

**SECTION 1: DEFINITIONS OF TERMS**

Unless the context specifically indicates otherwise, the meaning of terms used in these Rules and Regulations shall be as follows:

- 1.01 APPLICANT: A person applying for sanitary sewer service.
- 1.02 BOARD OF DIRECTORS: The Board of Directors of the Yorba Linda Water District.
- 1.03 BUILDING DRAIN: That part of the lowest horizontal piping of a drainage system that receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the Building Sewer, ending five feet outside the inner face of the building wall.
- 1.04 BUILDING SEWER: The extension from the building drain to the public House Sewer connection or other place of disposal.
- 1.05 BUILDING SEWER PERMIT: The permit issued by any governmental agency, other than the District, for installation of the Building Sewer. The Building Sewer permit does not include permission to connect to District sanitary sewer facilities.
- 1.06 CITY OR COUNTY: Any other governmental agency or department thereof having jurisdiction in the particular matter.
- 1.07 COMBINED SEWER: A sewer receiving both surface run off and sewerage.
- 1.08 COMMERCIAL SERVICE: The provision of sanitary sewer service for use in the operation of a business.
- 1.09 CONTRACTOR: A person licensed by the State of California to construct sanitary sewer mains.
- 1.10 CUSTOMER OR CONSUMER: An individual or Agency of record receiving sanitary sewer service from the Yorba Linda Water District.
- 1.11 DATE OF PRESENTATION: The date upon which a bill or notice was mailed or delivered to the customer.
- 1.12 DESIGN ENGINEER - SANITARY ENGINEER: A Civil Engineer licensed by the State of California who shall directly supervise and check the plans and sign his name and registration number thereto.
- 1.13 DISTRICT: The Yorba Linda Water District located in Yorba Linda, California.
- 1.14 DISTRICT ENGINEER OR ENGINEER: The engineer of the District or his authorized agents, limited by the particular duties entrusted to them.
- 1.15 DOMESTIC SERVICE: The provision of sanitary sewer service for household residential purposes and other similar customary purposes.
- 1.16 EMPLOYEE: The term "employee" shall include any person designated by the General Manager of the District to perform work and labor for the District, excluding contractors and their employees.
- 1.17 GARBAGE: The solid waste from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- 1.18 GENERAL MANAGER: The person appointed by the Board of Directors of the District as the executive officer of the District.
- 1.19 GREASE TRAP: Interceptor device for the proper handling of liquid wastes containing grease, flammable wastes, sand or other harmful ingredients.

- 1.20 HOUSE CONNECTION OR HOUSE LATERAL: See service connection.
- 1.21 INDUSTRIAL WASTE: The liquid waste from industrial manufacturing processes, trade, or business as distinct from sanitary sewerage.
- 1.22 NATURAL OUTLET: Any outlet into a water course, conduit, lake, or other body of surface or ground water.
- 1.23 PERSON: Any individual, firm, company, association, society, corporation, group, agent or agency.
- 1.24 "PH": The common logarithm of the reciprocal of hydrogen ions in grams per liter of solution.
- 1.25 PLANS: Detailed design sheets with plan and profile of proposed sewer construction shown in sufficient detail so that it can be constructed.
- 1.26 PREMISES: The integral property or area, including improvements thereon, to which sanitary sewer service is or will be provided.
- 1.27 PRONOUNS: Words used herein in the masculine gender include the feminine and neuter, and vice versa; the singular number includes the plural, and the plural the singular.
- 1.28 PROPERLY SHREDDED GARBAGE: The waste from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will carry freely under flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.
- 1.29 PUBLIC SEWER: A sewer in which all owners of any property have equal rights, and which is controlled by public authority.
- 1.30 SANITARY SEWER: A sewer which carries sewage to which storm, surface, and ground waters are not intentionally admitted.
- 1.31 SECTIONS: The parts into which these rules are divided.
- 1.32 SERVICE CONNECTION: The tapping connection to the public sewer, the pipe installed in the street or easement which extends from the public sewer to the property line in the case of streets or to the easement side line in the case of easements, and the connection to the building sewer, said connection being at the property line or easement side line.
- 1.33 SEWAGE: A combination of the water carried waste from residences, businesses, buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.
- 1.34 SEWERAGE TREATMENT PLANT: Any arrangement of devices or structures used for treating sewage.
- 1.35 SEWAGE WORKS: All facilities for collecting, pumping, treating and disposing of sewage.
- 1.36 SEWER CONNECTION PERMIT: The permit issued by the District for connection to District sanitary sewer facilities.
- 1.37 SEWER MAIN EXTENSION: The extension of sanitary sewer pipe lines, exclusive of service connections, beyond existing facilities.
- 1.38 SEWER MAINS: Sanitary sewer pipelines located in streets, highways, public ways, or private rights of way which are used to serve the general public.
- 1.39 SEWERS: The pipes or conduits, service connections to property line, manholes, and all special construction deemed necessary for the transfer of sewage wastes.
- 1.40 "SHALL": is mandatory, "May" is permissive.

