

ORDINANCE NO. 12-01
AN ORDINANCE OF THE SUNSET BEACH SANITARY DISTRICT
OF ORANGE COUNTY, CALIFORNIA
REGULATING THE SEWAGE COLLECTION SYSTEM

The Board of Directors of the Sunset Beach Sanitary District Ordains as Follows:

ARTICLE I
GENERAL PROVISIONS

101. PURPOSE AND POLICY

- A. The purpose of this Ordinance is to provide for the maximum public benefit from the use of sewers, and all the appurtenances thereto, either owned, operated, maintained or contracted for by the Sunset Beach Sanitary District (hereinafter called the District).
- B. The District was formed on November 5, 1930, under the provisions of Sections 6400-6924 of the State of California Health and Safety Code, Sanitary District Act of 1923.
- C. The Board of Directors (hereinafter called the Board) is the governing body of the District and is responsible for the operation and maintenance of all facilities of the District and exercises its authority under the Sanitary District Act of 1923 as amended.

102. DEFINITIONS

- A. Unless otherwise defined herein, terms related to water quality 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 American Environmental Federation. Other terms not herein defined shall be interpreted in accordance with the International Conference of Building Officials Uniform Building Code, Current Edition.
 - 1. Board shall mean the Board of Directors of the Sunset Beach Sanitary District of Orange County, California.
 - 2. District shall mean the Sunset Beach Sanitary District.
 - 3. Building Sewer shall mean that portion of any plumbing system outside the confines of the structure being served, which connects directly to the public sewer owned and operated by the District. House lateral shall mean the same as building sewer. Building Sewers are privately owned.

4. OCSD shall mean the Orange County Sanitation District.
5. Discharger shall mean any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer. Discharger shall mean the same as User.
6. District Engineer shall mean the individual appointed by the Board to the position of District Engineer.
7. District Sewer shall mean any sewer owned, operated, and maintained by the District.
8. Domestic Wastewater shall mean the liquid and solid water borne wastes derived from the ordinary living processes of humans of such character as to permit satisfactory disposal, without special treatment, into the public sewer or by means of a private disposal system. The strength shall be deemed to have 250 milligrams per liter (250 mg/L) BOD and suspended solids.
9. Grease shall mean any oil, fat, or oily, fatty substance such as vegetable or animal fat that turns or may turn viscous with a change in temperature or other conditions.
10. Grease Control Device shall mean any grease interceptor, grease trap, or other mechanism which attaches to wastewater plumbing fixtures for the purpose of collecting grease for off-site disposal rather than disposal with the wastewater to the public sewer.
11. May shall mean permissive.
12. Person includes an individual, partnership, corporation, governmental subdivision or unit of a governmental subdivision, or public or private organization or entity of any character.
13. Sewage shall mean wastewater.
14. Sewerage Facility shall mean any and all facilities used for collecting, conveying, pumping, treating or disposing of wastewater.
15. Shall shall mean mandatory.
16. Superintendent shall mean the individual appointed by the Board to the position of Superintendent.
17. User shall mean any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer. User shall mean the same as Discharger.

18. Wastewater shall mean waste and water, whether treated or untreated, discharged into or permitted to enter a public sewer.
19. Wastewater Constituents and Characteristics shall mean the individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the quality and quantity of wastewater.
20. Connection Fee shall mean the onetime payment required by the District to connect to the District's Sewerage Facilities and shall include the cost of normal District inspection facilities for building sewers. Larger projects may require additional inspection charges.

Words used in this Ordinance in the singular may include the plural and the plural the singular. Use of masculine shall include feminine and use of feminine shall include masculine.

Article II
Sanitary Sewer Facilities

201. ADMINISTRATION

The purpose of this Section of the Ordinance is to provide the minimum standards for the sanitary sewer facilities owned or operated by the District for the protection of the public health, safety, and welfare located within the service area of the District.

