordation of a final map in the case of minor and major subdivisions of land and prior to occupancy in all other cases. This condition shall not supersede the obligation of the Applicant to comply with Article IV of this Ordinance in which are set forth additional requirements related to connection Permit issuance.

V. The engineer's estimate referenced in this Section and used for purposes of calculating the amount of applicable fees, shall be prepared by the District Engineer or a licensed civil engineer, pursuant to Section 10.5, Paragraph B, above. The engineer's estimate shall be approved by the District Engineer prior to final approval of the plans by the District.

Section 10.6. No Sewer System Improvements shall be made outside the District boundaries, unless the entire area to be served by said Sewer System Improvements is annexed into the District. Before any engineering and/or construction of said Sewer System Improvements can commence, approval of the annexation by the Local Agency Formation Commission shall be obtained.

Section 10.7. All Sewer System Improvements and all Sewer connections to the District system, must meet the design and construction requirements set forth in Article XI of the Ordinance prior to connecting to the District system.

Section 10.8. All Sewer System Improvements, excepting Private Sewers as provided elsewhere in this Ordinance, shall become the property of the District upon acceptance of said Sewer System Improvements by Resolution of the Board.

ARTICLE XI
Public Sewer Construction
Minimum Design Criteria

Section 11.1. The purpose of this Article is to set forth the minimum design standards for the construction of Public Sewer System within the boundaries of the San Andreas Sanitary District.

Section 11.2. All Sewer construction done within the boundaries of the San Andreas Sanitary District shall comply with the applicable sections and regulations contained within the California Health and Safety Code, Title 17 of the Administrative Code of the State of California, The Uniform Plumbing Code and this Ordinance.

Section 11.3. All Public Sewer Systems shall be contained in easements or rights-of-way dedicated to the District.

Section 11.4. The minimum width of the easement or right-of-way shall be fifteen (15) feet.

Section 11.5. For the purpose of construction the minimum width of a construction easement or right-of-way shall be twenty-five (25) feet. Upon completion of construction, the easement shall revert back to a fifteen (15) foot wide permanent utility easement.

Section 11.6. The easement, or right-of-way, shall be centered on the Sewer line unless otherwise allowed by the District.

Section 11.7. Easement or right-of-way maps shall be submitted along with construction plans showing the exact location and dimensions of all easements for public Sewers which must pass through private property.

Section 11.8. Encroachment Permits must be obtained from the agency concerned prior to excavating for any lines in any public right-of-way or any public roadway.

Section 11.9. The Person or Persons responsible for obtaining the encroachment Permit shall file a copy of the Permit with the District prior to the commencement of construction.

Section 11.10. Prior to final acceptance of the Public Sewer System by the District the Person or Persons responsible to the District for the installation of said improvements, shall provide to the District a letter from the agency issuing the encroachment Permit stating that all conditions of the encroachment Permit have been met.

Section 11.11. The excavation of trenches for all pipes shall be to a depth of not less than four inches (4") below the outside of the bell or jointing collar. The space under

the pipe, and for no less than twelve inches (12") above the pipe, measured from outside of the bell or jointing collar, shall be filled with an approved bedding material compacted in place (see current District Standard Detail).

Section 11.12. Unless otherwise provided, the width of trenches at any point below the top of the pipe shall not be greater than the outside diameter of the pipe plus twelve inches (12").

Section 11.13. Sheeting, shoring and bracing, shall be place within the trench width to protect workers in accordance with Federal, State, and Local health and safety laws.

Section 11.14. Unsatisfactory material encountered below grades shown or specified, which is incapable of properly supporting the pipe and which is directed or specified to be removed, shall be replaced with selected materials compacted to a relative compaction of not less than eighty-five percent (85%).

Section 11.15. Minimum cover over the top of the pipe shall not be less than thirty inches (30").

Section 11.16. In the event that minimum cover of thirty inches (30") cannot be obtained or is impractical, the pipe shall be completely enclosed in a concrete encasement extending not less than six inches (6") from the outside of the bells and around all sides of the pipe (see current District Standard Detail).

