

ROCKLIN-LOOMIS MUNICIPAL UTILITY DISTRICT

ORDINANCE NO. 84-1

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-G, 1-I AND 1-J AND AMENDING ORDINANCE 82-1 OF 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SECTION 1: Ordinances Nos. 1-G, 1-I, and 1-J of ROCKLIN-LOOMIS MUNICIPAL UTILITY DISTRICT are hereby repealed.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: "General Manager" shall mean the General Manager of the District appointed pursuant to the provisions of Section 11926 of the Public Utilities Code. "Engineer", "Superintendent", "Inspector", and "Operator" shall mean those employees or agents of the District appointed to their respective positions by the General Manager.

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 discharged 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 preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

SECTION 16: "Properly Shredded Garbage" shall mean wastes from the preparation, cooking and dispensing of food which have been shredded to such degree that all particles will be carried freely under the flow 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 horizon-

tal 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 five (5) days at 20 degree 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" (EDU) 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.

SECTION 29: "Multiple Dwelling" shall mean any premise or structure consisting of more than one Equivalent Dwelling Unit (EDU).

SECTION 30: "Standard Specifications and Improvement Standards" shall mean Ordinance 82-1 as amended. All work associated with the sanitary sewer system shall be performed pursuant to and in compliance with the Standard Specifications and Improvement Standards.

SECTION 31: 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 hook-up 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 exception 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 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 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: 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 35: 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 fifty percent (50%) of the cost of such installation of a service sewer or stub out to any such lot.

SECTION 36: 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 37: The building sewer shall be cast iron soil pipe, ductile iron, 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 A.B.S. (Acrylonitrile-Butadine 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 the joints until after the joint has been tested and approved. If the building sewer is installed on unstable ground, it shall be ductile iron laid on crushed bedding which meets the approval of the Engineer or General Manager.

SECTION 38: The size and slope of a residential building sewer shall be subject to the approval of the Engineer or General Manager, but in no event shall the diameter of pipe be less than four-inches (4") nor shall the slope of any residential building sewer be less than 1/8-inch per foot. In the case of a commercial building sewer, in no event shall the diameter of pipe be less than six-inches (6"), nor shall the slope be less than 1/16-inch per foot.

SECTION 39: 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 feet (3') 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. See Standard Drawing No. 13 of Ordinance No. 82-1

SECTION 40: 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. See Standard Drawing No. 14 of Ordinance No. 82-1.

SECTION 41: 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, together with any actual costs and expenses incurred by the District in making such reconnection.

SECTION 42: All excavations for building sewer installation 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 of the political entity in which the public property affected may be situated.

SECTION 43: 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 degree F.
- b. Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil, or grease.
- c. Any gasoline, benzine, naptha, 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 the 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 45: 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 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 46: 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 47: The admission into the public sewers of any water or wastes having:

- a. A five day (5) 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 44,
- d. Having an average daily flow greater than two percent (2%) of the average daily flow of the District,

shall be subject 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:

1. Reduce the B.O.D. to 300 ppm, and the suspended solids to 350 ppm by weight, or
2. Reduce objectionable characteristics or constituents within the maximum limits provided for in Section 44, or

3. 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, together with any actual costs and expenses incurred by the District in making such reconnections.

SECTION 48: 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 49: 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 accessible and safely located, and shall be constructed in accordance with plans approved by the General Manager. 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 50: All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance, 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 51: 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 or characteristic may be accepted for treatment, subject to payment therefore by the industrial concern.

SECTION 52: 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 the 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 the District's supervision and shall be required to pay, in addition to such participation charge a reconnection charge in the sum of \$50.00, together with any actual costs and expenses incurred by the District in making such reconnection. The District may disconnect any sewer connection in violation of this section until aforesaid charges have been paid.

SECTION 53: A basic participation charge for each equivalent dwelling unit is hereby fixed and established at \$2,400.00 as of the first day of January 1984. Such participation charge shall automatically increase on the first day of January of each ensuing year by the sum of \$100.00. 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 and in accordance with the provisions of Section 14401 of the Public Utilities Code.

SECTION 54: A monthly service charge for each equivalent dwelling unit is

hereby fixed and established at \$8.00 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 monthly service charge for multiple dwelling units shall be the basic EDU rate multiplied by the number of equivalent dwelling units.

SECTION 55: Connection Fees Cumulative

The various connection fees established by this Ordinance are cumulative.

SECTION 55.1: Determination of Residential Sewer Units

For purposes of this Ordinance, residential sewer units shall be determined as follows:

<u>Category</u>	<u>Sewer Units</u>
1. Dwelling Units (including single family, condominiums, and apartments)	1 per living unit
2. Hotel/Motel	
a. Living unit w/kitchen	1 per living unit
b. Living unit w/o kitchen	$\frac{1}{2}$ per living unit
c. Sleeping quarters sharing common restroom	$\frac{1}{4}$ per bed

SECTION 55.2: Determination of Commercial or Industrial Sewer Units

For purposes of this Ordinance, commercial or industrial sewer units shall be determined as follows:

A. For commercial or industrial units having a wastewater strength of less than 200 mg/1 B.O.D. and/or suspended solids, and a quantity of less than 25,000 gpd, a sewer unit shall be as listed in Section 55.3.

