



**SPMUD BOARD OF DIRECTORS
REGULAR MEETING: 4:30 PM
December 1, 2022**

Zoom Meeting: 1 (669) 900-9128
Meeting ID: 810 8875 2519

The District's regular Board meeting is held on the first Thursday of every month. This notice and agenda are posted on the District's website (www.spmud.ca.gov) and posted in the District's outdoor bulletin board at the SPMUD Headquarters at the above address. Meeting facilities are accessible to persons with disabilities. Requests for other considerations should be made through the District Headquarters at (916)786-8555.

Pursuant to the Governor's Executive Order N-29-20, issued March 17, 2020, and SPMUD Resolution 22-42, the December 1, 2022 meeting of the SPMUD Board of Directors will be held via teleconference using Zoom Meeting 1 (669) 900-9128, <https://us02web.zoom.us/j/81088752519>. Public comments can be emailed to ecostan@spmud.ca.gov from the time the agenda is posted until the matter is heard at the meeting. Comments should be kept to 250 words or less.

AGENDA

I. CALL MEETING TO ORDER

II. ROLL CALL OF DIRECTORS

President Gerald Mitchell	Ward 1
Director William Dickinson	Ward 2
Director John Murdock	Ward 3
Director James Durfee	Ward 4
Vice President James Williams	Ward 5

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENTS

Items not on the Agenda may be presented to the Board at this time; however, the Board can take no action.

Public comments can be emailed to ecostan@spmud.ca.gov from the time the agenda is posted until the matter is heard at the meeting. Comments should be kept to 250 words or less.

V. CONSENT ITEMS

[pg 4 to 18]

Consent items should be considered together as one motion. Any item(s) requested to be removed will be considered after the motion to approve the Consent Items.

ACTION: (Roll Call Vote)

Motion to approve the consent items for the December 1, 2022 meeting.

1. MINUTES from the November 3, 2022 Regular Meeting. [pg 4 to 7]
2. MINUTES from the November 17, 2022 Special Meeting. [pg 8 to 9]
3. ACCOUNTS PAYABLE in the amount of \$1,092,522 through November 21, 2022. [pg 10 to 14]
4. BILL OF SALE Acceptance of the Bill of Sale for onsite Sewer Improvements at 3240 Taylor Road with an estimated value of \$45,496. [pg 15 to 18]

VI. BOARD BUSINESS

Board action may occur on any identified agenda item. Any member of the public may directly address the Board on any identified agenda item of interest, either before or during the Board's consideration of that item.

1. PUBLIC HEARING: INTRODUCTION OF ORDINANCE 22-03 REVISING DISTRICT SEWER CODE CHAPTERS TWO AND THREE [pg 19 to 157]

The District is revising Chapters 2 and 3 of the District Sewer Code. The proposed changes are primarily to conform with recent legislation, acknowledge the District's Adaptive Management Program, codify the District's transition from gravity grease interceptors to other grease control devices, and implement Best Management Practices to minimize the discharge of Fats, Oils, and Greases.

Action Requested: (Roll Call Vote)

Staff recommends that the Board of Directors:

1. **Waive the full reading of the proposed Ordinance #22-03.**
 2. **Introduce Ordinance No. 22-03 –An Ordinance Revising District Sewer Code Chapters 2 and 3.**
 3. **Conduct a Public Hearing for the proposed Ordinance.**
 4. **Schedule the 2nd reading and adoption for the next regularly scheduled meeting of the Board of Directors on January 12, 2023.**
- ### **2. RESOLUTION 22-45 REVISING POLICIES #2030, #3120 AND #4041** [pg 158 to 202]
- Staff will present to the Board revised Policies #2030 - Substance Abuse, #3120 -Investment of District Funds, and #4140 - Delegation to the General Manager.

Action Requested: Roll Call Vote

Staff recommends that the Board of Directors adopt Resolution 22-45, Revising Board Policies #2030, #3120 and #4041.

3. **RESOLUTION 22-46 COMMENDING JOHN MURDOCK, WARD 3 BOARD DIRECTOR FOR HIS YEARS OF SERVICE TO THE DISTRICT** [pg 203]
Recognizing John Murdock for his twenty-six years of dedicated service to the District as Board Director of South Placer Municipal Utility District Ward 3.

Action Requested: Roll Call Vote

Staff recommends that the Board of Directors adopt Resolution 22-46 commending John Murdock for his years of service to the District.

VII. REPORTS [pg 204 to 216]

The purpose of these reports is to provide information on projects, programs, staff actions, and committee meetings that are of general interest to the Board and the public. No decisions are to be made on these issues.

1. Legal Counsel (A. Brown)
2. General Manager (H. Niederberger)
 - 1) ASD, FSD & TSD Reports
 - 2) Informational items
3. Director's Comments: Directors may make brief announcements or brief reports on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda.

VIII. CLOSED SESSION

PUBLIC EMPLOYMENT – General Manager Performance Evaluation
(Per Subdivision (a) of Government Code Section 54957)

IX. CLOSED SESSION READOUT

X. ADJOURNMENT

If there is no other Board business the President will adjourn the meeting to a special meeting to be held on **January 12, 2023, at 4:30 p.m.**

**REGULAR BOARD MINUTES
SOUTH PLACER MUNICIPAL UTILITY DISTRICT**

Meeting	Location	Date	Time
Regular	Zoom Meeting	November 3, 2022	4:30 p.m.

I. CALL MEETING TO ORDER: The Regular Meeting of the South Placer Municipal Utility District Board of Directors was called to order with President Mitchell presiding at 4:30 p.m. using Zoom Meeting.

II. ROLL CALL OF DIRECTORS:

Present: President Jerry Mitchell, Director John Murdock, Director James Durfee, Director Will Dickinson, Vice President Jim Williams

Absent: None

Vacant: None

Staff: Adam Brown, Legal Counsel
Herb Niederberger, General Manager
Carie Huff, District Engineer
Eric Nielsen, Superintendent
Emilie Costan, Administrative Services Manager

III. PLEDGE OF ALLEGIANCE: President Mitchell led the Pledge of Allegiance.

IV. PUBLIC COMMENTS:

ASM Costan confirmed that no eComments were received. Hearing no other comments, the public comments session was closed.

V. CONSENT ITEMS:

1. MINUTES from the October 6, 2022 Regular Meeting.
2. ACCOUNTS PAYABLE in the amount of \$2,922,753 through October 25, 2022.
3. QUARTERLY INVESTMENT REPORT in the total amount of \$74,968,706 through September 30, 2022.
4. ANNUAL INVESTMENT REPORT for the fiscal year ended June 30, 2022.
5. RESOLUTION 22-40 RECOGNIZING PLACER COUNTY SUPERVISOR ROBERT WEYGANT UPON HIS RETIREMENT.
6. RESOLUTION 22-41 AUTHORIZING THE PURCHASE OF A LEAD WORKER VEHICLE.
7. RESOLUTION 22-42 DECLARING AND RE-RATIFYING THE STATE OF EMERGENCY AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS DUE TO THE COVID-19 EMERGENCY

Vice President Williams made a request to pull item #5 off the consent calendar. He shared that he had the honor of serving with Supervisor Weygant and commended him for serving in a position that at times is a difficult one. He commented that Supervisor Weygant has served in this role with grace, and all District Board Members would like to have their name on the resolution recognizing him.

GM Niederberger provided clarification on consent item #7, sharing that Senate Bill 2449 was signed into law. The new law will go into effect in January 2023 and revises the language contained in the Brown Act pertaining to teleconferencing requirements for board members. Additionally, the Governor has declared that the State of Emergency under Executive Order N-25-20 will end on February 28, 2023. The action will revoke the temporary emergency powers granted to the District General Manager.

Vice President Williams made a motion to approve the consent items with the proposed revision to add all Board of Directors to the signature block of Resolution 22-40; a second was made by Director Durfee; a roll call vote was taken, and the motion carried 5-0.

VI. BOARD BUSINESS

1. RESOLUTION 22-43 PERFORMANCE MERIT PROGRAM 2021-2022

DS Nielsen gave an overview of the results from the last Performance Merit Program year as well as the new ranges and goals for the upcoming program year. The program, which is in its fifth year, allows District employees to receive an incentive for exceptional performance.

Vice President Williams commented that some of the goals don't appear to be stretch goals but appear to be for standard performance. DS Nielsen shared that the focus has been to strike the right balance between quality and quantity. Vice President Williams commented that the program has improved performance; however, it is intended to be a bonus for exceptional work. If some of the goals are set higher than the average then there is no incentive, and it should be reflected in the regular compensation. He commented that the District may want to look for other areas to achieve improvement in future years. DS Nielsen commented that it is nice to be able to recognize staff in some of the areas that they are consistently doing great work in, but there are goals that the District may want to look at adjusting the metrics for to ensure that the measurements being tracked reflect the goals of the District and the work being performed by the employees.

Director Dickinson asked what the average salary range is for the employees that receive the bonus. DS Nielsen commented that the bonus is for all employees except for management. Director Dickinson commented that for an employee who makes sixty-thousand dollars a year the bonus is a three percent increase in their compensation. He asked if this is being taken into consideration when determining the right salary levels for District staff. He shared that it would be helpful for the Board to receive a breakdown of the cost of all benefits so that the full compensation can be analyzed. GM Niederberger shared that staff is preparing a Request for Proposals (RFP) for a Classification and Compensation Study. The study will contain all of these components and the Board will receive it prior to negotiations.

President Mitchell asked staff to consider adding additional ASD goals. DS Nielsen shared that the Digital Document Uploads goal was added last year to capture some of the work performed by ASD in the incentive program. President Mitchell asked for additional ASD goals to be considered.

Director Murdock made a motion to adopt Resolution 22-43 Authorizing the payout to District Employees per the Employee MOU in the amount of \$42,681 and approving the Performance Elements/Goals for the 2022/23 Performance Merit Program; a second was made by Director Dickinson; a roll call vote was taken, and the motion carried 5-0.

VII. REPORTS

1. District General Counsel (A. Brown):

General Counsel Brown had no report for this meeting.

2. General Manager (H. Niederberger):

A. ASD, FSD & TSD Reports:

GM Niederberger shared changes to the GM Report. The changes included sharing that DS Nielsen attended the Rocklin Chamber of Commerce Government Relations Committee on October 5th with the General Manager. He shared that there will be a Special Meeting on November 17, 2022 to award the SCADA Design Agreement and that the January SPMUD Board meeting will be moved to January 12, 2023.

Director Dickinson commented that a review of the District reserve requirements was also discussed at the October 27, 2022 Fee & Finance Advisory Committee meeting.

Director Murdock congratulated TSD employee Curtis Little for completing the District's Master's Program.

Director Dickinson asked staff how many restaurants there are in the City of Rocklin and how often each restaurant is inspected. DE Huff shared that each establishment is inspected every two to three years. She shared that staff has also shifted focus to performing inspections on schools and other FOG generating establishments that haven't had inspections performed for some time. President Mitchell asked if restaurants are aware in advance that they will have an inspection. DE Huff shared that it varies depending on whether the grease control device is exterior to the building. If it is exterior to the building the restaurant is generally not notified so that the most accurate read of the grease control device can be obtained during normal operations. If the grease device is internal to the building, enforcement is involved, or the device needs to be pumped out to view the internal components then the inspection is scheduled.

