

**COUNTY OF SANTA CRUZ**  
**INTER-OFFICE CORRESPONDENCE**

**DATE:** August 6, 2012

**TO:** Freedom County Sanitation District Code Subscribers

**FROM:** Clerk of the Board

**SUBJECT:** Update to the Freedom County Sanitation District Code

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<b>REMOVE SECTION/PAGE(S)</b>	<b>INSERT NEW SECTION/PAGE(S)</b>
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## ORDINANCE LIST AND DISPOSITION TABLE

### Ordinance Number

1307	Sanitary sewer connection fees (Repealed by 4204)
1308	Sewer maintenance district connection fee (Repealed by 4204)
1317	Sewer maintenance district line extensions (Repealed by 2005)
1328	Sanitation district capacity expansion (Repealed by 2005)
1329	Sewer maintenance district capacity expansion (Repealed by 2005)
1889	Amends §3 and 6 of Ord. 1308, sanitary sewer connection fees (Repealed by 4204)
1889-A	Amends §3 and 6 of Ord. 1307, sanitary sewer connection fees (Repealed by 4204)
1902	Amends §2 of Ord. 1889-A, sanitary sewer connection fees (Repealed by 4204)
1903	Amends §2 of Ord. 1889, sanitary sewer connection fees (Repealed by 4204)
2005	Sanitation district sewer rules and regulations; repeals Ords. 803, 1316, 1317, 1328 and 1329 (1.04, 3.04)
2011	Sewer service and connection charges (3.08)
2027	Provides for collection of sewer service charges (Special)
2136	Adds §2.2 (d) to Ord. 2011, sewer connection charges (3.08)
2137	Provides for collection of sewer service charges (Special)
2207	Adds §§2.19--2.23, 3.8, 5.14, 5.15 and 6.9 to, amends §§2.11--2.18, 3.1, 3.2, 4.1, 4.9, 5.5(a),(b)(2),(f) and (h), 6.2, 6.4--6.6, 8.1 and 8.6, and renames Art. IV of Ord. 2005, sewer service rules and regulations (3.04)
2304	Provides for collection of sewer service charges (Special)
2435	Provides for collection of sewer service charges (Special)
2563	Provides for collection of sewer service charges (Special)
2708	Provides for collection of certain service charges (Special)
2937	Provides for collection of certain service charges (Special)
2944	Amends §§3.2--3.5 of Ord. 2011, sewer service and connection charges (3.08)
3083	Amends §§2.2, 2.6, 3.2 and 3.3 of Ord. 2011, sewer service and connection charges (3.08)
3094	Provides for collection of sewer service charges (Special)
3215	Amends §§2.2, 2.3, 2.6 and 2.7 of Ord. 2011, sewer service and connection charges (3.08)
3244	Provides for collection of certain service charges (Special)
3367	Amends §3.5 of Ord. 2944, sewer service and connection charges (3.08)
3404	Provides for collection of certain service charges (Special)
3569	Provides for collection of certain service charges (Special)
3573	Adds §§2.24--2.44 and 6.10--6.13 to, and amends §§2.3--2.23, 5.1--5.7 and 5.10--5.12 of Ord. 2005, sewer service rules and regulations, (3.04)
3627	Amends §8.3 of Ord. 2005, sewer service rules and regulations (3.04)
3652	Amends §§3.2--3.5 of Ord. 2011, sewer service and connection charges (3.08)
3834	Adds §2.2(c) to, and amends §§3.2--3.5 of Ord. 2011, sewer service and connection charges (3.08)
3910	Amends §1.3 of the general provisions of the District Rules and Regulations [Ord. 2005] (3.04)
3958	Amends §2.7 of Ord. 2011, sewer service and connection charges (3.08)
3993	Amends §3.2 of Ord. 3834, sewer service and connection charges (3.08)
4127	Amends §3.2 of Ord. 2011, sewer service and connection charges (3.08)

4142	Amends §§2.2 of Ord. 3215 and 3.2 of Ord. 4127, sewer service and connection charges (3.08)
4180	Amends §3.2(d) of Ord. 4142 (3.08)
4201	Amends §3.2 of Ord. 2011, sewer service and connection charges (3.08)
4204	Repeals Ords. 1307, 1308, 1889, 1889-A, 1902 and 1903 and 5.12 of Ord. 2005 (3.04)
F-1	Amends §3.2 of Ord. 4204, sewer service and connection charges (3.08)
F-2	Adopts the Freedom County Sanitation District Code (1.01)
F-3	Amends §3.08.150, sewer service charges (3.08)
F-4	Amends §3.08.080, adds (D), sewer service charges (3.08)
F-5	Amends Ordinance No. 3569 providing for the collection of sewer service charges on the tax roll
F-6	Amends §3.08.150, sewer service charges (3.08)
F-7	Amends §3.08.150, sewer service charges and adds Article VI, §3.08.340 Sewer Service Charge Refunds
F-8	Repeals and Replaces District Code Title 3 Article III, §3.08 Sewer Service Charges and Amends Article IV Chapter 3.08 §3.08.220 Collection of Charges with General Taxes
F-9	Amends District Code Title 3 Article III Chapter 3.08 Sewer Service Charges
F-10	Amends District Code Title 3 Article VIII, Adds §3.04.671 to the Freedom County Sanitation District Code to Provide for Reimbursement and Repayment Fees Where Sewer Facilities are Constructed by the District (Amesti) (12/12/2006)
F-10	Amends District Code Title 3 Article III Chapter 3.08 Sewer Service Charges (5/22/2007)
F-11	Amends District Code Title 3 Article III Chapter 3.08 Sewer Service Charges (5/13/2008)
F-12	Amends District Code Title 3 Article III Chapter 3.08 Sewer Service Charges (6/2/2009)
F-13	Amends District Code Title 3 Article III Chapter 3.08 Sewer Service Charges (5/18/2010)
F-14	Amends District Code Title 3 Article III Chapter 3.08 Sewer Service Charges (5/17/2011)
F-15	Amends §§1.04.010 and 3.04.280, and Adds §§3.04.465, 3.04.466, and 3.04.467 to the Freedom County Sanitation Code regarding definitions, plans, specifications and construction, and private sanitary sewer system maintenance and repair, and enforcement response and fines (10/4/2011)
F-16	Amends District Code Title 3 Article III Chapter 3.08 - Sewer Service Charges (5/15/2012)

## Title 1

### GENERAL PROVISIONS

#### Chapters:

1.01 Code Adoption

1.04 General Provisions

#### Chapter 1.01

### CODE ADOPTION

#### Sections:

1.01.010 Adoption.

1.01.020 Title--Citation--Reference.

1.01.030 Reference applies to all amendments.

1.01.040 Title, chapter and section headings.

1.01.050 Reference to specific ordinances.

1.01.060 Ordinances passed prior to adoption.

1.01.070 Effect of code on past actions and  
obligations.

1.01.080 Constitutionality.

1.01.010--1.01.030

1.01.010 Adoption. There is hereby adopted the "Freedom County Sanitation District Code", as compiled, edited and published by Book Publishing Company, Seattle, WA. (Ord. F-2 §1, 1994)

1.01.020 Title--Citation--Reference. This code shall be known as the "Freedom County Sanitation District Code" and it shall be sufficient to refer to said code as the "Freedom County Sanitation District Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the "Freedom County Sanitation District Code". Further reference may be had to the titles, chapters, sections and subsections of the "Freedom County Sanitation District Code" and such references shall apply to that numbered title, chapter, section or subsection as it appears in the code. (Ord. F-2 §2, 1994)

1.01.030 Reference Applies to All Amendments. Whenever a reference is made to this code as the "Freedom County Sanitation District Code" or to any portion thereof, or to any ordinance of the Freedom County Sanitation District, codified herein, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. (Ord. F-2 §3, 1994)

1.01.040 Title, Chapter and Section Headings. Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof. (Ord. F-2 §4, 1994)

1.01.050 Reference to Specific Ordinances. The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code. (Ord. F-2 §5, 1994)

1.01.060 Ordinances Passed Prior to Adoption of the Code. The last ordinance included in this code prior to its adoption was Ordinance F-1. (Ord. F-2 §6, 1994)

1.01.070 Effect of Code on Past Actions and Obligations. The adoption of this code does not affect prosecutions for ordinance violations committed prior to the effective date of this code, does not waive any fee or penalty due and unpaid on the effective date of this code, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any ordinance. (Ord. F-2 §7, 1994)

1.01.080 Constitutionality. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. (Ord. F-2 §8, 1994)

## Chapter 1.04

### GENERAL PROVISIONS

#### Sections:

#### 1.04.010 Definitions.

1.040.010

1.04.010 Definitions. Unless the context otherwise indicates, the words and phrases defined in this chapter shall, for the purposes of this code, have the meanings respectively ascribed to them by this chapter. For the purpose of this code, additional terms shall have the meaning indicated in the latest edition of the Uniform Plumbing Code, adopted by the International Association of Plumbing and Mechanical Officials, copies of which are on file with the district engineer. Terms not otherwise defined herein shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

“Act” means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, appearing in 33 U.S.C.A §1251 et seq.

“Applicant” means the person making application for a permit for a sewer or plumbing installation and shall be the owner of premises to be served by the sewer for which a permit is requested or his authorized agent.

“Best management practice” (BMP) shall mean either any schedules of activities, prohibitions of practices, maintenance procedures, or other management practices to prevent or reduce the pollution of the waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs also include pollution control practices designed to reduce the pollutants contained in discharges.

“Biochemical oxygen demand” or “BOD” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Celsius, expressed in terms of weight and concentration (milligrams per liter).

“Board” means the Board of Directors of the Freedom County Sanitation District.

“Building” means any structure used for human habitation or a place of business, recreation, or for other purposes, containing sanitary facilities.

“Building sewer” means the total length of sewer from the main sewer to the foundation of the structure to be connected.

“City” means the city of Watsonville.

“Clean Water Act” means the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq., Stat. 816 PL 92-500. Any terms defined in the Federal Clean Water Act, and acts amendatory thereof or supplementary thereto, or defined in the regulations promulgated pursuant to said Act (as may from time to time be amended) and used in this chapter shall have the same meaning as in that statute or those regulations.

“Cooling Water” means the water discharged from any use such as air conditioning, cooling or refrigeration, during which the only pollutant added to the water, is heat.

“Commercial User” means any commercial business not in an industrial classification.

“Compatible pollutant” means BOD, suspended solids, pH, grease and oil; fecal coliform bacteria, and such additional pollutants as are now, or *may* be in the future, specified and controlled in county/city's NPDES permit for its wastewater treatment works where said works have been designed and used to reduce or remove such pollutants.

“Connector” means any owner of any premise connected to the sewer system.

“Contractor” means any person, firm, corporation, partnership, or association duly licensed by the state of California to perform the type of work to be done on sewage facilities.

“County” means the County of Santa Cruz, California.

“District” means the Freedom County Sanitation District.

“District Engineer” means the Director of the Department of Public Works of the County or any person designated by the Board.

“Domestic sewage” means a combination of liquids or water carrying human waste, laundry water, and kitchen waste from residential, business or industrial buildings.

“Domestic waste” means liquid wastes (i) from the noncommercial preparation, cooking and handling of food, or (ii) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

“Garbage” means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of food.

