

SACRAMENTO AREA SEWER DISTRICT

SERVING YOU 24/7

APPROVED BOARD OF DIRECTORS SD1-0063 MAY 14 2008

By [Signature] Clerk of the Board

DATE: May 14, 2008
TO: Honorable Board of Directors Sacramento Area Sewer District
FROM: Sacramento Area Sewer District
SUBJECT: Adoption of Amendments to the CSD-1 Sewer Use Ordinance

Board of Directors Representing:

- County of Sacramento
City of Citrus Heights
City of Elk Grove
City of Folsom
City of Rancho Cordova
City of Sacramento

RECOMMENDATIONS:

Staff recommends that your Board take the following actions:

- 1. Close the public hearing on the amended Sacramento Area Sewer District's (SASD) Sacramento County Sanitation District No. 1 Sewer Use Ordinance.
2. Adopt the amended SASD Sacramento County Sanitation District No. 1 Sewer Use Ordinance.

DISCUSSION:

On April 23, 2008, your Board received amendments to the "Sewer Use" ordinance which provided authority for the District Engineer to allow a variance, in consultation with Environmental Management Department, to this ordinance when a public sewer is within 200 feet of a property line, and eliminated language that suggests that the District regulates onsite wastewater treatment (septic) matters.

CONCLUSION:

It is recommended that your Board close the public hearing and adopt the amended Sacramento County Sanitation District No. 1 Sewer Use Ordinance.

Respectfully submitted,

[Signature of Wendell Kido]

Wendell Kido
District Manager

APPROVED:

[Signature of Mary K. Snyder]

Mary K. Snyder
District Engineer

Attachment-CSD-1 Sewer Use Ordinance

10545 Armstrong Avenue
Mather, California 95655
Tel 916.876.6000
Fax 916.876.6160
www.sacsewer.com

**COUNTY SANITATION DISTRICT NO. 1  
OF SACRAMENTO COUNTY, CALIFORNIA  
ORDINANCE NO. SDI-0063**

**AN ORDINANCE REGULATING THE USE OF PUBLIC SEWERS; TO BE KNOWN AS  
THE "SANITATION DISTRICT NO. 1 SEWER USE ORDINANCE"**

THE Board of Directors of County Sanitation District No. 1 do ordain as follows:

**SECTION 1 PURPOSE**

This ordinance is intended to complement the Regional Sewer Use Ordinance, as defined herein, by incorporating control of the quantity and quality of wastewater that enters the public sewerage system, to assure efficient operation and protection of public sewerage facilities, to provide for enforcement and penalties for violations, and to define responsibility for sanitary sewer maintenance.

**SECTION 2 DEFINITIONS**

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as defined in Section 3 of the Regional Sewer Use Ordinance, as defined herein, with the following additions and modifications:

**DISTRICT NO. 1.** County Sanitation District No. 1 of Sacramento County, California.

**ENGINEER.** The District No. 1 District Engineer who is the Director of Public Works of Sacramento County, or a designated representative, acting ex-officio for District No. 1.

**REGIONAL DISTRICT.** Sacramento Regional County Sanitation District 1 of Sacramento County, California.

**REGIONAL SEWER USE ORDINANCE.** Ordinance No. SRSD-2, passed and adopted by the Board of Directors of the Sacramento Regional County Sanitation District on April 21, 1975, or as subsequently amended.

**SECTION 3 SEWERS REQUIRED**

- 3.1. "Discharge to Natural Outlet." It shall be unlawful to discharge any sewage, industrial waste, or other polluted waters to any natural outlet.
- 3.2. "Unlawful Systems." It shall be unlawful to construct, reconstruct, relocate, or alter any septic tank, onsite wastewater treatment system, or other facilities intended or used for the disposal of sewage, within the District if a public sewer is available within 200 feet of the property line unless the District Engineer, in consultation with Environmental Management Department (EMD), provides a variance to this Ordinance.

