

**DENAIR  
COMMUNITY  
SERVICES  
DISTRICT  
SEWER ORDINANCE #2**

APRIL 2024

(UPDATED)

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## SEWER ORDINANCE NO. 2

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS; THE INSTALLATION OF SEWER LATERALS AN PUBLIC SEWER MAIN EXTENSIONS; PROVIDING PER THE EMPLOYMENT OF A SANITARY INSPECTOR; PROVIDING PERMITS AND FIXING FEES FOR THE INSTALLATION OF SANITARY SEWER LATERALS; ESTABLISHING RATES AND CHARGES FOR SEWER DISPOSAL SERVICE AND PROVIDING PROCEDURES FOR THEIR ENFORCEMENT; AND REGULATING PLUMBING, DRAINAGE AND SEWERING IN THE DENAIR COMMUNITY SERVICES DISTRICT

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BE IT ORDAINED, by the Board of Directors of the Denair Community Services District, County of Stanislaus, as follows:

### ARTICLE I --- GENERAL PROVISIONS

101. Short Title. This Ordinance may be cited as "Denair Community Services District Sewer Service and Rate Ordinance".
102. Enabling Statues. This Ordinance is adopted pursuant to Article 4, Chapter 6, Part 3, Division 5 of the Health and Safety Code of the State of California and Government Code of the State of California.
103. Application. This Ordinance shall apply to all sewer facilities within the District.
104. Purpose. This Ordinance is intended to provide certain minimum standards, provisions and requirements for design, methods of construction and use of materials in sanitary sewage facilities, in lateral sewers hereafter installed, altered, or repaired, and to provide for rates and charges to be collected for sewage disposal service. This Ordinance shall not apply retroactively and, in the event of an alteration or repair hereafter made, it shall apply only to the new materials and methods used therein.
105. Rules and Regulations. Following Rules and Regulations respecting sewer construction and disposal of sewage and drainage of buildings and connecting to the sewage works of said District are hereby adopted, and all working in respect thereto shall be performed as herein required and not otherwise.
106. Relief on Application. When any persons, by reason of special circumstances, is of the opinion that any provision of this Ordinance is unjust or inequitable as applied to his premises, he may make written application to the Board stating the special circumstances, cite the provisions complained of and requesting suspension or modification of that provision as applied to his premises.

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

107. Relief on Motion. The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and Ordinance should be suspended or modified as applied to a particular premises, and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof.
108. Plumbing, Inspection, Compensation. The Board of said District shall employ the District Engineer or such other person as may be designated by the Board, to perform the duties of inspecting the installation, connection, maintenance and use of all lateral sewers and plumbing, sewage, sanitary drainage work and facilities in connection therewith in said District, to be known as the Sanitary Inspector. He shall receive as compensation for his services for making inspections required to be made by the Ordinances and orders and Regulations from time to time enacted and ordered by the Board, a sum to be fixed by the Board. He shall serve at the pleasure of the Board.
109. Violation Unlawful. Following the effective date of this Ordinance, except as provided in Section 401 hereof, it shall be unlawful for any person to connect to, construct, install or provide, maintain, and use any other means of sewage disposal from any building in said District except by connection to the public sewer in the manner as in this Ordinance provided.
110. Posting. Upon Adoption, this Ordinance shall be posted in three (3) public places in the District within ten (10) days following its passage and shall take effect thirty (30) days after the date of its adoption.
111. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity or the remaining portions of this Ordinance or the application of such provisions to other persons or circumstances. The Board hereby declares that it would have passed this Ordinance or any sections, subsections, sentences, clauses or phrases thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional.
112. Protection from Damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the District's sewage works. Any person violating these provisions shall be subject to the penalties provided by law.



## ARTICLE II --- DEFINITIONS

201. DEFINITIONS. For the purpose of this Ordinance, the terms used herein are defined as follows:

- (a) Applicant is the person making application for a permit for a sewer installation and shall be the owner of premises to be served by the sewer for which permit is requested or his authorized agent.
- (b) Bathroom shall mean a room containing a toilet.
- (c) Board is the Board of Directors of the Denair Community Services District.
- (d) Building shall mean any structure used for human habitation or a place of business, recreation or other purposes and containing sanitary facilities.
- (e) Contractor is an individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under the permit and shall be the owner or his agent.
- (f) County means the County of Stanislaus.
- (g) District means the Denair Community Services District.
- (h) District Inspector is the inspector acting for the Board and may be a member of the Board, Manager, the District Engineer, or Inspector appointed by the Board.
- (i) Engineer is the Engineer appointed by and acting for the Board and shall be a registered Civil Engineer.
- (j) Garbage is solid waste from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- (k) House Sewer is any sewer or drain beginning at the plumbing or drainage outlets of any building and running to the property line.
- (l) Industrial Wastes are the liquid wastes from industrial processes as distinct from sewage.
- (m) Lateral Sewer is the portion of the side sewer within a public sewer.
- (n) Outside Sewer is a private sewer beyond the limits of the District.
- (o) Permit is any written authorization required pursuant to this or any other Rule, regulation, or Ordinance of District for the installation of any sewage works.

- (p) Person is any human, firm, company, partnership, association and private, public or municipal corporations, United States of America, the State of California, districts and all political subdivisions, governmental agencies and mandatories thereof.
- (q) Plumbing System includes all plumbing fixtures and traps, or soil, waste, special waste and vent pipes, and all sanitary sewage pipes within the property lines of the premises.
- (r) Private Sewer is one which has an independent sewage disposal not connected with a public sewer and which accommodates one or more houses.
- (s) Public Sewer is a sewer lying within a street and which is controlled by or under the jurisdiction of the District.
- (t) Secretary is the Secretary of the Board.
- (u) Sewage is a combination of water carried wastes from buildings and industrial establishments connected to sewage works of the District or any private sewer.
- (v) Sewage Works are all facilities for collection, pumping, treating and disposing of sewage.
- (w) Sewer is a pipe or conduit which carries sewage and/or industrial wastes to which storm, surface and ground waters are not intentionally admitted.
- (x) Street is any public highway, road, street, avenue, alleyway, easement or right of way.

