

# **Lake County Sanitation District Wastewater System Rules and Regulations**

## **DEFINITIONS**

**USE OF PRONOUN** – For the purposes of this document, certain words and phrases are defined. When not inconsistent with the context, words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the masculine pronoun shall include the feminine; and the word “shall” is mandatory and not merely permissive.

“Administrator” – shall mean County of Lake Special Districts Administrator.

“Board” – Lake County Sanitation District Board of Directors

“Building sewer” - means sewer line and appurtenant facilities used to extend sewer service from the property line to the customer’s premises.

“Customer” – means any person obtaining sewer service from the District.

“District” – means Lake County Sanitation District, which provides sewer service that is administered by Lake County Special Districts Administration.

“ Dwelling unit” – means one or more rooms designed or used by an individual or family for residential purposes, including, without limitation, a house, apartment, condominium unit or duplex unit, having water use facilities equivalent in extent to a normal dwelling.

“Lateral sewer” - means the sewer line and appurtenant facilities used to extend sewer service from the sewer main to the property line.

“Multifamily dwelling” – means a building designed or used to house two or more families living independently of each other.

“Occupancy: - means the purpose for which a building, or part thereof, is used or intended to be used.

“Person” – means any individual, firm, company, association, society, corporation, partnership or group.

“Property Owner” - means owner of record, as indicated by the Assessor’s office of the County, to whose premise sewer service is provided.

“Sewer service area” - means that area within the boundaries of the District.

“System” – means all sewer collection facilities, storage facilities, pumping stations, sewer mains and appurtenances, and other attendant facilities of the District sewer system.

## **PURPOSE**

The purpose of this document is to establish general rules and regulations for service and the extension of service from the District system, and to promote the public health, safety and general welfare of the users of the system, in accordance with the standards established by the District, County, State and Federal governments.

### **1. APPLICABILITY**

The provisions of this document shall apply to all sewer services, provided by the District, and to all work performed on the District sewer system.

2. APPLICATION FOR SERVICE – GENERALLY

Any person desiring to receive sewer service from the District shall make application to the District on printed forms to be provided for that purpose. Every application for service shall be signed by the owner of the property to be benefited or on which the sewer service is desired, or by his authorized agent, and the applicant shall agree to comply with all applicable rules and regulations which have been established from time to time, by the District. Every application for service shall contain a description of the premises where such sewer service is desired and fully state the purpose for which the service is to be used.

3. NEW APPLICATION FOR SERVICE REQUIRED FOR NEW USE

Should the owner of the premises desire to apply the sewer service for a purpose not stated in the original application, a new application must be made.

4. APPLICATION – FORM

Application for service shall be on the forms as prescribed by the District. The application shall require the applicant to agree to abide by the provisions of these rules and regulations and the Sewer Use Ordinance, as now enacted or hereafter amended.

5. RATE SUBJECT TO CHANGE

Except for special contracts, which specify the length of time to which the contract rate shall be extended, all rates, rules and regulations are subject to change or modification by the District in accordance with California law.

6. CHANGE OF OWNERSHIP OR USAGE

- A. At the time of change in property ownership and/or change in building usage, the District shall review the appropriate account or accounts to determine their conformance with the provisions of these rules and regulations and the Sewer Use Ordinance. If the property does not comply with these rules and regulations and the Sewer Use Ordinance, the District shall inform the property owner in writing, outlining the required alteration(s). The alteration(s) shall be at the property owner's expense. If the alterations involve an additional connection or connections, such hookup(s) shall be subject to another basic connection charge and monthly charge.
- B. When a structure becomes vacant, the regular minimum rate shall be charged and collected from the owner in accordance with the sewer rate ordinance.
- C. It is the property owner's responsibility to notify the District of any change in ownership and/or intensity of use within the property.

7. LATERAL SEWER – NO SEWER MAIN IN STREET

Whenever an applicant requests sewer service to premises that do not have a sewer main adjacent to the premises, a sewer main must be installed as a prerequisite to connection to the District sewer system. The sewer main must conform to Standards and Specifications of the County of Lake. The main must be installed along the complete street frontage of the premises to be served. The property owner shall enter into a mainline extension agreement with the District. The District may contract with the property owner to provide for the reimbursement of such property owner and his assigns for return of construction expenses as outlined in a mainline extension agreement.

8. CONNECTION TO SEWER MAIN

Upon the receipt of the connection charges, the District shall cause the premises described in the application to be connected with the District's sewer main by a lateral sewer extending from the main to the property line, which connection shall thereafter be maintained and kept within the exclusive control of the District.