- 3.3. “Sewers Mandatory.” The owner of any premises used for human occupancy, employment, recreation, or other purpose situated within the District, and abutting on any street or easement in which there is located an available public sanitary sewer within 200 feet of the property line, is required to install, at his expense, a connection with the proper public sewer in accordance with the provisions of this ordinance within 90 days after date of notice from the Engineer to do so unless the District Engineer, in consultation with EMD, provides a variance to this Ordinance.

## **SECTION 4 – SEPTIC TANKS AND ONSITE WASTEWATER TREATMENT SYSTEMS**

Septic tanks and other onsite wastewater treatment systems are regulated by the Sacramento County Environmental Management Department. The District does not regulate the repair, construction, reconstruction, relocation, alternation, abandonment, or permitting of any onsite wastewater treatment systems or private sewage disposal systems.

## **SECTION 5 PERMITS**

District No. 1 sewers cannot be used without obtaining the permits required by this section.

Section 5.1. Connection Permit. No connection to a service sewer, collector sewer, or any other District No. 1 Sewer shall be made until a Connection Permit has been obtained. Applicable District No. 1 and Regional District connection charges shall be paid prior to issuance of the Connection Permit.

Section 5.2. Sewer Use Permit. No person who is required by the Regional District to have a Sewer Use Permit, shall use the District No. 1 sewerage system, either directly or indirectly through a private collection system, without possessing a valid Sewer Use Permit from the Regional District.

## **SECTION 6 REGULATION AND CONTROL OF WASTEWATER DISCHARGES**

Section 6.1. Permissible Discharge. Wastewater may be discharged into District No. 1 Sewers for collection by District No. 1, provided that such wastewater discharge is in compliance with this ordinance, the Regional Sewer Use Ordinance, and the conditions of any Sewer Use Permit; and further provided that the user pays all applicable District and Regional District fees and sewer use charges.

Section 6.2. Prohibitions. Those discharges prohibited by Sections 6.2, 6.3, 6.4, and 6.5 of the Regional Sewer Use Ordinance are hereby prohibited, provided however:

1. The term “District” shall mean County Sanitation District No. 1 as well as Regional District.
2. Section 6.3 (2) shall include overloading of District No. 1 collector sewers.
3. Where, for the protection of District No. 1 facilities, the Engineer makes a different determination than the Regional District Engineer under Section 6.4 (1) or 6.4 (3), the more restrictive determination shall prevail.
4. Discharges to locations prohibited by Section 6.5 must have approval of the Engineer if District No. 1 facilities are involved.

Section 6.3. Regulated Discharges. No person shall discharge, or cause to be discharged, to a District No. 1 sewer any of the discharges regulated by Section 6.6 of the Regional Sewer Use Ordinance, without first obtaining from the Regional District, a Sewer Use Permit that specifically permits and regulates such discharge, provided however that where, in the opinion of the Engineer, it is necessary for the protection of District No. 1 facilities, he may prohibit such regulated discharges, or impose additional regulation as necessary.

Section 6.4. Pretreatment Facilities. Where, in the opinion of the Engineer, it is necessary for the protection of District No. 1 facilities, he may require pretreatment facilities as defined in Section 6.10 of the Regional Sewer Use Ordinance.

## SECTION 7 USE OF PUBLIC SEWERS

Section 7.1. Damaging Facilities. It shall be unlawful for any person to willfully break, damage, destroy, uncover, deface, or tamper with any sewer, structure, appurtenance, or equipment which is part of the sewerage system of District No. 1. Any person violating this provision shall be subject to immediate arrest under a charge of disorderly conduct.

Section 7.2. Unlawful Connections. It shall be unlawful for any person to make, or cause to be made, a connection with or opening into, use, alter, or disturb any public sewer, service sewer, or appurtenance thereof except as hereinafter provided.

Section 7.3. Design and construction standards. The design of all public sewers shall be in conformance with the then current "Standards", and shall be constructed in conformance with the then current "Standard Construction Specifications" and "Standard Drawings," as adopted by Sacramento County.

