

# **ORDINANCE NO. 1-10**

## **SEWER**

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AN ORDINANCE AMENDING ORDINANCE NO. 1-05 AS AMENDED BY ORDINANCE 1-08 AND ALL ITS AMENDMENTS – ADOPTING NEW RATES, CHARGES AND FEES, AND RELATED ADMINISTRATIVE AMENDMENTS.

BE IT ORDAINED BY THE BOARD OF THE DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT AS FOLLOWS:

### **GENERAL PROVISIONS**

#### *PURPOSE AND POLICY*

This Wastewater Discharge Ordinance sets uniform requirements for discharges into the wastewater collection and treatment system of Groveland Community Services District (hereinafter referred to as "District") and enables the District to comply with administrative provisions of the Clean Water Grant Regulations, the water quality requirements set by the Regional Water Quality Control Board and applicable effluent limitations, national standards of performance, toxic and pretreatment effluent standards, and any other discharge criteria which are required or authorized by State or Federal law, and to derive the maximum public benefit by regulating the quality and quantity of wastewater discharged into those systems. This Ordinance also provides for the setting of user charges and fees for the equitable distribution of cost of all Users, and the issuance of permits to certain Users.

The District Standard Specifications and Standard Details are hereby made a part of this Ordinance including other standards and codes referenced herein and referenced in the Standard Specification and Details. The Standard Specifications and Details are "Dynamic" documents and shall be revised periodically to reflect changing regulations, design and construction methods, materials and test/inspection procedures. Revisions to the Standard Specifications and Details will not require this Ordinance to be modified.

*ADOPTED BY THE BOARD OF DIRECTORS: March 8, 2010*

PUBLIC AND PRIVATE SEWERS AND DRAINS  
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## ARTICLE I. DEFINITIONS

### **Section 1.01 Meaning of Terms**

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

PML Added Lot: A PML lot that was not included in the original PML sewer assessment fee for PML Units 1 through 4.

Balanced Fund: A condition whereby, based upon reasonable and authoritative growth and cost of capital estimates, revenues cover expenses and are sufficient to maintain adequate and required working capital and repair and replacement reserves while qualifying for required or necessary financing at affordable rates.

Beneficial Uses: Uses of the waters of the State that may be protected against quality degradation, including but not necessarily limited to, domestic, municipal, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation and the preservation and enhancement of fish, wildlife and other aquatic resources or specified by Federal or State law.

Bill Deposit is the amount up to 3 months of a customer's average monthly water and sewer bill collected as security for payment.

B.O.D.: (Denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen, utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C., expressed in milligrams per liter.

Board of Directors: The Board of Directors of the Groveland Community Services District; also referred to herein as "the Board."

Campground: A place, area, or premises whereupon sites are provided for temporary use by campers, hikers, travelers, picnickers or other persons within which to erect tents, park recreational vehicles or otherwise establish habitable camps, wherein provisions have been made for an adequate supply of potable water and disposition of human and other waste satisfactory to the County Health Officer.

Cesspool: An underground pit into which raw sewage or other untreated liquid waste is discharged and from which the liquid seeps into the surrounding soil or is otherwise removed, excluding residential holding tanks installed and operated under County Health Officer Permit.

Community Sewer: A sewer owned or operated by the District, or a sewer owned or operated by another person or entity that is tributary to and discharges into an interceptor, or a treatment or disposal facility owned or operated by the District.

Connected Unit: Any facility's or dwelling unit's private sewer connected to the sewer collection system through a single service stub.

Contamination: Impairment of the quality of the waters of the State by waste to a degree that creates a hazard to the public health through poisoning or through the spread of disease. Contamination shall include any equivalent effect resulting from the disposal of wastewater, whether or not waters of the State are affected.

Demand Flow: The quantity of wastewater volume discharge demand assured for purposes of this Ordinance, weighted for wastewater constituents and characteristics in excess of the typical average strength of domestic wastewater.

Developer: Any person who enters into an agreement with the District for the construction of sewer facilities to be transferred to the District for the provision of sewer services to a project or parcel(s).

District: The Groveland Community Services District, its directors, officers, staff or authorized representatives.

District Engineer: The professional engineer employed or retained by the District, and shall be a Registered Civil Engineer.

Dwelling Unit: A suite of one or more rooms occupied by, or intended to be occupied by, one family doing its own cooking.

Garbage: Means solid waste from the preparation, cooking and dispensing of food and from the handling, storage, and sale of meat and produce.

Habitable Space: A structure having living, kitchen and bathroom facilities and meets code requirements for habitation. A detached garage or hangar with only a utility sink and/or bathroom is not considered habitable.

Holding Tank Waste: Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, grease traps or grease interceptors, and vacuum pump tank trucks.

Industrial Wastes. Any or all solid or liquid waste substances not sewage, from any producing, manufacturing or processing operation of whatever nature.

Manager: The manager of the District (General Manager), or his or her designated representative.

“May”: Means permissive.

Mobile Home: Any vehicle, other than a motor vehicle, used as semi-permanent housing, designed for human habitation, for carrying persons and property on its own structure including a trailer coach, and for being drawn by a motor vehicle.

Mobile Home Park: A User which has a proper license and permit issued by Tuolumne County to lease or rent mobile homes and which is defined in Tuolumne County Code, Title 17 Section 17.04.520. Any area or tract of land where one or more mobile home lots are rented or held out for rent, including a trailer park.

Multiple Dwelling Structure: Any two or more dwelling units in any single building or structure or group of buildings or structures, including any apartment house or auto court or rooming houses.

Natural Outlet: Shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Nuisance: Anything that is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfort or enjoyment of life or property. A public nuisance is one that affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

Owner: Is the legal Owner of property situated within the boundaries of the District?

Participation Fee (also called a Connection Fee) is a one-time charge paid when a new connection is made to the District Sewer System. The fee is based on the capital cost of capacity and represents a reimbursement to the District's ratepayers for providing available capacity to future users of the sewer system. By paying this fee new customers have participated equally with existing rate payers in sharing the capital cost of sewer system capacity.

Permit: Is any written authorization required pursuant to this or any other rule, regulation, or ordinance of District or County for the installation of any water or sewer system facilities or building.

Person: Shall mean any individual, partnership, firm, association, corporation, society, or public agency (political subdivision) including the State of California and the United States of America.

pH: Shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Planned Development: A development such as neighborhood and district shopping centers, professional and administrative areas, multiple-housing developments including townhouse developments, condominiums, single-family residential developments, commercial service centers and industrial parks or any other use or combination of uses which can be made appropriately a part of a planned development, situate on an area one acre or more in extent, for which a Development Plan has been approved by appropriate County agency or agencies.

Pollution: An alteration of the quality of the waters of the State by waste to a degree that unreasonably affects such waters for beneficial use or facilities that serves such beneficial Users. Pollution may include contamination.

Premises: A parcel or parcels of real estate or portions thereof, including any improvements thereon, which is determined by the District to be a single User for purposes of receiving, using or paying for sewer service.

Private Sewer: That portion of the sewer line extending from the public sanitary sewer to and onto private property and connecting directly to a building, structure, mobile home, camper or travel trailer.

Privy: An excavation in the ground over which is placed a privy house containing seats.

Properly Shredded Garbage: Shall mean garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any one dimension.

Public Institutions, Buildings and Facilities: Users who are exempt from real property taxation, and for the purpose of this definition, are limited to public buildings, fairground complexes, public schools, fire stations, public restrooms, churches, and public-owned hospitals and long-term care facilities.

Public Sanitary Sewer: The sanitary sewerage system, treatment plant and appurtenances owned and maintained by the District.

Recreational Vehicle: A Recreational Vehicle (RV) is a camp car or mobile home.

Sanitary Sewer: A pipe conveyance that carries domestic sewage and industrial wastes.

Septic Tank: A tank in which the settled sewage sludge is in immediate contact with the sewage flowing through the tank, while the organic solids decompose by anaerobic bacterial action.

Sewage: Any and all waste substances liquid or solid associated with human habitation, or which contains or may be contaminated with human or animals excreta or excrement, offal or feculent matter.

Sewage Treatment Plant: Any arrangement of devices and structures used for treating sewage.

Sewage Works: All facilities for collecting, pumping, treating and disposing of sewage.

Sewer: A pipe or conduit for carrying sewage.

Sewer Stub: A point of connection into a sewer created by the installation of an engineered part for connection purposes, approved by the District, installed in compliance with District standards, for the purpose of connecting or attaching a private sewer.

“Shall” and “Will”: As used in this document mean a mandatory or obligatory act or requirement.

Single commercial use: Shall mean a business occupying one or more buildings, structures, or mobile homes operated to offer a separate service, commodity or product.

Single Family Dwelling: Any unit designed to house human beings which shall consist of one or more rooms and having one or more plumbing fixtures and used or capable of occupancy by a single person or any number of persons living together as a single family.

Single Family Equivalent: The capacity required to meet the estimated potential demand of the typical residential User expressed in terms of the volume of wastewater discharged, usually average daily flow in gallons per day.

Storm Drain: A conduit, which carries storm and surface waters and drainage but excludes sewage and industrial wastes.

Suspended Solids: Shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering.

Tenant: Any customer who does not have legal title to the premises occupied, that is, renter, lessee, agent, concessionaire, etc. and occupies the premises with the permission of the property owner.

Tenant Unit: Any unit within a non-single-family dwelling designed to house human beings which shall consist of one or more rooms that may have one or more plumbing fixtures and is used or capable of occupancy by a single person or any number of persons employed together as a business, association, service, religious or volunteer group.

Unpolluted Water: Water containing no constituents that would render such water unacceptable to the agency having jurisdiction thereof for disposal to storm or natural drainages or directly to surface water or indirectly to ground water.

User: Any person that discharges, causes or permits the discharge of wastewater into a community sewer.

Waste: Includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, of human or animal origin, or from any producing, manufacturing, or processing operation.

Wastewater: Waste and water, whether treated or untreated, discharged into or permitted to enter a community sewer.

Wastewater Constituents and Characteristics: The individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity and strength or wastewater.

Watercourse: Shall mean a channel in which a flow of water occurs, whether continuously or intermittently.

Water of the State: Any water, surface or underground, including saline waters within the boundaries of the State.

## **ARTICLE II. REQUIRED USE OF PUBLIC SEWERS**

### ***Section 2.01 Required Connection to Public Sewer***

From and after the effective date of this Ordinance except as hereinafter provided, it shall be unlawful to construct or maintain any privy, septic tank, cesspool, or other facility intended or used for the disposal of sewage, at such time as the premises on which such privy, septic tank, cesspool or other facility are situated is capable of being connected to the public sewer.

### ***Section 2.02 Owner's Expense and Connection Timetable***

Subject to the provisions of Section 2.01, and Tuolumne County Ordinance Code 13.08, the Owner of all new housing, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within 300 feet down gradient or 100 feet upslope within the District, and abutting on any street, alley or right-of-way in which there is now located, or when in the future there is located therein a public, gravity-flow sewer, is hereby required at his expense to install suitable toilet facilities and to connect such facilities directly with the public sewer in accordance with the provisions of this Ordinance provided there is a gravity flow from said premises to the sewer; provided. In the case of an existing house, building or property used for human occupancy, if a septic system fails and cannot be repaired or other on-site disposal method is not feasible and the house is within 300 feet down gradient or 100 feet up slope of a gravity sewer, then the Owner must comply with County requirements for resolution. If an Owner is required to connect to the District public sewer, the Owner must do so within six months after the completion of the public sewer adjacent to the premises.

