

**SANTA YNEZ COMMUNITY SERVICES
DISTRICT**

SEWER SERVICE CODE

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ORDINANCE NO. O-98-04

AN ORDINANCE ADOPTING THE
SEWER SERVICE CODE OF THE DISTRICT

WHEREAS, this Board did, on April 18, 1998, adopt its Ordinance NO. O-98-01, establishing a Sewer Service Code for the District;

WHEREAS, subsequent to the adoption of Ordinance No. O-98-01, and following the consideration of written reports prepared by the Manager and a consulting engineer retained by this Board, this Board held a duly noticed public hearing in accordance with Article 13D of the California Constitution, and Chapters 7 and 8 of Division 1 of Title 7 (commencing at Section 66012) of the California Government Code, on its proposal to increase the basic connection charges, as referenced in Section 807(A) hereof, to the amounts set forth in Exhibit A hereto, and to increase the monthly sewer service charges, as referenced in Section 819 hereof, to the amounts set forth in Exhibit B hereto;

WHEREAS, at the hearing, written protests against the proposed increase in the monthly sewer service charges and the basic connection charges were not presented by a majority of the owners of the parcels subject to the proposed increase in such charges;

WHEREAS, it is necessary that the monthly sewer service charges be increased in order to help fund a projected short-fall in revenues to pay for the current and anticipated costs of operating and maintaining the District sewage system;

WHEREAS, it is necessary that the basic connection charges be increased in order to cover the added costs to purchase additional treatment capacity and help fund the replacement and upgrading of capital facilities for the collection and transportation of wastewater to the treatment facilities;

WHEREAS, the monthly availability of service charge, as referenced in Section 819 hereof, and as set forth in Exhibit C hereto, was established by Resolution No. 93-04, adopted by this Board on August 3, 1993, and such charge has not been thereafter revised; and

WHEREAS, the fees and charges set forth herein do not exceed the estimated amount required to provide the sewer service for which the fees and charges are levied;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Santa Ynez Community Services District, Santa Barbara County, California as follows:

ARTICLE 1. GENERAL PROVISIONS

101. Rules and Regulations. The following rules and regulations respecting sewer construction and disposal of sewage, drainage of buildings and connection to the

sewage works of the District are hereby adopted, and all work in respect thereto shall be performed as herein required and not otherwise.

102. Purpose. This Ordinance is intended to provide rules and regulations for the use and construction of sanitary sewer facilities hereafter installed, altered or repaired within the District. This Ordinance shall not apply retroactively and, in the event of an alteration or repair hereafter made, it shall apply only to the new material and methods used therein.

103. Short Title; Authority. This Ordinance, including any amendments thereto, shall be known as the SEWER SERVICE CODE OF THE SANTA YNEZ COMMUNITY SERVICES DISTRICT (herein "Code") and is adopted pursuant to Section 61621.5 of the Community Service District Law (commencing at Government Code Section 61000) and Article 4, Chapter 6, Part 3, Division 5 (commencing at Section 5470) of the Health and Safety Code.

104. Violation Unlawful. It shall be unlawful for any person to connect to, construct, install or provide, maintain and use any other means of sewage disposal from any building in the District, except by connection to a public sewer in the manner as in this Code provided.

105. Relief on Application. When any person by reason of special circumstances is of the opinion that any provision of this Code is unjust or inequitable as applied to his premises, he may make written application to the Board, stating that special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises.

If such application be approved, the Board may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

106. Relief on Own Motion. The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and Code should be suspended or modified as applied to a particular premise and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof.

107. District Inspector. The Board of the District shall employ some fit and qualified person or persons to perform the duties of inspecting the installation, connection, maintenance and use of all side sewers, public sewers, private sewers and facilities in connection therewith in the District, to be known as the District Inspector and who shall serve at the pleasure of the Board.

108. Permits and Fees. No public sewer, side sewer, or other sewage facility shall be installed, altered or repaired within the District until a permit for the work

has been obtained from the District and all fees paid in accordance with the requirements of Article 8 of this Code.

ARTICLE 2. DEFINITIONS AND TERMINOLOGY

201. Definitions. The terms set forth below shall have the following meanings in this Ordinance unless the context clearly otherwise requires:

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

Board shall mean the Board of Directors of the District.

Building shall mean any structure used for human habitation or a place of business, recreation or other purposes.

Building Sewer shall mean that portion of any sewer beginning at the plumbing or drainage outlet of any building or industrial facility and running to the property line or to a private sewage disposal system.

Combined Sewer shall mean a sewer receiving both surface runoff and sewage.

Contractor shall mean an individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under the permit.

County shall mean the County of Santa Barbara, California.

Customer shall mean the owner of the property being served or his authorized property manager agent.

District shall mean the Santa Ynez Community Services District.

District Engineer shall mean the Engineer appointed by and acting for the Board and shall be a Registered Civil Engineer, or shall be an authorized District representative.

District Inspector shall mean the authorized District representative acting for an appointed by the Board.

Garbage shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce,

Lateral Sewer shall mean the portion of a side sewer lying within a public street connecting a building sewer to the main sewer.

Main Sewer shall mean a public sewer designed to accommodate more than one lateral sewer.

Manager shall mean the person or persons appointed by the Board to administer and enforce the rules and regulations of the District.

Multiple Dwelling shall mean a building for residential purposes containing more than one kitchen or having facilities for the occupancy of more than one person or family, including, but not limited to the following: hotels, motels, auto courts, trailer courts, apartment houses, duplex, rooming house, boarding house and dormitories.

Outside Sewer shall mean a sanitary sewer beyond the limits of the District not subject to the control or jurisdiction of the District.

Owner shall mean the person owning the fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the County Recorder's office, or the person in possession of the property or buildings under claim of, or exercising acts of ownership over same for himself, or as executor, administrator, guardian or trustee of the owner.

Permit shall mean any written authorization required pursuant to this or any other regulation of the District for the installation of any sewage works.

Person shall mean any human being, individual, firm, company, partnership, association and private or public and municipal corporations, the United State of America, the State of California, districts and all political subdivisions, governmental agencies and mandataries thereof.

Private Sewer shall mean a sewer serving an independent sewage disposal system not connected with a public sewer and which accommodates one or more buildings or industries.

Public Sewer shall mean a sewer lying within a street and which is controlled by or under the jurisdiction of the District.

Readily Convertible Unit shall mean an existing, expanded, remodeled or newly constructed attached or detached auxiliary structure or guest house that could be readily converted into a residential second unit.

Residential Second Unit shall mean a dwelling unit on a permanent foundation which provides complete, independent living facilities for one or more persons in addition to a principal dwelling on the same lot. It shall include permanent provisions for living, sleeping, eating, cooking and sanitation, and shall be located entirely on the same lot which contains the principal dwelling.

Sanitary Sewer shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Sewage shall mean a combination of water carried waters from residences, business buildings, institutions and industrial establishments.

Sewage System shall mean all District facilities for collecting, pumping, treating and disposing of sewage, including facilities that are owned by other public agencies, but in which the District has contractual rights related to the use of such facilities.

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

Sewer shall mean a pipe or conduit for carrying sewage.

Side Sewer shall mean the sewer line beginning at the plumbing and drainage outlet of any building and terminating at the main sewer, and includes the building sewer and lateral sewer.

Single Family Unit or Dwelling Unit shall mean and refer to the place of residence for a single family.

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

Street shall mean any public highway, road, street, avenue, alley, public place, public easement or right-of-way.

202. Additional Definitions. For the purpose of this Code, additional terms shall have the meaning indicated in Chapter 1 of that certain plumbing code, entitled 'California Plumbing Code,' most recent edition, as defined in the California Code of Regulations, Title 24, Part 5, copies of which are on file in the office of the District. (Amended Ord. O-03-01)

203. Rules of Construction. Except where the context otherwise requires, words imparting the singular number shall include the plural number and vice versa, and pronouns inferring the masculine gender shall include the feminine gender and vice versa. All references to particular articles or sections are references to Articles or Sections of this Ordinance. The headings and Table of Contents are solely for convenience of reference and shall not constitute a part of this Ordinance, nor shall they affect its meanings, construction or effect.

ARTICLE 3. GENERAL PROHIBITIONS

301. Sewer Required. The owner of any building inhabited or used by human beings and in which any sewage is produced which is located within the District boundaries and abutting on any street in which there is now located or may in the future be located a public sewer of the District, is hereby required, at his/her expense, to connect the building to such public sewer within ninety (90) days from the time when such a connection can be made,

provided that the public sewer is within two hundred (200) feet to the nearest point of the building. Notwithstanding the foregoing, the owner shall not be required to connect the building to a public sewer if the building's existing private disposal system remains operational in accordance with the County's Environmental Health Services definition of what is not a failing private system.

