

SUMMARY OF ORDINANCE NO. 97-1
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
TRINITY COUNTY WATERWORKS DISTRICT NO. 1
ADOPTING A SANITARY CODE FOR
TRINITY COUNTY WATERWORKS DISTRICT NO. 1

At its regular meeting on Nov. 12, 1997, the Board of Directors of the Trinity County Waterworks District No. 1 passed Ordinance No. 97-1 by the following vote:

AYES: Earl F. Sayre, Anna Franke, Alfred Stoddard, Richard Jesse, Sam
Rose
NOES: None
ABSENT: None

The purpose of the Ordinance is to provide certain minimum standards, provisions and requirements for design, methods of construction and use of materials in sanitary sewer facilities installed, altered or repaired after passage of the Ordinance.

Following the effective date of this Ordinance, it shall be unlawful for any person to connect to, construct, install or provide, maintain and use any other means of sewage disposal from any building in the Trinity County Waterworks District No. 1 boundaries except by connection to a public sewer in the manner as provided in the Ordinance.

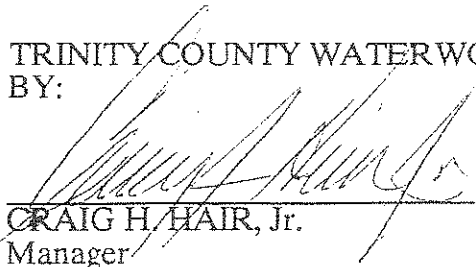
The Ordinance sets forth requirements for the obtaining of permits and paying of fees to the Trinity County Waterworks District No. 1 for connecting to its sewer facilities.

Violation of the Ordinance is established to be a misdemeanor punishable by fine, imprisonment, or both pursuant to the provisions of the *California Health and Safety Code*. Further, violation is deemed a public nuisance which may be abated by means of a suit by the Trinity County Waterworks District No. 1, which suit may result in work being done by the Trinity County Waterworks District No. 1 and the imposition of a lien on real property and against property owners for the costs of performing work required by the Ordinance and necessary associated costs and fees. Such liens may be enforced in the same manner as those provided for by Title 15 (commencing with Section 3082), Par 4, Division 3, of the *California Civil Code*. Trinity County Waterworks District No. 1 may also use the procedures in *California Health and Safety Code* sections 5474 for levying the costs incurred for the construction of the improvements for the connection of premises to the public sewer.

Full particulars of Ordinance 97-1 may be found in the certified copy of the Ordinance posted in the offices of the Trinity County Waterworks District No. 1 in Hayfork, California.

Dated: November 12, 1997

TRINITY COUNTY WATERWORKS DISTRICT NO. 1
BY:


CRAIG H. HAIR, Jr.
Manager

ORDINANCE NO. 97-1

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
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The Board of Directors of the Trinity County Waterworks District No. 1 ordains
as follows:

TABLE OF CONTENTS

<u>Section</u>	<u>Heading</u>	<u>Page No.</u>
DIVISION I		
DEFINITIONS		
1.000	General	5
1.010	County	5
1.020	Engineer	5
1.030	District Observer	5
1.040	Person.....	5
1.050	Permit.....	5
1.060	Building	5
1.065	Multiple Dwelling	6
1.070	Applicant	6
1.080	Contractor	6
1.090	Street	6
1.100	Sewage Works	6
1.110	Sewage	6
1.120	Sewer	6
1.130	Public Sewer	6
1.140	Combined Sewer	6
1.150	Sanitary Sewer	6
1.160	Storm Sewer	6
1.170	Main Sewer	6
1.180	Lateral Sewer	6
1.190	Building Sewer	6
1.200	Outside Sewer	6
1.210	Sewage Treatment Plant	6
1.220	Garbage	6
1.230	Household Equivalent	6

**DIVISION II
GENERAL PROVISIONS**

2.010	Short Title	7
2.020	Rules and Regulations	7
2.030	Purpose	7
2.040	Violation Unlawful	7
2.050	Relief on Application	7
2.060	Relief on Own Motion	7
2.070	District Observer, Compensation	7
2.080	Permits and Fees	8

**DIVISION III
USE OF PUBLIC SEWERS REQUIRED**

3.010	Disposal of Wastes	8
3.020	Treatment of Wastes Required	8
3.030	Unlawful Disposal	8
3.040	Occupancy Prohibited	8
3.050	Sewer Required	8

**DIVISION IV
[Reserved]**

**DIVISION V
BUILDING SEWERS, LATERAL SEWERS AND CONNECTIONS**

5.010	Permit Required	9
5.020	Construction Requirements	9
5.030	Minimum Size and Slope	9
5.040	Separate Sewers	9
5.050	Old Building Sewers	9
5.060	Cleanouts	10
5.070	Sewer Too Low	10
5.080	(Reserved)	
5.090	Protection of Excavation	10
5.100	Maintenance of Building Sewer	10