- 1.41 SLUG: Any discharge of water, sewage, or any industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration, longer than 15 minutes, more than 5 times the average 24 hour concentration or flows during normal operation.
- 1.42 SPECIFICATIONS: The Standard Plans and Specifications for the Construction of Sewers in the Yorba Linda Water District.
- 1.43 STORM DRAIN (sometimes termed Storm Sewer): A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- 1.44 SUSPENDED SOLIDS: Solids that either float on the surface of, or in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- 1.45 TECHNICAL TERMS: Unless otherwise specifically defined herein, or unless the context requires a different meaning, all words, terms and phrases having a well known or technical meaning shall be so construed.
- 1.46 TRUNK SEWER: A sewer main, the builder of which is eligible for reimbursements because the cost of construction exceeded the “average” expected cost of a sewer main to serve the property due to a larger diameter, greater depth or special routing, etc., is required by the District to meet the Sanitary Sewer Master Plan.
- 1.47 UNDERGROUND SERVICE ALERT: “USA” is an information center that notifies its members of impending excavation at or near their underground installations. California law makes it mandatory for all those who plan to do any digging or excavating to inform a regional notification center such as USA at least two days in advance. USA can be contacted at 1-800-422-4133.
- 1.48 WATERCOURSE: A channel in which a flow of water occurs, either continuously or intermittently.

**SECTION 2: POLICY ON PUBLIC SEWERS**

- 2.01 The District strongly endorses the requirement that all residential and all other development within the District boundaries connect to public sanitary sewers.
- 2.02 It shall be deemed adverse to the public good for any person to place, deposit, or permit to be deposited in any unsanitary manner on any public or private property within the District or any area under the jurisdiction of the District, any human or animal excrement, hazardous material, garbage, or other objectionable wastes.
- 2.03 Except as hereinafter provided, it shall be deemed adverse to the public good to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- 2.04 It shall be the policy of the District to encourage the owner of all houses, buildings, or property used for human occupancy, employment, recreation, or other purposes, situated within the District and abutting on any street, alley, or right of way in which there is now located or may in the future be located a public sanitary sewer operated by the District, to install suitable toilet facilities therein, and to connect such facilities directly to the public sewer pursuant with the intent of the District’s sewer master plan and according to the provisions of these Rules and Regulations.

The requirements for construction of and connection to the public sewer are as follows:

- A. Connection to a public sanitary sewer operated by the District is required provided such public sewer is within 200 feet of an existing or proposed building, or private sewer disposal system.
- B. Connection to a public sanitary sewer operated by the District is required when property is subdivided into three or more lots.

- 2.05 All applicants for sanitary sewer service shall also comply with the Rules and Regulations of the Yorba Linda Water District with regard to the rendition of water service.
- 2.06 Where construction of a public sewer is within a cul-de-sac or approaching the terminus of a reach of sewer main, that public sewer should be constructed in its entirety.
- 2.07 The District may, from time to time, contract to provide for sewer services. Except as otherwise provided for in any such contract these Rules and Regulations shall apply.

**SECTION 3: POLICY OF PRIVATE SEWERAGE DISPOSAL**

- 3.01 Where a public sanitary sewer is not available under the provision of these Rules and Regulations, the building may be connected to a private sewerage disposal system complying with the rules and regulations of the agency having jurisdiction over such disposal systems.
- 3.02 At such time as the public sewer becomes available to the property served by a private sewerage disposal system, the direct connection may be made to the public sewer in compliance with these Rules and Regulations; and any septic tanks, cesspools, and similar private sewerage disposal facilities, shall be abandoned and filled with suitable material in accordance with the rules and regulations of the agency having jurisdiction over such private sewerage disposal facilities.