302. Disposal of Wastes. It shall be unlawful for any person to discharge into the District's Sewage System except in accordance with the provisions of this Code.

303. Treatment of Wastes Required. It shall be unlawful to discharge to any stream or watercourse any sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this Code.

304. Unlawful Disposal. Except as herein provided, it shall be unlawful to construct or maintain any septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage.

305. Occupancy Prohibited. No building, industrial facility or other structure shall be occupied until the owner of the premises has complied with all the rules and regulations of the District.

ARTICLE 4. PRIVATE SEWAGE DISPOSAL SYSTEMS

401. Sewer Not Available. Where a public sewer is not available under the provisions of Section 301, the building sewer shall be connected to a private sewage disposal system, complying with the provisions of this Code.

402. Permit Required. Before commencement of construction of a private sewage disposal system, or reconstruction or modification thereof, the owner shall first obtain a written permit signed by the County's Environmental Health Services Department.

403. Inspection Required. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the County. The County shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the County when the work is ready for final inspection, and before any underground portions are covered.

404. Design Requirements. The type, capacities, locations and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of California and the Health Department of the County. No septic tank or cesspool shall be permitted to discharge to any public sewer or any stream or watercourse.

405. Abandonment of Facilities. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 301, a direct connection shall be made to the public sewer in compliance with the ordinances, rules and

regulations of the District, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material as permitted by the County and the District. (Amended Ord. O-03-01)

406. Cost of Maintenance by Owner. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District.

407. Additional Requirements. No statement contained in this Article shall be construed to interfere with any additional requirement that may be imposed by any law, ordinance, rule or regulation or by the Health Department of the County.

408. Alternative Systems. Subject to individual review and approval by the District Manager and the District Engineer, property which because of its location cannot be served by gravity flow to the central collection system may be served by an alternative method of sewage disposal. In such case, and in the event the District agrees to operate and maintain the alternative system, the property owner shall provide to the District an easement for operation, maintenance and repair of the alternative system. The easement shall extend from a point nearest the structure and adjacent to the existing septic or holding facilities and run to the property line at the point of connection to the District Sewage System. Such property shall be subject to a charge for such service which shall be sufficient to pay all costs of maintenance and operation together with an additional charge equal to the amount established for purposes of paying any debt obligations of the District, including costs of financing. The District may provide for the collection of such charges, or any delinquency thereof, pursuant to the provisions of this Code.

ARTICLE 5. BUILDING SEWERS, LATERAL SEWERS AND CONNECTIONS

501. Permit Required. In accordance with Article 8 of this Ordinance, no person shall construct a building sewer, lateral sewer or make a connection with any public sewer without first obtaining a written permit from the District and paying all fees and connection charges as required therein.

(A) An intent to serve letter may, at the District's discretion, be written for any person requiring approval of plans from County for a structure for which such a permit is contemplated.

(B) A Can and Will Serve may, at the District's discretion, be issued before a permit can be issued, stating that it is the District's intention to allow a parcel to connect, with conditions, to the District's Sewage System.

502. Design and Construction Requirements. Design and construction of building sewers and lateral sewers shall be in accordance with Design and Construction Standards of the District. Building sewer design and construction shall be in accordance with the California Plumbing Code, most recent edition, as defined in the California Code of Regulations, Title

24, Part 5. In the event of conflict between any District Standards and said California Plumbing Code, the California Plumbing Code shall prevail. (Amended Ord. O-03-01)

503. Separate Sewers. No two adjacent buildings fronting on the same street shall be permitted to join in the use of the same side sewer. Every building or industrial facility must be separately connected with a public sewer if such public sewer exists in the street upon which the property abuts or in an easement which will serve the property. However, one or more buildings located on a single parcel belonging to the same owner may be served with the same side sewer during the period of the ownership. Upon the subsequent subdivision and sale of a portion of the lot the portion not directly connected with such public sewer shall be separately connected with a public sewer, and it shall be unlawful for the owner thereof to continue to use or maintain such indirect connection.

504. Old Building Sewers. Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the District Inspector, to meet all requirements of District.

505. Cleanouts. Cleanouts in building sewers shall be provided in accordance with the California Plumbing Code, most recent edition, as defined in the California Code of Regulations, Title 24, Part 5. All cleanouts shall be maintained watertight. (Amended Ord. O-03-01)

506. Sewer Too Low. In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by artificial means, approved by the Manager and discharged to the public sewer at the expense of the owner. Reference Section 408.

507. Connection to Public Sewer. The connection of the lateral sewer into the public sewer shall be made in strict accordance with standard District specifications and at the applicant's expense. The connection to the public sewer shall be made in the presence of the District's Inspector and under his supervision and direction. Any damage to the public sewer shall be repaired at cost to the applicant, to the satisfaction of the District Inspector.

508. Maintenance of Side Sewer. Maintenance of a side sewer shall be the responsibility of the owner of the property served thereby.

509. Testing. All building sewers and lateral sewers shall be tested in strict accordance with standard District specifications and the California Plumbing Code, most recent edition, as defined in the California Code of Regulations, Title 24, Part 5. (Amended Ord. O-03-01)

510. Check Valves. (Backflow preventers). Check valves shall be installed by the owner on any branch or section of a building sewer which receives the discharge from fixtures below the top of the next upstream manhole or below the main sewer level.

511. Grease Interceptor and Sample Box. A grease interceptor and sample box shall be installed by the owner of any restaurant or food preparation establishment where food is prepared for resale or wholesale, and any industrial or auto repair establishment when, in the opinion of the Manager, it is necessary for the proper handling of liquid waste containing grease in excessive amounts, or any flammable liquid materials, sand and other harmful ingredients; except that such interceptor shall not be required for any building used solely for residential purposes unless excessive grease is being discharged into the sewer so as to cause a maintenance problem for the District. All interceptors shall be designed, constructed, and installed in accordance with Appendix H of the California Plumbing Code, most recent edition, as defined in the California Code of Regulations, Title 24, Part 5, and shall be so located as to be readily and easily accessible for cleaning and inspection. The installation thereof shall be subject to inspection by the District; upon approval the District will issue a certificate of completion. A cleaning schedule, submitted by a licensed sanitary disposal company, shall be submitted to the District prior to the District's issuance of a certificate of completion. The minimum size of any such interceptor shall be 100 gallons. (Amended Ord. O-03-01)

512. Maintenance of Interceptors. All grease, oil, and sand interceptors shall be maintained by the owner, at his/her expense, in continuously efficient operation at all times in accordance with a maintenance and cleaning schedule. All owners of any building equipped with an interceptor shall submit to the District a cleaning schedule by January 15th of each year. The District will review each schedule to verify that the scheduled cleaning times will be sufficient to keep the interceptor or grease trap at an allowable limit. The owner shall allow a District employee to be present for all pumping of grease traps larger than 100 gallons and shall notify the District not less than two hours prior to the pumping times. A manifest of all pumping of grease traps shall be kept by the owner and shall be available for inspection by District personnel. A manifest form will be provided by the District. Failure to produce a manifest of pumping will result in a penalty and/or extra pumping requirements.

All restaurants or food preparation establishments shall be required to have and use tallow cans to dispose of all cooking oils and grease. District personnel shall verify that every restaurant or food preparation establishment is using tallow cans.

If an owner is not in compliance with this section 512, the following shall apply:

1st infraction: The business owner will receive a written warning, with five days to comply. If non-compliance continues after the five days, the District may assess a fifty dollar (\$50.00) charge.

2nd infraction: If not in compliance after an additional five days, the District may assess an additional charge of one hundred dollars (\$100.00). A weekly charge of one hundred dollars (\$100.00) may be assessed until the owner is in compliance.

3rd infraction: If after thirty days the owner has failed to comply, the District may notify the County Health Department of the situation, so that agency may take further action.

The foregoing remedies are not exclusive and are not in limitation of the District's other remedies set forth in this Sewer Service Code or as provided by law.

513. Abandoned Side Sewer. Any side sewer or port thereof to be abandoned shall be plugged or capped within five (5) feet of the property line by the owner in a manner approved by the Manager.

ARTICLE 6. PUBLIC SEWER CONSTRUCTION

601. Permit Required. In accordance with Article 8 of this Code, no person shall construct, extend or connect to any public sewer without first obtaining a written permit from the District and paying all fees and capacity charges and furnishing bonds as required therein. The provision of this Section requiring permits shall not be construed to apply to contractors constructing sewers and appurtenance under contracts awarded and entered into by the District.