“House sewer” means that portion of the building sewer within private property.

“Illicit Discharge” means any discharge to the County storm water sewer system not composed entirely of storm water except, discharges pursuant to a NPDES permit or those charges resulting from firefighting activities.

“Incompatible pollutant” means any pollutant which is not a “compatible pollutant” as defined in this section.

“Indirect Discharge” means introduction of pollutants into a POTW from any nondomestic source regulated under section 307(b), (c), or (d) of the Act.

“Industrial user” means a source of indirect discharge.

“Industrial wastewater” means wastewater from any source including an industrial plant or facility which introduces toxic pollutants, as defined in 40 CFR 233.1(w), into publicly owned treatment works.

“Interference” means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

1. Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
2. Therefore is a cause of violation of any requirement of POTW’s NPDES permit (including an increase in the magnitude or duration of a violation) or the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder:
  - A. Section 405 of the Clean Water Act.
  - B. The Solid Waste Disposal Act (SWDA) including Title II, more commonly referred to as the Resource Conservation Recovery Act (RCRA), and including state regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA.
  - C. The California Domestic Water Quality and Monitoring Regulations (Title 22 of the California Code of Regulations),
  - D. The Clean Air Act,
  - E. The Toxic Substances Control Act,
  - F. The Marine Protection, Research and Sanctuaries Act.

“Installer” means any person who installs main sewers within the district for connection to the district sewer system.

“Lateral sewer” means that portion of the building sewer within county right-of-way or easement.

“Main sewer” means a public sewer designed to accommodate more than one building sewer.

“National Pollutant Discharge Elimination System (NPDES)” means the program for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone, and the oceans pursuant to Section 402 of the Act.

“Pass through” means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation).

“Person” means any individual, firm, company, partnership, corporation, association, group or society, and includes the State of California, and agencies, districts, commissions and political subdivisions created by or pursuant to state law.

“pH” means the logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.

“POTW” means Publicly Owned Treatment Works.

“Premises” means any lot, parcel of land, building or establishment.

“Pretreatment” means application of physical, chemical and biological processes to reduce the amount of pollutants in, or alter the nature of, the pollutant properties in a wastewater prior to discharging such wastewater into the publicly owned wastewater treatment system.

“Pretreatment standards” means all applicable Federal rules and regulations implementing Section 307 of the Act, as well as any state or local standards. In cases of conflicting standards or regulations, the more stringent thereof shall be applied.

“Private sanitary sewer collection system” means a sewer collection system serving any commercial business, any sewer collection system serving four (4) or more units including but not limited to: apartment complexes, mobile home parks, condominiums, cooperative apartment buildings, as well as any sewer collection system with a privately owned and maintained sewer lift station, or any building sewer or private sewer lateral.

“Private sewer lateral” means the portion of a sanitary sewer line, including cleanouts, overflow valves, backflow valves, “wye” branches, and appurtenances that connects the building sewer to the sewer main of the District.

“Public sewer” means a sewer which is under jurisdiction of the District.

“Sewer” means a conduit for carrying off sewage.

“Significant industrial discharger” means any industrial user of the City’s wastewater disposal system who meets one or more of the following:

1. Has a discharge flow of twenty-five thousand gallons or more per average work day;
2. Has a flow greater than five percent of the flow in the City’s wastewater treatment system;
3. Has in its waste toxic pollutants as defined pursuant to section 307 of the Act;
4. Is found by the city, county, SWQCB or the US EPA to have significant impact, either singly or in combination with other contribution industries, on the system’s effluent quality, or air emissions generated by the system;
5. A waste stream discharge which makes up five percent or more of the average dry weather hydraulic or organic (BOD, TSS, etc.) capacity of the wastewater treatment system.

“Significant noncompliance” means user violations which meet one or more of the following criteria:

1. Violations of wastewater discharge limits:
  - A. Chronic Violations. Sixty-six percent or more of all the measurements taken for the same pollutant parameter exceed the same daily maximum limit or the same average limit in a six-month period (any magnitude of concentration over the most stringent limit) a numeric Pretreatment Standard or Requirement, including instantaneous limits
  - B. Technical Review Criteria (TRC) violations. Thirty-three percent or more of all the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(I) multiplied by the applicable TRC.
    - i. Group I TRC for conventional pollutants (BOD, TSS, fats, oil and grease): TRC = 1.4.
    - ii. Group II TRC for all other pollutants except pH: TRC = 1.2.
2. Violations of compliance schedule milestones for starting construction, completing construction, and attaining final compliance by ninety days or more after the schedule date.



3. Failure to provide reports for compliance schedules, self-monitoring data or categorical standards (baseline monitoring reports, ninety-day compliance reports and periodic reports) within 45 days of the due date.
4. Failure to accurately report non-compliance.
5. Any other violation of a Pretreatment Standard or Requirement (daily maximum, long term average, instantaneous limit, or narrative Standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of the POTW personnel or the general public.
6. Any discharge of pollutants that have caused imminent endangerment to human health, welfare or to the environment or has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge.
7. Any other violation or group of violations, which may include a violation of Best Management Practices which the District determines, will adversely affect the operation of implementation of the local Pretreatment Program.

"Sludge" means a semi-liquid sediment, resulting from the accumulation of settleable organic and/or inorganic solids deposited from wastewaters or other fluids.

"Slug loading" means either:

1. Any discharge of pollutants at a volume or concentration that causes upset of or interference with the POTW or causes the pass-through of pollutants to receiving waters, or
2. Any discharge of a pollutant(s), measured by a grab sample, at a concentration exceeding five times the composite or grab sample discharge limit, or
3. Any discharge of wastewater outside the pH range of five through ten for either a continuous duration of greater than or equal to fifteen minutes or for a sum total of thirty minutes within one day.

"Storm water" means rainwater, surface water, groundwater, roof runoff and subsurface drainage.

"Suspended solids" means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

"Unit" or "dwelling unit" means separate living quarters for one or more persons having separate kitchen facilities or toilet facilities.

"Unpolluted water" means water not containing any pollutants limited or prohibited by the effluent standards in effect, or water whose discharge will not cause any violation of receiving water quality standards.

"User" means any person who discharges, causes or permits the discharge of wastewater into the district's sewer system.

"User classification" means a classification of user based on the latest edition of the Standard Industrial Classification (S.I.C.) Manual prepared by the office of management and budget.

"Wastewater" means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the district's sewer system.

“Wastewater treatment system” means any devices, facilities, structures, equipment or works owned or used by the district or the city for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water including intercepting sewers, outfall sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances; extensions, improvements, remodeling, additions and alterations thereof; elements used to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be a part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

“Work” means any work directly involved with the sewers. (Ord. F-15 §1 (part), 2012; Ord. 3573 §1, 1984; Ord. 2207 §1, 2, 1975; Ord. 2005 §2.1--2.44, 1974)

Title 3

SEWER SERVICE SYSTEM

Chapters:

- 3.04 Sewer Service Rules and Regulations
- 3.08 Sewer Service and Connection Charges

Chapter 3.04

SEWER SERVICE RULES AND REGULATIONS

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## ARTICLE I. GENERAL PROVISIONS

3.04.010 Title citation. The ordinance codified in this chapter may be cited as the "Freedom County Sanitation District Sewer Regulation Ordinance". (Ord. 2005 §1.1, 1974)

3.04.020 Purpose. This chapter is intended to provide rules and regulations for the use and construction of sanitary sewer facilities hereafter installed, altered or repaired within the district, and to supplement general county ordinances, rules or regulations applicable thereto. (Ord. 3910 §1, 1988; Ord. 2005 §1.3, 1974)

3.04.030 Rules and Regulations adopted. The following rules and regulations respecting sewer construction and disposal of sewage and drainage of buildings and connection to the sewage works of the district are hereby adopted, and all work in respect thereto shall be performed as herein required and not otherwise, except as general county ordinance, rule or regulation applies. (Ord. 2005 §1.2, 1974)

3.04.040 Suspension or modification of provisions--Application--Procedure. When any person by reason of special circumstances is of the opinion that any provision of this chapter is unjust or inequitable as applied to his premises, he may make written application to the board stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises. If such application be approved, the board may, by resolution, suspend or modify the provision complained of, as applied to such premises to be effective as of the date of the application and continuing for such period as it finds necessary. (Ord. 2005 §1.5, 1974)

3.04.050 Relief of motion. The board may, on its motion, find that by reason of special circumstances any provision of this chapter should be suspended or modified as applied to a particular premise and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof. (Ord. 2005 §1.6, 1974)

3.04.060 Adjustments and exceptions--Rights retained--Application. The district board hereby retains the right to grant adjustments and exceptions to the provisions of this chapter in order to vary or modify the strict application thereof in cases in which there are practical difficulties or unnecessary hardships in the way of such strict application. Application for any adjustment or exceptions shall be made to the district board in the form of a written application. (Ord. 2005 §1.7, 1974)

3.04.070 Conflict with State Codes. Any provision in this chapter that is in conflict with the provisions of the State Health and Safety Code or Streets and Highways Code or Governmental Codes or Elections Code, due to revisions made in said codes, shall be automatically superseded by the provisions in said code until such time as this chapter can be revised. (Ord. 2005 §1.9, 1974)

3.04.080 Violation--Penalty. Except as this chapter may otherwise permit, following the effective date of the ordinance codified in this chapter, it shall be unlawful for any person to connect to the sanitation district sewerage facilities except in the manner provided by this chapter. Any person violating the provisions of this chapter shall be deemed guilty of a misdemeanor and shall upon conviction thereof, be punished by a fine not to exceed one hundred dollars, or by imprisonment not to exceed thirty days, or by both such fine and imprisonment. (Ord. 2005 §1.4, 1974)

## ARTICLE II. PERMITS

3.04.090 Permit required for connection. No person or public corporation shall be permitted to connect to, use or maintain a connection to the sewerage facilities of the district without the permits required and issued as hereinafter provided. (Ord. 2005 §6.1, 1974)

3.04.100 Property to be within district--Exceptions. No permit shall be valid unless the real property to be served by use of the permit is included within the boundaries of the district or by special agreement with the district. (Ord. 2207 §9(part), 1975: Ord. 2005 §6.2, 1974)

3.04.110 Application. Applications for a permit shall be made with the district engineer. The applicant may be required to furnish the location, ownership, occupancy and use of the premises in connection therewith and to furnish data regarding present and anticipated future flows, and quality of discharge. The district engineer may require plans, specifications or drawings and such other information, as he may deem necessary. (Ord. 2005 §6.3, 1974)

3.04.120 Issuance. The district engineer or his delegated representative is authorized to issue sewer connection permits, and is directed hereby to collect all fees, deposits and charges which, by provisions of the ordinance codified in this chapter or other ordinances of the district, are payable by the applicant on or before the delivery of the permit to the applicant. (Ord. 2207 §9(part), 1975: Ord. 2005 §6.4, 1974)

3.04.130 Compliance. After 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 engineer, or other authorized representative. (Ord. 2207 §9(part), 1975: Ord. 2005 §6.5, 1974)

