

EXHIBIT A

SANITATION DISTRICT CODE

~~CHAPTER~~ SECTION 1 GENERAL PROVISIONS

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Sec. 1.2 District Authority

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Sec. 1.4 Administration

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Sec. 1.7 Severability

Sec. 1.8 Discharge of Firearm on Sanitation District Property

Sec. 1.1 Title

This code shall be known as the Sanitation District Code.

Sec. 1.2 District Authority

A. Nevada County Sanitation District

All Ordinances and Resolutions of the Nevada County Sanitation District No. 1, as they now exist or may hereafter be enacted or amended, pertaining to sewers, sewerage systems, sewage, connection, service, and other applicable fees, and standby assessment fees, shall be applicable within the District boundaries excluding the Glenbrook Assessment District boundaries, and are hereby adopted and shall remain in full force and effect until rescinded or amended by the District as though stated and set forth in full herein. All such Ordinances and Resolutions of the Nevada County Sanitation District No. 1 shall be enforced within the District boundaries, exclusive of the Glenbrook Assessment District boundaries, by the

District and the power and authority for that purpose is hereby retained exclusively by District. Said District is hereby granted the exclusive power and authority to impose and collect sewer connection and service charges as well as any other applicable fees and charges within the District exclusive of the Glenbrook Assessment District boundaries of said District.

B. Glenbrook Assessment District

All Ordinances and Resolutions of the City of Grass Valley, a municipal corporation, as they now exist or as they may hereafter be enacted or amended, pertaining to sewers, sewerage systems, sewage, connection and service charges, shall be applicable within the Glenbrook Assessment District boundaries of the Nevada County Sanitation District No. 1 and are hereby adopted and shall remain in full force and effect until rescinded or amended by the City or by the District as though stated and set forth herein. All such Ordinances and Resolutions of the City of Grass Valley shall be enforced within the Glenbrook Assessment District boundaries of the District by the City of Grass Valley and the power and authority for that purpose is hereby granted to the City of Grass Valley as the exclusive enforcing agency. Said City is hereby granted the exclusive power and authority to impose and collect sewer connection and service charges within the Glenbrook Assessment District boundaries of the District. (Adopted by SD-1, (09/30/1969); amended by SD-2, (12/09/1969); SD-3, (07/27/1971).)

Sec. 1.3 Definitions

A. ALLOCATED EDUs: Equivalent Dwelling Units which have been assessed and assigned to specific parcels of real property within a specific Sanitation District zone.

B. DEPUTY DISTRICT ADMINISTRATOR: The Director of the Community Development Agency of the County of Nevada, acting either directly or through properly authorized agents or subordinates.

C. DIRECTOR OF SANITATION: The Director of the Department of Public Works of the County of Nevada, State of California.

D. DISTRICT: Nevada County Sanitation District No. 1, an independent legal entity governed by a Board of Directors, which is the Board of Supervisors in its ex-officio capacity, pursuant to Cal. Health & Safety Code §California Health and Safety Code Section 4730.

E. DISTRICT ADMINISTRATOR: The County Executive Officer, as provided for in the pursuant to County of Nevada Codes. Administrative Code Section A-II 17.13.

F. DISTRICT ENGINEER: The Director of the Department of Public Works of the County of Nevada acting either directly or through properly authorized agents or subordinates; may also be referred to simply as “Engineer.”

G. EQUIVALENT DWELLING UNIT (EDU): Sewer capacity required by the average single-family dwelling. For the Penn Valley Zone 6, the sewer capacity required by the average single-family dwelling is established at 196 gallons per day.

H. INSPECTOR: District representative as delegated by the District Engineer.

I. ON-LOT FACILITY: Septic tank/pump vault and all appurtenances thereto, including the sewage effluent pump, all electrical controls and panel(s), and all pressure sewer piping.

J. OWNER’S OR DEVELOPER’S ENGINEER: Civil Engineer registered in the State of California employed by owner or developer.

K. PURVEYOR’S ENGINEER: Civil Engineer registered in California employed by the sewerage agency.

L. REFERENCE TO STANDARDS AND PUBLICATIONS: Any reference made in Chapter 7 or on the drawings to any specifications, standard methods or publications or any scientific or technical society or other organization shall, in the absence of a specific designation to the contrary, be understood to refer to the specification, standard, method or publication in effect on the date the work is approved.

M. SEWERAGE SYSTEM: Includes sewer mains, lift stations, and the wastewater treatment plant.

N. SEWER CAPACITY: The total space available within a sewerage system measured by a fixed volume characterized as Equivalent Dwelling Units.

O. UNALLOCATED EDUs: Equivalent Dwelling Units which are held by the Nevada County Sanitation District No. 1 and which have not been assessed or assigned to specific parcels of real property within a zone.

P. ZONE: Specific areas within the Nevada County Sanitation District No. 1 which were created and accepted into the District to fund the sewage treatment and collection systems within the respective zones. These zones consist of Penn Valley, North San Juan, Cascade Shores, Lake Wildwood, Lake of the Pines, Gold Creek, Mountain Lakes Estates, Eden Ranch, Dark Horse, Higgins Village, Valley Oak Court and such others as may be added from time to time. (Adopted by SD-5, (03/26/1979); amended by SD-6, (10/16/1979); SD-10, (08/08/1989); SD-11, (03/13/1990); SD-17, (02/04/1992); SD-26, (06/21/1994); SD-36, (07/08/1997); SD-60, (06/12/2007); SD-72, (05/24/2011).)

Sec. 1.4 Administration

The District Engineer shall administer, implement, and enforce the provisions of this Code. (Adopted by SD-5.5 (03/26/1979).)

Sec. 1.5 Purchasing Agent

The Purchasing Agent of the County of Nevada shall be the ex-officio Purchasing Agent for the Nevada County Sanitation District No. 1. The Purchasing Agent shall be authorized to purchase all materials, supplies, furnishings, equipment, and other personal property of whatever kind and nature for the District in the same manner and subject to the same procedural requirements for the purchase of same for the County. The Purchasing Agent shall be authorized to engage independent contractors to perform services for the District with or without the furnishing of material where the aggregate cost does not exceed \$25,000. (Adopted by SD-8.5 (03/22/1988); amended by SD-56.5 (06/13/2006))

Sec. 1.6 County Executive Officer

The County Executive Officer for the County of Nevada shall be the ex-officio District Administrator for the Nevada County Sanitation District No. 1. The County Executive Officer is authorized to enter into and to execute all contracts or agreements on behalf of the Nevada County Sanitation District No. 1 that are \$25,000 or under and which are not contracts that fall within ~~Cal. Pub. Cont. Code §Public Contract Code Section~~ 20131 relating to the authority granted to purchasing agents, contracts for construction of public improvements and contracts which must be awarded after public notice and competitive bidding. (Adopted by SD-5.5 (03/26/1979); repealed and re-enacted by SD-35.5 (05/13/1997); amended by SD-56.5 (06/13/2006); SD-72.5 (05/24/2011); SD-74.5 (06/22/2021).)

Sec. 1.7 Severability

If any provision of this Code or the application thereof to any person or circumstance is held invalid, the remainder of the Code and the application of such provisions to other persons or circumstances shall not be affected thereby. (Re-enacted by SD-35.5 (05/13/1997))

Sec. 1.8 Discharge of Firearm on Sanitation District Property

It shall be unlawful for any person to discharge any firearm on or into any property owned by the Nevada County Sanitation District No. 1. Any such violation of this ~~S~~section shall be a misdemeanor. (Adopted by SD-9,; ~~(07/12/1988)~~; amended by SD-30,; ~~(04/11/1995)~~; SD-35,; ~~(05/13/1997)~~.)

EXHIBIT A

SANITATION DISTRICT CODE

CHAPTERSECTION 2 REGULATION OF CONNECTIONS

Sections:

Sec. 2.1 Connection Control

Sec. 2.2 Connection Required

Sec. 2.3 Connection Inspection

Sec. 2.4 Connection Lateral Installation and Maintenance

Sec. 2.5 Mountain Lakes Estates Subdivision, District Zone #7

Sec. 2.6 Penn Valley Sewer Assessment District, District Zone #6

Sec. 2.7 Cascade Shores, District Zone #8

Sec. 2.8 Dark Horse Master Plan Area of District Zone No. 10

Sec. 2.9 Lake of the Pines 500 EDU Expansion

Sec. 2.1 Connection Control

No connection shall be allowed to any sewer system operated, maintained or controlled by the Sanitation District without the issuance of a sewer connection permit and the payment of the current connection fee. Connection fees shall be as established by Resolution of the Board of Directors and shall be based on levels of service or use. The connection fee shall be paid to the Sanitation District and received by the County of Nevada ~~County~~ Department of Public Works. (Adopted by SD-5,; (03/26/1979); amended by SD-30,; (04/11/1995); SD-72,; (05/24/2011).)

Sec. 2.2 Connection Required

Subject to available capacity within the sewer system, improved parcels within the District shall connect to a sewer main when the main is within 100 feet of the parcel's property

line. Notwithstanding the foregoing, improved parcels within Cascade Shores sewer system (Zone 8) shall connect to a sewer main when the main is within 100 feet of the parcel property line, or when it is determined by the District Engineer to be technically feasible to do so, or where the District Engineer determines health and public safety concerns mandate such hookups. (Adopted by SD-5, (03/26/1979); amended by SD-24, (10/12/1993); SD-30, (04/11/1995).)

Sec. 2.3 Connection Inspection

All connections must be approved by a District Inspector prior to being backfilled. (Adopted by SD-5, (03/26/1979).)

Sec. 2.4 Connection Lateral Installation and Maintenance

A. The District shall only be responsible for maintaining the collector mains and connection laterals which are within utility easements and/or property owned by the District.

B. In addition, within Zone 1 (Lake Wildwood) and Zone 2 (Lake of the Pines) the following provisions shall apply:

1. The user shall be responsible for all costs associated with new connection lateral and cleanout installation from the user's property line to the District's collector main. The District Engineer shall be responsible for certifying that the collection lateral and cleanout installation was performed in accordance with District Standards specified in Chapter 7 of this Code. Upon certification by the District Engineer of the installation, the District shall be deemed to have accepted the connection lateral and cleanout, and thereafter the District shall be responsible for the maintenance of the connection lateral, beginning at the user's property line and ending at the District's collector main, or beginning at the end of the user's off-site easement common to the street or PUE and ending at the District's collector main. The user remains responsible for maintenance of the entire sewer lateral on his or her property and within easements outside the user's property except as described herein.

2. For those installations installed prior to May 11, 1995, the District shall maintain the connection lateral beginning at the user's property line and ending at the collector main, or beginning at the end of the user's off-site easement common to the street or PUE. Installation must include a District approved cleanout at the user's property line and/or easement line. The user remains responsible for maintenance of the entire sewer lateral on ~~their~~~~his or her~~ property and within easements outside the user's property except as described herein.

C. Notwithstanding the foregoing, the District assumes responsibility and liability for any damage to real property which is connected to the sewer system, which damage is caused by a blockage in the sewer lines as a result of an act of vandalism to the sewer system or sewer lines for which the District is otherwise responsible for maintaining. (Adopted by SD-5, (03/26/1979); amended by SD-17, (02/04/1992); SD-25, (02/08/1994); SD-30, (04/11/1995).)

Sec. 2.5 Mountain Lakes Estates Subdivision, District Zone #7

The following provisions shall apply to the sewer system in District Zone #7 (the Mountain Lakes Estates Subdivision):

A. No connection shall be made to and no sewage shall be disposed from any property into the sewer system within the District Zone #7 without first securing a permit therefor from the District. A valid permit must be maintained at all times as a condition to the right of use of (discharge of effluent into) the sewer system. Issuance of sewer connection permits shall require compliance with all of the following:

1. Payment of all connection, inspection, maintenance and service fees and/or charges as may from time to time be established by the District by ordinance or resolution.
2. The installation of each septic tank and all appurtenances thereto, including the sewage effluent pumps and all pump electrical controls and panels and all pressure sewer piping shall be constructed and installed in accordance with the design criteria and standards set out in the manual therefor on file with the District Engineer and entitled, "Installation and Materials Specifications - Mountain Lakes Estates... Feb. 1990," and such other provisions as the District Board may adopt by ordinance or resolution.
3. The approval by the District Engineer or ~~their~~~~his~~~~or~~~~her~~ representative of the location of the septic tank and the sewage effluent pump electrical control panel such that they are readily accessible by District equipment, vehicles and personnel. On all lots which allow gravity feed from the residence to the sewer line, the septic tank shall be placed within fifteen (15) ft. of the front property line.
4. Every parcel connected to the sewer system shall be required to install and maintain a backflow prevention device on the gravity line if any portion of any structure connected to the system is below the elevation of the septic tank riser rim elevation.

B. All sewer connection permits issued for District Zone #7 shall grant to the District, its employees, agents, assigns and contractors a right to go onto the property for which the permit is issued for the purpose of inspecting, servicing, maintaining, repairing and/or replacing the septic tank, pressure sewer piping, sewage effluent pumps, pump electrical control panels or any appurtenances thereto as may from time to time be deemed necessary

by the District personnel. The sewer connection permit shall be recorded with the County Recorder so as to provide notice to any subsequent property owner of the District's right to go onto such property for any of the purposes set out herein.

C. Upon issuance by the District, a sewer connection permit shall remain valid without limitation as to time provided, however, that the permit shall be canceled by the District Engineer upon the happening of any of the following:

1. The failure to pay all fees and/or charges levied by the District upon the property with regard to its use of the sewer system.
2. The revocation or refusal of a right to entry to the District as described in subsection B (above).
3. The violation of any District ordinance, regulation or provision relating to the proper use of the sewer system.
4. The use of any substance or material either in terms of its physical properties or quantity which degrades or threatens to degrade the sewer system.

D. Any connection to and/or use of the Mountain Lakes Estates sewer system without a valid permit, or in violation of any of the provisions of this section or any standard or regulation adopted by the District Board or any other law shall constitute a nuisance and may be prosecuted both criminally and civilly by the appropriate authorities.

E. Concurrent with the adoption of this Section, the District Board shall adopt by resolution an operations and maintenance manual for use by the District personnel for the operations and maintenance of the Mountain Lakes Estates sewer system. The District shall operate and maintain said sewer system, including the repair and/or replacement of the components thereof and all individual septic tanks, pressure sewer piping, sewage effluent pumps, pump electrical controls and panels, electrical connections and appurtenances thereto as may be necessary for the proper operation of the system. This Section shall not be construed as creating a mandatory duty as a basis for civil liability upon the District and no civil liability shall inure to the District due to its failure to maintain any privately owned septic tank, pump, electrical connections or appurtenances thereto. (Added by SD-11.5 (03/13/1990).)

