

**BORONDA**  
**COUNTY SANITATION DISTRICT**

ORDINANCE NO. 1  
AMENDED BY ORDINANCE NO. 4  
AMENDED BY ORDINANCE NO. 5  
AMENDED BY ORDINANCE NO. 6  
AMENDED BY ORDINANCE NO. 04226  
AMENDED BY ORDINANCE NO. 5134

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The Board of Supervisors, acting as the Board of Directors of the Boronda County Sanitation District ordains as follows:

SECTION 1: Section 1 Ordinance NO. 1 is amended to read as follows:

**SECTION 1. GENERAL PROVISIONS**

- a) This Ordinance shall be applicable to all persons having or proposing to have a connection to the District sewers or District water service.
- b) If any provision of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of this Ordinance, or the application of such provision to other persons or circumstances, shall not be affected thereby.
- c) As used in this Ordinance unless otherwise apparent from the context:
  - 1. The present tense includes the future as well as the present.
  - 2. The masculine gender includes the feminine and neuter.
  - 3. The singular number includes the plural; and the plural, the singular.
  - 4. "Shall" is mandatory, and "may" is permissive.

SECTION 2: Section 2 of Ordinance No. 1 is amended to read as follows:

**SECTION 2. DEFINITIONS**

- a) "Abandoned Building Sewer" means a sewer that is no longer being used or is no longer suitable for use under circumstances that imply the lack of use will be permanent. A determination that a building sewer is abandoned is within the sole discretion of the District Engineer.
- b) "Applicant for Water Service" is the person making application for a regular water service.
- c) "Board" means the Board of Supervisors of Monterey County.
- d) "Building" means a structure built, erected, and framed of component structural parts designed for the housing, enclosure, or support of persons, animals, or property of any kind.
- e) "Building Drain" means that part of the lowest drainage piping inside a building or structure conveying wastewater to a building sewer beginning 2 feet outside the building wall.
- f) "Building Sewer" means a private gravity sewer pipe conveying wastewater from a building or parcel to the District sewer. A building sewer may include a lateral sewer pipe.
- g) "Caulder Couplings" means a device made of rubber used to connect two adjacent pipes by use of bands that are tightened in place.
- h) "Cleanout" means an opening (covered or capped) in a wastewater collection system used for inserting tools, rods or snakes while cleaning a pipeline or clearing a stoppage.
- i) "Connection Permit" means a permit issued by the District Engineer.
- j) "Contractor" is an individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under the permit and shall be the owner or his/her agent.
- k) "Cost" means the cost of labor, material, transportation, supervision, engineering and all other necessary overhead expenses.
- l) "Cross Connection" means any physical connection between the piping system from the District water supply and that of any water supply that is not, or cannot be, approved as safe and potable for human consumption whereby water from the unapproved source may be forced or drawn into the District distribution mains.

- m) "Distribution Mains" means water lines in streets, highways, alleys and easements used for public and private protection and for general distribution of water for irrigation, industrial and municipal services.
- n) "District" means Boronda County Sanitation District.
- o) "District's Inspector" is the Inspector acting for the Board and may be the Director of Public Works or Inspector appointed by the Director of Public Works.
- p) "District Sewer" means a public sewer owned, operated, and maintained by the District and to which building sewers are connected. The District sewer includes all building sewer connection "wyes and tees" along its length.
- q) "District's Wastewater Treatment Facilities" means any such facility to which the District sewers are connected and into which the District wastewaters are discharged for treatment and disposal whether or not owned and operated by the District.
- r) "Domestic Wastes" means any and all waste substances derived from the ordinary living processes, free from industrial wastes, and of such character as to permit satisfactory disposal, without special treatment, into the District sewer.
- s) "Dwelling Unit" means a room or group of rooms constructed to serve as living quarters for a single family and containing kitchen and bathroom plumbing fixtures.
- t) "Engineer" means the District Engineer, appointed by the Board, or any person authorized by the Engineer to act on his behalf.
- u) "Food service establishment" means an establishment that prepares and/or sells food for consumption either on or off the premises, including, but not limited to, restaurants, sandwich shops, delicatessens, bakeries, or pizzerias. The term, as used in this Ordinance, does not refer to food stores or establishments that do not prepare food on premises or process food in a manner so as to contribute grease to the sewer system.
- v) "Grease interceptor" means a device designed and installed to separate and retain deleterious, hazardous, or undesirable matter from normal wastes and to permit normal sewage or liquid wastes to discharge into the disposal terminal by gravity.
- w) "Grease trap" means a device designed to retain grease from one to a maximum of four fixtures.
- x) "Industrial Discharger" means any person discharging industrial waste into the District sewer.
- y) "Industrial Wastes" means any and all waste substances, liquid, solid, gaseous, or radioactive resulting from any producing, manufacturing, or processing operation.

- z) "Lateral Sewer" means that portion of a building lying within a public easement or right-of-way.
- aa) "Major Industrial Waste Discharger" means any person discharging industrial wastes which total 5% or more of the hydraulic or organic capacity of the District's wastewater treatment facilities measured in gallons or pounds per day, respectively.
- bb) "MRWPCA" means the Monterey Regional Water Pollution Control Agency.
- cc) "Owner" means the person owning the fee or the person in whose name the legal title to the property appears, by the deed duly recorded in the County Recorder's office or the person in possession of the property or buildings under claim of, or exercising acts of ownership over same for himself, or an executor, administrator, guardian or trustee of the owner.
- dd) "Parcel" means a lot, tract, or plot of land with precise boundaries, shown and described in the County Assessor's records by book, page, and parcel number for assessment purposes, and under separate ownership.
- ee) "Permit" is any written authorization required pursuant to this or any other rules, regulation or ordinance of the District for the installation of any water or wastewater works.
- ff) "Person" means any individual, firm, company, partnership, or association, and any public or municipal corporation, district, or other political subdivision, governmental agency and mandatory thereof, including the State of California and the United States of America.
- gg) "Plumbing Fixture" means any approved type installed receptacle, device, or appliance which receives liquid or liquid borne wastes and discharges such liquid and wastes into the drainage system of a building which ends at the building drain.
- hh) "Public Fire Protection Service" means the service and facilities of the entire water supply, storage and distribution system of the District, including the fire hydrants affixed thereto, and the water available for fire protection, excepting house service connections and appurtenances thereto.
- ii) "Regular Water Service" means water service and facilities rendered for normal domestic, commercial and industrial purposes on a permanent basis, and the water available therefore.
- jj) "Senior Citizens Dwelling Unit" means a dwelling unit either attached or detached from a single-family residence permitted by zoning on a single parcel of land for separate occupancy.
- kk) "Street" is any public highway, road, street, avenue, alley way, easement or right-of-way.

- ll) "Temporary Water Service" means water service and facilities rendered for construction work and other uses of limited duration, and water available therefore.
- mm) "Wastewater" means any domestic wastes, or combinations thereof, and disposal of wastewater into the sanitary sewer system is hereby incorporated by reference including any future amendments made by the Agency to comply with State and/or Federal law. Said regulations shall be applicable to all discharges into the sanitary sewer system of District.
- nn) "Water Service Charge" means a charge imposed on property located within the District to pay for the cost of regular water service to be provided within the Community of San Jerardo and any other property served by the District well serving the Community of San Jerardo.
- oo) "Water Department" means the Board of Supervisors performing functions relating to the District water service, together with the Director of Public Works, and other duly authorized representatives.

### **SECTION 3. SEWER CONNECTION REQUIRED**

- a) Every parcel shall have a separate connection to the District sewer;
- b) Every building in which plumbing fixtures are installed shall have a connection to the District sewer.
- c) The rearrangement or subdivision into smaller parcels of a larger parcel which abuts and is served by a District sewer shall not dispense with the requirements of subsection (a).
- d) In every parcel, hereafter connected to the District sewer, all plumbing fixtures or parts thereof on such parcel shall be connected to said sewer.

#### **SECTION 4. CONNECTION PERMITS REQUIRED**

- a) It is unlawful for any person to construct, alter, or connect any building sewer to the District sewer without first receiving a Connection Permit to do so.
- b) A separate Connection Permit shall be obtained for each building sewer to be constructed, altered, or connected to the District sewer.

**SECTION 5. TO WHOM CONNECTION PERMITS MAY BE ISSUED**

- a) A Connection Permit may be issued to any person holding a valid license to construct, alter, or connect to District sewers any building sewers, under current contractor licensing laws of this State.
  
- b) A Connection Permit may be issued to any person owning and living in a single-family dwelling unit located on a single parcel of land to construct, alter, or connect to District sewers any building sewer for that dwelling unit only.

## **SECTION 6. ISSUANCE OF CONNECTION PERMITS**

- a) Any person legally entitled to apply for and receive a Connection Permit shall, in his application, describe the character of the work proposed to be done and the location, ownership, occupancy, and use of the parcel in connection therewith. The engineer may require plans, specifications, or drawings and such other information as he may deem necessary.
- b) No Connection Permit shall be issued until fees, prescribed elsewhere in this ordinance, have been paid.
- c) Connection Permits shall automatically become void if work is not commenced within 60 calendar days from date of issue and diligently and continuously pursued to completion. On written request and for good cause, the engineer may grant extension of starting time not to exceed 6 months.