**SECTION 4: BUILDING SEWERS**

- 4.01 No unauthorized person shall uncover, make any connections to, or opening into, use, alter, or disturb any sewer mains or service connection pipeline without first obtaining an approved "Sewer Connection Permit" from the District.
- 4.02 A Building Sewer Permit and excavation permit shall be obtained from the appropriate public agency having jurisdiction prior to construction.
- 4.03 All costs and expenses incident to the installation and connection of the building sewer shall be borne by the applicant. Applicant shall indemnify and hold the District its Directors, officers and employees harmless from any loss or damage that may be directly or indirectly occasioned by the installation of the building sewer.
- 4.04 The building sewer shall conform to the requirements of the building and plumbing code of the appropriate agency having jurisdiction.
- 4.05 The connection of the building sewer into the public sewer service connection shall conform to the requirements of the building and plumbing code. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the District Engineer before the installation.
- 4.06 A sewer backflow prevention valve shall be installed on all sewer service connections where the upstream sewer manhole rim elevation is higher than the pad elevation of the structure desiring sewer service and shall conform to the requirements of the Building and Plumbing Code of the appropriate agency having jurisdiction.
- 4.07 The applicant for the Building Sewer Permit shall notify the District when the building sewer is ready for inspection and connection to the public sewer. Connection shall be made under the supervision of the District Engineer or his representative.
- 4.08 All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, parkways, sidewalks, and other public property disturbed in the course of the work shall be restored in the manner satisfactory to the agency having jurisdiction.

**SECTION 5: SERVICE CONNECTIONS**

- 5.01 Application for a service connection shall be made on an approved form furnished by the District. This application shall specify the size of service, the location and acreage of the property to be served, and the type of service. The information supplied by the applicant on such application shall be considered as authority and final. If any error in such application shall cause the installation of a service connection that is improper whether in size or location, the costs of all changes required shall be borne by the applicant.
- 5.02 A Building Sewer Permit and excavation permit shall be obtained from the appropriate public agency having jurisdiction prior to construction.
- 5.03 All costs and expenses incident to the installation of the service connection shall be borne by the applicant. Applicant shall indemnify and hold the District it's Directors, officers and employees harmless from any loss or damage that may be directly or indirectly occasioned by the installation of the service connection.
- 5.04 All sewer service connections shall be installed by a contractor licensed by the State of California to construct sewer mains.
- 5.05 The service connection shall conform to the requirements of the standard plans and specifications of the District.
- 5.06 A sewer backflow prevention valve shall be installed on all sewer service connections where the upstream sewer manhole rim elevation is higher than the pad elevation of the structure desiring sewer service and shall conform to the requirements of the Building and Plumbing Code of the appropriate agency having jurisdiction.
- 5.07 All service connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the District Engineer before the installation.
- 5.08 The applicant or their contractor shall notify Underground Service Alert (USA) at least 48 hours in advance of any digging or excavating.
- 5.09 The applicant for the Sewer Connection Permit shall notify the District when the service connection is ready for inspection and connection to the public sewer. Connection shall be made under the supervision of the District Engineer or his representative.
- 5.10 All excavations for service connections shall be adequately guarded so as to conform with OSHA requirements to protect the public from hazard. Streets, parkways, sidewalks, and other public property disturbed in the course of the work shall be restored in the manner satisfactory to the agency having jurisdiction.
- 5.11 When the proper application for sanitary sewer service has been signed, a service connection permit has been issued, the charge for sanitary sewer service shall begin. If water service and sanitary sewer service are not required when the sewer service connection is installed, the applicant must order the water service be shut off and sealed to avoid the charge for sanitary sewer service and when the service is required, he must make proper application for service.
- 5.12 Each house or building under separate ownership must be provided with its own service connection or connections. Two or more houses or buildings under one ownership and on the same lot or parcel of land may be supplied through one service connection or a separate service connection may be installed for each building.
- 5.13 The District reserves the right to limit the number of houses, buildings, or area of land under one ownership to be supplied by one service connection.

- 5.14 When property provided with a service connection is subdivided, the service connection shall be considered as belonging to the lot or parcel of land which lies closest to the connection and the lot or parcel of land which lies farthest away from the connection will be required to obtain a new connection in accordance with these Rules and Regulations.
- 5.15 A service connection shall not be used to supply adjoining property of a different owner or to supply property of the same owner on opposite sides of a street or alley.
- 5.16 District approval is required prior to the installation or extension of a house lateral across or through any private property.