Sec. 2.6 Penn Valley Sewer Assessment District, District Zone #6

A. No connection shall be made to and no sewage shall be disposed from any property into the sewer system within District Zone #6 without the property owner first securing a sewer connection permit from the District. Issuance of sewer connection permits shall require compliance with all of the following:

1. Payment of all connection, inspection, maintenance and service fees and/or charges as may from time to time be established by the District.
2. The fee of \$250.00 shall be charged by the District for a sewer connection permit in the Penn Valley Sewer Zone 6 of Nevada County Sanitation District No. 1.
3. The installation of each septic tank and all appurtenances thereto, including the sewage effluent pump and all pump electrical controls and panel and all pressure sewer piping shall be constructed and installed in accordance with the design criteria and standards set out in the manual therefor on file with the District Engineer and entitled, "Installation and Materials Specifications - Penn Valley On-Lot Sewer Facilities December 1990," and such other provisions as the District Board may adopt by ordinance or resolution.
4. The septic tank and all appurtenances thereto, including the sewage effluent pump and all electrical controls and panel and all pressure sewer piping shall be offered for dedication to the District after the satisfactory completion of construction.
5. The approval by the District Engineer or ~~their~~his/her representative of the location of the septic tank and the sewage effluent pump electrical control panel such that they are readily accessible by District equipment, vehicles and personnel. On all lots which allow gravity feed from the residence to the sewer line, the septic tank shall be placed within fifteen (15) ft. of the front property line.
6. Every parcel connected to the sewer system shall be required to install and maintain a backflow prevention device on the gravity line if any portion of any structure connected to the system is below the elevation of the septic tank riser rim elevation.

B. Prior to hooking up to the system, the requesting property owner shall grant to the District, its employees, agents, assigns and contractors an easement setting forth the right to go onto the property for which the permit is issued for the purpose of inspecting, servicing, maintaining, repairing, and/or replacing the septic tank, pressure sewer piping, sewage effluent pump, pump electrical control panel or any appurtenances thereto as may from time to time be deemed necessary by the District personnel. The easement shall be recorded with the County Recorder so as to provide notice to any subsequent property owner of the District's right to go onto such property for any of the purposes set out herein.

C. Upon issuance by the District, a sewer connection permit shall remain valid without limitation as to time provided, however, that the permit may be canceled by the District Engineer upon the happening of any of the following:

1. The failure to pay all fees and/or charges levied by the District upon the property with regard to its use of the sewer system.
2. The obstruction of the District personnel upon the permittee's property for the purpose of reasonable inspection or maintenance.

3. The violation of any District ordinance, regulation or provision relating to the proper use of the sewer system.

4. The use of any substance or material either in terms of its physical properties or quantity which degrades or threatens to degrade the sewer system.

D. Any connection to and/or use of the Penn Valley sewer system without a valid permit, or in violation of any of the provisions of this section or any standard or regulation adopted by the District Board or any other law shall constitute a nuisance and may be prosecuted both criminally and civilly by the appropriate authorities.

E. The provisions of Sections 2.4, 7.9.C.2 and 7.9.C.7 shall not apply to the Penn Valley Sewer System in District Zone #6. (Adopted by SD-17, (02/04/1992).)

Sec. 2.7 Cascade Shores, District Zone #8

The following provisions shall apply to the sewer system in District Zone #8 (Cascade Shores):

A. No connection shall be made to and no sewage shall be disposed from any property into the sewer system within the District Zone #8 without first securing a permit therefor from the District, which will be maintained with the District. The District reserves the right to revoke the permit at any time for failure to comply with the requirements of the permit or any other provisions of this Code.

B. Any connection to and/or use of the Cascade Shores sewer system without a valid permit, or in violation of any of the provisions of this section or any standard or regulation adopted by the District Board or any other law shall constitute a nuisance and may be prosecuted both criminally and civilly by the appropriate authorities.

C. A fee of \$1,000.00 shall be charged by the District for a sewer connection permit in Cascade Shores Zone #8 of the Nevada County Sanitation District No. 1 for those unconnected parcels of land in said zone which have been assessed standby charges, and which are identified as follows:

Assessor's Parcel Nos.

| | | |
|-----------|-----------|-----------|
| 38-040-31 | 38-060-03 | 38-060-04 |
| 38-060-06 | 38-060-07 | 38-060-08 |
| 38-060-09 | 38-060-11 | 38-060-29 |

| | | |
|-----------|-----------|-----------|
| 38-060-30 | 38-060-32 | 38-070-01 |
| 38-070-04 | 38-070-05 | 38-160-04 |
| 38-170-01 | 38-170-02 | 38-170-03 |
| 38-170-06 | 38-170-09 | 38-170-10 |
| 38-170-17 | 38-190-05 | 38-190-10 |
| 38-190-11 | 38-190-12 | 38-190-13 |
| 38-220-21 | 38-220-22 | 38-220-24 |
| 38-220-25 | 38-220-27 | 38-220-28 |
| 38-230-04 | 38-230-06 | 38-230-10 |
| 38-230-15 | 38-240-01 | 38-240-05 |
| 38-240-08 | 38-240-09 | |

The first \$250.00 of the \$1,000.00 fee from unconnected (standby) parcels shall be due and payable to the District at the time a completed sewer connection permit application is filed with the District. The remaining balance of \$750.00 shall be paid to the District through the annual parcel charge assessment for repayment of the Cascade Shores sewer system capital improvements costs.

D. A fee of \$3,000.00 shall be charged by the District for a sewer connection permit in the Cascade Shores Zone #8 of Nevada County Sanitation District No. 1 for those unconnected parcels of land in said zone which have not previously been assessed sewer and standby charges.

Further, connection to the Cascade Shores Zone #8 sewer system shall be subject to the availability of excess sewer capacity. Approval shall be granted on a first come, first served basis. As used herein, first come, first served shall be determined by the date that the District receives a completed application and fee. The District shall date stamp all applications submitted to the District. The District reserves the right to disqualify any application that it determines is not properly completed.

The first \$250.00 of the \$3,000.00 fee shall be due and payable to the District at the time a completed sewer connection permit application is filed with the District. The remaining balance of \$2,750.00 shall be paid to the District prior to final service connection inspection approval.

E. All sewer connection fees collected by the District from Cascade Shores Zone #8 properties shall be deposited into an account which shall be used for capital improvements

and repairs to the Cascade Shores sewer system or repayment of loans for said improvements and repairs. (Added by SD-32.5 (03/12/1996).)

Sec. 2.8 Dark-Horse Master Plan Area of District Zone No. 10

The following provision shall apply to parcels subject to the Dark-Horse Master Plan:

The owner of a parcel to which this section applies shall install and properly maintain all on-lot sewer facilities in accordance with the manual entitled “Dark-Horse Subdivision Application Package for Connection to Sanitary Sewer System & Construction of On-Lot Sewer Pump Assembly” dated May 15, 2003. Said on-lot sewer facilities include gravity service line from house to tank, grinder pump tank assembly or septic tank with effluent pump, pressure discharge line from pump to connection at the pressure lateral stub located outside of the valve box near the edge of the street right-of-way, pump level controls, electrical panel, alarm and electrical conduit. (Added by SD-43.5 (08/07/2003); amended by SD-71.5 (08/24/2010).)

Sec. 2.9 Lake of the Pines 500 EDU Expansion

A fee of \$14,700 per EDU shall be charged by the District for each sewer connection for the 500 EDU expansion in the Lake of the Pines Zone 2 in accordance with the “Connection Fee and User Fee Study” for the Lake of the Pines as prepared by Kennedy/Jenks Consultants and adopted by Sanitation District Board Resolution No. SD 06-58 on July 18, 2006. Said fee may be amended by ordinance. (Added by SD-58.5 (08/08/2006).)

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CHAPTERSECTION 3 REGULATION OF DISCHARGES

Sections:

Sec. 3.1 Normal Discharges

Sec. 3.1.1 Minor Industrial Discharges

Sec. 3.2 Prohibited Discharges

Sec. 3.3 Grease Trap Interceptor Required

Sec. 3.1 Normal Discharges

Normal discharges into District sewerage system shall be limited to residential, bars, dining facilities, retail stores, offices, schools, and subdivision recreational facilities. (Adopted by SD-5, (03/26/1979); amended by SD-41, (01/08/2002))

Sec. 3.1.1 Minor Industrial Discharges

As an exception to Section 3.2 of this Chapter, minor industrial discharges may be allowed, provided that they are limited to automatic car washes with water reclaim systems. For purposes of this Section, “minor industrial discharges” shall mean discharges, which do not qualitatively or quantitatively violate the applicable State Waste Discharge Requirements. Written verification from the California Regional Water Quality Control Board with jurisdiction over the zone in which the discharge is proposed, after being fully informed about the proposed operation that the discharge will not violate the applicable requirements, shall be conclusively presumed to satisfy the conditions of this Section as long as the operation is conducted as represented. (Added by SD-41, (01/08/2002))

Sec. 3.2 Prohibited Discharges

Industrial wastewaters shall not be discharged into District sewerage facilities. This restriction will also apply to future annexations unless allowed by special annexation agreement condition.

Discharges into sewerage systems is prohibited for the following waste types:

- A. Any gasoline, benzene, naphtha, solvent, fuel, oil or any liquid, solid or gas that would cause or tend to cause flammable or explosive conditions to result in the sewerage system.
- B. Any waste containing toxic or poisonous solids, liquids or gases in such quantities that, alone or in combination with other waste substances, may create a hazard for humans, animals or the local environment, interfere detrimentally with wastewater treatment processes, cause a public nuisance, or cause any hazardous condition to occur in the sewerage system.
- C. Any waste having a pH lower than 6.0 or having any corrosive or detrimental characteristic that may cause injury to wastewater treatment or maintenance personnel or may cause damage to structures, equipment or other physical facilities of the sewerage system.
- D. Any solids or viscous substances of such size or in such quantity that they may cause obstruction to flow in the sewer or be detrimental to proper wastewater treatment plant operations. These objectionable substances include, but are not limited to, asphalt, dead animals, offal, ashes, sand, mud, straw, industrial process shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, bones, hair and fleshings, entrails, paper dishes, paper cups, milk containers, or other similar paper products, either whole or ground.
- E. Any rainwater, stormwater, groundwater, street drainage, subsurface drainage, roof drainage, yard drainage, water from yard fountains, ponds or lawn sprays or any other uncontaminated water.
- F. Any water added for the purpose of diluting wastes which would otherwise exceed applicable maximum concentration limitations.
- G. Any nonbiodegradable cutting oils, commonly called soluble oil, which form persistent water emulsions.
- H. Any excessive concentrations of nonbiodegradable oil, petroleum oil or refined petroleum products.
- I. Any dispersed biodegradable oils and fats, such as lard, tallow or vegetable oil in excessive concentrations that would tend to cause adverse effects on the sewerage system.
- J. Any waste with an excessively high concentration of cyanide.
- K. Any unreasonably large amounts of undissolved or dissolved solids.
- L. Any wastes with excessively high BOD, COD or decomposable organic content.

- M. Any strongly odorous waste or waste tending to create odors.
- N. Any wastes containing over 0.1 milligram/liter of dissolved sulfides.
- O. Any wastes with a pH high enough to cause alkaline incrustations on sewer walls.
- P. Any substance promoting or causing the promotion of toxic gases.
- Q. Any waste having a temperature of 120 degrees F or higher.
- R. Any wastes requiring an excessive quantity of chlorine or other chemical compound used for disinfection purposes.
- S. Any excessive amounts of chlorinated hydrocarbon or organic phosphorus type compounds.
- T. Any excessive amounts of deionized water, steam condensate or distilled water.
- U. Any waste containing substance that may precipitate, solidify or become viscous at temperatures between 50 degrees F and 100 degrees F.
- V. Any waste producing excessive discoloration of wastewater or treatment plant effluent.
- W. Any garbage or waste that is not ground sufficiently to pass through a 3/8 inch screen.
- X. Any wastes containing excessive quantities of iron, boron, chromium, phenols, plastic resins, copper, nickel, zinc, lead, mercury, cadmium, selenium, arsenic or any other objectionable materials toxic to humans, animals, the local environment or to biological or other wastewater treatment processes.
- Y. Any blow-down or bleed water from cooling towers or other evaporative coolers exceeding one-third of the makeup water.
- Z. Any single pass cooling water.
- AA. Any excessive quantities of radioactive material wastes.
- BB. Recognizable portions of the human anatomy.
- CC. Trucked or hauled pollutants, including waste from a septic tank. (Adopted by SD-5,; (03/26/1979); amended by SD-52,; (01/10/2006))

Sec. 3.3 Grease Trap Interceptor Required

All connections to any District sewer system which generate excessive amounts of grease, fat or oil shall install and maintain a grease trap or interceptor as approved by the Chief Building Inspector. A maintenance log shall be kept by the user on the property which shall

record the dates of service, quantity of grease removed, who removed it, and where it was disposed. The log shall be available for review by the District. The material removed from the grease trap shall be legally disposed. Each grease trap or interceptor required by this Section shall be sized in accordance with ~~Sections~~§§ 711 and 712 of the current edition of the Uniform Plumbing Code, as adopted by the Nevada County Building Department, except with written prior approval of the Chief Building Inspector. (Added by SD-30, (04/11/1995))

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CHAPTERSECTION 4 USER FEES AND CHARGES

Sections:

Sec. 4.1 Levy of Sewer Service Charge

Sec. 4.2 Levy of Sewer Standby Charge

Sec. 4.3 Charges Established

Sec. 4.4 Adjustment for Overcharge or Undercharge

Sec. 4.5 Annual Rate Adjustment

Sec. 4.6 Collection

Sec. 4.7 Collection of Delinquent Charges

Sec. 4.1 Levy of Sewer Service Charge

An annual sewer service charge shall be levied against all parcels connected to any sewage collection and treatment facility (“sewerage system”) operated by the District to pay for the following expenses:

- Cost of On-Going Operations.
- Annual Maintenance Expense.
- Capital Acquisition and Improvements.

Each parcel shall be charged its fair share costs based on the number of equivalent dwelling units (EDUs) allocated to the parcel. The charges shall be separately established for each zone within the District in which a separate sewerage system is located and shall be such that each is supported through the parcels within the respective zone. The charges for costs of on-going operations and annual maintenance expense shall be reflected on the annual parcel charge under one heading, and the charges for capital acquisition and improvements will appear on the annual parcel charge under a separate heading. (Adopted by SD-4, (12/14/1971); amended by SD-5, (03/26/1979); SD-6, (10/16/1979); SD-7, (09/22/1982); SD-10, (08/08/1989); SD-18, (07/14/1992))

Sec. 4.2 Levy of Sewer Standby Charge

An annual sewer standby charge shall be levied against all parcels within the District which have had allocated to them sewer capacity in the District's sewerage systems including the following expenses:

- Annual Maintenance Expense.
- Capital Acquisition and Improvements.

The standby charge shall be based on the cost of required capital acquisitions and improvements and the cost of the maintenance of the capital improvements in the sewerage system in relation to the proportion to total sewage capacity allocated to the parcel (based on the number of EDUs). The charges for annual maintenance expense shall be reflected on the annual parcel charge under one heading, and the charges for capital acquisition and improvements will appear on the annual parcel charge under a separate heading. (Adopted by SD-5, (03/26/1979); amended by SD-6, (10/16/1979); SD-10, (08/08/1989); SD-18, (07/14/1992))

Sec. 4.3 Charges Established

Sewer service and sewer standby charges are hereby established for the Lake Wildwood, Lake of the Pines, North San Juan, Gold Creek, Penn Valley, Mountain Lakes Estates, Cascade Shores, Eden Ranch, Higgins Village and Valley Oaks Court zones within Nevada County Sanitation District No. 1 as follows:

A. Lake Wildwood, Zone No. 1.

1. Standby Charge. Sewer Standby Charge Total: \$385.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section governing Levy of Sewer Standby Charge 4.2 of the Sanitation District Code.

