



Mission Springs Water District

**Sewer Service Rules and Regulations  
Ordinance No. 2008-02  
as amended**

**Original Ordinance No. 2008-02**

**Amendments to Ordinance 2008-02**

ORD 2009-02 (7/20/09) Amended Sections 1.06, 3.01, 7.19, 8.04 and 9.02

ORD 2016-02 (5/24/16) Section 10.14 added

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**Ordinance No. 2008-02  
Board of Directors of Mission Springs Water District  
Riverside County, California  
Establishing Rules and Regulations For Sewer Service and  
Rescinding Ordinance No. 94-1**

**Be it Ordained** by the Board of Directors of Mission Springs Water District as follows:

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## **Article I: General Provisions**

- 1.01 Short Title** - This Ordinance shall be known as the "Mission Springs Water District Sewer Service Ordinance."
- 1.02 Purpose** – This Ordinance is intended to regulate the use and construction of public wastewater facilities, installation and connection of building sewers, and the discharge of wastes into the public wastewater systems, and to establish fees and service charges, and provide penalties for violation of its provisions.
- 1.03 Rules and Regulations** – The following rules and regulations regarding sewer construction, disposal of sewage and drainage of buildings, and connection to the sewage works of the District are hereby adopted, and all work in this regard shall be performed as specified by this Ordinance. The Board may, from time to time, adopt Rules and Regulations with respect to implementation of this Ordinance, including but not limited to procedures for application, installation, notices, testing, and other related matters.
- 1.04 Annexation** – Territory may be annexed to the District subject to such proceedings and conditions as may be imposed or permitted by applicable laws. Conditions to annexation may require payment of fees and transfer of facilities to the District.
- 1.05 Sale of By-Products** – The District may sell or otherwise dispose of water, treated or reclaimed wastewater, or any other by-product of District operations to private individuals, corporations, or public entities upon terms approved by the General Manager.
- 1.06 Fees** – The Board shall, from time to time, by separate Ordinance and/or Resolution, prescribe and modify fees and charges for permits, construction, inspection, plan checking, sewer connection charges, sewer service charges and other services as may be provided by the District. All annexations or new developments within the District shall pay all applicable fees as determined and prescribed by the District's Rules and Regulations. The fees and charges, so prescribed and modified, are deemed incorporated into this Ordinance and the District's Rules and Regulations.

## **Article II: Definitions**

- 2.01 Definition of Terms** – Unless specifically modified by this Ordinance, the meaning of terms used shall be defined in the latest edition of the Uniform Plumbing Code. If usage is inconsistent with the definitions contained herein or with the context of, or omitted from, the following definitions shall prevail.
- 2.02 Applicant** – The person making application for such service as provided within this Ordinance must be the owner of the premises for which application is made or owner's agent designated in writing.
- 2.03 Backwater Valve** – A device installed in a drainage system to prevent reverse flow.
- 2.04 Biochemical Oxygen Demand, BOD** – As defined in the latest edition of Standard Methods.
- 2.05 Board** – The Board of Directors of Mission Springs Water District, acting in its capacity as governing body of the District.
- 2.06 Building** – Any structure used for human habitation, place of business, recreation, or other purpose of whatever nature.
- 2.07 Building Sewer** – That portion of the sewer system extending from the building drain to the public sewer, including the sewer lateral and cleanout.
- 2.08 Contractor** – An individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under a permit, contract or agreement, with appropriate workers' compensation insurance.
- 2.09 Cost** – The cost of labor, material, transportation, supervision, engineering and all other necessary overhead expenses.
- 2.10 County** – The County of Riverside, State of California.
- 2.11 Customer** – The person or persons owning or controlling property or improvements to which the sewer facilities of the District are connected or available.
- 2.12 Dissolved Solids, D.S.** – As defined in the latest edition of Standard Methods.
- 2.13 District** – Mission Springs Water District, a County Water District formed under provisions of Water Code 30000 et.seq. located in Riverside County, California.
- 2.14 District Engineer** – A person or firm appointed by the Board to act as engineer for the District, who must be registered as a Civil Engineer by the State of California.

- 2.15 Domestic Sewage** – Water-carried wastes produced from non-commercial or non-industrial activities derived from normal human living processes and of such character as permits satisfactory disposal, without special treatment.
- 2.16 Equivalent Dwelling Units (EDU)** – The number of Equivalent Dwelling Units (EDUs) fixed and established for the various classifications of types and uses of property by the District's Rules and Regulations.
- 2.17 Fixture Unit Equivalents** – The fixture unit equivalent prescribed by the Uniform Plumbing Code or provisions adopted by the Board.
- 2.18 Garbage** – Solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.
- 2.19 General Manager** – The person employed or appointed by the Board to act as manager for the District.
- 2.20 Grease Interceptor or Separator** – A device designed and installed so as to separate and retain deleterious, hazardous, or undesirable matter from normal wastes and permit normal sewage or liquid wastes to discharge into the disposal terminal in a manner approved by the District.
- 2.21 Industrial Wastewater** – Any and all liquid or waterborne waste from industrial or commercial processes of whatever nature, except domestic sewage.
- 2.22 Inspector** – An authorized District representative who performs inspection duties to determine compliance with the provisions of this Ordinance.
- 2.23 Interceptor Sewer** – A sewer, which conveys sewage from a collection system to a treatment plant that does not have direct connection to laterals leading from private property.
- 2.24 Main Sewer** – A public sewer designed to accommodate more than one lateral sewer.
- 2.25 Milligram per Liter, mg/L** – One thousandth of a gram per liter of water.
- 2.26 Multiple Dwelling** – A building for residential purposes having facilities for the occupancy of more than one person or family, including, but not limited to, the following: hotels, motels, auto courts, trailer courts, mobile home parks, apartment houses, duplexes, rooming houses, boarding houses and dormitories.
- 2.27 Notice to Connect-** Official Notice to Connect from the District shall consist of first-class certified mail sent to the last know address of the property owner of record, describing the requirement to connect per this Ordinance and stipulating the time limits within which connection to the Sewer System must be completed. A standard 90-day Notice to Connect shall be issued. A 60-day extension may be requested subject to the requirements of this Ordinance. The District shall also establish a recorded notice on

the property title such that before any change in ownership of the property, compliance with the provisions of this Ordinance and the Notice to Connect shall be required.

- 2.28 Owner** – The person or persons in whose name the legal title to property appears by deed recorded in the County Recorder's office. Also, a person holding property pursuant to a permit issued by a governmental entity.
- 2.29 Permit** – Any written authorization required pursuant to this ordinance or any other Rule or Regulation of the District.
- 2.30 Person** – One or more individuals, or a company or other legal entity, including the heirs, assigns and successors in interest thereof.
- 2.31 Private Sewage Disposal System** – A sewage treatment and disposal facility located on a single parcel and intended to serve that parcel, and not connected to the Public Sewer. This shall include, but not be limited to, septic tanks, cesspools, leach fields, seepage pits, drain fields, or other such devices.
- 2.32 Public Sewer** – A sewer within a public right-of-way or easement owned or directly controlled by the District. It does not include any portion of a building sewer.
- 2.33 Sand Interceptor or Separator** – See Grease Interceptor
- 2.34 Sewage** – Any liquid waste containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution.
- 2.35 Sewer System** – Integrated facilities for collecting, transporting, pumping, treating and disposing of sewage, which are owned or directly controlled by the District.
- 2.36 Sewer** – A pipe or conduit for carrying sewage.
- 2.37 Sewer Lateral** – That portion of a Building Sewer extending from the Public Sewer to the property line or easement limit.
- 2.38 Standard Methods** – The current edition of "Standard Methods for the Examination of Water and Wastewater" as published by the American Water Works Association.
- 2.39 Street** – Any public highway, road, street, avenue, alley, public place, public easement or right-of-way.
- 2.40 Suspended Solids, S.S.** – As defined in the latest edition of Standard Methods.
- 2.41 Uniform Plumbing Code** – The latest edition of the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, which has been adopted by the county as its Plumbing Code.
- 2.42 User** – The person or persons owning or controlling property or improvements to which the District's sewer facilities are connected or available.