Director Dickinson asked for an update on the Atherton Trunk bypass operation. DE Huff shared that as of this afternoon, the bypass is offline with all of the flow restored to the pipe and tested. The project was a success with no Sanitary Sewer Overflows (SSOs) or other issues.

B. Information Items: No additional items.

3. Director's Comments:

Director Durfee thanked staff for a productive Policy and Ordinance Advisory Committee meeting.

Director Dickinson shared that he saw an allegation that the District is holding up the completion of the Rocklin trail system and not providing access to right-of-ways. He asked the General Manager to speak to this allegation as everyone on the Board is very supportive of trails. GM Niederberger shared that the District adopted a Joint Use of District Easements and Access Roads Policy in 2016. The policy has been routinely provided to the City of Rocklin, the Town of Loomis, and Placer County. He shared that he is only aware of two projects being under consideration right now. The first is the bridge project connecting the Sunset Whitney Recreation Area to Johnson Springview Park. The project will be part of our high-risk facility replacement program. The second is a trail system behind CalFit. GM Niederberger shared that one issue that seems to be a concern is the requirement in our policy that the District be indemnified of issues resulting from the added use to District easement roads. GC Brown shared that he has not been involved in any discussion regarding modifying this provision.

Vice President Williams shared that the Board has always been one hundred percent behind expanding the trail systems. Director Dickinson asked if the District has any arrangements with the City of Rocklin where they have signed the indemnification. GM Niederberger shared that there are currently no joint-use agreements. The District continues to be involved and has agreed to pave much of our right of way, but the City has been reluctant to engage in the joint-use. Director Dickinson suggested that this be a topic in a Rocklin 2x2 meeting. He shared that the District may need to communicate more frequently. President Mitchell commented that the Rocklin Parks and Recreation Commission approved designated trail areas a few years ago and the General Manager reached out during that process to highlight the opportunity for joint use. He commented that the City's focus has been on the work in the Sunset Whitney Recreation Area which has been very good, and that the City did a good job on the Atherton Trunk Project.

VIII. CLOSED SESSION READOUT

The Board met in Closed Session at 5:15 p.m. to hear a report from District General Counsel and the Independent Consultant. No action was taken.

The Board adjourned the closed session at 6:25 p.m.

IX. ADJOURNMENT

The President adjourned the meeting at 6:28 p.m. to the next regular meeting to be held on December 1, 2022, at 4:30 p.m.



Emilie Costan, Board Secretary

**SPECIAL BOARD MINUTES
SOUTH PLACER MUNICIPAL UTILITY DISTRICT**

Meeting	Location	Date	Time
Special	Zoom Meeting	November 17, 2022	3:30 p.m.

I. CALL MEETING TO ORDER: A Special Meeting of the South Placer Municipal Utility District Board of Directors was called to order with President Mitchell presiding at 3:30 p.m. using Zoom Meeting.

II. ROLL CALL OF DIRECTORS:

Present: President Jerry Mitchell, Director John Murdock, Director James Durfee, Director Will Dickinson, Vice President Jim Williams
 Vice President Williams left the meeting at 4:55 p.m.

Absent: None

Vacant: None

Staff: Adam Brown, Legal Counsel
 Herb Niederberger, General Manager
 Carie Huff, District Engineer
 Eric Nielsen, Superintendent
 Emilie Costan, Administrative Services Manager

III. PLEDGE OF ALLEGIANCE: President Mitchell led the Pledge of Allegiance.

IV. PUBLIC COMMENTS:

ASM Costan confirmed that no eComments were received. Hearing no other comments, the public comments session was closed.

V. BOARD BUSINESS

1. RESOLUTION 22-44 AUTHORIZATION TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR THE DESIGN OF SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEM IMPROVEMENTS

DS Nielsen gave a brief presentation on the proposed agreement with Carollo Engineers for the design of SCADA system improvements. The current SCADA system is a proprietary system with limited support and does not provide all the desired functionality. DS Nielsen shared that in 2019 the District began the process of developing a SCADA Master Plan. The plan was completed in June 2022. Entering into an agreement for Design Services is the next step in implementing the system improvements. The District issued a Request for Proposals (RFP), and Carollo Engineers was selected as the most qualified Proposer.

Director Durfee asked if the cost bid takes the District through construction. DS Nielsen responded that the original proposal asked for the cost through construction, but during the negotiation of the agreement, the District decided to remove that component until the services were better defined. Director Durfee also asked about overall costs. DS Nielsen shared that the preliminary cost estimate, which is anticipated to come down during the design, was \$6.5 million.

Director Dickinson asked if an alternate and more cost-effective design is part of the work to be completed under this agreement. DS Nielsen confirmed that it is part of the scope of work. He shared that the District chose a different firm to complete the design work than the firm that completed the SCADA Master Plan to ensure that District receives a second opinion, and value engineering is incorporated. Director Dickinson asked if current system components will be reused. DS Nielsen commented that the hope is that there are existing components such as the enclosures that can be used in the new system. Director Dickson asked if these types of system improvements will need to occur every eleven years or if the new system will be easier to continuously update. DS Nielsen shared that the hope is that the improved system will have a longer service life than the District's existing SCADA system. Director Dickinson asked if the costs were compared against other agencies' systems. DS Nielsen shared that one of the reasons that Carollo Engineers was selected was due to the number of projects that they have completed for other clients where they replaced proprietary SCADA systems that communicate with and monitor remote locations. The District received feedback from those clients about the value that they received using Carollo Engineering for their design services.

Director Murdock asked about the security of the system and whether it will be built-in and included as part of the design process. DS Nielsen shared that Carollo Engineers demonstrated in the RFP process that they have expertise in cybersecurity. District staff interviewed their cybersecurity staff as part of the selection process. President Mitchell asked whether the City of Roseville utilizes a similar SCADA system. DS Nielsen shared that the City of Roseville has a large system that covers its treatment plants, water and wastewater collection systems, and remote locations.

Director Murdock made a motion to adopt Resolution 22-44 Authorizing the General Manager to award the attached contract for professional services with Carollo Engineers; a second was made by Director Dickinson; a roll call vote was taken, and the motion carried 5-0.

President Mitchell and the Board of Directors congratulated staff for receiving the Certificate of Achievement in Financial Reporting from the Government Financial Officers Association.

VI. CLOSED SESSION READOUT

The Board met in Closed Session at 3:47 p.m. regarding the General Manager's performance evaluation and discussed a report from the General Council. No action was taken.

The Board adjourned the closed session at 4:55 p.m.

IX. ADJOURNMENT

The President adjourned the meeting at 4:56 p.m. to the next regular meeting to be held on December 1, 2022, at 4:30 p.m.



Emilie Costan, Board Secretary

Item 5.3



South Placer Municipal Utility District, CA

Check Report

By Check Number

Date Range: 10/26/2022 - 11/21/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP Bank-AP Bank						
1813	Best Best & Krieger LLP	10/27/2022	Regular	0.00	11,700.00	15443
1047	CalChamber	10/27/2022	Regular	0.00	-754.00	15444
1047	CalChamber	10/27/2022	Regular	0.00	754.00	15444
1052	California Special Districts Association (CSDA)	10/27/2022	Regular	0.00	8,810.00	15445
1652	Cintas Corporation	10/27/2022	Regular	0.00	988.39	15446
1533	City of Foster City	10/27/2022	Regular	0.00	1,080.00	15447
1073	Consolidated Communications	10/27/2022	Regular	0.00	2,089.48	15448
1113	Ferguson Enterprises, Inc. 1423 (Main)	10/27/2022	Regular	0.00	1,552.24	15449
1140	Holt of California	10/27/2022	Regular	0.00	61,557.70	15450
1785	Landmark Construction	10/27/2022	Regular	0.00	110,923.65	15451
1819	NATEC International, INC.	10/27/2022	Regular	0.00	1,075.00	15452
1764	Network Design Associates, Inc.	10/27/2022	Regular	0.00	816.00	15453
1218	PCWA	10/27/2022	Regular	0.00	45.01	15454
1253	Recology Auburn Placer	10/27/2022	Regular	0.00	354.27	15455
1518	Sonitrol of Sacramento	10/27/2022	Regular	0.00	1,162.98	15456
1047	CalChamber	10/27/2022	Regular	0.00	679.00	15457
1240	Placer County Personnel	10/28/2022	Regular	0.00	3,361.22	15458
1663	Buckmaster Office Solutions	11/02/2022	Regular	0.00	147.00	15459
1061	Central Valley Engineering	11/02/2022	Regular	0.00	4,950.00	15460
1652	Cintas Corporation	11/02/2022	Regular	0.00	512.67	15461
1068	City of Roseville	11/02/2022	Regular	0.00	131,430.40	15462
1751	Comprehensive Medical Inc.	11/02/2022	Regular	0.00	90.00	15463
1087	Dawson Oil Co.	11/02/2022	Regular	0.00	4,887.16	15464
1357	Infrastructure Technologies, LLC	11/02/2022	Regular	0.00	22,313.00	15465
1631	Instrument Technology Corporation	11/02/2022	Regular	0.00	29,780.11	15466
1686	Jan Pro	11/02/2022	Regular	0.00	887.00	15467
1564	Jensen Landscape Services, LLC	11/02/2022	Regular	0.00	931.00	15468
1822	PBM Construction	11/02/2022	Regular	0.00	7,400.00	15469
1218	PCWA	11/02/2022	Regular	0.00	453.66	15470
1475	Petersen & Mapes, LLP	11/02/2022	Regular	0.00	696.00	15471
1221	PG&E	11/02/2022	Regular	0.00	1,394.29	15472
1244	Preferred Alliance Inc	11/02/2022	Regular	0.00	162.84	15473
1685	Streamline	11/02/2022	Regular	0.00	400.00	15474
1306	Superior Equipment Repair	11/02/2022	Regular	0.00	4,325.63	15475
1770	Youngdahl Consulting Group, Inc.	11/02/2022	Regular	0.00	786.00	15476
1813	Best Best & Krieger LLP	11/08/2022	Regular	0.00	3,535.00	15477
1333	SPOK, Inc.	11/08/2022	Regular	0.00	27.75	15478
1561	19six Architects	11/10/2022	Regular	0.00	8,204.00	15479
248	AT&T	11/10/2022	Regular	0.00	305.47	15480
1652	Cintas Corporation	11/10/2022	Regular	0.00	488.88	15481
1509	Crystal Communications	11/10/2022	Regular	0.00	311.64	15482
1086	Dataprose	11/10/2022	Regular	0.00	7,784.69	15483
1764	Network Design Associates, Inc.	11/10/2022	Regular	0.00	600.00	15484
1218	PCWA	11/10/2022	Regular	0.00	1,945.08	15485
1221	PG&E	11/10/2022	Regular	0.00	228.35	15486
1821	Silveira Pontiac-Buick-GMC	11/10/2022	Regular	0.00	63,223.73	15487
1327	US Bank Corporate Payment	11/14/2022	Regular	0.00	22,454.83	15488
	Void	11/14/2022	Regular	0.00	0.00	15489
	Void	11/14/2022	Regular	0.00	0.00	15490
	Void	11/14/2022	Regular	0.00	0.00	15491
	Void	11/14/2022	Regular	0.00	0.00	15492
1007	Advanced Integrated Pest	11/17/2022	Regular	0.00	110.00	15532
1021	ARC	11/17/2022	Regular	0.00	105.69	15533
1022	AT&T CalNet	11/17/2022	Regular	0.00	354.80	15534