B. For commercial or industrial users having a wastewater strength of less than 200 mg/1 B.O.D. and/or suspended solids, but a quantity of greater than or equal to 25,000 gpd, a sewer unit shall be determined as provided in Section 55.4.

C. For commercial or industrial users having a wastewater strength of greater than 200 mg/1 B.O.D. and/or suspended solids, and/or requiring either special

handling or treatment, sewer units shall be determined as provided in Section 55.5.

SECTION 55.3: Low Strength-Low Quantity Commercial or Industrial Users

A. For commercial or industrial users described in Section 55.2A, sewer units are as follows:

1. Special low-density users 1 per 5 employees or fraction
 - a. parking garages
 - b. warehouses
 - c. storage facilities

2. Low-density users 1/6 per 1000 sq. ft.
 - a. churches (without kitchen, meeting hall)
 - b. low usage retail stores
 - hardware stores
 - appliance stores
 - furniture stores

3. Medium-density users 1/3 per 1000 sq. ft.
 - a. theaters
 - b. offices
 - c. auditoriums, halls, lodges
 - d. retail stores
 - e. schools (without cafeterias or gymnasiums)
 - f. banks, financial offices
 - g. bowling/entertainment centers (without kitchen)

4. High-density users 2/3 per 1000 sq. ft.
 - a. barber/beauty shops (with lavatories)
 - b. bars
 - c. medical/dental offices
 - d. schools (with cafeterias or gymnasiums)
 - e. service stations
 - f. sports/fitness centers

5. Special Commercial users
 - a. car washes (per automatic washing stall) 8 units
 - b. Car washes (per self-service stall) 2 units
 - c. laundromats 2/3 per washer
 - d. markets (without disposal) 2/3 per 1000 sq. ft.
 - e. markets (with disposal) 2 per 1000 sq. ft.
 - f. restaurants, bakeries, cafes 2 per 1000 sq. ft.
 - g. mortuaries 2 per 1000 sq. ft.
 - h. hospitals 1/2 per licensed bed
 - i. resthome/convalescent hospital 1/3 per licensed bed

6. Other commercial or industrial users

Based on study by the General Manager

B. General regulations:

1. Not less than one connection per building.

2. Special provisions can be made within each category where, in the judgement of the General Manager, application of ordinance produces inequities or irregularities requiring revision.

3. Prescribed connection charges apply only to the particular uses listed; where multiple uses, within the meaning of the connection charge ordinance, are contained in the same structure, the General Manager, at his discretion, will allocate the respective square footage or employment dedicated to each use, and will determine a composite connection charge composed of the respective connection charges for each such use.

4. Classification of shell buildings having no use when connecting to the sewage system shall be determined based on the judgement of the General Manager based on building permit data, applicable zoning, and plans of the developer. Subsequent modifications to such buildings may result in reclassification and the assessment of additional incremental connection charges. No refunding of previously paid connection charges will be made where modifications are made to any structure which place it in a classification with a lower connection charge rate.

SECTION 55.4: Low Strength-High Quantity Commercial or Industrial Users

For commercial or industrial users described in Section 55.2B sewer units shall be determined as follows:

- A. For incremental discharges from 0-25,000 gpd: $\text{gpd}/250 \text{ gpd}=\text{sewer units}$
- B. For incremental discharges from 25,001 -100,000 gpd: $\text{gpd}/325 \text{ gpd}=\text{sewer units}$
- C. For incremental discharges from 100,001 and up: $\text{gpd}/400 \text{ gpd}=\text{sewer units}$

SECTION 55.5: High Strength-Commercial or Industrial Users

For commercial or industrial users described in Section 55.2C, sewer units shall be determined as follows:

$$\text{Sewer Units} = \frac{\text{gpd}}{250} \left[0.34 + \frac{\text{B.O.D. mg/l}}{200} (.33) + \frac{\text{suspended solids mg/l}}{200} (.33) \right]$$

In addition, special treatment and/or handling costs may be added as determined by the General Manager.

SECTION 56.0: The various connection fees established by this section are cumulative.

SECTION 56.1: Determination of Low Strength Metered Commercial or Industrial Monthly Sewer Units

For purposes of this Ordinance, low strength commercial or industrial users monthly sewer units shall be one sewer unit per 1,000 cubic feet of discharge. Users such as schools with a widely varying use pattern due to water use not related to sewer use may be charged in accordance with a study by the General Manager, in his discretion.