## **ARTICLE III. REGULATIONS**

### ***Section 3.01 General Provision***

No person shall discharge or cause to be discharged to any public sewer which directly or indirectly connects to the District sewer system any toxic or other wastes if in the opinion of the Manager such wastes may have an adverse or harmful effect on service maintenance personnel, wastewater treatment plant personnel or equipment, treatment plant effluent quality, public or private property or may otherwise endanger the public, the environment, or create a public nuisance.

### **Section 3.02 Prohibitions on Discharges**

No person shall discharge to a community sewer or District treatment facilities, wastes that cause, threaten to cause, or are capable of causing either alone or by interaction with other substances conditions at or near the District's treatment works that violate any statute or any rule, regulation, or Ordinance of any public agency of county, State or Federal regulatory body, including, but not limited by:

#### **(a) Fire or Explosion**

Wastes that create a fire or explosion hazard in the treatment works, such as any flammable or explosive substances, including, but not limited to, gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

#### **(b) Corrosive Structural Damage**

Wastes that will cause corrosive structural damage to treatment works.

#### **(c) Flow Obstruction or Interference Substances**

Solid or viscous wastes in amounts that cause obstruction of flow in sewers or injury of the system or damage to the wastewater collection, treatment or disposal facilities, or which cause other interference with proper operation or treatment works, such as, but not limited to any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, or manure.

#### **(d) Treatment Inhibition or Disruption**

Any waste, including oxygen demanding pollutants such as Biochemical Oxygen Demand (BOD) substances or other unusual suspended solids, released in such volume or strength as to cause inhibition or disruption in the treatment works, and subsequent treatment process upset and loss of treatment efficiency. Any water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant, including any waste that negatively impact the District's effluent or any other product of the treatment process, residues, sludges, or scums, to be unsuitable for reclamation and reuse, or to interfere with the reclamation process.

#### **(e) Harmful or Destructive Temperature**

Heat in amounts that inhibit or disrupt biological activity in the treatment works, or that raise influent temperatures above 40 degrees C (104 degrees F).

#### **(f) Fat, Oil or Grease Causing Interference or Pass-through**

No petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

#### **(g) Toxic or Poisonous Substances**

Pollutants that result in the presence of toxic gases, vapors, or fumes within the treatment works in a quantity that may cause acute worker health and safety problems. Any waters or waste containing a toxic or poisonous substance in sufficient quantity to injure or interfere

with any sewage treatment process, constitute a hazard to human or animals, or create any hazard in the receiving waters of the sewage treatment plant.

**(h) Substances Causing Public Nuisance or Air Pollution**

Any noxious or malodorous gas or substance capable of creating a public nuisance or preventing the effective maintenance and operation of the sewer system through having a strong, unpleasant odor, as well as any substance causing air pollution by the release of toxic or malodorous gases or malodorous gas-producing substances.

**(i) Disruptive Discoloration**

Discoloration or any other condition in the quality of the District's treatment works effluent in such a manner that achieving water quality requirements established by law cannot be met.

**(j) Quantities or Flow Rate Overloads**

Quantities or rates of flow that overload the District's collection or treatment facilities or cause excessive District collection or treatment costs, or which use a disproportionate share of the District facilities.

**(k) Trucked or Hauled Pollutants**

Any trucked or hauled pollutants, except as specified and permitted within this Ordinance, and discharged only at specifically pre-designated points by the Manager.

**(l) Life or Safety Threatening Substances**

Any substances that are a danger to life or safety of personnel.

***Section 3.03 Prohibition on Land Disposal of Wastes***

It shall be unlawful for any person to place, deposit or permit to be deposited in any manner, except as authorized by District, upon public or private property within the district, any human or animal excrement, garbage, or other objectionable waste.

**(a) Unlawful Discharge of Polluted Waters**

It shall be unlawful to discharge to any natural outlet within the District, any sewage, industrial wastes, or other polluted waters or materials with a detrimental environmental impact or a nuisance in the waters of the State or a condition unacceptable to any public agency having regulatory jurisdiction over the District.

***Section 3.04 Prohibition on Storm Drainage and Ground Water Sanitary Sewer Discharge Limitations***

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, garbage, or polluted industrial wastes to any sanitary sewer.

**(a) Individual Connections**

Storm water, ground water, rainwater, street drainage, subsurface drainage or yard drainage shall not be discharged through direct or indirect connections to a community sewer unless a permit is issued by the District. The District may approve the discharge of such water only when no reasonable alternative method of disposal is available.

If a permit is granted for the discharge of such water into a community sewer, the User shall pay the applicable service connection fees and user charges and fees and meet such other conditions as required by the District.

***Section 3.05 Prohibition on Unpolluted Water***

Unpolluted water, including, but not limited to cooling water, process water or blow-down from cooling towers or evaporative coolers will not be discharged through direct or indirect connection to a community sewer unless the District issues a permit. The District may approve the discharge of such water only when no reasonable alternative method of disposal is available.

If a permit is granted for the discharge of such water into a community sewer, the User shall pay the applicable service connection fees and user charges and fees and meet such other conditions as required by the District.

***Section 3.06 Limitation on Radioactive Wastes***

No person shall discharge or cause to be discharged, any radioactive waste into a community sewer, except:

**(a) Authorized Use of Radioactive Materials**

When the person is authorized to use radioactive materials by the State Department of Health or other governmental agency, and

**(b) Discharged in Strict Conformity**

When the waste is discharged in strict conformity with current California Radiation Control Regulations (California Administrative Code, Title 17) and the Atomic Energy Commission regulations and recommendations for safe disposal, and

**(c) In Full Compliance**

When the person is in compliance with all rules and regulations of all other applicable regulatory agencies.

**(d) District is Notified**

When the District has been notified of intent to discharge such radioactive materials, and the District has issued a conditional use permit specific to acceptable discharges, restrictions on the time of day and day(s) allowed to discharge, intervals between discharges, record keeping and notification requirements that demonstrate strict compliance, proof of financial responsibility as may be required by the District, and/or any other terms and conditions required by the District.

**Section 3.07 Limitation on the Use of Garbage Grinders**

Waste from garbage grinders shall not be discharged into a community sewer except:

**(a) Food Consumed on Premises**

Waste generated in preparation of food normally consumed on the premises; or

**(b) Use of Garbage Grinder by Permit**

Where the User has obtained a permit for that specific use from the District and agrees to undertake whatever self-monitoring is required to enable the District to equitably determine the user charges based on the waste constituents and characteristics.

**(c) Permitted Use of Garbage Grinders**

Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the community sewer. Garbage grinders shall not be used for grinding plastic, paper products, inert materials, or garden refuse.

**Section 3.08 Holding Tank Waste**

A User proposing to discharge holding tank waste into a community sewer must secure a permit. Unless allowed by the District under the terms and conditions of the permit, a separate permit must be secured for each separate discharge. This permit will state the specific location of discharge, the time of day the discharge is to occur, the volume of the discharge, and the wastewater constituents and characteristics of the discharge. If a permit is granted for discharge of such waste into a community sewer, the User shall pay the applicable service connection fees and user charges and fees and shall meet such other conditions as required by the District.

**(a) Unacceptable Septage**

No septage from residential or campground septic tanks is accepted for treatment. RV waste and portable toilet waste containing formaldehyde will not be accepted.

**(b) RV and Portable Toilet Waste**

The District will maintain facilities at its wastewater treatment plant for proper disposal of RV and portable toilet waste.

**Section 3.09 Limitations on Point of Discharge**

No person shall discharge any substances directly into a manhole or other opening in a community sewer other than through an approved building sewer, unless allowed by the District under the terms and conditions of the permit, a separate permit must be secured for each separate discharge. This permit will state the specific location of discharge, the time of day the discharge is to occur, the volume of the discharge and the wastewater constituents and characteristics. If a permit is granted for discharge of such waste into a community sewer, the User shall pay the applicable service connection fees and user charges and fees and shall meet such other conditions as required by the District.

**Section 3.10 Limitations on Other Wastewater Elements and Properties**

No person shall discharge into a sewer wastewater containing in excess of, or with characteristics exceeding:

**(a) Chemical Elements and Compounds**

0.1 mg/L arsenic	1.0 mg/L Benzene, Toluene, Ethyl benzene, Xylene (BTEX)
0.2 mg/L cadmium	10.0 mg/L Total Petroleum Hydrocarbons (THP)
2.0 mg/L copper	300 mg/L of grease, oil or fat of animal or vegetable origin
1.0 mg/L cyanide	100 mg/L of grease, oil or fat of mineral or petroleum origin
1.0 mg/L lead	0.03 mg/L total identifiable chlorinated hydrocarbons
0.01 mg/L mercury	1.0 mg/L phenolic compounds
1.0 mg/L nickel	
0.2 mg/L silver	
0.5 mg/L total chromium	
3.0 mg/L zinc	

**(b) Chemical and Physical Characteristics**

Having a temperature higher than 65 degrees C (150 degrees F).

Having a pH lower than 5.5 or higher than 9.0

**Section 3.11 Requirement for Interceptors**

When in the opinion of the District, grease, oil and sand interceptors are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients, the same shall be installed and maintained at Owner’s expense. Grease, oil and sand interceptors are required for garages, service stations and any building that prepares food or could be used to prepare food in the future. These interceptors shall not be required for family dwelling units or structures.

**(a) Interceptor Requirements**

All interceptors shall be of a type and capacity approved by the District. Interceptors shall conform to the requirements of the District Specifications and be manufactured by a company regularly engaged in manufacturing such devices for the particular intended use.

**1) Interceptor Cover**

The cover for grease interceptors shall be designed for the loads imposed on the structure as required by the District Engineer. The cover shall be gas-tight on all interceptors and the waste shall enter the interceptor through the inlet pipe only.

Buildings remodeled for use requiring interceptors shall be subject to these regulations.

**(b) Owner/Occupant Maintained**

Interceptors shall be maintained in efficient operating condition by periodic removal of the accumulated grease. No such collected grease shall be emptied or discharged into any drainage piping or public or private sewer. Interceptors shall be maintained by the Owner or occupant of the premises, at his expense, and shall be in continuously efficient operation at all times.

**(c) Interceptor Installation**

Each interceptor shall be so installed and connected that it shall be at all times easily accessible for inspection, cleaning and removal of the intercepted grease. A grease interceptor may not be installed in any part of a building where food is handled. Proper location of the grease interceptor shall meet the Plumbing Code and the approval of the District Engineer.

Each business establishment for which a grease interceptor is required shall have an interceptor, which shall serve only that business establishment.

Interceptors shall be installed in such a manner as to prevent drainage from outside the intended area of use.

**(d) Limits on Interceptor Use**

Waste discharge from fixtures and equipment in establishments required to have an interceptor which may contain grease or other objectionable materials, including, but not limited to, scullery sinks, pot and pan sinks, dishwashers, food waste disposals, etc., and floor drains located in areas where such objectionable materials may exist, may be drained into the sanitary waste line through the interceptor if approved by the District Engineer. Toilets, urinals, and other fixtures containing fecal material may not flow through the interceptor.