Section 11.17. Minimum pipe size for all public Sewers shall be six (6) inches inside diameter.

Section 11.18. Minimum slope or grade of Sewer pipes shall be such that the velocity of flow in the pipe when at rated capacity shall not be less than two (2) feet per second. The minimum acceptable slopes or grades for Sewer pipe sizes are as follows:

Pipe Size <u>In inches</u>	Minimum Slope Ratio <u>in feet per foot</u>
6"	0.0050
8"	0.0035
10"	0.0025
12"	0.0020

Minimum slope or grade of Sewer pipes of any diameter not listed herein shall be established for each project by the District's Engineer.

Section 11.19. Pipe materials for Public Sewer System shall be one of the following:

A. Standard ductile Iron steel pipe conforming to AWWA C151. The pipe shall be cement mortar lined in accordance with AWWA C104. The pipe's exterior surface shall have a minimum 1 mil thick coating of either coaltar or asphalt base.

B. Polyvinyl chloride (PVC) Sewer pipe with rubber gasket joint conforming to ASTM D3034 or SDR35.

Section 11.20. All Sewer pipe lines shall be constructed as to run in a straight line with a minimum of deflection between manholes.

Section 11.21. A No. 10 gage solid copper locating wire shall be laid parallel to and directly over each Sewer line approximately twenty-four inches (24") below ground level (see current District Standard Detail).

Section 11.22. The ends of a locating wire shall extend into a manhole or be secured to a Sewer cleanout cover. The wire in the manhole or cleanout cover shall be insulated with 1/16" Polyvinyl chloride.

Section 11.23. All Sewer pipe line branches not immediately connected to the Public Sewer shall be plugged with fittings joined in a manner similar to the pipe joining used.

Section 11.24. To allow for future connection a service wye branch (current District Standard Detail) shall be provided in each line at or near the lowest corner of each lot or parcel of property that the line passes, provided that said lot or parcel is not already connected to a District line.

Section 11.25. A No. 10 gage copper wire shall be securely connected to each wye with the other end connected to a 3/4" steel pin or other District approved marker (see current District Standard Detail).

Section 11.26. The marker shall be thirty six inches (36") long and driven a minimum twelve inches (12") into the ground on the property line of the lot the wye is to serve.

Section 11.27. The marker shall be painted safety yellow and be lettered in black with the following, H/C (house connection).

Section 11.28. Whenever a new service wye branch passes under curbs, gutters or sidewalks a permanent imprint of the letter "S" two inches (2") minimum size shall be made in such curb, gutters or sidewalk vertically above the service wye branch.

Section 11.29. Granular materials for use in bedding around pipes shall be one of the following materials:

A. Sand shall be coarse natural or manufactured sand, free of clay and organic materials.

B. Decomposed granite, free of clay organic and other deleterious materials.

C. Crushed rock, crushed gravel being well graded and conforming to the requirements of ASTM Designation C33 gradation 67 (3/4 inch or less).

Section 11.30. Backfill material above the bedding material shall be native material excluding organic matter or any rock larger than two inches (2") measured in any direction.

Section 11.31. When the pipe lies in the road right-of-way, the backfill material above the bedding material shall be as directed by the authority having jurisdiction over said road.

Section 11.32. Whenever a Sewer pipe line passes under a water course or drainage scale, the Sewer pipe line shall be completely enclosed in a concrete encasement extending not less than six inches (6") from the outside of the bells and all sides of the pipe. This encasement shall be reinforced with four (4) No. 5 reinforcing bars spaced around the pipe (see current District Standard Detail). Provisions for preventing displacement of the pipe by flotation in the wet concrete shall be made.

Section 11.33. Manholes shall be one of the following two types:

A. Precast Portland cement concrete manholes with precast Portland cement concrete based conforming to ASTM C470.

B. Precast Portland cement concrete manhole barrels with poured in-place concrete base (see current District Standard Detail).

