

REGULATING THE USE AND CONSTRUCTION  
OF SEWER FACILITIES

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DIVISION "A"  
ORDINANCE 23

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ORDINANCE NO.  
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE  
IDYLLWILD COUNTY WATER DISTRICT  
REGULATING THE USE AND CONSTRUCTION  
OF  
SEWER FACILITIES

Be it ordained by the Board of Directors of the Idyllwild  
County Water District as follows:

SECTION 1.0  
GENERAL PROVISIONS

1.1 - ORDINANCE IN FORCE - This ordinance shall be in full force  
and effect after the date of its adoption.

1.2 - AUTHORITY - Section 30,000 et seq. of the Water Code of  
the State of California.

1.3 - GENERAL STATEMENT OF POLICY

1.3.01 - GENERAL POLICY - The general policy of the District  
is to construct, acquire, maintain, and operate adequate sewerage  
systems within the District to serve the residents of the  
District and to insure the future development of the District.

1.3.02 - POWERS - Section 30,000 et seq. of the Water Code of the  
State of California.

1.3.03 - ANNEXATION - The District has the power to annex areas  
that can be served by the District. The terms of annexation  
shall be determined by the District and may include fees and the  
construction or transfer of facilities.

1.3.04 - FEES - The District has the power to charge special fees.  
Generally, special fees are to be made by the District for the  
performance of functions by it which are for the direct benefit  
of persons or properties.

1.3.05 - SALE OF RECLAIMED WATER - The District has the power to  
sell treated and reclaimed wastewater to provide individuals,  
corporations or to public entities for beneficial use.

1.3.06 - HOLD HARMLESS CLAUSE - The District and its officers, agents, and employees shall be held harmless from any liability in enforcing the provisions of this Ordinance.

1.4 - SCOPE - This is an ordinance regulating the use and construction of public sewer facilities, the installation and connection of lateral sewers, and the discharge of wastes into the public sewer systems, and providing penalties for violation thereof, within District boundaries, as ordained and enacted by the Board of Directors of the Idyllwild County Water District.

1.5 - DEFINITIONS - Unless otherwise indicated the meaning of terms used in this Ordinance shall be as follows:

1.5.01 - APPLICANT - Applicant shall mean the person making application hereunder and shall be the owner of the premises involved, his authorized agent, or a licensed plumber or contractor.

1.5.02 - BOARD - Board shall mean the Board of Directors of the Idyllwild County Water District, State of California.

1.5.03 - COMBINED SEWER - Combined sewer shall mean a sewer receiving both surface water runoff and sewage.

1.5.04 - CONSUMER - Consumer shall mean the person or persons using sewer facilities of the District.

1.5.05 - CONTRACTOR - 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 a permit, contract or agreement.

1.5.06 - COST - Cost shall mean the cost of labor, material, transportation, supervision, engineering, and all necessary overhead expenses.

1.5.07 - COUNTY - County shall mean the County of Riverside, State of California.

1.5.08 - DISTRICT OR ENTITY - District or Entity shall mean the Idyllwild County Water District.

1.5.09 - DISTRICT ENGINEER - District Engineer shall mean the Engineer appointed by the Board and acting for the District.

1.5.10 - DWELLING OR LIVING UNIT - Dwelling or living unit shall mean any residence, apartment, habitation, or other structure designed to be occupied by a person or family and requiring sewage disposal service.

1.5.11 - FIXTURE UNIT EQUIVALENTS - The unit equivalent of plumbing fixtures shall be as indicated in Chapter 4, Table 4-1, of the Uniform Plumbing Code, et. seq.

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

1.5.13 - INSPECTOR - Inspector shall mean the person who shall perform the work of inspecting sewerage facilities under the jurisdiction or control of the District.

1.5.14 - MANAGER - Manager shall mean the person appointed by the District Board as the Manager of Operations.

1.5.15 - OWNER - Owner shall mean the person owning in 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.

1.5.16 - PERMIT - Permit shall mean any written authorization required pursuant to this ordinance or any other regulation of the Board.

1.5.17 - PUBLIC SEWER - Public sewer shall mean a sewer lying within a public or private right of way or easement which is owned or controlled by or under the jurisdiction of the District.