Check Report

Date Range: 10/26/2022 - 11/21/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1759	Bender Rosenthal Inc.	11/17/2022	Regular	0.00	738.75	15535
1768	Capital Program Management Inc.	11/17/2022	Regular	0.00	9,214.25	15536
1458	Carie Huff	11/17/2022	Regular	0.00	52.97	15537
1652	Cintas Corporation	11/17/2022	Regular	0.00	483.21	15538
1073	Consolidated Communications	11/17/2022	Regular	0.00	2,089.52	15539
1666	Great America Financial Services	11/17/2022	Regular	0.00	452.99	15540
1785	Landmark Construction	11/17/2022	Regular	0.00	364,913.31	15541
1757	McClatchy Shared Services LLC	11/17/2022	Regular	0.00	70.20	15542
1218	PCWA	11/17/2022	Regular	0.00	468.50	15543
1221	PG&E	11/17/2022	Regular	0.00	3,546.86	15544
1473	Pitney Bowes Purchase Power	11/17/2022	Regular	0.00	517.90	15545
1244	Preferred Alliance Inc	11/17/2022	Regular	0.00	162.84	15546
1518	Sonitrol of Sacramento	11/17/2022	Regular	0.00	1,162.98	15547
1306	Superior Equipment Repair	11/17/2022	Regular	0.00	3,923.49	15548
1338	Verizon Wireless	11/17/2022	Regular	0.00	1,133.41	15549
1770	Youngdahl Consulting Group, Inc.	11/17/2022	Regular	0.00	912.00	15550
1045	Cal Pers 457 Plan (EFT)	10/28/2022	Bank Draft	0.00	750.00	DFT0007715
1135	Empower (EFT)	10/28/2022	Bank Draft	0.00	325.00	DFT0007716
1135	Empower (EFT)	10/28/2022	Bank Draft	0.00	8,017.52	DFT0007717
1135	Empower (EFT)	10/28/2022	Bank Draft	0.00	483.29	DFT0007718
1042	CA State Disbursement (EF	10/28/2022	Bank Draft	0.00	187.83	DFT0007719
1015	American Fidelity Assurance	10/28/2022	Bank Draft	0.00	333.33	DFT0007720
1015	American Fidelity Assurance	10/28/2022	Bank Draft	0.00	260.40	DFT0007721
1229	Pers (EFT)	10/28/2022	Bank Draft	0.00	49.13	DFT0007722
1229	Pers (EFT)	10/28/2022	Bank Draft	0.00	971.48	DFT0007723
1229	Pers (EFT)	10/28/2022	Bank Draft	0.00	1,703.72	DFT0007724
1229	Pers (EFT)	10/28/2022	Bank Draft	0.00	1,986.26	DFT0007725
1229	Pers (EFT)	10/28/2022	Bank Draft	0.00	2,928.32	DFT0007726
1229	Pers (EFT)	10/28/2022	Bank Draft	0.00	4,055.15	DFT0007727
1229	Pers (EFT)	10/28/2022	Bank Draft	0.00	4,487.69	DFT0007728
1149	Internal Revenue Service	10/28/2022	Bank Draft	0.00	11,805.42	DFT0007729
1098	EDD (EFT)	10/28/2022	Bank Draft	0.00	3,881.61	DFT0007730
1098	EDD (EFT)	10/28/2022	Bank Draft	0.00	1,047.27	DFT0007731
1149	Internal Revenue Service	10/28/2022	Bank Draft	0.00	3,008.44	DFT0007732
1149	Internal Revenue Service	10/28/2022	Bank Draft	0.00	8,875.27	DFT0007733
1015	American Fidelity Assurance	10/31/2022	Bank Draft	0.00	499.56	DFT0007734
1230	Pers (EFT)	10/31/2022	Bank Draft	0.00	5,983.04	DFT0007735
1230	Pers (EFT)	10/31/2022	Bank Draft	0.00	34,111.03	DFT0007736
1230	Pers (EFT)	10/31/2022	Bank Draft	0.00	10,886.52	DFT0007737
1230	Pers (EFT)	10/31/2022	Bank Draft	0.00	168.24	DFT0007738
1230	Pers (EFT)	10/31/2022	Bank Draft	0.00	3,874.00	DFT0007739
1230	Pers (EFT)	10/31/2022	Bank Draft	0.00	101.70	DFT0007740
1586	Principal Life Insurance Company	10/31/2022	Bank Draft	0.00	294.11	DFT0007741
1045	Cal Pers 457 Plan (EFT)	11/11/2022	Bank Draft	0.00	750.00	DFT0007742
1135	Empower (EFT)	11/11/2022	Bank Draft	0.00	325.00	DFT0007743
1135	Empower (EFT)	11/11/2022	Bank Draft	0.00	8,017.52	DFT0007744
1135	Empower (EFT)	11/11/2022	Bank Draft	0.00	483.29	DFT0007745
1042	CA State Disbursement (EF	11/11/2022	Bank Draft	0.00	187.83	DFT0007746
1015	American Fidelity Assurance	11/11/2022	Bank Draft	0.00	333.33	DFT0007747
1015	American Fidelity Assurance	11/11/2022	Bank Draft	0.00	260.40	DFT0007748
1229	Pers (EFT)	11/11/2022	Bank Draft	0.00	49.13	DFT0007749
1229	Pers (EFT)	11/11/2022	Bank Draft	0.00	971.48	DFT0007750
1229	Pers (EFT)	11/11/2022	Bank Draft	0.00	1,703.73	DFT0007751
1229	Pers (EFT)	11/11/2022	Bank Draft	0.00	1,986.26	DFT0007752
1229	Pers (EFT)	11/11/2022	Bank Draft	0.00	2,928.32	DFT0007753
1229	Pers (EFT)	11/11/2022	Bank Draft	0.00	3,662.66	DFT0007754
1229	Pers (EFT)	11/11/2022	Bank Draft	0.00	4,053.29	DFT0007755
1149	Internal Revenue Service	11/11/2022	Bank Draft	0.00	12,030.92	DFT0007756
1098	EDD (EFT)	11/11/2022	Bank Draft	0.00	4,240.61	DFT0007757
1098	EDD (EFT)	11/11/2022	Bank Draft	0.00	1,051.86	DFT0007758
1149	Internal Revenue Service	11/11/2022	Bank Draft	0.00	3,181.82	DFT0007759

Check Report

Date Range: 10/26/2022 - 11/21/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1149	Internal Revenue Service	11/11/2022	Bank Draft	0.00	9,743.95	DFT0007760

Bank Code AP Bank Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	111	65	0.00	918,018.79
Manual Checks	0	0	0.00	0.00
Voided Checks	0	5	0.00	-754.00
Bank Drafts	46	46	0.00	167,036.73
EFT's	0	0	0.00	0.00
	157	116	0.00	1,084,301.52

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	111	65	0.00	918,018.79
Manual Checks	0	0	0.00	0.00
Voided Checks	0	5	0.00	-754.00
Bank Drafts	46	46	0.00	167,036.73
EFT's	0	0	0.00	0.00
	157	116	0.00	1,084,301.52

Fund Summary

Fund	Name	Period	Amount
100	GENERAL FUND	10/2022	317,270.27
100	GENERAL FUND	11/2022	767,031.25
			1,084,301.52

Account Number	Name	Date	Type	Amount	Reference	Packet
102-0000259-02	Camalo, Joie	11/15/2022	Refund	\$ 108.47	Check #: 15493	UBPKT15453
102-0000300-03	Bellew, Brian and Susan	11/15/2022	Refund	\$ 112.15	Check #: 15494	UBPKT15453
102-0001083-03	Burks, Frederick and Pauline	11/15/2022	Refund	\$ 108.57	Check #: 15495	UBPKT15453
102-0001894-01	Ramirez, Silvia	11/15/2022	Refund	\$ 5.17	Check #: 15496	UBPKT15453
102-0001952-02	Inc, RNM Investments	11/15/2022	Refund	\$ 6.08	Check #: 15497	UBPKT15453
102-0002999-02	Chegia, Cory	11/15/2022	Refund	\$ 92.74	Check #: 15498	UBPKT15453
102-0005166-01	Hirabayashi, Misao	11/15/2022	Refund	\$ 134.40	Check #: 15499	UBPKT15453
102-0005473-01	Mofford, Dennis J	11/15/2022	Refund	\$ 107.58	Check #: 15500	UBPKT15453
102-0005738-02	Stewart, Carol	11/15/2022	Refund	\$ 216.00	Check #: 15501	UBPKT15453
102-0006015-02	Griffin, Eric and Julia	11/15/2022	Refund	\$ 223.50	Check #: 15502	UBPKT15453
102-0006871-03	Opendoor Property Trust	11/15/2022	Refund	\$ 47.18	Check #: 15503	UBPKT15453
102-0007697-02	Opendoor Property Trust	11/15/2022	Refund	\$ 55.75	Check #: 15504	UBPKT15453
102-0007916-01	Comins, James	11/15/2022	Refund	\$ 7.50	Check #: 15505	UBPKT15453
102-0009496-02	Sawallisch, Steven and Kimerly	11/15/2022	Refund	\$ 108.52	Check #: 15506	UBPKT15453
102-0009865-03	Gonzalez, Arturo and Rosa	11/15/2022	Refund	\$ 108.29	Check #: 15507	UBPKT15453
102-0010399-02	Bibbee, James and Chie	11/15/2022	Refund	\$ 27.93	Check #: 15508	UBPKT15453
102-0010436-04	Abdissa, Elisabet	11/15/2022	Refund	\$ 114.83	Check #: 15509	UBPKT15453
102-0010867-03	Muthian, Parameswary	11/15/2022	Refund	\$ 324.00	Check #: 15510	UBPKT15453
102-0011442-01	Bauer, John	11/15/2022	Refund	\$ 116.92	Check #: 15511	UBPKT15453
102-0012490-03	Johnson, Ryan and Natalie	11/15/2022	Refund	\$ 110.22	Check #: 15512	UBPKT15453
103-0004268-01	Carr, Eileen M	11/15/2022	Refund	\$ 9.01	Check #: 15513	UBPKT15453
103-0004386-01	Nakata, Bill	11/15/2022	Refund	\$ 108.20	Check #: 15514	UBPKT15453
103-0004968-01	Auguscik, Bob	11/15/2022	Refund	\$ 8.12	Check #: 15515	UBPKT15453
103-0008209-02	Rebell, Ryan and Ronni	11/15/2022	Refund	\$ 47.47	Check #: 15516	UBPKT15453
104-0007872-02	Warren, Robert	11/15/2022	Refund	\$ 90.00	Check #: 15517	UBPKT15453
106-0012858-01	Longman, Ronald A	11/15/2022	Refund	\$ 8.19	Check #: 15518	UBPKT15453
106-0013736-01	Zug, James and Lynn	11/15/2022	Refund	\$ 363.96	Check #: 15519	UBPKT15453
106-0013974-02	Baldwin, Terry and Kathleen	11/15/2022	Refund	\$ 115.51	Check #: 15520	UBPKT15453
106-0014910-01	Mihulet, Liliana	11/15/2022	Refund	\$ 106.43	Check #: 15521	UBPKT15453
106-0015388-02	Bernardo, Napoleon and Pauline	11/15/2022	Refund	\$ 116.56	Check #: 15522	UBPKT15453
106-0015577-01	Chavez, Walter	11/15/2022	Refund	\$ 735.60	Check #: 15531	UBPKT15982
106-0016104-02	Velichko, Ivan and Tatyana	11/15/2022	Refund	\$ 7.25	Check #: 15523	UBPKT15453
106-0016393-01	Martin, Helen	11/15/2022	Refund	\$ 3,030.00	Check #: 15524	UBPKT15453
106-0016596-01	Wyant, Andrew	11/15/2022	Refund	\$ 5.09	Check #: 15525	UBPKT15453
106-1025481-01	Doria, Linda	11/15/2022	Refund	\$ 864.00	Check #: 15526	UBPKT15453
112-1021138-02	Kotsyubchuk, Pavel	11/15/2022	Refund	\$ 10.70	Check #: 15527	UBPKT15453
112-1026999-01	Vanderlinden, Scott and Carrie	11/15/2022	Refund	\$ 120.65	Check #: 15528	UBPKT15453
112-1027419-01	Bartolome, Benjamin and Juvy	11/15/2022	Refund	\$ 232.04	Check #: 15529	UBPKT15453
112-1028394-01	Decarli, Alan and Savina	11/15/2022	Refund	\$ 106.04	Check #: 15530	UBPKT15453
TOTAL REFUNDS				\$ 8,220.62		

