

INDIAN VALLEY COMMUNITY SERVICES DISTRICT

AN ORDINANCE OF THE INDIAN VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING A CODIFIED CODE FOR THE CONDUCT, REGULATION, AND OPERATION OF THE BUSINESS OF THE DISTRICT.

Summary

The Indian Valley Community Services District is a public entity organized and operated under the laws of the State of California with the authority to regulate and conduct business consistent with the purpose and powers under. The District provides Recreation, Fire Protection, Water, Street Lights and Wastewater Collection and Treatment Services as part of the overall operations. Under the Community Services District Law (Government Code Sections 61000 et. seq.), the District has the power to adopt ordinances regulating the conduct and operation of the District's business. This Ordinance establishes certain basic enabling and operational provisions necessary for the District to conduct business. It is anticipated that this Code will be amended and provisions will be added or repealed from time to time.

The Board of Directors of the Indian Valley Community Services District ordains, as follows:

Ordinance Section One:

The Indian Valley Community Services District Code, consisting of Chapters 1, 2, 3, 4, 5, 6 and 7, as attached to this ordinance, is hereby adopted.

Ordinance Section Two:

This ordinance shall take effect thirty (30) days after its passage. Within 15 days after adoption of the ordinance, the Board of Directors shall publish in the Indian Valley Record, a newspaper of general circulation published in the County of Plumas, State of California, a summary of the ordinance with the names of those Directors voting for and against the ordinance and the Secretary/Manager of the District shall post in the District office a certified copy of the full text of the adopted ordinance along with the names of those Directors voting for and against the ordinance. Upon adoption, this Ordinance shall be entered in the minutes of the Board and shall be posted in three public places within Indian Valley Community Services District area within one week following its passage and adoption.

INDIAN VALLEY COMMUNITY SERVICES DISTRICT

PASSED AND ADOPTED this 10th day of February 2016 by the following vote:

This ordinance shall take effect thirty (30) days after its passage. Before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Directors voting for and against the ordinance in the Indian Valley Record, a newspaper of general circulation published in the County of Plumas, State of California.

AYES
NOES
ABSTAIN
ABSENT

Directors:
Lee Anne Schramel _____
Robert Heard _____
Phillip Shannon _____
Mina Admire _____
Sarah Holcomb _____

INDIAN VALLEY COMMUNITY SERVICES DISTRICT

CHAIRPERSON, BOARD OF DIRECTORS

ATTEST:

**APPROVED AS TO FORM BY:
DISTRICT COUNSEL**

CLERK TO THE BOARD

**CHAPTER 1.
GENERAL PROVISIONS**

Article 1.01 THE CODE.

1.01.010 SHORT TITLE.

This Code shall be known and may be cited as the “Indian Valley Community Services District Code,” the “District Code,” or the “Code.”

1.01.020 EXISTING LAW CONTINUED.

The provisions of this Code, insofar as such provisions are substantially the same provisions of prior ordinances adopted by the District relating to the same subject matter, shall be deemed to constitute restatements and continuations of ordinances in existence at the time of the adoption of this Code and shall not be considered as new enactments. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

1.01.030 THE EFFECTS OF PENDING ACTIONS AND ACCRUED RIGHT.

The adoption of this Code as well as the provisions of this Code shall in no way affect the legality or enforceability of any action or proceeding commenced before this Code takes effect or any right which accrued before this Code takes effect. All procedures taken after adoption of this Code shall conform to the provisions of this Code, insofar as possible.

1.01.040 RIGHTS UNDER EXISTING LICENSES AND CERTIFICATES.

No rights given by any license, permit, or certificate under any prior actions by the District are affected by the enactment of this Code; however, such rights shall be exercised according to this Code from the effective date of this Code.

1.01.050 HEADINGS OF PROVISIONS.

The headings of the part, title, chapter, section, and subsection headings contained in this Code are intended to indicate the contents of such provisions and shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of such provisions.

1.01.060 DEFINITIONS.

- a. In the interpretation and construction of this Code, the following definitions and rules of construction shall be observed, unless they are

inconsistent with the intent of the Board or the context clearly requires otherwise:

Applicant means the person making application for permit for sewer, plumbing or water installation, and shall be the owner of the permits to be served by the sewer or water for which a permit is requested, or his/her authorized agent.

Board means the Board of Directors of the Indian Valley Community Services District acting for and on behalf of the Indian Valley Community Services District.

Building means any structure which contains sanitary or water facilities and which is used for human habitation or a place of business, recreation, or other purposes.

Building Sewer means that portion of any sewer beginning at the plumbing or drainage outlet of any building or industrial facility and running to the property line.

Code or this Code means the District Code.

Combined Sewer means a sewer receiving both surface runoff and sewage.

Computation of time. The time in which any act provided by law is to be done is computed by excluding the first day and including the last, unless the last day is a holiday, and then it is also excluded.

Contractor means an individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under permit.

County means the County of Plumas, California.

Customer Water Line means the pipe connecting the house to the water meter and is the customer's responsibility.

Day means the period of time between any midnight and the midnight following.

Daytime means the period of time between sunrise and sunset.

Development Agreement means an agreement between the District and person for any project involving an extension of district facilities beyond its present boundaries.

District means the Indian Valley Community Services District a governmental entity organized and operating under the laws of the State of California pursuant to Government Code Sections 61000 et. seq.

District Board, Board or Board of Directors means the governing body of the District as duly elected or appointed as the case may be.

District Engineer means the Registered Civil Engineer appointed by and acting for the Board.

District Inspector means the Inspector acting for the Board and may be the General Manager, the District Engineer or an Inspector appointed by the Board. In lieu of Board action, the Inspector shall be the sanitary sewer or water operator.

Dwelling Unit means and refers to the place of residence for a single family or individual.

Equivalent Dwelling Unit (EDU) a measurement of level of demand of probable flow rate equal to what is expected by a single family unit or residential user.

Fixture Unit (FU) is equal to one [cubic foot](#) of water drained in an 1 ¼” pipe over one minute. The relationship between gallons per minute (gpm) and fixture unit is not constant, but varies with the number of fixture units.

Garbage means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

General Manager means the appointed official of the District who occupies the position of the General Manager as appointed by the Board of Directors pursuant to Government Code section 61050 and with the responsibilities as set forth in Government Code section 61051.

Goods means and includes wares or merchandise.

Lateral Sewer means the portion of a sewer lying within a public street connecting a building sewer to the main sewer.

Main Sewer means a public sewer designed to accommodate more than a lateral sewer.

Meter means the device at the end of the service pipe that measures water flow into a dwelling unit.

Month means a calendar month.

Nighttime means the period of time between sunset and sunrise.

Oath means and includes an affirmation.

Officers, Officials, Departments, and Other Agencies individually and collectively means officers, officials, departments, boards, commissions, and employees referred to in this Code who serve as the officers, officials, departments, boards commissions, and employees of the District, unless the context clearly indicates otherwise.

Official means any officer, agent, or employee of the District whose duties are specifically delineated in this Code.

Official Time means whenever certain hours are named in this Code, they mean Pacific Standard Time or Daylight Saving Time, as may be in current use in the jurisdiction of the District.

Operate means and includes carry on, keep, conduct, or maintain the functions and the facilities owned and/or operated by the District.

Outside Sewer means a sewer beyond the limits of the District not subject to the control or jurisdiction of the District.

Owner, as applied to a building or land, means and includes any part owner, joint owner, tenant in common, tenant in partnership, joint tenant, or tenant by the entirety of the whole or of a part of such building or land.

Permit means any written authorization required following this or any other regulation of the District for the installation of any sewer or water works.

Person means any human being, individual, firm, company, organization, partnership, corporation or company, association and private or public and municipal corporations, the United States of America, the State of

California, districts and all the political subdivisions, governmental agencies and mandatory thereof.

Personal Property means and includes every type and form of property, except real property.

Plumbing System means all plumbing fixtures and traps or soil, waste, special waste and vent pipes, and all sanitary sewer pipes within a building and extending to the building sewer connection three feet outside the building wall.

Private Sewer means a sewer serving an independent sewage disposal system, not connected with a public sewer and which accommodates one or more buildings or industries.

Public Sewer means a sewer lying within a street and which is controlled by or under the jurisdiction of the District.

Preceding and Following mean next before and next after, respectively.

Property means and includes real and personal property.

Public Project means a project for the erection, improvement, and repair of any buildings and works owned or maintained by the District.

Real Property means and includes lands, tenements, and hereditaments.

Sale means and includes any sale, exchange, barter or offer for sale.

Sanitary Sewer means a sewer which carries sewage, and to which storm, surface and ground waters are not intentionally admitted.

Sanitary Sewer System means all District controlled, operated or maintained facilities for collecting, pumping, treating and disposing of sewage, including, but not limited to all District Sanitary Sewer Works and all District Sewage Treatment Plants.

Service Pipe means the lateral pipe connecting the water main to a meter.

Sewage means a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments.

Sewage Treatment Plant means any arrangement of devices and structures used for treating sewage.

Sewer means a pipe or conduit for carrying sewage.

Shutoff Notice means the notification served to a customer warning of imminent discontinuation of water service and directing the customer to contact the District.

Shutoff Valve means a valve between a meter and a service pipe that stops the flow of water to a dwelling unit.

Side Sewer means the sewer lines beginning at the foundation wall of any building and terminating at the main sewer and includes the building sewer and lateral sewer.

Sludge means thick, soft, wet mud or a similar viscous mixture of liquid and solid components, especially the product of an industrial or refining process.

Solid Waste means Solid or semisolid, nonsoluble material (including gases and liquids in containers) such as agricultural refuse, demolition waste, industrial waste, mining residues, municipal garbage, and sewage sludge.

Storm Sewer or Storm Drain means a sewer which carries storm and surface or ground waters and drainage, but excludes sewage and polluted industrial wastes.

Street means any public highway, road, street, avenue, alley, way, public place, public easement or right of way.

Water Main means the primary pipe that transmits water from the water treatment plant to the service pipe.

Water Project means any improvement that requires the addition or extension of one or more water mains.

Water System means all District controlled, operated or maintained facilities for the storage, treatment, testing, and distribution of potable water, including all facilities of the Crescent Mills and Greenville Water Systems.

Week means seven consecutive days.

Writing means and includes any form of recorded message capable of

comprehension by ordinary visual means.

Year means a period of 365 days, except where otherwise provided. The added day of a leap year, and the day immediately preceding, if they occur in any such period, shall be reckoned together as one day.

Additional Definitions For the purpose of this Code, additional terms shall have the meaning indicated in Chapter 1 of the latest edition of the “Uniform Plumbing Code” published by the International Association of Plumbing and Mechanical Officials, copies of which are on file at the District office.

- b. Words and phrases are to be construed according to the context and the approved usage of the language. Technical words and phrases, and such other terms as may have acquired a peculiar and specific meaning in the law, or are specifically defined herein, are to be construed in accordance with such peculiar and specific meaning or definition.

1.01.060 TERRITORIAL LIMITATION.

This Code refers only to the omission or commission of acts within the territorial limits of the District and to that territory outside of the District over which the District has jurisdiction or control by virtue of the state constitution, any state law, the Community Services District Act, or by reason of ownership or control of property. Whenever any act or omission is made unlawful, it includes causing, permitting, aiding, abetting, suffering, or concealing such act or omission.

1.01.070 DISTRIBUTION AND MAINTENANCE OF THE CODE.

A copy of this Code shall be filed for use and examination by the public in the office of the General Manager and copies shall also be distributed to the members of the Board.

The General Manager shall keep and maintain this Code, including all amendments as may be adopted by the Board. The General Manager on a timely and recurring basis shall publish and distribute such amendments.

1.01.080 NOTICES – SERVICE PROCEDURE.

- a. Notice required to be given under this Code, unless different provisions are otherwise specifically made in this Code, may be given either by personal delivery to the person to be notified, or by deposit in the United States mail in a sealed envelope, postage prepaid, addressed to the person to be notified at such person's last known business or residence address, as

such address appears in the public records of the District or other records pertaining to the matter to which the notice pertains.

- b. Proof of giving any notice required by this Code may be made by the certificate of any officer or employee of the District, or by affidavit or declaration of any person over the age of 18 years which shows service in conformity with this Code or other provisions of law applicable to the subject matter of the notice.

1.01.090 HOLD HARMLESS CLAUSE FOR LICENSES AND PERMITS.

Every permit or other entitlement of use of the District's property or facilities shall be subject to the condition that the person receiving the entitlement agrees to save, indemnify, and keep harmless the District and District Officers against all liabilities, judgments, costs and expenses which may in any manner or form accrue against the District or District Officers in consequence of the issuance or granting of the permit or entitlement or in consequence of the use or occupancy of any property or facility owned or leased or operated by the District. The person receiving the permit or other entitlement shall also agree to strictly comply with the conditions of the permit or other entitlement and with this Code and all ordinances, rules, and regulations of the District relating thereto.

The General Manager may and is encouraged to print, type, or write the condition stated above into every permit or other entitlement issued by the District in substantially the same language as above.

1.01.100 INTERPRETATION, CONSTRUCTION, AND SEVERABILITY.

The provisions of this Code shall be the minimum requirements for the protection of the public convenience, safety, health, and general welfare.

Any reference in the Code to any portion of any state statute shall include all subsequent amendments to such statutes.

Any reference in this Code to an ordinance of the District or provision of this Code shall include all subsequent amendments and additions to such ordinance or provision. Reference to any section of the Code shall include the penalty provisions specified in this Chapter unless otherwise expressly provided.

The act or omission of an act which is made unlawful under this Code shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission.

Whenever a power is granted to, or duty is imposed upon, an Official, the power

may be exercised or the duty may be performed by a deputy or designee of such Official, or other employee or person authorized pursuant to law or ordinance, unless this Code expressly provides otherwise.

The provisions of this Code and all proceedings under this Code are to be construed so as to give effect to the objectives and powers of the District under the Community Services District Law, this Code and the promotion of justice.

The sections, paragraphs, sentences, clauses, and phrases of this Code are severable and any declaration of unconstitutionality of any phrase, clause, sentence, paragraph, or section of this Code or any amendment to this Code by the valid judgment or decree of a court of competent jurisdiction shall not affect any of the remaining phases, clauses, sentences, paragraphs, and sections of this Code or any amendment to this Code.

1.01.110 GRAMMATICAL INTERPRETATION.

a. General Rules:

1. Any gender includes the other gender.
2. Words and phrases used in this Code and not specifically defined shall be construed according to the context and approved usage of the language. The provisions of Section 13 and 1645 of the Civil Code of the State of California are adopted in the interpretation of words and phrases, unless otherwise provided in this Code.

b. Specific Rules:

1. It is the policy of the District Board that the legal documents of this District, including all ordinances, resolutions, and contracts, should be gender neutral.
2. It is the policy of the District Board that the legal documents of this District, including all ordinances, resolutions, and contracts, should be written in “plain English.”

Article 1.02 ENFORCEMENT OF THE CODE.

1.02.010 RESPONSIBILITIES FOR ENFORCEMENT.

Whenever the enforcement of any provision of the Code is imposed or delegated to a specified Official, such Official shall be primarily responsible for the enforcement of such provision. In the absence of any specific imposition or

delegation or enforcement responsibility, the General Manager shall be primarily responsible for enforcing the provisions of this Code.

Compliance with the permit requirements of this Code shall be the responsibility of the Official authorized to grant the permit to which such requirements apply except that when the permit is granted by the Board, the General Manager shall be the responsible officer.

Whenever an Official primarily responsible for enforcing any provision of this Code fails, neglects, or refuses to perform such duty and such failure, neglect, or refusal is brought to the attention of the General Manager, the General Manager shall enforce such provision of law and initiate such penal and disciplinary action against the Official as may be warranted under the circumstances.

Every Official may use administrative processes such as notices of violation, stop work orders, or warning letters in lieu of, or prior to seeking judicial enforcement of any provision of this Code if the Official determines that the process may result in compliance with this Code at less cost to the District.

Every Official is authorized to appear as a complaining witness in any criminal, civil, or administrative proceeding brought for an alleged violation of the Code or to abate any violation of this Code or enjoin any present or future violation of this Code.

Every Official shall consult with District Counsel in a timely manner prior to commencement of any proceeding or action to terminate, revoke, or deny any entitlement allowed or established pursuant to this Code, to ensure that such proceeding or action is undertaken in a lawful manner consistent with the laws of the United States, the State of California, and the District.

1.02.020 PUBLIC NUISANCES; CONTINUING OFFENSES.

Any condition caused or permitted to exist in violation of any of the provisions of this Code shall be deemed a public nuisance and may be abated as such by an Official in any manner provided by law, and each day that such condition continues shall be regarded as a new and separate offense.

1.02.030 ABATEMENT AND ENJOINMENT OF PUBLIC NUISANCES.

Any violation of any provision of this Code is unlawful and a public nuisance. The District Attorney or the District Counsel, or their respective designees, may commence such actions or proceedings for the abatement, removal, and enjoinder in the manner provided by law and may take such other steps and initiate such judicial proceedings as the District Attorney or District Counsel

deems necessary or appropriate to abate and restrain such violation. The remedies provided in this Section shall be cumulative and not exclusive.

1.02.040 REIMBURSEMENT OF COSTS AND CIVIL PENALTIES.

Any person, firm, or corporation, who creates or maintains a public nuisance in violation of this Code shall be liable for the cost of abatement which shall include, but not be limited to:

- a. Cost of Investigation;
- b. Court costs;
- c. Attorney's fees; and
- d. Costs of monitoring compliance.

Upon continuation of a public nuisance after notice from the District to cease the nuisance, any person, firm, or corporation shall be liable for the costs of abatement set forth above in addition to any other costs of enforcement imposed by the court or such other amount as may be specified in the District Fee Resolution. Penalties imposed pursuant to the provisions of this subsection are in addition to any civil penalties that may be imposed pursuant to Section 1.02.040.

1.02.050 REMEDIES CUMULATIVE.

Unless otherwise expressly provided, the remedies provided in this Article or any other provisions of this Code are cumulative and not exclusive. Nothing in this Code bars any legal, equitable, administrative, or summary remedy to which any aggrieved person, the District, or any Official may otherwise be entitled. Paying a fine or serving a jail sentence shall not relieve any person from the responsibility for correcting any condition which violates any provision of this Code or paying any civil penalties that may be imposed pursuant to the provisions of this Article.

1.02.060 IMMUNITY OF ENFORCING OFFICIALS.

Nothing in this Code is intended or shall be deemed or construed to impose liability upon the District or any Official or representative of the District for any injury to persons or damage to property alleged to result from any act or omission by the District or any such Official or representative beyond the liability expressly imposed by the laws of the State of California of the United States. Nothing in this Code or any other District enactment is intended or shall be deemed or construed to impose a mandatory duty upon the District or any Official or representative for the purpose of determining entitlement to equitable relief or

liability for any injury to persons or damage to property alleged to result from the failure of the District or any Official or representative to discharge a mandatory duty imposed by an District enactment.

Article 1.03 DISTRICT SEAL.

1.03.010 ADOPTED; FORM AND CONTENTS.

The District seal shall be of such design as established by the Board from time to time by resolution.

The only form of corporate seal for use by or for the District shall be the form of seal established by the Board, as provided in this section.

The General Manager shall have the official custody of the official seal of the District.

1.03.020 DISPLAY ON PRIVATELY OWNED VEHICLES.

It is unlawful for any person to display or place either temporarily or permanently, the official seal of the District, or any facsimile or representation or near representation thereof, on any privately owned vehicle, unless by express written permission and obtained from the District Board to do so. If any such permit is so granted by the Board, it is unlawful for any person to place or display such seal in any manner or at any time contrary to or in violation of the provisions of such permit.

Article 1.04 DISTRICT FEE RESOLUTION.

1.04.010 ESTABLISHMENT OF FEE RESOLUTION.

Except as otherwise provided in this Code or by state law, all fees, penalties, refunds, reimbursements, and charges of any kind collected by the District may be adopted by resolution or may be designated in the District Fee Resolution, as amended by the Board from time to time. (See Government Code Section 61115.) Whenever applicable throughout the Code, reference may be made to the District Fee Resolution in lieu of any reference to specific fee amounts.