**SECTION 6: FEES AND CHARGES**

- 6.01 The fees and charges collected from all properties within the District desiring to connect to or participate in the sanitary sewer system shall be pursuant to the Sewer Development and Processing Fees Resolution, and the Sewer Maintenance Charge Resolution.
  - A. SERVICE CHARGE: A charge determined by multiplying area of the property (calculated to the nearest square foot and including that portion of the property to the centerline of all adjacent streets) by the Service Charge Rate for the particular Drainage Area in which the property is located, pursuant to the Sewer Development and Processing Fees Resolution. The Service Charge is a fee for use of trunk, subtrunk, and principal lateral sewer mains.
  - B. FRONTAGE CHARGE: A charge determined by multiplying the front footage of the property by the Frontage Charge Rate for the particular Drainage Area in which the property is located pursuant to the Sewer Development and Processing Fees Resolution. The front footage shall generally be based on the length of that side of the property to which service connection is made, including the distance to the centerline of adjacent cross streets, if any. The Frontage Charge Rate shall be determined by considering the average cost of service connections as determined by costs from recent projects or current engineering estimates; the frontage charge shall be applicable to property which has not paid for a sewer main across the frontage of the property, or the property has paid for an 8 inch or larger line across the front of such property and said line is classified as a trunk or principal lateral sewer and the applicant has or will enter into a refund agreement with the District with regard to the construction of such sewer main extension.
  - C. ADMINISTRATIVE FEE: An Administrative Fee shall be imposed on a per job basis for each application for service. The Administrative Fee shall be pursuant to the Sewer Development and Processing Fees Resolution.
  - D. PLAN CHECK FEE: A Plan Check Fee shall be imposed on a per connection basis for each service connection identified in the application for service. The Plan Check fee shall be pursuant to the Sewer Development and Processing Fees Resolution.
  - E. INSPECTION FEE: An Inspection Fee shall be imposed on a per connection basis for each service connection identified in the application for service. The Inspection Fee shall be pursuant to the Sewer Development and Processing Fees Resolution.
  - F. RECORDS AND BILLING FEE: A Records and Billing Fee shall be imposed on a per connection basis for each service connection identified in the application for service. The Records and Billing Fee shall be pursuant to the Sewer Development and Processing Fees Resolution.
  - G. SINGLE SERVICE FEE: A Single Service Fee shall be imposed on a service connection, to a single lot where the sewer main already exists and where, in the District's judgment, it is not necessary to process an application for service. The Single Service Fee shall be pursuant to the Sewer Development and Processing Fees Resolution.

- 6.02 Sewer effluent may be metered and the applicant for such sanitary sewer service shall pay to the District the cost of the installation and the cost of such metering device as may be required by the District. All such metering devices shall be read bimonthly and the customer shall be billed bimonthly for the sanitary sewer service at the effluent discharge rate pursuant to the Sewer Maintenance Charge Resolution. Any applicant for such sanitary sewer service, in lieu of compliance with requirements of an effluent metering device as provided in Section 6.02, may elect to pay for such sanitary sewer service at the effluent discharge rate as applied to the quantity of water measured by the water meter provided for such property to be billed at the time of billing by the District for such water service, pursuant to the Sewer Maintenance Charge Resolution.
- 6.03 All residential single family homes and residential multiple unit dwellings shall pay a monthly sewer maintenance charge pursuant to the Sewer Development and Processing Fee Resolution.

**SECTION 7: POLICY ON SANITARY SEWER MAIN AND SERVICE CONNECTIONS**

- 7.01 Any applicant, who as owner or subdivider of a single lot, subdivision, or tract of land, shall construct sanitary sewer facilities, to such lot, subdivision or tract of land, in accordance with these Rules and Regulations and the latest adopted District's Sewer Master Plan and, shall file a written application with District.
- 7.02 All applicants for Sanitary Sewer Service shall also comply with the Rules and Regulations of the Yorba Linda Water District with regard to the rendition of water service.
- 7.03 An individual may file an application, or two or more persons may join in an application for the extension of sanitary sewer mains.
- 7.04 The application shall include, in addition to the information required in Section 5.01, the proposed or desired location of sanitary sewer mains and other pertinent engineering data so as to enable the District to determine the conformance of the proposed sanitary sewer main extension with the Standard Plans and Specifications of the District.
- 7.05 All extensions of sanitary sewer mains shall require Terms and Conditions approved by the Board of Directors, and plans and specifications approved by the General Manager and the District Engineer.
- 7.06 If and when said applicant has complied with all requirements of the District, including the payment of all fees required in Section 6 and the posting of a Guarantee Bond, and such other provisions of the subdivision ordinance or ordinances dealing with public improvements as may be applicable, the District shall approve construction of the sewer main extension.
- 7.07 A Building Sewer Permit and Excavation Permit shall be obtained from the appropriate public agency having jurisdiction prior to construction.
- 7.08 All costs and expenses incident to the installation and connection of the sewer main extension shall be borne by the applicant. Applicant shall indemnify and hold the District its Directors, officers and employees harmless from any loss or damage that may be directly or indirectly occasioned by the installation of the sewer main extension.
- 7.09 All sewer main and service connections shall be installed by a contractor licensed by the State of California to construct sewer mains.
- 7.10 A sewer backflow prevention valve shall be installed on all sewer service connections where the upstream sewer manhole rim elevation is higher than the pad elevation of the structure desiring sewer service and shall conform to the requirements of the Building and Plumbing Code of the appropriate agency having jurisdiction.
- 7.11 The applicant or their contractor shall notify Underground Service Alert (USA) at least 48 hours in advance of any digging or excavating.