3.04.140 Agreement with district. The applicant's signature on a permit shall constitute an agreement to comply with all of the provisions, terms and requirements of this and other applicable ordinances, rules and regulations of the district and with the plans and specifications he has filed with his permit, if any, together with such corrections or modifications as may be made or permitted, if any. Such agreement shall be binding upon the applicant and may be altered only upon the written request for the alteration from the applicant. (Ord. 2207 §9(part), 1975; Ord. 2005 §6.6, 1974)



3.04.150 Time limits. If work under a permit is not commenced within six 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. (Ord. 2005 §6.7, 1974)

3.04.160 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. (Ord. 2005 §6.8, 1974)

3.04.170 Encroachment permit. An encroachment permit must be obtained before excavation for sewers is made in any publicly maintained street. Application for such permit shall be made at the county department of public works or applicable agency. (Ord. 2005 §4.7, 1974)

3.04.180 Connection Fee refund. Up to eighty percent of the sewer connection fee may be refunded by the district if the sewer connection permit is voluntarily withdrawn within six months after its date of issuance. (Ord. 2207 §10, 1975: Ord. 2005 §6.9, 1974)

### ARTICLE III. GENERAL REGULATIONS FOR BUILDING SEWERS

3.04.190 Construction requirements. The construction of the building sewer and the connection to the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the district. The district engineer may determine where and how the connection is to be made. The lateral sewer shall be installed and connected to the public sewer by a contractor licensed in the state of California. (Ord. 2207 §3(part), 1975: Ord. 2005 §3.1, 1974)

3.04.200 Inspection of connections. Inspection will be made by the district engineer or his delegated representative, and no building sewer connection shall be made without the presence of an authorized district representative, unless permission has been granted to proceed in his absence. (Ord. 2207 §3(part), 1975: Ord. 2005 §3.2, 1974)

3.04.210 Costs to be borne by owner. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the district from loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. Any damage to the public sewer shall be repaired at the cost of the applicant to the satisfaction of the district engineer. (Ord. 2005 §3.3, 1974)

3.04.220 Maintenance. Building sewers shall be maintained by the owner of the property served thereby. (Ord. 2005 §3.4, 1974)

3.04.230 Separate sewers required when. Every building or industrial facility must be separately connected to the public sewer. However, one or more buildings located on property belonging to the same owner may be served with the same building sewer during the period of said ownership. Upon the subsequent subdivision and sale of a portion of said lot, the portion not directly connected with such public sewer shall be separately connected with a public sewer, and it shall be unlawful for the owner thereof to continue to use or maintain such indirect connection. (Ord. 2005 §3.5, 1974)

3.04.240 Old building sewers to meet requirements. Old building sewers may be used in connection with new buildings only when they are found, upon examination and testing, to meet all applicable requirements. (Ord. 2005 §3.6, 1974)

3.04.250 Backflow protection devices required when.

A. In all buildings in which there are plumbing fixtures at an elevation too low to permit drainage by gravity from said fixtures to the public sewers, the sewage from said fixture shall be fitted by artificial means and discharged to the public sewer at the owner's expense.

B. In all buildings where the floor elevation is less than one foot above the rim elevation of the nearest upstream manhole or bypass invert elevation, an overflow device or a backflow protective device shall be installed. When an overflow device is installed, the elevation of discharge of said installation shall be at least one foot below the lowest floor elevation containing a plumbing fixture. (Ord. 2005 §3.7, 1974)

3.04.260 Requirement to construct public sewers when. The District Engineer may determine that a proposed sewer be constructed as a public rather than a private sewer. In such case, all provisions in this chapter for the construction of public sewers shall apply (Ord. 2207 §4, 1975: Ord. 2005 §3.8, 1974)

#### ARTICLE IV. CONSTRUCTION OF PUBLIC SEWERS AND APPURTENANCES

3.04.270 Authorization to construct and connect.

A. Authorization to construct public sewers and connect to the sewer system must be obtained from the district engineer.

B. Building sewers (laterals) shall not be connected until written approval has been issued by the district engineer. (Ord. 2207 §6(part), 1975: Ord. 2005 §4.1, 4.8, 1974)

3.04.280 Plans, Specifications and Construction. Plans, profiles and specifications shall be prepared at the expense of the installer by a civil engineer licensed in the State of California. Design shall comply with "Sanitary Sewer Design Criteria" as established by the District Engineer and construction of new and rehabilitated sewers shall comply with "Sanitary Sewer Design Criteria" as established by the District Engineer. (Ord. F-15 §4.2 (part), 2011: Ord. 2005 §4.2, 1974)

3.04.290 Inspection. Inspection will be made by the district engineer or his delegated representative and no sanitary sewer construction work shall be conducted without the presence of him or his representative, unless permission has been granted to proceed in his absence. (Ord. 2207 §6(part), 1975; Ord. 2005 §4.9, 1974)

3.04.300 Agreements

A. An Agreement shall be entered into, prior to construction, by the installer with the district, covering, but not limited to, the following:

1. Construction of sewers in accordance with approved plans and specifications;
2. Acquisition of necessary right-of-way and easements, and granting of same to district;
3. Payment for all costs involved due to said construction;
4. Transfer of title of all sewers and appurtenances to district;
5. Indemnification of the district;
6. Issuance of faithful performance bond and labor and materials bond in the amount of one hundred percent and fifty percent, respectively, of the district engineer's estimate, filed with the district by installer;
7. Payment of all fees, including plan checking and inspection;
8. Time limit of construction;
9. Other items that individual conditions may dictate.

B. The district engineer shall be the authorized agent of the district to sign the agreement. (Ord. 2005 §4.4, 1974)

3.04.310 Fees. Estimated fees for all necessary plan checking and inspection fees shall be deposited in a trust fund in advance of construction. Only actual costs incurred will be billed to this account. The district shall have the right to charge, and the installer shall pay; any necessary administrative and engineering fees incurred by the district for work performed. (Ord. 2005 §4.3, 1974)

3.04.320 Construction contracts. Construction contracts shall be let by the installer, but not until after receiving written approval of the plans and specifications from the district engineer. (Ord. 2005 §4.6, 1974)

3.04.330 Stakes. Line and grade stakes shall be provided by the installer. (Ord. 2005 §4.5, 1974)

3.04.340 Oversize sewers. Oversize and off-development sewers may be required by the district engineer. (Ord. 2005 §4.10, 1974)

3.04.350 Construction by district when. Sewers may be constructed by district contract when, in the opinion of the board, it would be in the best interest of the district. (Ord. 2005 §4.11, 1974)

3.04.360 Construction by district--Plans and specifications. In the event that the district determines to construct sewers, plans, profiles and specifications shall be prepared by the district engineer. (Ord. 2005 §4.12, 1974)

3.04.370 Construction by district--Contracts. Contracts for construction shall be entered into in accordance with the usual authority of the district for construction. (Ord. 2005 §4.13, 1974)

## ARTICLE V. USE OF SEWERS

3.04.380 Unpolluted water prohibited. No leaders from roofs or surface drains for rainwater shall be permitted to be connected to any sewers. No surface or storm waters, excessive infiltration, cooling water or unpolluted industrial wastewater shall be permitted to enter the sewer system. (Ord. 3573 §2(part), 1984: Ord. 2005 §5.1, 1974)

3.04.390 Discharge of other than domestic sewage. Permission to discharge into the sanitary sewer system of the district anything but domestic sewage will be granted only in accordance with, and in consideration of, the conditions of each case, and shall be subject to reasonable rules, regulations and requirements to prevent excessive alkalinity or acidity of the effluent or excessive discharge of organic or inorganic substances in solution or in suspension, whether liquid, semisolid or solid. (Ord. 3573 §2(part), 1984: Ord. 2005 §5.2, 1974)

3.04.400 Connection of swimming pools and equipment. Connection of swimming pools and swimming pool equipment to sanitary sewers shall not be permitted unless, and until, a permit from the district is obtained therefore. A permit giving permission for connection of the pool or equipment shall require that they be separated from the sewer by an air gap and a sump. The maximum size discharge out of the sump is to be a two and one-half inch I.D. pipe. (Ord. 3573 §2(part), 1984: Ord. 2005 §5.3, 1974)

3.04.410 Accidental discharge--Measures to prevent required. Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the director for review, and shall be approved by him before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify his facility as necessary to meet the requirements of this chapter. (Ord. 4204 §1, 1992: Ord. 3573 §2(part), 1984: Ord. 2005 §5.12, 1974)

3.04.420 Accidental discharge--Procedure following. In the event of an accidental spill or unavoidable loss of any deleterious material to the sewers, the connector concerned shall immediately notify the district of the nature of the spill, the quantity, and time and location of the occurrence. In addition, a written report addressed to the district engineer, detailing the date, time, and cause of the accidental discharge, the quantity, and characteristics of the discharge and corrective action taken to prevent future discharges shall be filed by the responsible person or industrial facility within five days of the occurrence of the noncomplying discharge. (Ord. 3573 §2(part), 1984: Ord. 2005 §5.4, 1974)

3.04.430 Types of wastes prohibited. Except as hereinafter provided, no person shall discharge or cause or permit to be discharged any of the following described waters or wastes:

A. Any liquid or waste having a temperature higher than one hundred fifty degrees Fahrenheit;

B. Any waste or water containing:

1. Floatable grease in excess of fifty parts per million;
2. Oil and grease concentrations or amounts from industrial facilities violating federal pretreatment standards;
3. Wax, grease, or oil concentrations of mineral origin or more than fifty milligrams per liter whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between thirty-two degrees and one hundred fifty degrees Fahrenheit (zero degrees and sixty-five degrees Centigrade) at the point of discharge into the system;

C. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the sewerage facilities or to the operation of the system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the sewer system, be more than five percent nor any single reading over ten percent of the lower explosive limit of the meter. Prohibited materials include, but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, zylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides;

D. Any garbage that has not been properly shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-fourth inch in any dimensions;

E. Any ashes, cinders, pulp, sand, cement, mud, straw, shavings, metal, glass, rags, feathers, tar, asphalt, resins, plastics, woods, animal hair, 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 sewerage system;

F. Any waters or wastes having a pH factor lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewerage system;

G. Any waters or wastes containing a toxic or poisonous substance is sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant or any other part of the sewerage system. Prohibited materials include, but are not limited to: acids, sulfides, concentrated chlorides and fluoride compounds, and substances which will react with water to form acidic products;

H. Any wastes containing constituents in excess of the following (milligrams per liter):

<u>Pollutant</u>	<u>Concentration, mg/l*</u>
Arsenic	0.1
Cadmium	0.1
Chromium (+6)	0.5
Copper	0.5

Cyanide	0.1
Lead	2.0
Mercury	0.02
Nickel	1.0
Phenolics, nonchlorinated	5.0
Phenolics, chlorinated	00.2
Silver	0.1
Suspended solids	450
Zinc	3
pH, units	6.0 to 9.0
Temperature	Not over 150°F (except where higher temperatures are permitted by law) except in no case shall the temperature of the wastewater influent at the Treatment Plant exceed 104°F.
Toxicity, tu	10

\*Units mg/l unless otherwise noted

I. Any waters or wastes containing suspended solids or soluble solids of such character and quality that is not susceptible to treatment or interfere with the process or efficiency of the treatment system, or that unusual attention or expense is required to handle such materials at the treatment plant;