9. ENLARGING OR REMOVING LATERAL SEWERS

When an existing building is altered, or when new buildings are to be erected on the site of existing buildings, and it is desired to increase the size or change the location of the existing lateral sewer, or where a lateral sewer to any premises is abandoned or no longer used, the District may remove such lateral sewer. A new lateral sewer shall be placed only upon the owner making an application and paying for a new lateral sewer in the regular manner. Such new connection shall be subject to another basic capacity expansion charge, as outlined in the appropriate District ordinance. An additional capacity expansion charge shall also be charged for any connections and/or usage that are greater than the original application. Credit will be given for capacity expansion charges previously paid.

10. UNUSUAL CUSTOMER REQUIREMENTS

When a customer's requirements for sewer service are unusual, or large, or necessitate considerable special or reserve equipment or special consideration, the District may require a contract for an extended period, and may also require the customer to furnish security satisfactory to the District to protect the District against loss and guarantee the performance of the provisions of the contract.

For requests for sewer service for new development that would create an undue hardship on the existing system's ability to provide adequate supply, the District shall require, or cause to be prepared, a capacity analysis or hydraulic modeling performed by an engineer licensed by the State of California. For the size of the sewer systems managed by Special Districts this is generally four (4) single family dwelling units or greater. The criteria to be used and goals to be achieved through the capacity analysis or hydraulic modeling shall be established and maintained by the District. The cost of the capacity analysis or hydraulic modeling shall be the sole responsibility of the property owner. The costs of mitigation, as defined in the analysis or model and approved by the District, shall be the sole responsibility of the property owner.

11. CONNECTION CHARGE—FEE REQUIRED

The District shall make all lateral sewer connections and the cost of each said connection shall be billed to the property owner as set forth in the Sewer Use Ordinance. The District shall not make any connection until the property owner has paid charges set forth in the Sewer Use Ordinance. In the event the rate ordinance does not specifically identify a connection type, the district will determine capacity fees based on the single family dwelling equivalent, calculated at 210 gallons per day.

12. CAPACITY EXPANSION - FEE

- A. The basic capacity expansion fees are established by ordinance. In consideration of the charges, the District shall lay the lateral sewer from the main to the property line within the utility easement. Responsibility for installation and maintenance of the building sewer beyond the property line shall be the sole responsibility of the customer.
- B. Capacity expansion fees are due and payable prior to issuance of a building permit for new construction and modifications to an existing structure.
- C. Commercial and other connections will have initial computation of capacity expansion charges based upon plumbing plans. Capacity fees not specifically identified by ordinance will be calculated based on the single family dwelling equivalent of 210 gallons per day. These charges are payable prior to the issuance of the building permits. Following approval for occupancy, a field inspection will verify actual installation and the capacity charges will be adjusted if changes in the plans occurred. When a site visit reveals fixtures installed above those previously approved and paid for, the property owner shall be responsible for payment of additional connection charges.

13. INSTALLATION AND MAINTENANCE RESPONSIBILITIES

The customer shall, at his own risk and expense, furnish, install and maintain in safe condition all equipment that may be required for pumping and controlling sewage from the property to the sewer

lateral. The District shall not be responsible for any loss or damage caused by the improper installation, maintenance, wrongful acts, or negligence of the customer or any of his tenants, agents, employees, contractor or licensees, in installing, maintaining, using or operating such equipment.

14. DEFECTIVE BUILDING SEWER

The District will immediately contact the Office of Environmental Health whenever a sewer line develops leaks, or their condition is such as to constitute a danger to the environmental health and safety of the District or the public.

15. CHANGE IN USE OF LATERAL SEWER

A request for a change of the use of a lateral sewer, additions to improved property or existing improved property shall be treated as a request for a new service installation. An additional basic connection charge, as set forth by ordinance, shall be made. An additional capacity expansion charge shall also be charged. Credit will be given for capacity expansion charges previously paid.

16. PROPERTY LINE CLEANOUT REQUIRED

The customer shall install and maintain, as close to the property line as practicable, a suitable clean out to the lateral sewer.

17. FAILURE TO INSTALL PROPERTY LINE CLEANOUT

If it is found that a customer has failed to install a property line cleanout the District will mail, via certified and return receipt, a letter informing the customer of the need to install a property line cleanout. Until such time as a property line cleanout is installed, a sewer backup on the property will be the responsibility of the property owner.

18. SERVICE TO OTHER PROPERTY

The furnishing of sewer service by a customer to premises other than that served by the customer's service is prohibited, including but not limited, to travel trailers and motor homes.

19. LOCATION CHANGE—COST

Except as otherwise provided in this document, when it is necessary for the convenience of the District or because of the installation of new sewer mains to change an existing domestic sewer service location, such new location shall be made at the cost and expense of the District, except that the property owner shall reinstall his building sewer service to connect to the sewer lateral at his own expense.