- 7.12 The applicant for the sewer main extension shall notify the District at least two working days prior to the start of construction of the sewer main extension. Construction shall be done under the inspection of the District Engineer or his representative.
- 7.13 All excavations for sewer main extensions shall be adequately guarded so as to conform with OSHA requirements to protect the public from hazard. Streets, parkways, sidewalks, and other public property disturbed in the course of the work shall be restored in the manner satisfactory to the agency having jurisdiction.
- 7.14 It is the District policy not to make a direct frontage charge against any property owner or owners for easements which have previously been acquired by or for the benefit of the District from said property owner or owners for extension of the District's facilities.

**SECTION 8: POLICY ON PROVIDING FOR SANITARY SEWER SERVICE THROUGH STREET SEWER MAINS**

- 8.01 All property within the District for which application is made for sanitary sewer service from a Street Sewer main, which main can provide sanitary sewer service to property in addition to the property described in the application for such sanitary sewer service shall pay an Administration Fee, Records and Billing Fee, Plan Check Fee, Inspection Fee and service charges as identified in Section 6, pursuant to the Sewer Development and Processing Fees Resolution.
  - 8.01.1 FRONTAGE CHARGE: A charge equal to the "final cost of installation of the on-site lateral sewer main" as determined in Section 8.02.D of these Rules and Regulations, divided by the "probable number of service connections to the on-site lateral sewer main" as determined in Section 8.03.C, but not less than the Frontage Charge as described in Section 6, pursuant to the Sewer Development and Processing Fees Resolution.
- 8.02 All applicants who desire sanitary sewer service to property within the District or who must construct, at the expense of the applicant, on-site lateral sewer mains which can provide sanitary sewer service to property in addition to that property described in the application for sanitary sewer service to such property, shall enter into an agreement with the District which provides as follows:
  - A. That applicant shall have installed, in accordance with these Rules and Regulations, and Standard Plans and Specifications of the District, those sanitary sewer facilities required to provide service to the property described in such application.
  - B. That the cost of said installation shall be paid by the applicant, and shall include the cost of engineering, the sewer contractor's invoice cost, the land acquisition and legal cost, and the plan check and inspection charges paid by applicant in connection with said installation.
  - C. That the applicant shall report such cost of said installation to the District in a form approved by the District and all items of such cost of installation thus reported shall be supported by invoices or statements verified to the satisfaction of the District.
  - D. That the "final cost of installation of the Street Sewer main" shall be the cost of said installation as verified by the District plus an allowance for the overhead of the applicant as determined by the Board of Directors of the District, but not to exceed 15% of the cost of said construction.
  - E. That the applicant shall transfer title of said sanitary sewer facilities to the District in accordance with these Rules and Regulations.
- 8.03 In the event the cost of said installation exceeds the Frontage Charge, said excess amount shall be subject to a refund contract between the District and the applicant. The refund contract shall provide as follows:
  - A. That the District shall collect Frontage Charges from all properties later connecting to said on-site lateral sewer main, and said frontage charges shall be paid to those parties entitled to refunds pursuant to these Rules and Regulations.

- B. That such refunds shall be paid from the frontage charges collected by the District without interest; and that if the District fails to charge and collect said sums, the District shall make such refunds from other District funds.
- C. That the District shall calculate and determine the amount of such refund as follows:
  - 1. The District shall determine the probable number of service connections which will be made to the on-site lateral sewer main. This number shall not include those connections which, though possible, are doubtful at the time of application.
  - 2. In the event the actual number of service connections to said on-site lateral sewer main exceeds such probable number of service connections to said on-site lateral sewer main, the frontage charge shall be determined by the following formula:  $F=T \div N$ . Where F is the Frontage Charge; T is the final cost of installation; N is the actual number of service connections including the connection for which the frontage charge is to be determined.
  - 3. All sums collected with respect to a particular on-site lateral sewer main shall be paid only to the applicant who was required to construct said on-site lateral sewer main until such time as all of such refunds to which said applicant is entitled hereunder have been paid.
  - 4. All right to such refunds and all duty of the District to collect such frontage charges with which to pay such refunds hereunder shall terminate on the date thirty (30) years after the date on which the application for service is dated.
- D. In the event the actual number of service connections to said on-site lateral sewer main exceeds the probable number of service connections to said on-site lateral sewer main refunds shall be made as follows:
  - 1. The amount of refund shall be determined in accordance with the following formula:  $R = F \div (N-1)$ . Where R is the amount of the refund per connection; F is the Frontage Charge; N is the actual number of service connections including the connection for which the frontage charge was collected.
  - 2. Such refund shall be made to the applicant who had installed the on-site lateral sewer main for the property owned at the time of installation and refund shall be made to the owner of the real property at the time of refund for any other real property which obtained sanitary sewer service from said on-site lateral sewer main after the time of installation.