**2.43 Wastewater Facilities** – Any facility for the transportation, treatment, or disposal of sewage.

### **Article III: Use of Public Sewers**

- 3.01 Sewer Connection Required** - The Owner of each house, building or property within the District in which plumbing fixtures are installed, which abuts a street or easement in which there is located a Public Sewer, is required at the Owner's expense to connect said house, building or property with said sewer, in accordance with the provisions of this Ordinance and within the time specified in an official Notice to Connect. A sewer system is "available" if a sewer system, or building connected to a sewer system, is within 100 feet of the existing or proposed dwelling unit in accordance with State Water Code Section 31103. Pursuant to applicable law, the California Regional Water Quality Control Board, Colorado River Basin Region also requires the discharge of waste from new or existing individual disposal systems on parcels of less than one-half acre that overlie the Mission Creek Aquifer or the Desert Hot Springs Aquifer in Riverside County be prohibited, if a sewer system is available.
- 3.02 Application for Sewer Service –**
- a. No person shall make a connection to any Public Sewer without first obtaining a written application for sewer service from the District and paying all fees in accordance with the requirements of the District's Ordinances or Rules and Regulations.
  - b. Application for Sewer Service shall be made on a form furnished by the District. The application shall be accompanied or supplemented by such plans, specifications, and other pertinent information as the District may require.
  - c. The Applicant shall agree on the application to maintain the building sewer at no expense to the District. The Applicant agrees to indemnify and hold harmless the District, its officers, agents and employees against any and all liability in connection with the work requested in the application to the extent permitted by law.
  - d. Applications pursuant to this Section are not subject to refund or credit in the event that a sewer opening permit (from a City or County land use agency) expires without completion of its entitlement.
- 3.03 Independent System** - The sewage drainage system of each new building or new work installed in any existing building shall be separate and independent from that of any other building. When feasible, every building shall have an independent connection with the Public Sewer, unless part of a planned unit development, community apartment or mobile home park.
- 3.04 Existing Building Sewers –**
- a. Existing Building Sewers may be used to connect new buildings to the Public Sewer when, after inspection and testing satisfactory to the District, they meet the then-current District specifications and construction methods.
  - b. If an existing Building Sewer is not to be used after demolition of the building, the Building Sewer must be disconnected from the Public Sewer at the property line and capped. Such disconnection and capping must be inspected and approved by the District.

- c. Before a change in use of an existing building sewer, the District must determine if such change will cause a change in the volume, strength or character of the wastes. If it is determined the change in use will cause a change in the volume, strength or character of the wastes, the District may require a new application for connection to the sewerage system with payment of applicable fees and charges.

**3.05 Connection to the Public Sewer –**

- a. Connection of a Building Sewer to the Public Sewer shall conform to the District's Rules and Regulations, and shall be made only at a Sewer Lateral or at a "wye" or "tee" in the Public Sewer.
- b. The District or District-approved contractor shall install a "wye" or "tee" in the Public Sewer if a Sewer Lateral is not available. The District may charge a fee for the installation of the "wye" or "tee."
- c. All costs and expenses incidental to the installation and connection of the Building Sewer shall be paid by the Owner.

**3.06 Connection Fees and Permits –** No sewer connection will be inspected by the District until all related fees are paid and the sewer opening permit has been issued by the City or County, whichever is the appropriate land use agency, as applicable for the sewer connection location. A sewer opening permit is authorized only to uncover and connect to the Sewer Lateral or to the "wye" or "tee" installed by the District. It is not authorization to uncover, disturb, or otherwise alter any portion of the Public Sewer.

**3.07 Street Excavation Permit –** A separate permit must be secured from the agency having jurisdiction over any public street or right-of-way in which an Owner or Contractor intends to make an alteration or excavation in carrying out any work authorized or required by the District.

**3.08 Protection of Excavation –** All excavations for a sewer installation shall be adequately guarded with barricades or lights 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 any other person having jurisdiction thereover at the sole expense of the Owner or a duly authorized agent.

**3.09 Backwater Valve Required –** The District may require the installation of an approved backwater valve as specified in the Uniform Plumbing Code or as deemed necessary by the District to protect the Owner's property.

**3.10 Cleanouts –** Cleanouts in Building Sewers shall be provided where the Building Sewer joins the building outlet in accordance with the Ordinances or the District's Rules and Regulations. All cleanouts shall be maintained watertight.

**3.11 Gravity Flow Not Possible –** In all buildings in which a building drain is too low to permit gravity flow to the Public Sewer, sewage carried by such building drain shall be discharged to the Public Sewer only by means approved by the District at the Owner's expense.

- 3.12 Building Sewer Maintenance** – The User shall bear the burden and all expenses related to maintenance and repair or replacement of the Building Sewer, including any backwater valve or other appurtenance installed in compliance with this Ordinance or the Rules and Regulations of the District.
- 3.13 Inspection** – No sewer lateral shall be connected to the Public Sewer until the work covered by the sewer opening permit is completed, inspected and approved by an Inspector acting for the District to ensure compliance with all requirements of the District. If work proves satisfactory, the Inspector shall sign the Sewer Opening Permit. Any work not inspected is subject to rejection and removal. All piping and connections must be visible and uncovered to allow inspection. Inspections will only be made during regular working hours. Inspection hours are 7:00 a.m. to 3:30 p.m., Monday - Friday. Overtime (O.T.), requiring inspection will not be allowed on a routine basis. Request to work on weekends and holidays must be received at the District's office with three (3) working days' advance notice. Approval from authorized District staff must be obtained prior to any O.T. work. The total cost of overtime inspection is at Owner's expense.
- 3.14 Notification** – The applicant for the connection of a Building Sewer to the Public Sewer shall notify the District twenty-four (24) hours in advance, Saturdays, Sundays, and Holidays excluded, when the Building Sewer is ready for inspection.
- 3.15 Condemned Work** – When any work has been inspected and is not in compliance, the work shall be considered condemned, and written notice to that effect shall be given, instructing the Owner or the Owner's agent to repair the sewer or other work authorized by the sewer opening permit in accordance with District ordinances or rules and regulations.

## **Article IV: Public Sewer Connection**

- 4.01 Feasibility of Service** – An applicant wishing to determine if sewer service is available and feasible for a subdivision or other project within the District shall furnish to the District tentative maps showing lot sizes, street layout, elevations, proposed points of connection to the District's sewers, proposed pump stations and flow data based upon the design criteria of the District. Upon receipt of an appropriate fee prescribed by the District, the District Engineer and General Manager will review the information and inform the applicant by letter if sewer service is available and feasible and under what conditions, such as, but not limited to, over sizing, buy-in costs or modification of the District's facilities.
- 4.02 Approval to Extend the Public Sewer** –
- a. No person shall construct or extend a Public Sewer without first obtaining written approval for the plans from the District and paying all related fees. This provision does not apply to the construction of sewers and appurtenances under contracts entered into with the District and on its account.
  - b. Design and construction of a Public Sewer system or any portion shall be in accordance with the District's Developer/Contractor Handbook and Guidelines. Whenever the standards for sewer construction of any public entity do not meet the minimum District standards, the District standards shall prevail.
- 4.03 Indemnification of the District** – As a condition of approval for the applicant to extend the Public Sewer, the applicant shall agree to indemnify and hold the District and its officers, agents, independent contractors, consultants, and employees harmless from any liability imposed by law upon the District or its officers, agents, independent contractors, consultants, or employees, including all costs, expenses, attorney's fees, and interest incurred in defending same, or in seeking to enforce this provision. Applicants shall be solely liable for any defects in performance of their work, or any related failure or damage, which may develop. The District and its officers, agents, independent contractors, consultants, and employees shall not be liable for injury or death to any person, or damage to any property arising during, or growing out of the performance of any work or construction by any applicant, contractor, or Owner.
- 4.04 Plans and Specifications** – The applicant, applicant's engineer or other persons proposing the construction of a Public Sewer within the District, will prepare and submit plans and specifications for construction of said Sewer, in accordance with the District's Developer/Contractor Handbook and Guidelines. This submittal will not relieve the applicant or other persons constructing the Public Sewer facilities from compliance with all other requirements imposed by Federal, State, County or Local agencies.
- 4.05 Plan Check** – The District Engineer will review the sewer plans and specifications for compliance with the District's requirements. The District will approve such plans provided the following conditions have been met:

- a. The plans comply with District's Developer/Contractor Handbook and Guidelines and are in conformance with the Sewer Master Plan for the area.
- b. Sufficient capacity exists in the District's Sewer System to accommodate sewage from the proposed project.
- c. The applicant has paid the appropriate plan check fee prescribed by the District.

**4.06 Construction** – The applicant will construct wastewater facilities in accordance with the approved plans and specifications and construction methods as set forth in District's Developer/Contractor Handbook and Guidelines. After approval of construction plans and specifications, a five (5) working day advance notice to the District is required prior to the start of construction. All construction shall be performed by an approved Contractor.

**4.07 Bonding of Improvements** – Bonding and security deposits are required for any Public Sewer construction as specified in the District's Subdivision Procedures.

**4.08 Inspection** – All construction work shall be inspected by an Inspector acting for the District to ensure compliance with all requirements of the District. No construction shall be covered at any point until it is inspected and accepted by the District Inspector. Inspection costs shall be prepaid to the District by the applicant in the form of inspection fees, the amount of which shall be prescribed by the Board from time to time by Resolution. Inspections will only be made during regular working hours. Inspection hours are 7:00 a.m. to 3:30 p.m., Monday - Friday. Overtime (O.T.), requiring inspection will not be allowed on a routine basis. Request to work on weekends and holidays must be received at the District's office with three (3) working days' advance notice. Approval from authorized District staff must be obtained prior to any O.T. work. The total cost of overtime inspection is at Owner's expense.