1.04.020 ESTABLISHING FEES AND CHARGES.

In accordance with the Community Services District Law, including without limitation, Government Code Section 61115, the Board shall prescribe, revise, and collect fees, tolls, assessments, rates, or other charges to pay the cost for services and facilities, within its territorial limits, in connection with the services and programs provided by the District and for the use of District facilities. All fees shall be adopted in accordance with the requirements of State law, including but not limited to the provisions of Propositions 218 and 26.

Article 1.05 TIME LIMITATIONS FOR ADMINISTRATIVE MANDAMUS PROCEEDINGS.

1.05.010 TERM “DECISION” DEFINED.

As used in this Article, the term “decision” means an adjudicatory administrative decision made, after a hearing required by law to be given, of or concerning a matter within the District’s jurisdiction.

1.05.020 SECTION 1094.6 OF THE CODE OF CIVIL PROCEDURE ADOPTED.

The provisions of the Code of Civil Procedure 1094.6 shall be applicable to decisions of the Board and of any board or commission of the District authorized to render a final adjudicatory administrative decision where no right of appeal to the Board exists, and notice thereof shall be given in the resolution effecting such decision that the rights of review are governed by such statute in accordance with law.

CHAPTER 2.
DISTRICT OFFICES AND GENERAL REGULATIONS

Article 2.01 DISTRICT BOARD.

2.01.010 SELECTION OF CHAIRPERSON AND VICE-CHAIR.

The Board shall meet and choose one of its members to be Chairperson and one of its members to be Vice-Chair at the first meeting in January of each year.

2.01.020 DUTIES OF THE CHAIRPERSON AND VICE-CHAIR.

The Chairperson shall preside at all Board meetings and may make or second any motion and present and discuss any matter as a member of the Board. If the Chairperson is absent or unable to act, the Vice-Chair shall serve until the Chairperson returns or is able to act and shall have all of the powers and duties of the Chairperson. If both the Chairperson and Vice-Chair are absent or unable to act, the Board shall choose one of its members as the presiding officer.

2.01.030 VACANCY FILLING PROCEDURE.

If there is a vacancy in the position of Chairperson or Vice-Chair, the Board shall fill the vacancy from remaining Board members.

Article 2.02 MEETING OF THE DISTRICT BOARD.

2.02.010 MEETINGS-TIME AND PLACE.

The regular meetings of the Board shall be held on the 2nd Wednesday of each and every month, commencing at the hour of 6:30 P.M. as otherwise provided in this section, at the Greenville Community Town Hall building. Once a year, a meeting will be held at a location in Taylorsville, as well as a location in Crescent Mills.

If any regular meeting day falls upon a holiday, the regular meeting of the Board shall be scheduled the day before the regularly scheduled meeting, which is not a holiday, commencing at the same hour, in which event all hearings, applications, petitions and other matters before the Board shall be deemed to be and are automatically continued to the same hour on such scheduled meeting which is not a holiday.

2.02.020 MEETINGS-PROCEDURES.

- a. The proceedings of the Board shall be governed by the provisions of law applicable thereto. The Board may utilize for guidance, but shall not be obligated to follow, Roberts Rules of Order, newly revised. The failure to follow the Rules of Order or these rules shall not invalidate any action taken. District Counsel, if present, may act as parliamentarian and, upon request of the Chairperson, shall give parliamentary advice.
- b. The Board may adopt such rules of order for the conduct of its business as it deems appropriate, and may amend the same, by resolution; however, no ordinance, resolution or other action taken by the District Board shall be invalidated or the legality or effect thereof otherwise affected by the failure or omission of the Board to observe or follow such rules. (See District Policy.)
- c. In order to facilitate the conduct of District business and to ensure that all members of the public, as well as members of the Board, have the opportunity to be heard on public matters pending before the District, the following order of presentation and discussion on public agenda items shall be followed:
 1. Presentation by staff;
 2. Questions from District Board members;
 3. Comments from the public;
 4. Action, including appropriate discussion, by Board members;
 5. Passage or failure of any motion, resolution, or other issue before the Board shall be decided by a majority of the full Board (minimum of three affirmative votes required for approval of any item).
- d. Members of the Board are expected to physically attend all regular meetings of the Board. Board vacancies and the notice thereof shall be addressed in accordance with Government Code Sections 1770 et. seq.

2.02.030 NOTICE AND CALL OF MEETINGS.

Board meetings of the District Board, including special Board meetings, shall be called and noticed in accordance with state law. (See Government Code Sections 54950 et.seq.)

2.02.040 BOARD ACTIONS.

- a. Actions of the Board may be taken in the form of Resolutions or Ordinances. All resolutions and ordinances of the District shall be in writing and shall be numbered consecutively in the order of their adoption. Wherever feasible, action of the District may be by “minute order” where the action and the vote on the action are recorded in the written minutes of the Board meeting. All ordinances and resolutions shall be filed in the District’s office and shall thereupon be copied into a permanent loose leaf bound volume which shall be kept and maintained as a public record.
- b. The minutes of the District shall be “action” minutes that will accurately reflect actions of the District and the vote taken on such actions and shall not be verbatim minutes of all matters discussed and comments made at Board meetings.
- c. If appropriate, District Counsel shall prepare a summary of each ordinance prior to submission of such ordinance to the Board. The General Manager, or designee, is authorized to publish such summary in the manner provided by law in lieu of publishing the verbatim text of such ordinance.
- d. Ordinances shall be introduced and adopted in the manner required under law for the counties under Government Code Sections 25129 et. seq. Typographical errors may be corrected by the General Manager and District Counsel.

2.02.050 CHAIRPERSON-POWERS AND DUTIES.

- a. The Chairperson shall possess the powers, and perform the duties prescribed in this Section.
 - 1. Have general direction over the Board Meeting Room and assign seats for the use of Board members and members of the District;
 - 2. Preserve order and decorum; prevent demonstrations; order removed from the Board Meeting Room any person whose conduct he or she deems objectionable; and order the Board Meeting Room cleared whenever he or she deems it necessary;
 - 3. Allocate the length of time for public discussion of any matter in advance of such discussion, with the concurrence of the Board;

4. Allocate equal time to opposing sides insofar as possible, taking into account the number of persons requesting to be heard on any side;
 5. Limit the amount of time that a person may address the Board during a public discussion period in order to accommodate those persons desiring to speak and to facilitate the business of the Board;
 6. Execute such documents on behalf of the District as may be required by State or federal law or as authorized by the Board;
 7. Provide direction to the General Manager as is appropriate to effectuate the policy directions and decisions of the full Board;
 8. Exercise such other powers as may be prescribed by the Board;
 9. Chairperson will be the principle executive officer of this District;
 10. The Chairperson shall investigate all grievances and complaints against the General Manager and shall present those findings to the Board for recommendations.
- b. The Chairperson shall order removed from the Board Meeting Room any person who commits the following acts in respect to a regular or special meeting of the District Board:
1. Disorderly, contemptuous or insolent behavior toward the Board or any member thereof which interferes with the due and orderly course of said meeting;
 2. A breach of the peace, boisterous conduct or violent disturbance, which interferes with the due and orderly course of said meeting;
 3. Disobedience of any lawful order of the chairperson, which shall include an order to be seated or to refrain from addressing the Board;
 4. Any other unlawful interference with the due and orderly course of said meeting.
- c. Any person so removed shall be excluded from further attendance at the meeting from which the person has been removed, unless permission to attend is granted upon motion adopted by a majority vote of the Board,

and such exclusion shall be effected by an appropriate peace officer upon being so directed by the Chairperson.

2.02.060 NOTICE OF ABSENCE FROM MEETING.

If any member of the Board is to be unable to attend a meeting, that board member shall, if possible, notify the General Manager prior to the meeting and advise the General Manager of the reasons for such absence.

2.02.070 VACATION PERIOD.

Each calendar year the Board may determine periods during which no regular meetings will be held to facilitate vacations.

2.02.080 TRAVEL AND MEAL EXPENSES.

- a. The District recognizes that, for the benefit and in the interests of the District, it is necessary for District staff and Directors to attend meetings and to travel in order to conduct District business. The District is committed to wise and prudent use of its entrusted public funds, to conserve District resources and to keep expenses within community standards. The District is also committed to providing effective and responsive services to its constituents. This policy sets forth guidelines for travel and meeting attendance on District business, and for the reimbursement of expenses.
- b. All actual and necessary travel and incidental expenses shall be reimbursed upon submission of the District's expense reimbursement form and accompanying receipts for preapproved training and educational courses and events. The expense reimbursement form must be submitted within 30 days of the qualifying travel or expense.
 1. Meals: Meals shall be reimbursed at a per diem rate. For travel exceeding a single day, the per diem rate is paid per District Policy.
 2. Lodging: If lodging is in connection with a conference or educational activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available at the time of booking. If the group rate is not available, comparable lodging will be used. Government and group rates for lodging will be used whenever possible.
 3. Transportation: Government and group rates for transportation will be used when available.

4. Mileage: Mileage will be reimbursed at the IRS published mileage rate when a personal vehicle is authorized and utilized for travel while on District business.
 5. Cash advance: Subject to approval of the General Manager, a cash advance to cover the anticipated expenses for authorized travel may be offered by the District. An expense reimbursement form must be submitted within thirty (30) days of the travel, and any unused cash advanced must be returned to the District once the activity is completed.
- c. All documents related to reimbursable District expenditures are public records subject to disclosure under the California Public Records Act and expenditures over \$100 will be reported at a regular meeting annually.
 - d. Regardless of how it may occur, misuse of public resources or falsifying expense reports in violation of this policy may result in any or all of the following:
 1. Loss of reimbursement privileges;
 2. Restitution to the District;
 3. Civil penalties for misuse of public resources;
 4. Disciplinary action up to or including termination; and,
 5. Prosecution for misuse of public resources.
 - e. This policy shall be consistent with state law (AB 1234) and comply with applicable changes to state law.

Article 2.03 GENERAL MANAGER.

2.03.010 OFFICE CREATED.

The office of the General Manager is created and established. The General Manager shall be appointed by the Board on the basis of his or her administrative and executive ability and qualifications and shall serve at the will and pleasure of the Board.

2.03.020 BOND.

The General Manager may furnish a corporate surety bond to be approved by the District Board in such sum as may be determined by the Board, if so required, and

shall be conditioned upon the faithful performance of the duties imposed upon the General Manager and as prescribed in this Article. Any premium for such bond shall be a proper charge against the District.

2.03.030 COMPENSATION.

The General Manager shall receive such compensation as the Board shall from time to time determine. In addition, General Manager shall be reimbursed for all actual and necessary expenses incurred by him/her in the performance of his/her official duties.

2.03.040 POWERS AND DUTIES OF THE GENERAL MANAGER.

The General Manager shall be the administrative head of the District under the direction and control of the Board except as otherwise provided in this Code. The General Manager shall be responsible for the efficient administration of all the affairs of the District under the General Manager's control. In addition to the General Manager's general powers as administrative head, and not as a limitation thereon, the General Manager shall have the following powers and duties:

- a. To plan, organize, and direct all District activities under the policy direction of the Board;
- b. To enforce strict compliance with the approved annual budget and approve only expenditures authorized in the approved budget;
- c. To hire and manage such staff as necessary to carry out the provisions of the District and this Code. Unless otherwise expressly approved by the Board and memorialized in writing, all employees and volunteers of the District shall be deemed to serve at the will and pleasure of the General Manager;
- d. To make recommendations to and requests of the Board concerning all of the matters which are to be performed, done, or carried out by the Board;
- e. To have charge of, handle, or have access to any property of the District, and shall make an inventory of all District property;
- f. To make, when appropriate, books and records of the District in the General Manager's hands open to inspection at all reasonable times by members of the Board or their representatives;
- g. To execute agreements, contracts, and documents on behalf of the

District;

- h. To prepare the agenda for each Board meeting;
- i. To approve District expenditures for unbudgeted activities up to \$2,500 per item;
- j. To approve District expenditures for District contractual agreements authorized by the Board;
- k. To carry out such other functions as may be assigned by the Board;
- l. To perform all duties in accordance with applicable Federal, State and local laws.

2.03.050 CONTROL OVER EMPLOYEES.

It shall be the duty of the General Manager of the District to control, order, and give direction to all heads of departments and to subordinate officers, employees, agents, and contractors of the District.

2.03.060 POWER OF APPOINTMENT AND REMOVAL.

It shall be the duty of the General Manager to appoint, remove, promote, demote, and discipline any and all Board authorized employees and volunteers of the District, except those officers and employees appointed by the Board.

2.03.070 ADMINISTRATIVE REORGANIZATION OF OFFICES.

It shall be the duty and responsibility of the General Manager to conduct studies and effect such administrative reorganization of offices, positions, or units under the General Manager's direction as may be indicated in the interest of efficient, effective, and economical conduct of the District's business.

2.03.080 ORDINANCES.

It shall be the duty of the General Manager to recommend to the Board adoption of such measures and ordinances as the General Manager deems necessary.

2.03.090 ATTENDANCE AT BOARD MEETINGS.

It shall be the duty of the General Manager to attend all Board meetings unless the General Manager is excused by the Chairperson individually or the Board.

2.03.100 FINANCIAL REPORTS.

It shall be the duty of the General Manager to keep the Board at all times fully advised as to the financial condition and needs of the District.

2.03.110 BUDGET.

It shall be the duty of the General Manager to prepare and submit the proposed annual budget to the Board no later than the first meeting in June of each year. All financial practices and procedures shall comply with the requirements of Plumas County (Auditor's Office) and the California State Controller's guidelines for Special Districts and the California Government Code.

2.03.120 EXPENDITURE CONTROL AND PURCHASING.

It shall be the duty of the General Manager to see that no expenditures shall be submitted or recommended to the Board except on approval of the General Manager. The General Manager shall be responsible for the purchase of all supplies for the District.

2.03.130 INVESTIGATIONS AND COMPLAINTS.

It shall be the duty of the General Manager to make investigations into the affairs of the District and any contract or the proper performance of any obligation to the District.

2.03.140 FACILITIES.

It shall be the duty of the General Manager to exercise general supervision over all public property and facilities which are under the control and jurisdiction of the District.

2.03.150 SECRETARY TO THE BOARD.

Unless the Board of Directors appoints a separate Secretary to the Board, the General Manager shall perform all duties associated with the legal function of the Secretary to the Board.

2.03.160 ADDITIONAL DUTIES.

It shall be the duty of the General Manager to perform such other duties and exercise such other powers as may be delegated to the General Manager from time to time by ordinance or resolution or other official action of the Board.

2.03.170 INTERFERENCE WITH THE ADMINISTRATIVE SERVICE.

Except when the General Manager is absent or otherwise unavailable to attend to duties, the Board and its members shall deal with the administrative services of the District through the General Manager, except for the purpose of inquiry, and neither the Board nor any member thereof shall give orders or instructions to any subordinates of the General Manager. The General Manager shall take orders and instructions from the Board when sitting in a duly convened meeting of the Board. The Chairperson, or the Vice-Chair in the absence of the Chairperson, shall be authorized to give such orders or instructions to the General Manager as may be necessary and appropriate to effectuate the policy goals and directions of the Board.

2.03.180 REMOVAL.

The removal of the General Manager may be effected with or without cause, as per the contract approved by the Board. The General Manager shall be afforded at least 10 days written notice of the effective date of termination.

2.03.190 AGREEMENTS ON EMPLOYMENT.

Nothing in this Article shall be construed as a limitation on the power of District or the Board to enter into any agreement with the General Manager delineating additional terms and conditions of employment not inconsistent with any provisions of this Article, nor shall this Article be construed as limiting the power of District or the Board to enter into any agreement with any legally existing entity to provide the services of the General Manager as provided in the District and this Article.

Article 2.04 PERSONNEL.

2.04.010 PERSONNEL RULES. (left blank)

Article 2.05 POLITICAL ACTIVITIES OF DISTRICT EMPLOYEES. (left blank)

Article 2.06 BOARDS AND COMMISSIONS. (left blank)

Article 2.07 ADDITIONAL OFFICERS.

2.07.010 TREASURER.

- a. The District may retain an outside financial firm to serve as treasurer for the District.

- b. The Treasurer shall ensure that all available cash on hand is at all times invested in a cash management program and investment portfolio pertaining thereto and ensure that efficient liquidity is maintained to meet the District's cash disbursement needs.

2.07.020 CONTROLLER (left blank).

2.07.030 DISTRICT COUNSEL.

The District Board shall retain counsel to serve as District Counsel.

2.07.040 AGREEMENTS FOR SERVICES OR OFFICIALS.

Nothing in this Article shall be construed as limiting the power of the District or Board to enter into any agreement with any legally existing entity to provide the services of any or all of the officers described in this Article as provided in the District and this Article.

Article 2.08 CONFLICT OF INTEREST CODE.

2.08.010 PURPOSE AND EFFECT.

The terms of Title 2, Division 6 of the California Code of Regulations (Section 18730, et seq.), and any amendments thereto that may be adopted by the Fair Political Practices Commission, are hereby incorporated by reference and, along with the following sections in which officials and employees are designated and disclosure categories are set forth, constitute the conflict of interest code for the District. This Article constitutes the "Appendix" to Title 2, Division 6 of the California Code of Regulations section 18730, et seq.

2.08.020 DESIGNATED POSITIONS; DISCLOSURE CATEGORIES.

- a. Designated positions are set forth below in this section. Each employee filling a designated position, and any employee filling a designated position on a temporary or acting basis for more than thirty consecutive calendar days, shall disclose all of the information set forth in all disclosure Categories A through H on such form as the Fair Political Practices Commission may designate:

1. Board Members
2. General Manager
3. Fire Chief
4. District Counsel

5. District Engineer

- b. Each consultant, as defined in 2 California Code of Regulations Section 18700, shall disclose all of the information set forth in all disclosure categories A through H on such form as the Fair Political Practices Commission may designate. The General Manager may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that are limited in scope and thus are not required to fully comply with the disclosure requirements of this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination of the General Manager is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

2.08.030 PLACE AND TIME OF FILING.

All officials and employees filling designated positions shall file statements of financial interest with the General Manager who shall receive such statements on behalf of the Board. Unless otherwise required by state law, all statements of financial interest shall be deemed timely filed only when received by the General Manager on or before the following deadlines:

- a. Annual statements shall be filed on or before April 1 of each calendar year. Such statements shall cover the period of the preceding calendar year or from the date of filing such statement as otherwise required by this Code.
- b. Initial statements shall be filed within thirty days after assuming office disclosing interests held on the date of assuming office.
- c. Leaving office statements shall be filed within thirty days of leaving office. Such statements shall cover the period between the closing date of the last statement required to be filed and the date of leaving office.

2.08.040 CONFLICT WITH OTHER LAWS.

Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code Section 81000, et. Seq.). The provisions of this Code are in addition to Government Code Section 87100 and other laws pertaining to conflicts of interest, including, but not limited to, Government Code Section 1090, et seq.

**CHAPTER 3.
FINANCE**

Article 3.01 PURCHASING SYSTEM.

3.01.010 ADOPTION.

A purchasing system as described in this Article is adopted in order to: (1) establish procedures for the purchase of supplies and equipment at the lowest possible cost, commensurate with quality needs; (2) exercise positive financial control over purchases; (3) clearly define District for the purchasing function; and, (4) ensure the quality of purchases.

3.01.020 SCOPE.

The procedures established by this Article shall apply only to the purchase of supplies, equipment, and services, and shall not apply to public projects or contracts.