SOUTH PLACER MUNICIPAL UTILITY DISTRICT

STAFF REPORT

To: Board of Directors
From: Carie Huff, District Engineer
Cc: Josh Lelko, Engineering Technician
Subject: Acceptance of the Bill of Sale for the 3240 Taylor Road Onsite Sewer Improvements
Meeting Date: December 1, 2022

Overview

The 3240 Taylor Road Onsite sewer improvements are located within the Town of Loomis, approximately four hundred feet southwest of intersection of Taylor Road and Lemos Ranch Drive. The 3240 Taylor Road Onsite project consists of public sewer improvements to serve two commercial buildings for a total of 3.67 EDU. The 3240 Taylor Road Onsite Improvements include the following infrastructure:

- Installation of ninety (90) linear feet of sanitary sewer pipe; and
- Installation of ten (10) linear feet of lower laterals.

Recommendation

Staff recommends that the Board of Directors accept the attached Bill of Sale for the 3240 Taylor Road Onsite Sewer Improvements.

Strategic Plan Goal

This action is consistent with the following Strategic Plan Priorities:

- Maintain an excellent regulatory compliance record
- Prepare for the future and foreseeable emergencies
- Leverage existing and applicable technologies to improve efficiencies

Fiscal Impact

The estimated value of the contributed capital is \$45,496.

Attachments:

1. Bill of Sale
2. Map – 3240 Taylor Road Onsite Sewer Improvements

BILL OF SALE

WGO PROPERTIES, INC. does hereby grant,
bargain, sell and convey to SOUTH PLACER MUNICIPAL UTILITY DISTRICT all
of its rights, title and interest in and to all public sewer pipes, lines, mains,
manholes, and appurtenances installed by its contractor in that
subdivision/project commonly known as
3240 TAYLOR RD.

Grantor herein does hereby warrant and guarantee to SOUTH PLACER
MUNICIPAL UTILITY DISTRICT that all of the personal property described
herein consisting of sewer pipes, lines, mains, manholes, and appurtenances
are free and clear of all mechanics liens and encumbrances of any type,
nature or description whatsoever.

Dated this OCT. 26, 2022

By: (Developer/Owner)


Signature

MARK WGO
Name (Please Type or Print)

**Notary Document
Attached**

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Placer)

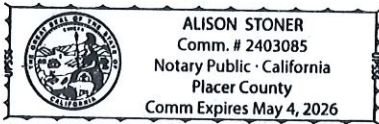
On 10/26 /2022 before me, Alison Stoner, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared OMAR LUGO
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

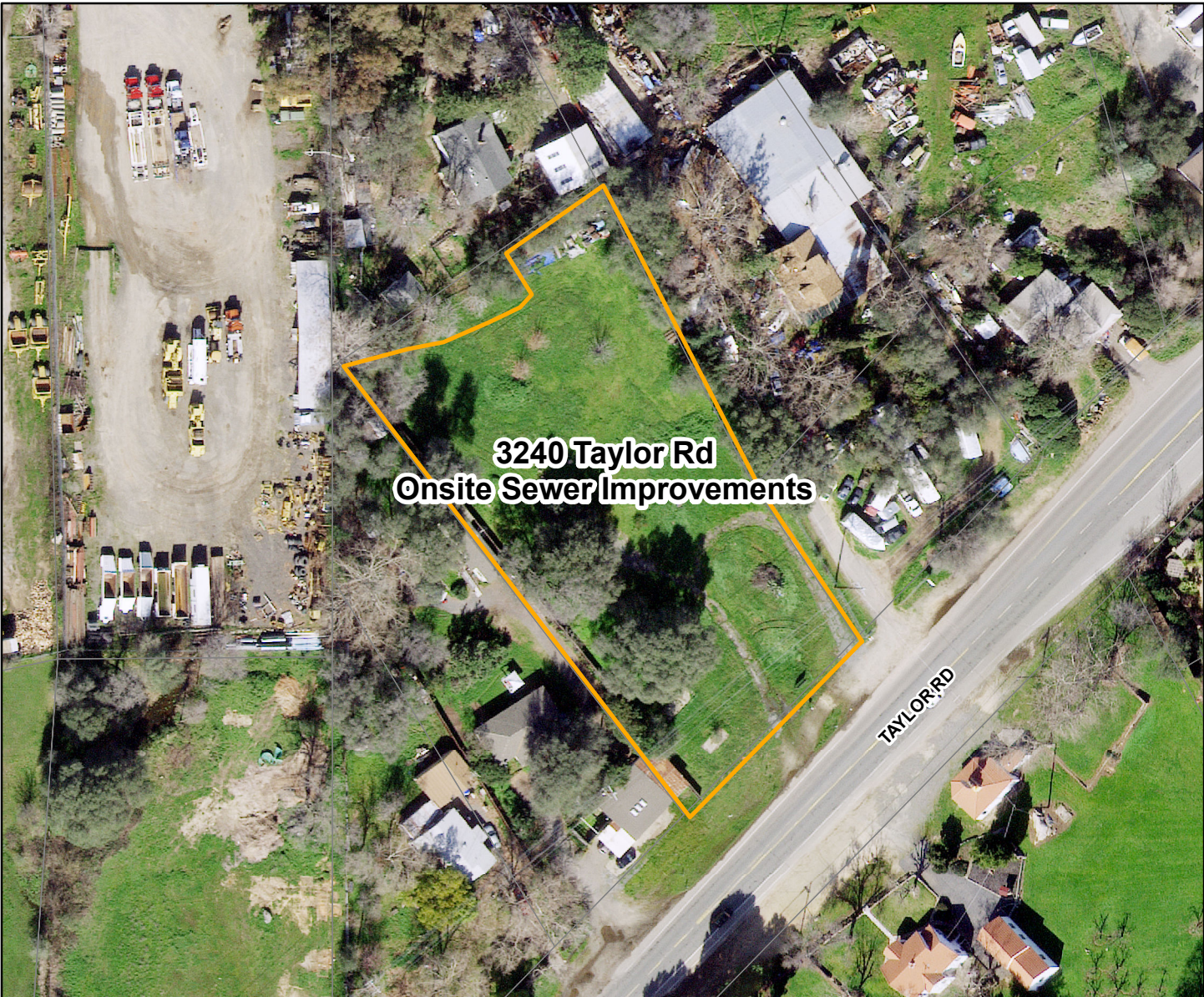
Description of Attached Document

Title or Type of Document: BILL OF SALE
Document Date: _____ Number of Pages: 1
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____



0 50 100 Feet
1 in = 100 ft



3240 Taylor Rd Onsite Sewer Improvements

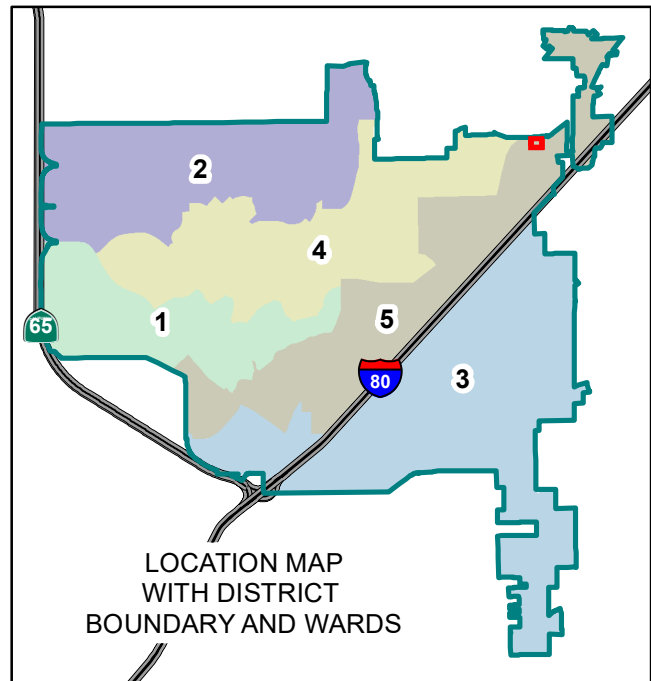
3.67 EDU

Date: 11/14/2022

Author: Curtis Little

Document Path:

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**SOUTH PLACER MUNICIPAL UTILITY DISTRICT
STAFF REPORT**

To: Board of Directors

From: Herb Niederberger, General Manager

Cc: Carie Huff, District Engineer
Eric Nielsen, Superintendent
Emilie Costan, Administrative Services Manager

Subject: **Ordinance No. 22-03 – An Ordinance Revising District Sewer Code Chapters 2 and 3**

Meeting Date: December 1, 2022

Overview

The South Placer Municipal Utility District adopted Ordinance 18-01 on May 3, 2018, creating the South Placer Municipal Utility District Sewer Code (the “Sewer Code”). The Sewer Code compiled the District’s ordinances into one document and reference location, making the laws of the District more accessible, readable, and understandable to those persons governed by such laws, and by those persons administering such laws on behalf of the District. From time to time, the District can modify the Sewer Code and incorporate such changes by subsequent Ordinance.

Chapter 2 governs the use of public and private sewers and establishes rules and regulations for services rendered by the District. Many of the changes to Chapter 2 are primarily to conform with recent legislation.