**(e) Interceptor Inspection**

If, upon inspection by the District, a grease interceptor is found to be absent or ineffective as solely determined by the District Engineer, the Owner/User shall be required to make immediate repairs or corrections within thirty (30) days after receiving written notification of deficiency from the District. If the grease interceptor requires pumping and servicing, as determined by the inspector, the Owner/User shall be required to have the interceptor pumped by a licensed hauler within ten (10) days after receiving notification by the inspector. Failure to make such repairs or corrections shall result in disconnection from the public sewer.

***1) Interceptor Records***

The Owner/User may be required to keep records of grease interceptor device cleaning, maintenance, and grease removal and report on such maintenance to the District in the format and at the frequency required by the District Engineer. The District Engineer may require the Owner/User to provide results of periodic measurements of its discharge, which is to include chemical analysis of oil and grease content.

**(f) Interceptor Abandonment**

Abandoned grease interceptors shall be emptied and filled as required for abandoned septic tanks in Section 1119 of the Uniform Plumbing Code.

**Section 3.12 Backflow Devices**

The District requires that a backflow prevention device be installed, operated, maintained and replaced at the sole expense of the User where wastewater from the community sewer may back up into the User’s building sewer. Such backflow prevention device shall be installed on the property of the User and become part of the User’s building sewer. Protection of property from damage caused by wastewater backup from the community sewer is the sole responsibility of the User. Failure of the District to notify the User of any known or unknown hazards that may result from the User’s connection to the community sewer and/or failure of the District to require the installation of such backflow prevention device shall not relieve the User of this sole responsibility. The District shall not be responsible for nor shall it compensate for damages resulting from any such backup of wastewater.

**Section 3.13 Access**

District personnel shall have a right of access to any premises, the sewage discharge from which reaches the District’s sewer system, to determine whether there is compliance or non-compliance with this Ordinance. District personnel shall further have a right of access to go upon any premises on which a sewer line is located that is serving more than one parcel or building for the purpose of inspection of the sewer line and to shut off, terminate, repair or reconnect sewer service, or for any other purpose related to the operation of the sewer system including the inspections relating to grease interceptors.

**Section 3.14 Responsibility for Lateral or Service Line**

The Property Owner shall be responsible for maintenance and repair of the sewer lateral from the building to its interconnection with the District’s main. If the Property Owner installs a sewer cleanout at the property line adjacent to a public right-of-way, and the cleanout is accessible to the District’s satisfaction, the District will maintain the portion of the lateral in the public right-of-way. The District may, as its sole discretion, install a cleanout at the customer’s property line if the customer locates and exposes the private lateral. For all new construction, the customer shall install a cleanout at the property line. In no case will the District maintain sewer laterals on private property unless the District specifically agrees under special circumstances, such as where the lateral serves more than one parcel, and where an easement is granted to and accepted by the District.

**ARTICLE IV. PRIVATE SEWERS TO EXISTING SERVICE STUBS, CLASSIFICATION OF USERS, CONNECTION FEES AND CHARGES**

**Section 4.01 Required Written Authorization**

No person without previous written authorization from District shall uncover, make any connection with, opening into, use, alter, or disturb any public sewer or appurtenance thereof.

**Section 4.02 Classification of Users**

The District hereby establishes the User classifications attached hereto as Exhibit B, USER CLASSIFICATIONS, to which each User shall be assigned, according to the principal activity conducted on the User’s premises and the typical quantities of wastewater volume discharge demand, constituents and characteristics. The purpose of such classification is to facilitate the regulation of wastewater discharges, provide an effective means of source control and to provide a basis for the fixing and levying of charges and fees for services on an equitable basis to all Users. All classifications not specifically listed in Exhibit B will be determined by the District Engineer from the most similar classification listed or from usage records of a similar establishment.

**Section 4.03 Determination of Wastewater Discharge Demand, Constituents and Characteristics by User Classification**

**(a) Normal Determination**

The District hereby determines the quantities of wastewater volume discharge demand, constituents and characteristics for each User classification based upon an estimate for the typical User within each classification shown in Exhibit B. The estimate is determined by the District to be reasonable and is based upon such factors as the number of fixtures, seating capacity, population equivalent, annual production of goods and services, or such other factors relating to an equitable determination within and between User classifications. For the purpose of setting charges and for the determination of quantities of wastewater volume discharge demand, constituents and characteristics may be expressed in “demand flow” weighted for wastewater constituents and characteristics in excess of the typical average strength of domestic wastewater.

**(b) Uniformity of Determination**

The demand flow measured in residential equivalents for each User within a User classification is assumed for purposes of this Ordinance to be uniform. Flow monitoring devices such as sewage or water meters are not a feasible, practical or acceptable means of determining demand flow for individual Users.

**Section 4.04 Establishment and Purposes of Service and Connection Charges and Fees**

The District hereby establishes the schedule of charges and fees attached hereto as Exhibit A, SEWER RATES to pay for the cost of sewer service provided by the District, to insure an equitable recovery of the District’s cost of providing such services, and to provide capital reserve funds to provide for replacement and expansion of the sewer facilities, as needed.

The monthly sewer service “usage” charges defined in Article VII SERVICE CHARGES are to recover the actual costs of operating and maintaining the various elements of the District operated collection, treatment and disposal systems. The connection fees are to provide funds for replacement and expansion of capital improvements necessary to provide and maintain service to all customers within the District’s sewer service areas, and for special reimbursement or other purposes, as more particularly indicated in the exhibits attached hereto.

In principle, charges and fees are determined by:

- User must purchase the amount of the system used.
- User must pay his/her share of all costs of operating and maintaining the system.
- The system must be upgraded and replaced from time to time such that, in effect, the capacity will exist in perpetuity for the User.
- Because the system is benefiting the public, it must be expanded and maintained to provide safe and dependable wastewater management.
- The system must remain in compliance with existing and future state and federal regulations.

#### **Section 4.05 Other Charges and Fees**

The District may at any time establish a schedule of charges and fees to pay for the costs of other services provided, to insure an equitable recovery of the District's cost of providing sewer service, including but not limited to:

##### **(a) Administrative Charges: Application Filing and Process Fees**

The cost of administration or other related or required costs to process permit applications. Application fees shall be paid at the time of application and shall be used to reimburse to District all of its costs incurred in providing administrative staff to provide assistance to the applicant regarding District procedures, scheduling, public hearings, and accounting. The amount of administrative fees estimated by District, shall be paid to District upon filing of the application. In the event that the actual costs incurred by District exceed the amounts paid by applicant, the District will require an additional deposit from applicant sufficient to reimburse such estimated additional costs. To the extent the amount paid exceeds the costs incurred by District, the balance will be refunded by the District upon acceptance of the improvements..

##### **(b) Inspection Charges**

Inspection charges shall be for the District's time expended on the construction site facility inspections.

##### **(c) Engineering Labor Charges**

Engineering labor charges shall be for engineering labor expended on CEQA review, plan and easement reviews and project management. District Engineer expense deposits will be paid prior to commencement of construction and credited to the actual charges incurred by District staff for inspections, camera-testing, pressure-testing, vacuum-testing, disinfection, etc. In the event that actual costs exceed the deposit, charges will be billed monthly to the Developer during the construction of the facilities. The District will refund any funds collected but not used upon acceptance of the facilities. The engineering labor rate for all shall be as specified in Exhibit A.

##### **(d) Standby Assessments**

The cost of maintaining capacity in a readiness to serve status for the benefit of unimproved parcels of land, or in the case of disconnection or prolonged non-occupancy.

**(e) Monitoring Service**

The cost of monitoring wastewater volume, discharge demand, constituents or characteristics.

**(f) Appeal Fees**

The cost of administration, engineering, legal or other related costs to process appeals.

**Section 4.06 Connection Permit and Fees Required**

No connection shall be made of any kind to the public sanitary sewer or to a private sewer without first obtaining a Connection Permit from the District and paying the application, inspection and connection fees specified below. Permits cannot be issued or connection charges determined until the use of the premises being connected is determined. Connections to vacant lots not undergoing improvement per a valid and current building permit are not allowed. Upon the determination after the issuance and payment of connection charges that the usage of the connection has changed prior to issuance of a valid occupancy notice or permit by the county department responsible for issuing building permits and occupancy approvals, the Property Owner shall file for a new or amended permit and pay any additional charges. No refund of prior charges are allowed unless and only in the amount approved by the Board of Directors. Any Owner or occupier of property shall make no enlargement, addition or change in any use for which a connection permit has been issued without securing a new connection permit and the payment of any additional connection fee required to be paid.

**(a) Sewer Connection Application Fee**

The Sewer Connection application fee for all sewer connection permits shall be as specified in Exhibit A.

**(b) Sewer Connection Inspection Fee**

The inspection fee for all sewer connection permits shall be as specified in Exhibit A. Depending on project scope, most connection projects require only one inspection; projects requiring additional inspections will be charged for the additional inspections. A deposit may be required and all required fees and deposits shall be paid prior to District's review of construction plans.

**(c) Sewer Participation Fees**

Sewer Participation fees shall be based on the equivalent use or impact upon the sewer system of a single-family residence Said equivalent use shall be established by discharge demand factors specified within Exhibit B, USER CLASSIFICATIONS, and their use as specified below. Credits may apply towards adjustments in total connection charges as may from time to time be derived from levied sewer assessment, and shall be determined based upon the terms of such assessment; such terms for credits shall be specified and made known through Exhibit C, ASSESSMENT AREA CREDITS. Special participation fees may from time to time be set by the Board of Directors for the purposes of fair and equitable adjustments equating differentiated segments of District sewer system Users, the terms for such special fees shall be specified and made known through Exhibit D, SPECIAL PARTICIPATION FEES.

**(d) Service Connection Fees for Government Agencies and Not-for-Profit Organizations**

The District, at its discretion, may charge sixty percent (60%) of some fees and charges associated with connecting a new service for government agencies and not-for-profit organizations. Fees eligible for reduced rates shall include the participation (connection) fee and sewer extension application fee. Fees not eligible for reduced rates shall include administrative fees and engineering expense deposits. Monthly charges and fees will not be discounted for government agencies or non-for-profit organizations. ARTICLE I. DEFINITIONS. Section 1.01 Meaning of Terms: Public Institutions, Buildings and Facilities:

**1) Basic Sewer Participation Fee**

The participation fee for all sewer connections within the Groveland Community Services District shall be as specified in Exhibit A.

**2) Special Participation Fees**

Special participation fees, if any, shall be specified within Exhibit D, SPECIAL PARTICIPATION FEES, in sufficient detail to manage their proper implementation over time, including permitted or allowed change in amount, applicable time period, to whom applicable, and the intended and derived benefit from the fee. Special participation fees shall be subject to adjustment by User classification and the residential equivalent discharge demand factor, unless otherwise specified within said exhibit.

**3) Factored Sewer Participation Surcharge**

Sewer connections for User classifications other than single-family residences and all sewage effluent uses other than the equivalent of one unit of single-family residence shall be charged a surcharge by multiplying the Basic Sewer Participation fee by the appropriate discharge demand factor or factor formula for the type of use listed in Exhibit B, USER CLASSIFICATIONS.