**DIVISION VI
PUBLIC SEWER CONSTRUCTION**

6.010	Permit Required	10
6.020	Plans, Profiles and Specifications Required	10
6.030	Subdivisions	11
6.040	Easements or Rights of Way	11
6.050	Persons Authorized to Perform Work	11
6.060	Grade Stakes	11
6.070	Compliance with Local Regulations	11
6.080	Protection of Excavation	11
6.090	Design and Construction Standards	11

6.100	Separate Trench Required	11
-------	--------------------------------	----

**DIVISION VII
USE OF PUBLIC SEWERS**

7.010	Drainage into Sanitary Sewer Prohibited	12
7.020	Maximum Building Sewer Infiltration	12
7.030	Types of Wastes Prohibited	12
7.040	Interceptors Required	13
7.050	Maintenance of Interceptors	13
7.060	Preliminary Treatment of Wastes	13
7.070	Maintenance of Pretreatment Facilities	13
7.080	Control Manholes	13
7.090	Measurements and Tests	13
7.100	Special Agreements	14
7.110	Swimming Pools	14

**DIVISION VIII
PERMITS AND FEES**

8.010	Permit Required	14
8.020	Application for Permit	14
8.030	Compliance with Permit	15
8.040	Agreement	15
8.050	Classes of Permits	15
8.060	Fees: Connection Charges	15
8.070	Fees: Single Family Residential Building Sewer	15
8.080	Fees: Multiple Dwelling, Commercial, or Industrial Sewer Connection	15
8.090	Fees and Bond: Public Sewer Construction	16
8.100	(Reserved)	
8.110	Disposition of Fees	16
8.120	All work to be Inspected	16
8.130	Notification	16
8.140	Condemned Work	16
8.150	All Costs Paid by Owner	16
8.160	Permits for Outside Sewers	16
8.170	Permit Optional	17
8.180	Special Outside Agreements	17
8.190	Street Excavation Permit	17
8.200	Liability	17
8.210	Time Limit on Permits	17
8.220	Land Divisions	17

**DIVISION IX
ENFORCEMENT**

9.010	Violation	18
9.020	Public Nuisance	18
9.030	Disconnection	18
9.040	Public Nuisance - Abatement	18
9.050	Means of Enforcement Only	18
9.060	Misdemeanor	18

9.070	Liability for Violation	18
9.080.	Connection with Sewer on failure of owner to do so; Lien for work done and materials furnished; Addition to tax bill as alternative to enforcement of lien; Manner of enforcing lien.....	19

**DIVISION X
MISCELLANEOUS PROVISIONS**

10.010	Protection from Damage	19
10.020	Powers and Authorities of Observers	20
10.030	Separability	20
10.040	Effective Date	20

DIVISION I DEFINITIONS

Sections

- 1.010 County
- 1.020 Engineer
- 1.030 District Observer
- 1.040 Person
- 1.050 Permit
- 1.060 Building
- 1.065 Multiple Dwelling
- 1.070 Applicant
- 1.080 Contractor
- 1.090 Street
- 1.100 Sewage Works
- 1.110 Sewage
- 1.120 Sewer
- 1.130 Public Sewer
- 1.140 Combined Sewer
- 1.150 Sanitary Sewer
- 1.160 Storm Sewer
- 1.170 Main Sewer
- 1.180 Lateral Sewer
- 1.190 Building Sewer
- 1.200 Side Sewer
- 1.210 Sewage Treatment Plant
- 1.220 Garbage
- 1.230 Household Equivalent

1.000. **General.** The words and phrases appearing hereinafter are defined and shall be construed as hereinafter set forth unless it shall be apparent from the context that they have a different meaning. Definitions found elsewhere in this Code shall likewise apply to this chapter.

1.010. **County** shall mean the County of Trinity, California.

1.020. **Engineer** shall mean the Engineer appointed by and acting for the Board and shall be a Registered Professional Engineer of the State of California.

1.030. **District Observer** shall mean the observer acting for the Board and may be the Manager, the District Engineer or observer appointed by the Board.

1.040. **Person** shall mean any human being, individual, firm, company, partnership, association and private or public or municipal corporation, the United States of America, the State of California, district and all political subdivisions, governmental agencies and mandatories thereof.

1.050. **Permit** shall mean any written authorization required pursuant to this or any other rule, regulation or ordinance of District for the installation of any sewage works or contract agreement entered into between the District and applicant.

1.060. **Building** shall mean any structures used for human habitation or a place of business, recreation or other purposes.

1.065. **Multiple Dwelling** shall mean a building for residential purposes

containing more than one kitchen or having facilities for the occupancy of more than one person or families including, but not limited to the following: Apartment houses, duplexes, condominiums, rooming houses, boarding houses and dormitories.

1.070. **Applicant** shall mean the person making application for a permit for a sewer installation and shall be the owner of the premises to be served by the sewer for which a permit is requested or the owner's authorized agent.

1.080. **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 and shall be the owner or the owner's agent.

1.090. **Street** shall mean any public highway, road, street, avenue, alley, way, public place, public easement or right of way.

1.100. **Sewage Works** shall mean all facilities for collection, pumping, treating and disposing of sewage.