602. Plan, Profiles and Specifications Required. The application for a permit for public sewer construction shall be accompanied by three (3) complete sets of plans, profiles and specifications, complying with applicable codes, ordinances, rules and regulations of the District, prepared by a Registered Civil Engineer, showing all details of the proposed work based on accurate survey of the ground. The application, together with the plans, profiles and specifications shall be examined by the District Engineer or District Inspector, who shall, within twenty (20) days, approve them as filed or require them to be modified as he deems necessary for proper installation. After examination by the District Engineer or District Inspector, the application, plans, profiles and specifications, shall be submitted to the Board at its next regular meeting for their consideration. When the Board is satisfied that the proposed work is proper and the plans, profiles and specifications are sufficient and correct, it shall order the issuance of a permit predicated upon the payment of all connection charges, fees and furnishing bonds, as required by the District. The permit shall prescribe terms and conditions as the Board finds necessary in the public interest.

603. Subdivisions. The requirement of Sections 601 and 602 of this Code shall be fully complied with before any final subdivision map shall be approved by the Board. The final subdivision map shall provide for dedication, for public use, of streets, easements or rights-of-way in which public sewer lines are to be constructed. If the final subdivision map of a tract is recorded and the work of constructing sewers to serve the tract is not completed within the time limit allowed in the permit, the Board may extend the time limit or may complete the work and take appropriate steps to enforce the provisions of the bond furnished by the subdivider.

604. Easements or Rights-of-Way. In the event that an easement is required for the extension of the public sewer or the making of connections, applicant shall procure and have accepted by the Board a proper easement grant of right-of-way having a minimum width of ten (10) feet sufficient to allow the laying and maintenance of such extension or connection. Permanent structures shall not be built within the easement or right-of-way.

605. Persons Authorized to Perform Work. Only contractors with Class A, C-34 and C-42 licenses shall be authorized to perform the work of public sewer construction within the District. All terms and conditions of the permit issued by District to the applicant shall be binding on the contractor. The requirements of this Section shall apply to side sewers installed concurrently with public sewer construction.

606. Compliance with Local Regulations. Any person constructing a sewer within a street shall comply with all State, County, or District laws, ordinances, rules and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting of trenches, backfilling, and repaving thereof and shall obtain all permits and pay all fees required by the County or State department having jurisdiction, prior to the issuance of a permit by District.

607. Design and Construction Standards. Minimum standards for design and construction of sewers within the District shall be in accordance with the then current DESIGN AND CONSTRUCTION STANDARDS of the District, copies of which are to be kept on file in the District office. The District Engineer, with the consent of the Board, may permit modifications or may require higher standards where unusual conditions are encountered.

Three (3) complete sets of "as-built" drawings showing the actual location of all mains, structures, wyes and laterals shall be filed with the District before final acceptance of the work.

608. Completion of Sewer Required. Before acceptance of any sewer line by the District, and prior to the admission of any sewage into the system, the sewer line shall be tested and shall be complete and in full compliance with all requirements of the DESIGN AND CONSTRUCTION STANDARDS and to the satisfaction of the District Engineer or District Inspector.

ARTICLE 7. USE OF PUBLIC SEWERS

701. Drainage into Sanitary Sewers Prohibited. No leaders and no drains for rain water shall be connected to any sanitary sewer. No surface or storm water, seepage, cooling water or unpolluted industrial process waters shall be permitted to enter any sanitary sewer by any device or method whatsoever.

702. Types of Wastes Prohibited. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer.

(A) Any liquid or vapor having a temperature higher than 150 degrees F.

(B) Any water or waste which may contain more than 100 milligrams per liter of fat, oil or grease.

(C) Any gasoline, benzene, naphtha, fuel oil, or other flammable explosive liquid, solid or gas.

(D) Any garbage that has not 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 one-half inch in any dimension.

(E) Any ashes, cinders, sand, mud, straw, shaving, metal, glass, rags, feathers, tar, plastics, wood, manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with 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 other corrosive property capable of causing damage or hazard to structure, equipment and personnel of any 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 human or animals or create a hazard in the receiving waters of the sewage treatment plant.

(H) Any waters or wastes 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.

(J) Any septic tank waste.

(K) Any salt brine from soft water regenerating processes in commercial or industrial use.

(L) Waters or wastes prohibited under Section 704 hereof.

703. Pretreatment of Wastes. The admission into the public sewers of any of the following shall be subject to the review and approval of the Manager:

(A) A 5-day Biochemical Oxygen Demand greater than 300 milligrams per liter, or

(B) Containing more than 350 milligrams per liter of suspended solids, or

(C) Containing any quantity of substance having the characteristics described in Section 702, or

(D) Having an average daily flow greater than two percent (2%) of the average daily flow of the District. (Amended Ord. O-03-01)

(E) Any waters or wastes requiring pretreatment under Section 704 hereof; or

(F) Salt brine from soft water regenerating processes in residential use authorized under Section 710 hereof.

Where necessary, in the opinion of the Manager, the owner shall provide, at his/her expense, such pretreatment as may be necessary to:

(1) reduce the Biochemical Oxygen Demand to 300 milligrams per liter and the suspended solids to 350 milligrams per liter, or

(2) reduce objectionable characteristics or constituents to within maximum limits provided for in Section 702, or

(3) control the quantities and rates of discharge of such waters or wastes.

Plans, specifications, and any other pertinent information relating to proposed pretreatment facilities shall be submitted for the approval of the Manager and no construction of such facilities shall be commenced until said approvals are obtained in writing.

704. Other Prohibitions or Pretreatment Requirements. Any prohibition or pretreatment limitation on the District by the Central Coast Regional Water Quality Control Board.

705. Maintenance of Pretreatment Facilities. Where pretreatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his/her expense and to the satisfaction of the District.

706. Control Manholes. When required by the Manager, the owner of any property served by the side sewer carrying industrial wastes shall install a suitable control manhole in the side sewer to facilitate observation, sampling and measurement of wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the District Engineer. The manhole shall be installed by the owner at his/her expense, and shall be maintained by him/her so as to be safe and accessible at all times.

707. Measurements and Tests. All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in Section 702 and Section 703 shall be determined in accordance with standard methods and shall be determined at the control manhole provided for in Section 705, 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 nearest downstream manhole in the public sewer to the point at which the side sewer is connected.

708. Special Agreements. No statement contained in this Article 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 character may be accepted by the

District for treatment, subject to payment therefor by the industrial concern and subject to such terms and conditions as might be required by District.

709. Swimming Pools. It shall be unlawful for any person to discharge the contents of a swimming pool into a sanitary sewer.

710. Residential Salt Regenerating Water Softeners.

(A) No person shall allow, permit or cause any residential water softening or conditioning appliance to discharge its wastes into the District Sewage System, nor shall any person deposit or cause to be deposited into the District Sewage System the waste product of any residential water softening or conditioning appliance of any type, except as provided herein. It is intended that the provisions of this Section implement the provisions of Sections 116775-116795 of the California Health and Safety Code; in the event of a conflict therewith, including any amendments thereto, the statutory provisions shall apply. Reference is made to such Sections of the Health and Safety Code for definitions used herein.

(B) Any person who is connecting a water softening or conditioning appliance to, or desires to install, alter, enlarge, replace or relocate any residential water softening or conditioning appliance on any premises proposed to be served or served by the District Sewage System shall register such installation, alteration, enlargement, replacement or relocation with the District and cause the appliance to be certified by the District.

(C) Any person using any residential water softening or conditioning appliance within the boundaries of the District shall make sure equipment accessible to the Manager for inspections, at such reasonable times as the Manager may specify, and shall furnish information concerning the operation and use of such appliance as the Manager may reasonably request.

(D) No residential water softening or conditioning appliance shall be installed except in either of the following circumstances:

(1) Exchange Tank Service System. The regeneration of the appliance is performed at a nonresidential facility separate from the location of the residence where the appliance is used.

(2) Salt Regenerating System. The salt regeneration type of water softener appliance discharges to the community sewer system and all of the following conditions are satisfied: (Amended Ord. O-03-01)

(a) The appliance activates regeneration by demand control.

(b) The appliance is certified by a third party rating organization using industry standards to have a salt efficiency rating of no less than 4,000 grains of hardness removed per pound of salt used in regeneration.

(c) The installation of the appliance is accompanied by the simultaneous installation of the following softened or conditioned water conservation devices on all fixtures using softened or conditioned water, unless the devices are already in place or are prohibited by local and state plumbing and building standards or unless the devices will adversely restrict the normal operation of the fixtures:

(i) Faucet flow and shower head restrictions.

(ii) Low flow toilets or reservoir dams.