In the event that multiple participation fees apply, such as Basic Sewer Participation Fee and one or more Special Participation Fees, the Factored Sewer Participation surcharge shall be computed by multiplying the sum of all applicable participation fees by the appropriate discharge demand factor or factor formula for the type of use listed in Exhibit B, USER CLASSIFICATIONS.

Discharge demand factors for classifications not listed in Exhibit B shall be determined by the General Manager or District Engineer and applied as above.

**Section 4.07 Location of Sewer Mains and Extensions**

All sewer mains and lateral extensions shall be in public streets, alleys, or dedicated rights-of-way.

**Section 4.08 Connection at Owner's Expense**

All costs and expense incident to the installation and connection of the private sewer shall be borne by the Owner. The Owner shall indemnify the District for any loss or damage that may directly or indirectly be occasioned by the installation of a private sewer.

**Section 4.09 Separate and Independent Private Sewer Connections**

A separate and independent private sewer shall be provided for each house, habitable structure, mobile home, occupied habitable space and single commercial use connecting with the public sanitary sewer. Habitable space is defined as having living, kitchen and bathroom facilities and meets code requirements for habitation. A detached garage or hangar with only a utility sink and/or bathroom is not considered habitable.

"Single commercial use" as used herein shall mean a business occupying one or more buildings, structures, or mobile homes operated to offer a separate service, commodity or product. No sewer customer using sewer service supplied by the District shall supply any other such sewer service, or allow any other person the use of such sewer service from the sewer customer's sewer connection, or permit a further connection to be made to the sewer customer's connection on his or any other premises. A separate connection is required for each occupied mobile home, habitable space, except those habitable spaces that are located within a campground. A campground shall be considered a single commercial use.

**(a) Private Sewer Connection Variance**

The District Board of Directors, subject to the following conditions, may grant a variance to the above requirement:

**1) Commercial Use**

A variance may only be granted for non-residential (commercial) business park connections.

**2) Engineered Private Sewer**

The applicant shall have submitted to the District construction plans and such specifications and other details, as required, describing fully the proposed private sewer system. The plans shall have been prepared under the supervision of and shall be signed by an engineer of suitable training registered in the State of California, and said plans approved by the District's Engineer.

**3) Connection Capacity**

The District Engineer shall have determined that the existing or proposed sewer stub connection or sewer interceptor is adequate for the intended and engineered flows of the proposed connection.

**4) Aggregate Connection Fees**

The District Engineer shall have determined the impact of aggregate connections and shall determine appropriate connection fees, as set forth in Section 4.06(c) Sewer Participation Fees, including a determination as to the number of applicable basic participation fees, if more than one is warranted. Said fee determination shall be based upon the aggregate use of each and all buildings.

**Section 4.10 Supervision of Connections**

All sewer service connections to the public sanitary sewer shall be made under the supervision of the General Manager of the District, or his authorized representative.

**Section 4.11 Applicable Standards**

Private sewers shall comply with the latest District Standard Specifications, Standard Details, latest edition of the Uniform Plumbing Code and other regulatory agency requirements.

**Section 4.12 Restricted Gravity Flow – Lifting by Artificial Means**

In all buildings in which any plumbing fixture is too low to permit gravity flow to the public sewer, sewage carried by such drain shall be lifted by artificial means approved by the District and discharged to the public sewer at the sole cost of User including required maintenance of the equipment. Design of such systems shall be performed by a registered Civil Engineer and approved by the District’s Engineer prior to issuance of the permit.

**Section 4.13 Excavations and Trench Work**

All excavations required for the installation of a private sewer shall be open trench work unless otherwise approved by the District. No backfill shall be placed until the work has been inspected. Excavation on public rights of way shall be done only after permission has been received from the authority having jurisdiction thereof. Any installation not approved by the District shall be redone or replaced at the expense of the person making the connection.

**Section 4.14 Advance Notice and Costs for Inspections**

The applicant for the connection permit shall notify the District when the private sewer is ready for inspection and connection to the public sewer. A 24-hour advance notice is required prior to any inspections. Additional inspection fees per Exhibit A, SEWER RATES, may be charged if the work is not ready for inspection or requires additional inspections due to non-compliance with District Standard Specifications and Details.

**Section 4.15 Plot Plan Required**

At the time a sewer connection permit is applied for, the applicant shall also submit a copy of the plot plan required by the Tuolumne County Building Department. The sewer connection permit shall not be deemed approved until the District Engineer has determined that the plot plan correctly depicts the location of the District's underground utilities and connection thereto.

**Section 4.16 Permit Time Limit**

All sewer connection permits issued shall be null and void six months after the issuance thereof, unless a building permit is issued by the Tuolumne County Building Department within that time. All sewer connection permits shall be null and void one year after the issuance of a Tuolumne County Building Permit unless a building foundation, on the lot for which the permit was issued, has been completed and inspected by the Tuolumne County Building Department within that time.

The applicant has the burden of proving that a valid Tuolumne County Building Department Building Permit has been issued, or, as the case may be, that a building foundation has been completed and has been inspected by the Tuolumne County Building Department.

The sewer connection fees per Section 4.06, paragraph (c) for a sewer connection permit that has become null and void by virtue of this paragraph shall not be refundable.

**Section 4.17 Board Authority to Refuse Service**

The District's Board of Directors has the discretion to refuse to allow sewer service to any development with multiple connections when in its opinion such a use would place an undue burden on the then remaining sewer collection capacity or sewage treatment capacity of the District.

**Section 4.18 Sewer Connection Relocation Terms**

In the event a sewer connection service is relocated there shall be no new sewer connection fee upon reconnection. However, said relocation shall be at the sole cost and expense of the Owner of the premises and further, said relocation shall be subject to District inspection, inspection fees, approval of a revised plot plan, and subject to all applicable terms, conditions and standards required by this Ordinance.

**Section 4.19 Agreement for Water/Sewer System Improvements (Small Developments)**

At the time of filing the plans and specifications for the proposed improvements for approval by District, the property owner shall comply with the provisions of District Policy No. 602.4 requiring execution of an Agreement for Water System Improvements (Small Developments) between the property owner and the District and provide the advance funding required by such Agreement to reimburse the District for its administrative, engineering, legal, environmental and other consultant costs incurred in reviewing and analyzing the property owner’s application and the plans and specifications submitted by the property owner. Final plans and specifications submitted by the property owner will not be approved in writing by District unless and until such Agreement has been executed and all costs incurred by the District have been reimbursed in full by the property owner pursuant to the terms of such Agreement.

**Article V. SEWER MAIN EXTENSIONS INCLUDING NEW SEWER SERVICE STUBS**

Application for sewer main extension shall be processed per Sections 600 thru 608 of the District’s Operational Policies and Procedures Manual.

**ARTICLE VI. PROTECTION FROM DAMAGE**

**Section 6.01 Conduct of Unauthorized Persons**

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is part of the public sewage works.

**Section 6.02 Manhole Reconstruction Notification**

The work of adjusting manholes on District’s sewers to new grades will be performed by personnel of the District in cooperation with the contractor and in accordance with established procedures of the District. The person proposing to perform work necessitating the adjustment of manholes on District’s sewers to a new grade shall be responsible for notifying the District at least one (1) month in advance of the work.

## **ARTICLE VII. SERVICE CHARGES**

### **Section 7.01 Levied and Assessed Monthly Sewer Service Charges**

In order to provide funds for the reasonable cost of providing the residents of the District with a public sanitary sewer, there are hereby levied and assessed upon all premises having or required to have sewer connection with or discharging as required to discharge sewage into or through the public sanitary sewer, monthly sewer service charges for the services and facilities for the treatment and disposal of sewage, or the availability of same, to such premises, by the public sanitary sewer, such charges to be payable in the respective amounts as are hereinafter set forth and as are thereafter set forth from time to time by Ordinance of the Board of Directors of the District.

#### **(a) Monthly Minimum Charge**

All connected Users of the District's sewer system shall be billed a Monthly Minimum Charge as set forth in Exhibit A, SEWER RATES. The Monthly Minimum Charge provides for the fixed annual costs of operation and maintenance of the system.

Each separate dwelling unit, when connected to a single sewer connection and non-single-family dwellings and/or commercial facilities that house separate tenant units, whether occupied or not, shall be charged a Monthly Minimum Charge for each tenant unit as if each tenant unit is a single-family dwelling.

#### **(b) Monthly Volume Usage Charge – Residential Users**

All connected residential Users of the District's sewer system shall be billed a Monthly Volume Usage Charge as set forth in Exhibit A, SEWER RATES, for each gallon of water supplied per month from District or private source (estimated) water. The Monthly Volume Usage Charge provides for the variable costs of operation and maintenance of the system.

#### **(c) Monthly Volume Usage Charge – Non-Residential Users**

All connected non-residential Users of the District's sewer system shall be billed a Monthly Volume Usage Charge as set forth in Exhibit A, SEWER RATES, for each gallon of water supplied per month from District or private source (estimated) water.

#### **(d) Automatic Annual Adjustment**

Beginning January 1, 2009, and each January thereafter until 2011, the Monthly Fixed Rate Service Charge and Usage (Variable) Rate Charge for sewer, as set forth in Exhibit A, SEWER RATES, shall be adjusted by 4.0%.

#### **(e) Special Flat Rate for Significant Landscape Irrigation**

In the event Users whose monthly bill is determined under this section also use water for landscape irrigation purposes, the customer may apply to the District's General Manager to establish a flat sewer rate which shall be based on the average amount of water used during the months of January, February, and March or 3,100 gallons, whichever is greater, and may thereafter be adjusted once annually on or about June 1 of each succeeding year.

In no event shall the Special Flat Rate be less than the Monthly Minimum Charge specified in paragraph (a) above plus the Monthly Volume Usage Charge specified in paragraph (b)

and (c), for the average amount of water used during the averaging months calculated by the General Manager.

In order to qualify for the special flat rate determined under the provisions of this paragraph, Users shall provide proof suitable to the District's General Manager or Engineer of said irrigation, which the General Manager or District Engineer shall determine is significant relative to the User's total water usage.

The Special Flat Rate minimum of 3,100 gallons will be used for all customers that are connected to the District's sewer system, but are not connected to the District's water system.

**(f) Special Usage Surcharges**

For any premises generating sewage of over 1500 gallons per day in quantity, or generating sewage with a B.O.D. of over 200 milligrams per liter, the District shall set an additional special sewer usage surcharge, set forth in Exhibit A, SEWER RATES, to reflect the additional cost of collection or treating such sewage. Any person who objects to any such special usage charge, or the amount thereof, may present evidence, measurements, and tests to the District, at his or her expense, with a written application to cancel or decrease any such special usage charge. The decision of the Board of Directors of the District on any such application shall be final.

**(g) Delivered Sewage Waste**

For sewage waste that is delivered to the District for treatment:

***1) Recreational Vehicle Charge***

Recreational Vehicle holding tank waste dumped by the User shall be charged as set forth in Exhibit A, SEWER RATES.

***2) Portable Toilets***

Portable toilet waste rules and charges:

***i) Acceptable Loads***

The minimum acceptable load is 250 gallons and the maximum acceptable load is 4,000 gallons. Users shall report the actual amount in gallons discharged into the District's collection system through District approved dump stations using log sheets provided by the District at the dump station immediately upon completion of the discharge.