1.110. **Sewage** shall mean a combination of water-carried wastes from buildings and industrial establishments connected to sewage works of the District.

1.120. **Sewer** shall mean a pipe or conduit for carrying sewage.

1.130. **Public Sewer** shall mean a sewer lying within a street and which is controlled by or under the jurisdiction of the District.

1.140. **Combined Sewer** shall mean a sewer receiving both surface runoff and sewage.

1.150. **Sanitary Sewer** shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

1.160. **Storm Sewer or Storm Drain** shall mean a sewer which carries storm and surface or ground waters and drainage but excludes sewage and polluted industrial wastes.

1.170. **Main Sewer** shall mean a public sewer designed to accommodate more than one lateral sewer.

1.180. **Lateral Sewer** shall mean the portion of a sewer lying within a public street connecting a building sewer to the main sewer.

1.190. **Building Sewer** shall mean that portion of any sewer beginning at the plumbing or drainage outlet of any building or industrial facility and running to the property line or street.

1.200. **Outside Sewer** shall mean a sanitary sewer beyond the limits of the Sanitary District not subject to the control or jurisdiction of District.

1.210. **Sewage Treatment Plant** shall mean any arrangement of devices and structures used for treating sewage.

1.220. **Garbage** shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

1.230. **Household Equivalent** shall mean the equivalent sewage loading from an

average residential dwelling within the District.

DIVISION II GENERAL PROVISIONS

Sections:

- 2.010 Short Title
- 2.020 Rules and Regulations
- 2.030 Purpose
- 2.040 Violation Unlawful
- 2.050 Relief on Application
- 2.060 Relief on Own Motion
- 2.070 District Observer, Compensation
- 2.080 Permits and Fees

2.010. **Short Title.** this ordinance shall be known as the SANITARY CODE OF TRINITY COUNTY WATERWORKS DISTRICT NO. 1.

2.020. **Rules and Regulations.** The following rules and regulations respecting sewer construction and disposal of sewage and drainage of buildings and connection to the sewage works of the District are hereby adopted, and all work in respect thereto shall be performed as herein required and not otherwise.

2.030. **Purpose.** This ordinance is intended to provide certain minimum standards, provisions and requirements for design, methods of construction and use of materials in sanitary sewer facilities hereafter installed, altered or repaired. This ordinance shall not apply retroactively and, in the event of an alteration of repair hereafter made, it shall apply only to the new materials and methods used therein.

2.040. **Violation Unlawful.** Following the effective date of this ordinance, it shall be unlawful for any person to connect to, construct, install or provide, maintain and use any other means of sewage disposal from any building in said District except by connection to a public sewer in the manner as in this ordinance provided.

2.050. **Relief on Application.** When any person by reason of special circumstances is of the opinion that any provision of this ordinance is unjust or inequitable as applied to that person's premises, that person may make written application to the Board, stating the special circumstances, citing the provision complained of and requesting suspension or modification of that provision as applied to the person's premises.

If such application be approved, the Board may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

2.060. **Relief on Own Motion.** The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and ordinance should be suspended or modified as applied to a particular premise and may, by resolution, order such suspension or modification for such premise during the period of such special circumstances, or any part thereof.

2.070. **District Observer, Compensation.** The Board of District shall employ some fit and qualified person or persons to perform the duties of observing the installation,

connection, maintenance and use of all side sewers, public sewers, private sewers and facilities in connection therewith in said District, to be known as the District Observer. The person so employed shall receive as compensation for that person's services for making inspections required to be made by the ordinance, and orders and regulations from time to time enacted and ordered by the Board, a sum to be fixed by the Board. The District Observer shall serve during the pleasure of the Board.

2.080. **Permits and Fees.** No public sewer, side sewer, or other sewerage facilities shall be installed, altered or repaired within the District until a permit for the work has been obtained from the District and all fees paid in accordance with the requirements of Article 8.000 of this Code.

DIVISION III USE OF PUBLIC SEWERS REQUIRED

Sections:

- 3.010 Disposal of Wastes
- 3.020 Treatment of Wastes Required
- 3.030 Unlawful Disposal
- 3.040 Occupancy Prohibited
- 3.050 Sewer Required

3.010. **Disposal of Wastes.** It shall be unlawful for any person to place, deposit, or permit to be deposited upon property within the District, any human or animal excrement, garbage, or other objectionable waste which in the opinion of the Board results in a hazard to public health or safety.

3.020. **Treatment of Wastes Required.** It shall be unlawful to discharge to any stream or watercourse any sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this ordinance.

3.030. **Unlawful Disposal.** Except as herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage.

3.040. **Occupancy Prohibited.** No building, industrial facility or other structure shall be occupied until the owner of the premises has complied with all rules and regulations of District.

3.050. **Sewer Required.** The owner of any building situated within the District and abutting on any street in which there is now located or may in the future be located a public sewer of the District, is hereby required at the owner's expense to connect said building directly with the proper public sewer in accordance with the provisions of this ordinance within thirty (30) days after date of official notice to do so, when such connection is deemed necessary by the District.