(iii) A piping system installed so that untreated (unsoftened or unconditioned) supply water is carried to hose bibs and sill cocks that serve water to the outside of the house, except that bypass valves may be installed on homes with slab foundations constructed prior to the date of installation; or condominiums constructed prior to the date of installation; or otherwise where a piping system is physically inhibited.

(E) Any water softening appliance in place at a residential dwelling prior to January 1, 1980, in those areas being served by sewage treatment facilities that have been limited with regard to salt loading pursuant to Division 7 (commencing with Section 13000) of the California Water Code and for which the appropriate regional water quality control board makes a finding, after adoption of waste discharge requirements and subject to a public hearing, that the control of residential salinity input is necessary to provide compliance with those limitations, may be continued in operation for a period no longer than four years after the regional water quality control board has made its findings. After the four-year period has elapsed, any water softening appliance at that site shall be set at a salt efficiency rating of no less than 2850 grains of hardness removed per pound of salt used in regeneration when regeneration is initiated with clock controls or manually-initiated controls, or shall have regenerations initiated with demand devices. Also, after the four-year period has elapsed, those water-saving devices in shower heads, on faucets, and in toilet reservoirs, as recited in paragraph (b) of subdivision (2) of subsection (D), shall be installed unless already in place or prohibited by local and state plumbing and building standards. The salt efficiency rating of the water softening or conditioning appliance and the installation of water-saving devices shall be certified in accordance with subsection (D).

With respect to the District's Sewage System, the four-year grace period expired not later than 1984. Accordingly, as to territory annexed to the District subsequent to 1984, any water softening appliance in place at a residential dwelling thereon will be required to meet current standards.

(F) The certification required by this Section shall be provided by the new user of the appliance and shall be completed by a contractor having a valid Class C-55 water conditioning contractor's license or Class C-36 plumbing contractor's license and filed with the District Manager. (Amended Ord. O-03-01)

The certification shall be in the form provided by the District and shall contain the following information:

- (a) Name and address of homeowner.
- (b) Manufacturer of the water softening or conditioning appliance, model number of the appliance, pounds of salt used per regeneration, and salt efficiency rating at the time of certification.
- (c) Manufacturer of the water-saving devices installed, model number, and number installed.
- (d) Name, address, and the specialty contractor's license number of the C-55 and C-36 licensee making the certification.

ARTICLE 8. PERMITS AND FEES REQUIRED

801. Permits Required. No unauthorized person shall uncover, make any connection into, use, alter, or disturb any portion of the District's Sewage System, perform any work on or make connections to any lateral sewer, or make alternations to any plumbing system or connections to building sewers, or use thereof, which will cause a demand on the District's Sewage System in excess of that for which a connection permit was previously issued, or abandon any side sewer, without first obtaining a written permit from the District.

802. Application for Permit. Any person legally entitled to apply for and receive a permit shall make such application on the form provided by the District.

If the Manager determines that the plans, specification, drawings, descriptions or information furnished by the applicant is in compliance with the ordinances, rules and regulations of the District, he shall issue the permit applied for upon payment of the required fees as hereinafter fixed.

803. Compliance with Permit. After approval of the application, as evidenced by issuance of a permit, no change shall be made in the location of the sewer, the grade, materials, or other details from those described in the permit or as shown on the plans and specifications for which the permit was issued except with written permission from the District, the Manager or other authorized representative.

804. Agreement. The applicant's signature on an application for any permit shall constitute an agreement to comply with all of the provisions, terms and requirements of this and other ordinances, rules and regulations of the District, and with the plans and specifications he has filed with his application, if any, together with such corrections or modifications as may be made or permitted by the District, if any. Such agreement shall be binding upon applicant and may be altered only by the District upon the written request for the alteration from the applicant.

805. Fees - Annexation - Administration Charge. The owner or owners of lands within areas to be annexed or current annexed lands to the District shall pay to the District, prior to the final hearing on the proposed annexation, an amount to be fixed by the Board which shall equal the estimated amount of engineering, legal and publication costs and all other charges which may be incurred by the District in preparing and examining maps, legal descriptions and other documents and other expenses regularly incurred in connection therewith. Any portion of such deposited amount not expended by District in conjunction with the annexation proceedings shall be returned, without interest, to the owner or owners following completion or termination of the proceedings.

806. Fees - Annexation. The owner or owners of lands within areas hereafter annexed to the District shall pay to the District, prior to approval of the proposed annexation, a charge computed in the following manner, for each single family unit or dwelling unit, or potential single family unit or dwelling unit, or any acreage, to be annexed:

The sum of all general property tax and related revenues acquired by the District during fiscal years 1972-73 through 1977-78 plus the sum of all Debt Service and related revenues collected or budgeted to be collected by the District during fiscal year 1974-75 through the fiscal year during which the annexation is approved. These sums, divided by the gross area of the original boundaries of the District (367.3) plus the acreage added thereto since 1980, shall constitute the annexation fee per gross area of the annexed property. For annexed areas zoned for more than one residential unit per acre, the charge per acre shall be multiplied by the number of zoned residential units in the acre. For annexed areas otherwise zoned, the charge shall be determined by dividing the square footage of the parcel annexed by 43,560 (the square feet in an acre).

This fee shall be in addition to other connection, permit and inspection charges hereinafter fixed and in addition to the administration charges set forth in Section 805.

807. Capacity Fees.

(A) Capacity Charge. Any person desiring connection to the Sewage System of the District, or desiring to alter the use for which an existing connection is permitted, shall, prior to making such connection or alternation, obtain a sewer connection permit from the District and pay to the District, prior to issuance of the permit, a capacity fee established from time to time by the Board. A schedule of the basic capacity fees are set forth in Exhibit A.

(B) Additional Capacity Charges.

- (i) Facilities Constructed by the District. An additional capacity fee shall be charged to any parcel, unit, lot or portion thereof, which abuts on, or can be directly served by any portion of the Sewage System constructed by the District. Interest on the pro rata share of the capital costs thereof will be added annually beginning six (6) months from the time the facilities are available to the property or parcel.

- (ii) Facilities Subject to Reimbursement. An additional capacity fee shall be charged to any parcel, unit, lot, or portion thereof, which abuts on, or can be directly served by any portion of the Sewage System constructed by a private party and subsequently conveyed to the District pursuant to a special agreement, wherein the District has agreed to reimburse the party making the original installation. Subsequent properties or parcels requesting to connect to such facilities will be charged an additional capacity fee to reimburse the party constructing the facilities for such property's or parcel's share of the cost of the facilities. If the District advanced funds towards the improvement costs on behalf of the party that constructed the facilities, an additional charge will be added in order to reimburse the District for a share of the costs it has advanced.

The additional capacity fee to be collected will be computed by the District Manager as a share of the original cost of the capital improvement pursuant to the special agreement, but not to exceed ten (10) years. The sum of the additional charge shall be equivalent to the pro rata share of the cost to construct the facility, had the property owner contributed its equitable share of the original cost at the time the improvement was made, including the pro rata share of interest (computed in accordance with the special agreement) from the time the facility was built. An administrative fee of 1% of the pro rata cost of the original capital improvement, but no less than \$100.00, will be included in the additional capacity fee, to administer the special agreement.

- (iii) Special Capacity Fee. In addition to any other charges established herein, the District may establish special capacity fees for any sewer connection when in the opinion of the Board, the circumstances of such connection necessitate the establishment of unusual conditions or necessitate the payment of charges over and above those established herein in order to establish conditions of equality between those who have borne the cost of the existing District Sewage System and those who own any parcel, unit, lot, or portion thereof, benefiting from, but not participating in, the cost of such facilities.

(C) Pre-payment - Subdivisions. The District may require that capacity fees, herein required, to be prepaid to the District before any final subdivision map is approved by the District and before any permit to install sewerage facilities to serve the subdivision is issued. An exception to the requirement for the prepayment at the time of subdivision may be made by the District, when in its judgement, the type of development which will occur within the subdivision cannot be accurately determined for purposes of calculating appropriate capacity fees. In the event the exception is made by the Board, the charges which have been deferred shall be paid prior to issuance of the building sewer connection permit at the rate in existence at the time of issuance of the individual connection permit. For purposes of this ordinance, a subdivision shall be defined as improved or unimproved land, parcels or units divide for the

purpose of sale or lease, whether immediate or future, into two (2) or more lots, parcels or units.

(D) Credit for Advance Payments. Whenever the capacity fees herein established have been advanced or prepaid, in full or in part, a person obtaining a permit for a new connection shall be entitled to a credit, equal to the amount previously advanced or prepaid toward that connection, against the capacity charges provided herein. The credit shall be computed on the same basis and rate as that used at the time of advance or prepayment, but, in no case, shall the amount of such credit exceed the amount of the capacity charges required to be paid hereunder.