3.01.030 ADDITIONAL DUTIES OF THE GENERAL MANAGER.

In addition to the duties of the General Manager otherwise specified in this Code, the General Manager shall:

- a. Purchase or contract for supplies and equipment required by the District in accordance with purchasing procedures prescribed by this Article.
- b. Negotiate and recommend to the Board execution of contracts for the purchase of supplies and equipment.
- c. Act to procure for the District the needed quality in supplies and equipment at least expense to the District.
- d. Conduct formal or informal bidding on all purchases whenever possible so as to obtain as full and open competition as possible on all purchases.
- e. Prepare and recommend to the Board rules/policy governing the purchase of supplies and equipment for the District.
- f. Prepare and recommend to the Board revisions and amendments to the purchasing rules/policy.

- g. Keep informed of current developments in the field of purchasing, prices, market conditions, and new products.
- h. Prescribe and maintain such forms as are reasonably necessary for the operation of this Code and other rules and regulations.
- i. Supervise the inspection of all supplies and equipment purchased to ensure conformance with specifications.

3.01.040 PURCHASE ORDERS.

The District's Bookkeeper shall use the District's computer system to create and issue a purchase order as described in 3.01.060. Purchase Orders shall have unique identifiable numbers so that they may be easily tracked for accounting purposes.

3.01.050 ENCUMBRANCE OF FUNDS.

Purchased items shall be encumbered as described in 3.01.060.

3.01.060 FORMAL PURCHASE REQUIREMENTS.

To purchase small items - such as office supplies, auto parts, and other miscellaneous items costing less than \$500 - vendors will be asked to submit pricing information by telephone or written quotation. District accounts are then awarded to those firms that provide the best value, etc. Acquisitions are processed on purchase order forms that list instructions to vendors.

Local firms (within Plumas County) may be allowed up to 15% preference margin where items are available from multiple sources.

To purchase items costing more than \$500 and up to \$2,500, quotations will be solicited from vendors and received by telephone, fax or mail, preferably from two or more sources, prior to selecting a preferred supplier. The General Manager must approve such purchases.

For items over \$2,500 or large quantity orders, the District will provide suppliers with a list of items to be purchased. Suppliers will provide written quotes for consideration and recommendation to the Board for award and the Board will approve all purchases over \$2,500. Items on the list will be purchased from the supplier quoting the lowest prices and having an acceptable delivery date. Purchase orders or contracts are required on such purchases.

New Model Vehicles will be purchased through the State's Vehicle Procurement

Program, unless they can be acquired at the same cost or less expensively from local sources by competitive quotation bids in accordance with this Section.

Article 3.02 PUBLIC WORKS CONTRACTS.

3.02.010 PROCEDURE-TYPE DESIGNATED FOR BIDDING.

- a. Public projects of less than \$25,000 may be let to contract by informal bidding procedures. (Public Contracts Code 20682.5.)
- b. Each public project with a value greater than that specified in subsection (a) of this Section shall, in all instances, be let to contract by formal bidding procedure.

3.02.020 PROCEDURE-INFORMAL BIDDING.

- a. The notice inviting informal bids shall be by published notice and may, in addition, be supplemented by mailed notice. The General Manager may cause the notice to be printed as display advertising in such form and style as the General Manager deems appropriate. The notice shall describe in general terms the project to be done and state closing date for submission of such informal bids. Publication of notice pursuant to this section shall be in a newspaper of general circulation printed and published within the jurisdiction of the District. Notice shall be published in accordance with Section 6061 of the Government Code and shall be completed at least twenty-four hours before the time scheduled for opening of the bids.
- b. In addition to notice published in a newspaper of general circulation, or mailed, pursuant to this section, General Manager may also publish notice inviting bids in a trade publication.
- c. Bids shall be opened, examined, and declared by the General Manager in public in accordance with the notice inviting bids. The result of the bidding shall be reported to the Board at the next Board meeting after said bid opening.

3.02.030 PROCEDURE-FORMAL BIDDING.

- a. The notices inviting formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly state the project to be done. The first publication or posting of the notice shall be at least ten days before the date of opening the bids. Notice shall be published at least twice, not less than seven days apart, in a newspaper of general circulation, printed and published in the jurisdiction of the District.

- b. In addition the General Manager may also publish notice inviting bids in a trade publication.
- c. Bids shall be opened, examined, and declared by the General Manager in public as noticed in accordance with the notice inviting bids. The result of the bidding shall be reported to the Board at the next regular meeting after the bid opening.

3.02.040 REJECTION OF BIDS.

In its discretion, the Board may reject any bids presented and readvertise

3.02.050 PLANS AND SPECIFICATIONS.

The Board shall adopt plans, specifications, and working details for all public projects the expenditure for which exceeds the value of public projects specified in Section 3.02.010 of this Code. Such plans, specifications, and working details may be approved at the time the notice is authorized or at the time the Board approves a contract.

3.02.060 WAIVER.

The Board, in an appropriate circumstance as determined by the Board, may waive any provision of this Article when deemed in the best interests of the District.

Article 3.03 DISPOSAL OF DISTRICT PROPERTY. (left blank)

Article 3.04 CLAIMS AGAINST DISTRICT.

3.04.010 FILING REQUIREMENT.

All claims against the District shall be filed with the General Manager at the District's offices and shall comply with the requirements, including without limitation the time limits for the filing of claims, as set out in Tort Claims Act (Government Code Sections 810 et. seq.) The General Manager shall transmit copies of all such claims to the Board, to District Counsel and to any insurance carriers.

3.04.020 PROCESSING OF CLAIMS AGAINST THE DISTRICT.

- a. The General Manager shall evaluate the sufficiency and form of all claims against the District and give notices relative to any deficiency of such claims to the claimant. The General Manager shall have all such claims investigated and shall prepare an investigative report and a recommendation relating to each such claim.
- b. For all claims, the General Manager and the District Counsel shall prepare and submit, as soon as practicable, a report to the Board either in open session or in closed session, at the District Counsel's election, together with a recommendation that such claim be approved, compromised, or denied. The District Counsel shall advise the General Manager of the Board's decision in the matter. The General Manager shall thereupon notify the claimant, in writing, of the decision and expedite payment of any claim which has been approved or compromised.
- c. Notwithstanding the above provisions, the General Manager shall notify and send copies of all claims which are determined by the General Manager to be covered by insurance to the insurance carrier which provides coverage to the District, and shall be the District liaison with such carriers for the purpose of any claim involvement.
- d. In order to protect the best interest of the District and the officers, employees, and agents of the District with regard to the investigation, defense, or adjustment of applicable claims incurred against the District or its officers, employees, and agents, the Manager and the District Counsel are directed to establish and maintain necessary administrative procedures and incident report forms to ensure the confidential coordination of case facts and related information. The procedures and forms will ensure reasonable use of the principle of privileged client-attorney communication for confidentiality in the defense or adjustment of all claims as provided by law.
- e. The legal defense of claims filed against the District which are not covered by insurance shall be the responsibility of a legal firm or firms as selected by the Board. Authorized legal defense costs in conjunction with the defense of such claims shall be paid from District funds from an appropriate liability reserve account as established by the Board.
- f. All litigation paper work will be stored in a secure manner and in a secure place for a period up to 7 years from the date of its last action.

**CHAPTER 4.
REQUIREMENTS AND CONDITIONS FOR THE USE OF
THE RECREATION AREA IN INDIAN VALLEY**

Article 4.01 RULES AND REGULATIONS ADOPTED.

4.01.010 PURPOSE.

The purpose of this Chapter is to establish rules and regulations pertaining to use of the District's recreation property, including any swimming areas, ball parks, grassy areas and parking areas constructed by the District, and to protect the health, safety and general welfare of the inhabitants of the District.

4.01.020 REGULATED AREA.

The area which is subject to regulations established by this Chapter is the area generally described as the "Indian Valley Recreation Area" property, located in Plumas County.

4.01.030 APPLICATION.

The requirements of this Chapter shall apply to all persons using the Indian Valley Recreation Area property (hereinafter the "Recreation Property").

4.01.040 FEES ESTABLISHED.

Fees shall be paid for the use of the Recreation Property and all fees shall be set annually by a District Fee Resolution in the budget each year. All established fees shall be used for the Operations and Maintenance of the Recreation Property, including any appropriate overhead costs.

4.01.050 PARKING.

All vehicles, including without limitation tow vehicles and trailers, shall be parked in designated parking areas. No parking shall be allowed overnight. All vehicles must be removed from Park Areas by 11:59 P.M. each day. Per Vehicle Code Section 21458, green curb painted zones shall indicate 20 minute parking and shall be enforceable seven days per week. Vehicles parked outside of designated parking areas or otherwise parked in violation of this Chapter shall be subject to citation for illegal parking in violation of this Chapter and shall pay fines as specified herein or as may otherwise be provided by law; illegally parked

vehicles shall also be subject to being removed and towed and/or impounded at the owners expense.

4.01.060 VEHICLE RESTRICTED AREAS.

All vehicles shall be restricted to travel on paved portions of the Recreation Area only. No off-road travel in the area is permitted.

4.01.070 SWIMMING AREAS AND RESTRICTIONS.

Swimming shall be restricted to designated swimming areas.

4.01.080 NO CAMPING.

No camping shall be allowed on Recreation Area Property.

4.01.090 NO FIRES.

No open fires shall be allowed on Recreation Area Property, except in designated BBQ pits. Use of propane stoves or cooking appliances and similar appliances shall be allowed provided they are used in a safe manner.

4.01.100 NO LITTERING.

Littering on Recreation Area Property is prohibited. No household garbage, fish guts, or hazardous materials shall be disposed of in Recreation trashcans or receptacles.

4.01.110 DOG LEASHES & CLEANUP REQUIRED.

Dogs shall be kept on leashes at all times. Pet owners or persons who are in possession of pets shall immediately pick up all feces from their pets and dispose of them in an appropriate manner: deposited in trash cans or removed from the Recreation Area Property.

4.01.120 SKATEBOARDING, ROLLER SKATING ROLLER BLADING, BICYCLE RIDING, SCOOTERS AND MOTOR SCOOTERS.

No skateboarding, roller skating, rollerblading, bicycle riding or riding of scooters or motor scooters shall be allowed within the Indian Valley Recreation Area, outside the regular traveled paved portion of the day use area.

4.01.130 VEGETATION REMOVAL.

No vegetation shall be removed from any park.

4.01.140 REFUSE CONTAINER REQUIREMENTS (left blank).

4.01.150 PERMIT HOLDER PARKING (left blank).

4.01.160 FIRE RESTRICTIONS.

No open fires are allowed outside designated fire receptacles.

4.01.170 SIGN RESTRICTIONS.

No signs are allowed to be posted within the park area excluding those signs approved by the District.

Article 4.02 VIOLATIONS.

4.02.010 VIOLATIONS.

It shall be unlawful for any person to violate the provision of this Chapter. Violations of this Chapter may constitute an infraction. Each day in which any such violation may continue shall be deemed a separate offense. Violators shall be subject to citation. Any person violating any of the provisions of this Chapter shall be liable to the District for any expense, loss, or damage occasioned the District by reason of such violation.

**CHAPTER 5.
SANITARY SEWER SYSTEM RULES AND REGULATIONS**

Article 5.01 PURPOSE AND INTENT.

5.01.010 PURPOSE.

The purpose of this Chapter is to establish rules and regulations pertaining to the hookup, use, certain minimum standards, provisions, and requirements for design, methods of construction and use of materials in sewer facilities hereafter installed and maintained for the community sanitary sewer system constructed by the District. This Chapter is intended to protect the health, safety and general welfare of the inhabitants of the District. This Chapter shall not apply retroactively, and in case of an alteration or repair hereafter made, it shall apply only to the new materials and methods used therein.

Article 5.02 SERVICE AREA.

5.02.010 SERVICE AREA ESTABLISHED.

The service area for the District's Sanitary Sewer System (hereinafter referred to as the Sanitary Sewer System) is hereby established as shown on the Indian Valley Assessment Boundary Map as recorded in the official records of the Plumas County Clerk-Recorder's office, as well as the LAFCO sphere of influence (Service Area).

The service area may be amended only by adoption of an ordinance by the District's Board of Directors.

Article 5.03 USE AND CONNECTION REQUIRED.

5.03.010 USE OF PUBLIC SEWERS REQUIRED.

All improved property which could potentially be used in a manner that would be expected to generate wastewater or sewage of any nature that is within the Service Area shall be required to connect to the Sanitary Sewer System. It shall be unlawful and shall constitute a public nuisance for any Property Owner or any other person using property within the Wastewater System Service Area, to discharge any waste, wastewater or other effluent including, without limitation, waste commonly referred to as, "gray and black water" other than through use of the Wastewater System, and in any manner that constitutes a violation of the requirements of this Chapter and/or any other ordinance of the District. Except as

herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage. It shall be unlawful for any person to place, deposit, or permit to be deposited upon property within the District, or in any area under the jurisdiction of said Board, any human excrement, garbage, or other objectionable waste which, in the opinion of the Board, results in a hazard to public health or safety.

5.03.020 PERMITS REQUIRED.

No person shall uncover, make any connections to or opening into, use, alter, or disturb the Sanitary Sewer System, or appurtenance thereof, without first obtaining a permit from the District and paying all applicable fees to the District as set forth herein or as may from time to time be established by the District. No building, industrial facility or other structure shall be occupied until the Owner of the premises has complied with all rules and regulations of the District. The owner of any building or industrial facility situated within the District and abutting on any street in which there is located public sewer of the District, shall at his/her expense, connect said building directly with said public sewer in accordance with the provisions of this Chapter, provided that said public sewer is within two hundred feet of the nearest point of the property.

5.03.030 APPLICATION.

Any person legally entitled to apply for and receive a permit shall make application on forms provided by the District for that purpose. He/She shall give a description of the character of work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. The General Manager may require plans, specifications or drawings and such other information, as he/she may deem necessary.

In the event the applicant for a permit is required to provide plans, specifications or drawings and information as condition to the issuance of the permit, the applicant shall pay all engineering, legal, administrative and other expenses and charges relating thereto prior to the issuance of the permit.

If the General Manager determines that the plans, specifications, drawings, descriptions or information furnished by the applicant is in compliance with the Code, ordinances, rules and regulations of the District, he/she shall issue the permit applied for upon payment of the required fees as thereafter fixed.

5.03.040 COMPLIANCE WITH PERMIT.

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

5.03.050 AGREEMENT.

The Applicant's signature on an application for any permit shall constitute an agreement to comply with all of the provisions, terms and requirements of this Chapter and the ordinances, rules and regulations of the District, and with plans and specifications he/she has filed with his/her application, if any, together with such corrections or modifications as may be made or permitted by the District. Such agreement shall be binding upon the applicant and may be altered only by the District upon written request from the applicant.

5.03.060 CLASSES OF PERMITS.

There shall be 5 classes of permits as follows:

- a. Single family residential side sewer permit.
- b. Trailer court and multiple dwelling side sewer permit.
- c. Commercial, industrial, church, school, public and other user side sewer permit.
- d. Public sewer construction.
- e. Private sewage disposal permit.

5.03.070 PLANS, PROFILES AND SPECIFICATIONS REQUIRED.

The application for a permit for public sewer construction shall be accompanied by complete plans, profiles and specifications, complying with all applicable Code, ordinances, rules and regulations of the District, prepared by a registered Civil Engineer showing all details of the proposed work based on an accurate survey of the ground. The application, together with the plans, profiles and specifications shall be examined by the District Engineer who shall, within ten days, approve them as filed or require them to be modified as he/she deems necessary for proper installation. After examination by the District Engineer, the application, plans, profiles and specification shall be submitted to the Board at its

next regular meeting for its consideration. When the Board is satisfied that the proposed work is proper and the plans, profiles and specifications are sufficient and correct, it shall order the issuance of a permit predicated upon the payment of all connection charges, fees and furnishing bonds required by the District. The permit shall prescribe such terms and conditions, as the Board finds necessary in the public interest.

5.03.080 SUBDIVISIONS.

The requirements of Sections **5.03.020** and **5.03.070** of this Chapter shall be fully complied with before the Board shall approve any final subdivision map. The final subdivision map shall provide for the dedication for public use of all streets, easements or rights of way in which public sewer lines are to be constructed. If a final subdivision map of a tract is recorded and the work of constructing sewers to serve the tract is both completed within the time limit allowed in the permit, the Board may extend the time limit or may complete the work and take appropriate steps to enforce the provisions of the bond furnished by the subdivider.

5.03.090 EASEMENT OF RIGHT OF WAY.

In the event an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the Board, a proper easement or grant of right of way having a minimum width of fifteen (15) feet sufficient to allow the laying and maintenance of such extension or connection.

5.03.100 ANNEXATION.

The Owner or Owners of lands within areas proposed to be annexed to the District shall deposit with the District a sum to be fixed by the Board prior to the commencement of proceedings by the Board on the proposed annexation. The amount to be fixed by the Board shall be in a sum estimated to equal the engineering, legal and publication costs and all other charges which may be incurred by the District in preparing and examining maps, legal descriptions and other documents in relation thereto, and other expenses regularly incurred in connection therewith. Should the amount of the deposit exceed the costs incurred by the District, the excess shall be refunded to the Owner or Owners following the conclusion of the final hearing on the proposed annexation. Should the amount of the deposit be insufficient to pay such costs incurred by the District, the Owner shall advance such additional sums as shall be necessary to pay said costs to the final hearing on the proposed annexation.

5.03.110 ALL COSTS PAID BY THE OWNER.

All costs and expenses incident to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the Owner. The Owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the work.

5.03.120 TIME LIMIT FOR PERMIT.

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

5.03.130 CONNECTION PERMITS.

No connection shall be made to the Sanitary Sewer System and no service laterals may be installed except upon issuance by the District of a permit (hereinafter referred to as a "Connection Permit"). The District shall specify the form and content of the application for connection to the Sanitary Sewer System and/or the installation of service laterals. Applications can be obtained from and shall be submitted to the District. When approved by the issuance of the permit, such location shall not be departed from without written permission of the Board, or its authorized representative.

5.03.140 APPLICATION FEES.

An application for connection to the Sanitary Sewer System shall be accompanied by payment of such fees as the District Board of Directors may from time to time reasonably establish. Connection Permits issued by the District shall be subject to the rules and regulations contained herein, and subject to conditions which may, from time to time, be adopted by the District's Board of Directors for the protection of the public health and safety and the general welfare of the District and its inhabitants. Applications shall comply with all rules, regulations and conditions adopted by the Board and with generally accepted construction techniques and technical requirements, including without limitation, requirements of the Uniform Building Code, the Uniform Plumbing Code or other applicable code or standards.

5.03.150 DISCHARGE OF STORM WATER PROHIBITED.

It shall be unlawful to connect roof gutters or other storm water drains or drainage systems to the Sanitary Sewer System or to otherwise allow precipitation or surface waters from any property to enter the Sanitary Sewer System.

5.03.160 PROPERTY OWNER RESPONSIBLE FOR DAMAGE.

The Property Owner shall be responsible for any damage to the Sanitary Sewer System, including without limitation sewer lines, resulting from the connection of sewer laterals or lines, any testing thereof (including without limitation the work by the owner's contractor or agents), and from the inappropriate use of the system and/or the discharge of harmful and inappropriate materials or substances into the system.

Article 5.04 CONNECTION WORK AND INSPECTIONS.

5.04.010 PROPERTY OWNER AND CONTRACTOR TO LOCATE UTILITIES.

Prior to any excavation on public streets and rights of way, permittees shall make a request to locate all underground utilities. Locate requests must be made prior to any excavation.

5.04.020 ENCROACHMENT PERMITS REQUIRED.

No work shall be undertaken within the Right of Way (ROW) on public roads without an encroachment permit. The Property Owner and/or his or her contractor shall obtain an encroachment permit from the public entity that controls the public road where the work will take place. Property Owners shall comply with all State or County laws, Code, ordinances, rules and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting the trenches, backfilling and repaving thereof and shall obtain all permits and pay all fees required by the department having jurisdiction prior to the issuance of a permit by the District.

5.04.030 SEPTIC TANK ABANDONMENT AND DESTRUCTION.

Where existing buildings are being connected to the District sewer system, the existing septic tank (s) or cesspool (s) shall be abandoned and destroyed within ninety days after the sewer connection is made unless extended by the District. All compartments of the tanks and cesspools shall be pumped or all liquid and solid sewage by a licensed septic tank pumper who has a valid permit issued by the Plumas County Department of Environmental Health.