20. RATES FOR SERVICE

Rates for service shall be calculated as follows:

The sewer service rates are based on the costs, which include operation, maintenance, capital improvement and rehabilitation costs, to provide services and are approved and adopted by the Board of Directors. This provides a level uniform cost for service to all users of the District's sewer system.

The monthly charge for sewer service supplied within the District shall be the rate as set by ordinance, as a minimum billing charge for each single family dwelling equivalent.

In the event the rate ordinance does not specifically identify a connection type, the district shall determine rates based on the single family dwelling equivalent, calculated at 210 gallons per day.

Apartment houses and multi-family dwellings will be billed a charge, as set by ordinance, for each single family dwelling equivalent.

When properties are found to be burned down, red tagged and uninhabited, or have had all sinks, tubs, showers and toilets removed, the District will suspend billing for sewer, however the loan repayment fee shall remain in effect.

When properties are found to have increased in single family dwelling equivalents, the District shall require additional capacity expansion fees and may only back bill for three calendar years.

When properties are found to have had the use changed to fewer single family dwelling equivalents, the District may only apply a credit for three calendar years, excluding the loan repayment fee.

## 21. BILLING

Billing will occur at two-month intervals for regular bills and at intermediate dates as required for opening, closing or special bills.

The person ultimately responsible for payment of charges for District service shall be the property owner, as indicated by the Assessor's office of the County.

## 22. APPLICATION OF PAYMENT

All payments received by the District shall be applied to payment of the months or month furthest in arrears for the property which the payment is received.

## 23. UNPAID CHARGES—DEEMED LIEN

All charges for connection and service, as provided in these rules and regulations, or as may be hereafter amended, together with penalties and interest thereon, if any, shall, in addition to being a personal liability of the property owner, be a lien upon the property with which such connection is made. Enforcement of such lien or liens shall be in any manner provided by state law.

## 24. BILLING DISPUTES

Upon application by a sewer customer, the Administrator or his/her designee is empowered to resolve billing disputes, on a case-by-case basis. In the event the Administrator is unable to arrive at a satisfactory resolution, the sewer customer may appeal the Administrator's decision, within thirty (30) days, to the Board of Directors.

## 25. DELINQUENT PAYMENTS

A. The District shall have the right to assess further penalties and terminate service upon written notice to the premises. In accordance with the applicable ordinance the following procedure will be followed for all delinquent payments:

1. All accounts are delinquent sixty (60) days after mailing.
2. In the event charges become delinquent, a late payment charge will be added, as set by ordinance.
3. Upon request, customers who have never been charged a late charge are afforded a one-time courtesy waiver of the late charge.

B. Failure to receive mail will not be recognized as a valid excuse for failure to pay rates when due. Change in ownership of property and change in mailing address must be filed in writing by the property owner or his agent at the office of the District on a form provided for that purpose.

C. All delinquent charges will be collected as the law allows.

26. DISHONORED PAYMENT

In the event the check given by the customer is not honored by the financial institution appearing on the check, the District using the available telephone number, shall inform the customer that the check has been returned and a \$10 return check charge, together with penalty thereon, is due. Payment in cash or money order is required in the event of a dishonored check.

27. LIABILITY FOR DAMAGE TO EQUIPMENT AND PROPERTY

The customer shall be liable for any damage to property owned by the District, which results from any intentional or negligent act by the customer, his tenants, agents, employees, contractors or licensees. The District shall be reimbursed by the customer for any such damage promptly on presentation of a bill therefor.

28. CHANGE OF OWNERSHIP OF PROPERTY WITH SEWER SERVICE

The existing property owner shall notify the District in writing when the property is about or shall be sold. The property owner will be provided a closing bill stating the date of such termination and pay all unpaid charges at the office of the District within sixty (60) days. The property owner shall be responsible for all charges accruing prior to such date, or in the case of failure to give notice, until the date of actual change of ownership as indicated by the Assessor's Office of the County.

29. TEMPORARY MAINS

No temporary mains shall be permitted to be installed as part of the District's sewer system.

30. LOSS OR DAMAGE IN LINE

The District shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer's building sewer, plumbing or equipment, and the District may, without notice, discontinue service to any customer when a defective condition of plumbing or equipment upon the premises of the customer results, or is likely to result, in interference with proper service or is likely to cause contamination of the environment. The District does not assume the duty of inspecting the customer's line, plumbing or equipment, and shall not be responsible therefore, and will not be liable for failure of the customer to receive service on account of defective plumbing and apparatus on the customer's premises, or for excessive consumption.