Section 11.34. Manhole frames and covers.

A. PAMREX 28" or similar approved manhole cover and frame.

B. Covers and frames shall be manufactured from ductile Iron in accordance with ISO 1083.

C. Covers to be hinged and incorporate a 90 degree blocking system to prevent accidental closure.

D. Covers shall be one man operable using standard tools and shall be capable of withstanding a test load of 120,000lbs.

E. Frames shall be circular and shall incorporate a seating gasket, frame depth shall not exceed 4" (24 & 28"), or 5" (32").

F. The flange shall incorporate bedding slots and bolt holes.

G. All components shall be black coated.

H. Manhole cover PAMREX 800 or similar fitted with a lifting assistance gas arms will be required on manholes 18 inches above grade or greater.

Section 11.35. Manhole barrel sections shall be joined with “RamNek” sealant material as specified in the manufacturer’s instructions.

Section 11.36. After joining with the “RamNek” sealant material, all manhole barrel section joints shall have a Portland cement concrete mortar placed so as to form a smooth interior surface.

Section 11.37. Drop manholes shall be of the inside type for pipes smaller than 10 inches in diameter. Pipe material for inside drop manholes shall be ductile iron (see current District Standard Detail). Outside drop manholes shall be used for all pipes diameters 12 inches or greater.

Section 11.38. Minimum manhole barrel diameter shall be forty-eight inches (48”) inside dimension.

Section 11.39. Minimum manhole ductile iron frame and cover diameters shall be twenty-eight inches (28”) inside dimension.

Section 11.40. Any manhole over five feet (5’) deep shall be of the eccentric type. (see current District Standard Detail).

Section 11.41. Manholes over five feet (5’) deep shall have stain-less steel steps installed down the side of the barrel.

Section 11.42. Where manholes are located in areas outside of road-ways or road right-of-ways they shall extend a minimum of twelve inches (12”) above finish grade.

Section 11.43. All manholes referred to in Section 11.47 shall have a $\frac{3}{4}$ ” steel pin or other District approved marker thirty-six inches (36”) long and driven into the ground a minimum twelve inches (12”) located within one foot (1’) proximity of the cast iron manhole ring.

Section 11.44. All manhole markers shall be painted safety yellow and be lettered in black with the following, SASD M/H (manhole).

Section 11.45. Manholes located in roadways and road right-of-ways shall conform to road grade and the specifications of the agency of authority.

Section 11.46. Manholes shall be installed at all pipe intersections.

Section 11.47. Manholes shall be installed at all places where line size changes or type of Sewer pipe material changes.

Section 11.48. Manholes shall be installed where any change in direction occurs.

Section 11.49. Manholes shall be spaced no further apart than two hundred feet (200').

Section 11.50. Manholes shall be installed at such other places as the Board or its authorized Agent may require.

Section 11.51. Cleanout structures shall be installed at the end of all lines, at all grade breaks, and at approximately the midway point between manholes where the distance between manholes exceeds one- hundred feet (100') (see current District Standard Detail).

Section 11.52. Pipe material for cleanouts shall be of the same size and type as of the Sewer pipe line the cleanout is to be installed on.

Section 11.53. Cleanout frames and covers shall be cast iron, and of the same size as the Sewer pipe used for connection to the Sewer pipe line (see current District Standard Detail).

Section 11.54. Cleanouts located in roadways and road right-of-ways shall conform to the specifications and requirements of the agency with the authority for such roadway or road right-of-ways.

Section 11.55. Where cleanouts are located outside of roadways or road right-of-ways they shall extend a minimum of twelve inches (12") above finish grade.

Section 11.56. All cleanouts referred to in Section 11.55 shall have a ¾ inch steel pin or other District approved marker thirty-six inches (36") long and driven into the ground a minimum twelve inches (12") and to be located within one foot (1') of the cast iron cleanout structure.