Section 7.4. Backwater Valve. An approved type backwater valve shall be installed in the building sewer of every building in which the lowest room containing a plumbing fixture has a floor elevation below that of the cover of the nearest up—sewer manhole of flushing branch located on the public sewer serving said building. The backwater valve shall be installed and maintained by the owner at his expense.

Section 7.5. Service Sewer. The service sewers from the public sewer to the property line shall be installed at the time the sewer is constructed whenever practicable. The connection of service sewers to trunk sewers shall be prohibited except when specifically approved by the Engineer.

Section 7.6. Service Line Responsibilities. The property owner is responsible for clearing stoppages, inspecting, maintaining and repairing the building sewer from the building to the service sewer. The District is responsible for clearing stoppages, inspecting, maintaining and repairing the main sewer and service sewers from the property or easement line to the main sewer.

Section 7.7. Cleanout to Grade. A cleanout to grade must be installed at the sewer easement or lot property line on all newly constructed service sewers. The cleanout must conform to Standard Drawing No. S-3 of the Department of Public Works, County of Sacramento, except with respect to cleanout material, and if not constructed with the subdivision or frontage improvements shall be installed at the time connection is made to the building sewer. The cleanout must be of the same size as that portion of the service sewer within

easement or right-of-way; the material of construction is subject to Uniform Code requirements.

## SECTION 8 ADMINISTRATION

Administration of this ordinance shall be as described in Sections 7.1, 7.3, 7.4, and 7.5 of the Regional Sever Use Ordinance, except that for the purpose of this Section, the term "District" shall mean County Sanitation District No. 1, and "Engineer" shall mean the County Sanitation District No. 1 Engineer.

## SECTION 9 ENFORCEMENT

Section 9.1. Rules for Enforcement. The Engineer may adopt procedures and rules for implementation and administration of this ordinance, including, but not limited to:

1. Requiring User to Submit Schedule of Remedial or Preventive Measures. When the Engineer finds that a discharge of wastewater is taking place or threatening to take place in violation of prohibitions or limits prescribed by this ordinance, or other wastewater source control requirements, or provisions of a Sever Use Permit, the Engineer may require the user to submit for approval of the Engineer, with such modifications as he deems necessary, a detailed time schedule of specific actions the user shall take in order to correct or prevent said violation of requirements.
2. Order to Cease and Desist. When the Engineer finds that a discharge of wastewater is taking place or threatening to take place in violation of prohibitions or limits prescribed by this ordinance, or other wastewater source control requirements, or provisions of a Sever Use Permit, the Engineer may issue an order to cease and desist and direct that those persons not complying with such prohibitions, limits, requirements, or provisions (1) comply forthwith; (2) comply in accordance with a time schedule set by the Engineer, or (3) in the event of a threatened violation, take appropriate remedial or preventive action.
3. Damage to Facilities. When discharge of wastewater causes an obstruction, damage, or other impairment to District No. 1 sewerage facilities, the Engineer may assess a charge against the user for work required to clean or repair the facility, and add such charge to the user's charges for use of District facilities.
4. Termination of Service. District No. 1 may terminate or cause to be terminated service to any user if a violation of any provision of this ordinance pertaining to control of wastewater is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution or nuisance, as defined in this ordinance. This provision is in addition to other statutes, rules, or regulations authorizing termination of service for delinquency in payment, or for any other reason.

Whenever a premises has been disconnected from the District No. 1 sewerage system for a violation of this ordinance, such premises shall not be reconnected until all delinquent charges have been paid, together with all expenses incurred by District No. 1 in causing such disconnection, and the estimated expenses that will be incurred by District No. 1 in making such reconnection.

Section 9.2. Request for Ruling. If any user or applicant for a permit disputes the interpretation or application of this ordinance, he shall set forth his contentions in writing to the Engineer. The Engineer shall, within 10 days, respond in writing to the contentions so made and set forth his determinations thereof. Any action of the Engineer with respect to Section 9.1 (2), or 9.1 (4) may be appealed directly to the District No. 1 Board in accordance with Section 9.3 without complying with this section.