### ARTICLE III --- USE OF PUBLIC SEWER AS REQUIRED

301. Disposal of Wastes. It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the District, or in any area under the jurisdiction of said District, any human or animal excrement, garbage or other objectionable waste.
302. Treatment of Wastes Required. It shall be unlawful to discharge to any stream or watercourse any sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this Ordinance.
303. Unlawful Disposal. Except as herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage.
304. Occupancy Prohibited. No building, industrial facility or other structure shall be occupied until the owner of the premises has complied with all Rules and Regulations of the District.
305. Sewer Required. The owner of any building situated within the District requiring sewage disposal and abutting on any right of way or easement in which there is now located or may in the future be located a public sewer of the District, is hereby required at his expenses to connect said building directly with the proper public sewer in accordance with the provisions of this Ordinance, within six (6) months after the date of official notice to do so, provided that said public sewer is within two hundred (200) feet of the nearest point of the building.
306. Extension of Sewer System. In the event of the application to the District for sewer services from areas either within or without the District, that are not presently served by the sewer system of the District, and the sewer mains or laterals are presently available to the area sought to be served, mains or laterals may be constructed by the District to serve such areas. The cost of said construction to be reimbursed to the District by the person or persons seeking service, upon such terms and conditions as shall be agreed upon by the person or persons seeking service, and the District.
- 306.1 Verification of service availability. Any property owner proposing to engage in new construction shall be required to obtain verification from the District that sewer and water service is available to the property prior to the start of construction.
- 306.2 Fees. Prior to the District giving verification that sewer services are available from the District the property owner shall pay all the hook-up fees and costs levied by the District.

306.3 County Notification. When it has been determined that services are available to a construction site upon which new construction will begin, District shall notify the County of Stanislaus prior to the issuance by the County of Stanislaus of a permit for the building.

306.4 County Coordination of Efforts. The District shall from time to time coordinate its efforts with the County of Stanislaus to provide for issuance of a verification that sewer and water services are available prior to the issuance of a building permit by the County of Stanislaus for each new construction.

## ARTICLE IV --- PRIVATE SEWAGE DISPOSAL

401. Sewer Not Available. Where a public sewer is not available under the provisions of Section 305 hereof, the building sewer shall be connected to a private septic system complying with the Rules, Regulations and Ordinances of the District.
402. Permit Required. Before commencement of construction of a private septic system the owner shall first obtain a written permit signed by the District Inspector. The application for such permit shall be made on a form furnished by the District, which the applicant shall supplement by any plans, specifications, and other information as deemed necessary by the District. A permit and inspection fee shall, and all hook-up fees be paid to the District at the time application is filed in accordance with the provisions of this Ordinance.
403. Inspection Required. A permit for a private septic system shall not become effective until the installation is completed to the satisfaction of the District Inspector. The Inspector shall be allowed to inspect the work at any state of construction and, in any event, the applicant for the permit shall notify the District Inspector when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours, Sundays and Holidays excluded, of the receipt of the notice by the District Inspector.
404. Design Requirements. The type, capacities, locations and layout of a private septic system shall comply with all recommendations of the Department of Public Health of the State of California. No permit shall be issued for any private septic system employing subsurface soil absorption facilities where the area of the lot is determined to be inadequate by the Board of the District. No septic tank or cesspool shall be permitted to discharge to any public sewer or any stream or water course.
- a) The system shall have a line providing for future direct connection to the District's sewer line which shall extend to the property line nearest the District's sewer line or proposed sewer line.
  - b) The outfall line from the structure and the future connection to the District line or proposed District line shall provide for the gravity flow of sewage to the facilities of the District.
405. Abandonment of Facilities-- At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 305, a direct connection shall be made to the public sewer in compliance with the Ordinances, Rules, and Regulations of the District, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material as determined by the District Inspector at such time as set by the Board.

406. Cost of Maintenance by Owner. The owner shall operate and maintain the private septic system facilities in a sanitary manner at all times, at no expense to the District.
407. Additional Requirements. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by any Law, Ordinance, Rule, or Regulation or by the Health Officer of the County.

## ARTICLE V --- BUILDING SEWER, LATERAL SEWERS AND CONNECTIONS

501. Permit Required. In accordance with Articles VIII and XII of this Ordinance, no person shall construct a building sewer, lateral sewer or make a connection with any public sewer without first obtaining a written permit from the District and paying all fees and connection charges as required herein.
502. Construction Requirements. Construction and inspection of building sewers and lateral sewers shall be in accordance with the requirements of the District.
503. Sewer Materials. The building sewer shall be: (1) cast iron soil pipe, ASTM specification A74 or equal, with yarned and leaded joints; (2) vitrified clay sewer pipe, ASTM specifications C278 or equal, with factory fabricated or approved hot pour joints; (3) asbestos cement sewer pipe, ASTM specification C423 or equal, with asbestos cement couplings; (4) bituminized fiber sewer pipe, Federal Specification SS-P-356 or equal with machined drive-in joints; or (5) other suitable material approved by the Inspector. Joints shall be tight and waterproof.
504. Building Drain. Whenever possible the building drain shall be brought to the building at an elevation below the basement floor. No building drain shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building drain shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.
505. Joints and Connections. All excavations required for the installation of a building drain shall be open trench work unless otherwise approved by the Inspector. Pipe laying and backfill shall be performed in accordance with ASTM specification C12 except that no backfill shall be placed until the work has been inspected. The bituminized fiber sewer pipe shall be bedded in four (4) inches of sand and covered to four (4) inches over the top of the pipe with sand. The sand must be free from rocks and clods of dirt.
506. Connection to Public Sewer. The connection of the house sewer into the public sewer shall be made at the lateral if possible, by placing a cleanout "Y" on its back with the cleanout looking up at the property line. Where no properly located lateral or where there is no lateral sewer available, a neat hole may be cut into the top half of the public sewer to receive the lateral sewer, with entry in the downstream direction at an angle of about forty-five degrees (45°). 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 lateral sewer at the point of connection shall be at a higher elevation than the invert 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 into the presence of the District Inspection and under his supervision and direction and in accordance with the 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. When a lateral sewer is constructed by an applicant the applicant must first deposit with

the District Inspector all necessary fees and charges and obtain a permit for construction of the lateral sewer. A cleanout "Y" shall be placed on its back with the cleanout looking up at the property line when a lateral is constructed by an applicant.