- Senate Bill 9 allows for the ministerial approval of certain housing development projects containing up to two dwelling units on a single-family zoned parcel as well as creates a designation of Junior Assessorly Dwelling Units. In addition to permitting two units on a single-family lot, the legislation allows qualifying lot splits to be approved ministerially (i.e., without discretionary review or hearings) pursuant to a parcel map, upon meeting a number of criteria.
- Senate Bill 897 and Assembly Bill 2221, both relate to local permitting of accessory dwelling units (ADUs). These two bills make substantial revisions to state law and require local jurisdictions to review and readopt any local ordinances related to ADUs.

Also, Chapter 2 is being modified to expand upon the District efforts to require correction of public nuisances and the imposition of Civil and Criminal penalties. These penalties are intended to compel the record owner of the real property to correct violations and pursuing remedies available to the District under the law, including all attorneys’ fees, expert witness fees, laboratory testing fees and all other related expenses.

Chapter 3 governs the use of public and private sewers and establishes the rules and regulations for the prevention of blockages of the sewer lines resulting from discharges of fats, oils, and grease (FOG) into the public sewer, and to specify appropriate FOG discharge requirements for food service establishments (FSEs). The District retained Ken Loucks, a recognized expert, to propose revisions to

Chapter 3. The changes proposed for Chapter 3 are generally intended to acknowledge the District's adaptive management program for FSEs and codify the District's transition from gravity grease interceptors to other grease control devices to mitigate FOG discharge to the public sewer system. The revisions also specify the implementation of Best Management Practices to minimize the discharge of FOG.

The Policy and Ordinance Advisory Committee met on November 3, 2022, to discuss the proposed changes to the Sewer Code Chapters 2 and 3. The Advisory Committee recommended that the revisions be incorporated into an ordinance to be brought before the Board of Directors for consideration.

Recommendation

Staff recommends that the Board of Directors:

1. Waive the full reading of the proposed Ordinance #22-03.
2. Introduce Ordinance No. 22-03 –An Ordinance Revising District Sewer Code Chapters 2 and 3.
3. Conduct a Public Hearing for the proposed Ordinance.
4. Schedule the 2nd reading and adoption for the next regularly scheduled meeting of the Board of Directors on January 12, 2023.

Strategic Plan Priorities

This action is consistent with the following Strategic Plan Priorities:

- Maintain an excellent regulatory compliance record
 - Reduce SSOs • Maintain a compliant Sewer System Management
 - Comply with Statewide Sanitary Sewer Systems General Order
- Prepare for the future and foreseeable emergencies
- Leverage existing and applicable technologies to improve efficiencies

Related District Ordinances or Policies

The District Sewer Code

Fiscal Impact

There is no direct fiscal impact associated with the adoption of this Ordinance. However, future imposition of fines and penalties will be treated as other revenue recognized in Fund 100.

Attachments

1. Ordinance No. 22-03 –An Ordinance revising District Sewer Code Chapters 2 and 3.
2. Chapter 2 - Redline
3. Chapter 2 – Final
4. Chapter 3 – Redline
5. Chapter 3 – Final

SOUTH PLACER MUNICIPAL UTILITY DISTRICT

ORDINANCE NO. 22-03

AN ORDINANCE REVISING DISTRICT SEWER CODE CHAPTERS 2 AND 3

SECTION 1

The Board of Directors of the South Placer Municipal Utility District (the “District”) hereby finds and declares as follows:

- A. WHEREAS, the South Placer Municipal Utility District was formed and organized under the Municipal Utility District Act (the “MUD Act”) of the State of California (California Public Utilities Code Section 11501 et seq.), and is responsible for the collection and treatment of wastewater within its service area; and
- B. WHEREAS, on May 3, 2018, the District adopted Ordinance 18-01 creating the South Placer Municipal Utility District Sewer Code (the “Sewer Code”). The Sewer Code compiled the District’s ordinances into one document and reference location, making the laws of the District more accessible, readable and understandable to those persons governed by such laws, and by those persons administering such laws on behalf of the District; and
- C. WHEREAS, from time to time, the District can modify the Sewer Code and incorporate such changes by subsequent Ordinance; and
- D. WHEREAS, Chapter 2 governs the use of public and private sewers and establishes rules and regulations for services rendered by the District; and
- E. WHEREAS, the changes to Chapter 2 have the following primary goals:
 - 1) To ensure the Sewer Code is in conformity with recent legislation (specifically, SB-9, SB-897, and AB-2221), relating to the permitting of accessory dwelling units (ADUs), including the application and apportionment of District service charges and participation fees; and

2) To expand upon the District’s ability to enforce its ordinances and policies to preserve and protect public health and safety, to abate public nuisances and allow for the imposition of civil and criminal penalties in appropriate circumstances. These enforcement mechanisms are intended to ensure compliance by the record owner of real property to correct violations and afford the District additional remedies authorized under the law, including the ability to recover attorneys’ fees, expert witness fees, laboratory testing fees and other legally recoverable expenses incurred in such enforcement.

F. WHEREAS, Chapter 3 governs the use of public and private sewers and establishes the rules and regulations for the prevention of blockages of the sewer lines resulting from discharges of fats, oils, and grease (FOG) into the public sewer, and to specify appropriate FOG discharge requirements for food service establishments (FSEs).

G. WHEREAS, the District retained a recognized expert to propose revisions to Chapter 3 with the following goals:

- 1) To acknowledge the District’s adaptive management program for FSEs and codify the District’s transition from gravity grease interceptors to other grease control devices to trap, collect and treat FOG prior to its discharge to the public sewer; and
- 2) To specify the implementation of Best Management Practices to minimize the discharge of FOG.

H. WHEREAS, the Policy and Ordinance Advisory Committee met on November 3, 2022, to discuss the proposed changes to Sewer Code Chapters 2 & 3 and recommended that the revisions be incorporated into an ordinance to be brought before the Board of Directors for consideration.

F. WHEREAS, on December 1, 2022 and January 12, 2023, the Board conducted hearings on this ordinance to consider public testimony prior to its adoption.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF DIRECTORS OF THE SOUTH PLACER MUNICIPAL UTILITY DISTRICT AS FOLLOWS:

SECTION 2

Chapters 2 and 3 of the District's Sewer Code are hereby amended in accordance with Attachments A and B hereto.

SECTION 3

This Ordinance shall go into effect on February 13, 2023.

SECTION 4

This Ordinance was introduced at a regular meeting of the Board of Directors held on the 1st Day of December, 2022.

SECTION 5

Upon final passage, this Ordinance, or a summary of this Ordinance, shall be published once a week for two successive weeks in a newspaper of general circulation within the District, pursuant to the provisions of Sections 11534 and 11910 of the California Public Utilities Code.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the South Placer Municipal Utility District on this 12th day of January by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

SOUTH PLACER MUNICIPAL UTILITY DISTRICT

Signed: _____

Gerald P. Mitchell, President of the Board of Directors

ATTEST:

Emilie Costan, Board Secretary

South Placer Municipal Utility District Code

Chapter 2 - Sewer Use

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CHAPTER 2 SEWER USE

CHAPTER 2.00 General

This Chapter in whole or in part is based on excerpts from Ordinance 09-02 adopted by the Board of Directors on July 2, ~~2009~~2009, and shall govern the use of public and private sewers and establish the rules and regulations for service and services rendered by the District.

CHAPTER 2.01 Definitions

As used in this Code, the following words and phrases shall have the meaning given in this chapter.

2.01.005 Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)

Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) shall have the meaning set forth in California Government Code Sections 65852.2 and 65852.22, as amended from time to time.

2.01.010 Board

Board of Directors of the South Placer Municipal Utility District (District).

2.01.015 Biochemical Oxygen Demand (BOD)

The quantity of Oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty (20) degrees centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).

2.01.020 Building Drain

That part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer two (2) feet outside the outer face of the building wall.

2.01.025 Building Sewer

A pipeline connecting a building drain to a public sewer, consisting of an upper lateral and a lower lateral.

2.01.030 Chemical Oxygen Demand (COD)

Chemical Oxygen Demand: Measurement of the oxygen required to oxidize soluble and particulate organic matter in water expressed in terms of weight and concentration (milligrams per liter (mg/l))

2.01.035 Collector Sewer

The public sanitary sewer main to which various building or private sewers are connected, owned and operated by the District.

2.01.040 District

The South Placer Municipal Utility District, a statutorily created district operating under the authority of and pursuant to the provisions of the California Municipal Utility District Act (Public Utility Code commencing at Section 11501 et seq).

2.01.045 District General Manager

The General Manager as appointed by the Board of Directors of the South Placer Municipal Utility District in accordance with the California Municipal Utility District Act (Public Utility Code commencing at Section 11501 et seq) or any District employee or agent of the District authorized by the General Manager to act on their behalf to enforce the provisions of this code.

2.01.050 District Specifications

The Standard Specifications and Improvement Standards for Sanitary Sewers prepared and ordered effective by the General Manager pursuant to the provisions of Section 11937(e) of the Municipal Utility District Act, Division 6, of the Public Utilities Code, and State of California. All work associated with wastewater systems shall be performed pursuant to and in compliance with this Code and the District Specifications.

2.01.055 Domestic Wastewater

Wastes originating in a residential facility or dwelling.

2.01.060 Equivalent Dwelling Unit (EDU)

The unit of measurement, used to determine design and fee requirements based on the typical average flow and strength of wastewater from a single family residential occupancy.

2.01.065 Fats, Oils, and Grease (FOG)

Non-petroleum organic polar compounds derived from animal or plant sources such as fats, non-hydrocarbons, fatty acids, soaps, waxes, and oils that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical procedures established in the 40 CFR Part 136~~Any substance such as vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, and that becomes or may become viscous, or solidifies or may solidify, with a change in temperature or other conditions.~~

2.01.070 Food Service Establishment (FSE)

Any facility, including but not limited to, any commercial entity within the boundaries of the District, operating in a permanently constructed structure such as a room, building or place, or portion thereof, maintained, used or operated for the purpose of storing, preparing, serving or manufacturing, packaging or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by an exhaust hood pursuant to California Health and Safety Code section 114149.1 or in accordance with the California Uniform Retail Food Facilities Law (CURFFL) (California Health and Safety Code sections 113700, et seq.). A limited food preparation establishment may not be considered to be an FSE when engaged only in reheating, hot holding, or assembly of ready to eat food products, provided that there is no wastewater discharge containing a significant amount of FOG. Mobile food trucks are considered an FSE and subject to the requirements of this Code.

2.01.075 Garbage

Solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

2.01.080 Industrial Wastewater

The liquid wastes originating from industrial processing.

2.01.085 Lower Lateral

That part of building sewer within the public right-of-way, extending from the property line or public sewer easement line, typically at the PLCO, to the public sewer, by gravity flow.

2.01.090 Multiple Dwelling

Any structure for residential occupancy consisting of more than one dwelling unit.

2.01.095 Non-Dispersible

Any item that requires more than 20 seconds to begin to disperse after contact with water. This includes “Flushable Products” that do not disperse and have structural strength and

do not tear easily, such as paper products, specifically paper towels and facial tissues, sanitary products such Baby Wipes and other cleansing products that are indestructible and advertised as flushable but are non-dispersible.

2.01.100 Non-residential Wastewater

Wastewater originating from sources other than residential discharges.