**4.09 Prior Extension Contribution** – When an Owner makes an application for sewer service to a lot, parcel, tract, or subdivision to which Public Sewers are already available, he shall pay to the District the proportionate share of the cost of said Public Sewer, to the extent that such payment has not already been made. The proportionate share shall be computed by the District from the actual cost to the District or other person making the original Public Sewer extension on the basis of front footage benefit accruing to the newly served property, prior assessments, acreage or other basis, including interest and legal fees paid.

**4.10 Cost of Oversized Mains** – The applicant shall bear the cost of any over sizing of the main sewer lines for applicant's property, which may be deemed necessary by the District to serve present and/or future developments to that property.

**4.11 Refunds** – Developer/Applicant may request and apply for a Refund Agreement from the District. If the District determines a Refund Agreement is appropriate, Developer/Applicant shall provide satisfactory to the District all requested necessary documentation and information prior to the District preparing the Refund Agreement. When Public Sewer extensions are made and paid for by an applicant and such sewer extension may be of benefit to another person in the future, said applicant shall provide for refund payment from Public Sewer connection charges collected by the District from

the new developer or applicant. Developer/Applicant shall be entitled to receive a refund of eighty percent (80%) of the front footage charges levied and collected by the District as a condition of any abutting parcels connecting to or receiving service from said Improvements. The District shall retain twenty percent (20%) of all front footage charges levied and collected as a condition of any abutting parcel connecting to or receiving service from said improvements in order to reimburse the District for all overhead and administrative expenses. All refund agreements shall become null and void ten (10) years from the date first written.

- 4.12 Public Sewer Extensions** – Public Sewer extensions to serve one or more parcels of land shall be made by and at the expense of the Owner or Owners of said land. The applicant or applicants shall follow the same procedures for Public Sewer Extensions as provided in this Article IV.
- 4.13 Easements** – 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 property easement or grant of right-of-way sufficient in law to allow the laying and maintenance of such extension or connection. All District sewer easements shall be at least twenty (20) feet in width unless otherwise approved by the District.
- 4.14 Acceptance of Facilities** – Before the District will accept sewers and/or appurtenances into its maintained Sewer System, the applicant shall provide to the District, at the applicant's expense, the following documents:
- a. Recorded Notice of Completion and evidence that the sewer work has been paid for and completed.
  - b. Plans as set forth in the District's Subdivision Procedures.
  - c. Original recorded easement documents for Public Sewers not in public property, public right-of-way, or not dedicated to appropriate public use by a recorded subdivision or tract map.
  - d. Original Grant Deed transferring to the District title to those facilities, which are to become part of the Public Sewer.
  - e. Applicant's Engineer's signature on the "as-builts" certifying that facilities were installed according to the plans and specifications.
  - f. Two operation and maintenance manuals for each pump station and/or unit of mechanical equipment.

## Article V: Use of Sewers

- 5.01 General** – Use of the District's Sewer System shall be a privilege subject to the District's Rules and Regulations, which may be revoked for non-compliance with this Ordinance or the Rules and Regulations. No right, title or interest to continue to use the Sewer System shall exist or accrue by reason of existing discharge, permit or authorization of the District.
- 5.02 Types of Waste Prohibited** – No person shall discharge or cause to be discharged any of the following described liquids or other wastes to any Public Sewer or any opening leading to a Public Sewer if it appears likely in the opinion of the General Manager that such wastes may harm either the sewers, sewage treatment process or equipment, or can endanger persons or property, create a public nuisance, or cause a deleterious effect upon the receiving waters. In forming the opinion, consideration will be given to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers to which they discharge, sewer material, treatment process, treatment plant capacity and other pertinent factors. The substances so subject to prohibition include, but are not limited to:
- a. Flammable or Explosive Substances** – Any gasoline, benzene, naphtha, fuel oil, or other flammable, or explosive liquid, solid or gas which can produce a toxic or flammable atmosphere in the sewer.
  - b. Toxic or Poisonous Substances** – Any toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with any other wastes, to insure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard to the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/L as cyanide in the wastes as discharged to the Public Sewer.
  - c. pH Range and Corrosive Properties** – Any liquid or other wastes having a pH lower than 6.0 or higher than 9.0 or having other corrosive property capable of causing damage or hazard to person or property.
  - d. Solid or Viscous Substances** – Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works, including but not limited to such substances as ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, un-ground garbage, hole blood, paunch, manure, hair and fleshing, entrails, paper dishes, cups, milk containers, or other material, either whole or ground, by garbage grinders.
  - e. High Temperature Waste** – Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees C) at the Building Sewer.
  - f. Fats, Waxes, Grease or Oils** – Any liquid or other waste containing fats, wax, grease, or oils, or motor oil and grease, in excess of one hundred (100) mg/L, whether emulsified or not; or containing substances which may solidify or become viscous at temperatures between thirty-two (32) degrees F (0 degrees C) and one hundred fifty (150) degrees F (65 degrees C).



- g. Heavy Metals or Excessive Chlorine Demand** – Any liquid or other waste containing iron, chromium, copper, zinc, and similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement to such a degree that any such material received in the composite sewage at the sewage treatment works exceed the limits established by local, state or federal agencies for such materials.
- h. Phenols, Odor or Taste Producing Substances** – Any liquid or other waste containing phenols or antifreeze glycols or other taste or odor-producing substances in concentrations exceeding limits which may be established by the District to meet applicable requirements of the local, state or federal agencies.
- i. Suspended or Dissolved Solids** – Materials which exist or cause unusual concentrations of Suspended Solids or Dissolved Solids, which interfere with the treatment plant process or cause violation of applicable waste discharge requirements issued by the California Regional Water Quality Control Board.
- j. Radioactive Waste** – Any radioactive material or isotope of such half-life or concentration limits as may exceed limits set by applicable state or federal regulations.
- k. Untreatable Wastes** – Liquid or other wastes containing substances which are not amendable to treatment or reduction by the sewage treatment processes employed, or are not sufficiently amendable to treatment to permit the sewage treatment plant effluent to meet the requirements of the California Regional Water Quality Control Board.
- l. Surface Runoff or Air Conditioner Drainage** – Surface runoff, rainwater, storm water, groundwater, street drainage, subsurface drainage, roof runoff, yard drainage, unpolluted industrial process water, drainage from air conditioners or evaporative coolers shall not be discharged directly or indirectly into a District sewage facility.
- m. Water Softening Unit Wastes** – Any waste discharge resulting from the charging, regeneration or operation of water softening equipment.
- n. Damaging Substances** – Any material or concentration of material, which will cause damage or abnormal maintenance or operation costs with respect to any part of the Sewer System.

**5.03 Swimming Pools** – It shall be unlawful for any person to discharge the contents of a swimming pool into the Public Sewer.

**5.04 Septic and Chemical Toilet Waste** – No person shall discharge pumpings from chemical toilets, septic tanks, holding tanks, cesspools, leach pits or recreational vehicles to the Public Sewers or any opening leading to the Public Sewers.

## Article VI: Industrial Discharges

- 6.01 Industrial Wastewater** – Any person desiring to discharge industrial wastewater into the Public Sewer or upon request of the District any person shall be required to submit an application to the General Manager presenting information as to the characteristics and amount of industrial wastewater to be discharged. No industrial wastewater shall be discharged into the Public Sewer, which will contribute to causing the effluent discharged from the sewage treatment facilities to violate any discharge requirement set by the California Regional Water Quality Control Board.
- 6.02 Permit for Industrial Connection** – The General Manager may issue a permit for connection to the Sewer System by an industry and may set requirements on the quality and quality of any discharge.
- 6.03 Prohibited Industrial Discharges** – No industrial wastewater shall be discharged to the Public Sewer which exceeds the following chemical, physical and/or bacteriological concentrations:
- |  |          |
|--|----------|
| a. Methylene Blue Active Substance (MBAS)  | 1.0 mg/L |
| b. Dissolved sulfides  | 0.1 mg/L |
| c. Five (5) day Biochemical Oxygen Demand (BOD)  | 250 mg/L |
| d. Total dissolved solids of 400 mg/L plus the yearly average dissolved solids in the water supply |          |
| e. Sulphate-ion of 50 mg/L plus yearly average of Sulphate-ion in the water supply                 |          |
| f. Sodium-ion of 100 mg/L plus yearly average of Sodium-ion in the water supply                    |          |
| g. Fluoride-ion of 0.7 mg/L plus yearly average of Fluoride-ion in the water supply                |          |
| g. Chloride-ion of 70 mg/L plus yearly average of Chloride-ion in the water supply                 |          |
| h. The discharge of water of natural geothermal origin is expressly prohibited.                    |          |
- 6.04 Conditions of the Industrial Waste Permit** – The General Manager may include some or all of the following as conditions in any Industrial Waste Permit:
- a. Pretreatment of Industrial Waste** – The General Manager may require pretreatment of the industrial waste to an acceptable condition prior to discharge to the Public Sewer. The design and installation of any pretreatment plants and equipment shall be subject to review and approval of the General Manager or the District Engineer and the requirements of all applicable codes, ordinances, laws, and regulations.
  - b. Quantities and Rates** – The permit may require that the Owner exercise specific control over the quantities and rates of discharge. If necessary the Owner shall install an approved flume and automatic recording device for the purpose of measuring flow and flow rates.
  - c. Grease and Sand Interceptors and Separators** – The Owner may be required to install, maintain and use Grease and/or Sand Interceptors and Separators as specified in the current edition of the Uniform Plumbing Code, or as modified and

superseded by District Ordinances or Rules and Regulations (see Article VII Grease/Sand Interceptors).