J. Any noxious or malodorous solids, liquids or gases, which, either singly or by interaction with other waste substances, are capable of creating a public nuisance or hazard to life, or are, or may be, sufficient to prevent entry into sewers for its maintenance or repair;

K. Any radioactive wastes;

L. Any water or wastes containing dissolved sulfides in excess of one part per million;

M. Septic tank sludge or effluent. (Ord. 3573 §2(part), 1984: Ord. 2207 §7, 1975: Ord. 2005 §5.5, 1974)

3.04.440 Admission of wastes subject to approval. The admission into the public sewers of any waters or wastes having:

- (a) A five-day BOD (Biochemical Oxygen Demand) greater than four hundred parts per million by weight,
- (b) Containing more than three hundred fifty parts per million by weight of suspended solids,
- (c) Exerting a fifteen-minute chlorine demand in excess of twenty parts per million,
- (d) Wastes with objectionable color not removable by the treatment process, or
- (e) Wastewaters at a flow rate or containing such concentrations or quantities of pollutants that exceeds, for any time period longer than fifteen minutes, more than five times the average twenty-four hour concentration, quantities or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency, or

(f) Containing any quantity of substance having the characteristics described in Section 3.04.430, shall be subject to the review and approval of the district engineer. (Ord. 3573 §2(part), 1984; Ord. 2005 §5.7, 1974)

3.04.450 Suspension of service. When deemed necessary by the district engineer or the county health officer for the preservation of public health or safety or for the protection of public or private property, he may suspend sewer service to any person or persons using the sanitary sewer system in a manner or way as to endanger the public health or safety or public or private property, and in this regard sever from the public sewer all pertinent connections thereto. If such endangerment shall be imminent, then the district engineer or county health officer may act immediately to suspend sewer service without giving advance notice or warning whatsoever to said person or persons. (Ord. 2207 §8(part), 1975; Ord. 2005 §5.15, 1974)

3.04.460 Conflicting provisions--Watsonville plant requirements applicable when. Any requirement imposed by the Watsonville Water Pollution Control Plant and approved by the district engineer, that is greater than, or in addition to, the above shall be the controlling requirement. (Ord. 3573 §2(part), 1984; Ord. 2005 §5.6, 1974)

3.04.465 Private Sanitary Sewer Systems.

1. All sewer lines and lift stations from the building wall to and including connection to the sewer main are the property of the owner of the connected building. All property owners whose properties are connected to a sewer or main or otherwise connected to the District's sewer system by sewer lateral shall, at their own expense, maintain the private sanitary sewer collection system, and private sewer lateral in a fully functioning condition and ensure the lines are free of cracks, leaks, inflow or infiltration of extraneous water, root intrusion, or open joints. Property owners shall ensure that lines drain freely to the sewer main without excessive sags that collect grease and sediments. Owners shall also ensure that pump or lift stations are maintained in proper working order.

2. Owners of private sanitary sewer systems shall ensure that they are maintained to prevent sanitary sewer overflows. If a sanitary sewer overflow occurs, the property owner shall cause the overflow to stop immediately and have sewer blockages, breaks, and other deficiencies permanently repaired by a licensed plumber within ten working days.

A. If a sanitary sewer overflow occurs that flows off of the property, and response from the property owner is not immediate, or the property owner is unable to stop the overflow immediately, District staff may enter onto the property and access to the sewer system to attempt to stop the overflow. The cost of material and labor for stopping the overflow shall be paid by the property owner. The District will not be held liable for any damage to the sewer system while attempting to stop an overflow.

B. The property owner shall be required to reimburse the District for any fines levied against the District by regulatory agencies as a result of failure of the private sanitary sewer system.

3. Private Sanitary Sewer Repair

A. Should more than two overflows occur within a twelve-month period, it is required that the sanitary sewer system be televised and repaired or replaced and

certified in writing, by a licensed plumber, to be in good working condition and free of obstructions and/or breaks.

B. Before close of escrow, any property that includes buildings or structures, connected to a sanitary sewer main, constructed more than 20 years before the date of sale and has not had its sanitary sewer system inspected within the past 20 years shall have the sanitary sewer system inspected and certified by a licensed plumber to be in good working order and free of obstructions and breaks. Testing, inspection, and repair shall be the responsibility of the seller, and shall be non-transferable to the new owner. The District is not responsible for the costs of testing, inspection, or repair.

C. The sewer system must be replaced or repaired if a licensed plumber encounters any of the following during inspection: root intrusion, open joints, cracks or breaks, sags, damaged or defective cleanout, inflow and infiltration of extraneous water, older pipe materials that are known to be inadequate, inadequate lift or pump stations, inadequate alarm systems for overflows, and inadequate maintenance of lift stations.

D. An existing sanitary sewer system may only be connected to a new or remodeled building when video inspection of the sanitary sewer system has shown, to the satisfaction of the District Engineer, that none of the conditions in C(3) of this section are present. (Ord. F-15 §3, 2012)

4. Cleanout and Overflow Devices. A cleanout and an overflow device approved by the District Engineer shall be installed and maintained, at the sole expense of the property owner, on all sewer systems. In General, the overflow device shall be located as close to the building wall as practical. The installation of the devices shall be required as follows:

A. When building a new structure on a property with an existing sewer system, or when otherwise proposing to connect a previously unconnected structure to an existing sewer system;

B. As a condition of approval of any major building remodel project. A major building remodel project is one that is estimated by the District to cost \$50,000 or more;

C. Prior to the close of escrow when the property is transferred via sale or other transfer of ownership by deed, instrument or writing;

D. Whenever the District finds that a sewage spill emanating from a sewer system presents a threat to public health, even if it has not flowed across a property line.

5. The District may impose civil administrative penalties against a property owner who fails to perform any act required in this section, which failure results in an overflow reaching public or private property other than the property owner's property, according to the following schedule:

A. Up to \$500 for the first violation.

B. Up to \$1,000 for a second violation within three years after the first violation.

C. Up to \$2,500 for each additional violation within a three year period exceeding two violations.

6. The District Engineer shall have the authority to establish, waive, suspend, or otherwise modify any civil administrative penalty imposed by this section upon a showing that the property owner has satisfactorily repaired the sewer system to a degree sufficient to ensure avoidance of further violations or upon a showing by the property owner of severe financial hardship.



### 3.04.466 Private Sanitary Sewer Collection Systems Maintenance.

1. Property owners shall ensure that private sanitary sewer systems are maintained to prevent sanitary sewer overflows.

A. All private sanitary sewer lines will be flushed at the minimum, once during an eighteen-month period to ensure the line is free of obstructions.

B. All pump stations must be maintained on a periodic basis to ensure that pump station failure does not result in a sanitary sewer overflow.

C. Private sanitary sewer lines will be inspected periodically to ensure that the sewers are in good condition.

D. All records pertaining to sewer repair and maintenance will be maintained and made available to the District Engineer for inspection upon request.

2. Sanitary Sewer Overflows on Private Sewer Collection Systems.

A. If a sanitary sewer overflow occurs, the property owner shall take action to stop the overflow immediately and have sewer blockages, breaks, and other deficiencies permanently repaired by a licensed plumber within five working days. The overflow must be reported to the district within 24 hours. The property owner shall submit a written report to the District describing the cause of the overflow and the remedial actions taken to repair the sanitary sewer collection system. The District Engineer shall evaluate the report and make a determination as to the acceptability of the remedial actions and whether additional remedial actions, including full or partial replacement of the sanitary sewer collections system shall be taken.

B. If a sanitary sewer overflow occurs, and response from the property owner is not immediate, or the property owner is unable to stop the overflow immediately, District staff will be allowed entry onto the property and access to all private sewer collections systems to attempt to stop the overflow. The cost of material and labor for stopping the overflow shall be paid by the property owner. The District will not be held liable for any damage to the sewer system while attempting to stop an overflow.

C. The property owner shall be required to make payment to the District and reimbursement for any fines levied against the District by regulatory agencies as a result of failure of a sanitary sewer collection system.

D. The District may impose civil administrative penalties against a property owner who fails to perform any act required in this section, which failure results in an overflow reaching public or private property other than the property owner's property, according to the following schedule:

- i. Up to \$500 for the first violation.
- ii. Up to \$1,000 for a second violation within three years after the first violation
- iii. Up to \$2,500 for each additional violation within a three-year period exceeding two violations.
- iv. The District engineer shall have the authority to establish, waive, suspend, or otherwise modify any civil administrative penalty imposed by this section upon a showing that the property owner has satisfactorily repaired the private sewer system to a degree sufficient to ensure avoidance of further violations or upon a showing by the property owner of severe financial hardship. (Ord. F-15 §4, 2012)

3.04.467 Sections Adopted by Reference.

1. For the purpose of establishing proper regulations for enforcement Response and Fines, the following codes or portions thereof hereinafter set forth, and any appendix or portion thereof that have been specifically adopted by the Santa Cruz County Sanitation District, are hereby adopted and made a portion of this chapter by reference without further publication or posting thereof. Except as otherwise specifically provided in this chapter, each and every provision, section, table, diagram, illustration, figure, phrase, and paragraph thereof are hereby adopted in the same manner as though set forth in full. Two copies of each of the adopted Codes are and shall be maintained on file in the office of the Clerk of the Board of Directors for use and examination by the public.

2. Sections 7.04.545 of the Santa Cruz County Sanitation District Code, including those appendices or portions thereof specifically adopted by a State agency or specifically adopted by the ordinance codified in this section, but excluding other appendices. (Ord. F-15 §5, 2012)

## ARTICLE VI. TREATMENT OF WATERS AND WASTE

3.04.470 Preliminary treatment and control--Exemptions. Whenever deemed necessary by the district engineer to meet the requirements of Section 3.04.430, a connector shall, at his own expense, provide such preliminary treatment or take such other measures as shall be required to change the characteristics, contents, or rate of discharge of waters or wastes to be deposited in the public sewers of the district. Facilities for preliminary treatment required hereunder shall be subject to the approval of the district engineer and shall be maintained and operated in a satisfactory and effective manner at the sole expense of the connector. (Ord. 2005 §5.8, 1974)

3.04.480 Preliminary treatment facilities--Approval for construction--Maintenance

A. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for approval of the district engineer, and no construction of such facilities shall commence until said approvals are obtained in writing. Such approval shall not exempt the discharge of such facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow control facilities shall not be made without due notice to, and prior approval of, the district engineer.

B. 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. (Ord. 3573 §2(part), 1984; Ord. 2005 §5.10, 1974)

3.04.490 Preliminary treatment facilities--Minimum requirements. In compliance with Sections 3.04.440 and 3.04.470, the district engineer shall require minimum preliminary treatment facilities to be provided by the connector as follows:

A. Separators. All wastes, other than sewage from residential premises, which contain or are likely to contain oil or grease in excessive amounts, or any flammable substance, sand or other harmful ingredient, shall be passed through a suitable separator before discharge to a public sewer. The separator shall be of a type and capacity approved

by the district engineer and shall be so located as to be readily accessible for cleaning and inspection.