Following pumping, wood and metal tanks may be crushed, and polyethylene tanks can be removed and reused elsewhere.

Following pumping, all vaults and voids in tanks shall be completely filled with concrete slurry or one of the following inert, uniform, granular materials:

- a. Leach rock.
- b. Sand.
- c. Inorganic native soil and rock which is less than 3” in size.

Abandonment and destruction of tanks as described above does not ensure that the area above can be used for vehicular traffic or construction of structures without additional construction measures.

5.04.040 INSPECTION OF SEWER LINES AND LATERALS.

The officers, inspectors, manager and any duly authorized employees of the District shall carry evidence establishing his/her position as an authorized representative of the District and upon exhibiting the proper credentials and identification shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purposes of inspection, re-inspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary in the enforcement of the these rules.

Sewer lines and laterals must be inspected for grade, water tightness and bedding prior to backfill. Final connection to the community sewer system will be made as directed by the District and only after inspection by the District Inspector to insure that permit requirements have been met. Inspections must be requested at least 48 hours in advance.

5.04.050 ALL WORK INSPECTED.

All sewer construction work, building sewers, and drainage systems shall be inspected by an Inspector acting for the District to insure compliance with all requirements of the District. No sewer shall be covered at any point until it has been inspected and passed for acceptance. No sewer shall be connected to the District’s public sewer until the work covered by the permit has been completed, inspected and approved by the District Inspector. If the test proves satisfactory and the sewer has been cleaned of all debris accumulated from construction operation, the Inspector shall issue a certificate of satisfactory completion.

5.04.060 NOTIFICATION.

It shall be the duty of the person doing the work authorized by permit to notify the office of the District that said work is ready for inspection. Such notification shall be given not less than 48 hours before the work is to be inspected. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the District before giving the above notification.

5.04.070 CONDEMNED WORK.

When work has been inspected and the work condemned and no certification of satisfactory completion given, a written notice to that effect shall be given instructing the Owner of the premises, or the agent of such Owner, to repair the sewer or other work authorized by the permit in accordance with the Code, ordinances, rules and regulations of the District.

5.04.080 INSPECTION AND TESTING.

- a. Lateral sewer construction in road rights of way or public easements shall not be commenced until the area is first marked by USA (phone 1-800-642-2444).
- b. Each permitted building or lateral sewer installation shall be inspected and approved by the General Manager or designated representative at the following stages of construction: a) Following excavation and preparation of the trench for pipe installation; b) Following installation of the building or lateral sewer, including all fittings connected directly thereto; c) Following backfill and completion of all piping and fittings. Septic tanks and cesspools, which are abandoned and destroyed concerning lateral sewer construction, shall be inspected before filling has extended above the level of any outlet pipe, and upon the completion of filling and backfilling.
- c. At the option of the General Manager or designee, the building or lateral sewer constructor may be required to test the pipe for cleanness and roundness by passing a ball, 1 inch or less than the inside sewer diameter, with or without tag line, from the uppermost cleanout on the building or lateral sewer to be cleaned, to the District manhole below. The ball shall pass through the pipe with only the force of water impelling it. All debris flushed out ahead of the ball shall be removed at the manhole where its presence is noted. In the event cemented or wedged debris or a damaged pipe shall stop the ball, the constructor shall remove the obstruction.

- d. The constructor for water-tightness, in the presence of the District General Manager or designated representative shall test all building and lateral sewer installations.

Such testing shall be done with the pipe adequately secured but before the trench being fully backfilled. Testing shall be by exfiltration, using air or water. Where leakage is more than the specified rate, the sewer shall be uncovered immediately, and the amount of leakage shall be reduced by the Constructor to a quantity within the specified rate before the sewer is backfilled and accepted. In addition, the Constructor shall repair all visible leaks. Testing shall be of the entire building or lateral sewer between the cleanout at the Building or upper extent of new sewer construction at the property line or District Easement line.

Testing with water shall be done by filling a cleanout at the upper end of the section to the rim level. The water should be introduced into the test section at least 2 hours in advance of the actual test period. The pipe shall then be refilled to the original water level, and the drop in water level shall be measured for a period of 2 hours or more. Leakage shall not be more than 0.0017 gallons per inch of pipe diameter per foot of pipe. Testing with air shall be done by pressurizing the test section to 4.0 psi greater than the average backpressure of any groundwater that may submerge the pipe, and holding the pressure for at least 4 minutes to allow for temperature stabilization. At the end of the saturation period, note the pressure (must be 3.5 psi or more) and begin the timed pressure test. The pressure shall not drop to less than 2.5 psi during a 4-minute test period, and the minimum acceptable test pressure drop shall not be more than 0.20 psi per inch of pipe diameter.

5.04.090 CONNECTION TO THE PUBLIC SEWER.

When connections are made to pre-existing sewer lateral stubs by a Property Owner, connections shall be made by a duly licensed contractor employed by the Property Owner, or the Property Owner, which work shall be inspected by the District prior to the use of the sewer system.

Where a public sewer is not available, the building sewer shall be connected to a private sewage disposal system, complying with the Code, rules, regulations and ordinances of the District.

5.04.100 OUTSIDE SEWER.

Permission shall not be granted to connect any lot or parcel of land outside the District to any public sewer in or under the jurisdiction of the District unless a

permit thereof is obtained. The applicant shall first enter into a contract in writing whereby he/she bind himself/herself, his/her heirs, successors and assigns to abide by all Code, ordinances, rules and regulations in regard to the manner in which such sewer shall be used, the manner of connecting therewith, and the plumbing and drainage in connection therewith and also shall agree to pay all fees required for securing the permit and a monthly fee in the amount set by the District for the privilege of using such sewer.

5.04.110 PERMIT OPTIONAL.

The granting of such permission for an outside sewer in any event shall be optional with the Board.

5.04.120 SPECIAL OUTSIDE AGREEMENTS.

Where special conditions exist relating to an outside sewer, they shall be the subjects of a special contract between the applicant and the District.

5.04.130 STREET EXCAVATION PERMIT.

A separate permit must be secured from the County or any other person having jurisdiction thereover by Owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections.

Article 5.05 USER FEES AND OTHER CHARGES.

5.05.010 PERMIT FEES.

No public sewer, side sewer, building sewer or other sewage works shall be installed, altered or repaired within the District until a permit for the work has been obtained from the District and all fees paid. A fee shall be charged by the District to Property Owners for issuance of a connection permit. The fee shall cover the cost of the processing of the connection permit, all inspections, testing and other work of the District in overseeing the connection to the Sanitary Sewer System. The permit fees may vary based on the nature of the work required by the District and the connection being made by the Property Owner. Where the District requires that the physical work of connecting the property to the system is to be made by the District, the fees shall also provide for recovery by the District of all expenses incurred, including without limitation costs of District staff, administration, and contractors, and the District shall require the Property Owner to make a cash deposit with the District for payment of said fees. The permit fees shall be set from time to time by District Fee Resolution. (Government Code Section 61115.)

5.05.020 CONNECTION FEES.

Connection fees shall not be required for Property Owners whose property is already developed and is within the boundaries of the Service Area at the time of the adoption of this Chapter and is already connected to the Sanitary Sewer System. Any property not so connected shall be subject to a connection fee at the time that the Property Owner seeks to connect to the system. The connection fee shall be due and payable at the time the Property Owner submits an application for a connection permit and no permit applications shall be accepted without payment of the full fee. The connection fees shall be established by District Fee Resolution.

All costs and expenses incident to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the Property Owner. The Property Owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the work.

5.05.030 SEWER USER FEES.

All improved real property shall be required to be connected to the District's Sanitary Sewer System. All improved properties will be deemed to be connected for the purpose of levying an annual sewer use fee with respect to such properties to pay for their actual use or the immediate availability of such use to such properties. Any parcel with an existing sewer connection permit shall be deemed connected. Owners of all connected real property shall pay to the District for the use or immediate availability for use to such of the Wastewater System a sewer user fee in the amount as described in the District Fee Resolution, as attached hereto and incorporated herein by this reference. Any change in the amount of the sewer user fees shall be made by District Fee Resolution. Sewer use fees shall be billed and paid as follows:

- a. The sewer user fees shall be billed Monthly/Quarterly/Annually for the previous month(s). The installments shall be due and payable thirty days after billing and shall become delinquent on the thirty-first day.
- b. Sewer user fees billing periods shall begin on the first day of the Monthly billing periods and shall begin on the first day following the issuance of a completed hookup to the Wastewater System.
- c. All sewer user fees shall be billed to and be the responsibility of the real Property Owner, whether or not the owner is also the occupant. For the purpose of this Chapter, lot or parcel ownership shall be established as of the last day of the month preceding the billing period and shall be based upon the latest available records of the Plumas County Assessor's Office.

It shall be the responsibility of any person or entity purchasing real property that is connected to the sewer system to notify the District of the change in ownership in order for the District to be able to bill the proper party. If the new Property Owner's failure to provide the proper ownership information results in the District's sending the sewer bill to the wrong person and results in the failure to timely make payment, the new Property Owner shall be responsible for any late payment charges.

- d. Any amount paid in excess of the monthly charge shall be credited against the charge for the succeeding billing period or refunded, at the discretion of the District, during the current year.
- e. The District shall adjust billings for fees for any calendar quarter in a proportionate manner to reflect the change in the classification of the use of any real property occurring during that quarter. Any Property Owner may file an application requesting an adjustment of billing, stating the grounds for such adjustment. Any such request for an adjustment shall be reviewed in accordance with Section 5.15 regarding appeals.
- f. Sewer Operation/Maintenance fees may be increased annually to cover increases in the costs for operation and maintenance. Increases shall be approved by the Board of Directors and adopted by District Fee Resolution. Any increases in fees shall comply with the provisions of Section 6 of Article XIID of the California Constitution.

5.05.040 OTHER CHARGES.

The owner of any real property connected to the Sanitary Sewer System shall be responsible for any extraordinary expenses and costs incurred by the District involving sewer service to the property, including without limitation, testing, inspections of the private sewer laterals or lines, expenses arising from any blockage or damage to the Sanitary Sewer System resulting from the use of the private property and the cost of investigation and repairing or fixing any blockage attributable to the property. Any such charges will be billed on a time and material basis incurred by the District for use of contractors and/or District personnel, together with an administrative overhead of ten percent (10 %) with a minimum charge as established by District Fee Resolution.

5.05.050 PROVISIONS APPLICABLE TO ALL FEES AND CHARGES.

- a. In the event that any fee or charge is unpaid thirty-one (31) days from the date of the billing, a ten percent (10%) delinquency charge shall attach to the bill and shall be added to the unpaid balance of the delinquent bill. A 1% penalty is assessed on any balance from previous billing periods. Any

payment received will be credited towards any late fees and oldest fees due. Court fees will be assessed when applicable to collect back amounts due.

- b. In the event that any fee or charge by the District remains unpaid in excess of one year from the date of billing by the District, the District shall promptly thereafter record a certificate in the office of the Plumas County Recorder specifying the amount of the unpaid charge or fee and the name and address of the person liable therefore, through a tax lien in accordance with California Government Code Section 61115(b).
- c. From the time of recordation of the certificate, the amount required to be paid together with interest and penalty constitutes a lien upon all real property in the county owned by the person or afterwards, and before the lien expires, acquired by him/her. The lien has the force, priority, and effect of a judgment lien and shall continue for 10 years from the date of the filing of the certificate unless sooner released or otherwise discharged. The lien may, within 10 years from the filing of the certificate or within 10 years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record a new certificate in the office of the county recorder of any county and from the time of such filing the lien shall be extended to the real property in such county for 10 years unless sooner released or otherwise discharged.
- d. These provisions are cumulative and are in addition to any other enforcement rights that the District may have, including without limitation, the right to suspend or terminate sewer service to any property.

Article 5.06 MATERIALS AND MANNER OF CONSTRUCTION.

5.06.010 DESIGN.

The type, capacities, location and layout of a sewer lateral shall comply with all recommendations of the State of California Department of Health. No septic tank or cesspool shall be permitted to discharge to any public sewer or any stream or watercourse. No statement contained in this Article shall be constructed to interfere with additional requirements that may be imposed by any law, Code, ordinance, rule or regulation, or by the Health Officer of the County.

5.06.020 GENERAL REQUIREMENTS.

- a. Where there is an existing service lateral (“service stub”) that is capable of providing service to a parcel/property, that lateral shall be used. If the owner, for his/her convenience, desires to secure and to construct a sewer lateral at an alternative location, the District may, but shall not be required to, authorize such alternative sewer lateral, upon a showing of good cause and provided that the District’s engineer determines that the new service lateral does not negatively impact the sewer line or sewer system. All costs shall be borne by the Property Owner.
- b. A separate and independent sewer lateral shall be provided for every parcel. Where more than one structure or building exists on a single parcel, they may share a common service lateral.
- c. Any property owner seeking sewer service that does not front on a road or easement that contains a District sewer line shall have the sewer lateral to the property constructed within the boundaries on a duly recorded easement in the favor of the property owner using the sewer lateral. A copy of the deed establishing the easement shall be presented to the District at the time of application for the sewer connection permit. Prescriptive easements cannot and will not be accepted unless and until validated by a court of competent jurisdiction. Nothing herein shall allow structures in different ownership to be served by the same service lateral.
- d. The District shall request that the County impose a condition on the approval of any subdivision of property within the Wastewater System service area to require the construction of separate service laterals to each parcel.
- e. All costs and expense incident to the installation and connection of the service lateral shall be borne by the Property Owner. The Property Owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer and/or service lateral.

5.06.030 LOCATIONS.

- a. If requested by the Property Owner, the District will provide information on the location of any service stub from available District records without warranty as to the accuracy or reliability of the information. Service stubs are the predesigned points along the sewer main to provide for the connection of service laterals and secondary sewer lines.

- b. The Property Owner shall be responsible for physically locating the service stub, including any surveys or exploration, and shall bear all cost of locating service stub. A copy of the map of property service stub location will be provided upon permit application.
- c. The District, and its officers, employees and agents, shall not be deemed to make any warranties of any kind as to the accuracy of locations or be liable for any losses or damages sustained or resulting from any inaccuracies or inadequacy of location information.

5.06.040 MATERIALS.

Pipe shall be a minimum of four inches (4”) in (nominal) inside diameter. Pipe material shall be one of the following:

PVC solid wall pipe Schedule 40 ASTM 1785

HDPE solid wall pipe DR 13.5 ASTM D3035

Ductile Iron Sewer Pipe and fittings (AWWA C 151, C110 and C104) Class 50, cement mortar lined and tar or polyethylene coated, bell and spigot “push-on” rubber gasket jointed; or hubless cast iron (IAPMO IS6-89).

Polyvinyl Chloride (PVC) Sewer Pipe (ASTM D3033 and D3034) SDR35 or SDR41, bell and spigot with rubber compression ring gasket (ASTMF477 and D3212).

Polyvinyl Chloride (PVC) Pipe (ASTM D2665) Schedule 40 DWV with solvent-welded joints.

Acrylonitrile Butadiene Styrene (ABS) Pipe (ASTM D2661) Schedule 40 DWV with solvent-welded joints (on private property only).

Joint material used shall be as specified in the construction requirements or as approved by the District Inspector.

5.06.050 MANNER OF CONSTRUCTION.

- a. Gravity Systems.

Building Sewer Line. The building sewer line is defined as the sewer line carrying raw sewage, from a building (source of sewage) beginning two feet from the building foundation and ending at the inlet of the sewer system.

Existing building sewer lines are accepted as approved for use at the time this revision is adopted. However, conditions that result in sewage discharge as a result of defects in the existing building sewer line must be corrected immediately, by the owner.

For all new or reconstruction projects the following shall be met:

1. Excavations shall be made at a uniform grade from the building to the sewer system inlet.
2. The pipe shall be bedded in material approved by the County.
3. The minimum grade of the building sewer line shall be ¼" in 12" (0.02 ft/ft) (2%), or as approved by the engineer.
4. The building sewer line shall be ABS, PVC or HDPE pipe with water tight fittings. The building sewer line shall be located a minimum of 25' from any well unless the line is encased in a PVC or HDPE sleeve.
5. A cleanout is required within 3 feet from building edge and for each 135 degrees of accumulated horizontal joint deflection downstream.
6. If thirty (30") inches of cover is not provided in any driveway or traffic area, a schedule 80 PVC pipe sleeve shall be used. At no point shall cover be less than 12 inches.
7. In special circumstances, a slope of one foot per 100 feet may be permitted if determined to be necessary by the District Engineer. Not more than one hundred fifty fixture units shall be connected to a 4-inch diameter building or side sewer.

Initial backfill shall be placed to a depth of twelve (12") inches over the top of the pipe and compacted using suitable mechanical equipment. Subsequent backfill may be accomplished using native material provided

no rocks or particles greater than four (4") inches are present. No trench shall remain open longer than 24 hours.

b. Sewer Service Line

The sewer service line is defined as the sewer line carrying raw sewage to the property line at District service stub.

1. Excavations shall be made at a uniform grade from the service stub. Over excavation shall be avoided.
2. The pipe shall be bedded in material approved by the District.
3. The sewer service line will be connected at the property line with a coupler.
4. The minimum grade of the sewer service line shall be 1/8" in 12" (0.01 ft/ft) (1.00%) or as directed by the District. The top of the sewer service line shall be installed so it remains lower than the invert of the sewer outlet at each point along its length.
5. The sewer service line shall be pressure rated (PVC or HDPE) and located a minimum of 25' from any well unless the line is encased in a PVC or HDPE sleeve within the 25 feet.
6. A cleanout is required within 3 feet of each 135 degrees of accumulated horizontal joint deflection and 100 feet of line.
7. The depth of cover over a service lateral shall be a minimum of thirty (30") inches at the property line. If thirty (30") inches of cover is not maintained in any driveway or traffic area, a schedule 80 PVC pipe sleeve shall be used. At no point shall cover be less than 12 inches.
8. All trenches shall be left open for inspection. No service lateral pipe may be covered until inspected and a test witnessed by the District. The owner shall notify the District 24 hours in advance to schedule an inspection. Initial backfill shall be placed to a depth of twelve (12") inches over the top of the pipe and compacted using suitable mechanical equipment. Subsequent backfill may be accomplished using native material provided no rocks or particles greater than four (4") inches are present. No trench shall remain open longer than 24 hours.

9. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District. Backfill material and the method of placement in a road or highway right-of-way, shall conform to the requirements of the applicable agency.
10. The connection of the service stub to the public sewer shall be done by an approved and licensed contractor employed by the Property Owner unless otherwise directed by the District. All excavation and trench safety measures as set out in applicable law (including regulations of the Division of Industrial Safety) shall be strictly complied with by the contractor and the Property Owner.
11. No line shall be placed in service prior to completion of all encroachment permit conditions and the filing with the District of satisfactory evidence thereof.

c. Pumped Systems

Properties which lack sufficient elevation for gravity discharge to the sewer system shall require the use of a pumped system to discharge sewage, into the District's sewer mains.

1. Requirements for gravity systems, in 5.06.040 (a), apply to pumped systems. The Property Owner shall be responsible for testing and installation of the sewer service line
2. Installations of pumped effluent systems that are timely requested and consented to by Property Owners as part of the initial construction of the Wastewater System, will, subject to the above provisions, be installed by the District and any defective work will, within the one year warranty period under the District's construction contract, be corrected in accordance with and subject to the provisions of the construction contract. The District reserves the right in its sole discretion to determine if any defective work or materials is to be corrected by the District. Following installation, ownership of the pumped system shall pass to the Property Owner and all routine maintenance and repairs will be the responsibility of the Property Owner. Any warranty work shall be done by the District.

The District will pay for the installation of pumped effluent systems only where, upon notification by the District, the Property

Owner timely applies for a connection permit and grants to District a temporary construction easement over their property in order to accomplish the installation work. District will endeavor to identify and notify Property Owners who will need pumped systems of the opportunity to have the District perform such work and the requirement to apply for a connection permit following the adoption of this Chapter.