DIVISION IV [Reserved]

DIVISION V
BUILDING SEWERS, LATERAL SEWERS AND CONNECTIONS

Sections:

- 5.010 Permit Required
- 5.020 Construction Requirements
- 5.030 Minimum Size and Slope
- 5.040 Separate Sewers
- 5.050 Old Building Sewers
- 5.060 Cleanouts
- 5.070 Sewer Too Low
- 5.080 (Reserved)
- 5.090 Protection of Excavation
- 5.100 Maintenance of Building Sewer

5.010. **Permit Required.** In accordance with Article 8.000 of this Code no person shall construct a building sewer, lateral sewer or make a connection with any public sewer without first obtaining a written permit from the District and paying all fees and connection charges as required herein.

5.020. **Construction Requirements.** Construction of building sewers and lateral sewers shall be in accordance with the requirements of the County of Trinity and the requirements of the District and the Uniform Plumbing Code. In case of conflict the more stringent shall apply. All building sewers and side sewers shall be constructed of schedule 40 PVC, DWV or schedule 40 ABS, DWV.

5.030. **Minimum Size and Slope.** The minimum size of a building sewer shall be 4 inch in diameter. A building sewer serving a multiple dwelling having more than three household equivalents shall be not less than 6 inch diameter.

5.040. **Separate Sewers.** No two adjoining lots fronting on the same street shall be permitted to join in the use of the same side sewer without the written consent of the Board. Every industrial facility must be separately connected with a public sewer. Each building shall have an independent side sewer with the following exception: Buildings located on a single parcel of land that cannot be divided and is under one ownership may, upon approval of the District, be connected to the same side sewer or lateral sewer.

5.050. **Old Building Sewers.** Old building sewers may be used in connection with reconstruction only when they are found, upon examination and test by the District Observer, to meet all requirements of District. If the building or structure is removed, demolished, or otherwise uninhabitable, the building sewer must be disconnected and plugged at the lateral sewer cleanout at the expense of the property owner.

5.060. **Cleanouts.** Cleanouts in building sewers shall be provided in accordance

with the rules, regulations and ordinances of the District. Cleanouts near the property line (intersection of the lateral sewer and building sewer) must be kept exposed and accessible by the property owner. A metal bolted expandable plug shall be inserted in all side sewer cleanouts.

5.070. **Sewer Too Low.** In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by artificial means, approved by the District and discharged to the public sewer at the expense of the owner.

5.080. (Reserved)

5.090. **Protection of Excavation.** All excavations for a side sewer installation shall be adequately guarded with barricades or lights so as to protect the public from hazard. Streets, sidewalks, parkways and other property disturbed in the course of the work shall be restored in a manner satisfactory to the District and the County or any other person having jurisdiction thereover.

5.100. **Maintenance of Building Sewer.** Building sewers shall be maintained by the owner of the property served thereby.

DIVISION VI PUBLIC SEWER CONSTRUCTION

Sections:

- 6.010 Permit Required
- 6.020 Plans, Profiles and Specifications Required
- 6.030 Subdivisions
- 6.040 Easements or Rights of Way
- 6.050 Persons Authorized to Perform Work
- 6.060 Grade Stakes
- 6.070 Compliance with Local Regulations
- 6.080 Protection of Excavation
- 6.090 Design and Construction Standards
- 6.100 Separate Trench Required

6.010. **Permit Required.** In accordance with Article 8.000 of this Code, no person shall construct, extend or connect to any public sewer without first obtaining a written permit from the District and paying all fees and connection charges and furnishing bonds as required therein.

6.020. **Plans, Profiles and Specifications Required.** The application for a permit for public sewer construction shall be accompanied by complete plans, profiles and specifications, complying with all applicable ordinances, rules and regulations of District, prepared by a Registered Civil Engineer showing all details of the proposed work based on an accurate survey of the ground. The application, together with the plans, profiles and specifications shall be submitted to the District at least twenty (20) days prior to a regular meeting of the Board. The District may require them to be modified as it deems necessary for proper installation. When the Board is satisfied that the proposed work is proper and the plans, profiles and specifications are sufficient and correct, it shall order the issuance of a permit predicated upon the payment of all connection charges, fees and furnishing bonds as required by the District. The permit shall prescribe such terms and conditions as the

Board finds necessary in the public interest.

6.030. Subdivisions. The requirements of Sections 6.010 and 6.020 of this ordinance shall be fully complied with before any final subdivision map shall be approved by the Board. The final subdivision map shall provide for the dedication for public use of all streets, easements or rights-of-way in which public sewer lines are to be constructed. If a final subdivision map of a tract is recorded and the work of constructing sewers to serve the tract is not completed within the time allowed in the permit, the Board may extend the time limit or may complete the work and take appropriate steps to enforce the provisions of the bond furnished by the subdivider.

6.040. Easements or Rights-of-Way. In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the Board a proper easement or grant of right-of-way having a minimum width of twenty (20) feet sufficient in law to allow the laying and maintenance of such extension or connection, other than those in a public right-of-way.