- A. Among other things, this Ordinance applies to the installation, alteration, replacement, repair, or use of that portion of any plumbing system outside the confines of the structure being served, hereinafter referred to as "building sewer".
- B. That portion of any plumbing system within the confines of the structure served, herein referred to as "building drain", shall comply with the requirements of the responsible agency of the City of Seal Beach for that portion of the District within the City of Seal Beach; and with the responsible agency of the City of Huntington Beach for that portion of the District within the City of Huntington Beach; except with respect to the use or disposal of hazardous materials.
- C. Any building sewer installed prior to the effective date of this Ordinance may continue its existing use maintenance and repair in accord with its original design provided no hazard to the public health, safety, or welfare is created by such existing use system.
- D. Any building sewer serving as a replacement for an existing building sewer for a reconstructed or remodeled structure where such reconstruction or remodeling cost more than \$100,000, as determined by District, shall be

served by a new building sewer as provided herein and the existing building sewer shall be removed at the cost of the discharger. Conversion of any or all of an existing building with a legal building sewer connection from residential use to commercial use, or commercial use to residential use, provided said conversion does not exceed a cost of \$100,000, and the condition of the existing building sewer is satisfactory as determined by the Superintendent, shall not require payment of a new connection fee.

- E. All residences, commercial or industrial structures within the District shall be connected with the sanitary sewer system of the District.

202. AUTHORITY TO ABATE

Any portion of a building sewer found to be unsanitary or improperly maintained or used constitutes a nuisance.

- A. The District or its authorized representatives shall have the authority to abate or require the abatement of such a public nuisance in such manner as such representatives determine will protect the health and safety of the community or protect the soundness of the building or the District's sewerage system.
- B. The failure of any person or entity to abate such public nuisance within a reasonable time following receipt of written notice to do so shall constitute a violation of this ordinance which is a misdemeanor, and upon conviction, shall be punishable as provided by law. Each notification to abate shall initiate a new obligation to abate.
- C. When necessary, at all reasonable times, the District or its authorized representatives may enter the premises for inspection of the building sewer and the use thereof.
- D. Should the District expend funds for the abatement of a nuisance on either public or private property, the owner of the facilities that caused said nuisance, in which or in part, shall make reimbursement of said funds to the District promptly upon demand.

203. PERMIT REQUIRED

A permit from the District shall be required for the repair, replacement, or construction of all or any portion of a building sewer located within the District.

- A. A permit may be obtained from a District representative by calling the District's phone number which is now (562) 493-9932, arranging for consultation, and payment of the required fee.
- B. Any person who owns or is entitled to use any existing building, development, or project to connect, or reconnect to the District sewerage system using an existing building sewer lateral to the Sunset Beach Sanitary System must,

prior to connection, pay a connection fee in accordance with the following schedule:

- | | |
|---------------------------|------------|
| i. Residential | \$1,000.00 |
| ii. Industrial/Commercial | \$1,500.00 |

The Board of Directors may revise these fees by Ordinance as appropriate.

- C. Written Notice of at least 48 hours shall be given when inspection will be required. Phone number (562) 493-9932 or (714) 330-3728.
- D. The District or its authorized representatives may suspend or revoke a permit issued in accordance with this Ordinance should any provision hereof be violated.
- E. Street opening permits shall be obtained from the appropriate authorities for all work performed within the street area for those streets within the District
- F. All work performed within street areas shall be performed to the satisfaction of the appropriate agencies provided the laying, bedding, and joining of the building sewer shall be performed in conformance with the requirements of the District.
- G. All persons requiring a sewer permit in respect to the connection or reconnection of a building sewer shall be required to replace the sewer lateral from the building sewer to the District sewer line. Alternately, permittee may, at permittees' expense, demonstrate by TV camera run through the entire length of the existing lateral that said lateral is sound and does not require replacement. Such testing shall be under the supervision and to the satisfaction of the District Superintendent. The District's Superintendent's judgment shall be final as to whether or not the existing lateral can be used.
- H. In the event an existing building sewer is damaged, leaking, subject to root intrusion, or in general poor repair, and the building owner or occupant wishes to replace it at their cost, and not as a requirement of a building remodel, the Superintendent may waive the requirement for payment of a new connection fee, reporting same to the Board.
- I. In the event connection fees are paid to the District, and the project is later canceled, a written claim for a refund may be filed by the original applicant. The refund claim shall be sent to the District's address and include the permit number and the reason for the refund request. Refunds may be issued only to the original applicant, and will not be issued if construction has begun. No refunds will be issued after 12 months from the date of issuance. The refund will be prorated over the 12 months. A 18% administrative fee will be deducted