1.5.18 - SEWAGE TREATMENT PLANT - Sewage treatment plant shall mean any arrangement of devices and structures used for treating sewage.

1.5.19 - SEWERAGE WORKS - Sewerage works shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

1.5.20 - SEWER - Sewer shall mean a pipe or conduit for carrying sewage.

1.5.21 - SEWER LATERAL - Sewer lateral shall mean that portion of a sewer lying within a public right of way or easement connecting a building sewer to the main sewer.

1.5.22 - SUPERINTENDENT - Superintendent shall mean the person appointed by the District Board as the Superintendent of Operations.

1.5.23 - SUSPENDED SOLIDS - Suspended solids shall mean solids that either float on the surface of, are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

1.5.24 - UNIFORM PLUMBING CODE - Uniform plumbing code shall be that Code as published by the International Association of Plumbing and Mechanical Officials and adopted by the County of Riverside as its plumbing code. The code shall be the latest edition published and adopted by the County.

1.5.25 - UNIFORM PLUMBING CODE DEFINITIONS - Uniform plumbing code definitions being Chapter 1 of the County Plumbing Code are hereby incorporated as part of the definitions of this ordinance except as specifically modified herein.

1.5.26 - WATERCOURSE - Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

#### 1.6 - USE OF PUBLIC SEWERS REQUIRED

1.6.01 - USE OF PUBLIC SEWERS - Use of public sewers shall be as specified in Chapter 3, General Regulations, of the Uniform Plumbing Code and the provisions of this ordinance.

1.6.02 - OCCUPANCY PROHIBITED - No building, industrial facility or other structure shall be occupied until the owner of the premises has complied with all rules and regulations of the District.

1.6.03 - SEWER REQUIRED - The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the District and abutting on any street in which there is or shall have been located a public sewer of District, is hereby required at his expense to connect said building directly with the sewers of the District, in accordance with the provisions of this ordinance within ninety (90) days after date of official notice by District to do so, provided that said public sewer is within one hundred (100) feet of such house, building or structure.

## 1.7 - USE OF PRIVATE SEWAGE DISPOSAL SYSTEMS

1.7.01 - NO PUBLIC SEWER - Where a public sewer is not available under the provisions of Section 1.6.03, the building sewer shall be connected to a private sewage disposal system complying with the provisions of the Uniform Plumbing Code, administered by Riverside County Department of Building and Safety.

## 1.8 - BUILDING SEWER AND CONNECTIONS TO PUBLIC SEWER FACILITIES

1.8.01 - PERMIT REQUIRED - No person shall make a connection to any public sewer without first obtaining a written permit from the District and paying all required fees. The owner or his agent shall make application on a form furnished by the District. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the District.

1.8.02 - CONNECTION - The connection of the building sewer to the public sewer system shall be inspected by the District and if found to be satisfactory, the District shall affix an approval tag to the connection. The building sewer shall be inspected by the Department of Building Safety of the County, but not before the approval tag of the District has been affixed.

1.8.03 - RULES AND REGULATIONS - The District may adopt rules and regulations with respect to making connections to public sewer including but not limited to permit, connection and inspection fees, procedures for installation of services, notices, testing and other regulations.

1.8.04 - SEPARATE SEWERS - Reference is made to the Uniform Plumbing Code - Independent Systems.

1.8.05 - OLD BUILDING SEWERS - Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the District, to meet all requirements of this ordinance.

1.8.06 - BUILDING SEWER TOO LOW - Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means at owner's expense and discharged to the building sewer.

1.8.07 - ILLEGAL CONNECTIONS - No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sewer.

1.8.08 - LOCAL REGULATIONS - The connection of the building sewer into the public sewer or sewer lateral shall conform to the requirements of the District, shall be under District jurisdiction, and shall be installed by a licensed and insured contractor.

1.9 - PUBLIC SEWER CONSTRUCTION

1.9.01 - APPROVAL REQUIRED - No person shall construct or extend any public sewer without first obtaining written approval from the District and paying all fees. This provision does not apply to contractors constructing sewers and appurtenances under contracts entered into with the District. Design and construction of public sewer systems shall be in accordance with the Design Criteria and Technical Specifications of the District.