## **SECTION 7. PERFORMANCE BONDS**

- a) The district may refuse to issue a permit of any type for work to be performed by any person who has, on a previous occasion, failed to comply with the provisions of this ordinance relating to construction or with all of the provisions of a previous permit, unless such person first files with it a satisfactory bond, payable to it, in a sum not to exceed the value of the work as determined by the District Engineer conditioned upon the proper completion of the proposed work in compliance with the applicable provisions of this ordinance and the permit to be issued .

## **SECTION 8. USE & OWNERSHIP OF BUILDING SEWERS**

- a) Any person to whom a Connection Permit has been issued for the construction, alteration, or connection to District sewers of a building sewer shall prohibit any flow of wastewater through such building sewers until written approval of the engineer to do so has been received.
- b) All building sewers, when installed, shall be the property of the owner of the parcel served thereby, and said owner shall be responsible for their proper maintenance and operation.

## **SECTION 9. LOCATION OF BUILDING SEWERS**

- a) Except as provided in subsection (b) of this section, no building sewer or parts thereof, shall be located in any parcel other than in the parcel which is the site of the building or structure served by such sewers.
  
- b) Nothing contained in this ordinance shall be construed to prohibit the use of a part of an abutting parcel to construct or connect District sewers, a building sewer, when proper cause and legal easement not in violation of other requirements has been first established to the satisfaction of the engineer. A copy of the recorded instrument establishing such easement (s) shall be filed with the engineer.

**SECTION 10. BUILDING SEWER AND DISTRICT SEWER CONSTRUCTION**  
**STANDARDS**

- a) All building sewers shall be constructed of vitrified clay, cast iron, asbestos cement, plastic, or other pipe as approved by the engineer.
- b) No building sewer shall be less than 3 inches in diameter between the property line and the building, in no case shall the building sewer be smaller than the building drain. No building sewer shall be less than 4 inches in diameter between the District sewer and the property line. Connections serving more than one dwelling, multiple family dwelling units, commercial, institutional and industrial users shall require a building sewer minimum 4 inches in diameter.
- c) Construction of building sewers shall proceed upstream from their point of connection with a District sewer, bell end forward.
- d) Building sewers shall be run in practical alignment and a uniform slope of not less than 1/4 of an inch per foot, provided that where this is impractical, due to the depth of the District sewer or to the structural features or to the arrangement of any building or structure, to obtain a slope of 1/4 of an inch per foot, piping 4 inches or larger may have a slope of not less than 1/8 of an inch per foot when approved by the engineer.
- e) Building sewers shall be laid on a firm bed throughout their entire length, and any such sewers laid on filled in ground shall be laid on a bed of imported sand and the fill shall be adequately compacted and supported to the satisfaction of the engineer.
- f) Building sewers shall not be installed under or within 2 feet of any building or structure or part thereof.
- g) Minimum cover over lateral sewers shall not be less than 30 inches unless it can be shown to the satisfaction of the engineer that a lesser depth will not unreasonably interfere with future uses to be made of the public rights-of-way within which such sewer construction is permitted.

## SECTION 10. (CONTINUED)

- h) Cleanouts shall be placed in every building sewer at its junction with the building drain and at intervals not to exceed 100 feet in straight runs.  
EXCEPTION: When a building sewer or a branch thereof does not exceed 10 feet in length and is a straight line projection from a building drain which is provided with a cleanout, no cleanout will be required at its point of connection to the building drain.
- i) Each aggregate change in alignment or grade exceeding one hundred thirty-five degrees (135) in a building sewer shall be served by a cleanout. The extension of building sewer cleanouts to grade is optional.
- j) Each cleanout shall be installed so that it opens in a direction opposite to the flow in the building sewer or at right angles thereto, and except in the case of “wye” branch and end-of-line cleanouts, vertically above the flow the pipe.
- k) For every building connected, or to be connected, to the District sewer wherein drainage from the lowest plumbing fixture is below the top surface elevation of the nearest downstream manhole structure on the District sewer, an engineer-approved overflow device or backwater valve shall be installed on the building sewer per the specifications of the manufacturer of such overflow device or backwater valve.
- l) No building sewer constructed, altered, or connected to a District sewer shall be covered until inspected and approved by the engineer.
- m) Prior to placement of native backfill material, imported sand shall be placed over and around building sewers to a depth of not less than 9 inches and compacted in place to a minimum density of 90 percent.
- n) Building sewers shall be connected to existing “wyes” or “tees” on District sewers. EXCEPTION: Where no “wye” or “tee” has been provided, connection shall be made as follows:
  - 1. For District sewers 8 inches in diameter or less, the District sewer shall be cut and a pipe section equal to the existing District sewer diameter and containing a 4-inch connection “wye” or “tee” shall be installed to the satisfaction of the engineer using caulder couplings or equal.
  - 2. A saddle connection may be allowed by the engineer on all District sewers greater in diameter than 8 inches.

## SECTION 10. (CONTINUED)

3. Building sewers required to be equal in size to the District sewer to which it is to connect shall install a standard manhole structure on the District sewer and the building sewer shall be connected thereto.
  
- o) Any person who wishes to construct sewer facilities for acceptance by the District shall, prior to construction, enter into an agreement with the District governing the standards for construction and acceptance. Such standards shall include, but not be limited to, the following:
  1. All new District manholes for acceptance by the District shall be accessible by an all weather roadway, as approved.
  2. Plans and specifications for new District sewers shall be constructed in accordance with manufacturer's recommendations for installation and construction.
  3. Minimum grade for all new District sewer mains for acceptance shall be one percent or as approved to give a mean velocity of not less than 2 feet per second when flowing full based on Manning's formulas using an appropriate "N" value.
  4. The minimum diameter for new District sewers for acceptance by the District shall be 6 inches.
  5. All new District sewer lines shall be installed on a straight alignment and grade between structures or as approved such that a light when viewed between manholes will be visible over one half of the pipe diameter for alignment and one quarter of the pipe diameter for grade.
  6. Testing new District sewer for acceptance by the District as follows: Pressure test all sewer lines with water or air at 5-psi for thirty minutes. Mandrel test all PVC sewer lines in accordance with ASTM standards for 4<sup>3</sup>/<sub>4</sub> deflection. Sewer line testing and inspection shall be completed before occupancy and after utilities are in place.
  7. No trees shall be permitted in District easements within 10-ft on each side of sewer lines. New or additional easements shall be dedicated for sewer purposes free of structures and improvements not including appurtenance to sewers.
  8. Upon completion all new improvements shall be deeded to the District for acceptance.

## **SECTION 11. ABANDONED BUILDING SEWERS**

- a. Within 10 days after notification, every abandoned building sewer shall be plugged or capped at the property or public right-of-way line as directed by and to the satisfaction of the engineer.
- b. Building sewers abandoned per subsection (a) of this section may be reused, provided a new Connection Permit has been issued to construct, alter, or connect a building sewer to a District sewer and the previously abandoned building sewer has been found by the engineer to be in satisfactory condition.
- c. If the abandoned building sewer is reused within 90 calendar days and the wastewater discharge volume and constituent levels will not exceed the original amounts, connection fees up to the original amount paid shall be waived.

## **SECTION 12. PROHIBITED WASTE**

- a) No person shall discharge or cause to be discharged any liquid, solid, or gaseous wastes to the District sewer which contain substances not specifically capable of being removed by the existing District wastewater treatment facilities, or which by themselves or in a combination with other substances would interfere with or be detrimental to said facilities. The engineer has determined that such substances include, but are not limited to:
1. Those having a pH lower than 6.0 units.
  2. Soluble oils
  3. Those having a temperature higher than 150 degrees F.
  4. Those exhibiting a high chlorine demand.
  5. Dissolved sulfides exceeding 0.1 milligrams/liter
  6. Biodegradable oil and fats exceeding 100 milligrams/liter.
  7. Those exhibiting intense coloring.
  8. Cyanide
  9. Chlorinated hydrocarbons
  10. Organic phosphorus compounds
  11. Heavy metals
  12. Boron
  13. Phenols
  14. Plastic resins
- b) Garbage in domestic wastes discharged to District sewers shall not exceed a particle size of 1/4 inch in any dimension.
- c) No industrial waste shall be discharged to the District sewers that does not readily pass through a 1/8 inch mesh screen
- d) No industrial condenser cooling water, storm water, or other unpolluted water shall be discharged to the District sewers.
- e) No flammable or explosive liquid, solid, or gas shall be discharged to the District sewers.
- f) No ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, or paunch manure shall be discharged to the District sewers.
- g) No septic tank sludge or chemical toilet liquids or solids shall be discharged to the District sewers. EXCEPTION: Where provided for, the discharge of holding tank wastes from recreational vehicles shall be permitted.
- h) Any toxic radioactive, or other wastes, if in the opinion of the District Engineer such wastes may have an adverse or harmful effect on sewers, maintenance personnel, wastewater treatment plant personnel or equipment, treatment plant effluent quality,

public or private property, or may otherwise endanger the public, the local environment or create a public nuisance. The District Engineer in the determining the acceptability of specific wastes, shall consider the nature of the waste and the adequacy and nature of the collection, treatment and disposal system available to accept the waste.