507. Separate Sewer. No two (2) adjacent structures and/or lots, whether fronting on the same street or in the case of a corner lot which would face on two streets, shall be permitted to join in the use of the same sewer line. Every building must be separately connected with a public sewer if such sewer exists in the street upon which the property abuts or in an easement which will serve said property.
508. Old Building Sewers. Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the District Inspector, to meet all requirements of District.
509. Sewer too low. In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by artificial means, approved by the District Inspector, and discharged into the public sewer at the expense of the owner.
510. Protection of Excavation. All excavations for side sewer installation shall be adequately guarded with barricades or lights so as to protect the public from hazard. Streets, sidewalks, parkways and other property disturbed in the course of the work shall be restored in a manner satisfactory to the District and the city, county or any other person having jurisdiction thereover.
511. Maintenance of Side Sewer. Side sewers shall be maintained by the owner of the property served thereby.



## ARTICLE VI --- PUBLIC SEWER CONSTRUCTION

601. Permit Required. In accordance with Article VIII of this Ordinance, no person shall construct, extend or connect to any public sewer without first obtaining a written permit from the District and paying all fees and connection charges and furnishing bonds as required therein. The provisions of the Section requiring permits shall not be construed to apply to contractors constructing sewer and appurtenances under contracts awarded and entered into by the District.
602. Plans, Profiles and Specifications Required. The application for a permit for public sewer construction shall be accompanied by complete plans, profiles, and specifications, complying with all applicable Ordinances, Rules, and Regulations of the District, prepared by 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 approve them as filed or require them to be modified as he deems necessary for proper installation. After examination by the District Engineer, the application, plans, profiles and specifications, 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 as required by the District. The permit shall prescribe such terms and conditions as the Board finds necessary in the public interest.
- 602.1 Review by District Engineer. In all cases where an improvement plan for development of one or more lots or of a subdivision is submitted to the District for approval, a charge shall be made. The District shall charge the person submitting the said plan or plans the cost to the District's Engineer, and in addition thereto, an amount equal to 20% of this cost to the District.
- The charge imposed under this provision shall be due upon completion of the examination of the plans and shall be billed to the person submitting the plans to the District. In the event said charges shall not be paid by the person submitting the plans, it shall become the obligation of the property owner, if different from the person submitting the plans. The District shall have all remedies provided at law for such collection. The Manager may, in the Manager's discretion, require a deposit to secure payment of the charges which may be incurred by the District.
603. Subdivisions. The requirements of Sections 601, 602 and 602.1 of the Ordinance shall be fully complied with before any final subdivision map shall be approved by the Board. The final subdivision map shall provide for the dedication for public use of all streets, easements, or rights of way in which public sewer lines are to be constructed. If a final subdivision map of a tract is recorded and the work of constructing sewers to serve the tract is not completed within the time 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.

604. Easements or Rights of Way. In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the Board a proper easement or grant of right of way sufficient in law to allow the laying and maintenance of such extension or connection.
605. 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 be binding on the contractor. The requirements of this Section shall apply to side sewers installed concurrently with public sewer construction.
606. Grade Stakes. Grade and line stakes shall be set by a registered Civil Engineer prior to the start of work on any public sewer construction. The contractor shall be responsible for accurately transferring grades to grade bars and sewer invert.
607. Compliance with Local Regulations. Any person(s) constructing a sewer within a street shall comply with all State and County laws, Ordinances, Rules, and Regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof and shall obtain all permits and pay all fees required by the department having jurisdiction prior to the issuance of a permit by the District.
608. Protection of Excavation. The applicant shall maintain such barriers, lights, and signs as are necessary to give warning to the public at all times that a sewer is under construction and of each dangerous condition to be encountered as a result thereof. He shall also likewise protect the public in the use of the sidewalk against any such conditions in connection with the construction of the sewer. Streets, sidewalks, parkways, and other property disturbed in the course of the work shall be reinstated in a manner satisfactory to the District and the County or any other person having jurisdiction thereover.
609. Design and Construction Standards. Minimum standards for the design and construction of sewer within the District shall be in accordance with the applicable provisions of the Ordinances, Rules, and Regulations, and with the SPECIFICATIONS FOR SEWER CONSTRUCTION heretofore or hereafter adopted by the District, copies of which are on file in the District Office. The District or the District Engineer may permit modifications or may require higher standards where unusual conditions are encountered.
610. As-built Drawings. "As-built" drawings showing the actual location of all mains, structures, Y's, T's, laterals and cleanouts shall be filed with the District before final acceptance of the work.

## ARTICLE VII --- USE OF PUBLIC SEWERS

701. Drainage into Sanitary Sewers Prohibited. No leaders from roofs and no surface drains for rainwater shall be connected to any sanitary sewer. No surface or subsurface drainage, rainwater storm water, seepage, cooling water or industrial process waters shall be permitted to enter any sanitary sewer by any device or method whatsoever.
702. Types of waste Prohibited. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
- (a) Any liquid or vapor having a temperature higher than 150° F.
  - (b) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
  - (c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
  - (d) Any garbage that has not been properly shredded. Properly shredded garbage shall mean the wastes from the preparation, cooking and dispensing of food that has been shred to such degree that all particles will be carried freely under the flow condition normally prevailing in public sewers, with no particle greater that one-half (1/2) inch in any dimension.
  - (e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
  - (f) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
  - (g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, con statute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
  - (h) Any waters or wastes containing suspended solids or dissolved matter or such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
  - (i) Any noxious or malodorous gas or substance capable of creating a public nuisance.
  - (j) Any septic tank sludge.