1.9.02 - BONDING OF IMPROVEMENTS - A Faithful Performance Bond, when required, shall be furnished by the owner to the District. The bond shall be for not less than one hundred (100) percent of the construction estimate as approved by the Engineer. The bond shall guarantee the completion of construction of those sewerage facilities proposed. The bond shall be accompanied by an agreement between the owner and the District. The bond and agreement shall bear the same date.

1. When Bond Required - A performance bond will be required when any one (1) of the following conditions exist:
  - a. The owner or developer has requested a letter to be sent to the State Real Estate Commission for issuance of final Real Estate report.
  - b. Future improvements to the sewerage system will be dependent on portions of the system for which the construction permit application has been made.
2. Form of Bond and Agreement - The bond and agreement forms shall be as approved by the District.

1.9.03 - 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 or construction by any applicant, contractor or owner. The applicant shall save District and its officers, agents, and employees harmless from any

liability imposed by law upon 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.

1.9.04 - SUBDIVISIONS - The developer or his engineer shall contact the District to determine whether or not sewer service is feasible. He will furnish tentative tract maps showing lot sizes, street layout, and elevations based upon USGS datum, points of connection to the District's sewers, possible pump stations and flow data based upon the design criteria of the District. The District Engineer will review the tract map and determine whether sewer service is feasible and whether any oversizing will be required to facilitate extension of the District's system.

1.9.05 - MAIN EXTENSIONS OTHER THAN SUBDIVISIONS - Main extensions to serve one or more parcels of land may be made by the owner or owners of said land. The owner or his Engineer shall follow the same procedure for main extensions as outlined for subdivisions in Section 1.9.04. In lieu of this procedure, the owner or owners may request the District to make the necessary investigation, prepare plans and have the work constructed. The owner or owners shall advance all necessary funds for the investigation, plan preparation and construction prior to the District commencing any of the work described above.

1.9.06 - MAIN SERVICE CHARGE - When persons, owning land to which sewer mains are adjacent in streets or rights-of-way (which mains have been installed by the District or by an applicant for service as a main extension), make application for sewer service to a lot, parcel, tract, or subdivision, they shall reimburse the District for their proportionate share of the cost of said main. Their proportionate share of said cost shall be cost per front foot for benefited land, as set forth in the application and so determined by the District.

1.9.07 - PAYMENT OF COST OF OVERSIZED MAINS - In the event the District elects to install sewers of greater size than, in the opinion of the District, shall be adequate to supply any new



subdivision with sewer service, the owner or owners of the proposed subdivision shall not be required to pay more than the cost of mains which, in the opinion of the District, are adequate to supply such subdivision with sewer service. The District will pay for pipe oversize, but no other adjustment of the cost of installation shall be made.

1.9.08 - REFUNDS - When sewer main extensions are made and paid for by an applicant and said main extension shall be of benefit to another person or persons in the future, said applicant may enter into a refund agreement with the District. Said refund agreement shall provide for a refund payment from main service charges collected by the District for service connection to a main, paid for by new applicant. Said refund shall be computed on the basis of actual cost to the person making the original main extension per front foot benefited for which the main service charge is collected. All refund agreements shall become null and void ten years from the date first written.

1.9.09 - PLANS AND SPECIFICATIONS - The developer, his engineer or other person proposing the construction of public sewers within the District will prepare plans and specifications for construction of said sewers in accordance with the District's "Design Criteria and Technical Specifications." Plans and specifications along with tract map indicating sewer easements, and water system plans are submitted to the District Engineer for approval. This submittal will not relieve the developer or other persons constructing public sewer facilities from compliance with other requirements of State and local agencies.

1.9.10 - PLAN CHECKING - The District Engineer will review the sewer plans for compliance with its requirements and will approve such plans after the following conditions have been met.

1. The District Engineer has certified the plans as complying with District Rules and Regulations and as being in conformance with master sewerage plans for the area.
2. Paid the required plan checking fee, the schedule for which shall be adopted by District Rules and Regulations subject to change by the Board.