Installation of pumped effluent systems which were not installed in conjunction with the initial construction of the Wastewater System (and the cost thereof is not covered by grants to the District) shall be a cost to be borne by the Property Owners.

3. The District specifications are more stringent than State code. They are intended to establish the same type of equipment as installed in the system.

Nothing contained herein shall be construed as making the District a party to any construction. Nor shall this Chapter relieve any person from the necessity of compliance with the provisions of any applicable District or permit requirements.

5.06.060 CONTROL MANHOLE.

When required by the General Manager, the Owner of any property served by a side sewer carrying industrial wastes shall install a suitable control manhole in the side sewer to facilitate observation, sampling and measurement of wastes. Such manhole, when required, shall be accessible, safely located, and shall be constructed in accordance with plans approved by the District Engineer. The manhole shall be installed by the Owner at his/her expense, and shall be maintained by him/her to be safe and accessible at all times.

5.06.070 MEASUREMENTS AND TESTS.

All measurements, tests and analyses of the characteristics of water and wastes to which reference is made in Section **5.12.030** and **5.09.010**, shall be determined in accordance with standard methods and shall be determined at the control manhole provided for in Section **5.12.080**, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer from the point at which the side sewer is connected.

5.06.080 INSTALLATIONS.

Building and lateral sewer piping shall be laid throughout its entire length on a firm, uniform, evenly-graded bed and any such piping laid in made or filled in

ground shall be laid on a bed of approved, compacted material to the satisfaction of the General Manager. Native mineral earth which contains no rock or stone larger than ¾ inch shall be used, 4 inches thick for pipe bedding and for initial backfill. Imported screened sand or pea gravel ¾ in. aggregate base may be used instead of the native material, for bedding and for initial backfill to 6" above the top of pipe. Piping placed in a public road right of way shall be installed in conformance with the permit requirements of the responsible authority.

Horizontal sewer lines connecting with other horizontal sewer lines shall enter through 45-degree wye branches, combination wye and 1/8-bend branches, or other approved fittings of equivalent sweep. The wye branch connecting the building or lateral sewer to the District sewer main shall be angled up from 2 degrees to 45 degrees from horizontal.

Changes in direction of sewer piping shall be made by the appropriate use of approved fittings and shall be of the angles presented by a 1/16 bend, 1/8 bend, 1/6 bend, or ¼ sweep elbow (minimum 4 inch centerline radius) or other approved fittings of equivalent sweep.

Each cleanout shall be installed so that it opens to allow cleaning in the direction of flow, and shall be installed vertically above the flow line of the pipe.

All sewer cleanouts shall be extended to grade. Cleanouts installed under concrete or asphalt paving shall be protected with a metal frame and cover placed flush with the paving surface and marked "SEWER".

Cleanouts shall have a clearance of not less than 18 inches measured horizontally in all directions from the cleanout surface cover.

Building sewers serving fixtures with flood level rims located below the elevation of the cover of the next upstream District manhole serving such building sewer shall be protected from backflow of sewage by installing an approved type backwater valve, provided that fixtures above such elevation shall not discharge through the backwater valve. Building sewers serving fixtures that are located below the crown level of the District sewer main at the connecting wye branch shall discharge into an approved watertight sump or receiving tank so located as to receive the sewage or wastes by gravity. From such sump or receiving tank, the sewage or other liquid wastes shall be lifted and discharged into the building sewer by approved ejectors, pumps, or other equally efficient, approved devices.

Article 5.07 INSPECTION.

5.07.010 INSPECTION REQUIRED PRIOR TO USE.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the District Inspector. He/She shall be allowed to inspect the work at any stage on construction and the applicant shall notify the District Inspector when the work is ready for final inspection, and before any underground portions are covered. The notification shall be made at least forty-eight hours, Saturday, Sundays, and Holidays excluded, before the time the contractor or owner expects the work to be completed and ready for inspection.

No sewer lateral or line connected to the District's Sanitary Sewer System shall be used to flow effluent until said line has passed a preliminary and final inspection. If more than two trips are required to inspect any sewer lateral or line, the Property Owner shall be billed and be responsible for payment for the additional inspections at the rate as set forth by District Fee Resolution.

5.07.020 PROCEDURES FOR FAILED INSPECTIONS AND RE-INSPECTION.

If a Property Owner's lateral or line has not passed a final inspection within 90 days of the preliminary inspection, the District shall make a special inspection and report any deficiencies to the Owner. All inspections after the initial two (2) inspections will be billed to the Owner at the rate set forth in District Fee Resolution. Inspection fees shall be billed and paid prior to the authorization for use of the sewer system. Any unpaid fees may be collected as O&M user fees and shall be subject to the same collection procedures and delinquency charges.

5.07.030 DESIGN AND CONSTRUCTION STANDARDS.

Minimum standards for the design and construction of sewers within the District shall be in accordance with the applicable provisions of the Code, ordinances, rules, and regulations and with the Specifications for Sewer Construction heretofore or thereafter adopted by the District, copies of which are on file in the District office. The District may permit modifications or may require higher standards where unusual conditions are encountered.

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

5.07.040 GRADE STAKES.

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

5.07.050 PROTECTION OF EXCAVATION.

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

5.07.060 COMPLETION OF SEWER REQUIRED.

Before acceptance of any sewer line by the District and prior to the admission of sewage into the system, the sewer line shall be tested and shall be complete in full compliance with all requirements of the Specifications for Sewer Construction and to the satisfaction of the District Engineer.

5.07.070 PERSONS AUTHORIZED TO PERFORM WORK.

Only properly licensed contractors shall be authorized to perform the work of public sewer construction within the District. All terms and conditions of the permit issued by the District to the applicant shall be binding on the contractor. The requirements of this Section shall apply to side sewers installed concurrently with the public sewer construction.

5.07.080 IMPROVEMENT SECURITY.

Prior to issuance of a permit for public sewer construction, the applicant shall furnish to the District a faithful performance bond, cash, or other improvement security acceptable to the Board, in the amount of the total estimated cost of the work determined by the District Engineer. Such faithful performance bond, cash deposit, or other improvement security shall be conditioned upon the performance of the terms and conditions of the permit and unless more stringent requirements are otherwise specified by the Board shall guarantee the correction of faulty workmanship and replacement of defective materials for a period of one year from and after the date of acceptance of the work by the Board, in the amount of the total estimated cost of the work.

5.07.090 DISTRICT TO PERFORM WORK.

The District reserves the right, at its option, to perform all or part of the construction, extensions or connections to Sanitary Sewer System. Before the start of work, the applicant shall deposit with the District the estimated public sewer construction cost and all fees and connection charges required for the permit. The

District shall refund to the applicant funds deposited more than the construction costs and will bill the applicant for any additional costs.

Article 5.08 TESTING.

5.08.010 GENERAL REQUIREMENTS.

In order to insure the soundness of the Sanitary Sewer System and to prevent infiltration into the system, the District shall have the authority to require such testing of individual sewer lines and laterals, both as to existing and new laterals, and pumped systems as the District may determine is necessary and appropriate. All building sewers and lateral sewers shall be tested in the presence of the District Inspector and inspected for excessive leakage. The person constructing the sewer shall furnish fittings, plugs, water and labor for testing. All lines showing excessive leakage shall be repaired or replaced at the expense of the person doing the work and shall be done at the direction and to the satisfaction of the District Inspector.

The cost of any such testing shall be an expense of the Property Owner and shall be billed and collected as an additional sewer user fees and shall be subject to the same collection procedures and delinquency charges. The Property Owner shall be responsible for making any repairs or correcting any problems to the sewer lines or laterals, and pumped systems as may be determined to be necessary based on the testing and for retesting when the repair or correction work is completed. The Property Owner shall also be responsible for paying all fees established by the District for testing and inspection.

5.08.020 APPLICABILITY.

- a. All new connections to the Sanitary Sewer System shall be tested in accordance with the provisions of this section. No person or property shall use or introduce wastewater into the Sanitary Sewer System until the service lateral from the property has passed a test as specified in this Chapter.
- b. No property shall be allowed to remain connected to the Sanitary Sewer System if the sewer service lateral, or pumped system fails any test required by the District.
- c. All service laterals, including those serving residential, multiple residential and commercial, connected to a District sanitary sewer shall be tested and inspected by the District if any of the following conditions occur:

1. Remodeling of the house, building or property served in an extent of more than fifty percent (50%), as determined by Plumas County assessed valuation, or
 2. Installation of additional toilet facilities in the house, building or property served, or
 3. Change of use of the house, building or property serviced from residential to business or commercial or from non-restaurant commercial to restaurant commercial, or
 4. Upon repair or replacement of all or part of the building sewer, or
 5. Upon addition to structures of living quarters, such as guest cabins or property served or plumbing of garages into living quarters, or
 6. Prior to close of escrow upon sale of the home, building or property served, or
 7. Upon determination of the District that the cleaning and testing *is* required for the protection of the public health, safety and welfare.
- d. Inspections by District to be paid prior to close of escrow. Fees shall be paid as established by District Resolution.

Article 5.09 WASTE PRE-TREATMENT.

5.09.010 PRE-TREATMENT REQUIRED.

Any connection, listed below, connected to the Sanitary Sewer System, shall require pre-treatment of the waste discharged into the Sanitary Sewer System, which shall be sized and constructed of approved materials and otherwise approved by the District. The Property Owner shall, at their own expense, provide such additional pretreatment or such other measures, as required in order to reduce objectionable characteristics, contents, or rate of discharge of waters or wastes being deposited in the Sanitary Sewer System in order to avoid damage to the Sanitary Sewer System or any undue interference with its operation.

5.09.020 GENERAL REQUIREMENTS.

- a. Food Grease:
 1. Grease traps or grease interceptors shall be installed in all establishments which handle, prepare, cook, or serve foods or

when in the opinion of the District they are necessary for the handling of wastes that can affect the proper functioning of the Sanitary Sewer System, except that such interceptors shall not be required for private living quarters or dwelling units.

2. Dishwashers and all sinks used for food preparation within a full kitchen service shall discharge to a grease interceptor. Single service kitchens may utilize a grease trap. A single service kitchen is defined as a fast food establishment utilizing paper plates and disposable utensils where little or no grease is generated. No liquid wastes in excess of 140 degrees Fahrenheit shall be permitted.
3. Floor drains shall be plumbed through an interceptor.
4. Grease traps shall be sized in accordance with the Uniform Plumbing Code, latest edition or as revised, or in accordance with the trap manufacturer's recommendations, whichever yield the trap of greater capacity.
5. Grease interceptors shall be sized in accordance with the Uniform Plumbing Code, latest edition or as revised, Section 712, Appendix H, or as recommended by a registered civil engineer. No trap or interceptor shall be sized for a flow greater than fifty-five (55) gallon per minute, no less than twenty (20) gallons per minute.
6. Each grease trap or interceptor shall be so installed and connected that it shall be at all times easily accessible for inspection, cleaning and removal of the intercepted grease. A grease interceptor may not be installed in any part of a building where food is handled. Location of the grease interceptor shall meet the approval of the District's Engineer.
7. Plans of the installation and sufficient documentation to substantiate the size of the proposed grease trap or interceptor shall be submitted to and approval obtained from the District prior to the installation of any grease trap/or interceptor, and use of the Sewer System. The District reserves the right to require sizing in excess of the Uniform Plumbing Code if in the opinion of the District the use warrants the additional capacity.
8. Nothing in the approval process contained herein shall constitute an endorsement of any brand, make or model of grease interceptor nor does the District warrant the effectiveness of any unit to

comply with the provisions of this Chapter and the Uniform Plumbing Code.

9. The use of unapproved chemicals, bacteria, enzymes, and/or grease dissolving materials in grease traps is prohibited.

b. Industrial Type Grease and Oils:

1. Grease and oil interceptors shall be installed in all buildings or uses of property that are connected to the Sanitary Sewer System where in the opinion of the District, they are necessary for the handling of liquid wastes containing grease, flammable wastes, sand, oil, solids, acid or alkaline substances from being introduced into the Sanitary Sewer System that can affect the proper functioning of Sewage Works. Such interceptors shall not be required for private living quarters or dwelling units.
2. Recreation vehicle dump stations shall install a sand and oil interceptor.
3. Vehicle wash stations shall install a sand and oil interceptor.
4. All floor drains located in a vehicle service bay shall install a sand and oil interceptor.
5. Sand and oil interceptors shall be sized, installed and maintained as directed by the District at the expense of the Property Owner, and shall be regularly serviced so as to maintain efficient operation at all times by periodic removal of the accumulated solid and liquid waste. The Property Owner shall keep appropriate records of all maintenance and shall provide such proof of maintenance as may from time to time be requested by the District.

5.09.030 COMPLIANCE.

All services requiring waste pretreatment shall meet the requirements stated herein according to the following schedule:

- a. Upon sale of the premises,
- b. Upon modification resulting in a 10% or greater change in the sewage capacity rating.

If a service requiring grease interceptor or trap is determined to have significantly caused or threatened a blockage in any sewer line which results in or threatens to cause the escape of sewage from any sewage collection line, the owner of said service shall have a Registered Civil Engineer prepare a report on the case and method of correction of the problem within 10 days of written notice by the District, or within such further time period as the District may allow upon a showing by Property Owner that the corrective work is being diligently pursued.

Corrective measures as required by such a report shall be implemented by the owner within 60 days of the date of approval of said report by the District. The Property Owner shall be responsible for all costs of corrective work and costs incurred by the District relating to its oversight and regulation of any such corrective work.

5.09.040 AUTOMOTIVE AND BOAT REPAIR FACILITIES.

All automotive/boat service bays and automotive repair shops must have floor drains connected to the Sanitary Sewer System. All drains must go through an approved grease trap or approved oil separator prior to discharging in the Sanitary Sewer System and comply in accordance with 5.09.030. Oil-component wastes may contain no more than 20mg/l of oil.

5.09.050 SEPARATE SEWER CONNECTION POWERS.

No two adjacent buildings fronting on the same street shall be permitted to join in the use of the same side sewer, except as approved by the District. Every building or industrial facility must be separately connected with a public sewer if such public sewer exists in the street upon which the property abuts or in an easement which will serve said property. However, one or more buildings located on property belonging to the same Owner may be served with the same side sewer during the period of common ownership. Upon the subsequent subdivision and sale of a portion of the lot, the portion not indirectly connected with the Sanitary Sewer System shall be separately connected with the Sanitary Sewer System, and it shall be unlawful for the Owner thereof to continue to use or maintain the indirect connection. Notwithstanding the provisions thereof, single family residential units with common walls, condominium, stock cooperative, community apartment or other similar improvement which entitles Owners of interests therein to occupy independent ownership interests and to make joint use of utility and other services, which may be provided by facilities owned in common, may upon issuance of a permit authorizing such common use by the District Engineer, be permitted to maintain a common side sewer or sewers.

5.09.060 OLD BUILDING SEWER.

New buildings using the sewer system of an old building may be used only when they are found, upon examination and testing by the District Inspector, to meet all requirements of the District.

5.09.070 CLEANOUTS.

For all structures connected to the Sanitary Sewer System, a cleanout shall be placed on the building sewer outside and within three feet of the building, at the lower end of the building drain. Additional building and lateral sewer cleanouts shall be installed at intervals not to exceed 100 feet in straight runs and for each aggregate change in direction exceeding 135 degrees. A cleanout shall be installed on the lateral sewer line at the property line or edge of the District easement.

5.09.080 SEWER TOO LOW.

In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sewage carried by such building shall be discharged to the public sewer at the expense of the Owner.

5.09.090 CONNECTION TO PUBLIC SEWER.

The connection of the building sewer into the public sewer shall be made at the lateral or "Y" branch, if such lateral or "Y" branch is available at a suitable location. Where no property located "Y" branch is available, a neat hole may be cut into the public sewer to receive the building or lateral sewer, with entry in the downstream direction at an angle of about forty-five degrees. A wye saddle shall be used for the connection and in no case shall the pipe protrude inside the main sewer. The invert of the building or lateral sewer at the point of connection shall be at about the elevation of the crown of the public sewer. A smooth neat joint shall be made, and the connection made secure and watertight. The connection to the public sewer shall be made in the presence of the District Inspector in accordance with the Code, rules, regulations, and ordinances of the District. Any damage to the public sewer shall be repaired at the cost of the applicant to the satisfaction of the District Inspector.

5.09.100 PROTECTION OF EXCAVATION.

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

5.09.110 MAINTENANCE OF SIDE SEWER.

The Owner of the property served shall maintain side sewers. Where a side sewer provides service to more than one single family residential unit in a development with common walls, condominium, stock cooperative, community apartment or other similar improvements, the obligation to maintain the side sewer shall be in the homeowners' association or other entity responsible for the maintenance of the property and facilities owned in common.

5.09.120 BACKWATER PREVENTION DEVICE-MAINTENANCE.

Where a side sewer serves plumbing fixtures that are located less than one foot above the rim elevation of the upstream manhole or rod hole in the reach of main sewer into which the side sewer connects, it shall be protected from backflow of sewage by installing a backwater prevention device, of a type and in the manner prescribed by the General Manager. Any such backflow device shall be installed by the applicant for sewer service at the sole cost and expense of the applicant. The maintenance of the backflow device shall be the sole obligation of the permittee or his successor in interest. The District shall be under no obligation to ascertain that the backflow device continues in operating condition. Failure to maintain the backwater prevention device does not obligate the District to reimburse the owner for failure of the backwater prevention device to keep sewage out of the owner's portion of the sewer system.

5.09.130 DISTRICT TO PERFORM WORK.

The District reserves the right, at its option, to construct lateral sewers and make connections to public sewers. Before the start of work, the applicant shall deposit with the District the estimated cost and all the fees and connection charges required for the permit.

Article 5.10 DISTRICT RESPONSIBILITY.

5.10.010 DISTRICT RESPONSIBILITY AND RIGHT.

The District shall own, operate and maintain all sewer mains. The District will exercise reasonable diligence and care to provide continuous operation of its sewerage disposal facilities and to avoid, so far as practicable, curtailments or interruptions in such service. The District, its officers, agents or employees, will not be liable either for interruption, shortage of curtailment or stoppage of sewer service to any property, or for any loss or damage occasioned thereby.

5.10.020 DISTRICT'S RIGHT.

In addition to any and all other rights that the District has to establish reasonable regulations and requirements pertaining to the use of the Sanitary Sewer System, and not as a limitation as to any such right, whenever it is necessary for the purpose of making repairs or performing any other work on the Sanitary Sewer System or to prevent damage to the Sanitary Sewer System, the District expressly reserves the right, to temporarily suspend sewer service to any property, and it shall not be liable for any loss or damage occasioned thereby.

5.10.030 DISTRICT RESPONSIBILITY LIMITED TO DISTRICT PROPERTY.

The District will not be responsible for the maintenance and operation of any sewer line or facility that is not owned by the District and such lines or facilities will not be considered as part of the District's Sanitary Sewer System. The District will not be responsible for sewer lines on private property except in an easement dedicated to and accepted by the District.

5.10.040 DISTRICT REPAIRS.

The District will repair physically damaged sewer laterals from the property line cleanout to the sewer main that are within the County and USFS rights-of-way only. The District will not be responsible for any portion of the sewer lateral on private roads or easements not in the name of the District.

Article 5.11 PROPERTY OWNER'S RESPONSIBILITY.

5.11.010 OWNERS RESPONSIBILITY.

Property Owners shall be responsible for the condition of the service laterals and lines that are not on District property or within public road rights of ways. All such service laterals and lines shall be maintained so as to allow for the unobstructed passage of sewage and in a condition so that the lines or laterals pass any testing and inspections required by the District. Cleanouts shall be maintained by the owner in a functional capacity and shall be kept free of obstructions and accessible.