- i) The engineer may require the total daily wastewater flows from any discharge to the District sewers to be scheduled for release evenly over a 24-hour period of time, or any part thereof, to minimize its impact on any portion of the District facilities, including but not limited to sewers, pump and lift stations, and treatment plant. To effect complete control, the engineer may establish maximum wastewater flows to District sewers in gallons per minute.
- j) In all cases of dispute regarding the terms or meaning of this section, the decision of the engineer shall be final and binding.

### **SECTION 13. INDUSTRIAL WASTE DISCHARGE USE PERMITS REQUIRED**

- a) In addition to Connection Permits issued by the District for the construction, alteration, or connection to District sewers of building sewers, every person proposing to discharge through building sewers any industrial wastes to District sewers shall first apply for and receive an Industrial Waste Discharge Permit issued by the Monterey Regional Water Pollution Control Agency as required in Ordinance No. 92--02 as amended by Ordinance No. 93-03.
- b) Applications for Industrial Waste Discharge Permits under this section shall be made to the engineer in writing under the letterhead of the firm proposing to discharge such wastes and must be signed by an authorized officer or agent of that firm.
- c) Industrial Waste Discharge Permit application shall include a written detailed report by a licensed sanitary engineer concerning kinds of quantities of waste proposed to be discharged, including, but not limited to, flow volumes, biochemical oxygen demand, suspended solids, dissolved solids, pH, ether-soluble material, phenolic compounds, and chlorine demand. Additionally, the report shall state the methods proposed to limit or prohibit discharges to not exceed those listed under the prohibited wastes section of this ordinance.
- d) Persons to whom an Industrial Waste Discharge Permit is issued shall install and maintain in proper working order at all times at each point of industrial waste discharge to a building sewer, a sampling chamber, and a continuous flow recording and totalizing meter. Additionally, every major industrial waste discharger shall install in the sampling chamber and operate, per terms of their permit, an automatic 24-hour composite sampler.
- e) The industrial discharger shall permit engineer:
  - a. Entry upon premises in which an effluent source is located or in which any required records are kept;
  - b. Access to copy any records required to be kept under terms and conditions of this Order;
  - c. Inspection of monitoring equipment or records, and
  - d. Sampling of any discharge.
- f) Industrial Waste Discharge Permits shall be issued for a period of five years. However, the engineer may in his discretion, in doubtful cases, issue a temporary permit for a lesser period of time to test the effectiveness of the discharger's pretreatment, sampling, and metering devices.
- g) Industrial Waste Discharge Permits shall include the Standard Provisions shown as exhibit A attached to and included as part of this ordinance.

**SECTION 13. (CONTINUED)**

- h) No Industrial Waste Discharge Permit shall be issued until fees prescribed elsewhere in this ordinance have been paid.
  
- i) Existing connected industrial waste dischargers shall have, not to exceed, one calendar year from the effective date of this ordinance in which to have compliance with all of the provisions of this section.

## **SECTION 14. REIMBURSEMENT AGREEMENTS**

- a) Persons funding District sewer extensions to serve unsewered land areas may, by agreement with the District, recover a portion of the total costs for such extensions provided the Board determines that other unsewered areas are benefited.
- b) Assessment of the benefit of a District sewer extension to any area or parcel shall be made by the engineer.
- c) All costs for the study and preparation of a Reimbursement Agreement shall be borne by the proponent thereof.
- d) A request to the Board by any person for a study and possible preparation of a reimbursement agreement under this section, shall be in writing and be accompanied by a cash deposit in the amount of \$500.
  1. Costs exceeding the deposit shall be billed for and paid monthly.
  2. Where the total costs are less than the deposit, the surplus moneys shall be refunded.
- e) A formal request received and cancelled prior to any work start on the study and preparation of a reimbursement agreement shall be subject to payment of a minimum \$50 handling fee.
- f) No reimbursement agreement shall be finalized and approved by the Board until all costs for the study and agreement preparation have been paid.

## SECTION 15. ANNEXATIONS

- a) All proposed annexations to the District shall be initiated by the proponents thereof pursuant to the Cortese Local Government Reorganization Act of 1985 (Section 55000 et seq. of the California Government Code.)
- b) All expenses incurred by the District to complete the annexation shall be borne by the proponents thereof. These expenses include, but are not limited to, labor and fringe benefits, travel, overhead, and administration costs as approved by the District Engineer. Said expenses are in addition to the annexation fees required per subsection e) of this section.
- c) District expenses resulting from a request to the District by the annexation proponents for a study and for the preparation of documents necessary to initiate and/or complete their annexation proceedings per subsection a) of this section shall be accompanied by a cash deposit in the amount of \$500.
  - 1. Costs exceeding the deposit shall become due and payable on receipt of billing therefore. Annexations shall not be completed until such costs have been paid.
  - 2. Where the total costs are less than the deposit, the surplus moneys shall be refunded.
- d) A formal request received by the District and cancelled work prior to any work started on the study and preparation of annexation documents shall be subject to payment of a minimum of \$50 handling fee.
- e) The terms and conditions for any annexation to the District shall include the annexation fees prescribed elsewhere in this ordinance.
- f) All proposed annexations to the District shall be approved by the Monterey Regional Water Pollution Control Agency.

## **SECTION 16. SEWER SERVICE CHARGES**

- a) Any person owning parcels containing buildings or plumbing fixtures from which discharges are made to the District sewer, shall pay to the District a monthly service charge as set forth below Schedule of Rates.
- b) Notwithstanding anything to the contrary in this ordinance contained, the minimum monthly rate for any parcel connected or to be connected to the District sewer shall not be less than the monthly rate shown per dwelling unit for a Single Family Residence. For parcels having a connection, but for which a specific classification for sewer service charges has not been set forth in this Section, the Board shall set and charge such rate as in its sole discretion it deems applicable for the type of use being made of the parcel in relation to the uses already classified and the rate in this ordinance fixed for said classified uses.
- c) District shall collect, by means of a monthly billing, sewer service charges from every person owning a parcel or parcels containing buildings or plumbing fixtures from which discharges are made to the District sewer system. Any person owning parcels containing buildings or plumbing fixtures from which discharges are made to the District sewer shall pay to the District a monthly service charge. The monthly rate shall be as set forth below.
- d) All sewer service charges shall be billed in advance on a monthly, bimonthly or quarterly basis as determined by the Monterey County Public Works Director. The billing statement may be combined with statements for other services, and may be combined with billings for other utilities. All billings for sewer service charges shall be either (1) in the name of the owner of the property being served, as reflected on the last equalized assessment roll for the County of Monterey or as reflected in any deed or other satisfactory evidence of change of ownership, recorded with the County Recorder since the date of the last equalized assessment roll, upon presentation of such evidence to the Public Works Director for such purposes, or (2) if a billing service of some other utility is used, in the name of the respective customer-addressee of such other utility. In either event, the record owner of the property served shall be the party ultimately responsible for the payment of such sewer service charges.
- e) Any sewer service charges established and adopted by District which become delinquent pursuant to the terms of the ordinance establishing same, and all penalties or delinquent charges accrued thereon, shall be collected pursuant to Section 5473 and Section 5473a of the California Health and Safety Code, that is, on the County tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from the general taxes of the County. District shall prepare and file a written report, which shall contain a description of each parcel of real property the owner of which is responsible for payment of delinquent charges, and the amount of such delinquent charges accrued in accordance with this ordinance. District shall give notice and hold a hearing only as to such delinquencies.

**SECTION 16. (CONTINUED)**

- f) Industrial waste dischargers shall, in addition to the monthly rate for their domestic wastes as listed below, compute and pay to the District quarterly a sum of money equal to \$3,047.46 per million gallons of industrial wastes discharged during the preceding calendar quarter. Such payments are due and payable within 30 calendar days following the calendar quarter in which they are incurred. The calendar quarter shall commence on the first days of January, April, July, and October. If any quarterly payment is not made when it is due and payable, it shall become delinquent thereafter, and a penalty of 10 percent shall be attached to the total service charges then due.