6.050. Persons Authorized to Perform Work. Only properly licensed contractors or employees of District shall be authorized to perform the work of public sewer construction within the District. All terms and conditions of the permit issued by the District to the applicant shall be binding on the contractor. The requirements of this section shall not apply to building sewers installed concurrently with public sewer construction.

6.060. Grade Stakes. Grade and line stakes shall be set by a Registered Civil Engineer prior to the start of work on any public sewer construction. The contractor shall be responsible for accurately transferring grades to grade bars and sewer invert.

6.070. Compliance with Local Regulations. Any person constructing a sewer within a street shall comply with all state, county or city laws, ordinances, rules and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof and shall obtain all permits and pay all fees required by the department having jurisdiction prior to the issuance of a permit by the District.

6.080. Protection of Excavation. The applicant shall maintain such barriers, lights and signs as are necessary to give warning to the public at all times that a sewer is under construction and of each dangerous condition to be encountered as a result thereof. The applicant shall also likewise protect the public in the use of the sidewalk against any such conditions in connection with the construction of the sewer. Streets, sidewalks, parkways and other property disturbed in the course of the work shall be reinstalled in a manner satisfactory to the District and the County, or any other person having jurisdiction thereover.

6.090. Design and Construction Standards. Minimum standards for the design and construction of sewers within the District shall be in accordance with the applicable provisions of the ordinances, rules, regulations and with the SPECIFICATIONS FOR SEWER CONSTRUCTION heretofore or hereafter adopted by District, copies of which are on file in the District Office. The District may permit modifications or may require higher standards where unusual conditions are encountered.

"As-built" drawings showing the actual location of all mains, structures, wyes, laterals and cleanouts shall be filed with the District before final acceptance of the work.

6.100. Separate Trench Required. No other utilities are permitted to be in the

same trench as the sanitary sewer. All setback distances as required by law shall be employed when installing any sanitary sewer.

DIVISION VII USE OF PUBLIC SEWERS

Sections:

- 7.010 Drainage into Sanitary Sewer Prohibited
- 7.020 Maximum Building Sewer Infiltration
- 7.030 Types of Wastes Prohibited
- 7.040 Interceptors Required
- 7.050 Maintenance of Interceptors
- 7.060 Preliminary Treatment of Wastes
- 7.070 Maintenance of Pretreatment Facilities
- 7.080 Control Manholes
- 7.090 Measurements and Tests
- 7.100 Special Agreements
- 7.110 Swimming Pools

7.010. Drainage Into Sanitary Sewers Prohibited. No leaders from roofs and no surface or sub-surface drainage, rain water, storm water, seepage, cooling water of unpolluted industrial process waters shall be permitted to enter any sanitary sewer by any device or method whatsoever.

7.020. Maximum Building Sewer Infiltration. The maximum infiltration of ground or surface water shall not exceed 150 gallons per day for each household equivalent. This leakage shall be measured either directly or indirectly by a static water test as determined by the District.

7.030. Types of Wastes Prohibited. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any liquid or vapor having a temperature higher than 150° F.
- (b) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
- (c) Any gasoline, benzene, naphtha, fuel oil, hydrocarbon, or other flammable or explosive liquid, solid or gas.
- (d) Any garbage that has not been properly shredded. Properly shredded garbage shall mean the wastes from the preparation, cooking and disposing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
- (e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- (f) Any waters or wastes having a ph lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- (g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to

humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

(h) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(j) Any septic tank sludge.

7.040. Interceptors Required. Grease, oil and sand interceptors shall be provided when, in the opinion of the District Observer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for buildings used for residential purposes. All interceptors shall be of a type and capacity approved by the District Observer and shall be located as to be readily and easily accessible for cleaning and observing.

7.050. Maintenance of Interceptors. All grease, oil and sand interceptors shall be maintained by the owner, at the owner's expense in continuously efficient operation at all times.

7.060. Preliminary Treatment of Wastes. The admission into the public sewers of any waters or wastes having:

(a) a 5-day Biochemical Oxygen Demand greater than 300 parts per million by weight; or

(b) containing more than 350 parts per million by weight of suspended solids; or

(c) containing any quantity of substance having the characteristics described in Section 7.030; or

(d) having an average daily flow greater than two percent of the average daily sewage flow of the District,

shall be subject to the review and approval of the District Observer. Where necessary in the opinion of the District Observer, the owner shall provide, at the owner's expense, such preliminary treatment as may be necessary to:

(a) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight; or

(b) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 7.030; or

(c) control the quantities and rates of discharge of such waters or wastes.

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

7.070. Maintenance of Pretreatment Facilities. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

7.080. Control Manholes. When required by the District Observer the owner of any property served by a side sewer carrying industrial wastes shall install a suitable control manhole in the side sewer to facilitate observation, sampling and measurement of wastes. Such manholes, when required, shall be installed by the owner at the owner's expense, and shall be maintained by the owner so as to be safe and accessible at all times.

7.090. Measurements and Tests. All measurements, test and analysis of the

characteristics of waters and wastes to which reference is made in Sections 7.030 and 7.060 shall be determined in accordance with standard methods and shall be determined at the control manhole provided for in Section 7.080, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the side sewer is connected.