Each parcel of land in the Lake Wildwood Zone No. 1 that has sewer capacity allocated to it for future connection to the Lake Wildwood Zone No. 1 sewage disposal system will be assessed the following fees per EDU:

- Sewer Maintenance: \$102.00.
- Capital Acquisition and Improvement: \$283.00.

2. Service Charge. Sewer Service Charge Total per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|----------------------|------------|------------|------------|------------|--------------------|
| Sewer Service Charge | \$1,112.00 | \$1,248.00 | \$1,399.00 | \$1,441.00 | \$1,484.00 |

This Sewer Service charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section [governing Levy of Sewer Service Charge 4.1](#) of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Lake Wildwood Zone No. 1 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|---------------------------------|-----------|-----------|------------|------------|--------------------|
| Sewer Maintenance and Operation | \$830.00 | \$966.00 | \$1,126.00 | \$1,160.00 | \$1,195.00 |

Capital Acquisition and Improvement per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|-------------------------------------|-----------|-----------|-----------|-----------|--------------------|
| Capital Acquisition and Improvement | \$282.00 | \$282.00 | \$273.00 | \$281.00 | \$290.00 |

3. Dedication of Revenue. Sewerage system sewer charges collected from Lake Wildwood Zone No. 1 of Nevada County Sanitation District No. 1, as established by Ordinance Nos. SD-49 and SD-50 and as may hereafter be levied, are hereby dedicated as the source of revenue repayment of any and all State Revolving Fund loans on the Lake Wildwood Wastewater Treatment Plant Improvements 2006 (State Project No. C-06-4969-110). This dedicated source of revenue shall remain in effect until such loan or loans are fully discharged, unless modification or change of such dedication is approved, in writing, by the State Water Resources Control Board and the Board of Directors of Nevada County Sanitation District No. 1.

B. Lake of the Pines, Zone No. 2.

1. Standby Charge. Sewer Standby Charge Total: \$475.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section [governing Levy of Sewer Standby Charge 4.2](#) of the Sanitation District Code.

Each parcel of land in the Lake of the Pines Zone No. 2 that has sewer capacity allocated to it for future connection to the Lake of the Pines Zone No. 2 sewage disposal system will be assessed the following fees per EDU:

- [Sewer Maintenance](#): \$100.00.
- [Capital Acquisition and Improvement](#): \$375.00.

2. Service Charge. Sewer Service Charge Total per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|----------------------|-------------|------------|------------|------------|--------------------|
| Sewer Service Charge | \$1,1384.00 | \$1,618.00 | \$1,892.00 | \$1,892.00 | \$1,892.00 |

This Sewer Service charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section [governing Levy of Sewer Service Charge 4.1](#) of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Lake of the Pines Zone No. 2 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|---------------------------------|------------|------------|------------|------------|--------------------|
| Sewer Maintenance and Operation | \$1,017.00 | \$1,251.00 | \$1,525.00 | \$1,525.00 | \$1,525.00 |

Capital Acquisition and Improvement per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|-------------|-----------|-----------|-----------|-----------|--------------------|
| | | | | | |

| | | | | | |
|-------------------------------------|----------|----------|----------|----------|----------|
| Capital Acquisition and Improvement | \$367.00 | \$367.00 | \$367.00 | \$367.00 | \$367.00 |
|-------------------------------------|----------|----------|----------|----------|----------|

3. New EDUs Not Previously Allocated. Each parcel with a new EDU shall be charged a fee of \$14,700.00 as prepayment of the charges for debt service related to capital acquisition and improvement, in accordance with Section [Lake of the Pines 500 EDU Expansion 2-9](#) of this Code. Its annual fee shall not include the fees for Capital Acquisition and Improvement in the amount of \$375.00 as shown above.

4. Nevada Joint Union High School District (Owner of the Parcel Identified as APN 21-730-32). The High School District has prepaid the charges for debt service on its connected and standby EDUs, in accordance with the agreement authorized by Sanitation District Resolution No. SD-06-42. Its annual fee shall not include the fees for Capital Acquisition and Improvement in the amount of \$375.00 as shown above.

5. Dedication of Revenue. Sewerage system sewer charges collected from Lake of the Pines Zone No. 2 of Nevada County Sanitation District No. 1, as established by Ordinance Nos. SD-49 and SD-50 and as may hereafter be levied, are hereby dedicated as the source of revenue repayment of any and all State Revolving Fund loans on the Lake of the Pines Wastewater Treatment Plant Improvements 2006 (State Project No. C-06-4968-110). This dedicated source of revenue shall remain in effect until such loan or loans are fully discharged, unless modification or change of such dedication is approved, in writing, by the State Water Resources Control Board and the Board of Directors of Nevada County Sanitation District No. 1.

6. DarkHorse Community. The following parcels have been assessed an annual surcharge of \$1,748.00 collected annually for ten fiscal years beginning in fiscal year 2010-11 through fiscal year 2019-20: 11-151-05, 11-151-17, 11-151-24, 11-151-27, 11-151-28, 11-151-39, 11-161-04, 11-161-07, 11-161-17, 11-161-18, 11-161-20, 11-171-08, 11-171-20, 11-171-21, 11-171-28, 11-171-31, 11-171-34, 11-171-38, 11-171-42, 11-171-45, 11-171-53, 11-171-54, 11-171-55, 11-171-60, 11-171-62, 11-171-63, 11-171-64, 11-171-65, 11-171-70, 11-191-28, 11-191-45, 11-191-50.

Parcels subject to the surcharge shall not be subject to the annual fee for Capital Acquisition and Improvement in the amount of \$375.00 as established by this Section, nor shall they be subject to the \$14,700.00 Capital Charge for “New EDUs.” However, the owner of a parcel subject to the \$1,748.00 surcharge may satisfy that parcel’s surcharge obligation by making a ~~one-time~~one-time payment of \$14,700.00.

All parcels in the DarkHorse subdivision not specifically listed above shall be treated as “New EDUs” and shall be subject to the existing \$14,700.00 capacity charge for the “New EDUs.” These parcels shall not be subject to the \$475.00 standby charge for unconnected parcels.

C. North San Juan, Zone No. 4.

1. Standby Charge. Sewer Standby Charge Total: \$48.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section governing Levy of Sewer Standby Charge 4.2 of the Sanitation District Code.

Each parcel of land in the North San Juan Zone No. 4 that has sewer capacity allocated to it for future connection to the North San Juan Zone No. 4 sewage disposal system will be assessed the following fees per EDU:

- Sewer Maintenance: \$48.00.
- Capital Acquisition and Improvement: \$0.00.

2. Service Charge. Sewer Service Charge Total per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|----------------------|-----------|-----------|------------|------------|--------------------|
| Sewer Service Charge | \$864.00 | \$950.00 | \$1,045.00 | \$1,149.00 | \$1,264.00 |

This Sewer Service charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section governing Levy of Sewer Service Charge 4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the North San Juan Zone No. 4 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Operation and Maintenance per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|---------------------------------|-----------|-----------|------------|------------|--------------------|
| Sewer Maintenance and Operation | \$864.00 | \$950.00 | \$1,045.00 | \$1,149.00 | \$1,264.00 |

Capital Acquisition and Improvement: \$0.00.

D. Gold Creek, Zone No. 5.

1. Service Charge. Sewer Service Charge Total per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|----------------------|-----------|-----------|-----------|-----------|--------------------|
| Sewer Service Charge | \$282.00 | \$338.00 | \$406.00 | \$487.00 | \$585.00 |

This Sewer Service charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section [governing Levy of Sewer Service Charge 4.1](#) of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Gold Creek Zone No. 5 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|---------------------------------|-----------|-----------|-----------|-----------|--------------------|
| Sewer Maintenance and Operation | \$282.00 | \$338.00 | \$406.00 | \$487.00 | \$585.00 |

Capital Acquisition and Improvement: \$0.00.

E. Penn Valley, Zone No. 6.

1. Standby Charge. Sewer Standby Charge Total: \$245.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section [governing Levy of Sewer Standby Charge 4.2](#) of the Sanitation District Code.

Each parcel of land in the Penn Valley Zone No. 6 that has sewer capacity allocated to it for future connection to the Penn Valley No. 6 sewage disposal system will be assessed the following fees per EDU:

- Sewer Maintenance: \$130.00.
- Capital Acquisition and Improvement: \$115.00.

2. Service Charge. Sewer Service Charge Total per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|----------------------|------------|------------|------------|------------|--------------------|
| Sewer Service Charge | \$1,110.00 | \$1,244.00 | \$1,399.00 | \$1,441.00 | \$1,484.00 |

This Sewer Service Charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section [governing Levy of Sewer Service Charge4.1](#) of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Penn Valley Zone No. 6 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|---------------------------------|-----------|------------|------------|------------|--------------------|
| Sewer Maintenance and Operation | \$955.00 | \$1,037.00 | \$1,126.00 | \$1,160.00 | \$1,195.00 |

Capital Acquisition and Improvement per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|-------------------------------------|-----------|-----------|-----------|-----------|--------------------|
| Capital Acquisition and Improvement | \$155.00 | \$207.00 | \$273.00 | \$281.00 | \$290.00 |

F. Mountain Lakes Estates, Zone No. 7.

1. Standby Charge. Sewer Standby Charge Total: \$138.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section governing Levy of Sewer Standby Charge 4.2 of the Sanitation District Code.

Each parcel of land in the Mountain Lakes Estates Zone No. 7 that has sewer capacity allocated to it for future connection to the Mountain Lake Estates Zone No. 7 sewage disposal system will be assessed the following fees per EDU:

- Sewer Maintenance: \$138.00.
- Capital Acquisition and Improvement: \$0.00.

2. Service Charge. Sewer Service Charge Total per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|----------------------|-----------|-----------|-----------|-----------|--------------------|
| Sewer Service Charge | \$593.00 | \$523.00 | \$654.00 | \$687.00 | \$721.00 |

This Sewer Service charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section governing Levy of Sewer Service Charge 4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Mountain Lakes Estates Zone No. 7 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|---------------------------------|-----------|-----------|-----------|-----------|--------------------|
| Sewer Maintenance and Operation | \$593.00 | \$523.00 | \$654.00 | \$687.00 | \$721.00 |

Capital Acquisition and Improvement: \$0.00.

G. Cascade Shores, Zone No. 8.

1. Standby Charge. Sewer Standby Charge Total: \$735.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section [governing Levy of Sewer Standby Charge 4.2](#) of the Sanitation District Code.

Each parcel of land in the Cascade Shores, Zone No. 8, that has sewer capacity allocated to it for future connection to the Cascade Shores, Zone No. 8, sewage disposal system will be assessed the following fees per EDU:

- Sewer Maintenance: \$144.00.
- Capital Acquisition and Improvement: \$591.00.

2. Service Charge. Sewer Service Charge Total per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|----------------------|------------|------------|------------|------------|--------------------|
| Sewer Service Charge | \$2,494.00 | \$2,544.00 | \$2,595.00 | \$2,647.00 | \$2,699.00 |

This Sewer Service charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section [governing Levy of Sewer Service Charge 4.1](#) of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Cascade Shores Zone No. 8 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|---------------------------------|------------|------------|------------|------------|--------------------|
| Sewer Maintenance and Operation | \$2,276.00 | \$2,321.00 | \$2,368.00 | \$2,415.00 | \$2,463.00 |

Capital Acquisition and Improvement per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|-------------------------------------|-----------|-----------|-----------|-----------|--------------------|
| Capitol Acquisition and Improvement | \$218.00 | \$223.00 | \$227.00 | \$232.00 | \$236.00 |

3. Dedication of Revenue. Sewerage system sewer charges collected from Cascade Shores, Zone No. 8, of Nevada County Sanitation District No. 1, as established by Ordinance No. SD-21 and as may hereafter be levied, are hereby dedicated as the source of revenue repayment of any and all State Revolving Fund loans on the Cascade Shores Wastewater Treatment Facilities Upgrade 1994 (State Project No. C-06-4030-11). This dedicated source of revenue shall remain in effect until such loan or loans are fully discharged, unless modification or change of such dedication is approved, in writing, by the State Water Resources Control Board and the Board of Directors of Nevada County Sanitation District No. 1.

Sewerage system sewer charges collected from Cascade Shores, Zone No. 8, of Nevada County Sanitation District No. 1, as established by Ordinance Nos. SD-49 and SD-50 and as may hereafter be levied, are also hereby dedicated as the source of revenue repayment of any and all State Revolving Fund loans on the Cascade Shores Wastewater Treatment Plant Improvements 2008 (State Project No. C-06-4967-110). This dedicated source of revenue shall remain in effect until such loan or loans are fully discharged, unless modification or change of such dedication is approved, in writing, by the State Water Resources Control Board and the Board of Directors of Nevada County Sanitation District No. 1.

H. Eden Ranch, Zone No. 9.

1. Standby Charge. Sewer Standby Charge Total: \$180.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section [governing Levy of Sewer Standby Charge4.2](#) of the Sanitation District Code.

Each parcel of land in the Eden Ranch Zone No. 9 that has sewer capacity allocated to it for future connection to the Eden Ranch Zone No. 9 sewage disposal system will be assessed the following fees per EDU:

- Sewer Maintenance: \$180.00.
- Capital Acquisition and Improvement: \$0.00.

2. Service Charge. Sewer Service Charge Total: \$1,148.00 per EDU.

This Sewer Service charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section [governing Levy of Sewer Service Charge4.1](#) of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Eden Ranch Zone No. 9 sewage disposal system will be assessed the following fees for each connected EDU:

- Sewer Maintenance and Operation: \$1,148.00.

- Capital Acquisition and Improvement: \$0.00.

I. DarkHorse, Zone No. 10. Abolished by Ordinance No. SD-71.

J. Higgins Village Zone No. 11.

1. Standby Charge. Sewer Standby Charge Total: \$0.00 per EDU.

Each parcel of land in the Higgins Village Zone No. 11 will be assessed the following fees per EDU:

- Capital Acquisition and Improvement: \$0.00.

2. Service Charge. Sewer Service Charge Total: \$1,892.00 per EDU.

In addition to the above fees, each improved parcel of land connected to the Higgins Village Zone No. 11 sewage system will be assessed the following fee for each connected EDU:

- Sewer Maintenance and Operation: \$1,525.00.
- Capital Acquisition and Improvement: \$367.00.

K. Valley Oak Court Zone No. 12.

1. Standby Charge. Sewer Standby Charge Total: \$0.00 per EDU.

This Sewer Standby charge is levied to provide for annual maintenance expenses and capital acquisition and improvements in accordance with Section governing Levy of Sewer Standby Charge4.2 of the Sanitation District Code.

Each parcel of land in the Valley Oak Court Zone No. 12 that has sewer capacity allocated to it for future connection to the Valley Oak Court Zone No. 12 sewage disposal system will be assessed the following fees per EDU:

- Sewer Maintenance: \$0.00.
- Capital Acquisition and Improvement: \$0.00.