703. Interceptors Required. Grease, oil, and sand interceptors shall be provided when, in the opinion of the District Inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for buildings used for residential purposes. All interceptors shall be a type and capacity approved by the District Inspector and shall be located as to be readily and easily accessible for cleaning and inspection.
704. Maintenance of Interceptors. All grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.
705. Preliminary Treatment of Wastes. The admission into the public sewers of any waters or wastes having (a) a five (5) day biochemical oxygen demand greater than 300 parts per million by weight, or (b) containing more than 350 parts per million by weight of suspended solids, or (c) containing any quantity of substance having the characteristics described in Section 702, or d) having an average daily flow greater than two percent (2%) of the average daily sewage flow of the District shall be subject to the review and approval of the District Inspector, the owner shall provide, at this expense, such preliminary treatment as may be necessary to (a) reduce the biochemical oxygen demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or (b) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 702, or (c) control the quantities and rates of discharge of such waters or wastes.
- 705.1 Plans and Specifications. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the District Inspector and of the Water Pollution Control Board of the State of California and no construction of such facilities shall be commenced until said approvals are obtained in writing.
706. Maintenance of Pretreatment Facilities. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
707. Measurement and Tests. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in Sections 702 and 705 shall be determined in accordance with standard methods.
708. Special Agreements. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and

any industrial concern whereby industrial waste may be accepted by the District for treatment, subject to payment therefor by the industrial concerns and subject to such terms and conditions as might be required by the District.

709. Swimming Pools. It shall be unlawful for any person to discharge the contents of a swimming pool into a sanitary sewer, without first giving notice to and receiving written permission from the District Inspector.

## ARTICLE VIII --- PERMITS

801. Permit Required. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance or perform any work on any sewer or drainage system without first obtaining a written permit from the District.
802. Application for Permit. Any person, legally entitled to apply for and receive a permit shall make such application on forms provided by the District for that purpose. He shall give a description of the character of the work proposed to be done and the location, ownership, occupancy, and use of the premises in connection therewith. The District may require plans, specifications, or drawings and such other information as may be deemed necessary.
- If the District determines that the plans, specifications, drawings, descriptions, or information furnished by the applicant is in compliance with the Ordinances, Rules, and Regulations of the District, it shall issue the permit applied for upon payment of the required fees as hereinafter fixed.
803. Compliance with Permit. After approval of the application, evidenced by the issuance of a permit, no change shall be made in the location of the sewer, the grade, materials, or other details from those described in the permit or as shown on the plans and specifications for which the permit was issued except with written permission from the District, the District Inspector or other authorized representative.
804. Agreement. The applicant's signature on an application for any permit as set forth in Section 805 hereof, shall constitute an agreement to comply with all of the provisions, terms and requirements of the Ordinances, Rules, and Regulations of the District, and with the plans and specifications he has filed with his application, if any, together with such corrections or modifications as may be made or permitted by the District, if any. Such agreement shall be binding upon the applicant and may be altered only by the District upon the written request for the alteration from the applicant.
805. Classes of Permits. There shall be six (6) classes of permits, as follows:
- (a) Single family residential building sewer Permit;
  - (b) Multi-family residential, commercial, or industrial building sewer connection Permit;
  - (c) Public Sewer Construction Permit;
  - (d) Private Sewage Disposal Permit;
  - (e) Outside Sewers Permit (Section 810); and,
  - (f) Use or Inspection or Entry into Public Sewer Manholes and/or lines.

(Section 811)

806. All Work to Inspected. All sewer construction work shall be inspected by an inspector acting for the District to ensure 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, the Inspector shall issue a certificate of satisfactory completion.
807. Notification. It shall be the duty of the person doing the work authorized by permit to notify the office of the District in writing that said work is ready for inspection. Such notification shall be given not less than twenty-four (24) 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.
808. Condemned Work. When any 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 Ordinances, Rules, and Regulations of the District.
809. All Costs Paid by Owner. All costs and expenses incidental 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.
810. Permits for Outside Sewers. Permission shall not be granted to connect any lot or parcel of land outside of the District to any public sewer in or under the jurisdiction of the District unless a permit therefor is obtained. The applicant shall first enter into a contract in writing whereby he shall bind himself, his heirs, successors and assigns to abide by all Ordinances, Rules, and Regulations in regard to the manner in which such sewer shall be used, the manner of connecting therewith and drainage in connection therewith, and also shall agree to pay in advance all fees required for securing the permit and a monthly or annual fee in the amount set by the District for the privilege of using such sewer.
811. Use or Inspection or Entry into Public Sewer Manholes and/or lines: Permits for Sewer Inspection or Entry. Any person wishing to enter, or to cause to enter through any manhole or otherwise, any mechanism or device used to inspect any sewer line or similar facility owned or controlled by the District shall apply for a receive a permit allowing for such entry or inspection. The application shall be made on a form provided by the District for that purpose. The person making the application shall provide a description of the nature of the activity intended to be conducted, including any inspection, videotaping or other recordings or entry into the sewer line either by any person or any device or mechanism and the use that will be made from the information obtained by such inspection, videotaping or recording. The District may require any other information as it deems necessary to determine the purpose, nature or character of the proposed entry or inspection

of any sewer line. The cost of such permits shall be set by the District Board by Resolution. If deemed necessary by the District, a person obtaining a permit to enter, either by a person or by any device or mechanism, any manhole or sewer line of the District shall be monitored by an employee of the District to ensure that no damage is done to the sewer line by such entry or inspection. In addition to any fee charged for the permit, the permittee shall pay to the District the fully burdened hourly rate of the employee monitoring such entry or inspection for the actual time spent by such employee in monitoring the entry or inspection. No person shall enter or cause the entry of any device or mechanism into any manhole or sewer line, or similar facility owned or controlled by the District without first having obtained a permit allowing such entry.

It is also established at this time that: (1) An authorized employee of the Denair Community Services District shall be on site at all times during the sewer line entry inspection; (2) the inspection shall be done during normal business hours only; (3) the Permit Fees shall consist of the hourly rate paid to the authorized employee at a two hour minimum plus the current Administrative Fee; and (4) if Water Use is required at any time during the inspection project, it shall be charged at the current rates for construction water, plus deposits as deemed necessary by the project.