***ii) Business Hours***

Dumping before 8:00 A.M. or after 3:30 P.M., Monday through Friday (unless by prior agreement from District General Manager) shall result in suspension of use of GCSD facilities.

***iii) Portable Toilet Charge***

Portable toilet waste dumped by the User shall be charged as set forth in Exhibit A, SEWER RATES.

**(h) Reclaimed Wastewater – Will Call Station Charge**

The cost for reclaimed wastewater obtained at the treatment plant shall be as set forth in Exhibit A, SEWER RATES.

**(i) Standby Charge**

For Users whose service has yet to be connected, a standby charge as set forth in Exhibit A, SEWER RATES, shall be paid to the District. This charge shall apply only to those premises on which a service stub has been installed. In the event a service stub has been installed, the standby charge shall apply regardless of whether or not the property has been developed.

**Article VIII. BILLING POLICY, ADMINISTRATION, COLLECTION AND DISPUTES**

**Section 8.01 Service Connections**

**(a) Application for Service**

Each person applying for a service connection must complete an application in a manner and on a form prescribed by the General Manager prior to making connection. The application form shall include as a minimum the following information:

1. Name and mailing address of the Owner of the premises
2. Assessor's parcel number of the premises
3. Service address
4. Name and mailing address of the parcel Owner to be billed for user charges
5. Type of service requested
6. Date service is required
7. Date of application
8. Signature of Applicant

The applicant will be notified if the application is disapproved within ten (10) business days of receipt of the application.

**(b) Payment of fees**

The District shall determine the amount of service connection and other fees payable in accordance with the provisions of applicable exhibits of this Ordinance using rates in effect at the time service is applied for. All such fees must be paid before a service connection will be allowed. If sewer service has not commenced within six months of application for service, sewer service and charges shall nevertheless commence and be payable after the expiration of such six-month period.

**(c) Inspection of Service Connection**

The District shall have the right to physically inspect all service connections at the time such service connections are made. It is the responsibility of the applicant to pay for and normally perform all work required to make a service connection. The applicant must notify the District at least twenty-four (24) hours in advance of making the service connection. Such connections must be made during normal working hours of the District and a District inspector must be present. The applicant may be required to disconnect and reconnect the service connection for inspection purposes, if the District did not inspect the connection as required.

**(d) Unauthorized Service Connections**

Construction of a service connection without District approval of an application, without inspection, or without paying all charges in accordance with this Ordinance is not permitted. Any person doing so is guilty of a misdemeanor. An unauthorized sewer connection, when discovered by the District, may require payment equal to twice the avoided user charges in effect during the period of time since such unauthorized service connection was made and twice the connection fee currently in effect at the time of discovery. Such unauthorized connections may be disconnected by District until payments and penalties required by this Ordinance are deposited with the District. The payments and penalties as provided herein shall be reduced to surcharge of twenty-five percent (25%) added to the retroactive service charges and current connection fee provided that the physical connection is inspected and approved and payment in whole is made to the District as billed within ten working days of written notification by certified mail.

Notwithstanding the provisions of this section, the Board of Directors shall have the right to alter or reduce the penalties and provisions herein in public session at a regularly scheduled Board meeting for good cause upon recommendation of the General Manager or upon appeal by the penalized party.

NOTE: Effective January 1, 1987, a seller of real property must supply a buyer with a completed Real Estate Transfer Disclosure Statement in the form prescribed in Civil Code 1102.6. Failure to disclose unauthorized connection to the public sewer may constitute fraud.

**(e) Change of Use**

If an existing User modifies, changes or adds to the use made of the premises on a service connection, then a new application must be completed that will require approval by the District. If the change of use results in a higher or lower demand flow classification, then a commensurate change shall be made in the monthly service charge for the account. If additional structures or facilities are constructed to allow increased flows, additional connection fees will be required. Lowering of the monthly service charge shall commence upon the date of notification of reduced usage and raising of the monthly service charge shall be retroactive to the time at which increased usage was implemented on the premises. Failure to report a change of use, when discovered by the District, may require payment equal to twice the avoided user charges in effect during the period of time since such unauthorized change of use was made and twice the additional connection fee currently in effect at the time of discovery. Premises with unauthorized changes in usage may be disconnected by District until payments and penalties required by this Ordinance are

deposited with the District. The payments and penalties as provided herein shall be reduced to surcharge of twenty-five percent (25%) added to the retroactive service charges and the current additional connection fee provided the payment in whole is made to the District as billed within ten working days following notification by certified mail.

Notwithstanding the provisions of this section, the Board of Directors shall have the right to alter or reduce the penalties and provisions herein in public session at a regularly scheduled Board meeting for good cause upon recommendation of the General Manager or upon appeal by the penalized party.

## **Section 8.02 Liability for Payment and Security Deposits**

### **(a) Person Liable for Charges and Fees**

The Owner of the premises shall in all cases be liable for charges and fees for services rendered to the premises. Non-receipt of a bill shall not relieve the owner of any obligation to the District. If the tenant of a property receiving District services fails to pay for said services, then the owner of the premises is responsible for paying for services, plus any penalties for delinquent payment. If the tenant of a property is delinquent in paying their utility bill, then the District shall notify the property owner of the delinquency. If tenant does not pay account in full within 30 days of vacating premises, the unpaid balance, including penalties and interest, will be transferred to the property owner's account. The owner of a premises that intends to rent the premises, must first sign a District consent form that obliges the owner to pay for any uncollected fees, charges and penalties. The consent form shall be made available to customers at the District office. The District may modify forms from time to time without modification to this ordinance.

If a property owner has failed to pay sewer service charges as billed by District, and the property is foreclosed upon or conveyed to a new owner before the District can record a lien against the property in the amount of the unpaid sewer service charges, the new owner of the property will be responsible for payment to District of all past due sewer service charges and penalties for providing sewer service to the property as a condition precedent to receiving sewer service to the property in the future from District. Sewer service shall not be provided to the property until payment of all delinquent charges and penalties is received by the District from the then current property owner.

### **(b) Dishonored Checks**

A charge of \$35 per occurrence shall be paid for each check tendered as a payment to the District that is not honored by the bank. If the dishonored check was paid to avoid disconnection of service, then the responsible party will be contacted immediately and given two (2) business days to honor the check. If the District receives two dishonored checks, cash payment (cash or a cashier's check) of all future utility bills may be required..

### **(c) Miscellaneous Charges**

There may be other charges levied to provide services or service associated cost reimbursement to the District that are not specified in this Ordinance. When the Board of Directors from time to time approves such additional fees or charges they shall constitute the same liability for payment upon the Applicant/User as any other specified charge or fee listed in this Ordinance.

**Section 8.03 Service or User Charges**

**(a) Payment of Monthly Bills**

All bills shall be for monthly periods or for such other period as shall be determined by resolution of the Board of Directors of the District. Bills are due and payable upon receipt. Payment for utility bills must be received in the District office by the last business day of the month. If the bill is not paid by the 15<sup>th</sup> of the following month, the sewer service will be shut off. All bills for monthly charges shall be combined with bills or statements for water service where the premises in question are connected to the water system. The bills shall state their purpose (Water and Sewer Service), shall give the name and last known address of the person responsible for payment, and shall list separately the charge(s) for water service and the charge(s) for sewer service and the total charge for both services. Neither charge may be paid separately from the other. If premises with sewer service are not connected with the water system, a separate bill shall be rendered for sewer service only.

**(b) Project Bills and Statements**

All project charges shall be itemized and billed upon completion of the project’s scope of work. In the event that paid-in deposits required by this Ordinance are insufficient to complete the project’s scope of work, a project statement showing all charges to date and account balances will be provided, along with a demand for additional deposits as may be required to complete the scope of work. Any additional deposits required to continue the project must be paid within five working days of the project statement date for project work to continue.

**Section 8.04 Temporary Suspension of Service**

Upon written request of a property owner and in consideration of exceptional circumstances beyond personal control of the Owner/User that prevents habitation or use of the sewer structure for at least six (6) months, monthly fixed and variable sewer charges may be suspended. However, debt service charges shall continue to be billed by the District and paid by the Owner/User. Such suspension of service shall be dependent upon approval of District’s General Manager

District will be notified as early as possible when use is resumed and no later than ten (10) business days before full service billing is to commence. If the Sewer is found to be in use during such time as suspended service is in effect, User/Owner will immediately become liable for two (2) times the normal full charges that would have been billed during the suspension period.

**Section 8.05 Enforcement of Payment**

Upon failure of any person billed or the Owner of any premises to pay any sewer service charge prior to delinquency, or if the Owner or occupant of any premises shall violate any other provision hereof, any one or more of the following actions authorized by this section may, or where required, shall be taken by the District to enforce such payment.

**(a) Penalties for Delinquent Payment**

Rates and charges that are not paid on or before the day of delinquency shall be subject to a penalty of ten percent (10%) and thereafter shall be subject to a further penalty of one half of one percent (0.5%) per month of the delinquent charges in addition to the basic 10% penalty, computed on the first day of each following month.

## **(b) Discontinuance of Service for Delinquent Bills**

Sewer service may be shut off to the premises by any appropriate means and if the District supplies water to the premises, the water supply may be shut off. At least five (5) days prior to such discontinuance, the customer will be sent a final notice informing him that discontinuance will be enforced if payment is not made within the time specified in the notice. The failure of the District to send, or any such person to receive, said notice shall not affect the District's power hereunder. A customer's sewer service may be discontinued if sewer service furnished at a previous location is not paid for within the time herein fixed for payment of bills. If a customer receives sewer service at more than one location and the bill for service at any one location is not paid within the time provided for payment, sewer service at all locations may be shut off. Reconnection shall be made only upon prior payment of charges, penalties and interest due, plus the actual cost of disconnection and reconnection, as determined by the General Manager, and payment of a security deposit in the amount equal to the monthly combined water and sewer rate averaged over the preceding six (6) months times three (3).

### ***1) Minimum Service Charges During Shutoff***

Upon discontinuance of service, the usual and normal monthly minimum usage charge will continue to be billed to the customer for each month, or portion thereof, that the connection remains disconnected and must be paid along with all other charges before service will be restored.

## **(c) Abatement of Disconnected Premises**

In each case where premises are disconnected from the sewer system, the District shall take or request any authorized public officer to take such steps as may be legally taken to abate such premises and to prohibit occupancy of such premises, until they shall be reconnected to the sewer system.

## **Section 8.06 Enforcement of this Article**

The General Manager of the District is hereby charged with the enforcement of all of the provisions of this article.

### **(a) Repayment Plan**

Subject to interest and penalties along with all other charges or fees levied by this Article VIII, the General Manager may permit continuance of use for sewer service upon customer's written agreement to comply with all terms and conditions of a short-term repayment plan. The plan shall include the following requirements:

1. The customer's account must be brought current by the end of the repayment plan term.
2. Failure to comply with agreed to terms and conditions will result in a discontinuance of service.

