

ROCKLIN-LOOMIS MUNICIPAL UTILITY DISTRICT

ORDINANCE NO. 1-G

AN ORDINANCE ESTABLISHING RATES AND OTHER CHARGES FOR AND REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND REPEALING ORDINANCES NUMBERS 1-A, 1-B, 1-C, 1-D, 1-E, AND 1-F, IN THE ROCKLIN-LOOMIS MUNICIPAL UTILITY DISTRICT, COUNTY OF PLACER, STATE OF CALIFORNIA.

BE IT ENACTED BY THE BOARD OF DIRECTORS OF ROCKLIN-LOOMIS MUNICIPAL UTILITY DISTRICT:

SECTION 1. Ordinances Nos. 1-A, 1-B, 1-C, 1-D, 1-E, and 1-F of Rocklin-Loomis Municipal Utility District are hereby repealed.

DEFINITIONS

SECTION 2. "District" shall mean the Rocklin-Loomis Municipal Utility District.

SECTION 3. "Board" shall mean the Board of Directors of the District.

SECTION 4. "President" and "Director," shall mean respectively, President and Director of the Board of Directors of the District.

SECTION 5. "Engineer," "General Manager," and "Superintendent," "Inspector" and "Operator," shall mean those employees or agents of the District appointed to the above respective positions by the Board.

SECTION 6. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

SECTION 7. "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground surface and storm waters as may be present, and any waste discharge into the District sewage system which contains human or animal excreta, offal, or any feculent matter.

SECTION 8. "Sewer" shall mean a pipe or conduit for carrying sewage, or which carries domestic sewage or industrial wastes, and to which storm, surface, and ground waters are not intentionally admitted.

SECTION 9. "Public Sewer" shall mean a sewer in which all owners of abutting property have equal rights, and is controlled by public authority.

SECTION 10. "Combined Sewer" shall mean a sewer receiving both surface run off water and sewage.

SECTION 11. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

SECTION 12. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

SECTION 13. "Industrial Wastes" shall mean the liquid

wastes from industrial processes as distinct from domestic sewage.

SECTION 14. "Domestic Sewage" shall mean all normal sewage from private residences and commercial establishments exclusive of storm and surface waters and drainage and industrial wastes.

SECTION 15. "Garbage shall mean solid wastes from the preparations, cooking and dispensing of food and from the handling, storage and sale of produce.

SECTION 16. "Properly shredded Garbage" shall mean wastes from the preparations, cooking and dispensing of food which have been shredded to such degree that all particles will be carried freely under the floor conditions normally prevailing in public sewers, with no particle greater than 0.5 inches in any dimension.

SECTION 17. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer two (2) feet outside the outer face of the building wall.

SECTION 18. "Building Sewer" shall mean the extension of the building drain to the public sewer or other place of disposal.

SECTION 19. "B.O.D." (denoting Bio Chem. Oxygen Demand) shall mean the quantity of Oxygen utilized in the

bio chemical oxidation of organic matter under standard laboratory procedure in 5 days at 20° C. expressed in milliliters per liter by weight.

SECTION 20. "pH" shall mean the logarithm of the reciprocal of the weight of the hydrogen ions in grams per liter of solution.

SECTION 21. "Suspended Solids" shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering.

SECTION 22. "Natural Outlet" shall mean any outlet into a water course, pond, ditch, lake or other body of surface or ground water.

SECTION 23. "Water Course" shall mean a channel in which a flow of water occurs, either continually or intermittently.

SECTION 24. "Persons" shall mean any individual, firm, association, company, society, corporation or group.

SECTION 25. "Shall" is mandatory; "May" is permissive.

SECTION 26. "Participation Charge" shall mean the sum paid to the District in lawful money of the United States by any person, for the privilege of connecting his building sewer to the sewer whether such connection be voluntary or mandatory. The District's facilities shall include local collection systems, trunk lines, and treatment plant capacity.

SECTION 27. "Service Charge" or "Sewer Service Charge" shall mean the periodic charge assessed to any person or premises by the District for conveying, treating and disposing of sewage.