(E) Alteration of Use: Additional Capacity Fees. The capacity fees herein established are applicable to the use proposed to be made of the building and the anticipated demand on the District Sewage System at the time the permit is issued. In the event of an alteration of the building or of a demand on the District's Sewage System additional to that from which the capacity fees was originally established, an additional capacity charge shall be paid prior to the issuance of a permit for such alteration or addition for the alteration or added demand. The additional capacity charge shall be based upon the schedule of capacity charges in effect at the time the permit for such alteration or addition is issued, less a credit (not to exceed the amount of the additional charge) for any capacity charge previously paid.

(F) Readily Convertible Units. For the purpose of calculating the applicable capacity fees under Section 807 and Exhibit "A" hereof, the number of dwelling units shall be determined by the District and the District's decision in this regard shall be final and conclusive on all parties. If the District determines that an existing, expanded remodeled or newly constructed attached or detached structure or guest house is readily convertible into a residential second unit, as defined in Section 201 above ("Readily Convertible Unit"), the owner of the property shall pay to the District a capacity fee as set forth herein for each such Readily Convertible Unit. In lieu of paying said capacity fee, the owner may execute a document setting forth the owner's acknowledgement that the Readily Convertible Unit may not be converted into or used as a residential second unit without the prior approval of the District and the payment to the District of the then applicable capacity fees, permit fees and inspection fees. Said acknowledgment shall be in a form approved by the District, shall be binding on the owner's successors in interest and shall be recorded with the Santa Barbara County Recorder's Office. The acknowledgment shall be signed by all owners of record. The District's decision with regard to the number of Readily Convertible Units on the property shall be final and conclusive on all parties.

808. Miscellaneous Charges. In addition to any other fees and charges established herein, the following fees and charges shall be payable to the District:

(A) Permit and Inspection Charge. A permit and inspection charge shall be charged and collected prior to (i) the issuance of a permit for the initial building sewer connection, and (ii) the issuance of a permit for the addition to, or extension of an existing building sewer connection and installation. Said permit and inspection charge shall be calculated as follows:

$$\text{Permit and Inspection Charge} = \text{Labor Time} \times \text{Labor Rate} \times \text{Administrative Overhead Factor of 1.5}$$

The minimum permit and inspection charge shall be \$115.00.

(B) New Construction Lateral Fee. A new construction lateral fee shall be charged and collected when the District connects a private sewer lateral to the District's main sewer. Said new construction lateral fee shall be calculated as follows:

$$\text{New Construction Lateral Fee} = \text{Labor Time} \times \text{Labor Rate} \times \text{Administrative Overhead Factor of 1.5}$$

There shall be added to the new construction lateral fee the cost of the saddle and any other materials provided by the District.

(C) Plan Check Fee. A plan check fee shall be charged and collected when the District reviews plans and other documents related to connections to the District's sanitary sewer system, including but not limited to (i) right of way documents, (ii) plans for new development, (iii) plans for sewer main extensions, and (iv) plans for pollution prevention. Said plan check fee shall be calculated as follows:

$$\text{Plan Check Fee} = \text{Labor Time} \times \text{Labor Rate} \times \text{Administrative Overhead Factor of 1.5}$$

The minimum plan check fee shall be \$175.00.

809. Bond - Public Sewer Construction. Prior to the issuance of a permit for public sewer construction the applicant shall furnish to the District a faithful performance bond or cash in the amount of the total estimated cost of the work; said bond to be secured by a surety or sureties satisfactory to the District. This cash deposit or faithful performance bond shall be conditioned upon the performance of the terms and conditions of the permit and shall guarantee the correction of faulty workmanship and the replacement of defective materials for a period of two (2) years after the date of acceptance of the work.

810. All Work to be Inspected. All sewer construction work shall be inspected by an Inspector acting for the District to insure compliance with all requirements of the District. No sewer shall be covered at any point until it has been inspected and passed for acceptance. No sewer shall be connected to the District's public sewer until the work covered by the permit has been completed, inspected and approved by the District Inspector. If the test proves satisfactory and the sewer has been cleaned of all debris accumulated from construction operations the Inspector shall issue a certificate of satisfactory completion.

811. Notification. It shall be the duty of the person doing the work authorized by permit to notify the office of the District in writing that said work is ready for inspection.

Such notification shall be given not less than forty-eight (48) hours, Saturdays, Sundays and holidays excluded, before the work is to be inspected. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the District before giving the above notification. U.S.A. (Underground Service Alert) notification is required prior to start of work.

812. Condemned Work. When any work has been inspected and the work condemned and no certification of satisfactory completion given, a written notice to that effect shall be given instructing the owner of the premises, or agent of such owner, to repair the sewer or other work authorized by the permit in accordance with the ordinances, rules and regulations of the District.

813. All Costs Paid by Owner. All costs and expenses incident to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the work.

814. Outside Sewers. Permission shall not be granted by the Board, to connect to any lot or parcel of land outside the District, to any portion of the Sewage System unless a permit therefor is obtained. The applicant shall first enter into a contract in writing whereby he shall bind himself, his heirs, successors and assigns to abide by, all codes, ordinances, rules and regulations in regard to the manner in which such sewer shall be used and the manner of connecting therewith, and also shall agree to pay all fees required for securing the permit and a monthly fee in the amount set by the District for the privilege of using such sewer. Such a permit will only be issued if for some reason the lot or parcel cannot be annexed.

The granting of such permission for an outside sewer in any event shall be optional with the Board.

815. Special Outside Agreements. Where special conditions exist relating to an outside sewer, they shall be the subject of a special contract between the applicant and the District.

816. Street Excavation Permit. (Encroachment Permit) A separate permit must be secured from the County or State having jurisdiction thereof over owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections. The District permit will not be issued until the State or County permit is issued.

817. Liability. The District and its officers, agents and employees shall not be answerable for any liability or injury or death to any person or damage to any property arising during or growing out of the performance of any work by any such applicant. The applicant shall be answerable for, and shall save the District and its officer, agents and employees harmless from any liability imposed by law upon the District or its officers, agents or employees, including all costs, expenses, fees and interest incurred in defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the

performance of his work or any failure which may develop therein. The District is to be named as an additional insured.

818. Time Limit on Permits. If work under a permit does not commence within six (6) months from the date of issuance or, if after partial completion, the work is discontinued for a period of one (1) year, the permit shall thereupon become void. A new permit with payment of the then applicable fees is required to continue the work.

819. Monthly Service Charges. Sewer service charges and availability of service charges for services and/or facilities furnished by the District in connection with its Sewer System shall be established from time to time by the Board.

The monthly sewer service charges shall be charged to all persons and premises using such services and facilities. A schedule of the monthly sewer service charges is set forth in Exhibit B.

The monthly availability of service charges shall be charged to persons and premises to whom such services and facilities are immediately available, regardless whether such persons and premises use the services and facilities. A schedule of the monthly availability of service charges is set forth in Exhibit C.

820. Unclassified Uses.

- (A) Any particular use associated with connection to the District's sewage system that is not included under any of the user groups or classifications set forth in Exhibits A and B attached hereto shall be defined herein as an "Unclassified User". The capacity charge for an Unclassified User shall be calculated in accordance with the provisions of Exhibit A attached hereto. The service charge for an Unclassified User shall be calculated by multiplying (i) the number of equivalent residential units ("ERUs"), as defined below, represented by the connection by (ii) the service charge for a single family residence as set forth in Exhibit B attached hereto.
- (B) "ERU" shall mean the equivalent of a typical single family residence within the District assuming an average hydraulic flow rate of 215 gallons per day and an average Strength Factor (as defined below) of 1.0.
- (C) "Strength Factor" shall mean the strength of wastewater, based on its biochemical oxygen demand, suspended solids, and any special characteristics which may require additional or special treatment, in comparison to the assumed Strength Factor of 1.0 for the wastewater from a typical single family residence within the District. For example, wastewater with a strength which is twice that of a typical single family residence would have a Strength Factor of 2.0.
- (D) The ERUs for a connection shall be determined by dividing the average daily hydraulic flow of wastewater from the connection by the District's standard assumed flow rate of 215 gallons per day for a single family residence, and then

multiplying the quotient so obtained by the Strength Factor calculated for the connection.

821. Determination of Flow and Strength. In determining the hydraulic flow and the Strength Factor of wastewater from a connection, the District may use domestic water meter data, flow metering, sampling, comparisons with similar uses and/or such other methods as the District shall deem appropriate.