5.11.020 DISTRICT NOT RESPONSIBLE FOR BLOCKAGES.

The District shall not be responsible for blockages in any part of the service lateral, unless the blockage is caused by a physical defect in the District's sewer line. The intrusion of roots and any blockage caused by roots from trees growing on the customer's property are not the responsibility of the District and in all cases shall be the responsibility of the Property Owner.

Article 5.12 PROHIBITIONS.

5.12.010 GENERAL.

In order to protect the Sanitary Sewer System and the public health, safety and general welfare, the District may prohibit or place restrictions on the quantity and quality of all materials and waste discharged into the Sanitary Sewer System.

5.12.020 DRAINAGE INTO SANITARY SEWER PROHIBITED

No leaders from roofs and no surface drains for rainwater shall be connected to any sanitary sewer. No surface or subsurface drainage, rain water, or storm water, seepage, cooling water or unpolluted industrial process waters shall be permitted to enter any sanitary sewer.

5.12.030 PROHIBITED DISCHARGES.

No person shall discharge or cause to be discharged into the Sanitary Sewer System the following:

- a. Any liquid or vapor having a temperature higher than one hundred forty (140) degrees Fahrenheit.
- b. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures below 60 degrees F.
- c. Any garbage, except garbage from individual dwelling units which has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-fourth inch in dimension. In no event will industrial, commercial or institutional sewer systems qualify for an exception.
- d. Any water containing synthetic detergents in excessive quantity.
- e. Any water or wastes containing excessive suspended solids or excessive dissolved solids.
- f. Any noxious or malodorous gas or substance capable of creating a public nuisance.

- g. Any water or wastes containing acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- h. Any water or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement.
- i. Any waste water, containing cyanides in excess of two milligrams per liter (2ml/l).
- j. Any water or wastes containing phenols or other taste or odor producing substances in high concentrations.
- k. Any radioactive wastes or isotopes.
- l. Any water or wastes having pH in excess of 9.5.
- m. Any wastewater flow or concentration of wastes constituting “sludge” as defined herein.
- n. Any wastewater with an excessive BOD (biochemical oxygen demand).
- o. Any substance set forth in the most current version of the CA Proposition 65 List, chemicals known to the State to cause cancer or reproductive toxicity.
- p. Any water or wastes which contain substances or possess characteristics which, in the judgment of the General Manager, may have a deleterious (causing harm or damage) effect upon the Sanitary Sewer System.
- q. The use of diluting waters to meet the requirement standards of discharge of waste is prohibited.
- r. Any other waste or material that is determined by the District to be harmful to the Sanitary Sewer System.
- s. Dispersed grease, other than soap, more than 500 parts per million. Dispersed grease is grease which is not floatable.
- t. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

5.12.040 APPLICATION.

If any water or wastes are proposed to be discharged to the Sanitary Sewer System, the District reserves the right to:

- a. Reject the wastes, or
- b. Require pretreatment to an acceptable condition for discharge to the public sewers, or
- c. Require control over the quantities and rates of discharge, and/or
- d. Require payment to cover the added cost of handling the wastes not covered by charges under the provisions of the Code.

5.12.050 PROHIBITED LOCATION.

No person shall discharge any waste water directly into a manhole or other opening in any part of the Sanitary Sewer System other than through side sewers approved by the District, provided that the General Manager may grant permission for such direct discharges upon written application at locations approved by the District and upon payment of applicable sewer disposal charges to the District.

5.12.060 INTERCEPTORS REQUIRED.

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

5.12.070 MAINTENANCE OF INTERCEPTORS.

The Owner, at his/her expense, shall maintain all grease, oil and sand interceptors in continuously efficient operation at all times.

5.12.080 MAINTENANCE OF PRETREATMENT FACILITY.

Where preliminary treatment facilities are provided for any waters or wastes, the Owner, at his/her expense, shall maintain them continuously in satisfactory and effective operation.

Article 5.13 CONDUCT.

5.13.010 UNLAWFUL CONDUCT.

It shall be unlawful and shall constitute a public nuisance to discharge any waste or other material into the Sanitary Sewer System or any private sewer line or lateral connection thereto, except in strict compliance with the provisions of this Chapter and any regulations or requirements as may be imposed as a condition to the use of the sewer system and/or any connection permit. The District may order the immediate discontinuance of the use of the sewer system as to any property which discharges waste or other materials into the sewer system in violation of the provisions of this Chapter or otherwise damages the sewer system. No unauthorized person shall break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the District's Sewage Works. Any person violating this provision shall be subject to the penalties provided by law.

5.13.020 SWIMMING POOLS.

It shall be unlawful for any person to discharge the contents of a swimming pool into the Sanitary Sewer System except in the manner specified herein. The size of pipe carrying discharge water shall not be larger than two inches and shall not be under a head to exceed twenty feet. If pumping discharges the water, the rate of flow shall not exceed one hundred gallons per minute. Each swimming pool discharging to a sanitary sewer shall be equipped with an approved separator to preclude any possibility of a backflow of sewage into the swimming pool or piping system.

Article 5.14 VIOLATIONS.

5.14.010 VIOLATION AS INFRACTION.

Violations of the provisions of this Chapter may constitute an infraction. Each day in which any such violation shall continue may be deemed a separate offense.

5.14.020 CIVIL LIABILITY FOR VIOLATIONS.

Any person violating any of the provisions of this Chapter shall be liable to the District for any expense, loss, or damage occasioned the District by reason of such violation. Any person found to be violating any provision of this Chapter or any ordinance, rule or regulation of the District, shall be served by the General Manager or other authorized person with written notice stating the nature of the

violation and providing a reasonable time limit for the satisfactory correction thereof. Said time limit shall be neither less than two (2), nor more than seven (7) working days. The offender shall, within the period stated in such notice, permanently cease all violations. All persons shall be held strictly responsible for all acts of agents or employees done under the provisions of this Chapter or any ordinance, rule or regulation of the District. Upon being notified by the General Manager of any defect arising in any sewer or of any violation of this Chapter, the person or persons having charge of said work shall immediately correct the same.

5.14.030 PUBLIC NUISANCE.

Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this Chapter or any other rule or regulation of the District is hereby declared to be a public nuisance. The District may cause proceedings to be brought for the abatement of the occupancy of the building or industrial facility during the period of such violation.

5.14.040 DISCONNECTION.

As an alternative method of enforcing the provisions of this Chapter or any other rule or regulation of the District, the General Manager shall have the power to disconnect the user or subdivision sewer system from the sewer main of the District. Upon disconnection, the General Manager shall estimate the cost of disconnection from the reconnection to the system and such user shall deposit the cost, as estimated, of disconnection and reconnection before such user is reconnected to the system. The General Manager shall refund any part of the deposit remaining after payment of all of disconnection and reconnection. Because District provides multiple services, the District reserves the option of disconnecting water service when the owner/resident, has an outstanding balance to any and all District supplied Utilities of: Residential-\$200 or more, Commercial-\$300.00 or more, Industrial-\$400.00 or more.

5.14.050 PUBLIC NUISANCE – ABATEMENT.

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

5.14.060 MEANS OF ENFORCEMENT ONLY.

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

Article 5.15 APPEALS.

5.15.010 APPEALS OF DISTRICT ACTIONS.

Any Property Owner may appeal actions, decisions or interpretations by the District of this Chapter that adversely affect the Property Owner, in accordance with provisions of this Article.

5.15.020 APPEAL PROCEDURES.

- a. A written Notice of Appeal shall be initiated and delivered to the District within thirty (30) days of the action, decision or interpretation of this Chapter that adversely affects the Property Owner. The Notice of Appeal shall be filed on the form prepared by the District, provided however, in the event that no form has been prepared by the District, the Notice of Appeal shall describe the action, decision or interpretation for which the appeal is being filed including times, dates and persons involved, and the contentions of the person filing the appeal.
- b. The District staff shall review the Notice of Appeal and shall issue, in writing, a determination to approve or deny the appeal within thirty (30) working days. If denied, the written denial shall specify the reasons for denial.
- c. The person filing the appeal may request, in writing, within twenty (20) days of the date of the decision by the District staff, a hearing with the Board.
- d. Upon receipt of such a request, a hearing shall be set at a regular meeting of the Board of Directors within 45 days of receipt of the request. The time for the hearing may be extended for good cause or based on the operational needs of the District.
- e. The Board shall conduct a hearing on the appeal. The appellant shall have fifteen minutes in which to present his or her appeal to the Board. The appellant shall be entitled to submit any evidence, document, or other written material that is relevant to the appeal. District staff shall have a

right to review and to respond to all documents or other material submitted by the appellant.

- f. The Board shall render a decision in writing at the next regular meeting following the hearing. Said decision shall contain findings of fact and determination of the issues and shall provide notice to the appellant that the time within which judicial reviews must be sought is governed by Section 1094.5 of the Code of Civil Procedure

Article 5.16 PROCEDURES FOR RELINQUISHMENT OR ACQUISITION OF UNUSED OR EXCESS SEWER CAPACITY.

5.16.010 RELINQUISHMENT PROCEDURES.

- a. Notification: Any Property Owner who has unused or excess sewer capacity (EDU) rights may submit a written notification to the District offering to surrender such rights back to the District or, through the District, to other Property Owners within the District. Any lenders having a secured interest in the property shall consent to the surrender in writing. The notice shall be on a form provided by the District and shall be notarized. Subject to the provisions of this Article and such requirements as may from time to time be established by the District's Board of Directors, the relinquishment of unused or excess sewer capacity shall be authorized by a priority established by the General Manager with Board approval based on the date of the filing of the notifications. The District reserves the right to establish a fee for the filing and processing of any such notifications. No surrender of sewer capacity shall occur if, in the judgment of the District, it would leave the property without adequate sewer capacity to support the development authorized for the property under the zoning designation established for the property. Nothing herein shall be construed as obligating the District to acquire any unused or excess sewer capacity.
- b. Revocation: Once filed, the notice may only be revoked by giving written notice to the District. Any such revocation notice shall not be effective until the day after it is received by the District at the District's office. A revocation notice shall not be effective if the District has previously authorized transfer of that EDU to another Property Owner prior to the District's actual notice of the attempted revocation.
- c. Assessments: Unused or excess sewer capacity may not be surrendered/relinquished if there is an outstanding sewer assessment against the property that is seeking to surrender the sewer capacity. Sewer assessments shall be identified and addressed as follows:

1. Upon receipt of a request to surrender unused sewer capacity (EDUs), the General Manager shall make such inquiries as necessary to determine the present status, including the outstanding balance of the property's obligation, for any sewer assessment bonds secured by the relinquishing property.
2. No surrender of EDUs shall be permitted if there are any unpaid assessment liens on the relinquishing property for the EDUs offered for surrender. The Property Owner requesting the surrender may remove an assessment by complying with applicable law. The relinquishing property owner shall remain liable for all assessment payments for EDUs which remain with and are secured by the property.
3. Relinquishing Property Owners will be liable for all assessment payments and sewer service fees imposed by the District, including without limitation, fees for ongoing sewer service, operations and maintenance charges or supplemental assessment, until surrender is completed and the capacity is transferred to another property within the District. At the time of the surrender, any fees for the current year shall be prorated through the month of delivery with the entirety of the month favoring the relinquishing property.

5.16.020 ACQUISITION PROCEDURES.

Any Property Owner who desires to acquire sewer capacity rights may submit a written application to the District offering to acquire such rights. Such application shall be on a form provided by the District and shall be notarized. The application fee as established by resolution by the Board of Directors of the District shall accompany the application. If the District holds any unallocated EDUs, (whether from a relinquishment or otherwise) they shall be assigned prior to allowing EDUs to be surrendered from another property. If no EDUs are available for a requesting party, the District shall hold any application requesting EDUs for two years from the date that it was filed with the District. As EDUs become available, they may be assigned based on the date of the valid applications filed (including payment of applicable application fees) with the District with the earlier in time having priority over subsequently filed applications. In the event that applications are filed on the same date, the District shall establish priority based on the time of the application. In the event that there are multiple applications on file at the time that EDUs become available, the District shall limit allocation to no more than one EDU per applicant if there are insufficient EDUs to fulfill all requests.

To remain in effect, an application must be renewed every two (2) years, together with any renewal fees that may be established by the District Board. If an application is renewed prior to the expiration date, the applicant shall maintain his/her place in line for a future acquisition. The application is transferable if requested in writing to the District by a subsequent purchaser of the acquiring property without losing the original applicant's priority position. Before a Property Owner can acquire EDUs, the acquiring property must be zoned to reflect the development which would be consistent with that number of EDUs for that property after acquisition.

5.16.030 GENERAL PROCEDURES.

All applications to acquire EDUs must be approved by the District Engineer, or his or her designee, to determine adequate capacity in the sewer mains and laterals. No surrender shall be approved if the relinquishing property would become undevelopable by virtue of the lack of available sewer service. The District reserves the sole discretion to determine if surrender of capacity will leave a property without adequate sewer capacity based on the intensity of development permitted for the property under the applicable zoning regulations. All relinquishments and/or acquisitions shall be in compliance with District Code, ordinances, policies and procedures. Relinquishments and acquisitions shall be evidenced by the adoption of a resolution identifying the properties relinquishing and/or acquiring the EDUs and the number of EDUs being relinquished or acquired which resolution shall be recorded in the official records of the County of Plumas as a document affecting an interest in real property and to provide constructive notice of the sewer capacity allocated to the involved properties.

5.16.040 EDU COSTS.

In order to acquire any sewer capacity the acquiring Property Owner shall pay to the District the actual and direct costs of the EDU as originally assessed to the relinquishing Property Owner together with such interest as would have accrued thereon from the date of the original assessment, plus any administrative fees set by the District Board and reimbursement to the District of any expenses incurred by the District for the services of the District Engineer, District Counsel or other expenses. When payment is made to the District by the acquiring Property Owner, the District shall thereafter distribute the cost of the sewer assessment to the relinquishing Property Owner, plus the applicable interest, to the relinquishing Property Owner as reimbursement for the surrender of the unused sewer capacity.

Other types of use have been assessed in accordance with the following table:

Assessment Schedule	EDU
Residence (single family each)	1.00
<u>Below Services plus 1 EDU</u>	
Service Station	0.50
RV Space/Motel w/Kitchen(per hook-up)	0.40
Motel (per room)	0.17
Restaurant (per person)	0.03
Community Hall (per person)	0.02
Commercial Laundry (per washer)	0.26

5.16.050 CONNECTION COSTS AND EASEMENTS.

A Property Owner acquiring EDUs shall be fully liable for all sewer connection or pipeline installation costs and any other charges or expenses incurred by the District. The District reserves the sole discretion to determine if a property can feasibly be connected to the sewer system. If any easements are required in order to connect the acquiring property to the sewer system, the Property Owner proposing to acquire the sewer capacity shall be responsible for obtaining the necessary easements which shall be in the form of a deed easement in favor of the District. The acquiring Property Owner shall pay whatever costs are required for those easements, including, but not limited to, surveying costs, District staff costs and any attorneys' fees associated with obtaining the easements. The easements shall be in the name of the District and the legal description of the easements shall be reviewed and approved by the District's engineer and shall be on an Easement Deed in a form approved by District's Counsel.

5.16.060 SERVICE OUTSIDE OF DISTRICT BOUNDARIES.

If a Property Owner desires sewer service for property located outside District boundaries, the Property Owner shall be required to annex that property to the District through the Plumas County Local Agency Formation Commission (LAFCO) prior to granting of sewer capacity to the property. The applicant shall be responsible for the processing and payment of all fees charged by LAFCO. District charges for its participation in the annexation process are separate from and in addition to the LAFCO charges. An application for sewer service shall not be accepted by the District unless the property is within the District.

5.16.070 SPECIAL AGREEMENTS.

No statement contained in the Article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern

whereby an industrial waste or unusual strength or character may be accepted by the District for treatment, subject to payment therefore by the industrial concern and subject to such terms and conditions as might be required by the District.

5.16.080 LIABILITY.

The District, and its officers, agents and employees, shall not be liable for any injury or death to any person or damage to any property arising from or in any way connected with the performance of any work by any such applicant. The applicant shall be answerable for, and shall save the District, and its officers, agents and employees, harmless from any liability imposed by law upon the District or its officers, agents or employees, including all costs, expenses, fees and interests incurred in defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of his/her work or any failure which may develop therein.

Article 5.17 INSTALLATION REQUIREMENTS.

5.17.010 BUILDING SEWER LINES/INSTALLATION REQUIREMENTS.

Pipe 4" SCH 40 ABS DWV, PVC DWV or SDR 17 HDPE.
Fittings and service cleanouts are to be of the same type, class, and grade of material as the pipe.

Slope will be at least 1/4" per foot or 2%. Use a minimum of bends and fittings. Use no bends greater than 40 degree unless approved by the District.

Check for water tightness of pipe joints by blocking the low end and installing an elbow and 5 foot high stand pipe at the high end of the pipe. Fill with water and let stand 24 hours. A 1/4" drop in 24 hours is acceptable.

Trace Wire Install 12 gauge solid-core trace wires, green, from the cleanout to the tank riser, wrapping around each twice. Connect to clean out at ground level. Secure to pipe also every 20' and at all bends.

Clean-Outs A cleanout is required within 3 feet of each 135 degrees of accumulated horizontal joint deflection and 100 feet of line. Caps should be installed slightly above finish grade.

Backfill Call for an inspection of the gravity line prior to backfilling.

Thoroughly compact bedding and backfill material under and around service piping connection to sewer system so as to prevent differential settling and leakage into or out of connection

Provide 4" pipe bedding of ¾" minimum crushed rock, pea gravel, or sand, free of sticks, stones, or other debris. Install piping and provide a minimum of 12 inches of pipe bedding material as pipe zone material around and above pipe.

In improved areas, such as driveways, above the pipe zone, use ¾" crushed rock and compacted to 95% of maximum dry density. Compacted native material may be used in unimproved areas, such as lawns

5.17.020 SEWER SERVICE LINES.

Pipe 1-1/2" or 2" SCH 40 PVC or SDR 17 HDPE. Fittings and service cleanouts are to be of the same type, class, and grade of material as the pipe.

Slope will be at least 1/8" per foot. Use a minimum of bends and fittings. Use no bends greater than 45 degree bend unless approved by the District. Avoid 180 degree bends!

Check for water tightness of pipe joints by blocking the low end and installing an elbow and 5 foot high stand pipe at the high end of the pipe. Fill with water and let stand for 24 hours. A ¼" drop in 24 hours is acceptable.

Trace Wire Install 12 gauge solid-core trace wires, green, from the cleanout to the tank riser, wrapping around each twice. Connect to cleanout at ground level. Secure to pipe also every 20' and at all bends.

Clean-Outs A cleanout is required within 3 feet of each 135 degrees of accumulated horizontal joint deflection and 100 feet of line. Caps should be installed slightly below grade.

Backfill Call for an inspection of the gravity line prior to backfilling.

Thoroughly compact bedding and backfill material under and around service piping connection to sewer system so as to prevent differential settling and leakage into or out of connection.

Provide 4" pipe bedding of sand, pea gravel, or sand, free of sticks, stones, or other debris. Install piping and provide a minimum of 12 inches of pipe bedding material as pipe zone material around and above pipe.

In improved areas, such as driveways, above the pipe zone, use compacted to 95% of maximum dry density. Compacted native material may be used in unimproved areas, such as lawns.

Minimum cover is 30 inches unless authorized by the District.

5.17.030 GENERAL.

Installations near existing waterlines and wells must meet the following:

Near Domestic Water

Parallel with water lines: A gravity sewer line shall not be placed within one foot horizontally of a domestic water line.

Pressure sewer lines shall not be placed within 10 feet horizontally of a domestic water line unless it is placed inside a larger diameter SCH 80 PVC or DR 9.0 HDPE sleeve.

Crossing a water line: A minimum of 4 inches of vertical separation must be maintained above or below the water line at the sewer crossing. If the gravity sewer line crosses above, or within one foot below the water line, the sewer line must be sleeved inside a larger diameter Schedule 80 PVC or DR 9.0 HDPE sewer pipe for a minimum of 4 feet horizontally on each side of the water line.