2. Service Charge. Sewer Service Charge Total per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|----------------------|-----------|------------|------------|------------|--------------------|
| Sewer Service Charge | \$921.00 | \$1,148.00 | \$1,399.00 | \$1,441.00 | \$1,485.00 |

This Sewer Service charge is levied to provide for the cost of ongoing operation, annual maintenance expenses, and capital acquisition and improvements in accordance with Section governing Levy of Sewer Service Charge4.1 of the Sanitation District Code.

Each improved parcel of land that has sewer capacity allocated to it and is connected to the Valley Oak Court Zone No. 12 sewage disposal system will be assessed the following fees for each connected EDU:

Sewer Maintenance and Operation per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|---------------------------------|-----------|-----------|------------|------------|--------------------|
| Sewer Maintenance and Operation | \$830.00 | \$966.00 | \$1,126.00 | \$1,160.00 | \$1,195.00 |

Capital Acquisition and Improvement per EDU:

| Fiscal Year | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 & Beyond |
|-------------------------------------|-----------|-----------|-----------|-----------|--------------------|
| Capital Acquisition and Improvement | \$91.00 | \$182.00 | \$273.00 | \$281.00 | \$290.00 |

Note: All fees shown above are for a unit of sewer service termed Equivalent Dwelling Unit (EDU).

The above established charges are for each EDU allocated and parcels which have multiple EDUs allocated to them shall be assessed based on the number of EDUs so allocated. Sewer service charges may be calculated and assessed against parcels based on actual usage where the District determines that the usage is either greater or lesser than the number of allocated EDUs to the parcel; provided, however, that no parcel may establish any right, interest or entitlement of any form whatsoever to generate sewage for disposal in the District's sewerage system in excess of the number of EDUs allocated to the parcel. (Adopted by SD-10, (08/08/1989); amended by SD-12, (08/28/1990); SD-13, (09/11/1990); SD-14, (09/10/1991); SD-15, (01/28/1992); SD-17, (02/04/1992); SD-19, (07/14/1992); SD-20, (12/22/1992); SD-21, (04/06/1993); SD-22, (07/13/1993); SD-23, (07/09/1993); SD-27, (08/09/1994); SD-31, (08/08/1995); SD-33, (08/13/1996); SD-34, (05/13/1997); SD-37, (05/12/1998); SD-38, (06/08/1999); SD-39, (06/13/2000); SD-40, (10/11/2001); SD-41, (01/08/2002); SD-42, (09/10/2002); SD-43, (07/08/2003); SD-44, (08/12/2003); SD-45, (01/08/2004); SD-46, (03/12/2004); SD-47, (07/22/2004); SD-48, (08/12/2004); SD-49, (06/28/2005); SD-50, (08/09/2005); SD-51, (09/27/2005); SD-52, (01/10/2006); SD-53, (05/23/2006); SD-54, (05/23/2006); SD-55, (05/23/2006); SD-57, (06/27/2006); SD-59, (06/27/2006);

(08/08/2006); SD-63, (06/10/2008); SD-64, (07/08/2008); SD-67, (06/09/2009); SD-68, (06/23/2009); SD-70, (06/22/2010); SD-71, (08/24/2010); SD-74, (06/22/2021))

Sec. 4.4 Adjustment for Overcharge or Undercharge

The Director of the Department of Public Works, as an agent for the Sanitation District, shall also be directed to make adjustments to charges billed to any parcel where it is determined that the parcel has been overcharged or undercharged for any of the sewer fees upon facts warranting an adjustment. Any correction of the charges shall be made on or before June 30th of the fiscal year in which the overcharge or undercharge occurred and shall be made following the procedures established in Nevada County ~~General Code governing Solid Waste, Waste Disposal, Bringing Garbage Into County Unlawfully Without Permission~~~~Section G-IV 8.16.D.2.d.~~ As an alternative to ~~those~~ procedures, ~~set out in Section G-IV 8.16.D.2.d,~~ the Director may request that a roll correction be made to the property tax bill for the property. (Adopted by SD-19, (07/14/1992); amended by SD-20, (12/22/1992); SD-21, (04/06/1993); SD-22, (07/13/1993); SD-27, (08/09/1994); SD-30, (04/11/1995); SD-74, (06/22/2021))

Sec. 4.5 Annual Rate Adjustment

The charges established by this Chapter shall be adjusted annually by the adoption of a resolution of the District; provided, however, that in the absence of any such adjusting resolution, the charges established the prior year shall remain in effect. Pursuant to Cal. Health & Safety Code § 5471 any ~~Ordinance or Resolution~~ establishing charges for any year shall be approved (adopted) by a two-thirds vote of the members of the Board of Directors of the District. (Adopted by SD-5, (03/26/1979); amended by SD-6, (10/16/1979); SD-10, (08/08/1989); SD-74, (06/22/2021))

Sec. 4.6 Collection

A. The charges established by this Chapter or any subsequent ordinance adjusting same shall be collected on the County of Nevada ~~County~~ tax roll, in the same manner, by the same persons, and at the same time as and together with the property taxes of the County. Pursuant to Cal. Health & Safety Code § 5473, the Board of Directors shall cause a written report to be prepared each year and filed with the District's clerk which shall contain a description of each parcel of real property receiving services and the amount of the charge for each parcel for the year. The clerk shall on or before August 10th of each year file the report with the County Auditor-Controller with the statement as required in Cal. Health & Safety Code §~~Health and Safety Code Section~~

5473.4. For any parcel as to which a charge is levied under this Chapter but which does not appear on the County tax roll, the District shall separately bill the owner thereof.

B. The Department of Public Works, as an agent for the Sanitation District, may separately hand bill any charges set forth above to all property owners who cannot be billed by a tax bill. The charges that are separately hand billed shall be due no later than April 10th of the fiscal year in which the charges are assessed. If any such charge is not paid when due, a late penalty and interest shall attach thereto in the same manner and amount as is provided for in the collection of County property taxes.

C. With the consent of the Nevada County Board of Supervisors, all of the above fees shall be billed and collected on the County property tax bill and all payment delinquencies will be reported by the Nevada County Treasurer/Tax Collector to the Board of Directors of the Nevada County Sanitation District No. 1 at the end of the fiscal year for placement on the delinquent tax list. (SD-10, (08/08/1989); SD-14, (09/10/1991); SD-19, (07/14/1992); SD-20, (12/22/1992); SD-21, (04/06/1993); SD-22, (07/13/1993); SD-27, (08/09/1994); SD-30, (04/11/1995); SD-72, (05/24/2011))

Sec. 4.7 Collection of Delinquent Charges

All delinquent charges incurred by property owners within the District, excluding the Glenbrook Assessment District, as determined by the Nevada County Sanitation District No. 1, shall be added to the tax roll and collected with the property taxes.

All delinquent charges incurred by property owners within the boundaries of the Glenbrook Assessment District within the Nevada County Sanitation District No. 1, as determined by the City of Grass Valley, shall be added to the tax roll and collected with the property taxes. (Adopted by SD-1, (09/30/1969); amended by SD-3, (07/27/1971))

EXHIBIT A

SANITATION DISTRICT CODE

CHAPTER**SECTION** 5 EQUIVALENT DWELLING UNITS

Sections:

Sec. 5.1 Purpose and Intent: Relinquishing and Acquiring Unallocated and Allocated Unconnected Sewer Capacity Applicable to District Zones: 1, Lake Wildwood; 2, Lake of the Pines; 4, North San Juan; 6, Penn Valley; and 8, Cascade Shores

Sec. 5.2 Relinquishment or Acquisition of Allocated Unconnected and Unallocated Sewer Capacity Applicable to District Zones: 4, North San Juan; 6, Penn Valley; and 8, Cascade Shores

Sec. 5.2.1 Donation of Unallocated Unconnected Sewer Capacity (EDUs) Applicable to District Zones: 4, North San Juan; 6, Penn Valley; and 8, Cascade Shores

Sec. 5.3 Relinquishment or Acquisition of Allocated Unconnected EDUs Applicable to District Zones: 1, Lake Wildwood; and 2, Lake of the Pines
Sec. 5.3.1 Allocation and Reservation of Unallocated and Unconnected EDUs Applicable to District Zones: 1, Lake Wildwood; and 2, Lake of the Pines

Sec. 5.4 Acquisition of Unallocated Equivalent Dwelling Units (EDUs) in the Penn Valley Zone 6 Sewer System

Sec. 5.1 Purpose and Intent: Relinquishing and Acquiring Unallocated and Allocated Unconnected Sewer Capacity Applicable to District Zones: 1, Lake Wildwood; 2, Lake of the Pines; 4, North San Juan; 6, Penn Valley; and 8, Cascade Shores

It is the intent of this Chapter to provide a procedure allowing property owners who hold the rights to excess sewer capacity (“Equivalent Dwelling Units”) to relinquish those allocated units of unconnected sewer capacity. It shall also provide a procedure allowing property owners to acquire sewer capacity. However, each such relinquishment and acquisition must be wholly within the same sewer zone. This Chapter is not intended to and shall not be construed so as to create any obligation or duty upon the District to approve

any request for relinquishment or acquisition of sewer capacity. (Repealed and re-enacted by SD-36, (07/08/1997))

Sec. 5.2 Relinquishment or Acquisition of Allocated Unconnected and Unallocated Sewer Capacity Applicable to District Zones: 4, North San Juan; 6, Penn Valley; and 8, Cascade Shores

A. Relinquishment.

1. Notification. Any property owner who has unused or excess sewer capacity rights may submit a written notification to the District offering to surrender such rights back to the District or, through the District, to other property owners within the same zone. Any lenders having a secured interest in the property shall consent to the surrender in writing. The notice shall be on a form provided by the Sanitation District and shall be notarized. However, the District is under no obligation to acquire EDUs. Relinquishment shall be authorized on a first come, first served basis. As used herein, first come, first served shall be determined by the date that the District receives a completed application and fee.

2. Revocation. Once filed, the notice may only be revoked by giving written notice. Revocation shall not be permitted if the District has authorized transfer of that EDU to another property owner prior to the effective date of the attempted revocation and there are no other EDUs available.

3. Assessments.

a. Upon receipt of a request from the District, the Treasurer/Tax Collector shall provide the District with a statement showing the present status of any sewer assessment bonds secured by the relinquishing property.

b. No surrender of EDUs shall be permitted if there are any unpaid assessment liens on the relinquishing property for the EDUs offered for surrender. (Assessment liens may be removed by complying with the relevant provisions of Cal. Sts. & High. Code §§~~Streets and Highways Code Sections~~ 8766 and 8766.5.) The relinquishing property shall remain liable for all assessment payments for EDUs which remain with and are secured by the property. A partial lien release shall be recorded by the District with the County Recorder reflecting the release of the lien for the EDUs which are paid off and surrendered.

c. Relinquishing property owners will continue to be liable for all assessments, including Operation and Maintenance and Capital Improvement assessments, until surrender is completed. At the time of the surrender, fees shall be prorated through the month of delivery with the entirety of the month favoring the relinquishing property.

B. Acquisition. Any property owner who desires to acquire sewer capacity rights may submit a written application to the District offering to acquire such rights. Such application shall be on a form provided by the Sanitation District and shall be notarized. The application fee which is established by resolution by the Board of Directors of the Sanitation District shall accompany the application. If the District holds any unallocated EDUs, they shall be assigned prior to allowing EDUs to be surrendered from another property. If no EDUs are available for a requesting party, the District shall hold the application requesting EDUs for two (2) years. As EDUs become available, they will be acquired on a first come, first served basis by applicants with applications on file. To remain in effect, an application must be renewed every two (2) years. If an application is renewed prior to the expiration date, the applicant shall maintain his/her place in line for a future acquisition. The application is transferable if requested in writing to the District by a subsequent purchaser of the acquiring property without losing the original applicant's place in line. Before a property owner can acquire EDUs, the acquiring property must be zoned to reflect the zoning which would be consistent with that number of EDUs for that property after acquisition.

C. General Provisions. All applications to relinquish and/or acquire EDUs must be approved by the District Engineer or ~~their~~~~his~~~~or~~~~her~~ designee. No surrender shall be approved if the relinquishing property would become undevelopable by virtue of the lack of available sewer service. The District reserves the sole discretion to determine if surrender of capacity will leave a property without adequate sewer capacity. All relinquishments and/or acquisitions shall be in compliance with District ordinances, policies and procedures. Relinquishments and acquisitions shall be evidenced by the adoption of a resolution identifying the properties relinquishing and/or acquiring the EDUs and the number of EDUs being relinquished or acquired. Said resolution shall be recorded.

D. The provisions of this Section shall be subordinate to Section 5.4, below, concerning the allocation of the Penn Valley Zone 6 original 34 unallocated EDUs until there are no original unallocated EDUs remaining in that account.

E. The cost of relinquishment and/or acquisition shall be the actual and direct costs of the EDU to the relinquishing property owner plus any fees required by the District. If the relinquishing property owner has paid the assessment for a surrendered EDU in full, the property owner may receive full reimbursement. The costs shall be determined by the District. These reimbursement fees shall be paid to the District which shall distribute the reimbursement, plus the applicable interest, to the relinquishing property owner.

F. A property owner acquiring EDUs shall be fully liable for all sewer connection or pipeline installation costs and any other charges in place at the time of the acquisition. The District reserves the sole discretion to determine if a property can feasibly be connected to the sewer system. If any easements are required in order to connect the acquiring property to the sewer system, the property owner acquiring the EDUs shall be responsible for obtaining the necessary easements and shall pay whatever costs are required for those

easements, including, but not limited to, surveying costs, District staff costs and any attorneys fees associated with obtaining the easements. The easements shall be in the name of the Sanitation District and shall be on an Easement Deed in a form approved by the County Counsel.

G. If a property owner desires sewer service for property located outside District boundaries, the property owner shall be required to annex that property to the District through the Local Agency Formation Commission (LAFCo) prior to granting of sewer capacity to the property. The applicant shall be responsible for the processing and payment of all fees charged by LAFCo. District charges for its participation in the annexation process are separate from and in addition to the LAFCo charges. (Repealed and re-enacted by SD-36, (07/08/1997); amended by SD-60, (06/12/2007))

Sec. 5.2.1 Donation of Unallocated Unconnected Sewer Capacity (EDUs) Applicable to District Zones: 4, North San Juan; 6, Penn Valley; and 8, Cascade Shores

A. Purpose and Intent. The exclusive procedure for donation of one or more EDUs in Zones 4, 6, and 8 is set forth in this section. Donation is not expressly or impliedly covered by the procedure in Section 5.2 entitled “Relinquishment or Acquisition of Allocated Unconnected and Unallocated Sewer Capacity Applicable to District Zones: 4, North San Juan; 6, Penn Valley; and 8, Cascade Shores.” Section 5.2 covers relinquishment and acquisition as a transaction for value because, pursuant to 5.2.E, the relinquishing property owner must be reimbursed by the acquiring property owner for “...the actual and direct costs of the EDU to the relinquishing property owner plus any fees required by the District.”

