

ORDINANCE #32

MARIPOSA PUBLIC UTILITY DISTRICT  
SEWER USE ORDINANCE

BE IT ENACTED by the Board of Directors of the Mariposa Public Utility District, Mariposa, California, as follows:

WHEREAS, the Mariposa Public Utility District, County of Mariposa, State of California, is a public corporation of the State of California, and

WHEREAS, the Mariposa Public Utility District Board of Directors must regulate the use of public sewers and drains, the installation and connection of building sewers, the installation of sewer laterals and public sewer main extensions, provide permits and fixing of fees for the installation and connection of sanitary sewers, regulate the discharge of waters and wastes into the public sewer system, and provide penalties for the violation of the provisions thereof;

NOW, THEREFORE IT IS DETERMINED AND ORDERED AS FOLLOWS:

PART I - DEFINITIONS

1.01 District shall mean the Mariposa Public Utility District, Mariposa County, Mariposa, California.

1.02 County shall mean the County of Mariposa, California.

1.03 Board shall mean the Board of Directors of said District.

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

1.05 District Engineer shall mean the Engineer appointed by and acting for the Board and shall be a Registered Civil Engineer.

1.06 District Inspector shall mean the inspector acting for the Board and may be a member of the Board, the Manager, the District Engineer or Inspector appointed by the Board.

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

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

1.09 Building shall mean any structure used for human habitation or a place of business, recreation or other purpose containing sanitary facilities.

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

1.11 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.

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

1.13 Sewage Works shall mean all facilities for collecting, pumping, treating and disposing of sewage.

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

1.15 Sewer shall mean a pipe or conduit for carrying sewage.

1.16 Public Sewer shall mean a sewer which is controlled by or under the jurisdiction of the District.

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

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

1.19 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.

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

1.21 Lateral Sewer shall mean that portion of a sewer connecting a building sewer to the main sewer.

1.22 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.

1.23 Side Sewer shall mean that sewer line beginning at the foundation wall of any building and terminating at the main sewer and includes the building sewer and lateral sewer together.

1.24 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.

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

1.26 Plumbing System shall mean all plumbing fixtures and traps or soil, waste, special waste and vent pipes, and all sanitary sewer pipes within a building and extending to the building sewer connection three (3) feet outside the building wall.

1.27 Sewage Treatment Facility shall mean any arrangement of devices and structures used for treatment sewage.

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

1.29 Additional Definitions. For the purpose of this Ordinance additional terms shall have the meaning indicated in Chapter 1 of that certain plumbing code, entitled "Uniform Plumbing Code 1982" or latest revision thereof as adopted by the International Association of Plumbing and Mechanical Officials.

## PART II - GENERAL PROVISIONS

2.01 Rules and Regulations. The following rules and regulations respecting sewer construction and disposal of sewage and 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.

2.02 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 apply retroactively where specified.

2.03 Short Title. This Ordinance shall be known as the SEWER USE ORDINANCE OF THE MARIPOSA PUBLIC UTILITY DISTRICT.

2.04 Connection Required. Any construction which requires new or expanded sewer treatment facilities shall connect to a public sewer. Any existing premises using a failing sewer treatment system shall connect to a public sewer.

2.05 Relief on Application. When any person by reason of special circumstances, is of the opinion that any provision of this Ordinance is unjust or inequitable as applied to their premises, any person 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 that persons 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.

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

2.07 Permits and Fees. No public sewer, side sewer, building 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 Part VI of this Ordinance.

2.08 Sewer Permits - Non-Transferable. Sewer permits may not be transferred from one person to another and may not be transferred from one parcel to another.

PART III  
BUILDING SEWERS, LATERAL SEWERS AND CONNECTIONS

3.01 Permit Required. In accordance with Part VI 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. All permits shall be signed by the legal owner of the premises to be connected to the public sewer.

3.02 Construction Requirements. Construction of building sewers and lateral sewers shall be in accordance with the requirements of the County of Mariposa and MPUD Standard Specifications for Sewer Construction. In case of conflict, the more stringent shall apply.

3.03 Sewer Materials. The building sewer shall be cast iron pipe or equal; PVC Schedule 40 or equal; vitrified clay sewer pipe or equal. Any material used for sewer pipe must be approved by the District. Joints shall be tight, waterproof and root proof.

3.04 Minimum Size and Slope. The size and slope of the building sewer shall be subject to the approval of the inspector, but in no event shall the diameter be less than four (4) inches. The slope of such 4-inch pipe shall be not less than one-quarter (1/4) inch per foot.

3.05 Building Drain. Whenever possible the building drain shall be brought to the building at an elevation below the basement floor. No building drain shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building drain shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.

3.06 Joints and Connections. All excavations required for the installation of a building drain shall be open trench work unless otherwise approved by the Inspector. Pipe laying and backfill shall be performed in accordance with ASTM specification (C12-19) except that no backfill shall be placed until the work has been inspected.

3.07 Separate Sewers. No two adjacent buildings 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 said property. However, one or more buildings located on one parcel belonging to the same owner may be served with the same side sewer during the period of said ownership. Upon the subsequent subdivision of a portion of said parcel 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.