### **(b) Establishment of Liens Against Property**

The District shall record a lien upon the property to which service was provided to recover sewer and other charges, including penalties. District costs for preparation, filing, recording

and release of liens shall be reimbursed by property owner/customer prior to reconnection. Upon the recordation of a Notice of Lien by the General Manager with the County Recorder of Tuolumne County, delinquent water charges and penalties shall constitute a lien against all lots and parcels of land owned by property owner/customer in Tuolumne County until such delinquent charges and penalties have been paid in full. The General Manager will record a Notice of Release or Discharge of Lien upon payment by the property owner of all delinquent service charges and penalties.

(c)Collection of Delinquent Charges on Tax RollFor any sewer charges which have been delinquent for sixty (60) days, the General Manager shall, on or about June 1 of each year, cause a written report to be prepared and filed with the District Secretary pursuant to Government Code Section 61115, and the Secretary shall thereupon cause notice to be given and published of a public hearing before the Board on the issue of placement of such delinquent charges and penalties upon the County Property Tax Roll for collection. Upon conclusion of the hearing, the Board of Directors may determine to collect such delinquent charges and penalties upon the County Property Tax Roll for the affected parcel of property. Upon such determination by the Board of Directors by resolution, the District's Secretary shall thereafter file with the County Auditor the report adopted by the Board at such public hearing and request that the delinquent charges and penalties be added to and collected with property taxes on said property at the same time and in the same manner as property taxes are collected by the County Auditor.

The District Board has adopted a resolution authorizing the District to participate in the County's Teeter Plan Financing by which the District assigns to the County its receivables of delinquent charges collected on the Tax Roll in exchange for the County providing payment to the District of such delinquent charges on the Tax Roll for that fiscal year.

### ***1) Payment of Connection Charges After Termination of Service***

In the event that service to property for which there are delinquent and unpaid sewer charges has been discontinued, and the property is foreclosed upon resulting in the extinguishments of any District's liens upon the property for such delinquent charges, service shall not be restored to the property until the District Connection charges set forth in Exhibit A for new services is paid, unless the applicant pays in lieu thereof all of the delinquent sewer charges on the property, penalties and costs of reconnection.

### **Collection by Legal Action**

The General Manager is further authorized and directed to institute, or cause to be instituted, and to prosecute, in the name of the District, appropriate legal action for the collection of the delinquent sewer charges and penalties. By its application for and receipt of sewer services, Property Owner hereby agrees to be responsible for reimbursement to the District of all attorneys' fees and other legal costs incurred by District in collecting any delinquent charges and penalties from the Property Owner through such legal action.

**Section 8.07 Disputed Billings**

If a User disputes any portion of the billing it may be reviewed by the General Manager (or a designated management employee). The person requesting review shall send a written statement supporting the basis for dispute to the District Office, attention of the General Manager.

**(a) Review by Board**

If the General Manager does not resolve the dispute to the User’s satisfaction, the User may request in writing that the dispute be scheduled with the Board of Directors at their next regular meeting, at which the customer will be given an opportunity to be heard by the Board. No termination of service shall occur while such review is under consideration..

**(b) Payment to Avoid Discontinuance of Service**

To avoid discontinuance of service, full payment of the undisputed portion of the bill must accompany the written statement by the due date.

**Article IX. RATE ADJUSTMENTS, REQUIREMENT TO BALANCE SEWER FUND ANNUALLY**

**Section 9.01 Annual Review of Rates and Sewer Fund Balance**

The Board of Directors shall set certain financial and operational performance goals annually and audit the sewer fund for balance acceptable to the Board in accordance with established and required performance goals. Said requirement for the annual audit and review of sewer rates and balance of the sewer fund is established for the purpose of securing a steady and sound financial condition while at the same time keeping the impact from rate change to rate change on ratepayers and the need for special assessments upon taxpayers to a minimum within established practices of sound financial management.

**Section 9.02 Financial and Operational Performance Goals**

The Board of Directors shall review and adjust, thereby setting for the next fiscal year, the following performance goals at the January regularly scheduled Board meeting to be used as the basis for an audit of the sewer funds ability to meet capital needs and cover expenses:

**(a) Working Capital Goal**

The General Manager shall determine and justify a working capital goal commensurate with the District’s risk of unexpected operating costs or a drop in operating revenues. Working capital as a percent of operating costs shall be not less than fifteen (15) percent, or more than thirty-five (35) percent. This range may be adjusted by the Board of Directors from time to time and as needed to meet the financial goals of the District.

**(b) Repair and Replacement Forecast**

The General Manager shall prepare a detailed repair and replacement schedule covering only those items which are not the same item being repaired every year for about the same amount of money (routine maintenance expensed within the fixed and variable operating costs), and which are not so costly that grants and or public debt are required to pay for it.

**(c) Repair and Replacement Reserve Required Minimum Balance**

The actual minimum reserve balance amount is a function of the risk that the District is willing to assume in order to manage the draw on accounts and actual expenditures. Unless approved otherwise by a majority of the Board, the minimum required balance shall be at least equal to the next fiscal year's estimated expense for repairs and replacements, less any carryovers, or \$150,000, whichever is more. The Board of Directors may adjust the minimum Repair and Replacement Reserve from time to time to meet District financial goals and as needed.

**(d) Incremental Adjustments to Headcount**

Required headcount adjustments, additions or reductions in current headcount, along with the average burdened annual compensation shall be forecasted in order to determine changes in rates in order to maintain a balanced sewer fund based upon realistic manpower leveling.

**(e) New Connections & Annual Increase in Customers Forecast**

The General Manager shall estimate the growth rate of customer hook ups, not including reconnects, based upon historical trends and the best available community development estimates.

**(f) Key Indices/Rates Forecast (AMHI, rates of growth, inflation rate, interest rates for balances invested and amounts borrowed)**

Growth, inflation and interest rates, and the Average Mean Household Income (AMHI) are estimates to be derived from credible sources generally recognized as authorities for such estimates. The General Manager or Finance Manager shall determine these rates; and make their recommendation to the Board along with their rationale and sources of information.

**(g) Percent of Average Hook-up Fee for Capital Improvements**

The percentage amount of hook-up fees for capital improvements shall be determined from current rates, and the General Manager shall evaluate and recommend changes in such hook-up fees for capital improvements based upon anticipated improvements or such improvements necessary to accommodate additional connections.

**(h) Major Capital Investment Requirements Forecast**

The General Manager shall identify major capital improvement projects anticipated to be implemented over the next five (5) years, and shall specify funding amounts, sources, required debt reserve levels, and most likely funding vehicles for said major capital improvements and shall determine the major capital improvement reserve accumulations necessary over that same period to obtain required funding.

**(i) Financial Targets as Ratios (operating, coverage & affordability indicators)**

The General Manager shall select certain financial performance indicators and specify an acceptable range of values for each indicator that most accurately defines the District's financial goals and which act as an indicator of progress towards those goals. The Board

of Directors shall hear the General Manager's selection, goals, and impact assessment associated with their pursuit at the December regular Board meeting and shall negotiate and adopt financial performance indicators and goals for the purpose of balancing the sewer fund.

Initial indicators and goals for the fiscal year 2005-2006 budget year shall be as follows:

**1) *Operating Ratio***

Operating ratio shall be the operating revenue divided by operating expenses not including debt service, and shall be between fifteen (15) and thirty-five (35) percent.

**2) *Affordability Index***

Affordability index shall be the average residential bill for one year divided by the annual median household income for that year, and shall be less than two (2) percent.

**3) *Coverage Ratio***

Coverage ratio shall apply to debt service maintenance and for purposes of planning debt service requirements, and shall be the revenue available for debt service divided by the amount of debt service carried or planned to be carried, with a target range of sixty (60) to ninety (90) percent.

**Section 9.03 Approved Model for Rate Adjustment Analysis and Fund Balancing**

The Board approves the use of the latest version of the State of Missouri's SHOW-ME WATER RATEMAKER software for analyzing sewer rates per this section. The District may use other analytical tools for these analyses.

The General Manager may recommend to the Board of Directors another computer model appropriate for analyzing rate adjustments within the context of maintaining a balanced sewer fund, and shall use such model approved by the Board to present and discuss recommended rate adjustments and to show the financial impact from such recommendations as adjustments relate to the attainment of the District's established financial goals.

**Section 9.04 Required Rate Change Reviews**

The General Manager shall present to the Board of Directors at the February regular Board meeting his or her review of rates, any required or recommended adjustments, and a plan of action if adjustments are recommended for amending the rates approved by this Ordinance.

**ARTICLE X. RETROACTIVE EFFECT**

**Section 10.01 Ordinance Applies to All**

The purpose of this Ordinance is to safeguard health, property, and public welfare by regulating and controlling the design, construction and quality of materials used in private and public sanitary sewers. Except as otherwise herein stated, all of the provisions of this Ordinance shall apply to all buildings and structures heretofore erected or to be erected, and all connections heretofore made or to be made to the public sanitary sewer in the District.

## **ARTICLE XI. MISCELLANEOUS AND PENALTIES**

### **Section 11.01 Unusual Hardship or Economic Oppression**

In the case of unusual hardship or economic oppression resulting from the enforcement of any of the terms of this Ordinance, the Board in its sole judgment and discretion may grant a variance in the application and enforcement of any of the terms of this Ordinance. Furthermore, the Board of Directors recognizes that some customers may have difficulty in paying their sewer bill and for that reason will support the efforts of charitable organizations in the community and county in assisting these customers.

### **Section 11.02 Violations Punishable by Imprisonment or Fine**

Any violation of this Ordinance shall be a misdemeanor and shall be punishable by imprisonment in the County Jail for a term not exceeding six months, or by fine, not exceeding \$500.00 or by both.

Every day the violation of this Ordinance shall continue shall constitute a separate offense.

### **Section 11.03 Severability**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The District hereby declares it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional.

### **Section 11.04 Effective Date**

This Ordinance shall take effect and be in full force from and after 30 days after the date of its final passage and before the expiration of fifteen (15) days after its final passage it shall be posted by the secretary in three (3) public places and for not less than thirty (30) days within the Groveland Community Services District.

### **Section 11.05 Ordinances Repealed**

Ordinance 1-05, as amended by Ordinance 1-08, is hereby repealed.

## RECORD OF PROPER PROCEDURE

### *Adoption of Ordinance 1-10*

The foregoing Ordinance was introduced at a regular meeting of the Board of Directors of the Groveland Community Services District held on February 08, 2010, and given a first reading at said meeting; said Ordinance was given a second reading at a regular meeting of said Board of Directors on March 08, 2010, and at said meeting, Director Perreira moved the adoption of said Ordinance, which motion was seconded by Director Graham and upon roll call was carried by the following vote:

AYES: Directors Graham, Allegri, Lennen, Perreira, Riley

NOES: None

ABSENT: None

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John Graham, President of the Board

ATTEST:

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Lena Spilman, Secretary

# EXHIBIT A – SEWER RATES

## CHARGES AND FEES SCHEDULE

### ORDINANCE 1-10

#### GROVELAND COMMUNITY SERVICES DISTRICT

This Exhibit A lists all the Groveland Community Services District (GCSD) rates, charges and fees for sewer related services. It is an integral part of Ordinance 1-10, and is intended to specify all rates, charges and fees on a single, comprehensive, and complete list.