2.01.105 Owner / Applicant

The record owner of the real property being served or to be served by the District's wastewater system, or his duly authorized agent. The record owner of such real property shall be billed and liable to the District for the payment of all authorized fees, rates, tolls, rentals or other charges.

2.01.110 Participation Charge

Also known as a connection fee or development impact fee, the sum paid to the District in lawful money of the United States by any person, for the privilege of connecting to the District's facilities whether such connection is voluntary or mandatory. The District's facilities shall include local collection systems, trunk lines, treatment plants, and capacity.

2.01.115 Persons

Any individual, partnership, co-partnership, firm, company, association, society, corporation, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by context.

2.01.120 pH

The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

2.01.125 Property Line Cleanout (PLCO)

The publicly-owned clean out installed on the building sewer near the public right-of-way, within the P.U.E., intended for access of the publicly owned Lower Lateral.

2.01.130 Private Sewer

Any sewer facilities which remain under private ownership by a single property owner.

2.01.135 Properly Shredded Garbage

Wastes from the preparation, cooking and dispensing of food which have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 0.5 inches in any dimension.

2.01.137 Publicly Owned Treatment Works (POTW)

A wastewater treatment plant as defined by Section 212 of the Clean Water Act (33 United States Code 1291). The District's public sewer is a satellite wastewater collection system to the regional POTW located in the City of Roseville.

2.01.140 Public Sewer

A sewer in which all owners of abutting property have equal rights and is controlled by public authority.

2.01.145 Readily Accessible

Capable of being accessed quickly, and without obstruction, for maintenance, repair, or inspection without requiring the District or its agents, to uncover, remove obstacles or repair sewer facilities in order to use.

2.01.150 Service Charge

The periodic charge assessed to the real property owner by the District for the capability of conveying, treating and disposing of wastewater.

2.01.155 Sanitary Sewer

A sewer that carries wastewater or sewage and to which storm, surface, and groundwaters are not intentionally admitted.

~~A pipe or conduit that carries wastewater or drainage water.~~

2.01.160 Single Family Residence (SFR)

Any free-standing structure used for residential occupancy and consisting of one dwelling unit (excluding any free-standing structure which is an ADU within the meaning of California Government Code section 65852.2 and this Code).

2.01.165 Sanitary Sewer Overflow (SSO)

Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system.

2.01.170 Structure

A building or other constructed facility used for human occupancy, employment, recreation or other purpose.

2.01.175 Suspended Solids

The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids; and which is removable by laboratory filtering.

2.01.180 Uniform Plumbing Code (UPC)

The most current edition of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials (IAPMO).

2.01.185 Upper Lateral

That part of the building sewer running from two (2) feet outside the outer face of the building wall to the public right-of-way; privately owned and maintained.

2.01.190 Wastewater

The liquid and water carrying industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, FSEs and institutions, whether treated or untreated, which is discharged into or permitted to enter the public sewer and the POTW.

2.01.195 Wastewater Collection System

The pipe system and appurtenances for collecting and carrying water and water-carried wastes from domestic, non-residential and industrial sources to a wastewater treatment plant.

2.01.200 Wastewater System

All facilities for collecting, pumping, treating and disposing of wastewater.

2.01.205 Wastewater Treatment Plant (WWTP)

An arrangement of pipes, equipment, devices, tanks and structures for treating wastewater and industrial wastes.

2.01.210 Water Course

A natural or manmade channel in which a flow of water occurs, either continually or intermittently.

CHAPTER 2.02 PUBLIC SEWER

2.02.01 Permission Required

No person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance without first obtaining permission from the District and paying all fees and charges as established under the provisions of this Code.

2.02.02 Protect from Damage

- A. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, remove or tamper with any structure, appurtenance or equipment which forms any part of the District's public sewer system or any private sewer facility which may directly or indirectly affect any of the District's public sewer system.
- B. Any person violating the provisions of this Chapter shall be responsible for any and all costs, damages, repair and/or replacement of any structure, appurtenance or equipment caused to the District by such violations.

2.02.03 System Accessibility

- A. It is the customer's responsibility to ensure the Property Line Clean Out (PLCO) is readily accessible at all times. When a PLCO cannot be accessed by the District, the customer will be notified and shall correct the condition(s). If the issue is not rectified within 30 days after notification, District staff will make the correction(s) and the customer will be responsible for actual costs incurred.
- B. Representatives of the District shall have the right of ingress to the customer's premises at reasonable hours for any purpose reasonably connected with furnishing of sewer service.

2.02.04 Connection to the Public Sewer Required

- A. It is unlawful for the owner or lessee of any lot or parcel of land situated within the District, which lot or parcel has thereon a building equipped with any plumbing

fixture, to neglect or refuse to have any such buildings connected with the District wastewater collection system so that the drainage from each and every such plumbing fixture shall flow into the sewer; provided, that there is such a sewer in the street, alley or right-of-way near such lot or parcel of land and not more than 300 feet distant from such building. Domestic plumbing systems that incorporate nonpotable water reuse systems, such as gray water reuse systems, shall be exempt from this section provided that they are installed and constructed in accordance with local municipal ordinances or codes, the then current provisions of California Plumbing Code, Chapter 16 - Alternate Water Sources For Nonpotable Applications and Chapter 16A - Nonpotable Water Reuse Systems, governing the construction, alteration, discharge, use, and repair of gray water systems.

- B. When ordered by the District, or when and where the state, county, or city public health department determines a health hazard exists or is imminent, the owner of all structures, as defined within this Code, situated within the limits of the District and abutting on any street, alley or right-of-way or in proximity thereto in which there is located a public sewer of the District, is hereby required at his/her expense to connect such structures directly with the proper public sewer in accordance with the provisions of this Code, within 90 days after receipt of written, mailed notice to do so, provided said public sewer is within 300 feet of the nearest property line of the property containing such structures; unless otherwise waived by the General Manager upon exigent circumstances.
- C. In the event of a violation of this Chapter, the District may connect such structures to the public sewer and the owner or occupant of such structures shall be jointly and severally responsible to the District for the cost of such connection in addition to the regular participation charge, monthly service charge and any other reasonable and necessary charges imposed by the District and such costs shall become a lien on the real property pursuant to the applicable provisions of the Health & Safety Code of the State of California.

2.02.05 Prohibited Discharges

- A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run off, subsurface drainage, cooling water, refrigeration or air conditioner cooling water, swimming pool drainage from single family residences or industrial process waters to any public sewer.
- B. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters, wastewaters or wastes to any public sewers:
 - 1. Any liquid or vapor having a temperature higher than 150-degrees F.

2. Any water or waste which may contain more than 100 parts per million, by weight, of FOG.
 3. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
 4. Any garbage that has not been properly shredded.
 5. Any discharge of wastes from recreational vehicles (RV) outside of permitted RV dump sites or camping sites.
 6. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, non-dispersible item, feather, fur, plastic, wood, paunch manure, or any other solid or viscous substances capable of causing obstruction to the flow in sewers and/or causing or with the potential to cause SSO's or other interference with the proper operation of the sewage works.
 7. Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any corrosive property capable of causing damage or hazard to the structures, equipment, and personnel of the sewage works.
 8. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
 9. Any waters or waste containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
 10. Any noxious or malodorous gas or substance capable of creating a public nuisance.
- C. The admission into the public sewers of any wastewater or wastes generated from any nonresidential type use shall conform to SPMUD Ordinance 88-3, the District's ordinance adopting Chapter 14.26 of the Municipal Code of the City of Roseville relating to industrial wastewater.
- D. Discharge from FSE's shall be in conformance with Chapter 3 of this Code, establishing requirements regarding Fats, Oils, and Grease.
- E. No provision of this Code shall be construed to prohibit any special agreement or contract between the District and any non-residential user whereby waste of unusual strength, characteristic or quantity as determined by this Code may be accepted for treatment, subject to payment therefore. Any agreement made in accordance with this section shall conform to provisions of this Code and Ordinance 88-3.

2.02.06 Preliminary Treatment:

- A. Where preliminary treatment facilities are provided for any wastewater or wastes, they shall be maintained continuously in satisfactory effective operation, by the owner at his expense.
- B. Grease, oil and sand interceptors, as required by the District, shall be provided for the proper handling of liquid wastes containing grease or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units.
- C. All interceptors shall be of a type and capacity approved by the District and shall be located as to be readily accessible for cleaning and inspection.
- D. All grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation, at all times.

CHAPTER 2.03 CHARGES AND FEES

2.03.01 Participation Charges – General

- A. No person shall connect any building sewer, alter, or change the use of any commercial structure or equivalent dwelling unit or portion thereof, or enlarge any commercial structure until a participation charge for each connection, enlargement, alteration, or change of use has been paid to the District [as provided in this Code](#).
- B. The provisions of this Chapter are enacted pursuant to the provisions of Article IV, Chapter 6, Sections 5400 et seq. of the Health and Safety Code and Section 66000 of the Government Code. Pursuant to the provisions of Section 5474 of the Health and Safety Code all participation charges fixed herein for the privilege of connecting to the District's wastewater system shall be due and payable prior to such connection.
- C. Notwithstanding the preceding, payment of participation fees due the District from non-residential users may, at the District's discretion, be deferred and made payable over a period of time under such terms and conditions as may be imposed by the Board in accordance with District Policy 3350 – Deferred Participation Charges or any amendments thereto.

- D. In the event a structure is altered to produce more than a single EDU, an additional participation charge shall be due for each additional EDU or portion thereof produced. Payment of such fees and charges shall be the responsibility of the real property owner. Alterations of an existing residential structure to construct an ADU or JADU within the meaning of California Government Code Section 65852.2 or 65852.22, as amended, shall not be charged an additional Participation Charge, except as otherwise permitted by state statute and as provided in this Code.
- E. In the event additional participation charges become due from a structure previously connected to District's wastewater system, such charges shall become due immediately upon completion of the enlargement or alteration which results in additional participation charges and in the event such charges are not paid when due, the amount of such charges shall constitute a lien against the respective lots or parcels of land to which the facilities are connected. Prior to making such fees or charges a lien, the District shall give notice to the owners of the lots or parcels of land affected pursuant to the provisions of Section 5474 of the Health and Safety Code.
- F. In the event a connection, change in use or alteration of any commercial structure, enlargement of any commercial structure, or change in number of equivalent dwelling units within a structure has been made in violation of the provisions of this Section, the real property owner where such connection, alteration, change, or enlargement has occurred shall be responsible to the District for the payment of participation charges, and, in addition, may be required to disconnect the building sewer from the public sewer and reconnect to the public sewer under the District's supervision and shall be required to pay, in addition to such participation charge a reconnection charge in accordance with the District's Fee Schedule Resolution, together with all actual costs and expenses incurred by the District in making such reconnection. A basic participation charge for each equivalent dwelling unit shall be fixed and established by ordinance/code and may be changed from time to time by the Board of Directors in accordance with provisions of Sections 12809 and 14401 of the Public Utilities Code and Section 66000 of the Government Code.