SECTION 28. "Equivalent Dwelling Unit" shall mean any residence, premise or structure designed to house one or more persons, whether such structure is a single unit or part of another structure. (E.D.U.).

SECTION 29. "Multiple Dwelling" shall mean any premise or structure consisting of more than one equivalent dwelling unit. (E.D.U.).

USE OF PUBLIC
SEWERS REQUIRED

SECTION 30. The owner of all houses, buildings or structures used for human occupancy, employment, recreation or other purposes, situated within the limits of the District and abutting on any street, alley or right of way in which there is located a public domestic sewer of the District, is hereby required at his expense to connect such houses, buildings or structures directly with the proper public sewer in accordance with the provisions of this ordinance, within 90 days after receipt of written, mailed notice to do so, provided said public sewer is within 200 feet of such buildings or structures, used for human occupancy.

In the event of a violation of this Section, the District may connect such buildings or structures to the sewer system and the owner or occupant of such buildings

or structures shall be jointly and severally responsible to the District for the cost of such hookup in addition to the regular participation charge, monthly service charges and any other reasonable and necessary charges imposed by the District. In any case, where the general manager deems it necessary, he may bring any exceptions before the Board of Directors for a variance permit. Notwithstanding, the provisions of this section, in any case where the Board of Directors or general manager determines that a health hazard does exist or that there is a reasonable likelihood that a health hazard will exist, the Board of Directors or General Manager may proceed under the provisions of Section 5463 of the Health and Safety Code of the State of California, in which case the provisions of that Section shall take precedence over the provisions of this Ordinance.

SECTION 31. (No Section of this Number).

SECTION 32. The provisions of this Ordinance shall be construed so as to be compatible with and subservient to any additional requirements and lawful regulations of any federal, state or county agency having legal jurisdiction over the treatment and disposal of sewage.

SECTION 33. The District General Manager and all employees authorized by the Manager shall, at all reasonable times, have the right to enter upon private property for the purposes of enforcing the provisions of this ordinance, the inspection of sewer connection facilities and appurtenances and making connections or disconnections of any sewer facility.

SECTION 34. (No Section of this Number).

SECTION 35. (No Section of this Number).

SECTION 36. All costs and expenses incident to the installation and connection of any building sewer shall be borne jointly and severally by the owner or occupant thereof and the said owner or occupant shall indemnify the district from loss or damage that may directly or indirectly be occasioned to any party by the installation of the building sewer.

SECTION 37. A separate and independent building sewer shall be provided for every building or structure; provided, however, that the provisions of this section may be waived by the Board of Directors upon recommendation of the General Manager. In any case where a sewer connection was not physically installed during the construction of a legal subdivision and such connection shows as having been installed on the subdivision plans or specifications, the district will thereafter pay 50% of the cost of such installation of a service sewer or stub out to any such lot.

SECTION 38. Existing building sewers may be used in connection with new buildings only when they are found, after examination and test by the district engineer or general manager to meet all of the requirements of this Ordinance.

SECTION 39. The building sewer shall be cast iron soil pipe, ASTM designation A74 or equal, Vitrified Clay

Pipe ASTM designation C13, Asbestos Cement Non-pressure Sewer Pipe Federal Specification SSP-331a or better, or those plastic materials known as P.V.C. (Polyvinal Chloride) or A.B.S. (Acrylonitrile-Butadiene Styrene) and of such thickness and quality as approved by the Engineer or General Manager. All joints shall be gas tight and waterproof. All joints shall be of such material as may be approved by the Engineer or General Manager. No paint, varnish or other coating materials shall be permitted on any print index after the joint has been tested and approved. If the building sewer is installed on unstable ground, it shall be laid in a concrete cradle which meets the approval of the Engineer or General Manager.

SECTION 40. The size and slope of the building sewer shall be subject to the approval of the Engineer or General Manager, but in no event shall the diameter of nonmetallic pipe be less than 4 inches nor shall the slope of any building sewer be less than 1/8 inch per foot.