7.100. **Special Agreements.** No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and any Government or industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefore by the industrial concern and subject to such terms and conditions as might be required by District.

7.110. **Swimming Pools.** It shall be unlawful for any person to discharge the contents of a swimming pool into a sanitary sewer.

DIVISION VIII PERMITS AND FEES

Sections:

- 8.010 Permit Required
- 8.020 Application for Permit
- 8.030 Compliance with Permit
- 8.040 Agreement
- 8.050 Classes of Permits
- 8.060 Fees: Connection Charges
- 8.070 Fees: Single Family Residential Building Sewer
- 8.080 Fees: Multiple Dwelling, Commercial, or Industrial Sewer Connection
- 8.090 Fees and Bond: Public Sewer Construction
- 8.100 Fees: Private Sewage Disposal (Deleted)
- 8.110 Disposition of Fees
- 8.120 All work to be Inspected
- 8.130 Notification
- 8.140 Condemned Work
- 8.150 All Costs Paid by Owner
- 8.160 Permits for Outside Sewers
- 8.170 Permit Optional
- 8.180 Special Outside Agreements
- 8.190 Street Excavation Permit
- 8.200 Liability
- 8.210 Time Limit on Permits
- 8.220 Land Divisions

8.010. **Permit Required.** No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance or perform any work on any sewer or drainage system without first obtaining a written permit from the District.

8.020. **Application for Permit.** Any person, legally entitled to apply for and receive a permit, shall make such application on forms provided by the District for that

purpose. Applicant shall give a legal description of the property, a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. The General Manager or District Engineer may require plans, specifications or drawings and such other information as the General Manager or District Engineer may deem necessary.

If the General Manager or District Engineer determines that the plans, specifications, drawings, descriptions or information furnished by the applicant is in compliance with the ordinances, rules and regulations of the District, the General Manager or District Engineer shall place the application on the agenda of the next Board meeting for consideration. If the Board approves the application, the General Manager or District Engineer shall issue the permit applied for upon payment of the required fees as thereafter fixed.

8.030. Compliance with Permit. After approval of the application, evidenced by the issuance of a permit, no change shall be made in the location of the sewer, the grade, materials or other details from those described in the permit or as shown on the plans and specifications for which the permit was issued except with written permission from the District or the District Observer.

8.040. Agreement. The applicant's signature on an application for any permit as set forth in Section 8.050 hereof, shall constitute an agreement to comply with all of the provisions, terms and requirements of the ordinances, rules, and regulations of the District, and with the plans and specifications filed with the application, if any, together with such corrections or modifications as may be made or permitted by the District, if any. Such agreement shall be binding upon the applicant and may be altered only by the District upon the written request for the alteration from the applicant.

8.050. Classes of Permits. There shall be five classes of permits, as follows:

- (a) Residential
- (b) Commercial
- (c) School
- (d) Hotel & Motel
- (e) Industrial
- (f) R.V. Parks

8.060. Fees: Connection Charges. All connection charges, fees and other charges, in the District and in areas annexed thereto, rules and regulations as set forth in the ordinance, rules and regulations of the District as heretofore or hereafter fixed shall be paid and complied with in the manner provided in said ordinances, rules or regulations.

8.070. Fees: Single Family Residential Building.

(a) A connection charge as fixed by the rules, regulations and ordinances of the District shall be paid to the District by the person desiring connection to the District sewer system plus

(b) A fee as fixed by the rules, regulations and ordinances of the District shall be paid to the District for issuing a permit to connect and observing each single family residential building sewer installation.

8.080. Fees: Multiple Dwelling, Commercial or Industrial Sewer Connection.

(a) A connection charge as fixed by the rules, regulations and ordinances of the District shall be paid to the District by the person desiring connection in the District sewer system plus

(b) A fee as fixed by the rules, regulations and ordinances of the District shall be

paid to the District for issuing a permit to connect and observing each multiple dwelling, commercial or industrial building sewer installation.

(c) The applicant for a multiple dwelling, commercial or industrial sewer connection permit shall, in addition to all other fees and charges payable pursuant to the rules, regulations and ordinances of the District, pay all engineering observation and other costs deemed by the District to be necessary, if any, to insure compliance with the terms of the permit and the rules, regulations and ordinances of the District.

8.090. Fees and Bond: Public Sewer Construction.

(a) a fee in an amount deemed necessary by the District to pay all engineering, observation and other costs required to insure compliance with the terms of the permit and with the rules, regulations and ordinances of the District shall be paid to the District prior to the time the permit is issued for reviewing plans and specifications, issuing a permit and observing the installation of public sewer mains, laterals and all appurtenances thereto. If the fee fixed by the District is less than the actual cost to the District, the person obtaining the permit shall be liable for the excess cost to the District. If the fee fixed by the District is in excess of the actual cost to the District, any surplus over the cost shall be refunded to the person obtaining the permit.