The term “on-site lateral sewer main”, as used in these Rules and Regulations of the District shall mean a sewer main that has not been established by the District as a trunk sewer, sub-trunk sewer, or principal lateral sewer main.

**SECTION 9: POLICY ON TRUNK SEWER CONSTRUCTION**

- 9.01 With respect to refunds to persons constructing portions of the sewer system and offering them to the District as part of the Master Plan of Sewer Mains and Appurtenances for the District, the following general policy, excepted by specific provisions for specific drainage areas, is adopted.
- 9.02 All property desiring sanitary sewer service will have the service charge and frontage charge calculated and this amount shall then be deducted from the total calculated cost of trunk lines, principal laterals, pump stations, and other facilities constructed with prior District approval. If the cost of the trunks, principal laterals, pump station, etc., exceed the sum of the service charge and the frontage charge, then such amount is subject to a refund contract between the District and the applicant asking such improvements; if the sum of the service charge and the frontage charge are greater, then such amount shall be paid by the applicant to the District. All items must be verified to the satisfaction of the District.

- 9.03 The refund contract shall generally provide that all other properties in the same drainage area shall be treated the same, excepting therefrom the priority of payment to the original builder only of trunk facilities; and any service charges collected from properties later connecting to the sewer facilities shall be available for payment to those entitled to refunds pursuant to their contracts. Refunds shall be paid annually from service charges collected without interest.
- 9.04 The District will mail a refund check to each recipient due a refund in accordance with these Rules and Regulations. In the event such refund check is returned to the District uncashed, the District will endeavor to send a registered letter to inform the recipient that such refund is available. In the event the registered letter is returned to the District unclaimed, the District will hold said refund for a period of one calendar year from the date of the registered letter. If the refund is unclaimed after one calendar year, the refund will then revert to the sewer capital project fund for the particular drainage area under which the refund contract was originally written.
- 9.05 When, as, and if any person has received all of the refunds to which he is entitled, or at the expiration of 30 years from the date hereof, no further sums shall be due or payable hereunder.
- 9.06 There is no obligation on the part of the District to make any refunds until connections are made to the line being installed, District agrees to charge and collect from those making connections not less than the amount fixed by the Board of Directors of the District and in effect as of the date of the agreement. If District fails to charge and collect such sums, and connections to said line are made, District agrees to itself make equivalent reimbursement.
- 9.07 The District will permit one assignment of each refund contract without any additional charge for this service. However, the Board of Directors may establish a charge from time to time for each and every assignment over and above the one provided for herein.
- 9.08 The District recognizes that there are certain areas within the District that, because of location, topography or size of parcels, have been unable to take advantage of sanitary sewers as has the majority of the District and have therefore remained undeveloped and have not contributed proportionately to the financial growth and strength of the District. The District will examine these cases at the request of the proponents and make findings as to whether or not the District chooses to participate in financing construction of Trunk sewer facilities. If, in the Board of Directors opinion, it is advantageous for the District to participate financially in trunk construction the Board may, at its discretion, choose to do so in accordance with Section 9.09 through 9.11 of these Rules and Regulations.
- 9.09 A preliminary feasibility report shall be prepared for areas capable of sanitary sewer service from a common line whose proponents desire to have the District participate in the financing. If the area requesting participation is at least 15 acres or larger, whether contiguous or not, proponents shall prepare the preliminary study, or may request the General Manger to prepare such preliminary report. If the area is less than 15 acres, whether contiguous or not, the proponents may request the General Manager to undertake a preliminary study and if the Board determines that the proposal has sufficient merit it may authorize the General Manager to cause such study to be prepared.
- 9.10 Upon the receipt of a preliminary report, the Board shall appropriately notify the proponents and permit them an opportunity to comment thereon. The Board may thereafter approve and adopt said preliminary report and authorize the District's financial participation in the project upon the following general conditions:
- A. That the District will be the contracting agency for approval of the plans and specifications, advertising for bids, receipt of bids, award of contract, supervision of contract, construction inspection and final acceptance.
  - B. That all funds to be contributed by any participants, other than District, shall be deposited with the District in full prior to award of any construction contract. The Board will require payment of all fees for Plan Check and Inspection.