812. Permit Optional. The granting of such permission in any event shall be optional with the Board.
813. Special Outside Agreements. Where special conditions exist relating to an outside sewer, they shall be the subject of a special contract between the applicant and the District.
814. Street Excavation Permit. A separate permit must be secured from the State, 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.
815. Liability. The District and its officers, agents, and employees shall not be answerable for any liability or any liability or injury or death to any person or damage to any property arising during or growing out of the performance of any work by any such applicant. The applicant shall be answerable for, and shall save the District and its officers, agents and employees harmless from any liability imposed by law upon the District or its officers, agents and employees, including all costs, expenses, fees and interest incurred in defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of his work or any failure which may develop therein.
816. Time Limit on Permits. If work under a permit be not commenced within six (6) months from the date of issuance or if after partial completion, the work be discontinued for a period of one year, the permit shall thereupon become void, and no further work shall be done until a new permit shall have been secured. A new fee shall be paid upon the issuance of said new permit.



## ARTICLE IX --- ENFORCEMENT

901. Investigation Powers. The officers, inspectors, managers, and any duly authorized employees of the District shall carry evidence establishing his 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 purpose of inspection, re-inspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary in the enforcement of the provisions of the Ordinances, Rules, and Regulations of the District.
902. Violation. Any person found to be violating any provision of this or any other Ordinances, Rules, and Regulations of the District except Section 112 hereof, shall be served by the Inspector or other authorized person with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Said time limit shall not be less than two (2) nor more than seven (7) working days. The offender shall, within the period of time state in such notice, permanently cease all violations. All persons shall be held strictly responsible for any and all acts of agents or employees done under the provisions of this or any other Ordinances, Rules, and Regulations of the District. Upon being notified by the Inspector of any defect arising in any sewer or of any violation of the Ordinances, the person or persons having charge of said work shall immediately correct the same.
903. Public Nuisance. Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this Ordinances, Rules, and Regulations of the District is hereby declared to be a public nuisance. 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.
904. Disconnection. As an alternative method of enforcing the provisions of this or any other Ordinances, Rules, and Regulations of the District, the District shall have the power to disconnect the user or subdivision sewer system from the sewer mains of the District. Upon disconnection the Inspector shall estimate the cost of disconnection from and re-connection to the system and such user shall deposit the cost, as estimated, of disconnection and re-connection before such user is reconnected to the system. The District shall refund any part of the deposit remaining after payment of all costs of disconnection and re-connection.
905. Abatement. During the period such disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon 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 re-connection, there is to be paid to the District a reasonable attorney's fee and cost of suit arising in said action.
906. Means of Enforcement Only. District hereby declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of its Ordinances, Rules, and Regulations and not as a penalty.

907. Liability for Violation. Any person violating any of the provisions of the Ordinances, Rules, and Regulations of the District shall become liable to District for any expense, loss or damage occasioned by District by reason of such violation.

## ARTICLE X --- BILLING AND COLLECTION

1001. Establishment and Maintenance of Credit. Each applicant for service shall establish and maintain credit to the satisfaction the Sewer Department by a cash guarantee deposit, as hereinafter provided before service will be rendered.
1002. Guarantee Deposit. The amount of deposit required shall be three (3) times the average monthly billing to the residence. No interest will be paid on guaranteed deposits. Upon disconnection of service, the deposit may be applied toward the closing bill and any surplus shall be refunded to the customer.
1003. Loss and Re-establishment of Credit. Any amount due for sewer service that remains unpaid for thirty (30) days after presentation of a bill therefor may be deducted from the guarantee deposit. The service shall be subject to discontinuance until the deposit is again restored to the original amount.
1004. Deposits by Other than Owner. Deposits made by applicants other than the owner of the premises shall be refunded only upon discontinuance of service and in accordance with Section 1002 above.
1005. Billing Period. The regular billing period will be monthly or bi-monthly at the option of the Board.
1006. Opening and Closing Bills. Opening and Closing Bills for less than the normal billing period may be prorated on a daily basis.
1007. Payment of Bills. Bills for sewer service shall be rendered at the end of each billing period to include the charge for the following period. All sewer service charges shall become due and payable ten days after bills therefore are rendered and shall become delinquent after the first day of the calendar month following the date of the payment specified therein.
- (a) Amounts due for sewer and water services shall be billed to each property owner as a single charge, said single charge to include the total sewer service and water service due each month for the property of said property owner.
  - (b) In the event of a failure of the property owner to pay the total obligation before delinquent each month, the District shall at its option, discontinue water services to the said property.
  - (c) In the event services shall be discontinued to any parcel of property pursuant to this Ordinance, service shall not again be furnished to said property until all delinquent amounts due have been paid in full to the District, and a guarantee deposit made as provided in Article IV of Ordinance No. 5 of the District.

(d) On each bill for sewer service rendered by the District shall be printed substantially the following: "This bill is due 10 days after it is rendered and becomes delinquent if not paid on the first day of the calendar month after its due date. Upon delinquency of this bill, all service covered by this bill may be discontinued and a basic penalty of 10% of the total amount of this bill will be added for the first month delinquent and an additional penalty of 1½% of the total amount of the bill and basic penalty will be added for each additional month during the time the bill remains unpaid. As cash deposit and re-connection charge may be required to reestablish service."

1008. Penalty. If any bill is not paid in full within 30 days after it becomes delinquent, a basic penalty of 10 percent of the amount of such bill shall be added to it for the first month delinquent and a penalty of one percent per month of the amount of such bill and basic penalty shall be added to such bill for each month during the time such bill shall remain unpaid after the delinquent date.
1009. Collection by Suit. The District may bring an action against the person or persons who occupied the premises when the service was rendered for the collection of the amount of the delinquent rate and all penalties and costs of collection including a reasonable attorney's fee.
1010. Multiple Dwelling Units. Service charges for sewer services furnished to apartment houses, duplexes, and similar multiple housing units shall be billed to and payable by the owner of the premises for all living units in the apartment houses, duplexes or similar multiple housing units. All other remedies for collection of service charges provided for in this District's Ordinances shall apply.
1011. Owner's Responsibility. In the event the person occupying the premises for which sewer services are furnished by the District is not the owner of the premises, and in the event the charges for the sewer services are not paid by the person occupying the premises, the owner or owners of the premises shall be liable for the sewer services furnished by the District. Collection for the services by the District from the owner or owners of the premises shall be enforced by any means provided for in the Ordinances, Rules, and Regulations of the District.