1.9.11 - CONSTRUCTION - Developer or other person will construct facilities in accordance with the approved plans and specifications and construction methods as set forth by the District Rules and Regulations. A five-day advanced notice to start construction is required along with approval for construction plans and specifications. Construction of public sewers or sewer laterals as defined by this Ordinance shall be performed by a person or contractor duly licensed by the State of California.

1.9.12 - INSPECTIONS - All public sewer construction work shall be inspected by the District, District Representative or Inspector acting for the District to insure compliance with all requirements of the District. No construction shall be covered at any point until it has been inspected and passed for acceptance.

No work shall commence until the required inspection fee has been paid. The schedule of inspection fees shall be adopted by Rules and Regulations subject to change by the Board.

1.9.13 - SERVICE REFUSED - The District may refuse service for noncompliance with its Ordinance, Rules and Regulations or non-payment of fees.

1.9.14 - ACCEPTANCE OF FACILITIES - Before the District will accept sewers and/or appurtenances in its maintained system, the developer or his engineer, or person shall furnish:

1. Recorded Notice of Completion in evidence that the sewer work has been completed and paid for in accordance with approved plans and specifications.
2. One set of reproducible as-built plans, plus one set of prints, showing exact locations, depths and descriptions of all facilities.
3. Original recorded easement documents for sewers not in public property, or not within a tract boundary.

4. Original recorded Quitclaim Deed transferring title of sewer facilities to the District.
4. Letter from District Engineer certifying that facilities were installed according to plans and specifications.
6. Supply operating and maintenance manuals on the pump stations and/or mechanical equipment.
7. A surety bond from a recognized surety company guarantying for a period of one year after acceptance of facilities that the developer will correct any defects or failures (resulting from defective materials, workmanship or equipment) in the work accepted, the amount of such bond shall be 10 percent of the cost of the work accepted or the sum of \$2,500 whichever is the greater.

1.9.15 - EASEMENTS - Where it is necessary to cross private property to achieve construction, or to provide access for future sewers serving adjacent or upstream tributary land, the following procedure shall be used in the preparation, review and processing of the easements and easement documents.

1. Developer, or owner, shall prepare easement documents with description for all sewer mains which do not lie within public roads, are outside of recorded tracts, and/or are on private property. The easements shall be delineated on the plans and the recording data shall be shown on the as-built plans. All District sewer easements shall be of not less than ten feet in width.
2. The District Engineer shall review easement documents with descriptions as part of plan review. The developer shall have them executed, notarized, and submit completed documents to the District for recording.

#### 1.10 - USE OF PUBLIC SEWER SYSTEM

1.10.01 - USE OF SYSTEMS - The Board may adopt rules and regulations on permissible discharges to the sewer system; providing for the control of prohibited wastes; grease, oil and sand interceptors; maintenance of flow equalizing systems; swimming pool discharges; and tests. The determination of a permissible discharge may require an acceptable analysis or tests from the discharges as evidence that the discharged wastes will not adversely affect the sewer system and/or treatment facilities.

## 1.11 - PERMITS AND FEES

1.11.01 - PERMIT REQUIRED - No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or perform any work on any public sewer and lateral sewer without first obtaining a written permit from District.

1.11.02 - PERMIT PROCEDURE - The Board shall, by rules and regulations, adopt procedures for application and approval of permits regulating the use and construction of the sewer facilities. Permits shall specifically state the obligations and liability for costs of the permittee.

1.11.03 - STREET EXCAVATION PERMIT - A separate permit must be secured from the County, or any other agency having jurisdiction thereover by the owners or contractors intending to excavate in a public street for the purpose of installing sewers or making lateral connections.

1.11.04 - CONNECTION PERMITS - The connection permit will not be issued until the County Road Department Excavation Permit and/or State Highway Encroachment Permit, as required, is issued. The connection permit will not be issued until the required set of prints have been submitted and all fees paid.

1.11.05 - FEE REQUIREMENTS - The Board shall adopt, by Resolution, fees for the issuance of permits and for special services, including but not limited to, inspection, construction, plan checking, preparing special studies, and may further require fees for annexations, connections and use of sewer facilities.