- 6.05 Costs for Additional Treatment** – If in the opinion of the General Manager the Industrial Waste will require additional handling and treatment by the District, the Industrial Waste Permit shall include a special agreement or arrangement between the District and the Permit Holders whereby industrial waste may be accepted by the District for treatment, subject to payment of the added cost for this handling and treatment as established by the Board.
- 6.06 Control Manholes** – When required by the General Manager or District Engineer, the Owner of any property served by the Building Sewer carrying industrial wastes shall install a suitable Control Manhole in the Building Sewer to facilitate observation, sampling and measurement of waste. Such manhole shall be installed by the owner at his expense, and shall be maintained to be safe and accessible at all times.
- 6.07 Measurements and Tests** – All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods" and shall be determined at said Control Manhole and shall be at the Owner's expense. In the event that no Control 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 Building Sewer is connected.
- 6.08 Maintenance of Equipment** – All pre-treatment system, flow measuring equipment, flow equalization device, grease or sand interceptor or separator, or other equipment or device required by the Industrial Waste Permit shall be continuously maintained in satisfactory and effective operation at the Owner's expense, as approved by the District inspector.

## **Article VII: Grease/Sand Interceptors**

- 7.01 Objective** - Improper maintenance of grease and sand separators can violate the District's wastewater influent standards and have deleterious effects on the District's wastewater collection and treatment systems. The purpose of this Section is to minimize District costs incurred for the maintenance of sewer lines, lift stations, and treatment plants by reducing the amounts of fats, oils, grease (FOG) and sand being discharged to the sewer system.
- 7.02 Scope** - Includes any public or private establishment discharging wastewater containing fats, oil, grease, or sand when waste pretreatment is deemed required by the District. This Section will ensure that at least minimal and reasonable maintenance is performed routinely on all qualified grease and sand interceptors connected to the District's sewer system, in order to protect District facilities and maintain its water quality objectives.
- 7.03 Authority** - The District's Ordinances, Rules, and Regulations as may be amended from time to time.
- 7.04 Qualified Facilities** – When, in the judgment of the District, waste pretreatment is required, a property is deemed a Qualified Facility and an approved grease or sand/oil interceptor shall be installed and maintained at the property complying with the provisions of the latest edition of the Uniform Plumbing Code (UPC), at owner's/user's expense subject to the requirements of the local land use agency (City of Desert Hot Springs, City of Palm Springs or Riverside County) and/or the District.

Waste lines leading from sinks, drains, and other fixtures or equipment in establishments such as restaurants, cafes, lunch counters, cafeterias, bars and clubs, hotels, hospitals, sanitariums, factory and school kitchens or other establishments where grease may be introduced into the sewage system in quantities that can cause line blockage or hinder sewage treatment shall be connected to the grease interceptor. Waste lines leading from car washes shall be connected to a sand/oil interceptor to prevent blockage of the collection system.

- 7.05 Interceptor Requirement** - An interceptor shall be required when the wastewater from the building is anticipated to contain, fats, oils, grease, sand, or other harmful constituents in amounts or concentrations which present the possibility of exceeding the District's wastewater influent standards (refer to Article V), or causing or contributing to deleterious effects on the wastewater collection and treatment systems, which may be properly eliminated by use of an interceptor. Exception: An interceptor is not required for a building used solely for residential purposes except where common food preparation occurs that, as determined by the local land use agency (City of Desert Hot Springs, City of Palm Springs or Riverside County) and/or the District, rises to the level of requiring an interceptor.

Any property owner jointly with the user may be required to install or modify the size of an interceptor and/or sample station according to guidelines set forth by the District's

interceptor sizing criteria prior to connection to the District's collection system. If it is determined at any time after connection to the District's collection system, that the building, facility, or operation of the property, produces a waste with characteristics that would require installation or modification of an interceptor, said modification or installation shall be accomplished pursuant to this Section and supported by the District's Sewer Ordinances, Rules and Regulations as may be amended from time to time.

The installation of an interceptor shall be the responsibility of the property owner jointly with the user of the business or entity whose operations cause or contribute to the necessity for an interceptor. When the District provides notice to the property owner jointly with the user that their facility meets the District's requirements for a Sewer Interceptor Waste Discharge Permit they shall immediately apply for an Interceptor Permit.

**7.06 Application for Sewer Interceptor Waste Discharge Permit** - It shall be determined on a case-by-case basis if an application for a Sewer Interceptor Waste Discharge Permit and an interceptor are required at the application for water and sewer service review, or at any time the District notifies the owner and user jointly that a Interceptor Permit application is required. The review shall be based on an evaluation of objective criteria including but not limited to the following:

- a. Type of facility (i.e., restaurant, bakery, cheese factory, car wash, etc.).
- b. Volume of the property owner jointly with user's business, or operations (i.e., number of meals served, number of seats, number of tables, hours of operations).
- c. Peak flow of wastewater discharged to the collection system.
- d. Size and nature of facilities (including kitchen facilities), based on size, type and number of fixtures, and type of processing or cooking equipment used.
- e. Type of service provided or operation undertaken (such as dine-in-meal service versus carry-out meal service).
- f. Type of foods, or other materials used in the cooking, processing, or manufacturing operations carried on within the property owner jointly with user's facility.
- g. Overall potential for grease-laden, flammable, or sand-laden discharges.
- h. Existence of devices, procedures, or processes which are designated to minimize the amount of grease, sand, oil, or other flammable liquids from entering the collection system.

In the event of new construction or remodeling, the property owner jointly with the user, shall notify the District of the proposed design, location, and procedures for operation and maintenance of any new or modified interceptor prior to the issuance of any construction permit to commence construction from the applicable land use agency or authority. Appropriate plan check and application fees must be paid to the District. The review of new construction/remodeling will be conducted through the appropriate plan check review process through the District's Engineering Department. Submittal and approval of an Application for Sewer Interceptor Waste Discharge Permit will be required and must be approved before permission is granted to connect to the collection system.

In circumstances where the property owner jointly with the user has already connected to the District's collection system, and the local land use agency (City of Desert Hot Springs, City of Palm Springs or Riverside County) and/or the District determines that an interceptor must be installed, the property owner jointly with the user shall promptly provide an Application for Sewer Interceptor Waste Discharge Permit to the District. The application shall be completed and submitted to the District not later than ten (10) working days after the date of notice for compliance from the land use agency and/or the District. The installation of an interceptor on an existing owner/user facility shall occur not later than one hundred and eighty (180) calendar days after the date of notice for compliance from the land use agency and/or the District. The one hundred and eighty (180) day installation period may be extended by a written request from the applicant, with supporting evidence, addressed to the District General Manager and submitted at least ten (10) working days before the expiration of the initial time period. Denial of a request for extension of time for compliance is subject to the Appeal process. Failure to meet compliance deadlines and requirements of this Section will subject the facility to the Enforcement provisions of this Section. The District reserves the right to implement and enforce its policies, procedures, ordinances, rules and regulations for those properties that do not comply.