Section 11.57. All cleanouts markers shall be painted safety yellow and be lettered in black with the following D/CO, (District Cleanout).

Section 11.58. At the completion of construction all Sewer pipelines constructed shall be cleaned in the following manner:

A. A heavy rubber ball, inflated with air and having an outside diameter equal to the interior diameter of the Sewer pipe line to be cleaned shall be inflated so that it will fit snugly into the Sewer pipe line to be cleaned.

B. The ball shall be place in the last cleanout or manhole structure on the Sewer pipeline to be cleaned.

C. Sufficient water shall be introduced after the ball so as the ball shall pass through the pipe with only pressure of the water behind the ball.

D. Debris flushed ahead of the ball shall be removed at the first manhole where the debris presence is evident. The cleaning method shall be conducted on each section of Sewer pipeline installed.

Section 11.59. After flushing and balling of the lines has been conducted, a mandrel test of the Sewer lines shall be conducted.

Section 11.60. A five percent (5%) point mandrel shall be introduced in the last cleanout or manhole structure on the Sewer pipe line to be tested.

Section 11.61. In the event the mandrel is prevented from passing freely through the Sewer lines, that section of Sewer line shall be repaired, cleaned, and retested so a Permit passage of the mandrel.

Section 11.62. Testing of Sewer pipe lines for leakage shall be done prior to acceptance of the completed project.

Section 11.63. The Sewer pipe line to be tested shall be plugged with a suitable safety plug at each end of the test section.

Section 11.64. The Sewer pipe line shall then be pumped full of air to a pressure of not to exceed 4.0 p.s.i. above the average back pressure created by any ground water that may submerge the pipe. A stabilization period of not less than five (5) minutes shall follow the filling period to beginning the test.

Section 11.65. The pressure at the beginning of the test shall not be less than 3.0 p.s.i. The allowable time for the pressure to drop a maximum of 0.5 p.s.i. is as follows per size of pipe:

<u>Pipe Size</u>	<u>Allowable Time for p.s.i. Drop</u>
6"	185 seconds
8"	245 seconds
10"	305 seconds
12"	365 seconds

Section 11.66. If the pressure drop exceeds 0.5 p.s.i. before the time allowed, that section of pipe line shall have failed the test and that section of Sewer line shall be repaired and retested so as to successfully pass a retest.

Section 11.67. When Sewer lines are constructed through or into public utility easements, final air testing shall be performed after completion of all work in the public utility easements.

Section 11.68. When Sewer lines are constructed in a road or road right-of way final air testing shall be performed after compaction of the final road sub-grade material has been completed.

Section 11.69. All manholes shall be tested for leakage by placing suitable plugs in the inlet and outlet lines and filling the manhole to the top of the casting with water.

Section 11.70. A one (1) hour maximum absorption period shall be required following which the testing of any leakage shall be observed.

Section 11.71. Maximum leakage shall be determined by the following formula:

$$\text{Leakage gpm} = > .001 \text{ percent of the volume of} \\ \text{The manhole being tested.}$$

Section 11.72. If the manhole leakage exceeds the allowable amount, the manhole shall be repaired and retested.

Section 11.73. Whenever Sewage cannot flow by means of gravity to the District treatment plant a pump lift station shall be constructed to provide a means of conveyance for the Sewage to flow to a gravity line.

Section 11.74. If it is determined that a pump lift station is necessary, a complete set of plans signed and stamped by a Registered Civil Engineer shall be submitted to the District and approved by the District Engineer prior to construction.

Section 11.75. The construction, location and size of the pump lift station shall meet with the approval of the District.

Section 11.76. The District may require a large enough pump lift station to allow for future expansion. If requested by the Applicant, an area of benefit may be established to re-pay the Applicant for a portion of the cost to construct the oversized pump lift station. Such area of benefit shall be set forth in a separate written agreement between the Applicant and District.

Section 11.77. Anyone wishing to construct a facility to accept the Sewage from recreational vehicles (RV, dump station) into the Public Sewer System shall make application for the construction of such facilities to the Board.