## 1.12 - VIOLATIONS, ENFORCEMENTS, AND POLICING

1.12.01 - VIOLATION UNLAWFUL - Following the effective date of this Ordinance, it shall be unlawful for any person to connect to, construct or install or provide, maintain or use any other means of sewage disposal from any building in the area served with sewers by said District except by connection to a public sewer in the manner as in this Ordinance provided, except as herein otherwise provided in Section 1.6.03.

1.12.02 - PROTECTION FROM DAMAGE - No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of District Sewerage systems and

facilities. Any person violating this provision shall be subject to the penalties provided by law.

1.12.03 - INVESTIGATION POWERS - The officers, inspectors, managers, and any duly authorized employees of District shall carry evidence establishing his position as an authorized representative of 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 provisions of the Ordinance, Rules and Regulations of the District.

1.12.04 - VIOLATION - Any person found to be violating any provision of this or any other Ordinance, Rule, or Regulation of the District shall be served by the District or authorized representative with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Said time limit shall be not less than two, nor more than seven, 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 Ordinance, Rule, or Regulation of the District. Upon being notified by the District or authorized representative of any violation of this ordinance, the person or persons having charge of said work shall immediately correct the same.

1.12.05 - PUBLIC NUISANCE - Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this or any other Ordinance, Rule or Regulation of the District is hereby declared to be a public nuisance. 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.

1.12.06 - DISCONNECTION - As an alternative method of enforcing the provisions of this or any other Ordinance, Rule, or Regulation of the District, the District shall have the power to disconnect the user or subdivision sewer from the sewer mains of the District.

Upon disconnection, the District shall estimate the cost of disconnection from and reconnection to the system and such user shall deposit the cost as estimated, of disconnection before such user is reconnected to the system. The District shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnections.

1.12.07 - 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 such 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.

1.12.08 - MEANS OF ENFORCEMENT ONLY - District hereby declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of its Ordinance, Rules, or Regulations, and not as a penalty.

1.12.09 - LIABILITY FOR VIOLATION - Any person violating any of the provisions of the Ordinance, Rules, and 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.

1.12.10 - RELIEF ON APPLICATION - When any person, by reason of special circumstances, is of the opinion that any provision of the Ordinance, Rules, or Regulations of the District is unjust or inequitable as applied to his premises, he may make written application to the Board stating the 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.

1.12.11 - RELIEF ON OWN MOTION - The Board may, on its own motion, find that by reason of special circumstances any provision

of its Ordinance, Rules, or Regulations 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.

*1.12.12 SEE ORDINANCE No. 25*

SECTION 2.0  
CRITERIA FOR DESIGN OF  
SEWERS, SEWAGE LIFT STATIONS, AND APPURTENANCES

The necessary criteria for design of sewers, mains, sewage lift stations, and appurtenances shall be adopted by resolution of the Board of Directors from time to time as necessity dictates and a copy of the subject resolutions as adopted shall be on file in the office of the District and available for public inspection.

SECTION 3.0  
TECHNICAL SPECIFICATIONS

The technical specifications describing material and workmanship required in the construction of sanitary sewers and appurtenances shall be adopted by resolution of the Board of Directors from time to time as necessity dictates after appropriate public hearings and a copy of the subject resolutions as adopted shall be on file in the office of the District and available for public inspection.

SECTION 4.0  
STANDARD FORMS AND DOCUMENTS

Necessary forms and documents to facilitate the business and activity of the District shall be adopted by the District from time to time as necessity dictates and a copy of the forms and documents as adopted shall be on file in the office of the District and shall be available for public inspection.

SECTION 5.0  
VALIDITY

This Ordinance and the various parts, sections, and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected thereby. The Board of Directors of the Idyllwild County Water District hereby declares that it would have passed this Ordinance and each part thereof regardless of the fact that one or more parts thereof be declared unconstitutional or invalid.

*SECTION 6*  
*PUBLICATION*

*SEE ORD. #25*

*Robert P. Johnson*

ROBERT P. JOHNSON, President  
Board of Directors

ATTEST:

*Bernard Renstrom*

BERNARD RENSTROM, Secretary  
Board of Directors

June 3, 1970