- 7.07 Interceptor Permit** - All Qualified Facilities will require a Sewer Interceptor Waste Discharge Permit (Interceptor Permit) issued by the District for the discharge of covered constituents. The property owner jointly with the user of a Qualified Facility will be required to complete and submit an Application for a Sewer Interceptor Waste Discharge Permit and comply with all requirements of the District and the Interceptor Permit and as a condition of water and sewer service from the District. Interceptor Permits shall be issued for a period not to exceed five (5) years and are non-transferable. Approximately three (3) months prior to expiration of the five year Interceptor Permit period, the District will give notice to the Interceptor Permit holder of the need to renew their Interceptor Permit. Upon change of ownership and/or the user of a Qualified Facility, and/or any modifications or material changes made to the Qualified Facility according to the criteria under the *Application for Sewer Interceptor Waste Discharge Permit* Section 7.06, a new Application for Sewer Interceptor Waste Discharge shall be submitted within ten (10) working days of the effective change. If a new application is not made to the District within the times stipulated, the Interceptor Permit will become null and void and the discharger shall receive a Notice of Violation. Interceptor Permits shall be kept onsite and made available to District employees or representatives to view.
- 7.08 Interceptor Permit Renewal** - Interceptor Permit renewals require submittal of a new Application for a Sewer Interceptor Waste Discharge Permit. The application for renewal shall be submitted at least ten (10) working days prior to an existing Interceptor Permit expiration date.
- 7.09 Conditional Use** - By applying for an Interceptor Permit, the property owner jointly with the user agree to abide by all rules, regulations, ordinances and policies of the District concerning and pertaining to the Interceptor Permit. Any violation of the District ordinances, rules, regulations and policies regarding said Interceptor Permit and/or the

District's Sewer Service Rules and Regulations Ordinance and the District's Rules, Regulations and Ordinances, as may be amended from time to time, can subject the Interceptor Permit to immediate revocation as determined by the District (*ref. Notice of Violation and Issuance of Cease and Desist Orders herein*)

**7.10 Prohibited Materials** - The use of chemicals or other materials for emulsification, suspension, or dissolution of oil and grease are prohibited. The use of microbiological agents to metabolize fats, oil, and grease is expressly prohibited unless a complete onsite study is conducted using acceptable scientific methods to prove the claims of the product. The study must receive prior approval by the District's Wastewater and Engineering Departments, and all costs associated with the study, including the District's evaluation and review of the study, shall be the responsibility of the property owner/user. No elements of the study may be instituted without final District approval.

- a. Food Grinders - New food establishments shall not install food grinders in the plumbing system that drains to the grease interceptor. Existing food establishments that have existing food grinders on their plumbing system draining to the grease interceptor shall remove them within one hundred and eighty (180) calendar days notice from the District unless a Conditional Waiver of greater time period for compliance is granted.
- b. Waste cooking oil shall not be disposed of into drainage pipes.
- c. Dishwashers or any other onsite process that drain to the grease interceptor and raises the temperature of the grease interceptor to 150 degrees Fahrenheit (65 degrees C) or higher is prohibited.
- d. Sanitary Facilities - Flows from toilets, urinals, washbasins or other sanitary facilities are prohibited from draining to the grease interceptor.
- e. FOG and Sand from Interceptor - Fats, oil, grease and sand removed from an interceptor shall not be disposed of into the sewer collection system.

**7.11 Maintenance Requirements** - Any Qualified Facility with an interceptor shall continuously maintain the interceptor. All costs for inspections, pumping, sampling, analysis, or other maintenance shall be the responsibility of the property owner jointly with the user. The interceptor shall be cleaned, inspected and sampled as often as necessary to ensure that the fluid capacity of the interceptor has not been reduced by more than 25% nor is exceeding the effluent limit of 100mg/L for fats, oil, and grease.

The District shall determine the initial minimum pumping, sampling, and inspection frequency for each Qualified Facility. During each twelve (12) month period following the initial Interceptor Permit issue date, a minimum of one (1) physical inspection shall take place and annually thereafter for the term of the Interceptor Permit. The frequency of inspections may be increased by notice or Interceptor Permit. The District will determine whether the frequency of pumping and/or inspection should be increased or decreased from the initial determination for each Qualifying Facility or upon any subsequent evaluation. For those facilities with increased inspection schedules, the periods of time between inspections will be stipulated in the Interceptor Permit.

**7.12 Choosing a Maintenance Provider** - A qualified professional grease/septic maintenance company (contractor) shall perform all pumping, physical inspections, repairs, and sample draws required by notice or Interceptor Permit. Numerous qualified professional grease/septic maintenance companies can be found in the local yellow pages or Internet under the heading "SEPTIC" or "Septic Tank Cleaning Services" for the local area. The District does not endorse or recommend any particular company. All liquids and materials pumped and/or removed from the interceptor shall be disposed of in accordance with all local, county, state, and federal requirements. All costs for inspections, pumping, sampling, analysis, or other maintenance shall be the responsibility of the property owner jointly with the user.

**7.13 Inspections** - Physical inspections shall be coordinated with the District to allow for the District representative to be present during inspections and sample draws. The Interceptor Permit Holder shall contact the District's Wastewater Department to schedule and arrange for a District representative to be present when each maintenance (pumping event) and/or sample draw takes place. Inspections will only be made during regular working hours. Inspection hours are 7:00 a.m. to 3:30 p.m., Monday - Friday. Overtime (O.T.), requiring inspection will not be allowed on a routine basis. Request to work on weekends and holidays must be received at the District's office with three (3) working days' advance notice. Approval from authorized District staff must be obtained prior to any O.T. work. The total cost of overtime inspection is at Permit Holders expense.

The facility's contractor completing the physical inspection shall determine the available fluid capacity of the interceptor and, if required by Interceptor Permit or at the direction of the District representative, a sample of the effluent shall be taken at a peak flow period and tested for grease. Sampling and analysis shall be completed in accordance with the latest edition of Standard Methods for Examination of Water and Wastewater, and in compliance with EPA Standards, 40 CFR Part 136. Samples shall have a documented chain of custody and shall be performed at an appropriately licensed laboratory. A copy of the sample analysis from the laboratory shall be sent directly to the District as soon as it becomes available. All costs for inspections, pumping, sampling, analysis, or other maintenance shall be the responsibility of the property owner jointly with the user.

When the physical inspection reveals the fluid capacity has been reduced by more than 25% or the sample analysis exceeds 100 mg/L emulsified oil or grease, pumping will be immediately required with supporting documentation provided to the District. Upon inspection there shall be no visible floating oil or grease in the interceptor effluent or pumping will be required.

**7.14 Best Management Practices (BMPs)** - In addition to the maintenance required herein, it is highly recommended that the District's Sewer Interceptor Fats, Oils and Grease BMPs be followed for minimizing discharges from food service establishments and decreasing required maintenance of interceptors by their users. District employees are available to assist Interceptor Permit Holders in communicating the BMPs to employees of the facility through prearranged presentations and kitchen/food preparation area instructional signs, placards and handouts. Please contact the District Wastewater Department to receive this assistance. Food establishments shall be required to train



their employees in the BMPs upon hire and refresh at least every year thereafter. Training records shall be documented with signatures of employee's attendance and understanding of the training. Training records shall be maintained and provided to District representative upon request. Some examples of BMPs follows:

- Instruct employees on how to "dry wipe" pots, pans, dishware and work areas before washing to remove grease.
- Instruct employees on how to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
- Show employees the location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
- Show employees how to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.
- Maintenance of kitchen exhaust filters requires that wastewater generated from the cleaning process be disposed of properly.
- BMP signage conspicuously posted in the food preparation and dishwashing areas is a very effective way of communicating and reminding employees of the importance of the BMPs.

**7.15 Reporting Requirements** - An annual report shall be completed by all Interceptor Permit holders and submitted to the District no later than January 15<sup>th</sup> of each year. Annual reporting shall consist of a completed Sewer Interceptor Waste Discharge Permit Annual Interceptor Maintenance Reporting form (Annual Report) and supporting documentation of all maintenance performed, including pumping, physical inspections, repairs, sample analyses of effluent for grease limit, and any District inspections as required by Interceptor Permit or notice completed during the calendar year just ending December 31<sup>st</sup>. New facilities, (i.e., those who receive a new Interceptor Permit on or after January 1 of each calendar year) shall also be subject to the Reporting Requirements regardless of the date of issue. New facilities must submit an Annual Report for any maintenance completed during the previous calendar year, as required and noted in their current Interceptor Permit. Both new and currently Interceptor Permitted facilities shall perform all required maintenance as listed in their Interceptor Permit within the time limits specified. All current Interceptor Permit holders are required to submit an Annual Report each year before the January 15<sup>th</sup> deadline. However, because of the initial current shortened reporting period for new facility Interceptor Permit holders (those that have less than 12 months of operation by Jan. 1 and have only one annual inspection/pumping event required per year), it is important for them to note on the reporting form that the initial reporting period was for less than twelve months and no maintenance was required or reported for the period per their Interceptor Permit requirements. For any and all maintenance required and completed in the past year (or portion of the year for those with increased maintenance event requirements) under current Interceptor Permit requirements, a report shall be made. The report must include the date of the maintenance, the maintenance company's name, address, telephone number, contractor license number, number of gallons pumped, and/or

description of other work performed as noted in the Sewer Interceptor Waste Discharge Permit Annual Interceptor Maintenance Reporting form (Annual Report).