2.03.03 Participation Charges – Commercial/Industrial:

Determination of Commercial or Industrial Equivalent Dwelling Units. For purposes of this Code, commercial or industrial EDU's shall be determined as follows:

A. General Regulations

1. Not Less than 1 EDU per building.
2. Prescribed participation charges apply only to the particular uses listed herein. Where multiple uses, and/or tenants within the meaning of this Code, are

contained or can be contained in the same structure, the General Manager,

based on building permit data, applicable zoning, and plans of the developer, will allocate the respective square footage for the various uses and/or tenants, and determine a composite participation charge composed of the respective participation charges for each such use and/or tenant. Subsequent modifications to any structure may result in reclassification and the assessment of additional incremental participation charges.

3. No refunding of previously paid participation charges will be made where modifications are made to any structure which places it in a classification with a lower participation charge rate.
4. The real property owner shall be responsible for payment of any and all additional charges.

B. Low Strength-Low Quantity Commercial or Industrial Users-

For commercial or industrial units having wastewater strength of less than 200 mg/1 B.O.D. and/or suspended solids, and a quantity of less than 25,000 gpd, an EDU shall be determined as follows:

<ol style="list-style-type: none"> 1. Low Occupancy User <ol style="list-style-type: none"> a) Parking Garage b) Regional Distribution Facilities c) Storage Buildings 	<p>Per every 5 Employees (NOT Less than 1 EDU)</p>
<ol style="list-style-type: none"> 2. Low-Density Users <ol style="list-style-type: none"> a) Church (w/o Kitchen) b) Warehouse / Commercial Storage 	<p>$\frac{1}{6}$EDU per 1,000 sq. ft.</p>
<ol style="list-style-type: none"> 3. Medium Density User <ol style="list-style-type: none"> a) Church (w/ Kitchen and Meeting Hall) b) School (w/o Cafeterias and w/o Gymnasiums w/ Showers) c) Bowling/Entertainment Center (w/o Showers) d) Day Care Center (w/o Kitchen) e) Sports/Fitness Center (w/o Showers) f) Retail Store g) Bank/Offices (Other than Medical/Dental) h) Chiropractor's Office i) Theatres (Theaters that provide dining services shall be considered a FOG producing FSE) j) Auditorium/Halls/Lodges 	<p>$\frac{1}{3}$EDU per 1,000 sq. ft.</p>

<p>4. High Density User.</p> <ul style="list-style-type: none"> a) Barber/Beauty Shop/Nail Salon b) School (w/ Cafeterias or Gymnasiums w/ Showers) c) Bowling/Entertainment Center (w/ Kitchen) d) Day Care Center (w/ Kitchen) e) Sports/Fitness Center (w/ Showers) f) Medical/Dental Facility g) Service Station / Mechanic Shop h) Pet Grooming Center i) Veterinary Clinic j) Bars k) Coffee Shops/Kiosks(w/ limited food preparation) l) Ice Cream / Frozen Yogurt / Shaved Ice 	<p>$\frac{2}{3}$ EDU per 1,000 sq. ft</p>
<p>5. Special Commercial User</p> <ul style="list-style-type: none"> a) Car Wash (per Automatic Wash Stall) b) Car Wash (per Self-service Wash Stall) c) Laundromat d) Market/Mini-market (w/o Disposal) e) Market/Mini-market (w/ Disposal) f) FSE (FOG producing establishment) g) FSE (Non FOG Producing Establishment, w/ limited food preparation) h) FSE Outside/Overflow Dining Area <ul style="list-style-type: none"> i. w/ Covered Area ii. w/o Covered Area, but fenced i) Mortuaries j) Hospital k) Rest Home/Convalescent Hospital/Memory Care/Assisted Living l) Camping/Recreational Vehicle Site m) Recreational Vehicle Dump Site n) Hotel/Motel Unit (w/ Kitchen) o) Hotel/Motel Unit (w/o Kitchen) 	<p>8 EDU per Unit 2 EDU per Unit $\frac{2}{3}$ EDU per Washer $\frac{2}{3}$ EDU per 1,000 sq. ft. 2 EDU per 1,000 sq. ft. 2 EDU per 1,000 sq. ft. 1 EDU per 1,000 sq. ft.</p> <p>2 EDU per 1,000 sq. ft. 1 EDU per 1,000 sq. ft. 2 EDU per 1,000 sq. ft. $\frac{1}{2}$ EDU per Licensed Bed $\frac{1}{3}$ EDU per Licensed Bed</p> <p>$\frac{1}{2}$ EDU per Site 1 EDU per Site 1 EDU per Unit $\frac{1}{2}$ EDU per Unit</p>
<p>6. Other Commercial/Industrial Users not listed</p>	<p>Based on a Study authorized by the General Manager</p>

2.03.04 Participation Charges – High Strength-High Quantity Commercial or Industrial Users

- A. For commercial or industrial users having wastewater strength of greater than 300 mg/l BOD or COD and 50mg/l suspended solids, and/or a quantity of greater than

or equal to 25,000 gallons per day (gpd), and/or requiring either special handling or treatment, an EDU shall be determined as follows:

$$EDU's = \frac{gpd}{175} \left[0.61 + \frac{BOD \text{ or } COD, \text{ mg/L}}{300} (0.22) + \frac{suspended \text{ solids } \text{ mg/L}}{50} (0.17) \right]$$

1. In addition, special treatment and/or handling costs may be added as determined by the General Manager.
2. Industrial processing plants and similar heavy or unusual uses not classified by the provisions of this Code shall be charged participation charges and fees as determined by the General Manager.

2.03.05 Participation Charges – Residential

- A. Determination of Residential Equivalent Dwelling Units. For purposes of this Code, Residential Equivalent Dwelling Units (“EDU’s”) shall be determined as follows: All dwelling units, including, but not limited to single family homes, duplexes, condominiums, mobile homes, and apartments shall be one (1) EDU per living unit, except for Accessory Dwelling Units (“ADUs”) and Junior Accessory Dwelling Units (“JADUs”), as provided below:

ADU.

As defined in California Government Code Section 65852.2, an ADU means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot or parcel of land with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit as defined in California Health & Safety Code Section 17958.1.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

1. An ADU ~~set forth in~~ shall not be considered a Residential EDU for the purposes of the assessment of a Participation Charge ~~applicable to the ADU~~, and shall not be assessed a Participation Charge, provided the following conditions are met as specified in Government Code Section 65852.2 and the ADU complies with all requirements of the local agency having jurisdiction over the permitting and construction of the ADU in the District service area where it is located:

~~1. provided the following conditions are met:~~

~~a.~~ The ADU is not intended for sale separate from the primary residence and may be rented. If the ADU is built on a portion of the ~~lot~~ lot or parcel of land that ~~can be split~~ is subsequently split from the primary residential ~~lot~~ parcel, the ADU shall be considered a separate Residential EDU for the purposes of the assessment of a Participation Charge.

~~b.~~ The ADU is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same ~~lot~~ lot or parcel of land as the existing dwelling.

~~c.~~ The increased floor area of an attached ADU shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.

~~a-d.~~ The total area of floorspace for a detached ADU shall not exceed 1,200 square feet.

JADU.

2. As defined in California Government Code Section 65852.22, a JADU is defined as a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A JADU shall not be considered a Residential EDU for the purposes of the assessment of a Participation Charge, and shall not be assessed a Participation Charge, provided the following conditions are met as specified in Government Code Section 65852.22 and the JADU complies with all requirements of the local agency having jurisdiction over the permitting and construction of the JADU in the District service area where it is located. A local agency JADU ordinance:

(a) Limits the number of junior accessory dwelling units to one per residential ~~lot~~ lot or parcel of land zoned for single-family residences with a single-family residence built, or proposed to be built, on the ~~lot~~ lot or parcel of land.

(b) Requires owner-occupancy in the single-family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

(c) Requires the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency and submitted to the District, and shall include both of the following:

1. Prohibits the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

2. Restricts the size and attributes of the junior accessory dwelling unit that conforms with this section.

(d) Requires a permitted junior accessory dwelling unit to be constructed within the walls of the proposed or existing single-family residence.

(e) Requires a permitted junior accessory dwelling to include a separate entrance from the main entrance to the proposed or existing single-family residence.

(f) Requires the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:

(1) A cooking facility with appliances.

(2) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

2.3. Any other living unit ~~not meeting the above definition of an~~ that is not an ADU or JADU shall be considered a Residential EDU and shall pay the appropriate Participation Charge as authorized by this code.

~~3. Notwithstanding the foregoing, an ADU shall be billed at the same rate as a Residential EDU for purposes of the assessment of the Monthly Service Charge. ADUs and JADUs shall be assessed one (1) EDU for the purposes of Monthly Service Charges.~~

- B. There shall be no participation charge for a central recreation building or washroom in a residential mobile home park, condominium or apartment complex so long as the use thereof is restricted to occupants of the mobile home park, condominium or apartments. The real property owner shall substantiate the private, restricted use of said facilities in writing to the District.

2.03.06 Monthly Service Charges – General

- A. A monthly service charge for each equivalent dwelling unit shall be fixed and established by ordinance/code and may be changed from time to time by the Board of Directors in accordance with provisions of Sections 12809 and 14401 of the Public Utilities Code. The monthly service charge for multiple dwelling units shall be the basic EDU rate multiplied by the number of equivalent dwelling units.
- B. In the event a structure is altered to produce more than a single EDU, including the addition of an ADU or JADU on the property, an additional monthly service charge shall be due for each additional EDU or portion thereof produced. Payment of such charges shall be the responsibility of the real property owner.
- C. The real property owner shall remain liable for the monthly service charge as long as the building sewer is connected to the public sewer system, regardless of vacancy. Before an owner can be removed from billing for monthly service charges, the building sewer shall be physically disconnected from the public system at the property line cleanout or point of connection with the public system in accordance with the District Specifications. Reconnection shall be made under the direction of the District. All work and costs shall be the responsibility of the owner and shall be inspected and approved by the District. In cases of vacancy where the property is not physically disconnected, the service charge shall be based on the classification of the last occupant(s) of the structure.

2.03.07 Monthly Service Charges – Commercial/Industrial

- A. The Determination of Monthly Service Charges for Commercial or Industrial EDU's shall be as follows:
 - 1. For purposes of this Code, the monthly service charge, which is billed quarterly, for Low Strength-Low Quantity commercial or industrial EDU's shall be determined in accordance with the classifications set forth in 2.03.003 B. for sewer participation charges.