B. Donation of Excess Sewer Capacity (EDUs). Notwithstanding anything to the contrary in Section 5.2, this Section shall control as to any donation of an EDU. After written notice to the District, one or more EDUs may be donated by an owner to another owner of property in the same zone if the EDUs are unused and excess capacity. For purposes of this Section, the word “donated” means that no cost is incurred by the acquiring owner, other than District fees, and that no reimbursement whatsoever is made to the donating owner. Sections 5.2.A.3, 5.2.C, 5.2.F, and 5.2.G shall apply to each and every donation. In accordance with Section 5.2.C, the donation shall be evidenced by adoption of a District resolution that shall be recorded. (Adopted by SD-66, (05/12/2009))

Sec. 5.3 Relinquishment or Acquisition of Allocated Unconnected EDUs Applicable to District Zones: 1, Lake Wildwood; and 2, Lake of the Pines

A. Relinquishment.

1. Notification. Property owners holding excess EDUs may submit an application to the District offering them for surrender. However, the District is under no obligation to acquire EDUs.

No surrender of sewer capacity shall occur if it would leave the property without adequate sewer capacity. The District reserves sole discretion in this matter.

2. Revocation. Property owners may file a request for revocation of surrender of EDUs by giving written notice to the District, provided the request does not interrupt a transfer in progress.

3. Assessments. No surrender of EDUs shall be permitted if there are any unpaid assessment liens on the relinquishing property for the EDUs offered for surrender. (Assessment liens may be removed by complying with the relevant provisions of ~~Streets and Highways Code Sections~~ Cal. Sts. & High. Code §§ 8766 and 8766.5.) The relinquishing property shall remain liable for all assessment payments for EDUs which remain with and are secured by the property. A partial lien release shall be recorded by the District with the County Recorder reflecting the release of the lien for the EDUs which are paid off and surrendered.

B. Acquisition. Any property owner who desires to acquire EDUs may submit an application to the District. The application shall be on a form provided by the District and shall be notarized.

If no EDUs are available, the District shall hold the application for two years. The application is transferable if requested in writing to the District by a subsequent purchaser of the property.

Before a property owner can acquire EDUs, the property must be zoned as to be consistent with the number of EDUs being acquired.

A property owner acquiring EDUs shall be fully liable for all sewer connection or pipeline installation costs and any other charges in place at the time of the acquisition. The District reserves sole discretion in determining if a property can feasibly be connected to the sewer system.

If any easements are required in order to connect the property to the system, that property owner shall be responsible for obtaining the necessary easements and shall pay whatever costs are required including, but not limited to, surveying costs, District staff costs, and any attorneys' fees associated with obtaining the easements. The easements shall be in the name of Nevada County Sanitation District No. 1 and shall be on an Easement Deed as approved by the District.

C. General Provisions. All applications to relinquish and/or acquire EDUs must be approved by the District Engineer, or ~~their~~his or her designee. No surrender shall be approved if the relinquishing property would become undevelopable by virtue of the lack

of available sewer service. The District reserves the sole discretion to determine if surrender of capacity will leave a property without adequate sewer capacity. All relinquishments and/or acquisitions shall be in compliance with District ordinances, policies and procedures. Relinquishments and acquisitions shall be evidenced by the adoption of a resolution identifying the properties relinquishing and/or acquiring the EDUs and the number of EDUs being relinquished or acquired. Said resolution shall be recorded.

The cost of allocated unconnected sewer capacity shall be determined by agreement between the parties of the transfer. The cost of acquiring unallocated sewer capacity shall be based upon the value agreed to by the parties involved. A copy of the parties' written agreement must be presented to the District.

District staff charges (established by Nevada County Sanitation District No. 1 Board) on behalf of the applicants shall be paid within twenty (20) calendar days of receipt of notification. All charges received by the District shall be deposited into a designated fund. Any District charges collected from the parties of a transaction which exceed District costs shall be returned to the original payee.

If a property owner desires sewer service for property located outside District boundaries, the property shall be annexed to the District through the Local Agency Formation Commission (LAFCo) prior to the granting of EDUs.

The applicant shall be responsible for the processing and payment of all LAFCo charges. District charges for its participation in the annexation process are separate from and in addition to LAFCo charges.

Sewer capacity reallocation shall be evidenced by the adoption of a District resolution identifying the properties and the number of EDUs surrendered or acquired. Said resolution shall be recorded.

The provisions of this Section shall be subordinate to Section 5.4 below, concerning the allocation of the Penn Valley Zone 6 original 34 unallocated EDUs until exhausted. (Repealed and re-enacted by SD-36, (07/08/1997); amended by SD-60, (06/12/2007))

Sec. 5.3.1 Allocation and Reservation of Unallocated and Unconnected EDUs Applicable to District Zones: 1, Lake Wildwood; and 2, Lake of the Pines

A. Intent. The procedure for allocation and reservation of EDUs arising from increased plant capacity in Zones 1 and 2 is set forth in this section. The allocation of EDUs occurs by District assignment. Assignment may commence when the new plant capacity is under construction. Property owners of parcels of real property located within the Zone, or to be annexed into the Zone, are eligible to apply for an EDU allocation from the pool of unallocated EDUs, except that the pool shall not include those unallocated EDUs that are being reserved for a public entity.

B. Policy on Reservation of EDUs. Unallocated EDUs may be reserved for acquisition by one or more public entities needing sewer service in the Zone. A “Contract for EDU Reservation” may be executed by the District at any time during its planning of future increased capacity. The District shall provide written notice to all potentially affected public entities so that any competition for reservations is fair.

Reservations shall be made by contracting with the District on mutually agreeable terms and conditions subject to the following: (1) no single public entity shall be eligible to reserve more than ten (10%) percent of the pool of unallocated EDUs; and, (2) cumulatively, reservations of EDUs shall not exceed fifteen (15%) percent of the pool of unallocated EDUs; and, (3) the cost of each EDU shall be the actual cost determined by the District at the time of acquisition, as opposed to the time of reservation; and (4) the District shall serve notice of its intent to terminate a reservation when the original pool of unallocated EDUs has been reduced by allocations and reservations amounting to approximately sixty (60%) percent of the total new increased capacity; and, (5) a reservation may be terminated unilaterally by the District if acquisition has not occurred within twelve (12) months of the date of the District’s written notice of its intent to terminate.

This policy reflects the District’s need to ensure that local public entities have both priority and flexibility in the acquisition of EDUs, while ensuring that the reservations do not upset the District’s cash flow projections based on revenue expected from EDU acquisitions and connected service charges.

C. Procedures for Assignment and Allocation of EDUs in Zone 1 (Lake Wildwood).
[Reserved]

D. Procedures for Assignment and Allocation of EDUs in Zone 2 (Lake of the Pines).
[Reserved] (Adopted by SD-51.5; 09/27/2005)

Sec. 5.4 Acquisition of Unallocated Equivalent Dwelling Units (EDUs) in the Penn Valley Zone 6 Sewer System

A. Intent. It is the intent of this Section to provide a procedure for property owners to acquire surplus sewer capacity in the Penn Valley Zone 6 public sewer system as operated by Nevada County Sanitation District No. 1. This Section is not intended to and shall not be construed so as to create any obligation or duty upon the District to approve any request for acquisition of sewer capacity rights.

B. Policy. It is the policy of the District to provide the unallocated sewer capacity (EDUs) to qualified property owners on a first come, first served basis. As used herein, first come, first served shall be determined by the date that the District receives a completed application and fee. The District shall date stamp all applications submitted to the District.

The District reserves the right to disqualify any application that it determines is not properly completed.

C. Procedures.

1. All assignments of sewer capacity shall be subject to the District's approval and shall be completed in accordance with its procedures.
2. The District shall accept applications for all unallocated sewer capacity so long as there is excess capacity in the Penn Valley Sewer System. All applications shall be accompanied by payment of a non-refundable filing fee of \$50, which must accompany the application, plus a deposit of \$150 (which shall not accrue interest) for costs incurred by the District on behalf of the applicant. In the event sewer capacity cannot be granted and agency fees charged to the District on behalf of the applicant exceed the deposit, applicant shall submit within 20 calendar days from District notification those charges exceeding the deposit. Any deposit remainder shall be returned to the applicant. No application shall be accepted, and sewer capacity shall not be extended to any property, unless and until the property is zoned in a manner that is consistent with the application for the sewer capacity.
3. Applications shall require certification that the applicant(s) are the legal owner(s) of the property.
4. Upon the District's receipt of an application and payment of the appropriate fee, if the requested sewer capacity is available, the District shall inform the applicant in writing of the cost to acquire sewer capacity. The District will reserve the requested capacity for the applicant for a period of twenty (20) days in which period applicant must make payment to the District of the full cost for the acquisition of the sewer capacity. If payment is not made to the District within twenty (20) calendar days from the date of the District's notification to the applicant, the sewer capacity shall no longer be reserved for the applicant.

The cost of the sewer capacity shall include the original assessed capital cost per EDU of off-lot facilities (\$2,655.51) plus an amount equal to the interest paid on the Penn Valley Sewer Project Bonds.

5. Sewer capacity funds will be deposited into the Penn Valley Zone 6 capital fund to be used for Zone 6 improvements.
6. The cost to acquire sewer capacity does not cover the cost of the construction of the on-lot facility required for connecting to the District's sewer mains or the cost of extending any sewer mains or other sewer lines to the applicant's property, and the applicant shall be responsible for all such costs.

Prior to physically connecting to the sewer system, the property owner must acquire a Sewer Connection Permit from the District and shall pay a fee of \$250, or such other

amount as the Board of Directors may from time to time establish by Resolution, for all costs associated with the on-lot facility construction and connection to the sewer system. As a condition to the connection to the Penn Valley Sewer System, the District shall be granted an easement for ingress and egress for the construction, maintenance, repair and replacement of all on-lot facilities located on the connecting property.

If the District finds that it is reasonably necessary to acquire any easement(s) on property other than the property that is connecting to the sewer system, the full cost of acquisition (including, but not limited to, the cost of staff and attorneys) shall be borne by the applicant. Any such cost shall be paid prior to connection to the sewer system.

7. If the owner of any parcel that is located outside of the boundaries of the Sanitation District requests sewer service, the property shall be required to annex to the Sanitation District prior to the granting of any sewer capacity to the property. The applicant is responsible for the processing and payment of all fees charged by LAFCo. District charges for annexation are separate from and in addition to LAFCo charges. If annexation is required, the applicant shall pay an annexation fee of \$50, which must accompany the application, plus a deposit of \$450 (which shall not accrue interest) for costs incurred by the District to determine if annexation is feasible. The applicant shall be required to pay for all staff time spent by the District.

8. Approval of acquisition of unallocated sewer capacity shall be evidenced by the adoption of a resolution which shall identify the recipient property and the amount of sewer capacity (number of EDUs) acquired. A letter confirming the allocation of sewer capacity will be sent to the property owner. (Repealed and re-enacted by SD-36.5 (07/08/1997))

EXHIBIT A

SANITATION DISTRICT CODE

CHAPTERSECTION 6 – CODE COMPLIANCE, INSPECTION AND VIOLATION PENALTY PROVISIONS

Sections:

Sec. 6.1 New Construction Bonding, Plan Check and Inspection

Sec. 6.2 Inspection of Existing User Laterals

Sec. 6.3 Code Violation Correction and Penalty Provisions

Division 6.4 Maintenance of Existing Facilities

Sec. 6.41 Maintenance and Testing of Private Sanitary Sewer Facilities

Sec. 6.42 Conditions Required Testing of Existing Sanitary Sewer Facilities

Sec. 6.43 Testing Procedures for Existing Sanitary Sewer Facilities

Sec. 6.44 Time Limits for Completion of Testing Procedures

Sec. 6.45 Waiver of Testing Requirements Sec. 6.46 Shared-Use Facility

Sec. 6.1 New Construction Bonding, Plan Check and Inspection

New construction will be in accordance with standards specified in Design and Construction Standards Chapter 7 of this Code. Plan approval, inspection, and permit issuance shall be processed through the District Engineer. Improvement bonding may be required, and current Department of Public Works plan check and inspection fees will be assessed for the engineering services. (Adopted by SD-5, (03/26/1979); amended by SD-72, (05/24/2011))

Sec. 6.2 Inspection of Existing User Laterals

A. The District reserves the right to inspect any existing lateral or collecting sewers that discharge wastewater directly or indirectly to trunk sewers. If it is found that such lateral

or collecting sewers are improperly used or improperly maintained, thereby causing discharge of septic wastewater, excessive groundwater, debris or any other objectionable substance to the District's sewers, the District Engineer will give notice of the unsatisfactory condition to the offending discharger.

B. In cases of continued noncompliance with the District directive, the District may disconnect the offending sewer from the District sewerage system and bill all costs to the offending discharger. Any excessive maintenance expenses caused by discharge violations will be billed to the offending discharger. (Adopted by SD-5.5 (03/26/1979))

Sec. 6.3 Code Violation Correction and Penalty Provisions

Any violation of this Chapter is hereby determined to constitute a public nuisance and shall be subject to civil action being instituted by the Nevada County Counsel.

A. The District Engineer shall so notify any person found to be in violation of this Chapter of any related annexation, or permit, condition, or requirement. The notice shall be in writing and served in person or by registered mail at least ten (10) days prior to taking any action under this Section. If the notice is served by mail, it shall go to the last known address of the offending person. If ~~their~~his or her address is unknown, the notice will be served upon the owner of record of the property involved.

B. Every person violating any provision of this Chapter, including the failure to pay any fees, charges or surcharges imposed thereby, or any condition or limitation of a permit or plan approval issued pursuant thereto, is guilty of a misdemeanor, and upon conviction is punishable by a fine not to exceed one hundred dollars (\$100.00), imprisonment not to exceed thirty (30) days, or both.

Each day during which any violation continues shall constitute a separate offense punishable as provided above.

The District may sue to recover any amounts due the District under the provisions of this Chapter. (Adopted by SD-5.5 (03/26/1979))

Division 6.4 Maintenance of Existing Facilities

Sec. 6.41 Maintenance and Testing of Private Sanitary Sewer Facilities

The owner or their agent of a property served by the District's sanitary sewer in Penn Valley, Zone 6 shall be responsible for the operation and maintenance of the private sanitary sewer facilities, including all devices or safeguards required by this Ssection, which are located upon said property. The owner or their agent's operation and

maintenance responsibility is from the building to the connection at the sanitary sewer easement or property line.

The owner or their agent shall, at their own risk and expense, install, keep and maintain in good repair all sanitary sewer facilities (sanitary sewer pipelines, force mains, manholes, equipment, pump stations, check valves, and related appurtenances) situated on the premises so served. The District shall not be responsible for any loss or damage caused by improper or defective installation of sanitary sewer facilities, whether inspected and/or approved by the District. All such installations of sanitary sewer facilities shall conform with all federal, state, county, town and local laws, rules, regulations and ordinances.

The owner or their agent served by the District's sanitary sewer system shall be responsible and liable for all costs involved in the repair of all damages caused by the owner, customer, or agents thereof, to the District's sanitary sewer facilities, including but not limited to sewer obstructions, wherever located.