B. Screens. All wastes resulting from the wholesale processing of fruits, vegetables and other agricultural produce shall be passed through suitable screens before discharge to a public sewer. The fine screen shall have openings of not more than 1/32 inch, unless otherwise permitted by the district engineer. In addition, a coarse screen approved by the district engineer shall be permanently fixed in the user's discharge line. Such coarse screen shall only be removed by district personnel. (Ord. 2005 §5.9, 1974)

3.04.500 Demonstration of compliance with provisions.

A. The district may require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this chapter.

B. The district may also require pretreatment, including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations. (Ord. 3573 §2(part), 1984; Ord. 2005 §5.11(part), 1974)

3.04.510 Abandoned pretreatment devices. Abandonment of any required pretreatment device must be either completely removed from site or pumped and filled as required for abandoned septic tanks pursuant to the Uniform Plumbing Code and applicable county ordinances. (Ord. 3573 §2(part), 1984; Ord. 2005 §5.11(part), 1974)

3.04.520 Control manholes. The district engineer may require the connector, if its sewer will carry industrial wastes, to install a suitable control manhole in the sewer to facilitate observation, sampling and measuring of wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with the plans approved by the District Engineer. The manhole shall be installed by the users at their expense and shall be maintained by them so as to be safe and accessible at all times. (Ord. 3573 §2(part), 1984; Ord. 2005 §5.11(part), 1974)

3.04.530 Special treatment agreements. No statement contained in this chapter shall be constructed as preventing the district from making any special agreement or arrangement with connectors whereby waste of unusual strength or character may be

3.04.530--3.04.560

received for treatment, provided that any abnormal costs of conveyance and treatment of the waste shall be borne entirely by the connector entering into such agreement. (Ord. 2005 §5.13, 1974)

3.04.540 Right of entry for inspection. The district engineer or his designated representative shall have the authority, when in the performance of his duty and upon first presenting his credentials and identifying himself as an employee of the Santa Cruz County sanitation district to the person apparently in control of the premises, if available, to enter upon any premises within the district which is connected to the sewer system, to inspect the sewer facilities of said property; provided, however, that the district engineer or his designated representative shall not enter the dwelling of any person or other enclosed area of the premises without permission or an inspection warrant, and no

inspections shall be made between the hours of 6:00 p.m. and 8:00 a.m. unless specifically authorized by an inspection warrant. (Ord. 2207 §8(part), 1975: Ord. 2005 §5.14, 1974)

## ARTICLE VII. INDUSTRIAL WASTEWATER MONITORING AND PERMITS

### 3.04.550 Discharge reports.

A. Every industrial user shall file a periodic discharge report at such intervals as are designated by the district. The district may require any other users discharging or proposing to discharge into the treatment system to file such periodic reports.

B. The discharge report shall include, but, in the discretion of the district, shall not be limited to, nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants, or other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged. In addition to discharge reports, the district may require information in the form of industrial discharge permit applications and self-monitoring reports. (Ord. 3573 §3(part), 1984: Ord. 2005 §6.10(a), 1974)

### 3.04.560 Records and monitoring.

A. All industrial users who discharge or propose to discharge wastewaters to the wastewater treatment system shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations that are necessary to demonstrate compliance with the requirements of this chapter and any applicable state or federal pretreatment standards or requirements.

B. Such records shall be made available upon request by the district. All such records relating to compliance with pretreatment standards shall be made available to officials of the U.S. Environmental Protection Agency upon demand. A summary of such data indicating the industrial user's compliance with this chapter shall be prepared quarterly and submitted to the district.

C. The owner or operator of any premises or facility discharging industrial wastes into the system shall install, at his own cost and expense, suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times.

D. The monitoring equipment shall be located and maintained on the industrial user's premises outside the building. When such a location would be impractical or cause undue hardship on the user, the district may allow such facility to be constructed in the public street or sidewalk area, with the approval of the public agency having jurisdiction over such street or sidewalk, and located so that it will not be obstructed by public utilities, landscaping or parked vehicles.

E. When more than one user can discharge into a common sewer, the district may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the district may require that separate monitoring facilities be installed for each separate discharge.

F. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the district's requirements and all applicable construction standards and specifications. (Ord. 3573 §3(part), 1984: Ord. 2005 §6.10(b), 1974)

#### 3.04.570 Inspection, sampling and analysis

A. Compliance Determination. Compliance determinations with respect to Articles V and VI may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a twenty-four-hour period, or over a longer or shorter time span, as determined necessary by the district to meet the needs of specific circumstances.

B. Analysis of Industrial Wastewaters. Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of Standard Methods, Methods of Chemical Analysis of Water and Waste, published by the U.S. Environmental Protection Agency, or the Annual Book of Standards, Part 23, Water, published by the American Society for Testing and Materials.

C. Sampling Frequency. Sampling of industrial wastewater for the purpose of compliance determination, with respect to Article V and VI, will be done at such intervals as the district may designate. However, it is the intention of the district to conduct compliance sampling or to cause such sampling to be conducted for all industrial users at least once a year. (Ord. 3573 §3(part), 1984: Ord. 2005 §6.10(c), 1974)

3.04.580 Reports required by federal law. Every industrial user shall submit to the district all reports required to be submitted to the Control Authority under the Code of Federal Regulations, Title 40, Section 403.12 (40 CFR Sec. 403.12), as now in effect or as hereafter amended. These reports shall be submitted under the same circumstances and at the same times and shall include the same information, as required by that section of the Code of Federal Regulations. In the discretion of the district, such reports may be combined with other reports required by this municipal code, when timely and appropriate. (Ord. 3573 §3(part), 1984: Ord. 2005 §6.10(d), 1974)

3.04.590 Permits required. All users, other than residential, proposing to connect to, or discharge into, any part of the wastewater treatment system must first obtain a discharge permit therefor. All existing users, other than residential, connected or discharging to any part of the waste treatment system must obtain a wastewater discharge permit within ninety days from and after the effective date of the ordinance codified in Article VII of this chapter. (Ord. 3573 §3(part), 1984: Ord. 2005 §6.11(a), 1974)

#### 3.04.600 Permit Application.

A. Users seeking a wastewater discharge permit shall complete and file with the district an application on the form prescribed by the District, and accompanied by the applicable fee. In support of this application, the user shall submit the following information.

1. Name, address, and Standard Industrial Classification number of applicant;
2. Volume of wastewater to be discharged;

3. Wastewater constituents and characteristics including, but not limited to, those set forth in Articles V and VI of this chapter as determined by a reliable analytical laboratory;
4. Time and duration of discharge;
5. Average peak wastewater flow rates, including daily, monthly and seasonal variations, if-any;
6. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers and appurtenances by size, location and elevation;
7. Description of activities, facilities and plant processes on the premises including all materials and types of materials which are, or could be, discharged;
8. Each product produced by type, amount and rate of production;
9. Number and type of employees, and hours of work;
10. Any other information as may be deemed by the district to be necessary to evaluate the permit applications.

B. The district will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the district may issue a wastewater discharge permit subject to terms and conditions provided herein. (Ord. 3573 §3(part), 1984: Ord. 2005 §6.11(b), 1974)

3.04.610 Permit conditions. Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations, user charges and fees established by the district. The conditions of wastewater discharge permits shall be uniformly enforced in accordance with this chapter, and applicable state and federal regulations. Permit conditions will include the following whenever applicable:

- A. The unit charge or schedule of user charges and fees for the wastewater to be discharged to the system;
  - B. The average and maximum wastewater constituents and characteristics;
  - C. Limits on rate and time of discharge or requirements for flow regulations and equalization;
  - D. Requirements for installation of inspection and sampling facilities, and specifications for monitoring programs;
  - E. Requirements for maintaining and submitting technical reports and plant records relating to wastewater discharges;
  - F. Daily average and daily maximum discharge rates, or other appropriate conditions when pollutants subject to limitations and prohibitions are proposed or present in the user's wastewater discharge;
  - G. Compliance schedules;
  - H. Requirements for the installation of any technology required to meet applicable pretreatment standards and requirements;
  - I. Other conditions to ensure compliance with this chapter.
- (Ord. 3573 §3(part), 1984: Ord. 2005 §6.11(c), 1974)

3.04.620 Permit duration. Permits shall be issued for a specified time period, not to exceed five years. A permit may be issued for a period of less than one year, or may be stated to expire on a specific date. If the user is not notified by the district thirty days prior to the expiration of the permit, the permit shall automatically be extended for six months. The terms and conditions of the permit may be subject to modification and

change by the district during the life of the permit, as limitations or requirements as identified in Articles V and VI are modified and changed. The user shall be informed of any proposed changes in his permit at least thirty days prior to the effective date of change. Any changes or new conditions in the permit shall induce a reasonable time schedule for compliance. (Ord. 3573 §3(part), 1984: Ord. 2005 §6.11(d), 1974)

3.04.630 Permit transfer. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation. (Ord. 3573 §3(part), 1984: Ord. 2005 §6.11(e), 1974)

3.04.640 Permit revocation. Any user who violates the following conditions of his permit or of this chapter, or of applicable state and federal regulations, is subject to having his permit revoked. Violations subjecting a user to possible revocation of his permit include, but are not limited to, the following:

- A. Failure of the user to accurately report the wastewater constituents and characteristics of his discharge;
  - B. Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
  - C. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or,
  - D. Violation of conditions of the permit.
- (Ord. 3573 §3(part), 1984: Ord. 2005 §6.11(f), 1974)

3.04.650 Confidentiality. Any information submitted to the district may be claimed as confidential by the submitter, however, the claim must be asserted at the time of submission by stamping the words "confidential business information" on each page containing such information. Information and data provided to the district which is effluent data shall be available to the public without restriction. Confidential information will be available to EPA and the State Water Quality Board but these agencies will be advised of required confidential treatment of such information. (Ord. 3573 §3(part), 1984: Ord. 2005 §6.11(g), 1974)

## ARTICLE VIII. REPAYMENT FEES WHERE MAIN SEWER CONSTRUCTED BY DISTRICT

3.04.660 Extended or enlarged sewers--Constructed when. The district may extend or enlarge the capacity of certain portions of sewer main necessitated by road or freeway construction or reconstruction, or other reasons, which said extension or enlarged capacity will serve future users. (Ord. 2005 §7.1, 1974)