**RATE SCHEDULE**

<b><u>USE</u></b>	<b><u>MONTHLY RATE</u></b>
Single-family residence, per dwelling unit	\$23.18
Multiple-family residence, per dwelling unit	\$18.54
Mobile home park residence (More than one)	
Single width trailers, per trailer (connected)	\$18.54
Double width trailers, per trailer (connected)	\$23.18
Travel trailers, per trailer (connected)	\$11.58
Day schools, per student ADA year preceding:	
Elementary grades K-6, including preschool & nursery & including secondary 7-12	\$0.93
Add for cafeteria	\$0.60
Churches, per seat	\$0.19
Food markets, per 1,000 sq. feet	\$9.27
General offices, shops, and store, per employee	\$1.86
Industrial discharges, domestic waste only, flat	\$23.18

**SECTION 17. OTHER FEES AND CHARGES**

**Zone 1**

- |   |                            |
|---|----------------------------|
| a) Connection Permit Fee (include lateral construction & connection inspection)<br>Commercial, institutional & industrial.<br>Per max. mg/yr to be discharged   | \$100.00<br><br>\$1,100.00 |
| b) Annexation Fee, per acre or fraction thereof   | \$2,000.00                 |
| Minimum Fee   | \$400.00                   |
| c) Copies of this ordinance, per copy   | \$5.00                     |
| d) A separate zone annexing to the District shall be limited in use by the terms of their annexation agreement and shall pay the total annexation fees prescribed by the agreement determined by the area or zone benefit.  |                            |
| e)  |                            |
| f) Monterey Regional Water Pollution Control Agency fees: Any person owning parcels containing buildings from which discharges of wastewater are made to the District sewer system shall pay the fee set by the Monterey Regional Water Pollution Control Agency and shall be collected by and paid to the Regional Agency. |                            |

## **SECTION 18. PENALTIES FOR ORDINANCE VIOLATIONS**

- a) Pursuant to Section 4766 of the California Health and Safety Code, a violation of any provision of this ordinance is a misdemeanor, punishable by a fine of not to exceed \$1,000, imprisonment not to exceed 30 days, or both.
- b) Each and every day during any portion of which any violation occurs shall constitute a separate offense.
- c) A violation of any provision of Ordinance No. 92-02 as amended by Ordinance No. 93-03 of the Monterey Regional Water Pollution Control Agency shall result in penalties in accordance with said ordinance in addition to a) above.

**SECTION 19. MRWPCA ORDINANCE NO. 92-02**

- a) Ordinance No. 92-02 as amended by Ordinance No. 93-03 of the Monterey Regional Water Pollution Control Agency (hereinafter Agency) establishing standards for the interception, treatment, and disposal of wastewater into the sanitary sewer system is hereby adopted by reference including any future amendments made by the Agency to comply with State and/or Federal law. Said regulations shall be applicable to all discharges into the sanitary sewer system of the Boronda County Sanitation District.

The Agency is hereby appointed and empowered to administer and enforce said regulations in accordance with the ordinance.

## **SECTION 20. USER FEE COLLECTION**

- a) The Boronda County Sanitation District, Monterey County, California, does hereby elect, pursuant to Section 5473 of the Health and Safety Code of the State of California, to have sewer service charges for each fiscal year, established pursuant to Ordinance thereof duly passed and adopted by the Board of Directors of the District and as provided for in the report described in Section 2 hereof, collected on the tax roll of the County of Monterey, State of California, in the same manner, by the same persons, and at the same time as, together with and not separately from, its general taxes.
  
- b) By order of the Board of Directors at the regular meeting place of said Board, a time and place shall be fixed for hearing on the sewer service charge report filed with the Secretary of this District, pursuant to law. The Secretary shall publish notice of said hearing and of the filing of said report, once a week for two (2) successive weeks prior to the date set for said hearing, in the Salinas Californian a newspaper of general circulation printed and published in Monterey County, there being no newspaper printed and published in the District.

**SECTION 21. REQUIREMENT FOR GREASE TRAP, GREASE INTERCEPTOR, OR  
OTHER DEVICE**

- a) A food service establishment or any other business discharging grease, oil or other similar material shall have an operable grease trap, grease interceptor or other comparable device(s) as determined by MRWPCA and the District Engineer to be an adequate substitute for a grease trap or grease interceptor. A properly sized interceptor or trap shall be considered first, in conformity with the sizing chart as determined by the MRWPCA. Should space limitations or other exceptional circumstances prevent their installation, MRWPCA may grant exceptions to the requirement of grease traps or grease interceptors in this section.
- b) All drains from food preparation and clean up areas including, but not limited to, pre-wash sinks, floor drains, food waste disposal units, pot and pan sinks, scullery sinks, and garbage can wash areas shall be connected to such trap or interceptor.
- c) Sizing Formula. The size of a grease trap or grease interceptor shall be as determined by the MRWPCA. Notwithstanding the foregoing, grease traps required by this Ordinance shall be no smaller than an 80-gallon capacity trap with a 75-gallon per minute flow rate.
- d) Existing grease traps, grease interceptors or similar devices.
  - 1. Any food service establishment or other business that, on or after December 1, 2003, installed grease traps, grease interceptors, or other grease pre-treatment equipment to comply with the requirements of the MRWPCA, shall not be required to upgrade such equipment until December 1, 2008, so long as such equipment remains in good working order. Should the grease trap, grease interceptor or other grease pre-treatment equipment become non-operational or fail to operate in good working order, a grease trap or grease interceptor meeting the standards set forth in this Ordinance shall be required to be installed.
  - 2. Notwithstanding the foregoing subsection (1), any food service establishment or other business that, on or after, December 1, 2003, installed grease traps, grease interceptors, or other grease pre-treatment equipment to comply with the requirements of the MRWPCA, shall upgrade such equipment to meet the standards set forth in this Ordinance upon the change of ownership of the business in which the equipment is located, or upon the remodeling of the business in which the equipment is located. Remodeling of the business not requiring a building permit shall be exempted from the upgrade requirement. The remodeling shall not be separated into phases for the purpose of avoiding the requirement of a building permit.

**SECTION 22. GENERAL REGULATIONS AND PROCEDURES RELATED TO  
GREASE TRAPS AND GREASE INTERCEPTORS**

- a) When waste treatment is required pursuant to this Ordinance, an approved grease trap or grease interceptor complying with the provision of this Ordinance shall be installed in the waste line leading from sinks, drains, and other fixtures or equipment.
- b) A plumbing permit shall be obtained from the District Engineer prior to the installation of a grease trap or grease interceptor.
- c) Each trap, interceptor, or comparable device required by this Ordinance shall have an approved volume not less than required by this Ordinance.
- d) Toilets, lavatories, and other sanitary fixtures shall not be connected to any grease trap, grease interceptor, or comparable device.
- e) Location of Grease Traps, and Grease Interceptors.
  - 1. They shall be located outside buildings, unless a finding is made by the District Engineer that the location of the building on the site or some other aspect of the use prevents an outside location and that placement within a building is not hazardous to public health and safety;
  - 2. They shall be located and maintained at all times so as to prevent the entrance of foreign materials, shall be easily accessible for cleaning, inspection and removal of intercepted grease, and shall pose no hazard to public health or safety;
  - 3. If they are not designed in accordance with Uniform Plumbing Code (UPC) Section 711 and/or Appendix H, they must be designed by a professional engineer, must be consistent with the standards of this Ordinance, and must be approved by MRWPCA.
- f) Related Equipment. They shall be fitted with a standard service access cover or manholes. If manholes are required, it shall be brought to grade and finished with standard manhole cover and ring.
- g) All discharging fixtures shall be individually trapped and vented in accordance with the UPC.
- h) They shall be constructed of durable materials and shall have a full-size gas-tight cover, which can easily be removed.
- i) They shall not be installed until the type and/or model has been subjected to, and has fully complied with, tests acceptable to the District Engineer. Where an existing grease trap or grease interceptor is found acceptable by the District Engineer, such equipment will be allowed to remain in use. Whenever a grease trap or grease interceptor does not

comply with the provisions of this Ordinance, the District Engineer shall require corrective measures.

- j) Prohibited and/or Restricted Equipment.
  - (1) The installation and use of garbage grinders (disposals) in commercial-food establishments is prohibited, except where a 1000 gallon-plus interceptor is in use;
  - (2) The connection of high-temperature/high-flow dishwashers to a grease trap is prohibited;
  - (3) The use of enzymes or bacterial cultures designed to disperse grease is prohibited unless specifically approved in writing by the Monterey County Health Department and the MRWPCA.
  
- k) After the effective date of this Ordinance, all establishments covered by this Ordinance shall install an approved grease trap or grease interceptor of sufficient size to prevent discharges into the sewer system.
  
- l) Maintenance.
  - (1) Traps and interceptors shall be maintained in efficient operating condition by periodic removal of the accumulated grease. No collected grease shall be introduced into any public or private drainage piping.
  - (2) Any grease trap or grease interceptor required by this Ordinance shall be readily accessible for inspection and properly maintained to assure that accumulations of grease or oil do not impair its efficiency or transport grease or oil into the sewer system.
  - (3) All food service establishments or businesses required under this Ordinance to install and maintain a grease trap or grease interceptor shall maintain a maintenance record for the grease trap or grease interceptor. This record shall include the date, the name of the person who performed the cleaning, and the disposal site of the waste. The record shall be posted in a conspicuous location and be available for review by the District's inspector at each routine inspection and at such other time as necessary for the District to determine whether a particular establishment may be performing maintenance contrary to the provisions of this Ordinance.
  - (4) The District or its designee shall perform grease trap and grease interceptor inspections semi-annually or more often at the discretion of the District should maintenance reports not be posted or should a grease trap or grease interceptor fail to operate properly.
  - (5) In the event the District determines that a food service establishment or business required to install and maintain a grease trap either fails to maintain the maintenance record required by this section, or fails to maintain the grease trap as required by this section, the District may require the immediate installation of a grease interceptor.
  