SECTION 41. Wherever possible, the building sewer shall be brought to the building at an elevation below the basement floor, if any. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at a uniform grade and in straight alignment insofar as possible. Changes in direction or grade shall be

made only with properly curved pipe and fittings. Cleanouts shall be required at the property line and shall be installed at the sole cost of the owner or occupant. Cleanouts shall be of a type approved by the Engineer or General Manager. All cleanouts shall be extended to finished grade and be readily accessible for the purpose intended.

SECTION 42. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sewage carried by such drain shall be lifted by artificial means and discharged to the building sewer or public sewer. Such artificial means and discharge facility to be approved by the Engineer or General Manager.

SECTION 43. All excavation required for the installation of a building sewer shall be open trench work unless otherwise approved by the Engineer or General Manager. Pipe laying and backfill shall be performed in a good and workmanlike manner, except that no backfill shall be placed until the work has been inspected by the General Manager or his authorized agent. In the event of a violation of this section, the sewer facilities must be uncovered at the owner's or occupant's expense and at no cost to the District, and the District shall have the right to disconnect said premise from the District sewer system until such violation is corrected, and the owner or occupant of said premise shall pay to the District a \$50.00 reconnection charge prior to the reconnection.

SECTION 44. The connection of the building sewer into the public sewer shall be made with a "Y" or "T" branch, if such branch is available at a suitable location. If the public sewer is 8 inches in diameter or less, and no properly located "Y" or "T" branch is available, the owner shall at his expense cause to be installed a "Y" or "T" branch in the public sewer at the location specified by the General Manager. Where the public sewer is 10 inches or larger in diameter, and no properly located "Y" or "T" branch is available, a net hole may be cut into the public sewer and a saddle installed, with entry in a downstream direction under District supervision and inspection. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by incasement in concrete. Special fittings may be used for the connection only when approved by the Engineer or General Manager.

SECTION 45. The applicant for the building sewer permit shall notify the General Manager when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the General Manager or his representative. All work shall be done by a properly licensed contractor or plumber and prior to any construction a permit must be obtained from the General Manager, such permit to contain such information as the

General Manager may require. The applicant shall indemnify the District from any liabilities or obligations resulting from such construction. A water test shall be made in a manner prescribed by the Engineer or General Manager on the building sewer prior to its acceptance by the District.

SECTION 46. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard; streets, sidewalks, parkways and other public property disturbed in the course of work shall be restored to the satisfaction of the General Manager and to the satisfaction of the governing body in the political entity in which the public property affected may be situated.

SECTION 47. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run off, subsurface drainage, cooling water, refrigeration or airconditioner cooling water, swimming pool drainage or unpolluted industrial process waters to any public sewers. Any violation of this section must be corrected by the owner or occupant of the premises immediately upon notification of the General Manager so to do, and in the event such violation is not corrected within five (5) days after such notification, the District may correct such violation and all costs and expenses thereof shall be borne by the owner or occupant of said premise.

SECTION 48. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

a. Any liquid or vapor having a temperature higher than 150°F.

b. Any water or waste which may contain more than 100 parts per million, by weight, of fact, oil or grease.

c. Any gasoline, benzine, napha, fuel oil, or other flammable or explosive liquid, solid or gas.

d. Any garbage that has not been properly shredded.

e. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, fur, plastic, wood, paunch manure, or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

f. Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

g. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

h. Any waters or waste containing suspended solids of such character and quantity that unusual attention or

expense is required to handle such materials at the sewage treatment plant.

i. Any noxious or malodorous gas or substance capable of creating a public nuisance.

SECTION 49. Grease, oil and sand interceptors shall be provided when, in the opinion of the Engineer or General Manager they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Engineer or General Manager, and shall be located as to be readily accessible for the cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gas tight and watertight.

SECTION 50. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation, at all times.

SECTION 51. The admission into the public sewers of any water or wastes having:

(a) A 5-day Bio Chemical Oxygen Demand greater than 300 parts per million.

(b) Containing more than 350 ppm by weight of suspended solids.

(c) Containing any quantity of substance having the characteristics described in Section 48.