822. Recalculation of Charges for Wineries and Car Washes. For wineries and car washes, the District shall review the capacity charges and service charges after one full year of operation to determine if the charges are commensurate with actual use. To make this determination, the District shall determine the Hydraulic Flow and the Strength Factor from the connection in accordance with Section 821 hereof, and shall calculate what the capacity charges and services charges would be if the District were to apply the methodology for Unclassified Users under said Section 820. If the capacity charges and services charges imposed under the schedules set forth in Exhibits A and B exceed by more than 20% of the charges calculated under the methodology to be used for Unclassified Users, then the District shall refund the difference between (i) the charges previously paid in accordance with the applicable classification under Exhibits A and B, and (ii) the charges calculated using the methodology applicable to Unclassified Users pursuant to Section 820. Going forward, the service charges for such user shall be calculated under the methodology applicable to Unclassified Users pursuant to Section 820.

ARTICLE 9. BILLING AND COLLECTING

901. Billing. The regular billing period will be for each calendar month, bi-monthly, or yearly as determined by the Board.

902. Opening and Closing Bills.

(A) Opening and closing bills for sewer service for less than the normal billing period shall be charged on a prorated basis.

(B) The effective date of an initial billing for sewer service shall be the date of issuance of the permit to connect to the Sewage System. The effective date of a closing bill for sewer service shall be the date water service is terminated and/or ownership is transferred.

(C) The effective date of an initial billing for services and/or facilities made available shall be the first July 1 (beginning of fiscal year) following annexation to the District of the premises to which such services and/or facilities are made available. The effective date of a closing bill for services and/or facilities made available shall be the first June 30th (close of fiscal year) following detachment from the District of the premises to which such services and/or facilities are made available.

903. Billing Time. Bills shall be rendered at the beginning of each billing period and are due and payable upon presentation.

904. Penalties. If the bill is not paid when due, on the first day of each calendar month thereafter, a basic penalty of ten percent (10%) of the amount of the delinquent charge shall be added and become due, and, on the first day of each calendar month thereafter, a penalty of one and one-half percent (1.5%) per month shall be added for non-payment of the charge and the basic penalty.

905. Collection by Suit. As an alternative to any of the other procedures herein provided, the District may bring an action against the property owner when the sewer service was rendered, or the service and/or facilities were made available, for the collection of the amount of the delinquent rate and all penalties and costs of collection including a reasonable attorney's fee.

906. Billing and Collecting on the Tax Roll. The District may provide for the collection of any of its charges upon the tax roll upon which District taxes are collected and in the same manner provided by law therefor. In such event, charges shall be due and payable, in part, in advance, for the fiscal year commencing July 1 during which taxes are collected. It may also provide for the collection of any of its charges that are delinquent upon the tax roll.

907. Charges a Lien. Notwithstanding any other provision of this Code, and unless provision has been made for the collection thereof on the tax roll pursuant to Article 11 hereof, charges for services and/or facilities furnished shall constitute a lien against the lot or parcel of land for which the service was provided if the charges remain delinquent for a period of sixty (60) days, and the District has notified the assessee of property shown on the latest equalized assessment roll, of the delinquent charges pursuant to subdivision (a) of Health and Safety Code Section 5473.11 pertaining to "lien". When a certificate specifying the amount of the unpaid charges is recorded with the County Recorder, such lien shall have the force, effect and priority of a judgement lien and continue for three years from the time of recording, unless sooner released or otherwise discharged. Notice of this provision shall be included in each bill to a customer.

908. Responsible Parties. The ultimate responsibility for the payment of charges is the owner, as determined in Section 1102, whether or not the property is rented, leased or owner occupied.

ARTICLE 10. COLLECTION WITH OTHER CHARGES

1001. Other Utility Charges. The Board may provide for the collection of charges with other utility charges as herein provided.

1002. With Utility Charges of District. Where the person charged is a user of another utility owned and operated by the District, the charges shall be collected together with and not separately from the charges for the utility service rendered by it. They may be billed upon the same bill and collected as one item.

(A) Discontinuance of Service Upon Delinquency. Upon delinquency, the other utility service shall be discontinued until full payment of the dual charges and penalties thereon and the charges for recontinuance of service.

(B) Id - Time. The time for the discontinuance of such other service shall not exceed forty-five (45) days from the date the sewer charges become delinquent.

1003. With Utility Charges of Department of District. Where the person charged is the user of another utility owned or operated by a department or agency of the District, and over which the Board exercise control, the charges may be collected with the charges for the other utility services, in which case the provisions of Section 1002 of this Article would apply.

1004. Utility Not under Control of Board. Where the other utility service is furnished by a department or agency of the District over which the Board does not exercise control, or where the District department or agency thereof does not own or operate another utility, and the person charged is a user of a publicly or privately owned utility, the Board may, pursuant to Section 5472.5 of the California Health and Safety Code, provide by contract for such department, agency or utility to collect such charges and upon terms and conditions which as nearly as may be obtained shall conform with Section 1002 of this Article. The Board may provide in such contract the compensation for making such collection.

ARTICLE 11. COLLECTION OF CHARGES ON TAX ROLL

1101. Alternative Procedure. Pursuant to Section 5473 and 5473a of the California Health and Safety Code, and subject to the exceptions hereinafter set forth, the Board has heretofore elected: (1) to have delinquent sewer charges, remaining delinquent on the first day of each fiscal year, collected on the tax roll in the same manner, by the same persons, and at the same time as, and together with and no separately from, its general taxes; and (2) to have availability of service charges collected on the tax roll in the same manner, by the same persons, and at the same time as, and together with and not separately from, its general taxes. This election to collect such charges on the tax roll shall remain in effect until replaced, notwithstanding any changes that may be made, from time to time, in the rates charged.

1102. Annual Report. The District Manager is hereby directed to annually prepare and file with the District Secretary before the 15th day of July a written report containing a description of each and every parcel of real property to which the hereinabove described services and/or facilities are made available, for that fiscal year, and the amount of the sewer service charge for each such parcel for the immediately concluded fiscal year remaining delinquent, computed in conformity with the charges prescribed by the provisions of an ordinance or resolution adopted by the Board; providing and excepting, however, that charges for any and all governmental or public premises/parcel or for any parcels, which are not subject to taxation on the tax roll shall not be included in the report, but shall be collected in accordance with other provisions of this Code. The parcels of real property included in the report may be described by reference to maps prepared in accordance with Section 327 of the

California Revenue and Taxation Code and on file in the office of the County Assessor, or by reference to plans or maps on file in the office of the District.

1103. Notice of Filing of Report - Publication. The Board Secretary shall cause notice of the filing of the report and of the time and place of hearing thereon to be published prior to the date set for hearing in a newspaper of general circulation printed and published within the District if there is one, and, if not, then in a newspaper of general circulation printed and published in the County. The publication of the notice shall be once a week for two successive weeks. Two publications in a newspaper published one a week or oftener, with a least five (5) days intervening between the respective publication dates, not counting such publication dates, are sufficient. The period of notice commences upon the first day of publication and terminates at the end of the 14th day, including therein the first day.

1104. Written Notice of First Report. The Board Secretary shall also cause notice of the filing of the first report proposing to have charges or delinquent charges collected on the tax roll, and of the time and place of hearing thereon, to be mailed to each person to whom any parcel or parcels of real property described in the report is assessed on the last equalized assessment roll available on the date the report is prepared, at the address shown on the assessment roll or as known to the Board Secretary, in accordance with Division 5, Part 3, Chapter 6, Article 4 of the California Health and safety Code.

The requirements for notice in writing to the persons to whom parcels of real property are assessed shall not apply to hearings of reports prepared in subsequent fiscal years with respect to such charges, but notice by publication as hereinabove provided shall be adequate. Accordingly, to the extent such written notice has been previously given in accordance with the Board's prior determination to collect the charges set forth in Section 1101 on the tax roll under the authority of Sections 5473 and 5473a of the California Health and Safety Code, further written notice of a hearing with respect to the tax roll collection of such charges need not be given.

1105. Protest Hearing. At the time stated in the above-mentioned notice, the Board shall hear and consider all objections or protests, if any, to the report referred to in the notice and may continue the hearing from time to time. If the Board finds that protest is made by owners of a majority of separate parcels of property described in the report, then the report shall not be adopted and the charges shall be collected separately from the tax roll and shall not constitute a lien against any parcel or parcels of land, except as provided in Section 907.

Upon the conclusion of the hearing, the Board may adopt, revise, change, reduce or modify any charge or overrule any or all objections, and shall make its determination upon each charge as described in the report, which determination shall be final.

1106. Filing with County Auditor. On or before the 10th day of August of each year following such final determination, the Board Secretary shall file with the Auditor of the County a copy of the report with a statement endorsed thereon over his/her signature that it has been finally adopted by the Board, and the Auditor of the County shall enter the amounts of

the charges against the respective lots or parcels of land as they appear on the current assessment roll.