Section 9.3. Appeal. If the user or applicant for a permit is dissatisfied with the determination so made by the Engineer, he may, within 30 days after mailing of said ruling by the Engineer to said user or applicant for a permit, appeal said ruling by giving written notice of the basis of his appeal to the Board of Directors of District No. 1. Such written notice of appeal shall be filed with the Clerk of the Board of Supervisors of the County of Sacramento, ex-officio Clerk of the Board of Directors of District No. 1. The matter shall be placed upon the next available agenda of the Board of Directors and the Board of Directors shall, within 30 days after receipt of said written notice of appeal, make a final determination of the issue presented.

Section 9.4. Violations. Any person intentionally violating any of the provisions or failing to comply with any of the requirements of this ordinance is guilty of a misdemeanor. Each person is guilty of a separate offense for each and every day during any portion of which any violation of any provision of this ordinance is committed, continued, or permitted by such person and is punishable accordingly.

Section 9.5. Civil Liability. Any person who intentionally or negligently violates any requirement adopted or ordered by the District No. 1 Board or the Engineer requiring:

1. Pretreatment of industrial waste which would otherwise be detrimental to the treatment works or its proper and efficient operation and maintenance; or
2. The prevention of the entry of such waste into the collection system and treatment works.

may be civilly liable to District No. 1 in a sum of not to exceed six thousand dollars (\$6,000.00) for each day and each event in which such violation occurs.

District No. 1 may petition the Superior Court to impose, assess, and recover such sums pursuant to this ordinance and Section 54740 of the California Government Code.

## SECTION 10 SEVERABILITY

This ordinance was introduced and the title thereof read at the regular meeting of the Board of Directors on April 23, 2008, and on April 23, 2008, further reading was waived by unanimous vote of the Directors present.

This ordinance shall take effect and be in full force on and after June 13, 2008 and before the expiration of fifteen (15) days from the date of its passage, a summary of this ordinance shall be published with the names of the members of the Board of Directors voting for and against the same, said publication to be made in a newspaper of general circulation published in the County of Sacramento.

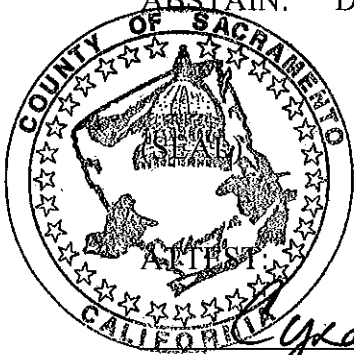
On a motion by Director MacGlashan, seconded by Director Scherman, the foregoing ordinance was passed and adopted by the Board of Directors of Sacramento County Sanitation District No. 1, this 14th day of May, 2008, by the following vote, to wit:

AYES: Directors, MacGlashan, Nottoli, Peters, Dickinson, Yee, Bruins, Scherman, Howell, Skoglund, Sheedy

NOES: Directors, (None)

ABSENT: Directors, (None)

ABSTAIN: Director(s), (None)



Cyril Lee  
Clerk of the Board of Directors

Jeanne Ryce  
Chair of the Board of Directors

In accordance with Section 25103 of the Government Code of the State of California a copy of the document has been delivered to the Chairman on MAY 14 2008

By Gueryne Dowling  
Deputy Clerk, Board of Directors

**FILED**  
**BOARD OF DIRECTORS**

**MAY 14 2008**

By Cyril Lee  
Clerk of the Board

**CONTINUED MEMO**

**MEETING DATE:** APRIL 23, 2008

**DEPARTMENT:** COUNTY SANITATION DISTRICT 1

**SUBJECT** Amendment To The Sacramento Area Sewer District's Sacramento County Sanitation District No. 1 Sewer Use Ordinance; Waive The Reading Of The Amended Ordinance; Advertise A Public Hearing On The Amended Ordinance; And Continue Action On The Amended Ordinance To May 14, At 9:30 A.M.

**BOARD ACTION** INTRODUCED ORDINANCE, WAIVED FULL READING, AND CONTINUED TO MAY 14, 2008 FOR PUBLIC HEARING

**MATERIAL FORWARDED**