Section 11.78. After approval by the Board for the construction of an R.V. Dump Station, a complete set of plans of the facility shall be submitted to the District and approved by the District Engineer or Agent.

Section 11.79. A District Inspector shall be on the job site during all phases of construction and testing contained in this Article XI.

Section 11.80. Prior to acceptance by the Board, of any facility constructed, a complete set of reproducible As-Built Maps and drawings shall be submitted to the District for approval.

Section 11.81. The specifications set forth in this Article XI are minimum requirements. More stringent requirements may be required by the Board.

ARTICLE XII
Annexation

Section 12.1. The purpose of this article is to set forth the procedures by which Persons desiring annexations to the San Andreas Sanitary District, and desiring to have the District initiate the process of annexation by resolution of application to the Calaveras County Local Agency Formation Commission (the Calaveras LAFCO), shall proceed:

Section 12.2. The following types of properties may be annexed into the District:

A. Development property which is property to which the District will provide Sanitary Sewer service if annexed to the District. Development property must have a contiguous border with the existing District boundary.

B. Disposal property which is property that will be used to store and/or dispose of treated Wastewater from development property.

Section 12.3. To initiate the annexation process, the Applicant for annexation shall submit to the District a Petition for Annexation ("Petition for Annexation").

Section 12.4. The Petition for Annexation shall consist of the following:

A. A non-refundable processing fee established by Board Resolution.

B. Two (2) copies of the Calaveras County Assessor's parcel maps highlighting the boundaries of the development property and disposal property parcel or parcels proposed for annexation.

C. A letter to the Board of Directors (the Board) of the District from the owner or owners of the properties proposed for annexation formally requesting annexation and listing each parcel by assessor's parcel number.

D. A letter to the Board describing the proposed land use plan for the development property, expected seasonal Wastewater flows from the development property at build out, and the storage and disposal of proposed development Wastewater Effluent on the disposal property.

Section 12.5. The Board shall impose such conditions and restrictions as it shall determine necessary or appropriate in approving a Petition for Annexation including, but not limited to, the following:

A. Indemnification and hold harmless of the District against any action, claim, injury or damage arising from the annexation.

- B. Payment of all expenses incurred by the District relating to the request for annexation including a deposit to secure payment of expenses.
- C. Payment of an Annexation Fee.
- D. Providing the District easements and disposal property.
- E. Funding studies to determine the effect on existing facilities.
- F. Construction and or modification of new or existing collection, treatment, storage and disposal facilities.

Section 12.6. The Board will consider the Petition for Annexation, and if it approves the initiation of the annexation process, the Applicant(s) will be required to enter into an annexation agreement.

ARTICLE XIII
Out of District Service

Section 13.1. The District does not offer out of District service to new Applicants.

Section 13.2. For those Users with out of District, or In-Lieu, service agreements entered into prior to July 1, 2007, the District shall continue to enforce the terms of said agreements.

Section 13.3. All Premises outside of the District boundary receiving in-lieu Sewer service from the District shall be subject to all of the Districts Ordinances and Regulations

Section 13.4. For all Premises receiving Sewer service under the conditions of this Article the method of payment for Sewer User fees shall be the same as those established in Article VII Monthly Sewer Service Charges.

ARTICLE XIV
Management Responsibilities

Section 14.1. The Manager shall have authority to enforce all the provisions of this Ordinance.

Section 14.2. The Manager shall have authority to enforce any District rule, regulation, resolution or policy.

ARTICLE XV
Retroactive Effect

Section 15.1. The purpose of this Ordinance is to safeguard health, property and public welfare by regulating and controlling the design, construction, quality of materials used and occupancy of Building and structures within the District.

Section 15.2. Except as otherwise herein stated, the provisions of this Ordinance shall apply to all Buildings and structures heretofore erected or to be erected, and all connection heretofore made or to be made to the public Sanitary Sewer in the District.