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

3.09 Cleanouts. Cleanout in building sewers shall be provided in accordance with the Standard Specifications for Sewer Construction. A cleanout shall be provided at the sewer main easements or edge of public street on all side sewers and all cleanouts shall be maintained water tight.

3.10 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.

3.11 Connection to Public Sewer. The connection of the building sewer into the public sewer shall be made at the lateral or "Y" branch, if such lateral or "Y" branch is available at a suitable location. Where no properly located "Y" branch is available, a neat hole may be cut into the public sewer to receive the building or lateral sewer, with entry in the downstream direction at an angle of about forty-five (45) degrees. A Wye saddle shall be used for the connection and in no case shall the pipe protrude inside the main sewer. The invert of the building or lateral sewer at the point of connection shall be at a higher elevation than the invert of the public sewer. A smooth neat joint shall be made and the connection made secure and water tight. The connection to the public sewer shall be made in the presence of the District Inspector and under his supervision and direction. Any damage to the public sewer shall be repaired at the cost of the applicant to the satisfaction of the District Inspector.

3.12 Protection of Excavation. All excavations for a side sewer installation shall be adequately guarded with barricades or lights so as to protect the public from hazard. Streets, sidewalks, parkways and other property disturbed in the course of the work shall be restored in a manner satisfactory to the District and the County or any other person having jurisdiction thereover.

3.13 Maintenance of Side Sewer. Side sewers shall be maintained by the owner of the property served thereby.

3.14 Testing. All building sewers and lateral sewers shall be tested in the presence of the District Inspector by filling the line with water and inspecting for excessive leakage. Fittings, plugs, water and labor for testing shall be furnished by the person constructing the sewer. All lines showing excessive leakage shall be repaired or replaced at the expense of the person doing the work and shall be done at the direction and to the satisfaction of the District Inspector.

3.15 Protection of Public Sewer. No person shall construct any structure or facility on top of a sewer main or on any easement for a sewer main.

#### PART IV - PUBLIC SEWER CONSTRUCTION

4.01 Permit Required. In accordance with Part VI of this Ordinance, 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 connection 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 appurtenances under contracts awarded and entered into by the District.

4.02 Plans, Profiles and Specifications Required. The application for a permit for public sewer construction shall be accompanied by complete plans, profiles and specifications showing all details of the proposed work based on an accurate survey of the ground.

4.03 Easements or Right-of-Ways. In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the Board a proper easement or grant of right-of-way sufficient in law to allow the laying and maintenance of such extension or connection.

4.04 Design and Construction Standards. Minimum standards for the design and construction of sewers within the District shall be in accordance with the requirements of the District. The District may permit modification or may require higher standards where unusual conditions are encountered.

4.05 Completed of Sewer Required. Before any 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 completed in full compliance with all requirements of the District. "As-built" drawings showing the actual location of all mains, structures, Y's and laterals shall be filed with the District by the owner before final acceptance of the work.

4.06 Bond - Public Sewer Construction. Prior to the issuance of a permit for public sewer construction, the applicant may be required to 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 one (1) year after the date of acceptance of the work.

#### PART V - USE OF PUBLIC SEWERS

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

5.02 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 parts per million, by weight, of fat, oil or grease.



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

(d) Any garbage that has not been shredded to such a 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, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substances capable of causing an obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

(f) Any waters or wastes having a pH lower than 6.5 or higher than 8.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewage works.

(g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to human or animals, or create any 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 sludge.

5.03 Interceptors Required. Grease, oil and sand interceptors shall be provided when in the opinion of the Manager they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand and other harmful ingredients. All interceptors shall be of a type and capacity approved by the Manager and shall be so located as to be readily and easily accessible for cleaning and inspection.

5.04 Interceptors for Existing Establishments (Before July 1, 1985). All existing laundromats and restaurants, including establishments that serve "ready-to-eat" foods, which are connected to the MPUD sewer system must install a grease interceptor approved by the Manager of the District.

5.05 Maintenance of Interceptors. All grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all time.

5.06 Preliminary Treatment of Wastes. The admission into the public sewers of any waters or wastes having (a) a 5-day Biochemical Oxygen Demand greater than 300 parts per million by weight; or (b) containing more than 350 parts per million by weight of suspended solids; or (c) containing any quantity of substance having the characteristics described in Section 5.02; or (d) having an average daily flow greater than two percent of the average daily sewage flow of the District shall be subject to the review and approved of the Manager. Where necessary in the opinion of the Manager, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (a) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or (b) reduce objectional characteristics or constituents to within the maximum limits provided for in Section 5.02 or (c) control the quantities and rates of discharge of such waters or wastes.

Plans, specifications and other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Manager and of the Water Pollution Control Commission of the State of California and no construction of such facilities shall be commenced until said approvals are obtained in writing.

5.07 Maintenance of Pretreatment Facilities. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

5.08 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 a manhole 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 expense and shall be maintained by him so as to be safe and accessible by District personnel at all times.