- m) Suspension or Termination of Health Permit. The District shall have the discretion to request the Monterey County Health Department (District's health officer) to terminate or cause to be terminated the health permit of any user if a violation of any provision of this Ordinance is found to cause a condition of contamination, pollution, nuisance, or other threat to public health or safety.

**SECTION 22. (CONTINUED)**

- n) Request for Ruling. If an applicant for a permit or the owner of a grease trap or grease interceptor disputes the interpretation or application of this Ordinance, he/she may request a written ruling by the District Engineer. The decision of the District Engineer shall be final for all purposes.

## SECTION 23. BILLING

- a) Revenues derived from service charges imposed pursuant to this division shall be used only to pay for the cost of regular water service.
- b) The regular billing period will be monthly. This Section shall not preclude the establishment of an annual charge and/or the collection of delinquent or unpaid charges pursuant to Chapter 2 of Part 7 of Division 12 of the Water Code of the State of California (commencing with Section 31700). Flat rate services may be billed in advance. Billing shall be made to the Owner of the premises and the responsibility and liability for payment shall lie with the Owner of the premises.
- c) Where applicable, meters will be read as nearly as possible on the same day of each billing period.
- d) If the total period for which service is rendered is less than one month, the bill shall not be less than the monthly minimum charge applicable. Closing bills may be estimated by the District for the final period as an expediency to permit the Applicant to pay the closing bill at the time service is discontinued.
- e) Water Service Charges are due and payable by the 20th day of each month of the bill for services rendered in the previous month. Service may be discontinued without further notice if payment is not made by the delinquent date. Failure to receive a bill does not relieve the consumer of liability.
- f) Separate bills will be rendered for each regular water service.
- g) The water charge begins when a service connection is installed and, where applicable, the meter is set, unless the water is ordered to be left shut off when the service connection is ordered to be installed.
- h) Rates and charges, which are not paid on or before the day of delinquency, shall be subject to a penalty at the rate of ten percent (10%) per annum.
- i) All unpaid rates and charges and penalties herein provided may be collected by suit.
- j) The prevailing party in any action taken to enforce collection of rates and charges hereunder shall be entitled to recover its costs of suit as determined by the Court.
- k) Service may be discontinued for nonpayment of bills on or after the fifteenth day following the date of Post Office cancellation.
- l) Failure to receive bill does not relieve customer of liability. Any amount due shall be deemed a debt to District, and any person, firm, or corporation failing, neglecting, or refusing to pay said indebtedness shall be liable to an action in the name of District in any court of competent jurisdiction for the amount thereof.

### **SECTION 23. (CONTINUED)**

- m) A reconnection charge as established in this Ordinance will be made and collected prior to renewing service following discontinuance. This charge shall reimburse District for the cost of disconnection and reconnection.
- n) Water service may be refused or discontinued to any premises where, in the sole discretion of District, apparatus or appliances are in use which might endanger or disturb the service to other customers.
- o) Water service may be refused or discontinued to any premises where there exists a cross connection in violation of State or Federal laws.
- p) Service may be discontinued if necessary to protect District against fraud or abuse.
- q) Noncompliance with Regulations. Service may be discontinued for noncompliance with this or any other Ordinance or regulation relating to the water service.
- r) Applicants desiring to discontinue service shall so notify District, two (2) days prior to vacating the premises. Unless discontinuance of service is ordered, the Applicant shall be liable for charges whether or not any water is used.
- s) The minimum monthly charge per connection for residential users (5/8 x 3/4 inch and 3/4 inch service) is \$72 for 2010. Minimum water service charge rates shall be escalated annually based on the Engineering News Record Cost of Construction Index (ENRCCI) for the San Francisco Bay Area.
- t) In addition to the minimum monthly charge per connection there shall be a quantity water service charge for each connection to the water system. This quantity charge is \$2.34 per 100 cubic feet of water metered per month for 2010. The quantity charge rate shall be escalated annually based on the ENRCCI for the San Francisco Bay Area.
- u) Any water service charges established and adopted by District which become delinquent pursuant to the terms of the ordinance establishing same, and all penalties or delinquent charges accrued thereon, shall be collected pursuant to Section 5473 and Section 5473a of the California Health and Safety Code, that is, on the County tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from the general taxes of the County. District shall prepare and file a written report, which shall contain a description of each parcel of real property the owner of which is responsible for payment of delinquent charges accrued in accordance with this ordinance. District shall give notice and hold a hearing only as to such delinquencies.

SECTION 4: Section 24 of Ordinance No. 1 is amended to read as follows:

**SECTION 24. SYSTEM FACILITIES**

- a) District will furnish a system, plant, and works, used for and useful in obtaining, conserving, and disposing of water for public and private uses. Such furnishing shall include all parts of said system, all appurtenances to it, and lands, easements, rights in land, water rights, contract rights, franchises, and other water supply, storage and distribution facilities, all equipment.
- b) All Applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection. Applicants shall hold District harmless for any damages arising out of low pressure or high-pressure water service conditions, or from any interruptions in service.
- c) The Board shall not accept any responsibility for the maintenance of pressure and it reserves the right to discontinue service while making emergency repairs, etc. Consumers dependent upon a continuous supply should provide emergency storage.
- d) No one except an employee, agent, or representative of the Board shall, at any time in any manner, operate the curb cocks or valves, main cocks, gates, or valves of the District water system, or interfere with meters or their connections, street mains, or other parts of the water system.
- e) For the failure of the customer to comply with all or any part of this Ordinance, and any Ordinance, resolution or order fixing rates and charges of District, the customer's service shall be discontinued and water shall not be supplied such customer until he/she/it shall have complied with the rule, regulation, or rate charge which he has violated; or in the event that he/she/it cannot comply with said rule, regulation, until he/she/it shall have satisfied District that in the future he/she/it will then comply with all the rules and regulations established by Ordinance of District and with all rates and charges of District. In addition thereto, he/she/it shall pay District an amount as set forth in this Ordinance.
- f) All decisions of the Board shall be final. All decisions of the Director of Public Works shall be final unless appealed in writing to the Board and filed with the Clerk of the Board within ten (10) days after written notice of the decision by the Director of Public Works has been mailed to the customer. When appealed, the Board's decisions on the appeal shall be final.
- g) When any person, by reason of special circumstances, is of the opinion that any provision of this Ordinance is unjust or inequitable as applied to his/her/its premises, he/she/it may make written application to the Director of Public Works, stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his/her/its premises. The Director of Public

Works shall make his decision within sixty (60) days. The decision of the Director of Public Works, or his failure to decide within the time permitted, may be appealed to the

Board as set forth in Section 2-10 of this Ordinance. If such application is approved, the Director of Public Works may, by written order, or the Board may, by resolution, suspend or modify the provision complained of, as applied to such premises. Such suspension or modification shall be effective as of the date of the application and continue during the period of the special circumstances.

- h) The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and Ordinance should be suspended or modified as applied to a particular premise, and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof.

SECTION 5: Section 25 of Ordinance No. 1 is amended to read as follows:

**SECTION 25. PROVISION OF WATER SERVICE BY DISTRICT**

- a) The Board shall employ an Engineer, or such other person as may be designated by the Board, or by the Monterey County Director of Public Works, to perform the duties of inspecting the installation, connection, maintenance, and use of all water facilities in the District, to be known as the District Inspector. The District Inspector shall receive as compensation for services for making inspections required to be made by the Ordinances, orders, and regulations from time-to-time enacted and ordered by said Board, a sum to be fixed by the Board. The District Inspector shall serve at the pleasure of the Board.
- b) The Monterey County Director of Public Works shall have full charge and control of the maintenance, operation, and construction of the water works and system. The Director shall prescribe the duties of employees and assistants. The Director shall have charge of all employees and assistants. The Director shall perform such other duties as are imposed from time-to-time by the Board, and shall report to the Board in accordance with the rules and regulations adopted by the Board. The Monterey County Director of Public Works shall designate an employee of the Department of Public Works who shall regularly inspect all physical facilities related to the District water system, to see that they are in good repair and proper working order, and to note violations of any water regulations.
- c) The District Inspector shall promptly report any violation or disrepair to the Monterey County Director of Public Works. If the work required is in the nature of an emergency, the Director shall take whatever steps are necessary to maintain service to customers pending action by the Board.
- d) The Engineer or Inspector shall supervise all repairs or construction work authorized by the Board, and perform any other duties prescribed elsewhere in this Ordinance or which shall be hereafter prescribed by the Board.
- e) The Monterey County Department of Public Works, or an agent hired by the Board, shall have charge of the billing for collecting the charges herein provided. The Monterey County Department of Public Works, or its authorized agent, shall compute, prepare, and mail bills as hereinafter prescribed; make and deposit collections; maintain proper books of account; collect; account for; and refund deposits; do whatever else is necessary or directed by the District Auditor to set up and maintain an efficient and economical bookkeeping system; and perform any other duties now or hereafter prescribed by the Board.
- f) District personnel or an additional employee or employees may perform the foregoing duties of Engineer and Inspector.
- g) The Director of Public Works, Engineer, and Inspector, shall receive such compensation as is prescribed by the Board.