ARTICLE XVI
Miscellaneous

Section 16.1. Violations. Any Person found to be violating any provision of this Ordinance, rule or regulation of the District shall be served by the Manager or other authorized Person with written notice stating the nature of the violation correction thereof unless the violation is deemed by the District or the County Health Officer to be a public health hazard, in which event the requirement for notice and a period to correct the violation shall not be less than two (2) nor more than seven (7) 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 Ordinance, rule or regulation of the District. Upon being notified by the Manager of the defect arising in any Sewer or of any violation of this Ordinance, rules or regulations, the Person or Persons having charged of said work shall immediately correct the same. In the event an emergency situation exists require action by the District in a time period less than the notices provisions contained herein, the Manager shall provide prompt notice under the circumstances before taking action.

Section 16.2. Protection from Damage. No Person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the Public Sewer System. Any Person violating this provision shall be subject to the penalties provided by law.

Section 16.3. Obstruction of Sewer. It shall be unlawful for any Person willfully to obstruct, or cause to be obstructed, any Sewer in such a manner as to impede the natural flow of Sewage through or from such Sewer.

Section 16.4. Infraction. Violation of any provision of this Ordinance is a misdemeanor and shall be punished with a fine not exceeding one hundred dollars (\$100.00) for the first violation, a fine not exceeding two hundred dollars (\$200.00) for a second violation within one year and a fine not exceeding five hundred dollars (\$500.00) for a third violation within the period of one year. Each and every connection or occupancy in violation of any provisions of this Ordinance shall be deemed a separate violation, and each and every day or part of a day a violation continues shall be deemed a separate offense under this Ordinance and shall be punishable as such.

Section 16.5. Powers and Authorities of Inspectors. The officers, Inspectors, Manager and duly authorized employees of the District shall be permitted to enter in and upon any and all Buildings, industrial facilities and properties for the purposes of inspection, re-inspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary in the performance of the provisions of the Ordinance, rules and regulation of the District.

Section 16.6. Separability. If any section subsection, sentence, clause or phrase of this Ordinance or the application thereof to any Person or circumstances is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity or the remaining portions of this Ordinance or the application of such provision to other Person or circumstances. The Board hereby declares that it would have passed this Ordinance or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional.

Section 16.7. No Mandatory Duty. This Ordinance is not intended to impose, and shall not be construed or given effect in a manner that imposes, upon the District or any officer or employee thereof, a mandatory duty of care toward Persons and property within or without the District so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 16.8. If any provision of this Ordinance or the application thereof to any Person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of this Article which can be given effect without the invalid provision or application and to this end the provisions of this Article are severable. The District hereby declares that it would have adopted this Article irrespective of the invalidity of any portion thereof.

ARTICLE XVII
Establishing Areas of Benefit and Associated Fees

Section 17.1. The Purpose of this Ordinance is to provide authority for levying and collecting fees for the costs incurred in providing Sewer facilities that provide a benefit to the owners of real property within the District, and to designate certain areas of benefit. Either San Andreas Sanitary District, or other Persons as authorized by the District, may incur the costs for constructing the Sewer facilities and be eligible for subsequent reimbursements under this Article.

Section 17.2. Areas of benefit shall not be established for Sewer facilities, which have a cost to construct of less than \$20,000.00.

Section 17.3. The District by resolution may:

A. Designate an area of benefit for the purpose of distributing the actual or estimated costs of the Sewer facilities among the benefiting parcels within the jurisdiction of the District.

B. Establish the geographic boundaries of the area of benefit.

C. Establish a fair and equitable method to allocate fees to be paid by the owners of the real property in the area of benefit when they request to connect to the constructed Sewer facilities.

Section 17.4. Such a resolution may be passed prior to, after or concurrently with the construction of such Sewer facilities.