(b) Prior to the issuance of a permit for public sewer construction, the applicant shall furnish to the District a faithful performance bond or cash in the amount of the total estimated cost of the work. Said bond to be secured by a surety or sureties satisfactory to the District. The cash deposit or faithful performance bond shall be conditioned upon the performance of the terms and conditions of the permit and shall guarantee the correction of faulty workmanship and the replacement of defective materials for a period of one (1) year after the date of acceptance of the work.

8.100. (Reserved)

8.110. Disposition of Fees. All fees collected on behalf of the District shall be deposited with the proper authority provided by the District to receive such funds.

8.120. All Work to be Inspected. All sewer construction work shall be observed by an Observer acting for the District to insure compliance with all requirements of the District. No sewer shall be covered at any point until it has been observed and passed for acceptance. No sewer shall be connected to the District's public sewer until the work covered by the permit has been completed, observed and tested to the satisfaction of the District Observer. If all work is satisfactory to the Observer, the Observer shall report to the Board. Upon acceptance by the Board, it shall notify the applicant.

8.130. Notification. It shall be the duty of the person doing the work authorized by permit to notify the office of the District in writing that said work is ready for observation. Such notification shall be given not less than forty-eight (48) hours (Saturdays, Sundays and holidays excluded) before the work is to be observed. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the District before giving the above notification.

8.140. Condemned Work. When any work has been observed and the work condemned, a written notice to that effect shall be given by the District instructing the owner of the premises, or the agent of such owner, to repair the sewer or do other work authorized by the permit in accordance with the ordinances, rules, and regulations of the District.

8.150. All Costs Paid by Owner. All costs and expenses incident to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the owner. The owner shall indemnify the District from any loss or

damage that may directly or indirectly be occasioned by the work.

8.160. **Permits for Outside Sewers.** Permission shall not be granted to connect any lot or parcel of land outside the District to any public sewer in or under the jurisdiction of the District unless a permit therefore is obtained. the applicant shall first enter into a contract in writing whereby the applicant shall bind the applicant and the applicant's heirs, successors and assigns to abide by all ordinances, rules and regulations in regard to the manner in which such sewer shall be used, the manner of connecting therewith and drainage is connection therewith, and also shall agree to pay all fees required for securing the permit and a monthly fee in the amount set by the District for the privilege of using such sewer.

8.170. **Permit Optional.** The granting of such permission in any event shall be optional with the Board.

8.180. **Special Outside Agreements.** Where special conditions exist relating to an outside sewer, they shall be the subject of a special contract between the applicant and the District.

8.190. **Street Excavation Permit.** A separate permit must be secured from the City, County, or any other person having jurisdiction thereover by owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections.

8.200. **Liability.** The District and its officers, agents and employees shall not be answerable to any liability or injury or death of any person or damage to any property arising during or growing out of the performance of any work by any such applicant. The applicant shall be answerable for and shall save the District and its officers, agents and employees harmless from any liability imposed by law upon the District or its officers, agents or employees, including all costs, expenses, fees and interest incurred in defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of Applicant's work or any failure which may develop therein.

8.210. **Time Limit on Permits.** If work under a permit be not commenced within six (6) months from the date of issuance or if after partial completion the work be discontinued for a period of one (1) year, the permit shall thereupon become void and no further work shall be done until a new permit shall have been secured. A new fee shall be paid upon the issuance of said new permit.

8.220. **Land Divisions.** In the event of a subdivision of lands lying within the Trinity County Waterworks District No. 1, the board of Directors of said District may impose additional fees in an amount to be determined by such Board in anticipation of additional development which could be occasioned by the land being divided. Such Board will be the sole and exclusive judge of the amount of such fees, if any. Prior to the approval of such subdivision by the County of Trinity, the Board of Directors shall have reviewed such subdivision.

DIVISION IX ENFORCEMENT

Sections:

9.010 Violation

9.020 Public Nuisance

- 9.030 Disconnections
- 9.040 Public Nuisance - Abatement
- 9.050 Means of Enforcement Only
- 9.060 Misdemeanor
- 9.070 Liability for Violation
- 9.080. Connection with Sewer on failure of owner to do so; Lien for work done and materials furnished; Addition to tax bill as alternative to enforcement of lien; Manner of enforcing lien.

9.010. **Violation.** Any person found to be violating any provision of this or any other ordinance, rule or regulation of the District, except Section 10.010 thereof, shall be served by the District Observer or other authorized person with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Said time limit shall not be less than two nor more than seven working days. The offender shall, within the period of time stated in such notice, permanently cease all violations. All persons shall be held strictly responsible for any and all acts of agents or employees done under the provisions of this or any other ordinance, rule or regulation of the District. Upon being notified by the District Observer of any defect arising in any sewer or of any violation of the ordinances, rules or regulations of the District, the person or persons having charge of said work shall immediately correct the same.

9.020. **Public Nuisance.** Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this or any other ordinance, rule or regulation of the District is hereby declared to be a public nuisance. The District may cause proceedings to be brought for the abatement of the occupancy of the building or industrial facility during the period of such violation, including obtaining a temporary and permanent injunction.