Except as provided in Section 5473.8 of the California Health and Safety Code, the amount of the charges shall constitute a lien against the lot or parcel of land against which the charge has been imposed as of noon on the first Monday in March immediately preceding the date of the levy.

1107. Collection by Tax Collector. The Tax Collector of the County shall include the amount of the charges shown on the Annual Report on bills for taxes levied against the respective lots and parcels of land.

Thereafter, the amount of the charges shall be collected at the same time and in the same manner and by the same persons as, together with and not separately from, general taxes for the District and shall be delinquent at the same time and thereafter be subject to the same delinquency penalties. All laws applicable to the levy, collection and enforcement of general taxes of the District, including but not limited to, those pertaining to matter of delinquency, collection, cancellation, refund and redemption, are applicable to such charges except as otherwise provided in Section 5473.8 of the California Health and Safety Code.

1108. Collection of Other Charges. In the event that the Board shall hereafter elect to have charges, other than those for which written notice has been previously given pursuant to Section 1104, collected on the tax roll, written notice of the filing of the report, with respect to the tax roll collection of such other charges for the first fiscal year forthcoming thereafter, shall be mailed pursuant to Section 1104.

1109. Omitted Property. If any premises to which the District has provided services and/or facilities in connection with its Sewage System are omitted from the above mentioned report or tax roll, either because the charge(s) therefor shall not have yet been ascertained by the Manager as of the date of the report or for any other reason, the charge(s) for such premises shall be collected in the manner provided elsewhere herein. If the charge(s) for any premises, as shown on the report for the forthcoming fiscal year, is less than that which should be charged therefor under the provisions hereof, the balance of the charge(s) shall be collected in any manner provided elsewhere herein.

ARTICLE 12. ENFORCEMENT

1201. Disconnection. As an alternative method of enforcing the provisions of this or any other ordinance, rule or regulation of the District, the Manager shall have the power to disconnect the user or subdivision sewer system from the District Sewage System. Upon disconnection, the Manager shall estimate the cost of disconnection from and reconnection to the system and such user shall deposit the cost, as estimated, of disconnection and reconnection before such user is reconnected to the Sewage System. The Manager shall refund, with no interest any part of the deposit remaining after payment of all cost of disconnection and reconnection.

1202. Public Nuisance, Abatement. During the period of such disconnection, habitation of such premises by human beings shall constitute a public nuisance. Whereupon the District shall cause proceedings to be brought for the abatement of the occupancy of said premises by human beings during the period of such disconnection. In the event, and as a condition of reconnection, there is to be paid to the District a reasonable attorney's fee and cost of suit arising in said action.

1203. Misdemeanor. Violation of any provision hereof relating to the construction and use of sewers is misdemeanor.

1204. Mean of Enforcement Only. The District hereby declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of its ordinances, rules and regulations, and not as a penalty.

ARTICLE 13. MISCELLANEOUS ENFORCEMENT PROVISIONS

1301. Violations. Any person found to be violating any provisions of this or any other code, ordinance, rule or regulation of the District, except Section 1304 hereof, shall be served by the Manager or other authorized person with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Said time limit shall not be less than two (2) nor more than seven (7) working days. The offender shall, within the period of time stated in such notice, permanently cease all violations. All persons shall be held strictly responsible for any and all acts of agents or employees done under the provisions of this or any other code, ordinance, rule or regulation of the District. Upon being notified by the Manager of any defect arising in any sewer or of any violation hereof, the person or person having charge of the work shall immediately correct same.

1302. Public Nuisance. Continued habitation of any building or continued operation of an industrial facility in violation of the provisions of this or any other code, ordinance, rule or regulation of the District is hereby declared to be a public nuisance. The District may cause proceedings to be brought for the abatement of the occupancy of the building or industrial facility during the period of such violation.

1303. Liability for Violation; Civil Penalties. Any person violating any of the provisions of the codes, ordinances, rules or regulations of the District shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation. A violation includes, but is not limited to, a violation of any District requirement adopted or ordered pursuant to Section 54739 of the California Government Code, pursuant to which the person may be civilly liable to the District in a sum of not to exceed twenty-five thousand dollars (\$25,000) for each day in which such violation occurs.

The District may also pursue the imposition and collection of civil penalties pursuant to Section 54740.5 of the California Government Code for any violation of Section 54739 thereof.

1304. Protection from Damages. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the Sewage System or other facilities. Any person violating this provision shall be subject to the penalties provided by law.

1305. Power and Authorities of Inspectors. The officers, inspectors, managers and any duly authorized employees of the District shall carry evidence establishing his position as an authorized representative of the District and, upon exhibiting the proper credentials and identification, shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purpose of inspection, re-inspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary in the enforcement of the provision of the codes, ordinance, rules and regulations of the District.

1306. Correction of Violations; Collection of Costs; Injunction. In order to enforce the provisions of this ordinance, the District may correct any violation hereof. The cost of such correction may be added to any sewer service charge payable by the person violating the ordinance or the owner of the property upon which the violation occurred, and the District shall have such remedies for the collection of such costs as it has for the collection of sewer service charges. The District may also petition the superior court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate, restraining any person from the continued violation of this ordinance.

ARTICLE 14. SEPARABILITY

1401. If any section, subsection, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstance, if for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this ordinance and each section, subsection, clause, and phrase hereof irrespective to the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional or invalid.

ARTICLE 15. EFFECTIVE DATE

1501. Effective Date. This ordinance shall take effect upon its adoption.

1502. Ordinance No. O-98-01 Superseded. Upon the effective date hereof, Ordinance No. O-98-01 shall be deemed superseded by the provisions hereof.

Schedule of Capacity Charges 2017/2018

Revised 11-29-17

Line No.	Development Type	Use Description	Flow (gpd)	Strength Factor	ERU Ratio	Capacity Charge
Residential						
1	Single Family	Dwelling	215	1.00	1.00	\$5,929.13
2	Multi-family	Dwelling, Apartment, Condominiums	215	1.00	1.00	\$5,929.13
3	Exterior Accessory Dwelling Unit	As described in Government Code Section 65852.2 (f)(2)(b)	N/A	N/A	0.74	[2]
4	Interior Accessory Dwelling Unit	As described in Government Code Section 65852.2 (e)	N/A	N/A	N/A	\$0.00
5	Mobile Home/Trailers					
	Manager Residence	Dwelling	215	1.00	1.00	\$5,929.13
7	Trailer Space	Residence or Park	215	1.00	1.00	\$5,929.13
8	Mobile Home Park Laundry	Laundry	140	1.00	0.65	\$3,860.72
Retirement Facility						
9	Manager Residence	Dwelling	215	1.00	1.00	\$5,929.13
10	Rooms w/o Kitchens	Dwelling	100	1.00	0.47	\$2,758.19
11	Rooms w/ Kitchens	Dwelling	150	1.00	0.70	\$4,136.82
Non-Residential						
Motel/Hotel						
12	Manager Residence	Dwelling	215	1.00	1.00	\$5,929.13
13	Rooms w/o Kitchens	Guest House	100	1.00	0.47	\$2,758.19
14	Rooms w/ Kitchens	Guest House	150	1.00	0.70	\$4,136.82
15	Laundrettes, per machine	Each washing machine	160	1.00	0.74	\$4,412.92
16	Beauty & Barber Shops	Business	215	1.00	1.00	\$5,929.13
17	Each Sink Over 2	Station Chair	100	1.00	0.47	\$2,758.19
18	Gas Station w/Restroom	Business	325	1.00	1.51	\$8,963.42
19	Cocktail Lounge/Wine Tasting	Up to 50 seats	430	1.00	2.00	\$11,859.19
20	Additional Seating	Per seat	8	1.00	0.04	\$220.32
21	Market, Major	W/meat & produce dept. (first 20 DFUs)	750	1.76	6.14	\$36,404.01
22	Convenience Market	No food preparation, dry goods only	215	1.00	1.00	\$5,929.13
23	Convenience Market w/Deli	Food preparation with sinks (first 20 DFUs)	270	1.76	2.21	\$13,105.81
24	Deli	Food preparation with sinks (first 20 DFUs)	260	1.00	1.21	\$7,170.18
25	Office & Retail	Professional & Commercial Retail	215	1.00	1.00	\$5,929.13
26	Units w/o Toilets	Each unit w/central toilet facility	100	1.00	0.47	\$2,758.19
27	Restaurant Full Service	Up to 21 seats	600	1.76	4.91	\$29,123.20
28	Additional Seating - Food	Per seat	12	1.76	0.10	\$582.87
29	Additional Seating - Bar/Banquet	Per seat	8	1.00	0.04	\$220.32
30	Coffee Specialty Retail	Up to 21 seats (incl 50% outdoors)	270	1.00	1.26	\$7,446.27
31	Restaurant - Fast Food	No seating (first 20 DFUs)	240	1.76	1.96	\$11,649.10
Institutional						
32	Church	Base rate	215	1.00	1.00	\$5,929.13
33	Pre/Elementary School, Per Student	Per student & staff	7	1.00	0.03	\$193.04
34	High School, per Student	Per student & staff w/kitchens and showers	9	1.00	0.04	\$248.21
35	Museum	Tax exempt	215	1.00	1.00	\$5,929.13
36	Post Office	Tax exempt	215	1.00	1.00	\$5,929.13
37	Public Park	Per toilet room	500	1.00	2.33	\$13,789.09
Additional Sewer Service Charges						
Senior Living						
40	Manager Residence	Dwelling	215	1.00	1.00	\$5,929.13
40	Per Bed	Per Bed	125	1.00	0.58	\$3,318.60
	Food Service	up to 21 seats	600	1.76	4.91	\$28,037.16
	Additional Seating (per Seat)	Per Seat	12	1.76	0.10	\$561.14
Recovery Ranch						
42	Manager Residence	Dwelling	215	1.00	1.00	\$5,929.13
43	per Bed	Per Bed	70	1.00	0.33	\$1,930.41
44	Food Service	Up to 21 seats	600	1.76	4.91	\$29,123.20
45	Additional Seating (per seat)	Per seat	12	1.76	0.10	\$582.87
Medical, Dental, Veterinarian						
47	Clinic or Building (per 1,000 sf)	Professional & Commercial, per 1,000 sf	300	1.15	1.60	\$9,514.19
48	Billiard/Café (per 1,000 sf)	per 1,000 sf	150	1.15	0.80	\$4,757.09
49	Food Service	Up to 21 seats	600	1.76	4.91	\$29,123.20
50	Additional Seating (per seat)	Per seat	12	1.76	0.10	\$582.87
51	Car Wash	Business	1,350	1.15	7.22	\$42,813.84
52	Cocktail Lounge with Food	Food preparation with sinks (first 20 DFUs)	430	1.76	3.52	\$20,870.54
53	Additional Seating	Per seat	8	1.76	0.07	\$388.29
54	Winery and Wine Tasting	No food preparation, dry goods only	270	1.00	1.26	\$7,445.88
55	Wine Tasting with Food	Food preparation with sinks (first 20 DFUs)	430	1.76	3.52	\$20,870.54
56	Additional Seating	Per seat	8	1.76	0.07	\$388.29