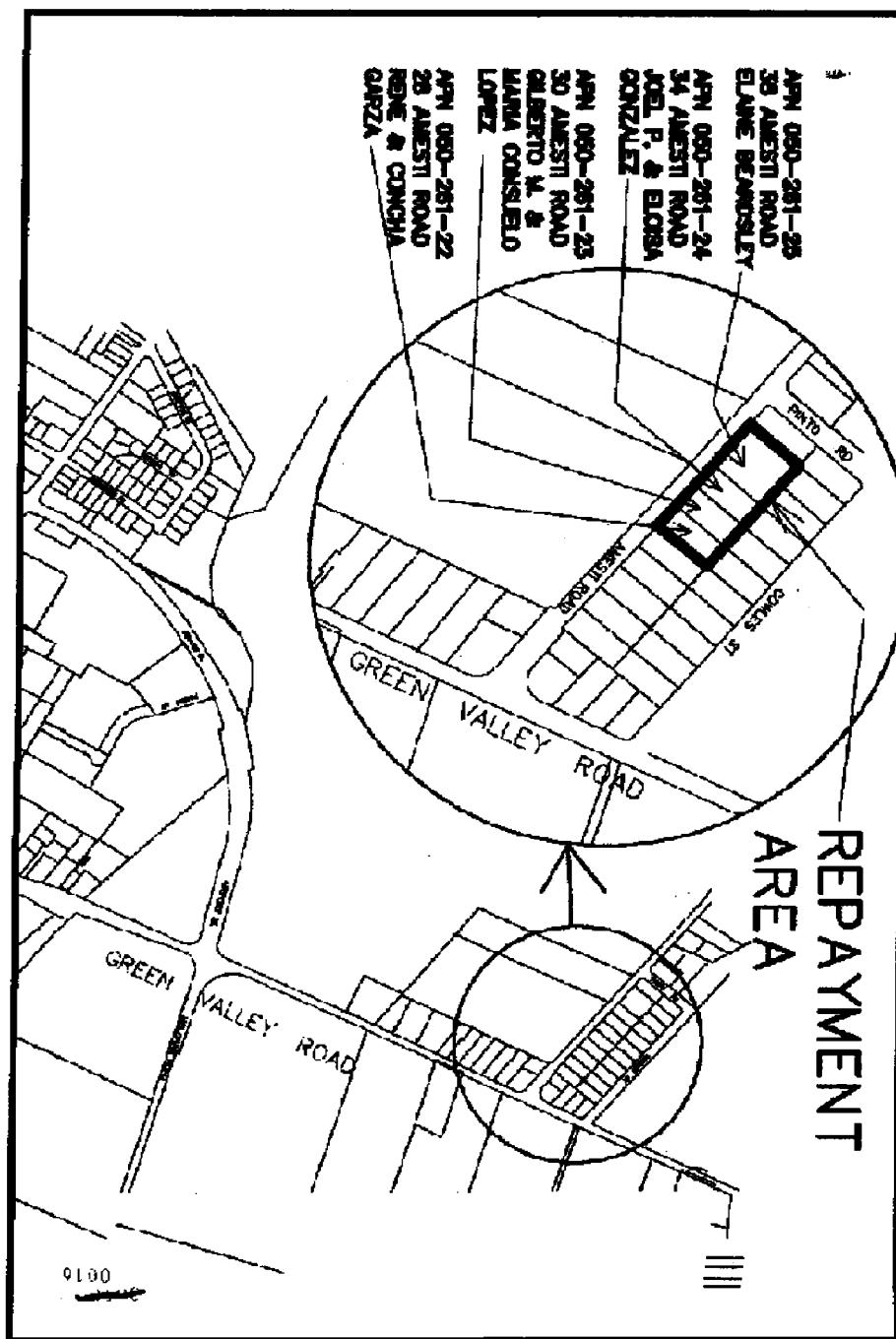
3.04.670 Repayment plan. The district engineer shall prepare a repayment plan to recover the cost of said extension or enlarged capacity which shall determine the fee to be collected from future users of said extension or enlarged capacity. Said fee may be computed on either a per connection or gallonage basis, whichever is determined to be most equitable by the district engineer. (Ord. 2005 §7.2, 1974)

3.04.671 Amesti Road Sewer Repayment Plan.

A. In addition to all other charges of the District, a special connection charge shall be collected, prior to the connection to the sanitary sewer system of the District, for each parcel of property within the repayment area (Exhibit A).

B. The special connection charge for each parcel shall be \$17,255.00 (Ord. F-10, §1(part), 2006)

# AMESTI ROAD REPAYMENT AREA



1-3  
0

## EXHIBIT A



3.04.680 Applicability of fee. Any person, firm or corporation which connects to or uses the extension or enlarged capacity of said sewer main shall pay, in addition to the regular connection fee charged by the district, the fee as herein determined by the district engineer. Said fee shall be paid at the time necessary building permits are obtained or prior to the time said connection is made if no building permits are required. (Ord. 2005 §7.3, 1974)

## ARTICLE IX. ANNEXATIONS

### 3.04.690 Prerequisite.

A. No application or petition for annexation of a parcel outside the “sphere of influence” of the Freedom county sanitation district as defined in the agreement between the city of Watsonville and the district dated June 24, 1975, to the Freedom county sanitation district shall be approved before this board of directors or before the local agency formation commission unless and until it is also accompanied by an appropriate resolution-first, from the Santa Cruz County board of supervisors, and second, from the city council of the city of Watsonville consenting to such annexation.

B. This policy is adopted in conformance with the agreement between the city of Watsonville and the county of Santa Cruz dated June 24, 1975. (Ord. 2207 §11(part), 1975; Ord. 2005 §8.1, 1974)

### 3.04.700 Fees.

A. The owners of property petitioning for annexation shall, as a condition precedent thereto, pay to the district the following sums:

1. Annexation Fee. An amount instituted to equalize the financial standing of properties being annexed to those already within the district which have annually been paying fees for the basic system;

2. Processing Fee. An amount established by the State which the State Board of Equalization must charge for processing filings.

B. The following amounts shall be paid to the district after an application for annexation is filed with the local agency formation commission.

1. Annexation Fee Amount. One thousand three hundred dollars per acre of area to be annexed, excluding riparian corridors, together with a supplemental charge of sixty-five dollars per year for each year after 1985, up to and including the year in which the application is filed;

2. Processing Fee Amount. As established by the State Board of Equalization and other state legislation. (Ord. 3627 §1, 1985; Ord. 2005 §8.2, 8.3, 1974)

3.04.710 Adjustment of fee--Rights reserved. The board reserves the right to provide for additional terms and conditions at or before any meeting or public hearing on any annexation. (Ord. 2005 §8.4, 1974)

3.04.720 Application of fees to pending annexations. The annexation and processing fees shall be applicable to any annexation proposal which has not been completed prior to the effective date of the ordinance codified in this section. No such annexation shall be completed until the owners of property petitioning for annexation have paid the appropriate annexation and processing fees. (Ord. 2005 §8.5, 1974)

3.04.730 Distribution of revenue. Eighty percent of the amount of the annexation fee shall be deposited in the appropriate debt service fund of the district and the remainder shall be deposited in the operating fund. (Ord. 2207 §11(part), 1975: Ord. 2005 §8.6, 1974)

## ARTICLE X. ENFORCEMENT

3.04.740 Notification of violation. Whenever the district finds that any person has violated, or is violating, this chapter, or any prohibition, limitation, or requirement contained herein, it may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty days for the satisfactory correction thereof. (Ord. 3573 §3(part), 1984: Ord. 2005 §6.12(a), 1974)

### 3.04.750 Show cause hearing.

A. If the violation is not corrected by timely compliance, the board of directors may order any person who causes or allows an unauthorized discharge to show cause before the board regarding the violation, and directing the offending party to show cause before said authority why an order should not be made directing the termination of service. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten days before hearing. Service may be made on any agent or officer of a corporation.

B. The board may, itself, conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the district to:

1. Issue, in the name of the board, notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings;

2. Take the evidence;

3. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the board for action thereon.

C. At any public hearing, testimony taken before the board or any person designated by it, must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public upon payment of the usual charges therefore.

D. After the board has reviewed the evidence, it may issue an order to the party responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices, or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated, and such further orders and directives as are necessary and appropriate. (Ord. 3573 §3(part), 1984: Ord. 2005 §6.12(b), 1974)

### 3.04.760 Emergency termination of discharges.

A. If any industrial user discharges or threatens to discharge any pollutant to the wastewater treatment system, and if such discharge presents or would present an imminent or substantial endangerment to the health or welfare of persons or to the environment, or causes, or would cause, interference with the operation of the POTW; and if the district determines that immediate action is necessary to terminate or prevent such discharge, the district may issue an order that such discharge be terminated or

prevented immediately. Such order shall be personally served upon any person in charge, or apparently in charge, of the premises of the industrial user, and shall be effective as soon as it is so served.

B. If after service of the order, the discharge is not immediately terminated or prevented, then the district may take any steps that may be appropriate or necessary to terminate or prevent the discharge as quickly as possible, including severance or blockage of the industrial user's facilities from the city wastewater treatment system, or any other steps that may be appropriate under the circumstances. The cost and expenses so incurred by the district shall be paid by the industrial user upon presentation by the district of an invoice and demand for payment. If not promptly paid, said amounts shall become a lien on the property and shall be collected at the same time and in the same manner as local real property taxes. The board may take any steps, including the holding of any hearings and the adoption of any resolutions, necessary to perfect such lien.

C. Any action taken, or decisions made by the district under this section, including the determination that costs shall be charged to the user or that there shall be a lien upon property, may be appealed to the board in accordance with the provisions of the code.

D. Any action by the district to terminate, block, or sever the user's facilities from the wastewater treatment system under this section shall be reviewed by the board, or his designate, within forty-eight hours after a request for such review is made by the user, in order to determine whether there was sufficient cause for the action taken. The board shall hold an informal hearing on the matter and shall give both the director and the user and any other interested person an opportunity to present evidence and other information. The decision of the board shall be made as an interim decision, pending a full review of the matter by the board, unless the user decides not to seek a board hearing. (Ord. 3573 §3(part), 1984; Ord. 2005 §6.12(c), 1974)

3.04.770 Violation deemed public nuisance. Any discharge in violation of the provisions of this chapter or an order of the district is a public nuisance. (Ord. 3573 §3(part), 1984; Ord. 2005 §6.13(a), 1974)

3.04.780 Civil remedies. If any person discharges sewage, industrial waste, or other waste into the treatment system in violation of the provisions of this chapter or any order of the board, the district counsel may commence an action for appropriate legal and/or equitable relief, in any appropriate court. Such relief may include, but need not be limited to, injunctive relief and damages, whenever such relief is available to the district under the circumstances of the case. (Ord. 3573 §3(part), 1984; Ord. 2005 §6.13(b), 1974)

3.04.790 Violation an infraction. Any person who violates any provision of this chapter or any order of the district is guilty of an infraction. (Ord. 3573 §3(part), 1984; Ord. 2005 §6.13(c), 1974)

3.04.800 Violation a misdemeanor. Any person who discharges anything into the wastewater treatment system in violation of the provisions of this chapter or an order of the board, and who thereafter, after having been notified by the district of such violation, continues to allow such discharge, is guilty of a misdemeanor. (Ord. 3573 §3(part), 1984; Ord. 2005 §6.13(d), 1974)

3.04.810 Continuing violations. Each day on which a violation occurs or continues to occur shall be a separate and distinct offense. (Ord. 3573 §3(part), 1984; Ord. 2005 §6.13(e), 1974)

### Chapter 3.08

## SEWER SERVICE AND CONNECTION CHARGES

### Sections:

#### ARTICLE I. GENERAL PROVISIONS

- 3.08.010 Title citation.
- 3.08.020 Purpose and authority.
- 3.08.030 Definitions.
- 3.08.040 Appeal from determinations of district engineer.
- 3.08.050 Payment under protest.
- 3.08.060 Use of proceeds.

#### ARTICLE II. CONNECTION CHARGES

- 3.08.070 Establishment of connection charges.
- 3.08.080 Amount of connection charge--New facilities.
- 3.08.090 Amount of connection charge--Expanded facilities.
- 3.08.100 Removal of fixtures--Disallowance of credits.
- 3.08.110 Flow rate determination by district engineer.
- 3.08.120 Annual increase of charges.
- 3.08.130 Time of payment.