SECTION 6: Section 26 of Ordinance No. 1 is amended to read as follows:

**SECTION 26. NOTICES**

- a) Notice to Customers. Notices from District to a water customer will normally be given in writing, and either delivered or mailed to the customer at the customer's last known address which the customer has furnished District in writing. Where conditions warrant, and in emergencies, District may resort to notification either by telephone or messenger.
  
- b) Notices from Customers. Notice from the customer to District may be given by the customer or an authorized representative in writing, (1) at the District operating office, (2) to the Engineer of District, or (3) to an officer or agent duly authorized by the Board to receive notices or complaints.

SECTION 7: Section 27 of Ordinance No. 1 is amended to read as follows:

**SECTION 27. STANDARD SPECIFICATIONS**

- a) Design and Construction Standards. Minimum standards for the design and construction of water facilities within District shall be in accordance with the provisions of the Ordinances, rules and applicable regulations, and with the STANDARD SPECIFICATIONS heretofore or hereafter adopted by District, copies of which are on file in the District office. The District Board, Director, or Engineer may permit modifications or may require higher standards where unusual conditions are encountered.
- b) Two complete sets of "as-built" drawings showing the actual location of all mains, valves, fire hydrants, house services, meters, and appurtenances shall be filed with the District before final acceptance of the work.

SECTION 8: Section 28 of Ordinance No. 1 is amended to read as follows:

**SECTION 28. APPLICATION FOR REGULAR WATER SERVICE – WHERE NO MAIN EXTENSION REQUIRED**

- a) Applications for regular water service, where no main extension is required, shall be made upon a connection permit form provided by District.
- b) Such application shall signify the Applicant's willingness and intention to comply with this and other Ordinances or regulations relating to the regular water service and to make payment for water service required.
- c) An application shall not be honored unless payment in full has been made for water service previously rendered to the Applicant by District. District may provide water service where a tenant, acting in good faith, requests water service for a residence occupied by the tenant, where payment in full has not been made for services provided to a previous tenant, or to the property Owner. Such provision of water service shall not be construed as alleviating the responsibility of the property Owner to pay for services previously rendered for which payment has not been made. In cases of continued non-payment, District reserves the authority to discontinue water service to a property, even when such service is requested by a tenant who occupies property for which payment has not been received exclusively for service to a previous tenant or to the property Owner.
- d) Regular water services will be installed of the size and in the location determined by District. Service installations will be made only to property abutting on public streets or abutting on such distribution mains as may be constructed in alleys or easements, at the convenience of District. Services installed in new subdivisions, prior to the construction of streets or in advance of street improvement, must be accepted by the Applicant in the installed location.
- e) Water service connections will be installed in accordance with the applicable provisions of Section 28.
- f) The San Jerardo water system has experienced severe problems related to the adequacy of system facilities and the quality of water provided by the system. These inadequacies include pumping system failures, fire hydrants in need of replacement, and nitrate intrusion into the water supply. Other system deficiencies may arise after the adoption of this Ordinance that will need to be addressed. As a result of these problems, upgrades and improvements are needed to allow District to continue to provide safe, potable water that is also adequate in volume for fire protection services to the Community of San Jerardo. To reimburse District for the costs of these upgrades and improvements, a permit shall not be issued unless payment in full has been made for a connection fee. This connection fee shall include funds needed to address the necessary costs of upgrading the water system. The connection fee, along with appropriate inspection charges, shall be established in this Ordinance.

**SECTION 28. (CONTINUED)**

- g) The connection fees collected shall be applied toward one or more of the following purposes: 1) the payment or retirement of any debt incurred after July 1, 2009, for the improvement of the San Jerardo water system; 2) directly for needed improvements to the San Jerardo water system; 3) to increase the reserves of District for later use in improving the physical facilities of the San J erardo water system.
- h) Inspection charges shall be collected for the purpose of reimbursing District for the costs of inspecting hook-ups to the San Jerardo water system, and for any administrative costs associated with the issuance of a permit or the inspection of connections.
- i) The Applicant's Contractor is required to possess a valid, current "Class A" Contractor's License for installation of meter boxes, water meters, water service pipes, backflow preventors, and any fittings necessary to connect the new water service lateral to the existing water main. Proof of a valid "Class A" Contractor's License shall be provided upon request.

SECTION 9: Section 29 of Ordinance No. 1 is amended to read as follows:

**SECTION 29. APPLICATION FOR REGULAR WATER SERVICE – WHEN  
MAIN EXTENSION REQUIRED**

a) The following rules are established for main extensions:

1. Upon receipt of any connection permit for water service, or request for a connection permit form, the Monterey County Director of Public Works, or his designee, shall determine whether in his judgment a main extension is necessary to provide service. A main extension shall be installed in the manner provided in this article whenever, in the judgment of District and the Board, such main extension is necessary to provide regular water service to property described in such application or request.
2. Any Owner of one or more lots or parcels, or subdivider of a tract of land desiring regular water service to serve such property where, in the opinion of the Monterey County Director of Public Works, one or more main extensions are required, shall make a written application therefore to District. Said application shall contain the legal description of the property to be served and tract number thereof, and any additional information which may be required by District, and be accompanied by a map showing the location of the proposed connections. District will verify that the parcel is in District boundary service area.
3. Upon receipt of the application, the Monterey County Director of Public Works shall make an investigation of the proposed extension and the estimated cost thereof, and reject, amend, or approve the application.
4. The decision of the Monterey County Director of Public Works may be appealed to the Board by letter to District in which an appeal to the Board is specifically requested. Pursuant to Section 24, such written appeal shall be made within ten (10) days.
5. All extensions thus provided for, in accordance with these regulations, shall be and remain the properties of District.
6. No dead-end lines shall be permitted except as recommended by the Monterey County Director of Public Works and approved by the Board. In cases where, subsequent to the approval of a dead-end line by the Board, another dead-end line is planned in sufficient proximity to make connection feasible, and such connection is recommended by the Monterey County Director of Public Works and approved by the Board, the dead-end lines shall be connected. In cases where circulation lines are necessary, they shall be designed and installed by the Monterey County Public Works Director as a part of the cost of the extension.

**SECTION 29. (CONTINUED)**

7. All main extensions shall extend to the far property line of developed property. If additional property is developed on the same lot after installation of a main extension, the main extension shall be extended to the far property line of the additionally developed property. All main extensions shall be subject to design approval by the Monterey County Director of Public Works and the Board.
- b) District will provide the main extensions upon application for service at cost of Applicant.
- c) The estimated cost is to be determined by District.
- d) The estimated cost shall be deposited with District prior to construction. If the amount of the advance deposit exceeds the actual cost of engineering, legal, inspection, and other charges attributable to the extension, the balance shall be refunded to the property Owner. If the amount of the deposit is insufficient to pay all the costs of engineering, legal, inspection, and other charges attributable to the extension, the property Owner shall pay all such costs to District prior to the acceptance of the extension by District.
- e) Service Connections. Service connections will be installed in accordance with applicable provisions of Section 28.

SECTION 10: Section 30 of Ordinance No. 1 is amended to read as follows:

**SECTION 30. SUBDIVISIONS**

- a) A person desiring to provide a water system within a tract of land, which he proposes to subdivide, shall make written application therefore.
- b) The application shall state the number of the tract, the name of the subdivision, and its location. It shall be accompanied by a copy of the Tentative Map and the plans, profiles, and specifications for the street work, water facilities, and sanitary and storm sewer work therein.
- c) Upon receiving the application, the Monterey County Director of Public Works or designee shall make an investigation and survey of the proposed subdivision and shall report his/her findings to District. His/her report shall include a recommendation as to the facilities required; and, the estimated costs of the proposed water system, if the Applicant wishes District to perform the work. To assist the Monterey County Director of Public Works in making said investigation and report, the Board, at the expense of the Applicant, may engage the services of a consulting engineer. The size, type, and quality of materials shall be in accordance with District Water Distribution System Standards and Specifications in effect at the time of application.
- d) A person/entity desiring to provide a water system within a tract of land which he/she/it proposes to subdivide shall advance to District the estimated cost of the plans and specifications, if prepared by District; or, the estimated plan review fee of District Engineer, if done by the Applicant. Plans and specifications will be prepared by and under the supervision of the District Engineer, if District performs the work, or by a qualified civil engineer if prepared by the Applicant.
- e) Adjustments of any substantial difference between the estimated and actual cost of the preparation of plans and specifications or review shall be made at or before the final preparation of plans and specifications. Any excess shall be refunded to the sub-divider or the sub-divider will pay any shortage to District.
- f) The size, type, and quality of materials and location of the lines shall be specified by District. The actual construction will be done by District or by a Contractor acceptable to it and supervised and inspected by the Monterey County Director of Public Works at the expense of the Applicant.
- g) Sub-dividers will be required to perform the work or to advance to District, 112 percent of the estimated cost of the labor and materials necessary to install the main lines, valves, service connections, and fire hydrants within the subdivision, if District performs the work. Fire hydrants shall be located as specified by the fire district having jurisdiction.
- h) Adjustments of any substantial difference between the estimated and actual number of feet of line installed shall be made at or before the completion of the installation, and any

excess shall be refunded to the sub-divider or any shortage will be paid by him to District.