Schedule of Capacity Charges 2017/2018

Revised 11-29-17

Line No.	Development Type	Use Description	Flow (gpd)	Strength Factor	ERU Ratio	Capacity Charge
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Definitions:

DFUs: The number of drainage fixture units for each type of appliance, appurtenance or fixture, as set forth in the then current California Plumbing Code.

Base Charge: The then current capacity fee for a single family residence.

Strength Factor: The Strength Factor of wastewater, as defined under Section 820(C) and as determined under Section 821 of the District's Sewer Service Code.

Unclassified User: Any user group or classification not shown above.

[1] For any Unclassified User, the Capacity Charge for the first 20 DFUs shall be calculated as follows.

Capacity Fee = Base Charge x Strength Factor

An Additional Fixture Charge shall be applicable to any Unclassified User which has more than 20 DFUs, calculated as follows.

Additional Fixture Charge = (number of DFUs in excess of 20 divided by 20) x Base Charge x Strength Factor

[2] For any Exterior Accessory Dwelling Unit, the Capacity Charge for the first 15 DFUs shall be calculated as follows.

Capacity Fee = Base Charge x .74

An Additional Fixture Charge shall be applicable to any Exterior Accessory Dwelling Unit which has more than 15 DFUs, calculated as follows.

Additional Fixture Charge = (number of DFUs in excess of 15 divided by 20) x Base Charge

*The capacity fees set forth in the table above will be adjusted effective as of the first day of July of each year, commencing July 1, 2018, by an amount equal to the percentage change in the Engineering News Record Construction Cost Index National Average published for the immediately preceding April as compared to such index for April of the previous year.

EXHIBIT B
MONTHLY SEWER SERVICE CHARGES
(Effective July 1, 2017)

2017/2018

Monthly Sewer Service Charges

User	Flow/	Unit of	Strength	ERU	Current
Classification	Unit (gpd)	Measure	Factor	Multiple	FY 2017- 18
Residential Fixed Charges [1]					
Single Family	215		1.00	1.00	\$68.65
Multi-family	215		1.00	1.00	\$68.65
Second Unit/Studios	160		1.00	0.74	\$51.10
Mobile Home/Trailers					
Manager Residence	215		1.00	1.00	\$68.65
Trailer Space <20 ft. wide	160	space	1.00	0.74	\$68.65
Trailer Space	215	space	1.00	1.00	\$68.65
Mobile Home Park Laundry	140		1.00	0.65	\$44.70
Retirement Facility					
Manager Residence	215		1.00	1.00	\$68.65
Rooms w/o Kitchens	100	room	1.00	0.47	\$31.94
Rooms w/ Kitchens	150	room	1.00	0.70	\$47.90
Non-Residential Fixed Charges					
Motel/Hotel					
Manager Residence	215		1.00	1.00	\$68.65
Rooms w/o Kitchens	100	room	1.00	0.47	\$31.94
Rooms w/ Kitchens	150	room	1.00	0.70	\$47.90
Laundrettes, per machine	160	machine	1.00	0.74	\$51.10
Beauty & Barber Shops	215		1.00	1.00	\$68.65
Each Sink Over 2	100	sink	1.00	0.47	\$31.94
Gas Station w/Restroom	325		1.00	1.51	\$103.79
Cocktail Lounge	430		1.00	2.00	\$137.32
Additional Seating	8	seat	1.00	0.04	\$2.55
Market, Major	750		1.76	6.14	\$421.52
Convenience Market	215		1.00	1.00	\$68.65
Convenience Market w/Deli	270		1.76	2.21	\$151.75
Deli	260		1.00	1.21	\$83.02
Office & Retail	215		1.00	1.00	\$68.65
Units w/o Toilets	100		1.00	0.47	\$31.94
Restaurant Full Service	600		1.76	4.91	\$337.22
Additional Seating - Food	12	seat	1.76	0.10	\$6.75
Additional Seating -					
Bar/Banquet	8	seat	1.00	0.04	\$2.55
Coffee Specialty Retail	270		1.00	1.26	\$86.22
Restaurant - Fast Food	240		1.76	1.96	\$134.88

YMCA [2]					-
Institutional					
Church	215		1.00	1.00	\$68.65
Pre/Elementary School, Per Student	7	student	1.00	0.03	\$2.06
High School, per Student	9	student	1.00	0.04	\$2.87
Museum	215		1.00	1.00	\$68.65
Post Office	215		1.00	1.00	\$68.65
Public Park	500		1.00	2.33	\$159.66
Additional Sewer Service Charges					
Senior Living					
Manager Residence	215		1.00	1.00	\$68.65
per Bed	125	bed	1.00	0.58	\$39.91
Food Service	600		1.76	4.91	\$337.22
Additional Seating (per seat)	12	seat	1.76	0.10	\$6.75
Recovery Ranch					
Manager Residence	215		1.00	1.00	\$68.65
per Bed	70	bed	1.00	0.33	\$22.35
Food Service	600		1.76	4.91	\$337.22
Additional Seating (per seat)	12	seat	1.76	0.10	\$6.75
Medical, Dental, Veterinarian Clinic or Building (per 1,000 sf)	300	1,000 sf	1.15	1.60	\$110.16
Billiard/Café (per 1,000 sf)	150	1,000 sf	1.15	0.80	\$55.08
Food Service	600		1.76	4.91	\$337.22
Additional Seating (per seat)	12	seat	1.76	0.10	\$6.75
Cocktail Lounge with Food	430		1.76	3.52	\$241.66
Additional Seating	8	seat	1.76	0.07	\$4.50
Car Wash	1,350	1.15	1.15	7.22	\$495.74
Winery and Wine Tasting	270		1.00	1.26	\$86.22
Wine Tasting with Food	430		1.76	3.52	\$241.66
Additional Seating	8		1.76	0.07	\$4.33

[1] All sewer service charges are effective July 1.

[2] The YMCA has a payment agreement based on annual flow.

EXHIBIT C
MONTHLY AVAILABILITY SERVICE CHARGES
(Sewer Benefit Fee)

The fee is \$ 49.28 per parcel (per year) plus the County Auditor Controller's processing fee.