- 7.16 Notification** - January 1<sup>st</sup> or the soonest regular business day thereafter of each calendar year, an annual reporting reminder notice will be mailed from the District to all qualifying facilities. This notification is a reminder to Interceptor Permit Holders to provide proof of any interceptor maintenance performed in the preceding twelve (12) calendar month period as a requirement of their Interceptor Permit. Instructions concerning compliance and the annual report will be included in the notice.
- 7.17 Waiver** - Only those facilities that, in the judgment of the District, have provided adequate and sufficient proof that the quality and/or quantity of their wastewater qualify them as exempt from these requirements shall be granted a Waiver. The property owner jointly with the user must submit a Sewer Interceptor Waste Discharge Waiver form and any supporting documentation or proof of qualification for exemption before any request for Waiver can be considered. Limited food preparation establishments are one example of facilities that can be considered for Waiver. Limited food preparation establishments are those establishments that are engaged only in reheating, hot holding or assembly of ready-to-eat food products that do not produce significant amounts of FOG. Limited food preparation establishments do not change the form, flavor, or consistency of the food they serve.
- 7.18 Conditional Waiver/Permanent Variance/Grease Disposal Mitigation Fee-** The District may consider a conditional stay for a Notice of Violation for Noncompliance through an application for Conditional Waiver. The request for Conditional Waiver shall consist of a letter addressed to the District General Manager, outlining the circumstances, with any supporting evidence of the violator's reason(s) for seeking a Conditional Waiver for an extension of time for compliance or in some cases Permanent Variance. For approved Conditional Waivers, the General Manager will establish a reasonable amount of time to achieve the compliance, normally 60 days. Permanent Variance from the District's established rules, ordinances, regulations and policies shall require the approval of the General Manager and the Board. Permanent Variance determinations will be based upon, but not limited to, allowing alternative FOG pretreatment technology that is at least equally effective in controlling FOG discharges, when acceptable grease interceptor technology is not feasible.

If a request for a Conditional Waiver or Permanent Variance is not approved by the General Manager, applicants can utilize the Appeals process herein. In some cases, the District may find that, because of the circumstances, a Grease Disposal Mitigation Fee may be appropriate if no alternative technology is viable or acceptable. The Grease Disposal Mitigation Fee will establish an impact cost for the facility for the increased maintenance of the sewer system.

- 7.19 Charges/Fees** - The District, by Ordinance and/or Resolution and under the authority of the District Rules, Regulations and Ordinances as may be amended from time to time, will establish fees and charges required for implementation of the District's Sewer Ordinance and specifically addressing this Section. Payment of all required fees must

be received prior to any initial application, issuance, renewal or modification of an Interceptor Permit.

- 7.20 Enforcement - Noncompliance** – Failure to provide proof of interceptor maintenance or any other indication of failure to maintain qualified interceptors or other violation of these requirements that result in a noncompliance ruling by the District shall constitute a violation of this Section. A notice of violation shall be issued to the property owner jointly with user of the facilities.
- a. **Notice of Violation** – A notice of violation shall set forth the nature of the violation, the requirements for achieving compliance, and a time frame in which compliance must be achieved, and must not exceed ten (10) working days. A conditional waiver may be applied for in response to a Notice of Violation to extend the time period for compliance.
  - b. **Issuance of Cease and Desist Orders** – Failure to comply with a notice of violation within the time required may result in the issuance of a cease and desist order directing the property owner jointly with user to comply within the time schedule set forth by the District or to cease operations effective immediately. A fine of at least \$1,000 per violation per day will be imposed by the District and shall be attached to any cease and desist order. Violations resulting in issuance of a cease and desist order shall be remanded to the Board for consideration of civil liabilities in an amount at least \$1,000/day in which the property owner jointly with user is in violation and civil or criminal penalties of at least \$1,000/day per violation and subject to Article XI and the District's Rules, Regulations and Ordinances, as may be amended from time to time.
  - c. **Termination of Service** – As provided for in Article XI: Enforcement, and the District's Rules, Regulations and Ordinances as may be amended from time to time, failure to comply with a cease and desist order may result in a hearing and District staff's recommendation to revoke any Interceptor Permit for said facility and/or a finding of termination of wastewater service, and/or water service to the violating facilities.
  - d. **Administrative Fines** – Any fees, charges or fines determined by the District to be delinquent may be assessed a monthly interest rate as determined by the District's established fees, and any such late fees may be included in any lien of the real property until such time as the fees, charges and fines are paid.
  - e. **Judicial Enforcement** – The District reserves the right to pursue any and all appropriate criminal and civil actions available against those who intentionally or negligently violate the provisions of a Interceptor Permit issued or required here under this Section or the District's Sewer Service Rules, Regulations and Ordinances.

## **Article VIII: Private Sewage Disposal Facility**

- 8.01 Private Sewage Disposal Systems** – Where a Public Sewer is not available or where connection to a Public Sewer is not required under the provisions of Section 3.01, the Building Sewer of each house, building, or property in which plumbing fixtures are installed shall be connected to a private sewage disposal system.
- 8.02 Compliance with Applicable Regulations** – Any Private Sewage Disposal System discharging waste within the boundary of the District, as provided in Section 8.01, shall comply with the design policies and codes of the applicable County Health Department, the provisions of the Uniform Plumbing Code, and where applicable have an exemption from the Regional Water Quality Control Board for the discharge of waste from the system.
- 8.03 Cost of Maintenance by Owner** – The Owner of a Private Sewage Disposal System shall operate and maintain the facilities in a sanitary manner at all times at no expense to the District.
- 8.04 Notice to Connect a Private System(s)** – As required in Section 3.01 herein, if a Private Sewage Disposal System (septic tank) is required to connect to the Public Sewer, then the Owner(s), at their own expense, shall be required to connect said house, building or property to said sewer in accordance with the provisions of this Ordinance within the time specified in an official Notice to Connect, the standard for which is a 90-day Notice to Connect with a possible extension of 60 days. The District shall also establish a recorded notice on the property title such that before any change in ownership of the property, compliance with the provisions of this Ordinance and the Notice to Connect shall be required.

Upon failure to connect a Private System per the Notice to Connect within the time limit specified, the General Manager is authorized to take action necessary to connect the property to the Public Sewer, pursuant to procedures of abatement listed under Article XI. – Enforcement, Sections 11.04, 11.07 and 11.08, and pursuant to the California Health and Safety Code Sections 5463, 5464 and 5474 et seq, and all costs thereof, including, but not limited to, actual cost of performing the work, attorney's fees and costs related thereto, shall constitute a lien on the property.

## **Article IX: Sewer Service Charges**

- 9.01 Purpose** – The purpose of the sewer service charge is to raise revenue for expenses to operate, repair, replace and maintain the Sewer System used for the collection, treatment, and disposal of wastewater generated within the District.
- 9.02 Charges and Fees** – As provided in Section 1.06, the Board shall, from time to time, by separate Ordinance and/or Resolution, establish charges and fees appropriate to carry out the purposes of this Ordinance.

## **Article X: Billing and Collection**

- 10.01 Customer** – As used in the Article, Customer shall mean the Owner or Owner's agent designated in writing in whose name the sewer service is listed and who made application for sewer service with the District. The Customer listed for a multiple dwelling unit shall be the Owner of the Building connected to the Public Sewer.
- 10.02 Billing** – The regular billing period for sewer service charges will be monthly or bi-monthly at the option of the District.
- 10.03 Collection with Water Bills** – Where the User is also a District Customer receiving water service operated by the District, billing of Sewer Service Charges shall be made together with and not separately from the charges for the water service. They will be billed upon the same bill and collected as one item.
- 10.04 Payment of Bills** – Bills for sewer service shall be rendered at the end of each billing period and are due and payable upon presentation. If full payment is not received at the business office of the District on or before the final payment date, the bill shall become past due and delinquent as stated in Section 10.11(a).
- 10.05 Opening and Closing Bills** – Opening and closing bills shall be prorated based upon the number of days in which service was furnished as it relates to the monthly minimum for the service in question.
- 10.06 Upon Vacating Premises** – Customers desiring to discontinue service should so notify the District in writing at least two (2) days prior to vacating the premises. Unless discontinuance of service is ordered in this manner, the customer shall be liable for ongoing charges until such notice is given.
- 10.07 Refunds** – When any refund becomes due and owing by virtue of Board action or by virtue of any error made in ascertaining the charge applicable to any Customer, the General Manager is authorized to make payable such moneys from the specific fund established for the deposit of Sewer Charges.
- 10.08 Adjustments** – Any Customer may make a written application to the General Manager requesting a different basis of charges by reason of special circumstances which indicate that the sewer charge for the specific premises are inequitable. The Board may, by Ordinance or agreement, fix and establish a alternative sewer rate after making a finding that because of specific circumstances the rate established for the premises was not fair, equitable, and commensurate to the benefit received from the Sewer System. The Board may revoke such rate whenever it finds that the special circumstances no longer exists.
- 10.09 Delinquent Notice** – A delinquency notice shall be mailed to customers whose accounts are delinquent (see Section 10.11(a)), warning that service will be disconnected unless payment is made within seven (7) calendar days from the date of mailing of the delinquency notice. The delinquency notice shall indicate amount due, including late fees and/or fines, and the total amount, which must be paid. Notice of any

delinquency in a tenant's account shall also be sent to the owner of the property with indication of owner's liability.