Pressure sewer lines shall not cross above any water line and must cross at least one foot below all water lines.

Near Wells

Tank must be a minimum of 50 feet from an encased well. Schedule 40 PVC or HDPE sewer pipe is to be sleeved inside a larger diameter Schedule 40 PVC or HDPE sewer pipe when within 25 feet horizontally of a well.

Sewer Lines Near Property Lines

Sewer lines shall be installed at least one foot horizontally away any property lines.

Tanks Near Property Lines

Tanks shall be installed at least five feet horizontally away any property lines.

Sewer Lines Near Buildings

Sewer lines shall be installed at least two feet horizontally away from any building.

Existing Leach Fields

Existing leach fields shall be permanently abandoned after connecting to the community sewer system. A final inspection and certification will be performed to verify that all leach lines have been disconnected.

CHAPTER 6.
FIRE DEPARTMENT RULES AND REGULATIONS

Article 6.01 FEES FOR FIRE DEPARTMENT SERVICES.

6.01.010 FINDINGS AND INTENT IN ESTABLISHING FEES.

The Board finds and determines that:

- a. The Indian Valley Community Services District operates a fire department that provides timely and efficient services to District residents and visitors;
- b. The fire department responds calls for service, including but not limited to, car fires, motor vehicle accidents, structure fires, and rescues;
- c. Because of no increase in funding from the fire assessment for an number of years and the continued rise in the cost of operating the Department, a significant drain on finances of the District has occurred, and it could jeopardize the District's ability to continue to operate a fire department;
- d. Operating a fire department, with modern equipment and sufficient numbers of trained professional personnel, is essential for the protection of the public health, safety, and welfare of District residents and visitors;
- e. Cost recovery for fire department service calls is essential for the continued operation of the fire department as a modern, professional, and first-class public safety operation, which ultimately reduces the costs to motorists, Property Owners, members of the general public, and their insurers, by minimizing personal injury and property damage through fast and capable responses to accidents, fires, rescues, and other incidents;
- f. District residents support the provision of fire department services through payment of real property assessments;
- g. In recognition of the foregoing, and to promote the public health, safety, and welfare, this Chapter authorizes the establishment of fees for recovery of costs for fire department services. Since District residents already partially support the provision of fire department services through payment of taxes, the cost recovery fees shall **only apply to persons not owning property or residing in the District.**

6.01.020 FEES FOR RECOVERY OF FIRE DEPARTMENT COSTS.

- a. Fees are hereby authorized and shall be established to recover the cost of services provided by the Indian Valley Community Services District fire department in responding to the scene of any incident. The amount of a recovery for specified fire services shall be set by the District Fee Resolution, shall be based on the type and amount of services provided, and shall not exceed the recovery of the actual cost of personnel, supplies, and equipment present or used at the scene. The cost recovery fees may include an administrative charge in an amount set by resolution of the Board. The cost recovery fees shall only apply to persons not residing within the District and who are at fault for, or created, the incident;
- b. In order to administer and implement the provisions of this chapter, the General Manager is authorized to adopt written rules and regulations that are consistent with the provisions of this section, including those related to billing, collection, and billing dispute resolution;
- c. This section shall not apply to response costs covered by California Government Code Sections 53150 et seq.

6.01.030 SEVERABILITY.

If any of the provisions of this Article or the application thereof to any person or circumstance is held invalid, the remainder of the Article, including the application of such part or provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Article are severable.

Chapter 6.02 WEEDS, RUBBISH AND DEBRIS ABATEMENT

6.02.010 Authority, Intent and Purpose.

This chapter is adopted pursuant to Health and Safety Code sections 14875 through 14922. Pursuant to the authority of Government Code Section 61100 (t), the Board finds and declares that it is necessary to establish a procedure for the requiring of and providing for the removal of weeds, rubbish and debris from sidewalks, parking areas or streets, and from private property, and to provide for the cost of removal collected per Government Code 61115 and per Health and Safety Codes 14915 – 14922.

6.02.020 Definitions.

As used in this chapter:

“Debris” means plant matter, paper, waste matter, litter, trash, refuse, rubbish and any other substance in a dry condition that may create a fire hazard.

“Rubbish” Includes wastepaper, cardboard, rags, household ashes, lawn clippings, wearing apparel, household goods, wooden containers, and all worthless, useless, unused, rejected, and castoff matter produced by and as a result of human habitation and the transaction of business within the district that could create a fire hazard.

“Weeds” means and includes the following plants growing upon streets or private property within the district:

- A. Plants which, when mature, bear downy or winged seeds;
- B. Sagebrush, chaparral and any other brush plant that attains such large growth as to create a fire hazard to adjacent improved property;
- C. Plants that are noxious or dangerous; and
- D. Dry grass, stubble, brush, litter or other flammable material that endangers public safety by creating a fire hazard (Per Cal Fire Defensible Space requirements).

6.02.030 Weeds, rubbish and debris prohibited.

It shall be the duty of every owner of property located in the district to remove or destroy, or cause the removal or destruction of, weeds, rubbish and debris accumulating on the owner's property. It shall be unlawful for an owner of property located within the district to cause or permit such accumulations of weeds, rubbish or debris to remain on the property that could create a fire hazard or restrict firefighter’s ability to respond to a fire.

6.02.040 Declaration of Public Nuisance.

In accordance with Health and Safety Code sections 14876 through 14884, the board may adopt a resolution identifying weeds, rubbish and debris accumulating on any property and declaring the weeds, rubbish and debris to constitute a public nuisance (the "resolution"). The resolution shall identify the properties upon which the nuisances are located, by reference to the tract, lot and parcel number of each property as used in the records of the Plumas County assessor.

6.02.050 Notice to Remove or Destroy Weeds or Debris.

For properties on which are located accumulations of weeds, rubbish and debris identified as public nuisances in the resolution, the general manager shall notify the property owners, by mail, of their obligations to remove or destroy the weeds, rubbish and debris. A letter will be sent to the property owner prior to bringing the issue to the Board for action.

- A. If there is no response to the letter sent by the General Manager, A notice to the affected property owners shall be prepared on district letterhead and entitled, "NOTICE TO REMOVE OR DESTROY WEEDS, RUBBISH AND DEBRIS", following the Board

meeting where the action was taken up. The notice shall read substantially as follows:

**NOTICE TO REMOVE OR DESTROY
WEEDS, RUBBISH AND DEBRIS**

Notice is hereby given that on the ___ day of _____, 20_, the Board of Directors of the Indian Valley Community Services District adopted Resolution No. ___, a resolution declaring that noxious or dangerous weeds, rubbish and/or debris were accumulating on property on or nearest to _____[Name of street] in the District, which property is more particularly described in the resolution, and that the weeds and/or debris constitute a public nuisance which must be abated by removal or destruction of the weeds, rubbish and/or debris. Resolution No. ___ further provides that if the weeds and/or debris are not so abated, they will be removed or destroyed by the District, in which case the cost of removal or destruction shall be assessed upon the property on which the weeds, rubbish and/or debris are located, and such cost will constitute a lien upon the property until paid. For further details, please refer to Resolution No. ___, copies of which are available during regular business hours from the District office at the address listed above.

All property owners having objections to the proposed removal or destruction of the weeds, rubbish and/or debris described above are hereby notified to attend a Public Hearing of the Board of Directors of the Indian Valley Community Services District, to be held at ___ p.m. on _____, 20_, at PO Box 899, Greenville, California, at which time any objections will be heard and considered.

Dated this ___ day of _____, 20_.

*[Name of General Manager]
General Manager
Indian Valley Community Services District*

B. At least ten (10) days before the date of the hearing described in the notice, the general manager shall post the notice conspicuously in front of the properties on which the declared public nuisances are located, or on the portions of the properties nearest to the street most likely to give actual notice to the properties' owners. The notices shall be posted not more than one hundred feet (100') apart, but at least one notice shall be posted on each property identified in the resolution.

C. The general manager shall cause the notice to be published once in a newspaper of general circulation in the district not less than ten (10) days before the date of the hearing described in the notice.

D. As an alternative to posting and publishing the notice pursuant to subsections B and C of this section, the general manager may mail the notice to the owners of the properties

identified in the resolution, as the owners' names and addresses appear on Plumas County's latest equalized assessment roll, at least fifteen (15) days before the date of the hearing described in the notice.

6.02.060 Hearing and Abatement Order.

A. At the time and date specified in the notice, the board shall conduct a public hearing to hear and consider all objections (if any) to the proposed removal or destruction of weeds, rubbish and debris identified in the resolution. The board shall allow or overrule each objection, if any. The board's decisions regarding the objections are final.

B. After the board disposes of objections received by the board, or if no objections are received, the board shall order the general manager to proceed with abatement of the public nuisances identified in the resolution in accordance with this chapter.

6.02.070 Abatement of Public Nuisance.

A. If the person (or persons) owning a property identified in the resolution fails or refuses to remove or destroy weeds and/or debris on the property in accordance with the provisions of this chapter within ten (10) calendar days after the public hearing at which the board issued an abatement order pursuant to subsection [6.02.060B](#) of this chapter, the general manager shall remove or destroy the weeds and/or debris in accordance with this section.

B. When the "weeds", as defined in section [6.02.020](#) of this code, are not in plain view of the general manager or his designee from a place that he lawfully has the right to be, the general manager shall request the consent of the person or persons owning, occupying, leasing, managing or controlling the property before entering the property for purposes of inspection and abatement under this chapter. If consent is refused and if the persons owning, occupying, leasing, managing or controlling the property have a reasonable expectation of the privacy for the area where the district seeks to enter, the general manager shall apply for an **inspection/abatement warrant**, as defined in Code of Civil Procedure section 1822.50, to enter the property for inspection and abatement purposes, and entry onto the property shall be made only pursuant to an inspection warrant applied for, issued and executed in accordance with Code of Civil Procedure sections 1822.51 through 1822.59. A warrant may authorize district employees' access to property only to do one or more of the following:

1. Inspect to determine the presence of public nuisances that the district has the authority to abate.
2. Abate public nuisances, either directly or by giving notice to the property owner to abate the public nuisance.
3. Determine if a notice to abate a public nuisance has been complied with.

If the person owning, occupying, leasing, managing or controlling the property has no reasonable expectation of privacy, employees of the district may enter the property without an abatement warrant for any of the reasons stated directly above.

C. It shall be unlawful for any person to interfere with, hinder or refuse to allow the general manager's entry onto a property to abate public nuisances pursuant to this section.

D. Any person or persons owning, occupying, leasing, managing or controlling property identified in the resolution shall have the right to remove or destroy weeds, rubbish and debris on their property, at their own expense, at any time before arrival of the general manager for entry onto the property pursuant to this section; provided, however, that the costs of the district to enforce the abatement upon the subject property, including investigation, boundary determinations, measurement, clerical and other related costs, may be imposed as a special assessment and lien on such property pursuant to a resolution of the board adopted pursuant to the provisions of section [06.02.080](#) of this chapter.

6.02.080 Abatement Costs.

In any case in which the board issues an abatement order pursuant to subsection [6.02.060B](#) of this chapter, the board may adopt a resolution ordering that a special assessment and lien be imposed on the property which the public nuisance is located in accordance with the following procedures:

A. When enforcing the abatement of, or abating, a public nuisance pursuant to this chapter, the general manager shall keep a written account of the enforcement and abatement costs incurred for each property identified in the resolution, which may include costs incurred by the district for investigations, boundary determinations, measurement, abatement, and clerical work related to abatement of the public nuisance. Based on these accounts, the general manager shall prepare a written report stating the enforcement and abatement costs incurred for each property. A statement shall be sent to each owner outlining the expenses incurred and the amount to pay to the District for the abatement.

B. Before the general manager's report is presented to the board, a copy of the report shall be posted outside the board's meeting room for at least three (3) days before the meeting at which the board will consider the report, along with a notice of the time and date of the meeting. Copies of the report and the notice also shall be mailed to the owner of each property identified in the report, using the owner's name and address as it appears on Plumas County's latest equalized assessment roll, at least fifteen (15) days before the meeting. At the meeting, the board shall consider the report, along with any objections by owners of property identified in the report as subject to assessment for enforcement and abatement costs. After making any necessary modifications to the general manager's report, the board shall confirm the report by resolution.

C. Upon confirmation of the general manager's report by the board, the district shall submit certified copies of the general manager's report and the board's resolution confirming the report to the Plumas County recorder's office for recordation. On or before the next August 10 following the board's confirmation of the general manager's report, the district also shall file copies of the general manager's report and the board's resolution confirming the report with the Plumas County auditor for entry of the assessments onto the Plumas County tax roll.

D. The amounts of the enforcement and abatement costs assessed to each property identified in the general manager's report shall constitute special assessments against the respective properties and create liens on the properties for those amounts. The special assessments shall be collected at the same time and in the same manner as property taxes of Plumas County, and delinquent amounts are subject to the same penalties and foreclosure sale procedures as are county property taxes.

6.02.090 Penalty for violation.

Any person violating any of the provisions of this chapter shall be guilty of an infraction.

6.02.100 Removal method.

The methods of removing weeds, vines, shrubs, brush and/or debris from property as provided in this chapter shall not be an exclusive method, but shall be an alternative method, and such weeds, vines, shrubs, brush and/or debris may be removed from such property pursuant to the provisions of any law of the state or of any ordinance of the District applicable thereto.

6.02.110 Cancellation or Refund of Assessments.

Any portion of a special assessment, penalty or cost imposed pursuant to section [3-5-8](#) of this chapter shall be canceled or refunded upon order of the board if imposed improperly, erroneously or illegally, within the meaning of Health and Safety Code section 14920. For assessments that already have been paid, refunds shall be given upon order of the board, provided that the recipient has filed a verified claim with the board within three (3) years after making the payment for which a refund is sought.

6.02.120 Inconsistent Provisions.

To the extent that the provisions of this chapter may be inconsistent or in conflict with the terms and conditions of any prior district ordinance, resolution, rule or regulation governing the same subject, the provisions of this chapter shall prevail with respect to the subject matter thereof, and such inconsistent or conflicting terms or conditions of prior ordinances, resolutions, rules or regulations are hereby repealed.

Chapter 6.03 DEFENSIBLE SPACE

6.03.010 Authority, Intent and Purpose.

14 CCR § 1276.01, § 1276.01. Setback for Structure Defensible Space. Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

6.03.020 Setbacks.

- (a) All parcels 1 acre and larger shall provide a minimum 30 foot setback for buildings and accessory buildings from all property lines and/or the center of a road.

- (b) For parcels less than 1 acre, local jurisdictions shall provide for the same practical effect.

Chapter 6.04 ALARM SYSTEM

6.04.010 Authority, Intent and Purpose.

General. A newly constructed commercial building or one which undergoes a complete renovation that requires the building to be completely vacated shall comply with this section.

Exceptions:

1. Buildings used exclusively as an open parking garage.
2. Buildings where all floors above the fourth floor level are used exclusively as an open parking garage.
3. Buildings such as a power plant, lookout tower, steeple, grain house, and other similar structures with intermittent human occupancy.

6.04.020 Automatic fire sprinkler systems and standpipes. Commercial buildings shall be protected throughout by an automatic fire sprinkler system designed and installed in conformance with the latest edition of NFPA 13 and in accordance with the following:

1. A shut-off valve and a water flow alarm shall be provided for each floor. Each shut-off valve and water flow alarm shall be electronically supervised.
2. Commercial buildings shall be provided with a class I standpipe system that is interconnected with the automatic fire sprinkler system. The system shall consist of 2½-inch hose valves located in each stair enclosure on every floor. Two hose outlets shall be located on the roof outside of each stair enclosure which penetrates the roof. The standpipe system shall be designed, installed and tested in accordance with the latest edition of NFPA 14.
3. Fire department standpipe connections and valves serving each floor shall be located in the vestibule and located in a manner so as not to obstruct egress when hose lines are connected and charged.

6.04.030 Smoke detection. Smoke detectors shall be provided in accordance with this section. Smoke detectors shall be connected to an automatic fire alarm system and shall be installed in accordance with the latest edition of NFPA 72. The actuation of any device required by this section shall operate the emergency voice alarm signal system and shall operate all equipment necessary to prevent the circulation of smoke through air return and exhaust ductwork. Smoke detectors shall be located as follows:

1. In every mechanical equipment, electrical, transformer, telephone equipment, unmanned computer equipment, elevator machinery or similar room and in all elevator lobbies. Elevator lobby detectors shall be connected to an alarm verification zone or be listed as a releasing device.
2. In the main return air and exhaust air plenum of each air conditioning system. The smoke detector shall be located in a serviceable area downstream of the last duct inlet.
3. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air conditioning system. In Group R, Division 1 and 2 occupancies, an approved smoke detector is allowed to be used in each return air riser carrying not more than 5,000 cubic feet per minute and not serving more than 10 air inlet openings.
4. For Group R, Division 1 and 2 occupancies, in all corridors serving as a means of egress for an occupant load of 10 or more persons.

6.04.040 Fire alarm system. An approved and listed, automatic and manual, fully addressable and electronically-supervised fire alarm system shall be provided in conformance with this code and the California Building Code.

**CHAPTER 7.
WATER SYSTEM RULES AND REGULATIONS**

Article 7.01 SCOPE AND APPLICABILITY AND GENERAL PROVISIONS

7.01.010 GENERAL PROVISIONS.

The policies in this Chapter apply to all residential, commercial and industrial water customers, including both occupied and vacant parcels, unless specifically stated otherwise.

7.01.020 DISTRICT RESPONSIBILITY.

The District will provide potable water that meets the standards of the California Department of Water Resources; supply water dependably at each customer's service connection; maintain flowing pressures at the District's distribution mains under normal conditions in accordance with the current California Unified Plumber's Code.

7.01.030 PROTECTIONS.

It shall be unlawful for any person to connect to, construct, install or provide, maintain and use any means of any private potable water system to any parcel within the District other than connection to the District Water System. No person shall break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment that is a part of the District's Water System. Any person violating this provision shall be subject to the penalties provided by law.

7.01.040 RELIEF.

When any person, because of special circumstances, believes that any provision of this Chapter is unjust or inequitable as applied to his/her premises, he/she may make written application to the Board stating the special circumstance, citing the provision and requesting suspension or modification of that provision as applied to those premises.

7.01.050 DISTRICT INSPECTOR.

The District Inspector may be the General Manager, the District Engineer or an Inspector appointed by the Board. In lieu of Board action, the Inspector shall be the sanitary sewer or water chief operator.

The officers, inspectors, manager and any duly authorized employees of the District shall carry evidence establishing his/her position as an authorized representative of the District. Upon exhibiting the proper credentials and identification, and with the owner's written consent, he/she shall be permitted to enter any and all buildings, industrial facilities and properties for the purposes of inspection, re-inspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary in the enforcement of this Chapter.

7.01.060 PERMITS AND FEES.

No connection to the District Water System shall be installed, altered or repaired until a permit for the work has been obtained from the District and all fees paid in accordance with this Chapter.

Article 7.05. SERVICE PROVISIONS - APPLICATION FOR SERVICE.

7.05.010 GENERAL.

Each applicant for a water service shall complete an Application for Service and pay the District a deposit at the time of application. The Application is a written request and does not bind the applicant or the District to provide water service. The District shall render service in accordance with a properly completed application when it has determined that the applicant has complied with the provisions of this Chapter, and has paid all required fees.

7.05.020 NEW CONNECTIONS.

Water project applications shall be processed and reviewed on a first come, first served basis in accordance with the provisions outlined in this Chapter. The applicant shall be responsible for all District costs incurred in the course of providing service.

The applicant shall apply using forms provided by the District. The applicant shall describe the character of the work proposed, and the location, ownership, occupancy and use of the premises. The District may require plans, specifications or drawings and other information as deemed necessary.

In the event the applicant is required to provide plans, specifications or drawings and information as conditions to the issuance of any permit, the applicant shall pay all engineering, legal, administrative and other expenses and charges. If the District determines that the plans, specifications, drawings, descriptions or information furnished by the applicant are in compliance with the Code and all

District Code, ordinances, rules and regulations, the District may approve the application upon payment of the required fees.