Section 17.5. Prior to the adoption of a resolution creating an area of benefit under Section 17.3, the District shall:

A. Give a notice by first class mail at least ten (10) days prior to the date and time set for the public meeting set for the adoption of the resolution before the District, to the addresses as shown on the latest equalized assessment roll of Calaveras County to all the owners of all property proposed for inclusion in the area of benefit.

B. Publish in a newspaper of general circulation in the County of Calaveras at least once not less than ten (10) days prior, notice of the date, time and location set for the public meeting.

C. Include in such notice to property owners as required under (1) or (2) above, a Statement of the nature of the improvement to be constructed or which has been constructed under the area of benefit, the actual or estimated costs of the project and the proposed boundaries of the area of benefit.

D. At the meeting on such proposed areas of benefit the District Board of Directors shall hear from all interested parties.

Section 17.6. Following the establishment of an area of benefit pursuant to this Article and State law, the District shall cause said resolution to be recorded with the Calaveras County Recorder, which shall then bind and run with the land included therein.

Section 17.7. The area of benefit fees shall include an additional amount above the actual or estimated costs to construct the Sewer improvements to cover administrative, engineering and other costs of the District as related to the area of benefit.

Section 17.8. The area of benefit fees established by each resolution as set forth in Section 17.3 will only be collected when a benefiting property requests and receives Sewer service within five (5) years of the District's acceptance of Sewer improvements or the effective date of the original area of benefit resolution, whichever is earlier.

Section 17.9. The District Manager will have the authority for establishing procedures related to the establishment and monitoring of any areas of benefit.

Section 17.10. The District Engineer shall be responsible for the establishment of the fair distribution of costs and benefits within those procedures.

Section 17.11. Fees collected for the area of benefit, less the amount of the District's administrative, engineering and other costs, shall be deposited into a fund account specific to that area of benefit.

Section 17.12. The District was responsible for the construction of the new Sewer improvements, payment of District authorized costs related to the area of benefit will be offset by any funds that were deposited into the specific area of benefit fund account as established in Section 17.11.

Section 17.13. If construction costs of the Sewer improvements were borne by a developer or owner of real property as authorized by the District in accordance with any other Article of this Ordinance, those individuals may apply for reimbursement of District authorized costs from the specific area of benefit fund account as established in Section 17.11.

Section 17.14. Reimbursements, as set forth in Section 17.11 to authorized individuals must be applied for within six (6) years of the effective date of the original area of benefit resolution as set forth in Section 17.3, and shall never exceed the total amount within the specific area of benefit fund account.

Section 17.15. At the end of the reimbursement period, the District shall use any funds remaining in the specific area of benefit fund account for the operation, maintenance and other services, relating to the area of benefit.

Section 17.16. Rights to reimbursements are not transferable without prior written approval from the District's Board.

Section 17.17. In the event of a disagreement or dispute regarding the application of this Article or resolutions authorized within the guidelines of this Article, the disputing party (parties) may refer the matter to the District's Board for determination. Ruling of the Board shall be final.

ARTICLE XVIII
Appeals

Section 18.1. Appeal of Engineer's and Manager's Determination. Any Person dissatisfied with any determination of the Engineer or Manager as to their service or property may appeal the determination to the Board within 15 days after receiving notice of the determination by filing a written notice of appeal with the District. The written notice shall State the grounds for appeal. At a regular or special meeting of the Board after receipt of the written notice, the Board shall hear the appeal. The decision of the Board shall be final.

Section 18.2. Payment and Refund. Pending decisions upon any appeal relative to the amount of any charge hereunder, the Person filing the appeal desiring to proceed with construction shall pay the required charge. Should the Board after the hearing determine that all or part of the appeal of the charge was valid, it shall order a refund of that portion of the charge or applied to any outstanding charges and fees that are outstanding.

Section 18.3. Relief on Own Motion. If the Board, on its own motion, finds that by reason of special circumstances any provision of its Ordinance should be suspended or modified as applied to a particular Premises, it may, subject to all other laws, by resolution order the suspension or modification for Premises during the period of such special circumstances, or any part thereof.