Ordinance Section(s)	Service Description	REDDF* Application	Rate, Charge, or Fee
Section 4.05(b) Section 4.06(b)	<b>INSPECTION FEE</b>  <i>– Sewer Connections/Hook-ups</i>	N/A	\$95.00
Section 4.05(c)	<b>DISTRICT ENGINEER RATE</b>  <i>– District Engineer</i>	N/A	\$100.00/hour
Section 4.05(a) Section 4.06(a)	<b>APPLICATION FEE</b>  <i>– Sewer Hook-up Permit</i>	N/A	\$30.00
Section 4.05(a) <b>Error! Reference source not found.</b>	<b>APPLICATION FEE</b>  <i>– Sewer Extension Permit</i>	N/A	\$200.00
Section 4.05(a) <b>Error! Reference source not found.</b>  <b>Error! Reference source not found.</b>	<b>ADMINISTRATIVE EXPENSE FEE</b>	N/A	\$500.00
Section 4.05(c) <b>Error! Reference source not found.</b> <b>Error! Reference</b>	<b>ENGINEERING EXPENSE DEPOSIT</b>	N/A	\$1,500.00

**GCSD – ORDINANCE 1-08 EXHIBIT A – SEWER RATES**

*Public and Private Sewers*

February 08, 2010

<b>source not found.</b>			
<b>Error! Reference source not found.</b>	<b>SECURITY DEPOSIT</b> <i>– Sewer Extension</i>	N/A	ILC, PB or cash (project determines amount)
Section 4.06(d)1)	<b>CONNECTION FEE<sup>1</sup></b> <i>– Basic Sewer Hook-up</i>	Yes	\$7,000.00
Section 4.06(d)2)	<b>CONNECTION FEE<sup>1,2</sup></b> <i>– PML Added-lot</i>	Yes	Repealed
Section 4.06(d)3)	<b>CONNECTION FEE<sup>1,11</sup></b> <i>– Factored Sewer Hook-up Surcharge</i>	No	REDDF addition to all applicable connection fees
Section 7.01(a)	<b>USAGE CHARGE</b> <i>– Monthly Minimum Charge</i>	N/A	\$53.10 monthly
Section 7.01(b)	<b>USAGE CHARGE<sup>3</sup></b> <i>– Monthly Volume Usage for Residential Users</i>	N/A	\$.00698 per gallon
Section 7.01(c)	<b>USAGE CHARGE<sup>4</sup></b> <i>– Monthly Volume Usage for Non-Residential Users</i>	N/A	\$.01121 per gallon
Section 7.01(e)	<b>USAGE CHARGE<sup>5</sup></b> <i>– Flat Rate Negotiated Charge, Significant Landscape Irrigation</i>	N/A	Total monthly usage charge set by agreement
Section 7.01(f)	<b>USAGE CHARGE<sup>6</sup></b> <i>– Special Usage Surcharge, Excess Volume/Board of Directors</i>	N/A	Incremental monthly additional usage charge per 100 gallons set by agreement
Section 7.01(g)1)	<b>USAGE CHARGE<sup>7</sup></b> <i>– Delivered Wastewater, Recreational Vehicle</i>	N/A	\$8.50 per vehicle per dump

**GCSD – ORDINANCE 1-08 EXHIBIT A – SEWER RATES**

*Public and Private Sewers*

February 08, 2010

Section 7.01(g)2)iii)	<b>USAGE CHARGE<sup>8</sup></b> – <i>Delivered Wastewater,</i> Portable Toilet	N/A	\$0.12 per gallon
Section 7.01(h)	<b>RECLAIMED WATER CHARGE<sup>9</sup></b> – <i>Reclaimed Wastewater,</i> Will-Call	N/A	\$0.15 per 100 gallons
Section 4.05(d) Section 7.01(i)	<b>STANDBY CHARGE<sup>10</sup></b> – <i>Sewer Service Stub,</i> pending connection/hook-up	N/A	\$2.00 per stub per month
Exhibit C	<b>ASSESSMENT CREDIT</b> – PML Hook-up, prepaid capacity	N/A	\$250 for qualified lots and parcels

## **GCS D – ORDINANCE 1-08 EXHIBIT A – SEWER RATES**

*Public and Private Sewers*

February 08, 2010

### **EXHIBIT A—NOTES:**

1. Qualified applicants within the Pine Mountain Lake Subdivision shall be given credit for any sewer assessment area credits as specified within Exhibit C ASSESSMENT AREA CREDITS.
2. **REPEALED:** Charged for each added lot that is connected to the original sewer collection system within the Pine Mountain Lake Subdivision. Applicable to lots not previously assessed within Sewer Assessment Districts 1 through 4.
3. Usage charge for residential usage for each 1,000 gallons or portion thereof per month of supplied water.
4. Usage charge for non-residential usage for each 1,000 gallons or portion thereof per month of supplied water.
5. Total usage charges for monthly usage, for a non-single family residence, can be determined under the special circumstances clause of the Ordinance based upon average amounts of water used during January, February and March.
6. A surcharge for special circumstances involving excessive volume (over 1,500 gallons per day) or Biochemical Oxygen Demand (BOD) (over 200 milligrams per liter) charged in addition to other applicable charges per each 1,000 gallons or portion thereof.
7. Charge for a single recreational vehicle to empty its wastewater tanks at designated GCS D locations. Formaldehyde contaminated, residential or campground septage NOT ACCEPTED.
8. By facilities use permit only, portable toilet derived loads between 250 and 1,250 gallons per load only, to be dumped between 8:00 am and 3:30 pm, Monday – Friday (unless by prior agreement from District Business Manager). Formaldehyde contaminated, residential, or campground septage NOT ACCEPTED.
9. Charge for reclaimed wastewater distributed by GCS D from permitted GCS D treatment plant commercial-use ports.
10. Standby charge for premises or undeveloped lots not yet connected or disconnected having a designated service stub through which wastewater services may be provided.
11. Calculate REDDF surcharges by applying the REDDF factor as appropriate to the applicable charge, then subtracting the applicable charge. The total user charge is then represented by the sum of the applicable charge(s).

# EXHIBIT B – USER CLASSIFICATIONS

## BASIS FOR DETERMINATION OF SEWER CONNECTION FEES

<b>Class</b>		<b>Residential Equivalent</b>
<b><u>Code</u></b>	<b><u>User Classification</u></b>	<b><u>Discharge Demand Factor</u></b>
01-01	Single-family residence/dwelling	1.00
02	Apartment House, Duplex, Community Housing Project	
02-01	Each unit with washer	1.00
02-02	Each unit without washer	0.80
02-03	Apartment complex with central laundry facility	0.60/machine
03	Mobile Home Park	
03-01	Each unit with washer (Assume the above unless certified otherwise)	1.00
03-02	Each unit without washer	0.80
03-03	Park with central laundry facility	0.60/machine
04-01	Motels and Hotels	0.25/room
05-01	Rooming house	0.25/room
06	Campgrounds, Auto Court	
06-01	Overnight & trailer with central facilities	0.20/space
06-02	RV with individual hookup	0.30/space
07-01	Barber shops	0.30/station
08-01	Beauty shops	0.30/station
09	Service Station	
09-01	With restrooms	2.00
09-02	Self service (no restroom)	0.80
09-03	Recreational vehicle dump station	2.00/station
10-01	Automobile repair shops	1.00
11-01	Mortuary	<1,200 square feet: 1.00; >1,200 square feet prorated
12-01	Bakeries, catering service	0.30/employee
13	Restaurants	<1,200 square feet: 1.00; >1,200 square feet prorated
14-01	Bars, card-rooms, casinos, taverns	<1,200 square feet: 1.00; >1,200 square feet prorated
15-01	Bowling alley	0.20/alley
16-01	Theatres-indoor	<1,200 square feet: 1.00; >1,200 square feet prorated

## GCSD – ORDINANCE 1-08 EXHIBIT B – USER CLASSIFICATIONS

*Public and Private Sewers*

February 08, 2010

17-01	Laundries & Laundromats	0.60/machine
18-01	Cleaners - Plant with office	0.50/machine
19-01	Fire Station	<1,200 square feet: 1.00; >1,200 square feet prorated
20-01	Offices (Professional) (multiple businesses within one structure = 1.0 edu/business)	<1,200 square feet: 1.00; >1,200 square feet prorated
21-01	Dentists	<1,200 square feet: 1.00; >1,200 square feet prorated
22-01	Physician's office or clinic	1.00/office
23-01	Retail Stores	<1,200 square feet: 1.00; >1,200 square feet prorated
24-01	Swimming Pools, (as commercial business only)	2.50/pool
25-01	Car wash, self serve	1.50/stall
26-01	Food Markets	<1,200 square feet: 1.00; >1,200 square feet prorated
26-02	With garbage grinders	4.00
27-01	Public Buildings	<1,200 square feet: 1.00; >1,200 square feet prorated
28-01	Schools	<1,200 square feet: 1.00; >1,200 square feet prorated
29-01	Meeting halls and churches	<1,200 square feet: 1.00; >1,200 square feet prorated
30-01	Restroom buildings	2.00
31-01	Hospitals	0.80/bed
32-01	Convalescent homes	0.50/bed
99-99	Minimum Demand for any Classifications shall not be less than	0.60

# EXHIBIT C – ASSESSMENT AREA CREDITS

## PINE MOUNTAIN LAKE SUBDIVISION

### **BACKGROUND**

During the 1970's certain designated lots were to be served and assessed under a sanitary sewer program at Pine Mountain Lake (PML) pursuant to Developer's plans and governmental requirements that were imposed June of 1971 (State Water Quality Control Board, Central Region orders: 71-295, 71-296, 71-297 and 71-298).

Several agreements between the Developer Boise Cascade and the District followed; assessment districts (SADs 1 through 4) were formed, and somewhat synchronized with SAD formations and several PML implementation projects, several ordinances and resolutions evolved, which established a \$250 credit towards the connection of specific lots within PML.

Specifically, the first ordinance, Ordinance 2-72, was adopted. In summary, through a series of agreements, Boise Cascade agreed to pay for half of the sewer treatment plant capacity expense (\$250 per lot-unit) and provisions of Ordinance 2-72, Article III, Section 302-A, paragraph 2., subparagraph (b), "...unless by prior assessment or agreement, arrangement has been made, ...to pay for or furnish the initial sewer treatment plant capacity..." implied a credit, based upon a lot-unit, as explained below.

Boise Cascade agreement to pay: The AMENDMENT TO AGREEMENT FOR THE PROVIDING OF SANITARY SEWERATE FACILITIES FOR PINE MOUNTAIN LAKE SUBDIVISION, February 13, 1974, amending Section 7.3 states, "... Developer shall pay for fifty percent (50%) of ultimate capacity...it is agreed that fifty percent (50%) of the ultimate capacity for all treatment facilities to serve Pine Mountain Lake can be constructed at a cost equal to the sum of \$250 for each lot unit..." Originally, in Section 7.3 of the May 30<sup>th</sup>, 1972 agreement the District was required to pay Developer "...the sum of \$250 for each lot unit as determined on the date the assessment for said assessment district is confirmed...", but this requirement was changed in the February 13, 1974 amendment.