204. Use Violations

It shall be unlawful to discharge or permit to be discharged to a building sewer any of the following substances:

- A. Groundwater by subsurface drainage systems.
- B. Roof water (rainwater) typically by connection of roof drains connected to the building sewer.
- C. Rainwater or irrigation water by yard or area drains connected to the building sewer.
- D. Seawater from any source.
- E. Chemicals, liquid, semi-solid, or solid, having an adverse effect on health, sewer operations, sewer maintenance, or sewage treatment, (hazardous materials) except as permitted by "Regulations for Use of District Sewerage Facilities, County Sanitation District of Orange County", latest edition.
- F. Wastes of any nature shall not be discharged directly into a manhole except by permission of or by direction of the District Board.
- G. Violation of any or all of the above shall constitute a nuisance punishable as provided by law.

204. MATERIALS

Pipe installed for a building sewer shall be polyvinyl chloride sewer pipe with compression jointing or an equal approved by the Superintendent, in accordance with the requirements of the Uniform Building Code, latest edition. A building sewer shall have a four-inch diameter unless the District requires a larger size.

205. CONSTRUCTION

The workmanship in the construction of a building sewer shall conform to the best practices of the trade and the latest edition of the Standard by the District Board Specifications for Public Works Construction that has been approved by the Board of Directors. The *Standard Plans* are those designated S-21-2; S-37-1; S-37-2; S-37-3; S-43-1; SS-43-2; S-43-3; and S-45-1, the latest edition as approved by the Board of Directors.

- A. Connection to the District sewer shall be made by core cutting a neat hole of minimum size to receive the building sewer. Nearly all District sewers are constructed of clay pipe with an interior PVC liner.
- B. The building sewer shall be connected to the District sewer by an approved PVC Hub with rubber sleeve, banded in place with stainless steel bands, or by an optional method approved by the District Superintendent.

- C. The building sewer grade shall be uniform at the rate of not less than one-quarter inch per foot (2%). Where such grade cannot be obtained, or special design problems occur, an alternate design may be prepared and submitted for District approval.
- D. The building sewer shall have a minimum cover of four feet at the curb line or in lieu of curb, a minimum of four feet of cover at the property line. Where such depth of cover is not possible, the building sewer shall be encased in concrete as approved by the Superintendent.
- E. The connection of the building drain to the building sewer shall be made to the satisfaction of the District and shall not be covered until inspected by an authorized representative of the District.

206. MAINTENANCE

It shall be the responsibility of the owner of the structure served to maintain the building sewer in a safe and sanitary condition at all times. Upon discovery of a deficiency in a building sewer by the District, notice in writing will be given to the structure owner to correct the deficiency. The owner of the structure shall notify the District before he/she or their contractor begins work on the building sewer. Failure to correct a deficiency within a reasonable period of time shall constitute a violation of this Ordinance and may additionally constitute a public nuisance.

207. EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

This Ordinance is exempt from compliance with CEQA pursuant to Section 15061 (3) of the CEQA guidelines.

Article III

Effective Date and Certification

This Ordinance shall be effective thirty days after enactment. This Ordinance supercedes Ordinance No. 08-01, dated October 9, 2008.

Should any portion of this Ordinance be declared by a Court of competent jurisdiction to be invalid, the remaining portions hereof shall remain in full force and effect.

This Ordinance was introduced at the regular meeting of the Board of Directors of the Sunset Beach Sanitary District held on November 8, 2012 and adopted by the Board of Directors at the regular meeting held on December 13, 2012.

SECRETARY CERTIFICATION

I, Robert P. Hendler, Secretary of the Board of the Sunset Beach Sanitary District, do hereby certify that the foregoing Ordinance was introduced and passed by the

District at a regular meeting by the following vote:

Ayes: John H. Woods, Gregory F. Griffin, Graham Hoad, Robert P. Hendler, Jon Regnier

Nays: 0

Absent: 0

Attest:



Robert P. Hendler, Secretary

This Ordinance shall become effective thirty (30) days after adoption.