- 10.10 Late Fee** – A charge added to each delinquent account at the time any amount becomes delinquent with the exception of an account that has had no delinquencies in the prior 12-month period. When a late fee is made, such charge shall be added to the delinquent account the date the account becomes delinquent. This charge shall become an inseparable part of the amount due as of that time.
- 10.11 Authorization for Continuance of Service for Delinquent Account** – The General Manager, or his designee, may authorize continuation of service to a delinquent account if financial arrangements satisfactory to the District are established.
- 10.12 Enforcement** – In the event of the failure of any Customer to pay the amount of Sewer Service Charge due and owing, the District may enforce payments of such late fees as follows:
- a. Notice** – A delinquent Notice shall be mailed to the Customer whose account is delinquent by more than 15 days, warning that the service will be disconnected unless payment is made. The notice shall indicate the amount due, including late fees, and the total amount must be paid within seven (7) calendar days from the date of mailing of the delinquent notice.
  - b. Disconnection** – The District may have such premises disconnected from the Sewer System. In the event such disconnection should create a public hazard or nuisance, the General Manager, or his representative may enter upon the premises for the purpose of doing such things as may be reasonably necessary to alleviate or remove such hazard or nuisance. All costs incurred by the District shall be reimbursed by the Customer. (See Section 11.01)
  - c. Court Action** – The General Manager is authorized to institute an action in any court of competent jurisdiction to collect any charges which may be due and payable in the same manner as any other debts owing to the District may be collected, including court costs and reasonable attorney's fees.
  - d. Lien** – The General Manager is authorized to prepare a statement of the amount of late fees and penalties accrued on the property and record the statement as a lien upon the real property receiving the sewer services.
    - (1) Contents of Statement** – The statement shall contain a description of the property served and the amount of charges, fines, and late fees.
    - (2) Execution, Acknowledgement and Filing** – The statement shall be executed by the General Manager or the Controller, the signature notarized, and filed with the County Recorder in the appropriate County.
    - (3) Duration of Lien** – Such lien shall have the force, effect, priority and duration of an abstract or a judgment against the owner of real property and may be enforced in like manner.
- 10.13 Fees and Deposits** – The District shall require all late fees and fines to be paid in full before any reconnection of the Building Sewer is made.
- 10.14 Collection of Sewer Fees on property tax bill** – Notwithstanding anything to the contrary contained in the Rules and Regulations for Sewer Service including, but not

limited to, Article X, residential Sewer User Fees shall be collected pursuant to the applicable provisions of California Health & Safety Code Section 5470 et. seq. at the same time and in the same manner and by the same persons as, together with and not separately from, the general taxes for the District, and shall be delinquent at the same time and thereafter be subject to the same delinquency penalties which shall be levied on and collected from the owners of said parcels as permitted by Health and Safety Code Section 5473.7



## **Article XI: Enforcement**

- 11.01 Illegal Connection** – Any connections made to the Sewer System without complying with the District's Ordinances or Rules and Regulations and paying all fees and charges required is illegal and a public nuisance.
- a. The District may enter property and disconnect any illegal connection from the Public Sewer. Should disconnection be necessary, all costs incurred by the District including reasonable attorney's fees, shall be recovered by the District.
  - b. At the discretion of the Board, after application for a permit is made, connection may be allowed to continue by first determining that no harm has been done by the connection, or if the connection was properly made. Any repairs must be fully effected at the sole expense of the Owner and a penalty of double the permit, inspection, and connection fees as established by this Ordinance be paid. In addition all unpaid sewer service charges, assessments or other charges shall be computed from the date the illegal connection was made, and shall be paid by the Owner.
- 11.02 Protection from Damage** – No unauthorized person shall intentionally or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment, which is a part of the Sewer System. Any person violating this provision shall be guilty of a misdemeanor and subject to the penalties provided by law.
- 11.03 Falsifying of Information** – Any person who knowingly makes any false statements, representation, record, report, plan or other document filed with the District or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance shall be guilty of a misdemeanor and subject to the penalties provided by law.
- 11.04 Issuance of Cease and Desist Orders** – When the District finds that the provisions of this Ordinance or the District's Rules and Regulations have been violated, or are threatened to be violated, the General Manager, or a designated agent, may issue an order to cease and desist and direct that those persons not complying with the Ordinance or the Rules and Regulations to:
- a. Comply forthwith;
  - b. Comply with a time schedule set forth by the District; or
  - c. In the event of a threatened violation, take appropriate remedial or preventive action.
- 11.05 Civil Penalties** – Any person who intentionally or negligently violates or threatens to violate any provision of this Ordinance or permit condition, who violates any cease and desist order, prohibition, effluent limitation, pretreatment or toxicity standard, or creates a nuisance shall be liable civilly in an amount not to exceed \$10,000 for each day in which such violation occurs. The Board may, after necessary hearing and finding that the violation or threatened violation exists, require their attorney to seek a preliminary or permanent injunction in the Superior Court, including the imposition of civil liability.

- 11.06 Termination of Service** – The District, after a hearing and recommendations by the Executive Committee of the Board of Directors, may revoke any wastewater discharge permit, or terminate or cause to be terminated wastewater service to any building if a violation of any provision of this Ordinance causes or threatens to cause a condition of contamination, pollution, or nuisance as defined in the Water Code. This provision is in addition to other statutes, rules, or regulations, authorizing termination of service for delinquency in payment.
- 11.07 Public Nuisance** – The continued habitation of any building, the continued operation of any industrial facility or the discharges of wastewater in any manner in violation of the Ordinance or the Rules and Regulations, or of any cease and desist order is hereby declared as a public nuisance and shall be corrected or abated as directed by the General Manager. Any person creating a public nuisance is guilty of a misdemeanor and is subject to penalties provided by law.
- 11.08 Abatement** – The District may cause proceedings to be brought for the abatement of the occupancy of a building, industrial facility, or public nuisance. In the event such proceedings are brought, the Owner or User shall pay to the District reasonable attorney's fees and costs associated with said proceedings.

## **Article XII: Miscellaneous Provisions**

- 12.01 Appeals** – Any User, permit applicant, or permit holder affected by any decision, action, or determination, including Cease and Desist Orders made by the General Manager, when interpreting or implementing the provisions of this Ordinance or in any permit issued herein, may file with the General Manager a written request for reconsideration within ten (10) days of such decision, action, or determination, setting forth in detail the facts supporting the User's request for reconsideration. If the ruling by the General Manager is unsatisfactory to the person requesting reconsideration, a written appeal must be filed to the Board within ten (10) days after notification of the District action. The written appeal shall be heard by the Board within 30 days from the date of filing unless a longer time is requested by the petitioner. The Board shall make a final ruling on the appeal within ten (10) days of the close of the meeting. The General Manager's decision, action or determination shall remain in effect during such period of reconsideration.
- 12.02 Own Motion** – The Board may, on its own motion, find that by reason of special circumstances any provision of its Ordinances or Rules or Regulations 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.
- 12.03 Powers and Authorities** – This officers and any duly authorized employee of the District shall carry evidence establishing the position as an authorized representative of the District and upon exhibiting the proper credentials and identification shall be permitted to enter in and upon any and all buildings, industrial facilities, easements and properties for the purposes of inspection, re-inspection, observation, measurement, sampling, testing, repairing, replacing, maintaining and otherwise performing such duties as may be necessary in the enforcement of the provisions of the Ordinance, the District's Rules and Regulations and the Uniform Plumbing Code. All persons shall be held strictly responsible for any and all acts of agents or employees done under this Ordinance. Upon being notified by the General Manager of any defect arising there from in any sewer or any violation of this Ordinance, the persons having charge of said work shall immediately correct the same.
- 12.04 Inspection and Sampling** – The District may inspect the facilities of any User to ascertain whether the purpose of this Ordinance is being met and all requirements are being complied with. Persons or occupants of buildings where wastewater is created or discharged shall allow the District or its representatives ready access at all reasonable times to all parts of the premises for the purposes of inspection and/or sampling or otherwise in the performance of any of their duties. The District shall have the right to set up on the User's property such devices as are necessary to conduct sampling or metering operations. Where a User has security measures in force, which would require proper identification and clearance before entry into their premises, the User shall make necessary arrangements with their security guards so that upon presentation of suitable

identification, personnel from the District will be permitted to enter without delay for the purposes of performing their specific responsibilities.

**12.05 Severability** – If any section, subsection, 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 any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional.

**Effective Date/Rescission** - This Ordinance shall take effect upon adoption and Ordinance No. 94-1 is hereby rescinded.