- C. That all refund monies to which the project might be entitled, by priority or otherwise, are irrevocably assigned to the District until the District has been refunded in full for all its monies advanced or charges owed by said project. Thereafter, any refund monies shall be paid to those entitled thereto pursuant to these Rules and Regulations.
  - D. In addition to a charge of five per cent (5%) of the total project cost for overhead and office work, the project shall pay to the District an interest charge on the District's contributions to the project equal to the cost of such money, or equivalent money, to the District. There shall also be collected a pro-rated sum for the cost of any general engineering, aerial survey, mapping, or other work which the District may have done to assist the promotion of this project.
  - E. That the proponents will contribute a sum per acre pursuant to the Sewer Development and Processing Fees Resolution, for each acre of property they are including within the project for offsite sanitary trunk improvements. The District's participation shall not exceed fifty per cent (50%) of the total project cost without a specific finding by the Board as to the general benefit to the District of such higher participation.
- 9.11 Upon the approval and adoption of a project, the Board may undertake its completion as called for in a contract or contracts entered into for such purpose. The General Manager is hereby directed upon such approval, to notify all other property owners, as they appear on the last equalized assessment roll, who might be benefited by such project, of its adoption and inviting them to participate. No delay in the accomplishment of a project is contemplated by late participants.

**SECTION 10: USE OF PUBLIC SEWERS**

- 10.01 No person shall discharge, or cause to be discharged, any storm water, surface water, ground water, roof runoff, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters into any sanitary sewer.
- 10.02 Storm water, and all other unpolluted drainage, shall be discharged to such sewers as are specifically designated as combined sewers, storm sewers or storm drains, or to a natural outlet.
- 10.03 No person shall discharge, or cause to be discharged to any public sewer, an effluent which contains any one of the following substances or which has any of the following characteristics or properties:
  - A. Any gasoline, benzine, naphtha, fuel oil, or other flammable or explosive liquid solid or gas.
  - B. Any solid or viscous substances in quantities or of such size capable of causing obstructions to the flow in sewer, or other interference with proper operations of the sewerage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage and paunch manure.
  - C. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity either singularly or by interaction with other wastes to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewerage treatment plant, including but not limited to, cyanides in excess 2 milligrams per liter CN in the wastes as discharged to the public sewer.
  - D. Any noxious or malodorous gas or substance capable of creating a public nuisance.
  - E. Any liquid or vapor having a temperature higher than 85 degrees F.
  - F. More than 0.5 parts per million of dissolved sulfides.

- G. Any waters or wastes having a pH lower than 6.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewerage works.
  - H. Any waters or wastes containing fats, wax, grease, or oils whether emulsified or not, in excess of 100 parts per million by weight or containing substances which may solidify or become viscous at temperatures between thirty-two (32) degrees and one hundred fifty (150) degrees F or (0 and 65 degrees) C.
  - I. Any garbage which is not properly shredded.
  - J. Any suspended solids of such character and quantity that unusual attention or expense is required to handle such materials in the sewers or at the sewage treatment plant.
  - K. Any waters or wastes containing strong (define) acid, iron pickling wastes or concentrated plating solutions whether neutralized or not.
  - L. Any waters or wastes containing iron, chromium, copper zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement to such degree that any such material received in the composite sewage at the sewage treatment plant exceeds the limit established by the Orange County Sanitation District for such materials.
  - M. Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations exceeding limits which may be established by the engineer as necessary after treatment of the composite sewage to meet the requirements of the State, Federal or other public agencies of jurisdiction for having discharge of the receiving waters.
  - N. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the engineer in compliance with applicable State or Federal regulations.
  - O. Materials which exert or cause:
    - 1. Unusual concentrations of inert suspended solids (such as but not limited to Fullers earth, lime slurries and lime residues) or of dissolved solids (such as but not limited to Sodium Chloride and Sodium Sulfate).
    - 2. Excessive discoloration (such as but not limited to dye wastes and vegetable tanning solutions).
    - 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment plant.
    - 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
  - P. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- 10.04 If any waters or wastes are discharged or are proposed to be discharged to the public sewers which contain the substances or possess the characteristics enumerated in Section 10.03 and which in the judgment of the District Engineer, may have a deleterious effect upon the sewerage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Engineer may:
- A. Reject the wastes.
  - B. Require pretreatment to an acceptable condition of discharge to the public sewers.
  - C. Require control over the quantities and rates of discharge and/or

- D. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of these Rules and Regulations.

If the District permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the District and subject to the requirements of all applicable codes, ordinances and laws.