9.030. **Disconnection.** As an alternative method of enforcing the provisions of this or any other ordinance, rule or regulation of the District, the District Observer shall have the power to disconnect the user or subdivision sewer system from the sewer mains of the District. Upon disconnection the District Observer shall estimate the cost of disconnection from and reconnection to the system, and such user shall deposit the cost as estimated of disconnection and reconnection before such user is reconnected to the system. The District Observer shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnection.

9.040. **Public Nuisance: Abatement.** During the period of such disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon the District shall cause proceedings to be brought for the abatement for the occupancy of said premises by human beings during the period of such disconnection. In such event, and as a condition of reconnection, there is to be paid to the District a reasonable attorney's fee and cost of suit arising in said action.

9.050. **Means of Enforcement Only.** The District hereby declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of its ordinances, rules and regulations, and not as a penalty.

9.060. **Misdemeanor.** The Health and Safety Code of the State of California provides that the violation of an ordinance, rule, or regulation of a sanitary district by any person is a misdemeanor punishable by fine, imprisonment, or both. Each and every connection or occupancy in violation of the ordinances, rules and regulations of the District shall be deemed a separate violation and each and every day or part of a day a violation of the ordinance, rule or regulation continues shall be deemed a separate offense hereunder

and shall be punishable as such.

9.070. **Liability for Violation.** Any person violating any of the provisions of the ordinances, rules, or regulations of the District shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation, including reasonable attorney's fees.

9.080. **Connection with Sewer on failure of owner to do so; Lien for work done and materials furnished; Addition to tax bill as alternative to enforcement of lien; Manner of enforcing lien.** Where any health officer of any county or of this District has served a notice upon the owner or reputed owner of land upon which there is a dwelling house, and such owner or reputed owner, after 30 days, having refused, neglected, or failed to connect such dwelling house, together with all toilets sinks and other plumbing therein, properly vented, and in a sanitary manner, with the adjoining street sewer, as required by section 3.050, above, the District may construct the same at a reasonable cost, and the person doing said work at the request of such health officer or governing board has a lien upon said real estate for that person's work done and materials furnished and such work done and materials furnished shall be held to have been done and furnished at the instance of such owner or reputed owner, or person claiming or having any interest therein. The Board of Directors may pay all or any part of the cost or price of such connection to the person or persons who furnished labor, materials or equipment for the same, and, to the extent such governing board pays the cost or price of said connection, it shall succeed to and have all the rights, including the lien provided for above, of such person or persons against the real estate and against the owner or reputed owner thereof. The District may seek a declaration from the Superior Court of Trinity County providing for such work and expense, including all costs of suit and attorney's fees against such owner, reputed owner or any person claiming or having any interest therein and against the real estate involved.

As an alternative power to the enforcement of the lien provided for in this section, the governing body of the public agency performing the work of connection to the public sewer may, by order entered upon its minutes, declare that the amount of the costs of such work and the administrative expenses incurred by the governing body incident to the proceedings (including attorney's fees and court costs), together with other charges uniformly applicable within the Districting for the connection of the premises to the public sewer, shall be transmitted to the assessor and tax collector of Trinity County, whereupon it shall be the duty of those officers to add the amount of the assessment to the next regular bill for taxes levied against the lot or parcel of land.

The liens provided for by this section shall be enforced in the same manner as those provided for by Title 15 (commencing with Section 3082), Part 4, Division 3, of the *California Civil Code*

The Board of Directors may also use the procedures in *California Health and Safety Code* section 5474 for levying the costs incurred for the construction of the improvements for the connection of the premises to the public sewer. [*Health and Safety Code* section 5463]

DIVISION X MISCELLANEOUS PROVISIONS

Sections:

10.010 Protection from Damage

10.020 Powers and Authorities of Observers

10.030 Separability
10.040. Effective Date

10.010. **Protection from Damage.** No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the District's sewage works. Any person violating this provision shall be subject to the penalties provided by law.

10.020. **Powers and Authorities of Observers.** The officers, observers and any duly authorized employee of the District shall wear or carry an official badge of office or other evidence establishing their position as such and upon exhibiting the proper credentials and identification shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purposes of observation, reinspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary in the enforcement of the provisions of the ordinances, rules and regulations of the District.

10.030. **Separability.** If any section, sub-section, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this ordinance or any section, sub-section, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared to be unconstitutional.


10.040. **Effective Date.** This ordinance shall take effect and be in full force and effect from and after 30 days of its passage. The clerk shall publish this ordinance as required by law.

DULY PASSED AND ADOPTED this 8th day of October, 1997, by the Board of Directors of Trinity County Waterworks No. 1 by the following vote:

AYES: Earl F. Sayre, Anna Franke, Alfred Stoddard, Richard Jesse, Sam Rose

NOES: None

ABSENT: None



EARL F. SAYRE, President
Board of Directors
Trinity County Waterworks District No. 1

ATTEST:

CRAIG J. HAIR, Jr.
Clerk of the Board of Directors
Trinity County Waterworks District No. 1