All sanitary sewer facilities found in need of repair as a result of testing procedures required by this chapter shall be repaired and/or installed to the standards set forth in the District Code. (Adopted by SD-69, (04/13/2010))

Sec. 6.42 Conditions Required Testing of Existing Sanitary Sewer Facilities

It shall be unlawful for any owner of a house, building, or property connected to the District's sanitary sewer system to maintain private sanitary sewer facilities in a condition such that the tests contained herein cannot be successfully accomplished.

All private sanitary sewer facilities, including those serving residential, multiple residential, commercial, and industrial connected to the District's sanitary sewer system shall be tested when any of the following conditions occur:

- A. Remodeling of the house, building or property served to an extent of more than fifty (50%) percent of the assessed valuation, as determined by the County of Nevada, ~~County~~, or
- B. Installation of additional plumbing fixtures in the house, building or property served and/or installation of additional building lateral pipeline, or
- C. Change of use of the house, building or property serviced from residential to business or commercial, or from non-restaurant commercial to restaurant commercial, or
- D. Repair or replacement of all or part of the building lateral(s), force main pipeline, or private lift station components, or

- E. The addition of living quarters, such as guest cabins on the property served or conversion of garages into living quarters with plumbing fixtures, or addition of structures on the parcel that impact an existing building lateral or force main, or
- F. Prior to the close of escrow upon a sale of the house, building or property served, or
- G. The transfer of ownership or interest in the parcel, the facility, or the business, or
- H. Change in tenant of the facility or business, or
- I. Change of ownership (multiple owners) on the deed selling their portion to other partner/investors, or
- J. An inspection by the District indicates reasonable cause, or
- K. Upon determination of the District Engineer that testing or sanitary sewer facility replacement is required for the protection of the public health, safety and welfare. (Adopted by SD-69, (04/13/2010))

Sec. 6.43 Testing Procedures for Existing Sanitary Sewer Facilities

The owner or their agent of a house, building, or property connected to the District's sanitary sewer system shall conduct all sanitary sewer facility upgrades and testing required at their sole expense and shall notify the District forty-eight (48) hours prior to testing. Testing shall be witnessed by a District Inspector.

Sanitary Sewer Pipelines. All building laterals, joint laterals, and privately owned main pipelines shall be tested by either a closed circuit TV (CCTV), air or water method, at the discretion of the District.

In the case of building and joint laterals, the test section shall be from the building cleanout to the District service connection point. The test section includes all private pipelines, including joint laterals, which provide sanitary sewer service to the parcel in question.

A. Privately owned main pipelines shall be tested their full length and testing shall be in accordance with one of the following:

1. Air test consisting of plugging each end of the pipeline and applying a pressure of 3.5 PSI (pounds per square inch) plus 0.43 PSI for every foot of groundwater above the sewer to the section being tested. The sewer shall never be inflated to more than 5 PSI. If groundwater conditions require more than 5 PSI, perform inspections by CCTV. The pipeline shall be allowed a maximum loss in pressure of ½ pound per square inch in 5 minutes. If the loss exceeds ½ pound per square inch, the test may be attempted one additional time. A second loss of pressure constitutes a failure of the pipeline,

whereupon the pipeline shall be replaced, as needed, and retested in accordance with this section.

2. Water test consisting of plugging the downstream end of a pipeline, placing a section(s) of pipe in the vertical branch of the building cleanout and filling the test section with water. At least eight (8) vertical feet of water (measured from the highest point of the pipeline or groundwater level to the top of the water column on the upstream cleanout riser of the test section) shall be used for the test. In pipelines with minimal fall, cleanout risers may need to be temporarily extended above ground to achieve the eight (8) vertical foot static water level. In no case shall the vertical distance measured from the lowest point of the pipeline test section to the water surface in the cleanout riser exceed twelve (12) feet. Additional cleanouts may have to be installed in steep pipelines and the pipeline tested in sections. If groundwater conditions more than twelve (12) feet of water column test pressure perform inspection by CCTV.

3. The pipeline shall be allowed a maximum loss of water level of one (1) inch in five (5) minutes for a 4-inch or 6-inch pipeline per 100 feet in length. If the loss exceeds the allowable, the pipeline may be retested one additional time. A second loss exceeding the allowable constitutes a failure of the pipeline, whereupon the pipeline shall be replaced, as needed, and tested in accordance with this section.

4. CCTV inspections are only allowed when local groundwater elevation is more than 18 inches above the sewer pipe being tested. All observable defects, including root intrusion, shall require the repair of the sewer.

If a cleanout or check valve has not been installed at the easement/property line, the cleanout or check valve shall be installed prior to testing. If there is no cleanout located outside the building foundation (within five (5) feet of the foundation wall), then a cleanout shall be installed. If the building lateral exits the foundation under an existing deck or concrete patio, the location of the building cleanout near the foundation may be modified on a case-by-case basis as determined by the District Engineer. The owner or their agent shall be responsible for such installation. A cleanout underneath the house is not acceptable. Individual properties connected to single septic (step) tanks do not require a check valve on the gravity line.

B. Manholes, grease interceptors, sand/oil interceptors testing shall be in accordance with one of the following:

1. Water test by plugging all inlet and outlet pipes and filling the test section with water to the top of the frame rim. The water should be introduced into the test section at least four (4) hours in advance of the official test period to allow the concrete and joint material to become saturated. The test section shall then be refilled to the original water level.

2. At the beginning of the test, the elevation of the water in the test section shall be carefully measured from a point on the frame rim. After a period of **four (4)** hours, the water elevation shall be measured from the same point on the frame rim and the loss of water during the test period calculated. If this calculation is difficult, enough water shall be measured into the test section to restore the water to the level existing at the beginning of the test, and the amount added taken as the total leakage.

3. The allowable leakage shall not exceed 0.13 gallons per hour. Manholes, grease interceptors, and sand/oil interceptors showing leakage in excess of that allowed shall be repaired or reconstructed as necessary to reduce the leakage to that specified. All failures shall be retested after the necessary repairs have been completed.

4. Vacuum test by using acceptable equipment approved by the District. Vacuum test equipment shall be used per the manufacturer's specification. A vacuum of 10-inches mercury should be drawn on the manhole. The time, in seconds, for the vacuum to drop to 9-inches mercury shall be measured and shall not be less than the time listed below for various manholes and interceptors.

| Time (seconds) | Manhole Diameter (inches) | Interceptor Size (gallons) |
|-----------------------|----------------------------------|-----------------------------------|
| 60 | 48 | |
| 75 | 60 | |
| 90 | 72 | |
| 80 | | 500 to 999 |
| 120 | | 1,000 to 1,499 |
| 150 | | 1,500 to 1,999 |
| 180 | | 2,000 to 2,499 |

Note: Grease interceptors and sand/oil interceptors shall be completely drained and cleaned before initiation of the water or vacuum test.

C. Pump System Testing, Pump Station Outside the Building Foundation. The gravity portion of the pipeline from the building to the holding tank shall be tested in accordance with Section 6.43, Testing Procedures for Existing Sanitary Sewer Facilities, Sanitary Sewer Pipelines.

A visual inspection of the pump system will be performed to check for:

1. Soundness of the wastewater holding tank.
2. Proper venting of the holding tank.

3. Acceptable weather proof, insulated box with adequate waterproof insulation below the box lid directly above the holding tank.
4. A weather tight seal on the holding tank lid and at all pipe or conduit penetrations.
5. A properly functioning check valve on the discharge pipeline.

In the event that there is no check valve and/or pressure test port installed on the existing discharge pipeline, a check valve and a valve 1/4-inch pressure test port shall be installed.

A pressure gauge shall be connected to the test port and the pressure test port valve shall be opened. The pump shall be started and the holding tank pumped down to allow a visual inspection of the holding tank to check it for leaks. The check valve shall also be inspected for proper operation.

Immediately after the holding tank is pumped down and the pump turned off, the gauge pressure shall be noted in the discharge pipeline. The pressure shall remain constant for ten (10) minutes. Any drop in pressure shall constitute a test failure and the check valve and/or the discharge pipeline shall be repaired and/or replaced.

After the check valve and/or the discharge pipeline is repaired and/or replaced, another test shall be attempted. A subsequent loss of pressure constitutes a failure of the check valve and/or discharge pipeline, whereupon the defective check valve and/or discharge pipeline section shall be replaced and tested as described above.

The alarm system, if so equipped, shall be checked for proper function of audio and visual alarms.

In the event that the holding tank or the force main needs replacement the pump and controls must be updated to meet District Code. In the event that the controls need replacement an alarm system must be installed.

Septic tanks and concrete vaults converted for use as holding tanks shall be air, water or vacuum tested. The test shall be the same as specified for sanitary sewer pipelines, manholes, and grease and sand/oil interceptors. If the converted septic tank/concrete vault fails the test, it shall be abandoned and a new holding tank meeting the requirements for residential pump systems shall be installed in its place. (Adopted by SD-69.5 (04/13/2010))

Sec. 6.44 Time Limits for Completion of Testing Procedures

Testing shall be completed in a timely manner as follows:

- A. Prior to the close of escrow upon the sale of the residence, building, or property, or transfer of ownership or interest in the parcel, the facility, or the business, or

B. Within thirty (30) days of standard notification by the District, or

C. Immediately if it is determined by the District Engineer that testing and repair are necessary to protect public health and the integrity of the sanitary sewer system.

In the event that repairs would be required during periods when such work would be impractical due to weather conditions, the District Engineer may defer such requirement upon posting of a performance bond with the District. The posting of the performance bond is intended to assure funds are available to repair and replace the sanitary sewer facilities in question when weather conditions permit. The amount of the performance bond shall be based on the lineal footage of the building lateral, the number of cleanouts and other related appurtenances to be installed, as well as the removal and replacement of existing physical obstacles and structures affected by the test.

In place of a performance bond, the owner may choose to hold an equal amount of funds in an escrow account, if the property or business is being sold or transferred. Funds held in escrow will not be released without written notification by the District to the title company holding such funds.

If a sanitary sewer facility fails any of the above described tests, the owner or their agent shall cause corrective work and retesting to be performed within thirty (30) days from the date of the original test except as deferred by the posting of a bond as previously described. All repairs shall be approved by the District.

Repairs or replacement of fifty (50%) percent or more of a sanitary sewer pipeline or force main may be cause for total pipeline replacement as determined by the District. In the case of total pipeline replacement, the pipeline shall be installed in accordance with the requirements of new pipeline installation as outlined in Chapter Design and Construction Standards⁷ of the Sanitation District Code.

After a second failure of any sanitary sewer facility, the owner shall be charged an additional inspection fee for further inspections.

In the event that a sanitary sewer facility has not been tested within the required time period, the District shall initiate procedures for sewer disconnection. (Adopted by SD-69.⁵ (04/13/2010))

Sec. 6.45 Waiver of Testing Requirements

The District Engineer shall have the power to waive testing requirements if:

A. The sanitary sewer facility has been installed and tested within a prior two (2) year period, or

B. The sanitary sewer pipeline or force main is of such a length that testing is not practical, or

C. The sanitary sewer facilities are part of a central private sanitary sewer system as described in Shared-Use Facilities, Section 6.46, and the District has an established written agreement concerning specific testing requirements.

Nothing herein shall constitute a warrant by the District of the soundness or ability of the sanitary sewer facility to accomplish its purpose or remain in compliance with the District Code. (Adopted by SD-69.5 (04/13/2010))

Sec. 6.46 Shared-Use Facility

The District may choose to allow the owner or their agent of a Shared-Use Facility (common interest subdivisions, commercial shopping centers, mini malls, apartment complexes, condominium complexes, schools, office buildings, and hospitals, etc.) the following option agreement for the maintenance and testing of sanitary sewer facilities. The use of a Shared-Use Facility agreement for testing purposes is allowed by the District on a case-by-case basis. Qualification for use of such agreement is determined solely by the District and is based on the size, layout, and complexity of the sanitary sewer facilities serving the Shared-Use Facility. Any agreement must be in writing and acceptable to the District and the owner or their agent of the Shared-Use Facility.

The owner or their agent of the Shared-Use Facility agrees to complete required testing, repair or replacement of all the sanitary sewer facilities servicing the Shared-Use Facility upon notification by the District that testing is required. Under this option, sales, leases, or changes in tenant/ownership of individual units or suites are allowed to proceed prior to testing and without approval from the District. After eight (8) years from the latest test date, all the sanitary sewer facilities servicing the Shared-Use Facility shall be retested when any of the conditions outlined in Section 6.42 occur. (Adopted by SD-69.5 (04/13/2010))

EXHIBIT A

SANITATION DISTRICT CODE

CHAPTERSECTION 7 DESIGN AND CONSTRUCTION STANDARDS

Sections:

Sec. 7.1 General Requirements

Sec. 7.2 Enforcement

Sec. 7.3 Plates

Sec. 7.4 Design Criteria: Sewer Capacities and Sizes

Sec. 7.5 Design Criteria: Minimum Sewer Slopes

Sec. 7.6 Design Criteria: Sewer Location

Sec. 7.7 Design Criteria: Depth of Sewers

Sec. 7.8 Design Criteria: Structures

Sec. 7.9 Design Criteria: Materials

Sec. 7.10 Design Criteria: Construction

Sec. 7.1 General Requirements

A. Scope. The design and construction of sanitary sewers in the unincorporated area of Nevada County within public rights-of-way and sanitary sewers and sewage treatment plants subject to control or permit requirements of the District shall be in accordance with good engineering practice. The work shall comply with these standards except where specific modifications have been approved by the District Engineer in writing.

B. Interpretations. The District Engineer shall decide all questions of interpretation of “good engineering practice,” being guided by “Design and Construction of Sanitary and Storm Sewers” (ASCE Manual of Engineering Practice No. 37) and “Sewage Treatment Plant Design” (ASCE Manual of Engineering Practice No. 36), both prepared by joint committees of the American Society of Civil Engineers and Water Pollution Control Federation.

C. Plumbing Code. All work on house laterals and house sewers outside of public rights-of-way or sewer easements will be governed by the provisions of the Uniform Plumbing Code and other applicable ordinances of the local sewerage agencies.

D. Other Standards. Where purveyor's requirements and standards are more restrictive than this manual, the purveyor's requirements shall govern. (Adopted by SD-5.5 (03/26/1979))

Sec. 7.2 Enforcement

Provisions of this Chapter shall be enforced by the District Engineer. (Adopted by SD-5.5 (03/26/1979))

Sec. 7.3 Plates

The following plates are included as part of this Chapter:

| <u>No.</u> | <u>Description.</u> |
|------------|--|
| 1 | Pipe Bedding. |
| 2 | Pipe Strength. |
| 3 | Standard Service Lateral. |
| 4 | Steep Service. |
| 5 | Standard Manhole. |
| 6 | Shallow Manhole. |
| 7 | Drop Manhole Details. |
| 8 | End-of-Main Cleanouts. |
| 9 | Water-Sewer Separation. |
| 10 | Peak Sewage Flow Rates. |
| 11 | Backflow Prevention Device Installation. (Adopted by SD-5.5 (03/26/1979); amended by SD-73.5 (08/11/2015)) |

Sec. 7.4 Design Criteria: Sewer Capacities and Sizes

A. Average Sewage Flow Rates. The average flow rate shall be determined by the Owner’s or Purveyor’s Engineer based on good engineering practice. The ranges shown in the following table may be used as a guide but flows outside of these ranges may occur. If flows are used which are less than those listed in the column headed “Minimum for Design,” the Engineer’s approval must be obtained in advance of design.