SECTION 56.2 Determination of Non-metered Commercial or Industrial Monthly Sewer Units

A. For purposes of this Ordinance, monthly sewer units for non-metered commercial or industrial users shall be as follows:

1. Low density users 1/6 per 1,000 sq. ft. of floor area
 - a. parking garages
 - b. warehouses
 - c. churches
 - d. low usage retail stores
 - e. banks, financial offices
2. Medium-density users 1/3 per 1,000 sq. ft. of floor area
 - a. barber/beauty shops
 - b. theatres
 - c. offices
 - d. halls, lodges, auditoriums
 - e. other retail

B. General regulations:

1. Not less than one unit per user.

B. General Regulations (continued)

2. Special provisions may be made within each category in the discretion of the General Manager where application of this section produces inequities or irregularities.

3. Low/medium density shall be determined in the discretion of the General Manager based upon number of employees, customers, plumbing fixtures, and patterns of usage.

SECTION 57: 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 58: 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 59: 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 62 hereof.

SECTION 60: 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 61: 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. The District shall have the right to inspect all intract laterals, mains and appurtenances, and the owner or operator of such mobile home park shall be obligated to pay to the District applicable fees and costs incurred by the District.

SECTION 62: 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 63: Main Extensions. There shall be on file in the District's office at all times a Master Plan Map showing the 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 may 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 owner, applicant or developer. In the event the 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 owner, applicant or developer, the District may agree in writing to participate in the cost of the oversizing of such facilities.

The District may, in its discretion, negotiate and enter into refund agreements with the owner of lands in cases where such lands are being improved and the owner has or will install facilities which will be used for the benefit of property not participating in the original cost of construction. Such agreements shall provide that at such time as connections are made to the installed facilities by properties other than the property which is the subject of the refund agreement, the District will collect an "in lieu of construction fee". In no event shall the obligation assumed by the District pursuant to a refund agreement extend beyond the term of 10 years from the date of such agreement.

In lieu of Construction Fee: Each property owner is responsible for the installation of a collector sewer across the property frontage. Where the District determines that a property owner has not fully participated in the cost of constructing such collector sewer, the District shall impose a fee in lieu of construction, which fee is hereby established. The in lieu of construction fee established by this Ordinance shall be \$12.00 per lineal foot, and such fee may be changed from time to time by resolution of the Board of Directors. Such fee shall be applicable in all such cases, regardless of the existence of a refund agreement.

Unusual Circumstances: The District may adjust the in lieu fee where necessary in order to achieve an equitable distribution of costs for collection, sewer construction and service.

SECTION 64: 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 provision 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 65: 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 and pay the applicable \$10.00 inspection fee. Such fee shall be adjusted by the General Manager from time to time to cover actual and reasonable costs. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the General Manager. All applicable connection fees shall be paid at the time of application for service.

In the case of subdivisions and/or construction of public sewer facilities to be dedicated to the District, no permit shall be issued until said facilities have been constructed and accepted by the District, unless otherwise authorized by the General Manager. The plan check and inspection fees for construction of such public sewer facilities shall be paid in conformance with Rocklin-Loomis Municipal Utility District Ordinance No. 82-1. The District reserves the right to impose additional and reasonable charges in any case where, through no fault of the District, the District's staff is required to expend time and effort in plan checking and/or inspection activities, the actual cost of which exceeds the original fee amounts.

In the case where the applicant must construct an individual building sewer to an existing sewer trunk or lateral, all procedures and work shall conform to Section 5-26 of Rocklin-Loomis Municipal Utility District Ordinance 82-1. A fee of \$50.00 is hereby established to cover the cost incurred by the District for furnishing and installing the tee or wye. Such fee shall be adjusted by the General Manager from time to time to cover actual and reasonable costs. All permits, utility notifications (Underground Service Alert), excavation, backfill, testing and installation of the remainder of the sewer facilities shall be done by the contractor.

In the case where the applicant must construct an individual building sewer to an existing service sewer, all work shall be done by a licensed contractor in conformance with Rocklin-Loomis Municipal Utility District Ordinance No. 82-1.

SECTION 66: 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 calendar days after receipt of written notice of the decision of the Engineer or General Manager, 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 calendar days period, the decision of the Engineer or General Manager shall become final.
- b. Immediately upon receipt of any Notice of Appeal filed within the said 20 calendar days 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 of 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 said aggrieved party or his authorized representative to appear at said hearing shall constitute sufficient grounds for the affirmance of the decision of the Engineer or General Manager.

SECTION 67: 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 the 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 68: 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 69: This Ordinance was introduced at a regular meeting of the Board of Directors of ROCKLIN-LOOMIS MUNICIPAL UTILITY DISTRICT on the 5th day of January, 1984.

SECTION 70: Upon final passage, 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 Sections 11534 and 11910 of the Public Utilities Code.

PASSED AND ADOPTED at an adjourned regular meeting by the Board of Directors of ROCKLIN-LOOMIS MUNICIPAL UTILITY DISTRICT on this 12th day of January, 1984 by the following vote:

AYES:	Directors Forristall, Howard, Jr., Lemos, Scheible
NOES:	NONE
ABSENT:	Director Hebard

ROCKLIN-LOOMIS MUNICIPAL UTILITY DISTRICT

BY Frances Scheible
 Frances Scheible, Vice-President

ATTEST:

Larry F. Pennell
 Larry F. Pennell, Secretary