- 10.05 Grease, oil, and sand interceptors shall be provided when, in the opinion of the District Engineer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or in any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of the type and capacity approved by the Engineer and shall be located as to be readily and easily accessible for cleaning and inspection. Grease, oil and sand interceptors shall be designed and installed in accordance with the Uniform Plumbing Code and the Building Code of the appropriate public agency having jurisdiction.
- 10.06 Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the customer at his own expense.
- 10.07 When required by the District, the customer occupying any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the District. The manhole shall be installed by the customer at his expense and shall be maintained by him so as to be safe and accessible at all times.
- 10.08 All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in these Rules and Regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" and shall be determined at the control manhole or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest down-stream manhole in the public sewer to the point at which the service connection is connected. Sampling shall be carried out by customarily accepted methods to determine the existence of hazards to life, limb and property. The particular analysis involved will determine whether a twenty four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normal, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls whereas pH's are determined from periodic grab samples.
- 10.09 In the event any chemical analysis is required pursuant to these Rules and Regulations, the customer shall pay for the actual cost of any and all required analysis, plus 20% of the invoice amount for staff time to process billing to the customer.

Whenever the effluent is found to be in violation of the requirements, another chemical analysis shall be made within fifteen days to determine if the violation has been corrected. If the violation has been corrected, no charge will be made for the chemical analysis of the acceptable effluent. If the violation has not been corrected, the cost of the chemical analysis shall be charged to the customer and service shall be terminated until such time as the violation has been corrected to the satisfaction of the General Manager.

When violation of the requirements results in damage to the sanitary sewer facilities, the customer shall be charged for the cost of repairs or replacements.

- 10.10 No statement contained in this section shall be construed as preventing any special agreement or arrangement between the District and any industrial customer whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefore, by the industrial customer.

- 10.11 The customer shall maintain in an operating condition and at his own expense each of the house connections. However, in the event of breaks in the pipe of said service connection or connections, the District shall repair or have repaired said service connection or connections and shall then bill the appropriately responsible party or agency for the repair of said service connection or connections.

**SECTION 11: PROTECTION FROM DAMAGE**

- 11.01 No unauthorized person shall maliciously, willfully, or negligently remove, change, disturb, break, damage, destroy, uncover, deface, or in any way tamper, or interfere with any facility, apparatus, appliance, property, structure, appurtenance, or equipment which is used or maintained as a part of the sewerage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

**SECTION 12: POWERS AND AUTHORITY OF INSPECTORS**

- 12.01 The General Manager and other duly authorized employees of the District, bearing proper credentials and identification, shall be permitted to enter all premises for the purposes of inspection, observations, measurement, sampling and testing in accordance with the provisions of these Rules and Regulations. The General Manager or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- 12.02 While performing the necessary work on private properties referred to in Section 12.01, the General Manager or duly authorized employees of the District shall observe all safety rules applicable to the premises established by the customer and the customer shall be held harmless for injury or death to the District employees and the District shall indemnify the customer against loss or damage to his property by District employees and against liability claims and demands for personal injury or property damage asserted against the customer and growing out of the gauging and sampling operation, except as such that may be caused by negligence or failure of the customer to maintain safe conditions as required by law.
- 12.03 The General Manager and other duly authorized employees of the District, bearing proper credentials and identification, shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling repair and maintenance of any portion of the sewerage works lying within said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
- 12.04 An official identification card shall be carried by or worn by inspectors, foremen, maintenance men or any other employees who, in the line of duty, may be required to enter upon private premises.
- 12.05 Any person who as owner or occupant of any premises refuses admittance to, or hinders, or prevents inspection by an authorized employee of the District, may, after service of 24 hour notice of intention, have all service terminated. Service of notice shall be deemed to have been made by deposit in the U.S. Mail of a registered or certified prepaid notice addressed to the customer, owner or occupant as shown by the records of the District.

**SECTION 13: VIOLATIONS**

- 13.01 Any person found to be violating any provision of these Rules and Regulations shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- 13.02 Any person who shall continue any violation beyond the time limit provided for shall have his sanitary sewer service subject to discontinuance. Reinstatement of sanitary sewer service shall be made only on correction of the violation.

- 13.03 Any person violating any of the provisions of these Rules shall become liable to the District for any expense, loss, or damage occasioned by the District by reason of such violation.

**SECTION 14:     VALIDITY**

- 14.01 The invalidity of any section, sentence, clause or provision of these rules shall not affect the validity of any other part of these rules which can be given effect without such invalid part.
- 14.02 When the application of these rules appears impracticable or unjust, the applicant, customer or the General Manager may refer the matter to the Board of Directors for a special decision or ruling.

**SECTION 15:     RATE SCHEDULE**

- 15.01 MAINTENANCE CHARGE: A Maintenance Charge shall be affixed against all connections within the District's boundary that are also connected to the District sewer system. The charge fixed shall be collected as a part of the water bill for those customers, and the rate shall be pursuant to the Sewer Maintenance Charge Resolution.

- 15.02 EFFLUENT DISCHARGE RATE:

For all other sewer customers in this category who use water meter reading, the rate shall be pursuant to the Sewer Maintenance Charge Resolution.