7.05.030 UPGRADES.

A change in the meter size shall require an amendment of the Application for Service and payment of all charges.

7.05.040 COMPLIANCE WITH APPLICATION.

After approval of the application, no change shall be made in the location of the hook-up or other specifications approved except with the written permission from an authorized officer of the District. The applicant's signature on an application for any permit shall constitute an agreement to comply with all the provisions, terms and requirements of this Chapter and ordinances, rules and regulations of the District, and with the plans and specifications in the application. They may be altered by the District upon written request from the applicant.

7.05.050 CONNECTION CHARGE.

The connection charge per equivalent single-family unit is specified in the fee schedule. The connection charge per equivalent single-family dwelling unit shall be revisited during annual budget hearings. The Board may determine by resolution that an annual increase or decrease may be necessary.

7.05.060 INSPECTION FEES.

Inspection fees are included in the service connection fee.

7.05.070 INSPECTION.

All connection construction work shall be inspected by the District to insure compliance with all requirements of the District. No connection shall be covered at any point until it has been inspected and passed for acceptance. If the inspection proves satisfactory, the inspector may issue a certificate of satisfactory completion.

7.05.080 NOTIFICATION.

The person authorized to do the work shall notify the District when the work is ready for inspection. Such notification shall be given not less than two business days before the work is to be inspected.

7.05.090 FAILURE TO PASS INSPECTION.

When work specified in the application has been inspected and no certification of satisfactory completion issued, a written notice shall be given instructing the owner of the premises, or the agent, to correct the work authorized by the permit in accordance with the Code, ordinances, rules and regulations of the District. After failed inspections, an additional re-inspection fee may be required.

7.05.100 EXCAVATION PERMIT REQUIRED.

A separate permit must be secured from the proper authority by owners or contractors intending to excavate in a public right-of-way for the purpose of installing water connections.

7.05.110 PERMIT VALID FOR ONE YEAR.

Permits are valid for one year. If the work is not completed within one year, a new permit is required.

7.05.120 SEPARATE AGREEMENT.

When, in the opinion of the District, an application reveals that unique or special circumstances exist for the proposed water service, the District may require that the applicant enter into separate agreement for the provisions of such service.

Article 7.06 SERVICES.

7.06.010 GENERAL.

The District will exercise diligence and care to deliver to its customers and district fire hydrants a sufficient supply of potable water to avoid interruptions. If interruptions occur, the District will reestablish service, with consideration for safety, as soon as practicable.

The District will not be liable for interruptions, shortages or sufficiency of supply or any loss or damage of any kind or character occasioned thereby, if such is caused by an act of God, fire, strike, riot, war, accident, breakdown or action by a governmental body or any other cause beyond the control of the District.

7.06.020 EMERGENCY INTERRUPTIONS.

Should an emergency interruption, shortage or insufficiency of supply affect the service to any public or private fire protection device, the District will promptly notify the Fire Marshal or other official responsible for fire protection within the Water System service boundaries.

Under disaster conditions, the District will cooperate to the fullest extent with all agencies having authority within the water system service boundaries.

7.06.030 SCHEDULED INTERRUPTIONS/MAINTENANCE.

Whenever the District determines that an interruption in service is necessary for any purpose, it will attempt to notify affected customers at a minimum 72 hours prior to the approximate time and duration of the interruption. Whenever possible, a service interruption/maintenance notice will be hung on the door of the affected location, followed up by a phone call or email. Phone or personal contact will be made with any affected business.

In the event that public or private fire protection should be affected by an interruption in service, the District will promptly notify the Fire Chief or other officials responsible for fire protection within the water system boundaries of the approximate time and duration of the interruption.

7.06.040 APPORTIONMENT OF WATER SUPPLY.

District shall apportion its available supply of water among its customers as required by existing state and federal laws. In addition, it will apportion its supply in the manner that appears most equitable under the circumstances, with due regard to public health and safety.

7.06.050 TEMPORARY SERVICES.

The District will furnish temporary water service to customers under the following conditions:

1—The applicant will be required to pay the District in advance the estimated cost, as determined by the District, of installing and removing the facilities required to furnish temporary service.

2—If temporary service is to be less than one month, the applicant shall deposit a sum of money equal to the estimated bill for service. The deposit shall be refunded subject to adjustment according to the actual bill due upon termination of service. The temporary connection shall conform to all backflow requirements.

3—If temporary service will be in excess of one month, the applicant shall comply with the conditions set forth in this Chapter.

7.06.060 REFUSAL OF SERVICES.

The District may refuse to provide service under the following conditions:

1—If the applicant, customer or owner of serviced premises fails to comply with any of the District's rules and regulations.

2—If the intended use of service will be detrimental or injurious to the District's water distribution system, its sewer system, its customers or the general public.

3—If, in the judgment of the District, the applicant's installation of pipes for utilizing the service is unsafe, hazardous, subject to freezing or such that satisfactory service cannot be rendered.

4—If service has previously been discontinued to the applicant for fraudulent use or failure to pay for services previously in the District.

When an applicant has been refused service under the provisions of this Chapter, the District shall notify the applicant promptly of the reasons for the refusal to serve and the corrective action to be taken by the applicant before service will be provided.

Article 7.07 DEPOSITS, PAYMENTS AND DELINQUENCIES.

7.07.010 NEW CUSTOMERS.

New customers may be either the Property Owner or the Property Tenant. If the new customer is the property tenant, they will be required to disclose the name and contact information of the Property Owner on the application for service, provide a letter from the landlord authorizing the applicant to be billed, and provide a copy of a valid rental agreement.

A deposit will be required from all new customers before water service connections are scheduled. The minimum deposit will be that amount established

by the District Fee Resolution approved by the Board of Directors in the budget each year.

Credit may be established by a customer if he/she has had service within the Indian Valley CSD in his /her name for at least 12 months, has paid his/her bill promptly and has not been a collection problem.

Hardships will be considered individually.

7.07.020 WATER AND BILLING STATEMENTS.

Bills shall be issued monthly or annually. The address for submitting payments by mail is: IVCSD, Box 899 or in person is 127 Crescent Street Suite #1, Greenville, CA, 95947. Payments must be in the form of checks, money orders, debit/credit cards or cash payments.

The due date for payment of the bill will be 30 days after the bill is mailed to the customer. Should the due date fall on a Saturday, Sunday or recognized holiday, the first business day following the due date will be held as a day of grace for delivery of the payment.

If at the time of billing a customer has a previous balance, a late payment fee will be charged in accordance with state law (California Government Code 61115(a)(3)(C).) A returned check charge, established in the District Fee Resolution, plus any bank charges will be made to customers for each check returned for insufficient funds.

For customers with hardship or other extenuating circumstances, when requested by the customer, the District, at its discretion, may arrange for the customer to pay in installments. An account reconciliation agreement must be signed between the District and the customer. Installments of the past due amount must be made in addition to the current month's bill and the installment payments must not last longer than 6 months. In addition, a customer may have only two account reconciliations in any given calendar year. If the customer fails to meet the terms of the account reconciliation agreement water service can be terminated without further notice.

A written complaint or investigation request must be filed for District review within 5 working days of receipt of the contested bill. If the customer disagrees with the District's decision, the customer shall deposit with the District's Office Manager the amount in dispute attached to the bill and a statement supporting the customer's belief. The customer may appeal the General Manager's decision to the Board via the Public Relation's Committee complaint process.

7.07.030 TRANSFERS.

If a customer has service in his/her name and moves to another location served by the District, the customer shall contact the District office at least one day in advance to make transfer arrangements. All account balances will transfer to the new location.

7.07.040 TERMINATION OF SERVICE.

A notice that service is subject to termination for non-payment will be made by written notification from the District. This notice will be printed at the time a bill is generated showing a previous balance on the account and mailed or delivered to the customer at least 15 calendar days prior to the scheduled date of termination.

The notice of termination of service shall include the name and address of the customer whose account is delinquent, the amount of delinquency, the date by which payment or arrangements for payment is required to avoid termination, and the procedure by which the customer may request amortization of the unpaid charges.

District will deliver a notice to the customer's premises at least 72 hours before service is to be shut off. The 72-hour notice ("FINAL ATTEMPT TO COLLECT BEFORE TERMINATION") shall be given to the customer or a responsible adult. If neither is present, the notice will be left on the door or on the gate if dogs are present in the yard. There will be a fee, established in the District's Fee Resolution, charged for this procedure.

When a property tenant has a delinquent account that is scheduled for termination of service, the Property Owner will be notified that water service is due to be shut off. This policy is to assist the District with collecting water payments promptly and also to protect the Property Owner who will be held accountable if their tenant does not pay.

If the customer does not make payment, or make other arrangements acceptable to the District by the time stated on the last day for payment, the District will proceed on schedule with termination. Payments made against non-collectible funds to avoid disconnection (i.e.-check returned for insufficient funds, closed account, etc.) will be considered non-payment and the District will immediately proceed to the 72-hour notice of termination.

Before disconnecting the service, the employee carrying out the termination procedure will attempt to contact the customer at the premises in a final effort to collect the payment and avoid termination. Termination will not be made on any Saturday, Sunday, legal holiday or any time during which the business office of the District is closed.

Upon written request by the customer having a valid need, the District will record the name of a third party to be given prior notification if the customer's service is to be terminated.

Customers who have been disconnected for non-payment, or have made arrangements to amortize the amount due, will be required to re-establish credit by paying a reconnect deposit as defined in the District Fee Resolution.

A customer who transfers service from one account to another and fails to pay his/her final bill on the old account within the 14 day period will be subject to the disconnect procedure at the new account.

Because Indian Valley Community Services District provides multiple services, the District reserves the option of disconnecting water service when the owner/resident has an outstanding delinquent balance of: Residential: \$200.00 or more; Commercial: \$300.00 or more; Industrial: \$400.00 or more.

Article 7.08. MAINTENANCE AND CONSTRUCTION.

7.08.010 WATER MAIN EXTENSION.

Each applicant for service requiring an extension or modification of the Water System shall furnish it at his/her expense. The District may opt to require such applicant to install distribution facilities with more capacity, of greater length, or of a different route than would be required for the service requested (hereafter "excess facilities"). In such an event, the District may reimburse applicant for the cost of such excess facilities if they are required solely to benefit, improve, or upgrade service to existing District customers.

At the District's option, it may enter into an agreement with the applicant whereby adjacent properties connecting to the main extension, installed by the applicant, will be required to reimburse the applicant, through the District, for a prorated share of the main extension cost. This reimbursement will continue until the line has been in service for a period of ten years.

All water distribution facilities installed hereunder shall be and remain the property of the District. Size and location of facilities installed shall be specified

by the District. The type and quantity of material shall be that specified in General Requirements, Water Specifications, as adopted from time to time by the District. The installation of main extensions does not alleviate the applicant from any facility buy-in fees that may be required.

Properties to be connected to the Water System must be adjoining a distribution main. Extension of water distribution facilities shall be required for service to parcels not adjoining the existing distribution main. Distribution system extensions or modifications shall be required to meet current system design and capacity criteria. The District may determine that it would not be in the best interest of the District to allow a system extension or modification.

7.08.020 LOT LINE ADJUSTMENT OR SPLIT.

If a lot line adjustment or lot split results in water service to a parcel no longer satisfying the requirement of Section **7.05.040**, water service to that parcel may be terminated until it is brought into compliance with District regulations. When the District becomes aware of such a parcel, the service must be brought into compliance with District requirements.

7.08.030 VARIANCE.

An applicant for water service or existing customer may apply in writing for a variance from the service requirements of the District. The letter must state the requested variance and the reason for the request. A fee will be required to cover staff time and other expenses necessary for review of the request. If the variance is denied, the applicant will be notified in writing of the reasons for the denial. In that case, the applicant may appeal that decision to the Board of Directors. In granting a variance to District requirements, conditions may be imposed to mitigate any adverse impacts to the District water system caused by non-conforming facilities.

7.08.040 SERVICE PIPE CONNECTIONS.

The District shall, at the expense of the applicant, furnish and install service pipes of suitable capacity from its water main to a point to be determined by the District, between the existing or proposed curb line and the property line of the premises abutting upon a street or other thoroughfare, or along District's right-of-way or easement. The service pipes, the meter, and meter box are the property of the District. All District meters will be in the public right-of-way or easement.

7.08.050 WATER LINE REQUIRED.

The customer is responsible for providing water lines to the District's meter. Whenever the district is requested or required to shut off a customer's water service, the service will not be turned back on until it complies with current district ordinances.

7.08.060 AUTHORIZED PERSONNEL ONLY.

Only authorized employees or agents of the District are permitted to install service pipes from the District's main to the District's meter.

7.08.070 METER PER PARCEL.

The district will provide water to each parcel with a single dwelling through a single meter. The size of the meter is determined by the equivalent dwelling unit chart found in the uniform plumbing code. If multiple dwellings exist on the parcel, each dwelling is required to have a meter.

7.08.080 VALVE REQUIRED.

The District shall install a suitable valve as close to the meter location as practicable on the District's side of the meter at the District's expense. The valve controls the entire supply from the service. The customer shall install a suitable valve on the customer's side of the meter at an accessible location at the customer's expense.

7.08.090 CUSTOMER CONTROLS.

The customer shall, at his/her own risk and expense, furnish and install all equipment that may be required to receive, control, apply and utilize water service from the meter location.

7.08.100 DISTRICT ACCESS.

The District or its authorized agents shall have at all reasonable times the right of easy accessible ingress to and egress from the customer's premises for any purpose connected with water service. The District has the right to terminate service if access by the District to work on, read or replace system components are denied.

7.08.110 CUSTOMER LIABILITY.

The customer shall be liable for any damage to meters or other facilities owned by the District caused by an act of the customer or his tenants, employees, agents, contractors, licensees or permittees. Customers are responsible for all services on the customer side of the meter.

7.08.120 DEVELOPMENT AGREEMENTS.

Water projects shall be reviewed by District staff and/or engineer to determine if the District's Water System can provide service without adversely impacting the existing customers. Any project involving an extension of the Water System facilities beyond its present boundaries, or determined to pose a potential adverse effect to the existing customers, will require a Development Agreement with District Board approval.

The Development Agreement shall be prepared by the District's staff, engineer, and/or counsel and will include the conditions required by the District for construction of improvements related to the proposed water service.

Any applicant required to enter into a development shall submit to the District a set of complete plans and specifications for the proposed project.

All costs associated with the development will be outlined in a Development Agreement and paid by the applicant. A fire impact fee will also be paid for each dwelling unit to be developed. The fee will be established by the Board in the Development Agreement.

In seeking approval of a Development Agreement, an applicant or their designated representative shall be required to appear before the District Board.

A commitment to provide water service to any development within the District shall not be granted until all the following conditions are met:

- a. A sufficient capacity to deliver water exists.
- b. Application has been made on the proper District form, completed in full, and returned to the District office.
- c. All appropriate fees have been paid in full to the District.
- d. All written agreements between the applicant and the Board of Directors may require approval by District counsel, fully executed by the parties and adopted at a lawful meeting of the Board.

Article 7.10. METERING AND DWELLING UNITS.

7.10.010 EQUIVALENT DWELLING UNITS (EDU).

The District operates in accordance with the California Universal Plumbing Code and adopts the current established Equivalent Dwelling Units.

7.10.020 METERING.

The District requires that water meters be installed for each dwelling within its service area boundaries. All customers will be charged based on the size of service and amount of water used.

Meter size requirements, as determined using the established Equivalent Single Family (ESF) or Equivalent Dwelling Unit (EDU).

It is the District's goal to have all water meters on public property, right-of-way or easement. Whenever an opportunity arises, the District will move meters to public property, right-of-way or easement at the District's expense. All work done on the private property to facilitate the meter move will have a one year warranty per the public contracting code.

All water supplied by the District shall be measured by meters. All meters will typically be read monthly. For billing purposes, all meters located on the customer's premises will be billed separately and the readings will not be combined.

All meters and related equipment installed by the District on the customer's premises shall remain the property of the District. Customers shall exercise reasonable care to prevent meters and other equipment from being damaged or destroyed, and shall not tamper with them. If any defect or failure of equipment is discovered by the customer, he/she shall promptly notify the District Office.

For new connections, a meter shall be installed by the District on each service pipe related to water service in the right-of-way or easement. The cost of installing each meter shall be paid by the new customer (parcel owner), as part of the connection fee.

Water meters are factory tested and sold with an error factor of less than 2% fast or slow.

Any customer may make a reasonable request that the district test the meter serving his/her premises. The Chief Plant Operator will determine if the meter

needs testing and/or replacing. When the District determines that a meter is not properly measuring water consumption, the District will replace the meter at the District's expense. The Chief Plant Operator will advise the customer about possible meter replacement and/or test results.

When the District determines that a meter is registering more than 2% fast, the District will refund to the customer the amount of the overcharge based on corrected meter readings for the period the meter was in use, not to exceed 3 months.

When the District determines that a meter is registering more than 2% slow, the District will bill the customer for the amount of the undercharge based on corrected meter readings for the period the meter was in use, not exceeding 3 months.

7.10.030 BACKFLOW PREVENTER.

Backflow prevention devices and thermal protection will be required on all new construction and major renovation projects. Upon submittal of service application, the level of backflow prevention will be determined by the Chief Plant Operator or General Manager. Maintenance and annual testing of the backflow device will be the responsibility of the owner. The District may test the backflow device for the owner at a fee determined by the District's Board.

Article 7.11 ENFORCEMENT.

7.11.010 UNAUTHORIZED USE OF WATER.

When the District determines that a water meter has been properly installed and that a customer, other person or entity, has received or caused unmetered or improperly metered water service, the District shall bill for such actual service. Included in the bill will be administrative costs based upon District staff's reasonable estimate of the service actually furnished. The period of unmetered or improperly metered service will be determined by an investigation by District staff.

When the District staff determines that a violation of Penal Code governing the unauthorized use of water with the intent to defraud may have occurred, staff shall advise the Board of the situation. The Board may choose to contact the County Sheriff's office or County District Attorney's Office, and inquire concerning the feasibility of filing criminal charges against the person or entity suspected of violating such Penal Code section. If after such inquiry it is determined that it is

in the best interest of the District to file such criminal charges and that there is a reasonable possibility of successful prosecution of any such person or entity, then the Board shall, on behalf of the District, file charges with the District Attorney's Office.

Article 7.12. RESALE OF WATER.

7.12.010 NO CUSTOMER SALES.

Customers shall not resell any of the water received from the District. Customers shall not deliver water to premises other than those specified in the customer's application for service, unless written permission from the district is obtained.

Article 7.13. FIRE PROTECTION.

7.13.010 WATER DIVISION NOT RESPONSIBLE FOR FIRE PROTECTION.

The District's Water System is a purveyor of water and is not responsible for providing fire protection services, which are provided by individual fire departments.

7.13.020 OWNER REQUEST FOR FIRE HYDRANT.

Upon request, fire hydrants may be installed by the District or its designee at the expense of the owner or applicant requesting the hydrant. Once the hydrant is installed, it becomes property of the District.

7.13.030 PROHIBITED USE OF FIRE HYDRANT.

No person or persons other than those designated and authorized by the District, or the individual fire departments, shall open any fire hydrant valve or tamper with any hydrant in any manner.

7.13.040 APPLICATION FOR TEMPORARY USE OF FIRE HYDRANT.

If temporary water service is desired through a fire hydrant, the applicant shall request a permit for the use of the hydrant from the District in accordance with this Chapter, and the use will be metered to determine the amount owed for water use.

Article 7.14 VIOLATIONS.

7.14.010 VIOLATIONS.

It shall be unlawful for any person to violate the provision of this Chapter. Violations of this Chapter may constitute an infraction. Each day in which any such violation may continue shall be deemed a separate offense. Violators shall be subject to citation. Any person violating any of the provisions of this Chapter shall be liable to the District for any expense, loss, or damage occasioned the District by reason of such violation.