(d) Having an average daily flow greater than 2% of the average daily flow of the District, shall be subjected to review and approval of the Engineer or General Manager. Where necessary in the opinion of the Engineer or General Manager, the owner shall provide, at his own expense such primary treatment as may be necessary to:

a. Reduce the B.O.D. to 300 ppm, and the suspended solids to 350 ppm. by weight, or,

b. Reduce objectionable characteristics or constituents within the maximum limits provided for in Section 48, or,

c. Control the quantities and rates of discharge of such waters and wastes.

Plans, specifications, and any other pertinent information relating to the proposed preliminary treatment shall be submitted to the General Manager for approval and no construction of such facilities shall be commenced until such approvals are obtained in writing. Cost of plan checking shall be paid by owner or applicant.

The General Manager may, in his discretion, disconnect any premise from the public sewer for a violation of any of

the provisions of this Ordinance, and a reconnection fee of \$50.00 will be required prior to reconnection.

SECTION 52. Where preliminary treatment facilities are provided for any waters or wastes they shall be maintained continuously in satisfactory effective operation, by the owner at his expense.

SECTION 53. When required by the Engineer or General Manager, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole and/or measuring device in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Board of Directors. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

SECTION 54. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Sections 48 and 49 hereof, shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage" (latest edition) and shall be determined by the District at the control manhole or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the

nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

SECTION 55. No statement contained in this Ordinance shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength of characteristic may be accepted for treatment, subject to payment therefor by the industrial concern.

SECTION 56. No person shall connect any building sewer, change the use of any commercial building or equivalent dwelling unit or portion thereof, or enlarge any commercial building until a participation charge for each connection, enlargement, or change of use has been paid to District. In the event a connection, change in use of any commercial building, enlargement of any commercial building, or change in number of equivalent dwelling units within a structure or upon a premise is made in violation of the provisions of this section, the owner, occupant or person making such connection, change, or enlargement shall be responsible to the District for the payment of participation charges, and, in addition, shall be required to disconnect the building sewer from the public sewer and reconnect to the public sewer under District's supervision and shall be required to pay, in addition to such participation charge, a reconnection charge in the sum of \$50.00. The District may disconnect any sewer connected in

violation of this section until the aforesaid charges have been paid.

SECTION 57. A basic participation charge for each equivalent dwelling unit in the sum of \$800.00 is hereby fixed and established, and such participation charge may be changed by the Board of Directors from time to time by the adoption of a resolution specifically changing such charge.

SECTION 58. The monthly service charge for each equivalent dwelling unit is hereby fixed and established at \$6.25 per month, and such monthly service charge may be changed from time to time by resolution of the Board of Directors specifically changing said monthly service charge. The service charge for multiple dwelling units shall be the basic E.D.U. rate of \$6.25 multiplied by the number of additional equivalent dwelling units.

SECTION 59. The participation charge and monthly service charge for commercial users shall be based on the total square footage of a commercial building and the following reasonable classifications and charges for each such commercial user are hereby fixed and established:

1. Low density commercial users classified as follows:
 - a. Auditoriums, halls, lodges
 - b. Banks and financial offices
 - c. Beauty and Barber Shops
 - d. Churches
 - e. Parking, garages

- f. Other offices
- g. Retail Stores
- h. Theaters
- i. Warehouses

shall be charged one-third of the existing E.D.U. rate for each 1,000 square feet of space; provided, however, that there shall be a minimum monthly service charge of one E.D.U. per building.

2. High density commercial users classified as follows:

- a. Bars, hotels-motels
- b. Mortuaries
- c. Medical and dental offices
- d. Schools
- e. Service stations

shall be charged two-thirds of the existing E.D.U. rate for each 1,000 square feet of space; provided, however, that there shall be a minimum monthly service charge of one E.D.U. per building.

3. Special commercial users such as carwashes, laundromats, markets, and restaurants will be charged the following rates:

- a. Carwashes - 8 E.D.U.'s per machine
- b. Laundromats - .25 E.D.U.'s per washer
- c. Markets - 1.0 E.D.U.'s per 1,000 square feet
- d. Restaurants - 1.5 E.D.U.'s per 1,000 square feet

provided, however, that no monthly service charge in the foregoing classification shall be less than one E.D.U. per

building; and provided further, that the Board may from time to time change the participation charge and monthly service charge for special users on an individual basis.