## ARTICLE XI --- COLLECTING ON TAX ROLL

1101. Sewer Service Charges. The Entity may, by Ordinance approved by two-thirds vote of the members of the Board, elect to have sewer service charges for the forthcoming fiscal year collected on the tax roll on which its general taxes are collected, in the same manner, by the same persons, and at the same time as, and together with and not separately from, its general taxes.
1102. Penalty. If any bill is not paid in full within 30 days after it becomes delinquent, a basic penalty of 10 percent of the amount of such bill shall be added to it for the first month delinquent and a penalty of one percent per month of the amount of such bill and basic penalty shall be added to such bill for each month during the time such bill shall remain unpaid after the delinquent date.
1103. Collection of Charges and Penalties on Tax Roll.  
The Board of Directors has determined that charges for water, sewer and other services provided to a premises are the responsibility of the owner of the property and all rates, charges, fees, and penalties for such services shall run with the land and shall be a lien on the property or properties for which service is provided.

Each year, on a date established by the District, the General Manager may prepare and file with the Board of Directors a report that describes each affected parcel of real property and the amount of charges and delinquencies for each affected parcel for the year. The General Manager shall give notice of the filing of any report and of the time and place for a public hearing by publishing the notice pursuant to §6066 of the Government Code in a newspaper of general circulation and by mailing the notice to the owner of each affected parcel. At the public hearing, the Board of Directors shall hear and consider any objections or protests to the report. At the conclusion of the public hearing, the Board of Directors may adopt or revise the charges and penalties. The Board of Directors shall make its determination on each affected parcel and its determinations shall be final. The General Manager shall file with the County Auditor a copy of the final report adopted by the Board of Directors. The County Auditor shall enter the amount of the charges and penalties against each of the affected parcels of real property as they appear on the current assessment roll. The County Tax Collector shall include the amount of the charges and penalties on the tax bills for each affected parcel of real property and collect the charges and penalties in the same manner as property taxes.

The amount of the lien may include an administrative fee to recover the reasonable cost of processing the lien including costs charged by the County.

As an alternative to collecting any charges and penalties on the tax rolls, the District may recover any charges and penalties by recording in the office of the County Recorder of the county in which the affected parcel is located, a certificate declaring the amount of charges and penalties due, the name and last known address of the person liable for those charges and penalties (hereinafter

the "Certificate"). From the time of recordation of the Certificate, the amount of charges and penalties constitutes a lien against all real property of the delinquent property owner in that county. This lien shall have the force, effect, and priority of a judgment lien. Within 30 days of the receipt of payment for all amounts due, including the recordation fees paid by the District, the District shall record a release of lien.

The General Manager is authorized and directed to record a certificate with respect to any parcel, lot or premises as to which the District has discontinued water service for non-payment or at any time thereafter. The General Manager may record the certificate without approval of the Board of Directors and at the time service is discontinued for non-payment or at any time thereafter. The General Manager shall mail a copy of the certificate recorded to the owner of the parcel, lot or premises at the owner's last known address.

Any remedies for the collection and enforcement of rates or other charges are cumulative and the District may pursue remedies alternatively or consecutively.

1104. Law Applicable. The provisions of Article 4, Chapter 6, Part 3, Division 5 of the Health and Safety Code, as now or hereafter amended, as to collection of fees, charges and interest on the tax roll shall apply.

## ARTICLE XII --- CONNECTION CHARGES AND FEES

1201. Connection Charges. The following connection charges are hereby established and shall be collected at the time a "Will Serve Letter" for sewer service is made:

If an existing structure has services but is voluntarily removed from the premises:

- (a) All applicable connection charges shall be paid on a parcel before a hookup will be completed;
- (b) The only exception to this shall be if the structure is destroyed by fire and then rebuilt by the owner for their occupancy. The only fees payable in that case shall be the line charges and inspection fees.
- (c) In the event a duplex is constructed on a corner lot in a residential, single family subdivision, the lot shall be charged on a front footage basis and not as a corner lot.

1201.1 Bond - Single Family Residential, Multi-Family Residential, Commercial or Industrial Building Sewer.

A deposit of not less than One thousand One Hundred Dollars (\$1,100.00), which will be fixed by the District as the estimated cost of connection, shall be made with the District to guarantee faithful performance of the provisions herein with reference to the construction of a lateral sewer, the whole of which shall be returned upon the completion of the work, then the work is done other than by the District. When work is done by the District, only the balance above the cost thereof shall be returned. If the actual connection cost exceeds the deposit amount, then the user shall be responsible to reimburse the District for the same.

The applicant for a multi-family residential, commercial or industrial sewer permit shall, in addition to all other fees and charges payable pursuant to the Ordinances, Rules, and Regulations of the District, pay all engineering, inspection and other costs deemed by the District to be necessary, if any, to insure compliance with the terms of the permit and the Ordinances, Rules, and Regulations of the District.

1202. Fees. The following fees are hereby established and shall be collected before a "Will Serve" Letter is issued.

1202.1 Connection Fees. The following connection charges are hereby established and shall be collected at the time a "Will Serve" Letter is issued:

- (a) There shall be a connection charge, a sewer lateral charge, sewer main charge, and a capacity charge, as set forth in paragraphs (b), (c) and (d) below:
- (b) The sewer connection charge shall be as follows:

- 4" service \$1,000.00 deposit amount
- 6" service \$2,500.00 deposit amount
- greater than 6" by District estimate

(c) The sewer lateral charge shall be the following:

- 1) Single family residence: \$465.15 or \$9.80 per front foot of street frontage, whichever is greater. For purposes of this section the frontage of corner lots shall be the sum of the two frontages less 100 feet. Minimum charge will not be less than \$465.15.
- 2) All other developments: \$465.15 or \$9.80 per front foot of street frontage of the lot when it is located adjacent to or abutting an alley, court, place, easement or other non-street right of way in which there is an existing sewer line at the time of development.

(d) The sewer main charge shall be based upon the fixture units of the dwelling being connected as follows:

<u>Fixture Units</u>	<u>Charge Per Unit</u>
Up to 15	\$12.55
16 to 50	\$6.35
Over 50	\$3.40

In addition, thereto, there shall be the following charge of \$183.80 for all 4" services. All others to be charged at actual cost of installation plus 10%.

(e) An inspection fee for each service hereafter hooked up to the District's system shall be \$24.90.