Acreage in table is gross acreage including roads, yards, parking, etc.

Average Sewage Flow Rates

(Table referred to in Sec. 7.4.A)

| LAND USE | | | AVG. FLOW RATE - LAND USE DENSITY | | | | |
|---------------|----------------------|---------|-----------------------------------|---------------------|------------|-----------|-----------------------------|
| Basic Use | Specific Use | Zoning | Avg. Ground Slope | Dwelling Units/Acre | Pop./Acres | Range | Gal/Ac./Day Min. for Design |
| Residential | Single-Family | R-1 | 0-10% | 3-5 | 10.5-17.5 | 1050-1750 | 1250 |
| Residential | Single-Family | R-1 | 10-25% | 1-1.75 | 3.5-6.0 | 350-600 | 500 |
| Residential | Single-Family | R-1 | -25% | 0.1-0.5 | 0.3-1.8 | 30-180 | 100 |
| Residential | Duplex | R-2 | 0-10% | 10 | 23-35 | 2500-3500 | 2500 |
| Residential | Tri & Quadplex | R-3 | 0-10% | 12-16 | 42-56 | 4200-5600 | 4500 |
| Residential | Multiple & High Rise | R-3 | 0-10% | S30 | S105 | S10,500 | * |
| Residential | Forest & Recreation | Various | Any | - | - | - | * |
| Residential | Mobile Home Park | MH | Any | 8-10 | 20-25 | 2000-2500 | 2000 |
| Commercial | Neighborhood | C-1 | 0-10% | - | - | - | 1500 |
| Commercial | Community (Strip) | C-2 | 0-10% | - | - | - | 1500 |
| Commercial | Office | O-P | 0-10% | - | - | 3000-4500 | 3000 |
| Commercial | Highway Services | C-H | 0-10% | - | - | - | 6000 |
| Commercial | Shopping Center | C-2 | 0-10% | - | - | 3000-4500 | 3000 |
| Commercial | Regional Shopping | C-2 | 0-10% | - | - | - | 4500 |
| Manufacturing | Light Industrial | M-1 | 0-10% | - | - | - | 6000 |

| | | | | | | | |
|------------------------|------------------|-----|-------|---|---|-----------|------|
| Manufacturing | Heavy Industrial | M-2 | 0-10% | - | - | 3000-4500 | 3000 |
| Research & Development | Light Industrial | R-D | 0-10% | - | - | - | 6000 |

* To be determined by Engineer

B. Peak Sewage Flow Rates. Peak sewage flow rates shall be obtained from chart on Plate 10 by entering the chart with average daily flow rates.

C. Hydraulic Design.

1. Use Mannings' "n" = 0.013 or Hazen-Williams "C" = 100 for hydraulic design. A minimum full-conduit velocity of 2fps is required.
2. For pipe 10 inches or less in diameter, design pipe so peak flow rate will be carried when pipe is flowing at one-half depth. Discharge at one-half depth equals one-half discharge when full and velocity equals velocity when full. Tables and formulas to find slope may be used by entering with two times the peak flow rate.
3. For pipe 12 inches and larger in diameter, design pipe so peak flow will be carried when pipe is flowing at 2/3 depth. Discharge at 2/3 depth equals 3/4 discharge when full and velocity equals 1.16 times velocity when full. Tables and formulas to find slope may be used by entering with 1.33 times the peak flow rate.
4. When low early year flows are anticipated, a slope will be selected to provide self-cleansing velocities. If initial flows are to be so low that self-cleansing velocities aren't practical, the design engineer will clearly designate that relatively frequent flushing will be required.

D. Minimum street sewer size shall be 6 inches.

E. Oversizing and extra depth of tract sewers will be required where such sewers can logically serve an upstream tributary area and extra size and/or depth are required for such future use. (Adopted by SD-5.5 (03/26/1979))

Sec. 7.5 Design Criteria: Minimum Sewer Slopes

A. Purpose. Minimum slope requirements are necessary to assure self-cleaning and self-oxidizing velocities in order to avoid significant generation of hazardous, odorous, and corrosive sulfur compounds.

B. Minimum Slopes. Slopes of sewers shall equal or exceed those set forth in the following table:

| Pipe Diameter | Corrosion Resistant Sewer Pipe Material (Sec. 7.9.D.1) | Other Sewer Pipe Material (Sec. 7.9.D.2) |
|---------------|--|--|
| 6" | 0.0080 | 0.0080 |
| 8" | 0.0040 | 0.0060 |
| 10" | 0.0028 | 0.0060 |
| 12" | 0.0020 | 0.0056 |
| 14" | 0.0020 | 0.0048 |
| 15" | 0.0016 | 0.0044 |
| 16" | 0.0016 | 0.0040 |
| 18" | 0.0016 | 0.0036 |
| 20" | 0.0012 | 0.0032 |
| 21" | 0.0012 | 0.0028 |
| 24" | 0.0012 | 0.0024 |
| 27" | 0.0012 | 0.0020 |
| 30" | 0.0012 | 0.0016 |
| 33" | 0.0012 | 0.0016 |
| 36" | 0.0012 | 0.0012 |

C. Substandard Slopes. Slopes below the minimum slopes may be used in order to avoid pumping only upon specific approval of the Engineer. Such approval should be solicited well in advance of completion of design.

D. Pipe for Substandard Slopes. Pipe, in substandard slope areas and pipe in all areas downstream from substandard slope areas to the point where the peak flow rate is four times that in the section with substandard slope, shall be corrosion-resistant sewer pipe in accordance with Section 3.41. (Adopted by SD-5, (03/26/1979))

Sec. 7.6 Design Criteria: Sewer Location

A. Roads. The centerline of sewers constructed in County roads shall not be closer than 4 feet to the centerline of the road nor closer than four (4') feet to the curb or edge of the shoulder. On divided highways, a separate sewer shall be installed to serve each side of the highway. Exceptions to these location requirements may be made only on approval of the Engineer.

B. Easements.

1. Sewer easements shall be not less than twelve (12') feet wide.
2. Where easements follow common lot lines, the full easement width shall be on one lot, in such a manner that access to manholes will not be obstructed by walls, trees, or permanent improvements. Where this requirement cannot be met without interfering with existing buildings, easements may straddle lot lines on approval of the engineer.
3. Deeds for easements shall provide for restrictions of permanent construction within easement to provide ingress and egress for maintenance.

C. Future Extensions. When an area outside the tract can be logically served by future extension of a tract sewer, the tract sewer shall extend to the tract boundary or to the end of a paved street in a manner to facilitate the future extension.

D. Alignment.

1. Sewers shall be laid on a straight alignment and grade between manholes except that curved sewers may be used subject to the following requirements.
2. Curved Sewer Requirements.
 - a. Minimum radius = 150 feet for horizontal curves.
 - b. Minimum invert slope of horizontally curved sewers shall be 0.01 except that sewers with a radius of 200 feet or more will have the same requirements as straight sewers.
 - c. Vertical curves may be used in combination with horizontal curves where invert slopes exceed 0.01 throughout the reach between manholes.
 - d. Maximum combined horizontal and vertical deflection at any joint shall be as recommended by the manufacturers but in no case more than three (3) degrees.
 - e. The arithmetic sum of all horizontal and vertical deflection in curved sewers between adjacent manholes shall not exceed sixty (60) degrees.

E. Water-Sewer Separation.

1. Purpose and Scope.
 - a. Minimization of public health hazards created by sewage contamination of water supplies dictates a need for facility separation standards. The provisions herein are intended to govern the separation of water supply and sewerage facilities not already regulated by the Uniform Plumbing Code. This should not be interpreted to change separation regulation of building sewer, drainage, and water pipes as provided under the Uniform Plumbing Code.

b. If, in the opinion of the County Health Officer, the Director of Sanitation, or the Civil Engineer designing and/or supervising the construction of the facilities, the standards herein are inadequate to provide reasonable protection due to unusual circumstances, said individuals will prescribe more effective separation and/or protection.

2. Required Water and Sewer Facility Separation.

a. Horizontal separation between a water main and a sanitary sewer line laid approximately parallel shall not be less than ten (10') feet.

b. When a water main or service line and a sanitary sewer line cross, the water shall be higher than the sewer by a vertical separation of not less than three (3') feet. See Plate 9 for construction requirements when three (3') foot separation cannot be maintained.

c. The following minimum separations shall be maintained between water supply and sewerage facilities.

| | |
|--|----------|
| Water well and sewer line | 50 feet |
| Water well and septic tank | 100 feet |
| Water well and sewage disposal field | 100 feet |
| Water well and seepage pit or cesspool | 150 feet |
| Water line and septic tank | 10 feet |
| Water line and disposal field | 10 feet |
| Water line and seepage pit or cesspool | 10 feet |

3. Exceptions to Standard Separations. When it is impractical to locate water supply facilities and sewerage facilities in accordance with the preceding separation standards, they may be located in closer proximity provided that:

a. Line joints where standard separation is not maintained must possess the strength and durability needed to prevent line leakage under such adverse conditions as corrosion, temperature change strains, settlement and superimposed loads.

b. Facility designs not maintaining the standard required separation shall be approved in advance by the Director of Sanitation. Construction requirements by the Director of Sanitation for separations within the ten (10') foot zone shall be generally in agreement with Plate 9 of this Chapter. (Adopted by SD-5.5 (03/26/1979))

Sec. 7.7 Design Criteria: Depth of Sewers

A. Basic Requirements. Sewers shall be installed at a depth which will provide suitable service to the properties connected and will allow subsequent installation of water lines in accordance with Water Sewer Separation requirements with a minimum of special construction of the water lines other than joint spacing.

B. Standard Depths. Compliance with Subsection A will usually be assured if the main sewer is located at a depth of five (5') feet to top of pipe below the flow line of the existing or proposed gutter or, where no gutter exists, from the elevation of the outermost edge of the traveled way; and the house laterals are located either (1) four (4') feet to top of pipe below the ground surface at the property line, or (2) at a depth below the ground surface at the property line that will provide for the construction of a straight run of private sewers at a slope of 0.02 from one foot below the surface at any point within the established building setback lines, excluding any areas steeper than 5 horizontally to 1 vertically, whichever depth is greater.

C. Exceptions. Designs not in accordance with Subsection B shall be submitted to the Engineer for approval together with evidence that it complies with Subsection A. (Adopted by SD-5.7 (03/26/1979))

Sec. 7.8 Design Criteria: Structures

A. Manholes.

1. Locations. Manholes shall be located at all abrupt changes in alignment or grade and at all junctions. Manholes shall be located at least every 400 feet along lines smaller than twenty-four (24") inches in diameter. Spacing of manholes on lines twenty-four (24") inches in diameter and larger will usually be at 400 feet but may be extended subject to the approval of the Engineer.

2. Drop Manholes. Drop manholes shall be used wherever sewers enter manholes at more than twelve (12") inches above the outlet elevation of the manhole. Vertical curves may be used to eliminate drop manholes in accordance with the requirements of Section 7.6.D.2.

3. Design. Manholes shall be constructed generally in accordance with Plates 5, 6, and 7. Manhole designs which, in the opinion of the Engineer, provide access to the sewers, a stable working platform, and freedom from splash and turbulence, equivalent to or better than the design shown herein, will be approved.

4. Protection. Where new tract sewers are to be connected into a manhole which is in active use, the designer shall call for such protection as is necessary to prevent construction debris from being washed into the active sewers. Plugged inlets or other

suitable protection shall be called for in the active manhole before beginning manhole modifications or tract sewer cleaning.

5. Elevations. Finished elevations of frames and covers shall be set in relation to finished grades of the completed road surface or finished surrounding grade when outside of roads. They should be depressed 1/4 inch in finished roadways to facilitate snow removal and installed in general accordance with Plate 5 outside of roadways.

B. Cleanouts.

1. Requirements. Dead end sewers not over 200 feet in length shall terminate in standard manholes or cleanouts. Dead ends over 200 feet long shall terminate in standard manholes unless future extension of said dead end will include a manhole within 400 feet of the uppermost manhole, in which case a temporary cleanout is permitted. Where dead ends are on a slope of 0.01 or greater, the length for use of a cleanout may be extended to 300 feet.

2. Location. End structures shall be located ten (10') feet up grade from the down grade lot line of the last lot served unless greater length is necessary to serve the property.

3. Design. Cleanouts shall be constructed generally in accordance with Plate 8.

C. Service Laterals.

1. Requirements. Wherever it is known or can be reasonably assumed that a building sewer connection is required, a service lateral shall be shown on the plans and installed to the property line as a part of the street sewer construction, prior to paving. Service laterals shall be installed whenever possible during construction of the sewer main using prefabricated fittings.

2. Size. Service laterals for single dwellings and small single stores or offices shall be four (4") inches or larger, providing the Plumbing Code does not require the building sewer to be larger than four (4") inches. All other service laterals shall be six (6") inches or larger and at least equal to the size of the building sewer.

This subsection shall not apply to the Penn Valley Sewer System in District Zone #6.

3. Depth. Service laterals shall be at the minimum depths herein provided and in addition such depth shall be sufficient to provide a connection to any point on the lot within the established building setback lines (excluding any area steeper than 5 horizontally to one vertically) with a cover of one (1') foot and a slope on not less than 0.02. Any exception to this requirement may be had only upon approval by the Director of Sanitation.

4. Design. Service laterals shall be constructed in general conformity with Plates 3 and 4.

5. Future Connections. Unused openings shall be tightly sealed, supported and permanently marked in a manner to facilitate their future location and use. Developer's engineer shall select appropriate service lateral locations and shall instruct contractor to locate laterals according to the design elevations and locations. The locations shall be shown on As-Built Plans by the developer's engineer.

Installation of service laterals not included in the original construction and all lateral maintenance will be the responsibility of the user.

6. Backflow. Sewers shall be designed to preclude the backflow of sewage into laterals. To prevent sanitary sewer overflows for municipal sewer customers, sewer laterals for new connections, significant remodels of fifty (50%) percent or more, and for replacements or repairs made to an existing sanitary lateral shall include:

- a. Installation of pop-off relief devices (pop-off caps) in the caps of all sewer cleanouts on the property.
- b. Installation of a backflow prevention device (backwater valve), to prevent sewage from the main sewer backing up into the private sewer lines due to cleaning or blockages in the main.

Backflow prevention and pop-off relief devices shall be installed as shown in Plate 11 of Section 7.3 of the Sanitation District Code.

7. Connection to Cesspools or Septic Tanks. A person shall not connect or cause to be connected any cesspool seepage pit or septic tank to any main line sewer or to any service lateral leading thereto.

This subsection shall not apply to the Penn Valley Sewer System in District Zone #6.

8. Curb Markings. The location of all sewer service laterals shall be marked at completion of construction, either on the curb or by permanent stake if there are no curbs.

D. Structural.

1. Roads. All structures and pipe placed under public roads shall be of sufficient strength to support with an adequate factor of safety the backfill, road surfacing and H-20 truck loading with impact.