There is hereby fixed and established a minimum monthly service charge in the case of commercial users of one equivalent dwelling unit per building or for each separate billing for commercial uses within a building. In the event a commercial use within a building is changed to a higher use, an additional participation charge and monthly service charge shall be due based upon the appropriate use factor contained in Section 59 hereof, with credit given for the participation charge previously paid. In the event the use changes to a lower use, no refund shall be made.

SECTION 60. In the event an equivalent dwelling unit is altered to produce more than a single equivalent dwelling unit, an additional participation fee and a monthly service charge shall be due for each additional equivalent dwelling unit produced.

SECTION 61. Industrial processing plants and similar heavy uses not classified by the provisions of this Ordinance shall be charged a participation fee and monthly service charges as may be determined from time to time by the Board of Directors.

SECTION 62. District funds representing basic participation charges shall not be used for the purpose of financing or in any way participating in the cost of street laterals

or local collection facilities. District funds representing basic participation charges may at the discretion of the Board be used for the purpose of financing in whole or in part, any extension of the District's trunk sewer system as shown on the Master Plan Map referred to in Section 66 hereof.

SECTION 63. There shall be no participation charge for a central recreation or washroom type of building in a mobile home park or apartment complex so long as the use thereof is restricted to occupants of the mobile home park or apartments.

SECTION 64. In the case of mobile home parks, all intract laterals, mains and appurtenances shall be and remain the property of the mobile home park owners, and District shall have no obligation to operate, maintain, repair or replace any facilities located within a mobile home park.

SECTION 65. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which forms any part of the District's public sewer system. Any person violating the provisions of this Section shall be subject to any and all existing criminal and civil penalties provided for under the laws of the State of California, and, in addition thereto, shall be responsible to the District for any and all damages caused to the District by such violations.

SECTION 66. Main Extensions. There shall be on file in the District's office at all times a Master Plan Map showing

District's existing and proposed trunk sewer system. In the event that the connection of a premise or property to the District's sewer system involves a main extension which forms a part of the District's existing or proposed trunk system as shown on the aforesaid map, the District will participate in the cost of installation of said main extension to the extent that the amount or size of pipe and appurtenances involved constitute a benefit to the District generally and the cost of such main extension and appurtenances benefiting only the owner, applicant, or developer of the property or premise shall be borne by such owner, applicant, or developer. In the event that the connection of a premise or property to the District sewer system does not involve an extension to the District trunk system as shown by the aforesaid map, said installation shall be made at the sole cost of the applicant, owner, or developer. In the event District requires that an owner, applicant, or developer construct or reconstruct laterals or mains of a size larger than would normally be required to serve the property of owner, applicant, or developer, the District may agree in writing to participate in the cost of the oversizing of such facility.

SECTION 67. At such time as a public sewer becomes available to a property served by a private disposal system, a direct connection shall be made to the public sewer in compliance with this ordinance, within ninety (90) days after date of written, mailed notice to do so, and any private

septic tanks, cesspools and private sewage disposal facilities shall be abandoned. Under no condition shall any septic tank, cesspool, leaching field or similar private domestic sewage facility be connected to any public sewer.

In the event of a violation of this section, the District may connect such buildings or structures to the District sewer system and the owner or occupant of such buildings or structures shall be responsible to the District for the cost of such hookup, including the cost of disconnecting the private sewer facilities, in addition to the regular participation charge and monthly service charge.

SECTION 68. Notwithstanding the provisions of this section, in cases where the Board of Directors or General Manager determines that a health hazard exists, or that there is a reasonable likelihood that a health hazard will exist, the Board or Manager may proceed under the provisions of Section 5463 of the Health and Safety Code of the State of California, in which cases the provisions of that section shall take precedence over the provisions of this ordinance.

SECTION 69. No person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance without first obtaining a written permit from the District and paying all fees and charges as required by the provisions of this ordinance. Any application to connect to the District sewer system shall be accompanied by complete plans and specifications in compliance with all District ordinances, rules and regulations.