5.09 Measurements and Tests. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Sections 5.02 and 5.06 shall be determined in accordance with standard methods as specified by the District, and shall be determined at the control manhole provided for in Section 5.08 or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the side sewer is connected.

5.10 Special Agreements. No statement contained in this part shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste or 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 the District.

5.11 Swimming Pools. It shall be unlawful for any person to discharge the contents of a swimming pool into a sanitary sewer except in the manner specified herein. The size of pipe carrying discharge water shall not be larger than two inches and shall not be under a head to exceed twenty (20) feet. If the water is discharged by pumping, the rate of flow shall not exceed one hundred (100) gallons per minute. Each swimming pool discharging into a sanitary sewer shall be equipped with an approved separator supplied by the pool owner to preclude any possibility of a back flow of sewage into the swimming pool or piping system.

## PART VI - PERMITS AND FEES

6.01 Permit Required. No person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenances or perform any work on a lateral or building sewer without first obtaining a written permit from the District.

6.02 Application for Permit. Any person legally entitled to apply for and receive a permit shall make such application on forms provided by the District for that purpose. A description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith shall be required. The Manager shall require plans, specifications or drawings and such other information as he may deem necessary.

6.03 Compliant with Permit. After approval of the application evidenced by the 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.

6.04 Agreement. The applicant's signature on an application for any permit shall constitute an agreement to comply with all the conditions of the permit and with all provisions, terms and requirements of this and other resolutions, ordinances, rules and regulations of the District and with the plans and specifications filed with the 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 the applicant and may be altered only by the District upon the written request for the alteration from the applicant.

6.05 All Work To Be Inspected. All sewer construction work, building sewers, plumbing and drainage systems 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.

When any work has been inspected and the work condemned, a written notice to that effect shall be given instructing the owner of the premises, or the agent of such owner, to repair the sewer or other work authorized by the permit in accordance with the resolution, ordinances, rules and regulations of the District.

6.06 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 two (2) business days 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. No inspection will be made on other than MPUD regular business days.

6.07 Excavation, Proximity to Sewer Main - Notice. Any person excavating within four (4) feet of any sewer main must notify the District two business days before excavating is to be done. No person shall locate any other pipe, conduit or cable within two (2) feet of any sewer main.

6.08 Payment of Costs. 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.

6.09 Liability. The district and its officers, agents, and employees shall be held harmless 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 officers, 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.

6.10 Time Limit on Permits. If work under a permit is not commenced 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, and no further work shall be done until a new permit is secured. A new fee shall be paid upon the issuance of said new permit. Cost of repairs on partial work shall be borne by the owner.

6.11 Permit Fee Refundable. Permit fees may be refunded for voided or cancelled permits. The amount to be refunded shall be determined by the Manager.

PART VII - ENFORCEMENT

7.01 Violation. Any person found to be in violation of any provision of this or any other resolution, ordinance, rule or regulation of the District shall be served by the Manager or other authorized person with written notice stating the nature of the violation and providing a time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. Upon being notified by the Manager of any defect arising in any sewer or of any violation of this ordinance, the person or persons having charge of said work shall immediately correct the same.

7.02 Public Nuisance. Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this or any other resolution, 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.

7.03 Disconnection. Any person who does not comply with the applicable provisions of this or any other resolution, ordinance, rule or regulation of the District, the Manager shall have the power to disconnect the user or subdivision sewer system from the sewer mains of the District. Upon disconnection, the Manager shall estimate the cost of disconnection from and reconnection to the system and such user shall deposit that cost, as estimated, of disconnection and reconnection before such user is reconnected to the system. The Manager shall refund any part of the deposit remaining after payment for all costs of disconnection and reconnection.

7.04 Means 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 resolution, ordinances, rules and regulations, and not as a penalty.

7.05 Liability for Violation. Any person in violation of any of the provisions of the resolutions, 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.

#### PART VIII - MISCELLANEOUS PROVISIONS

8.01 Powers 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, during reasonable hours, to enter in and upon any and all buildings, industrial facilities and properties for the purpose of inspecting, re-inspecting, observation, measuring, sampling, testing or otherwise performing such duties as may be necessary in the enforcement of the provisions of the resolutions, ordinances, rules and regulations of the District.

8.02 Separability. If any section, subsection, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstances is 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 or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional.

PART IX - TIME OF TAKING EFFECT

9.01 Effective Date. This ordinance shall be in full force and effect thirty (30) days after passage thereof by the Board.

9.02 Adoption. The clerk of the Mariposa Public Utility District shall certify to the adoption of this ordinance and at least one week before the expiration of said 30 days shall cause the same to be posted at three public places in the District there being no newspaper of general circulation printed and published in the District as defined in the Government Code of the State of California.

Signed: President of the  
Board of Directors  
Mariposa Public Utility District

ATTEST:

Signed: Clerk, ex-officio, Secy.

I do hereby certify that the foregoing ordinance was duly adopted by the Board of Directors of the Mariposa Public Utility District at a regular meeting of said Board on the 8th day of May 1984 by the following vote:

AYES: Directors Melton, Walker and Hackett  
NOES: None  
ABSENT: None