## 1202.2 Capacity Charge

(a) New Construction

- 1) Residential: \$368.15 per dwelling unit up to 25 fixture units, plus \$73.95 for each five (5) fixture units or fraction thereof, over 25 fixture units. (A dwelling unit is defined as a single unit providing complete, independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.)
- 2) Commercial, Industrial Under 25,000 Gallons/Day and Other Fixture Unit Customers: \$362.05 to 25 fixture units plus \$72.75 for each 5 fixture units or fraction thereof over 25 units.



- 3) Restaurants: \$965.00 plus \$24.35 for each seat over 40 seats.
- 4) Hospitals & Convalescent Homes: \$96.80 for each bed.
- 5) Schools: \$19.55 for each fifteen (15) square feet of classroom space.

(b) Additions and Remodels

- 1) Residential: \$368.15 for each new dwelling unit created up to 25 fixture units plus \$73.95 for each 5 fixture units, or fraction thereof, over 25 fixture units.

When no new dwelling unit is created, charge shall be \$73.95 for each 5 fixture units or fraction thereof.

- 2) Commercial, Industrial Under 25,000 Gallons/Day and Other Fixture Unit Customers: \$362.05 up to 25 fixture units plus \$72.75 for each 5 fixture units or fraction thereof, which are added.
- 3) Restaurants: \$965.00 up to 25 fixture units plus \$24.35 for each seat added.
- 4) Hospitals & Convalescent Homes: \$96.80 for each bed added.
- 5) Schools: \$19.55 for each fifteen (15) square feet of classroom space added.

(c) All Others: Same as Residential Rate.

1202.3 Multiple Housing. Multiple housing shall be charged on a per dwelling unit established. (Dwelling unit is described in Section 1202.1, Subsection (c), Item 1.)

1202.4 Bonds - Multi-family residential, Commercial or Industrial Sewer.

A deposit of not more than Two Hundred Fifty Dollars (\$250.00) to be fixed by the District as the estimated cost thereof, shall be made with said District to guarantee faithful performance of the provisions herein with reference to the construction of a lateral sewer, the whole of which shall be returned upon the completion of the work, when the work is done other than by said District. When said work is done by said District, only the balance above the cost thereof shall be returned.

1203. Fees and Bond - Public Sewer Construction.

- (a) A fee in an amount deemed necessary by the District to pay all engineering, inspection and other costs required to ensure compliance

with the terms of the permit and with the Ordinances, Rules, and Regulations of the District shall be paid to the District prior to the time a "Will Serve" Letter is issued, for reviewing plans and specifications, issuing a permit and inspecting the installation of public sewer mains, laterals, and all appurtenance thereto. If the fee fixed by the District is in excess of the actual costs to the District, any surplus over the cost shall be refunded to the person obtaining the permit. If the fee fixed by the District is less than the actual cost to the District, then the person obtaining the permit shall be liable for the excess cost to the District.

- (b) Prior to the issuance of a permit for public sewer construction the applicant shall furnish to the District a faithful performance bond shall be conditioned upon the performance of the terms and conditions of the permit and shall guarantee the correction of faulty workmanship and the replacement of defective materials for a period of one (1) year after the date of acceptance of the work.

1204. Will Serve Letter Required. On all construction within the District for which a building permit is required, the plans shall be submitted to the District Manager for determination as to whether a new "Will Serve" letter shall be required. In determining whether a "Will Serve" letter shall be required the District Manager shall consider whether the Construction project shall significantly increase the sewage discharge from the property upon which the project is located. Should the District General Manager determine that there will be a significant increase in the sewage discharge for the said property, the fee for issuance of the "Will Serve" letter shall be \$10,000.00. Any person aggrieved by a decision of the District Manager acting under authority of this Ordinance shall have the right to appeal to the Board of Directors of the District by sending written notice of appeal to the Board within 20 days after receiving the written decision of the General Manager. The decision of the Board shall be final.

ARTICLE XIII --- SEWER SERVICE CHARGES

1300. Establishing Sewer Service Charges. There are hereby levied and assessed upon all premises connected with the District sewer system or required by the Ordinance to be connected to the District sewer system, the monthly or annual sewer service charges hereinafter set forth for sewer service furnished or available to such premises by the District sewer system.
1301. Expense of Treatment. District has entered into a contract with the City of Turlock for the delivery of sewage to said City and the processing of said sewage by said City. The District acknowledges and obligation to pay for said services according to the contract entered into by the parties on October 6, 1964 and the Rate Schedule herein adopted is designed to provide for payment of said charges to the City of Turlock. The amounts to be paid to said City, being based upon the charges of the City for similar services in each instance within the City of Turlock, are herein designated "Contract Amount" which said amounts shall be charged and collected as set forth in Section 1302, Rate Schedule.
1302. Monthly Rate Schedule. There shall be no free sewer services. The following monthly rates for sewer service provided by the District are established to be charged and collected beginning January 1, 1994 and continuing thereafter.

These rates shall also include a charge for the operations of the Denair Community Services District in the varying rates as detailed in Section 1; Subsection A per connection per month.

The following monthly rates for sewer service provided by the District are to be based upon the fixed units, as shown on the following page:

Fixture Units	City of Turlock	District Operations Fee	Monthly Charges
0 -- 15	25.60	28.00	53.60
16 -- 20	32.40	28.30	60.70
21 -- 25	35.50	28.75	64.25
26 -- 30	40.35	29.10	69.45
31 -- 35	44.50	29.55	74.05
36 -- 40	49.80	30.05	79.85
41 -- 45	54.65	30.55	85.20
46 -- 50	59.65	32.85	92.50
51 -- 55	63.60	36.75	100.35
56 -- 60	68.75	37.05	105.80
61 -- 65	71.75	40.05	111.80
66 -- 70	79.60	47.90	127.50
71 fixtures and over:	<b>See instructions below</b>		

To calculate fees for all structures 71 fixture units and over:

- In addition to the Monthly Charges for the category of 66 to 70 Fixture Units of \$127.50, the following fees shall be included to calculate the monthly rate:
- For each five (5) fixture units or fraction over 70 fixture units, a fee of \$5.60 shall be charged for each group of five (5) fixture units or fraction of per month.
- An Administrative fee of \$8.80 per structure per month shall be charged. (For example: Six structures on one parcel shall be charged the administrative fee six times.)