2. Other Pipes and Structures. Sewers under other pipes and structures shall be protected from damage and shall be constructed so as not to endanger the other pipe or structure. Minimum clearance between outside of pipes or between pipes and other structures is 6 inches unless approved by the Engineer.

3. Flexible Joints. Flexible joints which will allow for differential settlements or other movement of sewer pipe, sewer structures, adjacent pipe and adjacent structures shall

be provided where sewer lines enter encasements, manholes or other structures. Flexible joints shall be within four (4') feet-ft. of such structures.

4. Steep Grades. Sewers laid on grades steeper than ten (10%) percent, which are not under pavements, shall be anchored in place and protected from erosion in a manner approved by the Engineer.

E. Force Mains and Lift Stations.

1. Requirements. All sewage shall reach the system by gravity flow, in a fresh condition susceptible to conventional sewage treatment processes. Where extreme hardship conditions prevail, and a substantial area cannot be sewerred by gravity sewers in accordance with these requirements a sewage pumping station may be installed. No pumping facilities shall be incorporated in sewer plans without approval of the Engineer.

2. Lift Station Design. Lift stations, where allowed, shall be of the dry-pit type incorporating the following features:

a. Pumps or other devices shall be provided in duplicate arranged for positive priming.

b. Capacity shall be provided to handle ultimate peak flow from the tributary area with the largest pump out of service. Stage installation of pumps is allowed, providing space is provided for future installations. Single pump installations will not be allowed.

c. Access shall be provided to site for removal and repair of equipment.

d. A means for dewatering force mains shall be provided.

e. An overflow to natural channel or storm drain shall be provided or an alternate method of protection approved by the Engineer.

f. The lift station shall not be in a County road right-of-way except with permission from the Engineer.

3. Force Main Design. Force mains need not comply with the requirements for gravity sewers. Force mains shall be designed in accordance with good engineering practice. (Adopted by SD-5, (03/26/1979); amended by SD-17, (02/04/1992); SD-73, (08/11/2015))

Sec. 7.9 Design Criteria: Materials

A. Requirements. Materials shall be chosen for their strength, durability, and ease of maintenance, with due consideration for dead and live loads, beam strength, and resistance

to corrosion. Pipe joints shall be selected to provide positive protection against entrance of roots and groundwater, and sufficient flexibility to adjust to the trench bedding. In general, the joints shall be non-rigid, and the joint sealer shall be restrained against lateral and axial movement. The installed joint shall provide positive separation between adjoining pipe sections to prevent failure of rigid materials by axial expansion during wetting.

B. Plans. For each section of sewer, the plans shall show that materials and strengths are required in accordance with Plate 1. Pipe strength, pipe bedding, and trench width shall be specified on the plans (see Plate 1).

C. Materials Specifications. All materials for which specifications are provided by the Nevada County Standards shall meet those specifications. Specifications for materials not covered by the Standards are subject to the approval of the Engineer.

D. Pipe Material.

1. Corrosion resistant sewer pipe material shall be vitrified clay, rigid polyvinyl chloride, reinforced plastic mortar, plastic lined asbestos cement pipe or other pipe material approved by the Engineer.

2. Other sewer pipe material not required to be corrosion resistant shall be vitrified clay, plastic lined asbestos cement, unlined asbestos cement, reinforced concrete, reinforced plastic mortar, cast iron, or other pipe material approved by the Engineer.

E. Pipe Joints. Mechanical compression joints shall be used. Standard Land Development Specifications Type "A" and "B" joints for clay pipe and any other poured or formed joints utilizing cement, sulfur compounds, bituminous materials or other materials forming a rigid joint are not permitted. Special adapters using approved type joints shall be used in connecting to old work or in joining different types or classes of materials.

F. Concrete.

1. All concrete for sewer structures and sewer pipe encasement shall be Class 6.0 C-3000 unless otherwise approved or required by the Engineer.

2. Testing and Final Acceptability of Material. The Engineer will require such tests and certifications as he or she deems necessary to show that the specified materials are being used on the work. Notwithstanding prior factory or yard inspections, the Engineer will have the right to reject any damaged or defective materials found on the job which in his or her opinion will affect the durability of the installation, and the Engineer may order its removal from the site. (Adopted by SD-5.5 (03/26/1979))

Sec. 7.10 Design Criteria: Construction

A. Specifications. Construction shall be in accordance with Nevada County Standards except where the requirements of this Chapter are more restrictive.

B. Bench Marks. A system of bench marks on the U.S.C. & G.S. Sea Level Datum of 1929 and adequate to construct the work shall be shown on the profile. The elevation of the sewer at the point where the system is to be discharged shall be shown as determined in the field from the above shown datum.

C. Excavations. All excavations shall have sufficient width to allow proper workmanship and permit adequate inspection, and shall be supported in the manner set forth in the rules, orders and regulations prescribed by the Construction Safety Orders of the Division of Industrial Safety of the State of California. Sheet piling and other timbers shall be withdrawn in such a manner as to prevent caving of the walls of the excavation or disturbance of the sewer. Trenches wider than provided for on Plate 2 may require stronger pipe. Before any trench excavation five (5') feet or more in depth, the Contractor shall secure a permit from the California Division of Industrial Safety. A copy of this permit must be available at the construction site.

D. High Groundwater. No work shall be commenced on sewer construction in an area having a subsurface water level above the level of the sewer, unless and until sufficient pumping equipment is available on the job to keep the excavation unwatered.

E. Work and Plans Shall Conform. All plans required for the construction of main line sewers and house laterals shall conform to the standards of design prescribed. Construction shall conform to the plans unless a change is approved in writing by the Engineer.

F. Inspection by Engineer Required. All work done shall be subject to inspection by and shall meet the approval of the Engineer.

G. Testing. Prior to testing, the pipe installation shall be cleaned by the use of an inflatable rubber ball fit snugly in the pipe and forced through by water pressure. Each section of sewer constructed shall be tested in accordance with acceptable "Low Pressure Air Test for Sanitary Sewers" methods such as presented in the Journal of Sanitary Engineering, Division ASCE, April 1964.

H. As Built Plans.

1. Plans. The actual location and grade of all sewers shall be accurately determined after construction and shall be recorded on "As Built" plans. Accurate locations and elevations of all service laterals, manholes, cleanouts, lift stations and other sewer appurtenances shall also be marked on the "As Built" plans.

2. Certification. The "As Built" plans shall be certified as being correct by the Developer's Engineer or the Purveyor's Engineer.

3. Filing. A reproducible mylar or equivalent of the “As Built” plans shall be filed with the Engineer. (Adopted by SD-5, ~~(03/26/1979)~~)

EXHIBIT A

SANITATION DISTRICT CODE

CHAPTERSECTION 8 ANNEXATION POLICY

Sections:

Sec. 8.1 General Policies

Sec. 8.2 Annexation into an Existing Entity

Sec. 8.3 Annexation as a New Zone

Sec. 8.4 Reservation of Right to Decline Annexation

Sec. 8.1 General Policies

This Annexation Policy shall be interpreted in the context of broader development policies contained in the County General Plan, the County ~~Land Use and Development~~ Codes, and in the County's Sewage Disposal Ordinance. Another General Policy is that each zone in the Sanitation District must be financially solvent, with adequate and prudent reserves, as an independent administrative entity, except where the Board of Directors has authorized sharing of assets between zones or uniform service charges. The Board is highly aware that the financial insolvency of any particular zone can adversely affect the legal and financial position of the District as a whole.

For Reference, See Below the Related Policies in the County of Nevada 1995 General Plan:

Policy 3.5

Within Community Regions with existing public sewer and water systems, all new residential land divisions shall be required to connect to public sanitary sewer and water systems. Temporary use of private on-site systems may be allowed where public systems are not yet available but where a specific improvement plan and funding mechanisms are in place. A legally binding mechanism shall be required to ~~insure~~ensure that the development will connect to the public systems when available, and that the private systems will be discontinued.

Policy 3.15

The County shall encourage and may require, where appropriate and feasible, that mechanisms be provided as a condition of discretionary project approval to facilitate the funding of public improvements which are attributable to that project. Such mechanisms may include, but not be limited to, creation of an independent or dependent entity (independent district, dependent district, county service area, community service district).

Policy 3.16

Where community sewer or water systems are installed or required as a condition of development, there shall be a contract, development agreement, formation of an area service district, or other legally enforceable mechanism to insure long term maintenance of the community system.

Policy 3.17

The use of community sewer and/or water systems are encouraged where such systems are economically feasible for the intended service area. (Added by SD-65.5 (04/28/2009))

Sec. 8.2 Annexation ~~i~~nto an Existing Entity

It shall be the preferred service arrangement for a proposed new public wastewater system (PWS) to annex into any existing city, agency, or District zone that is proximately located such that connecting pipelines are feasible. As to District zones, the sphere of influence may already encompass the proposed PWS, or the sphere may need to be amended. If annexation and/or connection of a PWS into an existing city, agency, or District zone are not initially feasible, financial provision to the satisfaction of the District shall be made by the project applicant, to provide for future connection and annexation. (Added by SD-65.5 (04/28/2009))

Sec. 8.3 Annexation as a New Zone

The following steps shall be a guide as to how a proposed PWS may annex into the District as a new zone after approval by LAFCo (Local Agency Formation Commission) and acceptance by the District. A PWS will not be accepted into the District unless findings of financial, operational, and technical viability can be made. All costs associated with planning, design, environmental review, plan review, annexation, mitigation payments, construction, and construction inspection shall be paid solely by the project applicant.

A. Capacity. The project applicant shall identify the number of Equivalent Dwelling Units (EDUs) of sewer capacity needed. An EDU is the amount of sewer capacity needed by a single-family residence per day.

B. Evaluation. Evaluation and selection of the proposed PWS (collection, treatment, and disposal facilities) must be done early in the development process to ensure a proper environmental review under CEQA (California Environmental Quality Act). Documentation shall be shared with the District as soon as possible, and contacts shall be made with the County Environmental Health Department, the State Central Valley Regional Water Quality Control Board (RWQCB), and LAFCo. The District will meet with proponents for a project as early as possible to provide initial feedback regarding the viability of the system and process for approval.

C. Permit to Discharge. A permit to discharge will be needed from the RWQCB and/or from the County Environmental Health Department. A copy must be provided to the District as soon as possible to identify the ongoing monitoring and reporting requirements and costs.

D. Request for Annexation. A letter requesting annexation shall be submitted to the District along with supporting information and justification for the annexation. The supporting information shall include all of the following:

1. Completed LAFCo Application with Project Maps.
2. Legal Description.
3. Adopted CEQA Documentation.
4. —Proposed Design and Plans for Sewage Collection, Treatment, and Disposal Facilities.
5. Proposed Plan for Operations and Maintenance.
6. Report of Waste Discharge (from the RWQCB).
7. Project Schedule.
8. Financial Plan.

E. Pre-Construction. For review prior to construction, the project applicant shall provide improvement plans and specifications for the onsite wastewater collection system and treatment and disposal facilities in accordance with the District's standards and ordinances. The system shall be designed to accommodate increasing peak flows, as the system ages, from infiltration and inflow ("I&I") from the gravity laterals and leaky faucets/toilets, etc. The system and all its facilities shall be subject to approval by the RWQCB and/or County Environmental Health Department. All plan review costs shall be paid for by the applicant.

If the PWS is an existing system, the project applicant shall provide “as built” drawings along with operating documentation that demonstrates that ongoing preventative maintenance has been performed on the facilities. The District will require television inspection of the pipelines and testing of the existing facilities to determine existing condition of facilities. The system shall have all facilities and areas required for disposal on land owned fee simple located within the development served, and title to be turned over to the District prior to acceptance of the PWS. All inspection costs shall be paid for by the applicant.

F. Finances. The District will prepare (at applicant’s cost) a financial analysis identifying estimated administration, operation, and maintenance costs. The analysis shall identify an amortization and funding of the capital improvements over the life of the discharge permit, but not less than 10 years, in order to provide adequate funds to address significant repairs, replacements, or upgrades. The analysis shall include the projected annual sewer or standby charge per EDU based on projected build-out of the project. It shall also identify estimated costs of administration, operation, and maintenance, as well as amortization of the capital improvements.

If the PWS is a new system, the District will require the project applicant to provide fifty (50%) percent of the amortization of the capital improvements as a payment prior to completing annexation. If the PWS is an existing system, the District will require the project applicant to provide from fifty (50%) percent to 100 percent of the amortization of the capital improvements as a payment prior to completing the annexation depending on the age of the facilities. The projected annual sewer and standby charges are to be set by the District at a level that ensures the new PWS does not have any negative financial impacts on the District. These charges will include a Consumer Price Index mechanism to automatically increase charges over time. There will also be a need for additional charges to cover repair/replacement costs not covered by amortization. The financial analysis shall accommodate future rate increases and the restrictions of the Proposition 218 process. The projected annual treatment and standby charges are to be approved to accommodate the above and to ensure no negative financial impacts on the District.

As a condition of LAFCo approval, or anytime prior to District acceptance of the PWS, the schedule of service charges (connected EDUs) and standby charges (unconnected EDUs) must be adopted for the new zone. The charges are added to the property tax bill for each parcel of land, and are collected annually with County property taxes.

G. Mitigation Fee. The project applicant shall pay a development mitigation fee for the PWS that includes five months of expenses for administration, operation and maintenance in order to ensure cash flow for the zone. In addition, an equity “buy-in” is required for the new zone’s share of the District’s property that is shared with all other zones (vehicles, equipment, buildings); this shall be calculated proportionately by the ratio of new EDUs to the total number of District EDUs existing prior to the new zone.

H. Construction. The improvements referred to in Paragraph E, above, shall be constructed subject to periodic inspection by the District, which retains sole discretion over final approval and acceptance. “As built” improvement plans shall be provided. A test period for operation and baseline performance shall be required, along with assignment of equipment warranties to the District. These conditions apply to both new PWS construction and existing PWS facilities. All inspections costs shall be paid for by the applicant.

I. Operation and Maintenance (O&M). A manual for O&M of the collection system shall be provided to the District. A Sanitary Sewer Overflow Prevention and Response Plan shall be prepared, and shall be approved by the District and the RWQCB with copies distributed to both. Copies of an O&M manual for the treatment and disposal facilities shall be provided to the District. These conditions apply to both new PWS construction and existing PWS facilities.

J. Acceptance by District. After the steps in the above paragraphs are complete and assuming satisfaction of all conditions of LAFCo approval, the PWS is ready to be offered to the District for acceptance. All appropriate deeds and easements for real property, and fixtures thereon, which are necessary for proper functioning of the PWS, shall be conveyed to the District. The annexation shall not be completed until all conditions of the District’s adopted Resolution of Application to LAFCo have been satisfied. All fees and costs described in this Chapter shall have been paid by the applicant. (Added by SD-65.5 (04/28/2009))

Sec. 8.4 Reservation of Right to Decline Annexation

The District reserves its rights to decline, for any reason and in the sole discretion of the District Board of Directors, the annexation of a new zone. Such rights shall be exercised responsibly at the appropriate stage in the development process in order to not cause delay or disruption to projects involving either new or existing developments. (Added by SD-65.5 (04/28/2009))