#### ARTICLE III. SEWER SERVICE CHARGES

- 3.08.140 Establishment of sewer service charges.
- 3.08.150 Residential Facilities.
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- 3.08.170 School Facilities.
- 3.08.180 Vacancy Factor.
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- 3.08.200 Section deleted (Ord. F-8, Section 1, (part), 2005)

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Sections (Continued):

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NONPAYMENT AND DELINQUENCY  
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CHARGES

- 3.08.250 Delinquency--Defined--Penalty.
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Abatement.
- 3.08.290 Unpaid charges--Collection by suit.
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ARTICLE VI. REFUNDS

- 3.08.340 Sewer Service Charge Refunds

## ARTICLE I. GENERAL PROVISIONS

3.08.010 Title citation. The ordinance codified in this chapter may be cited as the "Freedom County Sanitation District Sewer Charge Ordinance". (Ord. 2011 §1.1, 1974)

3.08.020 Purpose and authority. The ordinance codified in this chapter is adopted pursuant to the authority of Article 7 (commencing with Section 5040) of Chapter 5 and Section 5470 through and including Section 5473.11 of Article 4 of Chapter 6, of Part 3, Division 5 of the Health and Safety Code of the state of California for the purpose of establishing, prescribing and fixing charges for services and facilities furnished by the district and charges for the privilege of connecting to the sewage facilities of the district. In addition, this chapter establishes procedures for the collection of charges, and prescribes penalties and remedies. (Ord. 2011 §1.2, 1974)

3.08.030 Definitions. Unless the context otherwise indicates, the following words and phrases shall, for the purposes of this chapter, have the meanings respectively ascribed to them by this section.

"Board" means the board of directors of the district.

"Charges" includes fees, tolls, rates and rentals.

"Commercial facility" means any structure, premises, or facility which is not a residential facility, an industrial facility or a school.

"District" means the Freedom County Sanitation District.

"District engineer" means the Department of Public Works of the County of Santa Cruz or any person designated by the Board.

"Industrial facility" means any structure, premises or facility used for manufacturing, processing or other industrial purposes.

"Residential facility" means:

1. Any single-family residence or other detached structure designed for occupation by one family;
2. Any habitation unit or room or suite of rooms designed for occupation by one family in a duplex, condominium, apartment house or other multiple dwelling unit; and
3. Any separate space of a mobilehome park or travel trailer court.

"Secretary" means the Clerk of the Board.

"Sewer service charge" means a charge for services or facilities furnished by the district in connection with its works including charges for the use and maintenance of the district works.

"Works" includes sewage treatment plants, intercepting and collecting sewers, outfall sewers, force mains, pumping stations, ejector stations and all other appurtenances necessary, useful or convenient for the treatment, purification or disposal of sewage. (Ord. 2011 §1.3, 1974)

3.08.040 Appeal from determinations of District Engineer. In the event that any person is dissatisfied with any determination made by the district engineer under this chapter, appeal there from may be taken within fifteen days after receipt of information

concerning such determination from the district engineer by filing written notice of appeal, stating the grounds thereof, with the board. (Ord. 2011 §1.4, 1974)

3.08.050 Payment under protest. Any person may pay the charges established in this chapter under protest and bring an action against the board in the superior court to recover any money which the board refuses to refund. Payments made and actions brought under this section, shall be made and brought in the manner provided for the payment of taxes under protest and actions for refund thereof in Article 2, Chapter 5, Part 9, Division 1 of the Revenue and Taxation Code insofar as those provisions are applicable. (Ord. 2011 §1.5, 1974)

3.08.060 Use of proceeds. Revenues derived under the provisions of this chapter shall be used only for the acquisition, construction, reconstruction, maintenance and operation of the works of the district, to repay principal and interest on bonds issued for the construction or reconstruction of such works, including revenue bonds issued pursuant to Chapter 5 (commencing with Section 4950) of Part 3, Division 5 of the Health and Safety Code, and to repay federal or state loans or advances made to the district for the construction or reconstruction of works; provided, however, that such revenue shall not be used for the acquisition or construction of new local street sewers or laterals as distinguished from main trunk, interceptor and outfall sewers. (Ord. 2011 §1.6, 1974)

## ARTICLE II. CONNECTION CHARGES

3.08.070 Establishment of connection charges. Sewer connection charges are established in the amounts set forth in this Article for the privilege of connecting to the district works. (Ord. 2011 §2.1, 1974)

3.08.080 Amount of connection charge--New facilities. The amount of the connection charge shall be determined in accordance with the following schedule:

A. For each new residential facility other than housing for average and below average income seniors, including new facilities added to existing multiple dwellings, four thousand dollars plus two hundred dollars per fixture unit where the number of units exceeds eighteen as determined and defined under the Uniform Plumbing Code, Table 4-1;

B. For each new commercial and industrial facility, sixteen dollars multiplied by the estimated number of gallons of sewage discharged per day of average daily flow; provided, however, that the connection charge shall be not less than four thousand dollars; and, provided further, that in the case of industrial facilities, in the event that the quality of waste discharge by an industrial facility is of such a character that it will impose a more than normal maintenance and operation burden on the district works, the amount of the connection charge for such industrial facility shall be determined by the board;

C. For each new senior residential facility, specifically constructed for low-income senior citizens, and for those particular affordable housing units specifically constructed for ownership by below-average-income households (as qualified on a case-by-case basis by the board of directors) within those categories as defined by the county planning

department, twenty-five percent of the base charge described in subsection (A) of this section, plus two hundred dollars per fixture unit, where the number of fixture units exceeds twelve, as determined and defined under the 1988 Uniform Plumbing Code, Table 4-1. Any such senior or below-average affordable residential facilities beyond seventy-five units per year would be subject to further review and approval by the board of directors.

D. For any sewer connection permit issued for each residential structure identified as an accessory structure by the County Planning Department, specifically intended for (1) one or two person households meeting the Income and Asset Guidelines requirements established by the Board of Supervisors resolution for lower income households; (2) senior households where one household member is sixty-two years of age or older, that meet the Income and Asset Guidelines requirements for moderate or lower income households; or (3) one or two persons sharing residency with the property owner and who are related by blood, marriage or operation of law, or have evidence of a stable family relationship with the property owner; and (4) meeting all other requirements as specified by County Ordinance No. 4282; the connection charges will be as follows:

1. One-third for one bedroom; or
2. Two-thirds for two bedrooms

of the new residential connection charge described in Section 3.08.080 paragraph A of District Code for sewer connection charges. (Ord. F-4 §1, 1994: Ord. F-1 §1, 1993: Ord. 4142 §1, 1991: Ord. 3834 §1, 1987; Ord. 3215 §1, 1982: Ord. 3083 §3, 1981: Ord. 2136 §1, 1975; Ord. 2011 §2.2, 1974)

3.08.090 Amount of connection charge--Expanded facilities. The connection charge for additions to existing residential facilities shall be two hundred dollars per additional fixture unit. The connection charge for expansion of uses by existing commercial or industrial facilities shall be sixteen dollars per additional gallon per day discharge, with no minimum charge. (Ord. 3215 §2, 1982: Ord. 2011 §2.3, 1974)

3.08.100 Removal of fixtures--Disallowance of credits. No reimbursement shall be given for removal of existing fixture units of flow contributors. (Ord. 2011 §2.4, 1974)

3.08.110 Flow rate determination by district engineer. The district engineer shall determine flow rates to be applied to each facility under this article based on the Uniform Plumbing Code or flow data provided by the owner of the facility and acceptable to the district engineer. (Ord. 2011 §2.5, 1974)

3.08.120 Annual increase of charges. The connection charges established herein shall remain at these rates until modified by the board of directors. (Ord. 3215 §3, 1982: Ord. 3083 §4, 1981: Ord. 2011 §2.6, 1974)



3.08.130 Time of payment.

A. Payment Due. Except as outlined below, connection charges shall be due and payable at the time necessary building permits are obtained or, where no building permit is required, prior to actual connection to the district's works. For mobile home parks, connection charges shall be paid prior to the time of the first connection of a mobile home space, for the total number of mobile home spaces permitted by the terms of the use permit for the mobile home park. The charge to be paid is the charge that is applicable at the time that the charge is paid and the permit obtained.

B. Hardship Cases. Where failing septic tank systems are certified as a health hazard and nuisance condition by the county health office, and such sewer connection charges and other related fees are required by the district in order to allow said connection, property owners may plead the payment of connection or other district fees creates a hardship. In hardship cases, staff shall evaluate the request for hardship exemption. All hardship applicants must initially apply for financial assistance for payment of the district fees to a lending institution and be rejected by that lending institution.

C. Installment Payments. In hardship cases, sewer connections charges, and other related fees required by the district in order to allow said connection, may be paid in installments over a fifteen-year period as provided by Section 5474 of the Health and Safety Code of the state of California. Said installment payments will be added to the district's sewer service charges for said connection and collected therewith along with the interest charges to be paid on the unpaid balance of such fees to be figured at the then current rate of interest per annum received by the district of the investment of its funds as determined by the county treasurer, but not exceeding twelve percent per annum. The amount of such fees or charges and the interest thereon shall constitute a lien against the respective lots or parcels of land to which said facilities are connected at the time and in the manner specified in Section 5473.5 and 5473.8 of the Health and Safety Code.

D. Appeal to board of directors. In those cases that are denied hardship status by the district engineer, the applicant may appeal the decision within ten days to the board of directors, whose two-thirds vote shall be final. The financial information submitted to the district in such cases shall be considered confidential. (Ord. 3958 §1, 1988: Ord. 3215 §4, 1982: Ord. 2011 §2.7, 1974)

### ARTICLE III. SEWER SERVICE CHARGES

3.08.140 Establishment. Sewer service charges are hereby established in the amounts set forth in this article for each facility which has a sewer connection with the works of the district or which discharges sewage that ultimately passes through the works of the district. (Ord. F-8, §1 (part), 2005: Ord. 2011 §3.1, 1974)

3.08.150 Residential facilities.

A. Single Family Dwellings. The sewer service charge for each single-family dwelling shall be four hundred twenty-five dollars and sixty-two cents per year.

B. Multiple Family Dwellings. The sewer service charge for each multiple family dwelling, condominium or townhouse shall be three hundred thirty-three dollars and ninety cents per year.

C. Mobile Home Parks. The sewer service charge for each space of a mobile home park shall be three hundred thirty-seven dollars and ninety-six cents per year. (Ord. F-16 §1 (part), 2012; Ord. F-14 §1 (part), 2011; Ord. F-13 §1 (part), 2010; (Ord. F-12 §1 (part), 2009; Ord. F-11 §1 (part), 2008; Ord. F-10 §1 (part), 2007; Ord. F-9, §1(part), 2006; Ord. F-8 §1 (part), 2005; Ord. F-7, §1, 2004; Ord. F-6, §1, 2003; Ord. F-3 §1, 1994; Ord. F-1 §1, 1993; Ord. 4201 §1, 1992; Ord. 4180 §1, 1992; Ord. 4142 §2, 1991; Ord. 4127 §1, 1991; Ord. 3993 §1, 1989; Ord. 3834 §2 (part), 1987; Ord. 3652 §1 (part), 1985; Ord. 3083 §1, 1981; Ord. 2944 §1, 1980; Ord. 2011 §3.2, 1974)

### 3.08.160 Commercial Facilities.

A. The sewer service charge for each commercial facility or for each separate business within such a facility shall be one hundred fifty-two dollars and fifty-six cents per year plus two dollars and seventy-six cents per hundred cubic feet of water, based upon the previous calendar year's water use.