- (a) Residential: Is charged per dwelling unit.
- (b) Restaurants: The charge for restaurants shall be charged the same as other commercial accounts based on fixture units.
- (d) Schools: The charge for schools shall be \$8.75 per student per year plus \$81.45 per school per year plus \$36.90 per school/per month.
- (d) All Others: Same as residential rates.

1303. Payment required from properties adjacent to service lines.

In the event the amounts levied and assessed upon premises required by this Ordinance to be connected to the District's sewer system, but which premises are not actually connected with said system are not paid when due, in addition to the other remedies provided herein or by law for the collection of said sums, said sums, together with all penalties due thereon shall be added to the connection charges and in addition to such other connection charges as are herein provided, shall be collected at the time and in the manner said connection charges are

provided herein to be collected.

## ARTICLE XIV --- REVENUE

1401. Disposition of Revenue. All revenues received under this Ordinance, excepting all connection charges and refundable deposits herein provided for, shall be deposited, when collected with the Turlock Branch Office of Bank of Stockton.

ARTICLE XV --- CAPITAL FACILITY FEES

1501. Wastewater Development Impact Fees: The purpose of this fee is to collect funds to pay for improvements to the Wastewater system that serves the Denair Community Services District. The Denair Community Services District owns and operates the wastewater transportation system that serves the Denair Community Plan Area. The transportation system conveys sewage to the City of Turlock Sewage Treatment Facility, which disposes of Denair Community Services District sewage on contract to the District. The District must collect this fee to pay for expansion of wastewater facilities because the existing transportation system is currently operating at capacity and the Turlock Sewage Treatment Facility will reach capacity before the Denair Community Plan Area reaches buildout.

The fee will be used to pay for improvements to the wastewater collection and disposal system, including collection pipes, lift stations, and expansion of sewage treatment plant capacity.

The fees are as follows:

DEVELOPMENT IMPACT FEES	DEVELOPMENT INSIDE DCSD EXISTING BOUNDARIES	DEVELOPMENT OUTSIDE DCSD EXISTING BOUNDARIES
<b>Residential Impact Fees:</b>		
Single Family (per dwelling unit)	\$1923.55	\$3782.40
Multifamily (per dwelling unit)	\$1405.00	N/A
Administrative Fee: Single Family	\$496.15	\$496.15
Administrative Fee: Multi-Family	\$346.85	N/A
<b>Commercial Impact Fees</b>		
Sewer Collection and Treatment (per acre)	\$7066.40	N/A
Commercial sq.ft. (per acre)	TBD	N/A
Commercial \$ per 1,000 sq.ft.	TBD	N/A
Sewer Peak Flow Threshold (gpm/1000 s.f.)	\$560.90	N/A
Alternative Commercial Fee: Per gpm discharge)	\$4.85	N/A
Administrative Fee: Per 1,000 sq. ft	\$205.70	N/A

**RESOLUTION 2024-005**

Resolution to Revise the Public Facilities Fees

WHEREAS, the Denair Community Services District established a series of Public Facilities Fees in 1991 for the betterment of the community; and,

WHEREAS, it has been one year since these fees were last reviewed and updated to reflect the increases in the construction field as reported by the Bureau of Labor's Consumer Price Index for the Western Region and the Engineers Engineering News Records Index (ENR) for 2024;

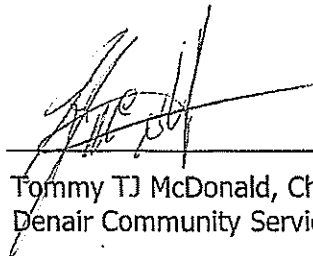
NOW, THEREFORE, it is determined by the Board of Directors that, all categories of Public Facilities Fees for Single Family, Multiple Family and Commercial Construction both inside and outside of the boundaries of the Denair Community Services District be increased by 4%, not the 2.5% as originally stated, and will become effective on April 1, 2024.

Upon a motion by Director Bradley and seconded by Director Comfort, the Board unanimously Passed and Adopted Resolution 2024-005 with a 4% increase to the Public Facilities Fees at a regular meeting of the Board of Directors of the Denair Community Services District on March 19, 2024 by the following vote:

AYES: Directors Bradley, Comfort, Edwards, Kuffel and McDonald

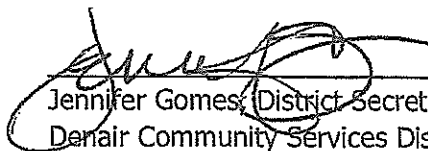
NOES: None

ABSENT: None



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Tommy TJ McDonald, Chairman  
Denair Community Services District

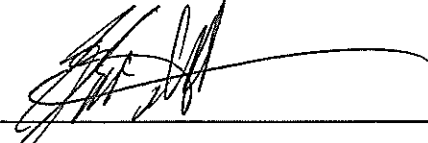


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Jennifer Gomes, District Secretary  
Denair Community Services District



Sewer Ordinance #2, any Ordinance which conflict with rates and fee structures related to Public Facilities Fees/Developments, as set forth are hereby updated per annual rate increase (4% 2024-2025).



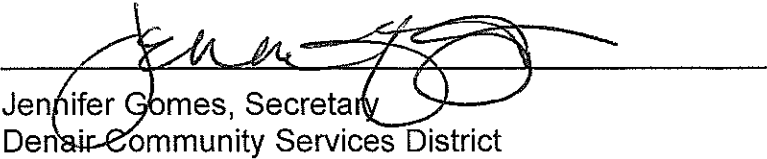
Tommy T.J. McDonald, Chairman  
Denair Community Services District

I hereby certify that the foregoing is a full, true and correct copy of an Ordinance reflecting Public Facilities Fees increase was duly adopted and passed by the Board of Directors of the Denair Community Services District at a meeting held on Tuesday March 19, 2024 following a motion made by Director Bradley and seconded by Director Comfort. (Resolution 2024-005)

AYES: Directors McDonald, Kuffel, Comfort, Edwards & Bradley

NOES: None

ABSENT:



Jennifer Gomes, Secretary  
Denair Community Services District