SECTION 70. There shall be three (3) classes of sewer permits: (a) for residential; (b) for commercial service, and (c) for service to establishments producing industrial wastes. In all cases, the owner or his agent shall make application on a form furnished by the District. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the General Manager. In the case of subdivisions, no permit shall be issued until subdivision plans and specifications specifically showing the location of all sewage facilities have been submitted to and approved by the General Manager. There is hereby established a fee for plan checking, inspection and the issuance of permits which shall be 3-1/2% of the estimated sewer construction cost of any project as determined by the General Manager or Engineer. Said fee shall be payable immediately upon the determination thereof and the presentation of a written invoice therefor to the owner, applicant or developer. District reserves the right to impose additional charges in any case where, through no fault on the part of District, District's staff or personnel are required to expend time and effort in inspection activities, the actual cost of which exceeds the original estimated plan checking and inspection fee. In the event such additional charges are imposed, they shall be due and payable prior to the acceptance by District of such installation.

SECTION 71. Where a premise is to be constructed at a level lower than the street or easement where the public sewer is located, or lower than the upstream manhole, a backflow preventing device approved by the General Manager shall be installed between the property line cleanout and the building prior to its being connected to District's sewer system.

SECTION 72. Appeals Procedure. Any person aggrieved by a decision of the Engineer or General Manager in the application of any provision of this ordinance may appeal said decision to the Board of Directors pursuant to the following procedure.

a) Within 20 days after receipt of written notice of the decision of the General Manager or Engineer the aggrieved party may file a written Notice of Appeal setting forth in detail the reasons for said appeal. In the event no written Notice of Appeal is filed within the aforesaid 20-day period, the decision of the General Manager or Engineer shall become final.

b) Immediately upon receipt of any Notice of Appeal filed within the said 20-day period, the secretary shall mail copies thereof to each member of the Board of Directors.

c) At the next regular meeting following the filing of said Notice of Appeal, the Board can either hear the appeal or set a time convenient to the Board for the hearing

of such appeal.

d) The aggrieved or appealing party, or his authorized representative, shall be personally present at the hearing of such appeal and failure of the aggrieved party or his authorized representative to appear at said hearing shall constitute sufficient grounds for the affirmance of the decision of the General Manager or Engineer.

SECTION 73. Any person who has reached the age of sixty-five years on or before August 5, 1976, and who has paid monthly service charges for sewer service on the premises on which he resides in the amounts fixed by this Ordinance, and whose account with the District is current and not in arrears, shall be entitled to a refund of sewer service charges in the sum of \$2.50 for each month after the effective date of this Ordinance that said service charges were paid. Persons entitled to said refund shall file written application with the Secretary between August 5 and September 5 of each year commencing August 5, 1977, on forms to be provided by District. The Secretary shall determine the amount of and pay such refund to the applicant as soon after the filing of said application as is practicable.

SECTION 74. Severability. It is hereby declared by the Board of Directors that in the event any provision or section of this Ordinance is declared void or invalid by any court of competent jurisdiction, that the remaining

sections of this Ordinance shall not be affected thereby, and it is the intent of said Board of Directors to enact each and every, all and singular of the provisions of this Ordinance irrespective of any provision which may be declared null and void by a court of competent jurisdiction.

SECTION 75. No provision of this Ordinance shall be construed as altering or affecting any vested contractual rights between the District and any person, firm or corporation with whom a valid contract exists as of the effective date of this Ordinance.

SECTION 76. This Ordinance shall be in full force and effect on and after August 5, 1976.

SECTION 77. This Ordinance shall be published once a week for two successive weeks in the Loomis News, a newspaper of general circulation published within the District, pursuant to the provisions of Section 11534 and 11910 of the Public Utilities Code.

This Ordinance was introduced at a Special Meeting of the Board of Directors of Rocklin-Loomis Municipal Utility District on the 28th day of July, 1976, and was passed at a regular meeting of said Board on the 5th day of August, 1976, by the following vote:

AYES: Directors Forristall, Gates, Howard, Hebard and Scheible

NOES: Directors None

ABSENT: Director None

Dated:

ROCKLIN-LOOMIS MUNICIPAL UTILITY DISTRICT

By


EARL E. GATES, President

ATTEST:



Betty Holihan, Secretary