- i) All facilities shall be the property of District and shall be conveyed to District by a proper instrument, in writing, at the time the facilities are completed and before they are accepted by District.
- j) The sub-divider shall, at his cost, provide and install the service connection to each house or proposed house in the tract, including the pipeline, curb stop, a meter box, and the meter. A deposit will be required. The minimum service connection line shall be one inch, or as approved or required by District.
- k) If a meter is required at the time of application for water service by the purchaser of a house in the tract, the Applicant shall pay District cost plus IO percent to cover the cost of installation of a 3/4-inch meter. For larger meters, the Applicant shall pay an amount to be estimated and fixed by the Monterey County Director of Public Works.
- l) All costs and expenses incurred by District under this article, including the cost of investigation, inspection, legal, and consulting engineer's services, shall be paid to District by the sub-divider prior to approval of the application.
- m) In granting an application, the Board may make whatever further requirements, or establish such conditions, as may appear to it to be necessary or desirable.

SECTION 11: Section 31 of Ordinance No. 1 is amended to read as follows:

**SECTION 31. GENERAL USE REGULATIONS**

- a) The Applicant may apply for as many services as may be reasonably required for his premises provided that the pipe line system from each service be independent of the others and that they not be interconnected. The cost of all services shall be borne by the Applicant.
- b) Each house or structure for which the application for water service is hereafter made shall have a separate service connection, including a separate meter.
- c) No Applicant/Owner shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on an Applicant's/Owner's premises, District may discontinue the service if such conditions are not corrected within five (5) days after giving the Applicant written notice. Repeated violations, even if corrected upon receipt of notice, may result in termination of service. Service will thereafter only be restored if the Applicant agrees to a contract for service permitting District to discontinue service with only 24-hour written notice.
- d) All facilities installed by District on private property for the purpose of rendering water service shall remain the property of District and may be maintained, repaired, or replaced by District without consent or interference of the Owner or occupant of the property. The property Owner shall use reasonable care in the protection of the facilities. No payment shall be made for placing or maintaining said facilities on private property. No person shall place or permit the placement of any object in a manner that will interfere with the free access to a meter box or will interfere with the reading of a meter.
- e) Applicants making any material changes in the size, character, or extent of the equipment or operations utilizing water service, or whose change in operations results in a 10 percent or greater increase in the use of water, shall immediately give District written notice of the nature of the change and, if necessary, amend their application. Applicants making any additional connections within their property shall immediately give District written notice of such additional connections regardless of the percentage increase in usage such new connection would create.
- f) The Applicant shall be liable for any damage to District-owned water service facilities when such damage is from causes originating on the premises by an act of the Applicant or his tenants, agents, employees, Contractors, licensees, or permittees, including the breaking or destruction of locks by the Applicant or others on or near a service connection, and any damage that may result from hot water or steam from a boiler or heater on the Applicant's premises. The customer shall reimburse District for any such damage promptly on presentation of a bill.
- g) All persons are forbidden to attach any ground wire or wires to any plumbing which is or may be connected to a service connection or main belonging to District unless such

plumbing is adequately connected to an effective driven ground installation on the premises. District will hold the customer liable for any damage to its property occasioned by such ground wire attachments.

- h) The Owner shall provide a valve on his side of the service installation as close as is practicable to the meter location, street, highway, alley, or easement in which the water main serving the Owner's premises is located, to control the flow of water to the piping on said property. The Owner and/or Applicant, if other than the Owner, shall not use the service curb stop to turn water off and on for his convenience.
- i) The customer must comply with the State and Federal laws governing the separation of dual water systems or installation of backflow protective devices to protect the public water supply from the danger of cross connections. Backflow protective devices must be installed as near the service as possible and shall be open to test and inspection by District. Plans for installation of backflow protective devices must be approved by District prior to installation.
- j) In special circumstances, when the Applicant is engaged in the handling of especially dangerous or corrosive liquids or industrial or process waters, District may require the customer to eliminate certain plumbing or piping connections as an additional precaution and as a protection of the backflow preventive devices.
- k) As a protection to the Applicant's plumbing system, a suitable pressure relief valve must be installed and maintained by him, at his expense, when check valves or other protective devices are used. The relief valve shall be installed between the check valves and the water heater.
- l) Whenever backflow protection has been found necessary on a water supply line entering an Applicant's premises, then, in the sole direction of District, any and all water supply lines from District's mains entering such premises, buildings, or structures shall be protected by an approved backflow device, regardless of the use of the additional water supply lines.  
Generally, fire protection systems of Classes 1 and 2 will not be required to install backflow protection at the service connection. Pumper connections of fire department automotive equipment to street hydrants are not ordinarily health hazards requiring backflow protection.

The double check valve or other approved backflow protection devices may be inspected and tested periodically for watertightness by District. The devices shall be serviced, overhauled, or replaced whenever they are found defective, and all costs of repair, replacement, and maintenance shall be borne by the Applicant.

The service of water to any premises may be immediately discontinued by District if any defect is found in the check valve installation or other protective devices, or if it is found that dangerous unprotected cross connections exist. Service will not be restored until such defects are corrected.

**SECTION 31. (CONTINUED)**

- m) District shall not be liable for damage that may result from an interruption in service. Temporary shutdowns may be made by District to make improvements and repairs. Whenever possible and as time permits, all Applicants affected will be notified prior to making such shutdowns. District will not be liable for interruption, shortage or insufficiency of supply, or for any loss or damage occasioned thereby.
  
- n) Representatives from District shall have the right of ingress and egress to the Applicant's premises at reasonable hours for any purpose reasonably connected with the furnishing of water service.

SECTION 12: Section 32 of Ordinance No. 1 is amended to read as follows:

**SECTION 32. SERVICE CONNECTIONS**

- a) All services, except those used exclusively for single-unit residential purposes, shall in the sole discretion of District, be metered at the convenience of District. A sum of money as set forth herein shall be deposited with District prior to installation of the meter facilities, when required, to pay all of the cost of said installation. The service connection, whether located on public or private property, is the property of District, unless specifically otherwise provided, and District reserves the right to repair, replace, and maintain it, as well as to remove it upon discontinuance of service.
- b) The Applicant's Contractor shall furnish all labor, materials, and equipment to install water service laterals of the sizes shown on plans or drawings submitted by the Applicant to and approved by District and at the locations as selected by the Engineer in the field. The work includes, but is not limited to, excavation, backfill, curb stops, and service taps. A "Class A" Contractor's License is not required for this work.
- c) District will furnish and install a service of such size and at such location as the Applicant requests, provided such requests, in the sole discretion of District, are reasonable. The service will be installed from its water distribution main to the curb line or property line of the premises that may abut on the street, on other thoroughfares, or on District right-of-way of easement. Charges for new services will be the actual cost of installation plus 10 percent.

In addition to the charge for facilities, a connection fee representing the capital investment in supply and distribution facilities will be charged as established in this Ordinance.

Only duly authorized employees or agents of District will be permitted to install a service connection from the District main to the customer's premises.

- d) Meters, when required, shall be installed at the curb or within the easement, and shall be owned by District and installed and removed at its expense after payment of the charges established therefore. No rent or other charge will be paid by District for a meter or other facilities, including house and connections, located on an Applicant's premises. All meters will be sealed by District at the time of installation, and no seal shall be altered or broken except by one of its authorized employees.
- e) Meters moved for the convenience of the customer will be relocated at the Applicant's expense. Meters moved to protect District property will be moved at its expense.
- f) District reserves the right to determine the size of service connections and their locations with respect to the boundaries of the premises to be served. The laying of Applicant's pipeline to the curb should not be done until the Monterey County Director of Public Works has approved the location of the service connection.

**SECTION 32. (CONTINUED)**

- g) Every service connection installed by District shall be equipped with a curb stop cock or wheel valve on the inlet side of the meter. Such valve or curb stopcock is intended for the exclusive use of District in controlling the water supply through the service connection pipe. If the curb stop cock or wheel valve is damaged by the Applicant's use to an extent requiring replacement, such replacement shall be at the Applicant's expense.
- h) All meters will be tested prior to installation and no meter will be installed which registers more than two percent (2%) fast. If an Applicant desires to have the meter serving his premises tested, he shall first deposit an amount as established in this Ordinance. If the meter registers more than two percent (2%) fast, the deposit will be refunded; but if the meter registers less than two percent (2%) fast, the deposit will be retained by District.
- i) If a meter, tested at the request of an Applicant pursuant to Section 32 (h), is found to be more than two percent (2%) fast, the excess charges for the time service was rendered to the Applicant requesting the test, or for a period of six months, whichever shall be the lesser, shall be refunded to the Applicant.
- j) If a meter, tested at the request of an Applicant pursuant to Section 32 (h), is found to be more than twenty-five percent (25%) slow in the case of domestic services, or more than five percent (5%) slow for other than domestic services, District may bill the Applicant for the amount of the undercharge based upon corrected meter readings for the period, not exceeding six (6) months, that the meter was in use.
- k) If a meter is found to be not registering, the charges for service shall be at the minimum monthly rate or based on the estimated consumption, whichever is greater. Such estimates shall be made from a previous consumption for a comparable period or by such other method as is determined by District, and its decision shall be final.