B. In the event that the quality of the waste discharge by a commercial facility is of such a character that, in the opinion of the District Engineer, it will impose a more than normal maintenance and operation burden on the district works, the amount of the sewer service charge for such commercial facility shall be determined by the board and subsection "A" of this section shall not be applicable to such facility. (Ord. F-16 §1 (part), 2012; Ord. F-14 §1 (part), 2011; Ord. F-13 §1 (part), 2010; Ord. F-12 §1 (part), 2009; Ord. F-11 §1 (part), 2008; Ord. F-10 §1 (part), 2007; Ord. F-9, §1(part), 2006; Ord. F-8 §1 (part), 2005; Ord. F-7, §1, 2004; Ord. F-6, §1, 2003; Ord. 3834 §2 (part), 1987; Ord. 3652 §1 (part), 1985; Ord. 3367 §1, 1983; Ord. 2944 §2, 1980; Ord. 2011 §3.3, 1974)

### 3.08.170 School Facilities.

A. The annual sewer service charge for each school, whether public or private shall be one hundred fifty-two dollars and fifty-six cents per year plus seven dollars and thirty-eight cents per student based on average daily attendance (ADA), including night and adult classes for the school during the school year. (Ord. F-16 §1 (part), 2012; Ord. F-14 §1 (part), 2011; (Ord. F-13 §1 (part), 2010; Ord. F-12 §1 (part), 2009; Ord. F-11 §1 (part), 2008; Ord. F-10 §1 (part), 2007; Ord. F-9, §1 (part), 2006; Ord. F-8, §1, (part), 2005; Ord. F-7, §1, 2004; Ord. F-6, §1, 2003; Ord. 3834 §2 (part), 1987; Ord. 3652 §1 (part), 1985; Ord. 3367 §1, 1983; Ord. 2944 §4, 1980; Ord. 2011 §3.5, 1974)

3.08.180 Vacancy factor. A vacancy factor is included in the amounts of the sewer service charges set forth in this article and, therefore, sewer service charges shall not be stopped and started as a facility becomes vacant. (Ord. F-8, §1, (part), 2005; Ord. 2011 §3.6, 1974)

3.08.190 Metered water. Where sewer service charges are based upon the amount of water used by a facility, such amount shall be the volume of water consumed by the facility as indicated by a meter for the facility. Where such metering is not provided or where newly constructed facilities are involved, the volume of water consumed by the facility shall be determined on the basis of a reasonable estimate thereof made by the district engineer. (Ord. F-8, §1, (part), 2005; Ord. 2011 §3.7, 1974)

ARTICLE IV. BILLING AND COLLECTION  
OF SEWER SERVICE CHARGES

3.08.210 Billing by district.

A. In the event that the district does not elect, pursuant to Section 3.08.220, to collect current sewer service charges on the tax roll, the district shall bill for such charges. The regular billing period for sewer service charges shall be for each calendar month, bimonthly or as determined by the board. Schools and other public institutions may be required to pay semi-annually or annually.

B. Opening and closing bills for less than the normal billing period shall be for not less than one month.

C. Amounts of sewer service charges covering the period from the time of connection through the thirtieth day of the following June shall be added to the next billing period.

D. When charges are not collected on the tax roll, the district shall provide bills for the billing period covered thereby. Each such bill shall bear the name of the month, or months, covered thereby and the amount due for such month or months. The charges represented by each such bill shall be due and payable on the first day of the month or of the billing period covered thereby, except as otherwise provided. (Ord. 2011 §§4.1-4.3, 1974)

3.08.220 Collection of charges with general taxes.

A. Collection upon Board Approval. The district may, by ordinance approved by a two-thirds vote of the members of the board, elect to have sewer service charges for the forthcoming fiscal year and/or delinquent sewer service charges 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, together with and not separately from, its general taxes. This section shall remain in effect until June 30, 2014, and may at that time continue to be revised in fifteen (15) year increments thereafter.

B. Report. In the event of an election pursuant to subsection (A) of this section, the district shall cause a written report to be prepared and filed with the secretary, which report shall contain a description of each parcel of real property receiving services and facilities and the amount of the current and/or delinquent sewer service charges for each parcel computed in conformity with the provisions of this chapter. The real property may be described by reference to county assessor's maps or by reference to plats or maps on file with the secretary.

C. Notice. The secretary shall cause notice of the filing of the report referred to in subsection (B) of this section and of the time and place of hearing thereon to be published once a week for two successive weeks prior to the date set for hearing, in the Watsonville Pajaronian, a newspaper of general circulation, printed and published in the county within which the district is located. Prior to such election for the first time, the secretary shall cause a notice in writing of the filing of said first report proposing to have such sewer service charges for the forthcoming fiscal year and/or delinquent charges, collected on the tax roll, and of the time and place of hearing thereon, to be mailed to each person to whom any part or parcel of real property described in the report is assessed in the last equalized assessment roll available on the date said report is prepared, at the address shown on said roll or as known to the secretary.

D. Hearing. At the time of said hearing, the board shall hear and consider all objections or protests, if any, to said report referred to in said notice and may continue the hearing from time to time.

E. Final Determination of Charges. Upon the conclusion of the hearing on the report, unless protest is made by the owners of a majority of the separate parcels of property described in the report, the board will adopt, revise, change, reduce or modify any sewer service charge or overrule any or all objections and shall make its determination upon each charge as described in said report, which determination shall be final.

F. Filing of Report with County Auditor. On or before the tenth day of August in each year following the final determination of the board, the secretary shall file with the auditor a copy of said report with a statement endorsed thereon over her signature that it has been finally adopted by the board, and the auditor shall enter the amounts of the sewer service charges against the respective lots or parcels of land as they appear on the current assessment roll.

G. Parcels Not on Roll. If the property is not described on the roll, the auditor shall enter the description thereon together with the amounts of the sewer service charges, as shown on the report.

H. Parcels outside the District. Where any such parcels are outside the boundaries of the district, they shall be added to the assessment roll of the entity for the purpose of collecting such sewer service charges.

I. Lien. The amount of the charges shall constitute a lien against the lot or parcel of land against which the sewer service charge has been imposed as of noon on the first Monday in March immediately preceding the date of levy. The tax collector shall include the amount of the sewer service charges on bills for taxes levied against the respective lots and parcels of land.

J. Tax Bill. Thereafter, the amount of the sewer service charges shall be collected at the same time and in the same manner and by the same persons as, together with and not separately from, the general taxes for the district, and shall be delinquent at the same time and thereafter be subject to the same penalties for delinquency.

K. Collection. All laws applicable to the levy, collection and enforcement of general taxes of the district, including, but not limited to, those pertaining to the matters of delinquency, correction, cancellation, refund and redemption, are applicable to such sewer service charges.

L. Compensation of County. The tax collector may, in his discretion, issue separate bills for such sewer service charges and separate receipts for collection on account of such charges. The county shall be compensated for services rendered in connection with the levy, collection and enforcement of such charges for the district in an amount to be fixed by agreement between the board of supervisors and the board of directors of the district. The compensation shall not exceed one percent of all money collected. The compensation shall be paid into the county salary fund. (Ord. F-8, §2 (part), 2005; Ord. F-5 §1 (part), 1999; Ord. 3560 §1, (part), 1984; Ord. 2011 §§4.4--4.15, 1974)

3.08.230 Collection with utility services furnished by another entity. The board may provide for the collection of sewer service charges with the rates for any other utility service furnished by a publicly or privately owned public utility with the written consent and agreement of said public utility owner, which agreement shall establish the terms and

conditions upon which such collections shall be made. Such agreement may provide that the district sewer service charges shall be itemized, billed upon the same bill and collected as one item, together with and not separately from such other utility service. Such agreement may provide for compensation to such other utility owner for making such collections, and for discontinuance of the other utility service in the event that all or part of the district sewer service charge is not paid. (Ord. 2011 §4.16, 1974)

3.08.240 Collection with utility services furnished by district. The board may provide that the sewer service charges shall be collected with the rates for any other utility service rendered by the district and that all the rates shall be itemized, billed upon the same bill and collected as one item, together with and not separately from such other utility service. (Ord. 2011 §4.17, 1974)

#### ARTICLE V. PENALTIES AND REMEDIES FOR NONPAYMENT AND DELINQUENCY OF SEWER SERVICE AND CONNECTION CHARGES

3.08.250 Delinquency--Defined--Penalty. All charges (other than sewer service charges for which provision is made, prior to delinquency, for collection thereof on the tax rolls on which general district taxes are collected) which are not paid on or before the twentieth day following the date such charge was due and payable shall be delinquent and a penalty of ten percent of the charge shall be imposed on the twenty-first day following the date such charge was due and payable. In addition, a penalty of one-half of one percent per month of the basic charge plus the ten percent penalty shall be imposed on the thirtieth day following the date such charge was due and payable and on each thirtieth day thereafter until there is payment in full of the charge plus all penalties. (Ord. 2011 §5.1, 1974)

3.08.260 Delinquent charges--Lien. If charges remain delinquent for a period of sixty days, said charges shall constitute a lien against the lot or parcel of land against which the same was imposed, upon recording thereof with the county recorder. Such lien shall have the force, effect and priority of a judgment lien and shall for three years from the time of recording unless sooner released or otherwise discharged. A statement of the district's bills to each property owner shall give notice of the lien provided by this section. (Ord. 2011 §5.2, 1974)

3.08.270 Delinquency--Disconnection. The district may disconnect any premises from the sewer system if charges are not paid after they shall have become delinquent. The district engineer shall estimate the cost of disconnection of such premises and the cost of reconnecting it thereto, and the owner of the premises shall deposit the cost as estimated of disconnection and reconnection before such premises are reconnected to the sewer system. In the event such charges are paid and premises are reconnected to the sewer system, the district engineer shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnection. (Ord. 2011 §5.4, 1974)

3.08.280 Habitation after disconnection to constitute public nuisance--Abatement.

During the period of non-connection or disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon the board shall cause proceedings to be brought for the abatement of the occupancy of said premises by the human beings. In such event, and as a condition of connection or reconnection, there shall be paid to the district reasonable attorneys' fees and costs of suit arising in said action. (Ord. 2011 §5.5, 1974)

3.08.290 Unpaid charges--Collection by suit. The district may collect unpaid charges by suit, in which event it shall have judgment for the cost of suit and reasonable attorneys' fees. (Ord. 2011 §5.3, 1974)

3.08.300 Collection of delinquent charges--Other remedies. The district may provide otherwise for the collection of delinquent charges. All remedies herein provided for their enforcement and collection are cumulative and may be pursued alternatively or collectively as the district determines. (Ord. 2011 §5.6, 1974)

## ARTICLE VI. REFUNDS

3.08.340 Sewer Service Charge Refunds. If a parcel is not physically connected to the District sewer system, and the owner or resident of the property has been charged and paid the sewer service charge, then the owner or resident who paid the sewer service charge has the right to a refund of an overpayment of sewer service charges (Ord. F-7, §1, 2004).