

DIVISION XXXV APPLICATIONS, PRIMARY FACILITY FEES, AND RATES
AND CHARGES

Section 35.01 Completed Permit Required.

No person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance or perform any work on any sewer or drainage system until a connection permit therefor has been issued by the District pursuant to the District's rules and regulations for the issuance of water and sewer connection permits, as such may be amended from time to time. [Amended by Ord. No. 70, eff. 6/16/03]

Section 35.02 Application for Service Connection.

Persons desiring a service connection shall make application to the District on forms provided by the District for that purpose. The applicant shall give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. The District may require plans, specifications or drawings and such other information as may be deemed necessary. [Amended by Ord. No. 70, eff. 6/16/03]

Section 35.03 Compliance with Completed Application.

After completion of the application, no change shall be made in the location of the sewer, the grade, materials, or other details from those described in the completed application or as shown on the plans and specifications submitted with the application except with written permission from the District.

Section 35.04 Agreement.

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

Section 35.05 Time Limit on Connection Permit.

If connection to the District's sewer system is not made

within the effective period of the building permit, the connection permit shall become void and no further work shall be done. The District shall refund the primary facility fee advanced by the applicant less 10% for administrative costs. [Amended by Ord. No. 70, eff. 6/16/03]

Section 35.06 Fee for Connection to District Sewer System.

In addition to all other charges of the District, there shall be collected a sewer primary facility fee in the amount of \$7,800.00 per equivalent living unit at the time an applicant submits an application for sewer service. The term "equivalent living unit" is defined in Section 15.01 of Division XV of Chapter 2 of the District Code. [Amended by Ord. No. 68 2; eff. 5/25/02. Amended by Ord. No. 78, eff. 4/8/07]

Section 35.07 Prohibition Concerning Dumping of Cesspool and Septic Tank Effluent and Sludge.

Cesspool and septic tank effluent and sludge or any other wastes shall not be dumped or otherwise injected into the District sewer system, including but not limited to manholes.

Section 35.08 Service Charges.

Sewer service charges are hereby imposed upon all premises receiving sewer service from the works and facilities of the District. For the July 1, 2007 through June 30, 2008 fiscal year, there shall be added to the annual sewer service charge of \$742.00 per living unit. As used herein, the term "living unit" shall mean living unit as defined in Section 15.01 of Division XV of Chapter 2 of the District Code. [Amended by Ord. No. 58, §5; eff. 7/1/97. Amended Ord. No. 64, §3; eff. 8/18/2001. Amended by Ord. No. 90, §3; eff. 9/14/2007.]

Section 35.09 Sewer Standby or Availability Assessment.

Pursuant to California Water Code Sections 31032.1 and 31104, an annual sewer standby or availability assessment shall be levied on undeveloped land within the District to which sewer service is made available. The assessment shall be \$30.00 for each District fiscal year for each acre of land or parcel of land of less than one acre in area. A bill for the assessment shall be mailed to each affected property owner on or before July 1 of each year.

In the event that the sewer standby assessment becomes delinquent, the District may elect to have the delinquent assessment, plus the maximum penalties provided by law, become a part of the annual

tax levied upon the land and be collected as part of the annual tax.

The amount of the assessments shall constitute a lien against the lot or parcel of land against which the assessment has been imposed as of noon on the first Monday in March immediately preceding the date of levy.

In addition to any other remedy provided by law, if the sewer standby assessment becomes delinquent, a basic penalty of six percent (6%) will be added to said assessment, plus a further penalty of one-half percent per month on the first day of each month following the date of delinquency.

(b) Annual standby assessments are due and payable in full on or before the first day of July in each year and shall become delinquent thirty days thereafter if not paid.

Section 35.10 Newly Subdivided Lots.

Upon the availability of District sewer service within a newly-subdivided area, the pro-rata share of the standby assessment fixed by Section 35.09 and applicable to the then remaining portion of the current fiscal year is due and payable as to each lot in the subdivision to which sewer service is made available. Assessments due under this section shall become delinquent thirty (30) days from the date of written notice to the lot owner(s) of the assessment(s).

Section 35.11 Effect of Delinquency.

No connection or reconnection shall be made to the District's system so long as standby assessments or any other charges or fees of the District remain unpaid as to the parcel which is the subject of the application and said unpaid assessments shall be subject to any other penalties and procedures for collection and enforcement provided by law.

Section 35.12 Sewer Base Charge.

A sewer base charge is hereby imposed on those premises within District where a sewer connection remains in effect, but where sewer service is inactive in accordance with the ordinances, rules and regulations of the District. For the July 1, 2007 through June 30, 2008 fiscal year thereafter the annual sewer base charge will be \$407.00 per living unit. As used herein, the term "living unit" shall mean "living unit" as defined in Section 15.01 of Division XV of Chapter 2 of the District Code. The sewer base charge shall be billed and paid quarterly, in four equal installments, in accordance with the billing provisions of Section 4.01 of Division IV of Chapter 1 of the

District Code. [Amended by Ord. No. 58, §6; eff. 7/1/97. Amended by Ord. No. 64, §4; eff. 8/18/2001. Amended by Ord. No. 90, §4; eff. 9/14/2007.]