SECTION 13: Section 33 of Ordinance No. 1 is amended to read as follows:

**SECTION 33. PUBLIC FIRE PROTECTION**

- a) Fire hydrants are for use by District or by organized fire protection agencies providing fire protection services to the District area. Other parties desiring to use fire hydrants, for any purpose, must first obtain written permission from District prior to use and shall operate the hydrant in accordance with instructions issued by District. Unauthorized use of hydrants will be prosecuted according to law.
- b) When a fire hydrant has been installed in the location specified by the proper authority, District has fulfilled its obligation. If a property Owner or other party desires a change in the size, type, or location of the hydrant, he shall bear all costs of such changes, without refund. The proper authority, such as the fire district having jurisdiction must approve any change in the location of a fire hydrant.

SECTION 14: Section 34 of Ordinance No. 1 is amended to read as follows:

**SECTION 34. PRIVATE FIRE PROTECTION SERVICE**

- a) The Applicant for private fire protection service shall pay the total actual cost of installation of the service from the distribution main to the customer's premises including the cost of a detector check meter or other suitable and equivalent device, valve, and meter box; said installation to become the property of District. District may agree to install the connection and meter at cost plus ten percent (10%).
- b) There shall be no connections between this fire protection system and any other water distribution system on the premises.
- c) There shall be no water used through the fire protection service except to extinguish fires and for testing the fire-fighting equipment.
- d) Any consumption recorded on the meter will be charged for at double the regular service rates except that no charge will be made for water used to extinguish accidental fires where such fires have been reported to the duly-authorized fire protection agency.
- e) The monthly rates for private fire protection shall be established in District Schedule of Rates as contained in this Ordinance.
- f) Occasionally, water may be obtained from a private fire service for filling a tank connected with the fire service, but only if written permission is secured from District, in advance, and an approved means of measurement is available. The regular water rates will be applied.
- g) If water is used from a private fire service in violation of the agreement or of these regulations, District may, at its option, discontinue and remove the service.
- h) District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and merely agrees to furnish such quantities and pressure as are available in its general distribution system. The service is subject to shutdowns and variations required by the operation of the system.
- i) The following rules shall apply to fire service connections:
  - 1. Valve. When a fire service connection is installed, the valve governing same will be closed and sealed and remain so until a written order is received from the Owner of the premises to have the water turned on.
  - 2. Meter. If District does not require a meter, and if water is used through a fire service connection for any other purpose than extinguishing of fires, it shall have the

right to place a meter on the fire service connection at the Owner's expense, or shut off the entire water supply to such premises.

3. Additional Service. District shall have the right to take a domestic, commercial, or industrial service connection from the fire service connection at the curb to supply the same premises as those to which the fire service connection belongs. District shall also have the right to determine the proportion of the installation costs properly chargeable to each service connection, if such segregation of costs shall become necessary.

4. Check Valve. District reserves the right to install on all fire service connections a check valve of a type approved by the National Board of Fire Underwriters, and to equip the same with a bypass meter at the expense of the property Owner. Generally, fire protection systems of Classes 1 and 2 will not be required to install backflow protection at the service connection. Pumper connections of fire department automotive equipment to street hydrants are not ordinarily health hazards requiring backflow protection.

SECTION 15: Section 35 of Ordinance No. 1 is amended to read as follows:

**SECTION 35. TEMPORARY SERVICE**

- a) Temporary service connections shall be disconnected and terminated within six (6) months after installation unless an extension of time is granted in writing by District.
- b) The Applicant shall deposit, in advance, the estimated cost of installing and removing the facilities required to furnish said service, exclusive of the cost of salvageable material. Upon discontinuance of service, the actual cost shall be determined and an adjustment made as an additional charge, refund, or credit. If service is supplied through a fire hydrant/hydrant meter supplied by District, the Applicant shall deposit, in advance, an amount as contained in this Ordinance to ensure the value of the meter and water usage and will be charged in accordance with the rate schedule as contained in this Ordinance for temporary connections.
- c) The rates for temporary service shall be as contained in the Ordinance.
- d) All facilities for temporary service to the customer connection shall be made by District and shall be operated in accordance with its instructions.
- e) The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of District that are involved in furnishing the temporary service from the time they are installed until they are removed, or until 48-hour notice, in writing, has been given to District that the Contractor or other person is through with the meter or meters and the installation. If the meter or other facilities are damaged, the customer shall pay the cost of making repairs or replacement.
- f) If temporary service is supplied through a fire hydrant, a permit for use of the hydrant shall be obtained from the proper authority and District. It is specifically prohibited to operate the valve of any fire hydrant other than by the use of a spanner wrench designed for this purpose.
- g) Tampering with any fire hydrant for the unauthorized use of water there from, or for any other purpose, is a misdemeanor, punishable by law.
- h) The Applicant shall pay the estimated cost of service in advance or shall be otherwise required to establish credit.

SECTION 16: Section 36 of Ordinance No. 1 is amended to read as follows:

**SECTION 36. SPECIAL PROVISIONS**

- a) When 1,000 gallons or more of water is desired for filling a swimming pool or for other purposes, arrangements must be made with District prior to taking such water. Water to be used for other than domestic purposes, such as swimming pools and tanks, will be supplied only through a meter and filter system approved by the State Board of Health. All meters, lines, checks, filters, and appurtenances are to be furnished and installed by Applicant, under the supervision of the Monterey County Director of Public Works. The system is to be open for inspection by the Monterey County Director of Public Works at all times.  
Permission to take 1,000 gallons or more of water will be given only if it can be safely delivered through District facilities and if other customers are not inconvenienced thereby.
- b) The Applicant shall, at his own risk and expense, furnish, install, and keep in good and safe condition, all equipment that may be required for receiving, controlling, applying, and utilizing water. District shall not be responsible for any loss or damage caused by the improper installation of such equipment, or the negligence or wrongful act of the customer or of any of his tenants, agents, employees, Contractors, licensees, or permittees in installing, maintaining, operating, or interfering with such equipment. District shall not be responsible for damage to property caused by faucets, valves, and other equipment that are open when water is turned on at the meter, either originally or when turned on after a temporary shutdown.
- c) The service connections extending from the water main to the property line and including the meter, meter box, and curb cock or wheel valve, shall be maintained by District. All pipes and fixtures extending or lying beyond the property line shall be installed and maintained by the property Owner.
- d) The rates set forth in this Ordinance apply to service within and for water to be used in and for District. Applicants using water furnished by District where the Applicants are outside District, shall pay one and one-half (1 ½) the rate for applicable service within District as established in this Ordinance unless otherwise agreed to by the District's Board. No outside water service may be provided without the express written permission of District, and then only if such service is of its surplus water as determined available solely by District.
- e) Any consumption recorded on a meter provided in connection with a private fire protection service will be charged for at a monthly charge as established in this Ordinance.

SECTION 17: Section 37 of Ordinance No. 1 is amended to read as follows:

**SECTION 37. RATES**

- a) Rates for water service shall be as set forth in this Ordinance, as may be amended from time to time.
  
- b) It shall be unlawful to maintain a connection excepting in conformity with the following rules:
  - 1. Separate Building. Each house or building must be provided with a separate service connection, regardless of whether such houses or buildings are on a common parcel.
  - 2. Single Connection. Not more than one service connection for domestic or commercial supply shall be installed for one building, except under special conditions.
  - 3. Different Owners. A service connection shall not be used to supply adjoining property of a different Owner or to supply property of the same Owner across a street or alley.
  - 4. Divided Property. When property provided with a service connection, each service connection shall be considered as belonging to the lot or parcel of land that it directly enters.

SECTION 18: Section 38 of Ordinance No. 1 is amended to read as follows:

**SECTION 38. CREDIT**

- a) Each Applicant for service shall establish and maintain credit to the satisfaction of District by a cash guarantee deposit as hereinafter provided, or otherwise, before service will be rendered.
- b) The amount of deposit required will be as established in this Ordinance. No interest will be paid on any guarantee deposit.
- c) A guarantee deposit with District made by a customer who owns the property receiving service and whose account has not been in arrears at any time during the first year of said deposit, is returnable after the expiration of said year. If the service is discontinued in less than a year, the deposit will be returned provided all outstanding bills against said consumer for water service have been paid. Renter's deposit will be retained until service is discontinued.