Based on the connection fee of \$250 set by Ordinance 2-72, its treatment of lot-units, its requirement that all lot-units, including "all single family residential lots, including single family units in a condominium or planned development", be subject to the same treatment per Section 302-A, paragraph 2., and subparagraph (b), a \$250 credit for sewer lots was being provided. Subsequently, Resolution 8-74 recognized the need for advances on payments from sewer assessment districts, and approved an amended agreement, noted above, on February 13, 1974.

In essence a credit of \$250 for previously paid sewer treatment facilities, based upon the concept of lot-units associated with a particular lot or parcel within an assessment district was levied by Ordinance 1-80, amending Ordinance 5-79.

This credit has been continued through several ordinances and resolutions nonspecifically, e.g., Ordinance 5-79, amended by Ordinance 1-80, repealed by Ordinance 1-92, amended by Ordinance 1-98, ARTICLE III, Section 302-a, paragraph 2, Connection Fee, "...Applicants... shall be given credit for any sewer assessments previously paid..." No specifics, however, were included within the Ordinance, hence this Exhibit C, Assessment Area Credits.

## **GCSD – ORDINANCE 1-08 EXHIBIT C – ASSESSMENT AREA CREDITS**

*Public and Private Sewers*

February 08, 2010

### ***APPLICABILITY AND APPLICATION OF CREDIT***

Sewered lots eligible to receive credits are defined by PML SADs 1 through 4, as specific lot numbers or by parcel, within specific PML subdivision units. The number of credits allowed per lot or parcel depends upon the number of lot-units assigned and any subsequent merge or re-subdivision.

In general and regardless of merger or re-subdivision, the number of lot-units for the original sewered lot is fixed. Although the rules below apply when determining lot-units, their application is not always consistent.

In the AGREEMENT FOR THE PROVIDING OF SANITARY SEWERAGE FACILITIES FOR PINE MOUNTAIN LAKE SUBDIVISION, May 30, 1972, setting forth subdivision of PML, and in Article 1, paragraph 1.2 ...”sewered” lots are to be within an assessment district as shown in Exhibit A of the agreement... Said sewered lots have been assigned lot units pursuant to the following criteria {with information in braces from a letter to Mr. Bayard Beaudreau, dated January 23, 1975, from Jerry L. Slinkard, Raymond Vail and Associates, attached sheets E-1 through E-8, titled PINE MOUNTAIN LAKE SEWERED LOTS, December, 1974}:

- (i) Each R-1 and R-A (single family) zoned lot and each single-family lot in a planned unit development is one lot unit.
- (ii) Each multiple residential zoned lot {R-3} is two lot units.
- (iii) Each multiple residential zoned parcel {R-3} is two lot units for each one-half acre or fraction thereof.
- (iv) Each commercial-zoned lot {C-1} is two lot units.
- (v) Each commercial-zoned parcel {C-1} is two lot units for each one-half acre or fraction thereof.
- (vi) Each recreational zoned parcel {K} is two lot units for each one-half acre or fraction thereof. (Amended July 11, 1972 to be just ...two lot units)

Lots zoned “M” were not specified, and one such lot, zoned M-1, the PML Airport, now a developed lot number 270 in unit 12, was not included in the SADs and is NOT eligible for assessment area credit. Furthermore, some lots/parcels were assessed lot-units other than by the rules above, e.g., Unit 5, Country Club with 3.554 acres assessed 20 lot-units, therefore the need to be explicit about lot-units for specific lots or parcels.

Several records exist tabulating lots and parcels by PML unit, i.e., (1) PML Sewered Lots December 1974, (2) Lots to be Served and Assessed Under the May 1975 Sewer Program, (3) a MEMORANDUM TO FILE, by Bayard C. Beaudreau, 10/18/94, revised 11/17/94, the number of units by SAD and the unit assessment (assessment plus Boise Cascade contribution) as follows:

- SAD #1 is 255 units - \$3,175
- SAD #2 is 326 units - \$1,651
- SAD #3 is 702 units - \$2,824
- SAD #4 is 573 units - \$3,542, totaling 1,856 units

**GCSD – ORDINANCE 1-08 EXHIBIT C – ASSESSMENT AREA CREDITS**

*Public and Private Sewers*

February 08, 2010

And (4) a prior memo from Mr. Beaudreau, dated 2/28/92 specifically identifying 1,874 units, but through some bad math, which after recalculating adds up to 1,858, then adjusting for two errors (by subtracting unit 5, lots 15 and 23A) the total balances with the 11/17/94 SADs summary. The source used by the District for determining if a lot is a sewered lot or not has been the 1992 Beaudreau list, as follows:

<b>UNIT No.</b>	<b>Zone</b>	<b>LOT NUMBERS and PARCELS</b>	<b>LOT/PARCEL TOTALS</b>	<b>LOT-UNITS ASSESSED</b>
1	R-1	15-16, 21-26, 36-51, 56-63, 67-76, 91-99, 111, 118-182, 231-250A, 252A-335, 379-400, 412-492	324	325 (assume a merge at 252A)
1A	R-1	1-4	4	4
2	R-1	40-45, 102	7	7
3	R-1	1-10, 58-67, 79-97, 110-121, 140-156, 164-176, 177.1-177.5, 178-242, 290-319, 322-356, 369-450, 458-459, 479-491	313	313
3	K	Fisherman's Cove	2	2
4	R-1	43-162, 251-263, 266-279, 365-372, 386-401, 414-431, 450-458	198	198
5	R-1	15, 23A, 44-124	83	83
5	R-3	1-40 (minus 15 & 23A), 127-128, 179-182, 188-191, 232-238, 271-284	81	127
5	K	Country Club (3.554)	1	20
5	C-1	Ferretti Road (11.07)	1	44
5C	R-3	285, 295-303, 306, 308-309, 312-318, Tannahill Dr (11.727) {all duplex lots - possible 68 units}	21	21
5C	R-3	28x-294???, 304-305, 307, 310, 312	???	27
5D	R-3	1-10 Tannahill Dr (2.045) {all single-family R-1 lots - possible 18 units}	10	10
7	R-1	112, 115-120, 134-135, 145-155, 159-183, 213-219, 261	53	53
8	R-1	10-51, 88-102	57	57
10	R-1	1-39, 61-78	57	57
11	R-1	1-17, 29-36, 46, 51-53	29	29
11	R-3	37-38, 41-45, 54-56	10	20

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11	C-1	18-28, 39-40	13	26
12	R-1	6-7, 21-48, 65-111, 117-189, 191-199, 209-210, 213-216, 260-266	165	165
12	K	269	1	2
13	R-1	1-13, 184-198, 252-268, 269-279, 280-333, 358-381	134	134
15	R-1	1-132	132	132
				1,856

Although not specifically defined, guidelines for lot splits, parcel subdivision, and lot mergers, including multi-way merges (i.e., a single lot divided up between its neighbors) are assumed. The following guidelines for such future lot/parcel mutations are as follows:

Lot splitting: whole lot-units assigned as available to designated split lots.

Lot mergers: lot-units for all merged lots summed, and applied to connections at will as allowed by zoning guidelines mentioned above.

Multi-way merges: whole lot-units divided between expanding lots only by explicit agreement.

Parcel splits, mergers or multi-way merges: parcels follow the same rules as for lots.

Lot-units not specifically assigned to lots or parcels within 180 days of any split or merge shall be retired without consideration or future benefit of their intended purpose.

***PML LOTS AND PARCELS WITH EARNED ASSESSMENT CREDIT(S)***

The actual lots or parcels eligible for credits has been determined based on: (1) the list above, (2) compared to developed qualified sewerred lots or parcels taken from the District’s Utility Billing database (of customers billed for usage or standby), and (3) reconciling lot and parcel numbers with PML’s most current subdivision map for zoning, unit number and lot number validity.

GCSD staff shall maintain a separate list of lots and parcels connecting to the sewer system, and shall update the following list once a year, to be presented at January Board of Director’s meeting, by eliminating all lot or parcel credits from this list that have received lot-unit credits. Lots or parcels having received all owed credits shall be eliminated from this list after the annual meeting noted above after receiving the last lot-unit credit.



# EXHIBIT D – SPECIAL PARTICIPATION FEES

## GROVELAND COMMUNITY SERVICES DISTRICT

### *REPEALED: Pine Mountain Lake Subdivision – Added-lot Surcharge*

In the AGREEMENT FOR THE PROVIDING OF SANITARY SEWERATE FACILITIES FOR PINE MOUNTIN LAKE SUBDIVISION, May 30, 1972, setting forth subdivision of PML, and in Article 7 ACQUISITION PRICE, paragraph 7.4 Added Lots, added lots are defined as “From time to time, after the formation of the assessment districts described in Exhibit “A”... certain additional lots or parcels may be connected to the sewer system... Developer will have expended its funds to construct in portions of the connection system capacity for the benefit of additional lots. For the purpose of this Section 7.4, additional lots shall be assigned lot units pursuant to the criteria set forth in section 1.2.” (See Exhibit C of this Ordinance). “...District agree... reimburse Developer for said expenditure by paying Developer... \$100 for each additional lot unit connecting to the District’s sewer system... obligation... shall terminate on the 12<sup>th</sup> anniversary date of... Agreement,” which was May 30, 1984.

Around July 1980 a fee for added-lots, or lots not assessed to help pay for the original sewer system, was adopted by Ordinance 1-80, Section 1, paragraph 2, subparagraph (a). The fee was set at \$680, and was based on a past practice of charging \$600 for such connections. The rationale behind the \$600 is as follows:

\$250.00	Not paid by assessment (paid by Boise Cascade)
\$250.00	Connection fee
<u>\$100.00</u>	Boise Cascade payment obligation
\$600.00	Total

The added-lot surcharge {added by split, added because it was not originally assessed and is within the assessment district and has been on standby charges all this time, or did not have access to a sewer connection but does now because of a later extension) is intended to cover the costs of an un-sewered lot Owner being added to the existing collection system to pay for all costs extending the collection system as well as for treatment plant facilities.

For purposes of this Exhibit, the term "added-lot" shall mean one unit of single-family residential service that was not previously assessed within Sewer Assessment Districts 1 through 4, inclusive, of the Pine Mountain Lake Subdivision.

This additional added-lot fee amount is based on single-family equivalent use and is therefore subject to adjustment by the residential equivalent demand discharge factors specified within Exhibit B, USER CLASSIFICATIONS.

**Due to the expiration of underlying agreements and obsolete capacity cost assumptions, along with the significant increase in connection fees imposed by Ordinance 1-03, the Pine Mountain Lake – Added-lot connection fee is hereby repealed effective with the adoption of said Ordinance and the effective date of specified connection fees defined therein.**

# EXHIBIT E – IMPROVEMENT AGREEMENT

## BETWEEN DEVELOPER AND GCSD

This exhibit makes room for attachment thereof and thereby the incorporation of the terms and conditions of the most current and approved agreement between Developer (Owner) and Groveland Community Services District providing for the installation of water or sewer improvements. Said agreement is subject to change and revision at the pleasure of the Board of Directors in accordance to applicable laws and regulations governing special districts and purveyors of sewer services. Any distribution of Ordinance number 1-08 is to have inserted behind this page a copy of the most current and approved improvement agreement if such copy is requested by recipient.

In the event of conflict between terms and conditions within the improvement agreement and those of the **Ordinance** incorporating this exhibit the requirements specified within the **Ordinance** shall take precedence over said agreement.