**Adopted** December 15, 2008 by the following vote:

Ayes: Brown, Duncan, Furbee, Gibson, Wright

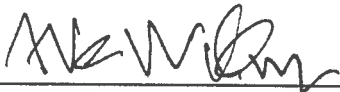
Noes: None

Abstain: None



\_\_\_\_\_  
President - Mission Springs Water  
District and its Board of Directors

Attest:



\_\_\_\_\_  
Secretary - Mission Springs Water  
District and its Board of Directors

**CERTIFICATION OF ADOPTION**

STATE OF CALIFORNIA   )  
                                      )  
COUNTY OF RIVERSIDE   )

I, Arden Wallum, Secretary of the Board of Directors of Mission Springs Water District, certify that the foregoing is a full, true and correct copy of Ordinance No. **2008-2** which was adopted by the Board of Directors of said district at its regular meeting held December 15, 2008.

It has not been amended or repealed.

Dated December 16, 2008



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Secretary of Mission Springs Water District  
and its Board of Directors

(SEAL)

**Ordinance No. 2009-2**  
**Board of Directors of Mission Springs Water District**  
**Riverside County, California**  
**Amending Ordinance 2008-02, Establishing Rules and Regulations for Sewer Service,**  
**and Rescinding Ordinance Nos. 99-1 & 99-2**

**Be it Ordained** by the Board of Directors of Mission Springs Water District that Sections 1.06, 3.01, 7.19, 8.04 and 9.02 of Ordinance No. 2008-02 are amended as follows:

- 1.06 Fees** – The Board shall, from time to time, by separate Ordinance and/or Resolution, prescribe and modify fees and charges for permits, construction, inspection, plan checking, sewer connection charges, sewer service charges and other services as may be provided by the District. All annexations or new developments within the District shall pay all applicable fees as determined and prescribed by the District's Rules and Regulations. The fees and charges, so prescribed and modified, are deemed incorporated into this Ordinance and the District's Rules and Regulations.
- 3.01 Sewer Connection Required** - The Owner of each house, building or property within the District in which plumbing fixtures are installed, which abuts a street or easement in which there is located a Public Sewer, is required at the Owner's expense to connect said house, building or property with said sewer, in accordance with the provisions of this Ordinance and within the time specified in an official Notice to Connect. A sewer system is "available" if a sewer system, or building connected to a sewer system, is within 100 feet of the existing or proposed dwelling unit in accordance with State Water Code Section 31103. Pursuant to applicable law, the California Regional Water Quality Control Board, Colorado River Basin Region also requires the discharge of waste from new or existing individual disposal systems on parcels of less than one-half acre that overlie the Mission Creek Aquifer or the Desert Hot Springs Aquifer in Riverside County be prohibited, if a sewer system is available.
- 7.19 Charges/Fees** - The District, by Ordinance and/or Resolution and under the authority of the District Rules, Regulations and Ordinances as may be amended from time to time, will establish fees and charges required for implementation of the District's Sewer Ordinance and specifically addressing this Section. Payment of all required fees must be received prior to any initial application, issuance, renewal or modification of an Interceptor Permit.
- 8.04 Notice to Connect a Private System(s)**– As required in Section 3.01 herein, if a Private Sewage Disposal System (septic tank) is required to connect to the Public Sewer, then the Owner(s), at their own expense, shall be required to connect said house, building or property to said sewer in accordance with the provisions of this Ordinance within the time specified in an official Notice to Connect, the standard for which is a 90-day Notice to Connect with a possible extension of 60 days. The District shall also establish a recorded notice on the property title such that before any change in ownership of the property, compliance with the provisions of this Ordinance and the Notice to Connect shall be required.

Upon failure to connect a Private System per the Notice to Connect within the time limit specified, the General Manager is authorized to take action necessary to connect the


property to the Public Sewer, pursuant to procedures of abatement listed under Article XI. – Enforcement, Sections 11.04, 11.07 and 11.08, and pursuant to the California Health and Safety Code Sections 5463, 5464 and 5474 et seq, and all costs thereof, including, but not limited to, actual cost of performing the work, attorney's fees and costs related thereto, shall constitute a lien on the property.

**9.02 Charges and Fees** – As provided in Section 1.06, the Board shall, from time to time, by separate Ordinance and/or Resolution, establish charges and fees appropriate to carry out the purposes of this Ordinance.

**Effective Date/Rescission.** This Ordinance shall take effect upon adoption and Ordinance Nos. 99-1 & 99-2 are hereby rescinded..

**Adopted** the 20<sup>th</sup> day of July 2009 by the following vote:

AYES:	Duncan, Furbee, Gibson, Wright
NOES:	Brown
ABSENT:	None

  
\_\_\_\_\_  
President - Mission Springs Water  
District and its Board of Directors

Attest:

  
\_\_\_\_\_  
Secretary - Mission Springs Water  
District and its Board of Directors



**CERTIFICATION OF ADOPTION**

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

I, Arden Wallum, Secretary of the Board of Directors of Mission Springs Water District, certify that the foregoing is a full, true and correct copy of Ordinance No. **2009-2**, which was adopted by the Board of Directors of said district at its regular meeting held July 20, 2009.

It has not been amended or repealed.

Dated July 21, 2009

  
\_\_\_\_\_  
Secretary of Mission Springs Water District  
and its Board of Directors

(SEAL)

**ORDINANCE NO. 2016-02**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE  
MISSION SPRINGS WATER DISTRICT ELECTING TO IMPOSE SEWER  
USER FEES AND TO COLLECT THE SAME ON THE TAX ROLLS UNDER  
CALIFORNIA HEALTH & SAFETY CODE SECTION 5470 *et seq.***

**WHEREAS**, the District wishes to enact this Ordinance electing to impose and collect the District's current residential sewer user fees (the "Sewer User Fees") pursuant to California Health and Safety Code Section 5470 *et seq.*; and

**WHEREAS**, a report (the "Report"), a copy of which is available in the District office shall be filed with the Secretary of the District describing each parcel of real property subject to the Sewer User Fees and amount of the Sewer User Fees to be imposed thereon for each fiscal year; and

**WHEREAS**, the Secretary of the District shall cause notice of the filing of the Report proposing to have such charges for the each forthcoming fiscal year collected on the tax roll and of the time and the date of a hearing to consider such Report to be published in the newspaper in accordance with California Health and Safety Code section 5473.1; and

**WHEREAS**, the Secretary of the District shall, for the first fiscal year of this program, cause notice of the filing of the Report proposing to have such charges for the forthcoming fiscal year collected on the tax roll and of the time and the date of hearing to consider such Report to be mailed to each person whose parcel(s) will be assessed in accordance with California Health and Safety Code Section 5473.1; and

**WHEREAS**, the Board of Directors shall hear and consider all objections and protests to the Report and determine whether protests have been made by the owners of a majority of the separate parcels or property described in the Report; and

**WHEREAS**, the District has determined to collect the Sewer User Fees, any delinquent Sewer User Fees and any penalties on the tax roll, which Sewer User Fees shall constitute a lien against the parcel or parcels of land described in the Report, all in accordance with California Health and Safety Code sections 5470 *et seq.*;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE MISSION SPRINGS WATER DISTRICT AS FOLLOWS:**

Section 1. The Board of Directors hereby finds and determines that the Recitals are true and correct and are incorporated herein as if stated in their entirety.

Section 2. A new Section 10.13 is added to Ordinance No. 2008-2, as amended by Ordinance No. 2009-2.

Notwithstanding anything to the contrary contained in the Rules and Regulations for Sewer Service including, but not limited to, Article X, residential Sewer User Fees shall be collected pursuant to the applicable provisions of California Health & Safety Code Section 5470 et. seq. at the same time and in the same manner and by the same persons as, together with and not separately from, the general taxes for the District, and shall be delinquent at the same time and thereafter be subject to the same delinquency penalties which shall be levied on and collected from the owners of said parcels as permitted by Health and Safety Code Section 5473.7.

**ADOPTED** this 24<sup>th</sup> day of May, 2016, by the following vote:

Ayes: Bowman, Duncan, Martin, Wright  
Noes:  
Abstain:  
Absent: Furbee

  
\_\_\_\_\_  
Nancy Wright  
President of Mission Springs Water District  
and its Board of Directors

ATTEST:

  
\_\_\_\_\_  
Arden Wallum  
Secretary of Mission Springs Water District  
and its Board of Directors

APPROVED AS TO FORM:

  
\_\_\_\_\_  
John Pinkney  
District Counsel

## CERTIFICATION OF ADOPTION

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

I, Arden Wallum, Secretary of the Board of Directors of Mission Springs Water District, certify that the foregoing is a full, true and correct copy of Ordinance No. **2016-02**, which was adopted by the Board of Directors of said District at its regular meeting held May 24, 2016.

It has not been amended or repealed.

Dated May 24, 2016



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Arden Wallum  
Secretary of Mission Springs Water District  
and its Board of Directors