2. The monthly service charge, which is billed quarterly, for High Strength-High Quantity commercial or industrial EDU's shall be determined in accordance with the formula set forth in 2.03.004 for sewer participation charges.
 - a. In addition, special treatment and/or handling costs may be added as determined by the General Manager.
 3. In no case shall the monthly service charge for a structure be less than one (1) EDU per business. Quarterly service charge billings shall be in the name of and be the responsibility of the real property owner.
 4. Industrial processing plants and similar heavy or unusual uses not classified by the provisions of this Code shall be charged monthly service charges and fees as determined by the General Manager.
- B. Unoccupied Use – In cases of vacancy where commercial property is not physically disconnected from the sewer, the service charge shall be based on the classification of the last occupant(s) of the structure, unless the owner makes written application for a change in use from “occupied” to “unoccupied”. A commercial property owner is, under certain conditions, eligible for a reduction in monthly service charges for a building/space when a “change in use” from “occupied” to “unoccupied” occurs.
1. The building/space shall have been unoccupied for a continuous three-month period immediately preceding the request for a change in use. Waiver or reduction in the ongoing service charge applicable for the last occupied use will not be made for this three-month or prior periods.
 2. The property owner shall apply (on a form to be provided by the District) for the change in use from occupied to unoccupied for the reduction in the monthly service charge. Reapplication for the reduction in the monthly service charge shall be made by the owner on a quarterly basis. The Application for an ongoing unoccupied use shall be received by the District between the 15th and 21st day of the end month of the applicable billing quarter (i.e. Mar., Jun., Sept., Dec.).
 3. In the event a building/space remains unoccupied and the owner does not reapply, the monthly service charge shall revert to the last occupied use.
 4. The minimum charge for the unoccupied use shall be calculated at 1/3 EDU per 1,000 square feet (sq.ft.), (but not less than 1 EDU per building/space when the square footage is less than 3,000 sq. ft).

5. The property owner shall promptly notify the District when re-occupancy occurs. This application terminates upon re-occupancy.
6. The property/customer account must be current (no past due balances) for the application to be considered.
7. The District shall be notified of any change in property ownership. Any Application and the terms and conditions in effect at the time of a transfer or sale of the property will be binding on the successor.

2.03.08 Monthly Service Charges – Residential

- A. The Determination of Monthly Service Charges for Residential EDU's shall be as follows:
 1. For purposes of this Code the monthly service charge, which is billed quarterly, for residential EDU's shall be determined as follows: Dwelling units, including, but not limited to single family homes, duplexes, condominiums, mobile homes, secondary living units and apartments shall be one (1) EDU per living unit.
 2. In no case shall the monthly service charge for a residential structure be less than one (1) EDU per dwelling unit. Quarterly service charge billings shall be in the name of and be the responsibility of the real property owner.

2.03.09 Lifeline Low-Income Rate Assistance Program.

- A. Every qualified household shall receive a discount of \$5.00 per month on utility rates.
 1. The program will be limited on an annual basis to the first 500 households who apply to participate in the program and qualify under the income eligibility requirements. Staff shall establish a process to accept and select qualifying households. The process shall include a provision that should more than 500 households apply and qualify and additional District resources from delinquent fees are prudently available for use as determined by District staff such that additional eligible households may participate, the additional eligible households shall be selected by random lottery.
- B. Qualified Households – Only an owner-occupant of residential property who is currently billed as a customer of the District is eligible to apply. To qualify, the total combined gross annual income (based on the number of household members) of all persons residing in a dwelling unit must be at or below the

amount currently in the use by the Pacific Gas and Electric Company California Alternative Rates for Energy (CARE) program available for residential single-family occupants.

1. Applicants must submit to the Administrative Services Department proof of their eligibility in the CARE program to qualify.
 2. The total income of all adult residents in the household, who actually occupy the dwelling unit, must meet the income requirements for the CARE Program.
- C. Each household shall be required to re-qualify on an annual basis and shall submit the updated proof of PG&E CARE program eligibility to the District as part of the requalification.

2.03.10 Charges and Fees – Other Regulations

- A. Pursuant to the provisions of Section 12811 of the Public Utilities Code, all fees, tolls, rates, rentals or other charges established by the provisions of this Code may be collected by any lawful means including an action at law and all remedies for the collection and enforcement thereof are cumulative and may be pursued alternatively or consecutively.
- B. Pursuant to the provisions of Section 12811.1 of the Public Utilities Code, the owner of record of real property within the District is required to pay the fees, tolls, rates, rentals, or other charges for services rendered to a lessee, tenant, or other occupant of the property and those fees, tolls, rates, rentals and other charges that have become delinquent together with interest and penalties thereon, will constitute a lien on the property when a certificate is filed in the Office of the County Recorder and such lien has the force, effect, and priority of a judgment lien.
- C. Any fees, rates, or charges imposed or established by the provisions of this (all) Code(s) shall not exceed the reasonable cost to the District of the rendition of the service for which the fee or charge is imposed.

CHAPTER 2.04 APPLICATION PERMITS

2.04.01 Compliance with District Regulations

- A. Any application to connect to the District's sewer system shall comply with all District specifications, codes, ordinances, rules, and regulations.

- B. All multiple residential complexes, commercial establishments and other non-residential type use shall include a completed Declaration of Density form provided by the District. The Declaration of Density shall be completed by the real property owner at the time that sewer service is applied for.

2.04.02 Classes of Applications

- A. There shall be three (3) classes of sewer applications as follows:
 - 1. For residential service.
 - 2. For commercial service.
 - 3. For service to establishments producing industrial wastes.

2.04.03 Application for Permit:

- A. In cases where connection is required to an existing lower lateral, the owner/applicant shall make application on the Participation Application form provided by the District and pay the applicable inspection fees in accordance with the District's Fee Schedule Resolution.
- B. In the case of subdivisions and/or construction of public sewer facilities to be dedicated to the District, no application shall be accepted by the District until said facilities have been constructed and accepted by the District, unless otherwise authorized by the General Manager.
- C. The plan check and inspection fees for construction of such public sewer facilities shall be paid in accordance with the District's Fee Schedule Resolution.
- D. In cases where the owner/applicant must construct an individual building sewer to an existing collector sewer, all procedures and work shall conform to applicable sections of the District Specifications. The owner/applicant shall be responsible for all fees and costs in accordance with the District's Fee Schedule Resolution.
- E. The Participation Application shall be supplemented by any other information considered pertinent by the General Manager.
- F. All participation charges shall be paid at the time of application for service.
- G. No application for sewer service will be accepted without a copy of a valid building permit.

CHAPTER 2.05 SEWER DESIGN AND CONSTRUCTION REQUIREMENTS

2.05.01 General

The design and construction of building sewers, private sewers, and public sewers shall be in conformance with this Code and the District Specifications.

2.05.02 Building Sewers

- A. All costs and expenses incidental to the installation and connection of any building sewer to the District's facilities shall be borne jointly and severally by the owner/applicant thereof and said owner/applicant shall indemnify the District from loss or damage that may directly or indirectly be occasioned to any party by the installation of the building sewer.
- B. A separate and independent building sewer shall be provided for every structure on a parcel; provided, however, that the provisions of this Section may be waived by the General Manager.
 - 1. If waived by the General Manager, two or more structures on a single parcel under one ownership may be served by the same common building sewer if it is unlikely, under local agency zoning and general plans, that the parcel can be subdivided in the future
 - 2. If for any reason, the property is subsequently divided, each building is required to then be separately and independently connected to the public sewer. It shall be unlawful for the owner(s) of the subdivided property to thereafter continue to use in common the same building sewer.
 - 3. No additional structure(s) on a single parcel shall connect to or be served through any other structure's building drain.
 - 4. Any additional structure(s) on a single parcel where the wastewater must be lifted by artificial means for discharge shall be separately and independently connected to a collector sewer.
- C. No backfill shall be placed until the work has been inspected by the District, and in the event of a violation of this requirement, the sewer facilities must be uncovered at the owner/applicant's expense, and the District shall have the right to disconnect said property from the District sewer system until such violation is corrected. The owner of said property shall pay to the District a reconnection charge in accordance with the District's Fee Schedule Resolution prior to the reconnection, together with all costs and expenses incurred by the District in making such reconnection.

- D. Existing building sewers may be used in connection with new structures only when they are found, after examination and test, to meet all of the requirements of the District Specifications. All examinations and testing shall be done by the real property owner under District inspection. Said owner shall be responsible for all associated costs for such examinations and testing and shall be responsible to correct all deficiencies at his/her expense prior to making connection; provided however, that in cases when the building sewer lower lateral has previously been in service with the District, the District may opt to perform repairs on the lower lateral at its expense.
- E. Any damage to the District sewer facilities caused as a result of the installation of a building sewer shall be the responsibility of the owner/applicant, and the owner/applicant shall be responsible for all costs incurred by the District.

2.05.03 Private Sewers

- A. All private sewer systems shall be designed and constructed in accordance with applicable sections of this Code and District Specifications.
- B. The District shall have the right to inspect the installation and/or repair of all private laterals, mains and appurtenances, and the owner/applicant or operator shall be obligated to pay to the District applicable fees and costs in accordance with the District's Fee Schedule Resolution.
- C. In the case of mobile home parks, as with all private sewer systems, all in-tract laterals, mains, and appurtenances shall be and remain the property of the mobile home park owners, and the District shall have no obligation to operate, maintain, repair or replace any private facilities.

2.05.04 Public Sewers – Main Extensions

- A. Main Extensions. Each property owner is responsible for the installation of a collector sewer across the property frontage or through the property, as the case may be, to serve additional land in the natural drainage or shed area. Said installation shall be made at the sole cost of the owner/applicant or developer of the property or property frontage.
- B. There shall be on file in the District's office a Master Plan or System Evaluation and Capacity Assurance Plan (SECAP) showing the District's existing and proposed trunk sewer system (Trunk Sewer Mains and Major Facilities) to accommodate future growth.

1. In the event that the connection of a structure or property to the District's sewer system involves a main extension which forms a part of the District's existing or proposed trunk system (Major Facilities) as shown in the aforesaid Master Plan or SECAP, the District may participate in the cost of installation of said main extension to the extent that the amount or size of pipe and appurtenances involved constitute a benefit to the District generally and the cost of such main extension and appurtenances benefiting only the owner/applicant or developer of the property or structure shall be borne by such owner/applicant or developer.
 2. In the event that the connection of a structure or property to the District sewer system does not involve an extension to the District trunk system as shown by the aforesaid Master Plan or SECAP, said installation shall be made at the sole cost of the owner/applicant or developer.
- C. In the event the District requires that an owner/applicant or developer construct or reconstruct sewers of a size larger than would normally be required to serve the real property owner/applicant or developer, the District may agree in writing to participate in the cost of the oversizing of such facilities.
1. In no event shall the District be obligated to participate in the cost of oversizing such facilities that have already been constructed and accepted by the District.
- D. The District may, in its discretion, negotiate and enter into a Credit or Reimbursement Agreement under the terms of Chapter 4 of this Code, whereby a property owner or developer may obtain credits in lieu of payment of sewer Participation Charges for the construction of Trunk Sewer Mains and Major Facilities (as defined in 4.01.035) and/or seek reimbursement for the costs of construction of Major Facilities under the eligibility criteria set forth herein.
1. In no event shall the District be obligated to consider, negotiate or enter into any Credit or Reimbursement Agreement for facilities that have already been constructed and accepted by the District.
- E. The District may, in its discretion, negotiate and enter into refund agreements with the owner of lands in cases where such lands are being improved and the owner has or will install facilities which can be used for the benefit of property adjacent to but not participating in the original cost of construction. The amount of refund agreement shall be computed solely upon the quantity of sewer actually installed using a Schedule of Values for Pipeline Construction Costs adopted by Board Resolution,

1. In no event shall the District be obligated to consider, negotiate or enter into any refund agreement for facilities that have already been constructed and accepted by the District.
 2. In no event shall the obligation assumed by the District pursuant to any refund agreement extend beyond the term of 10 years from the date of such agreement.
- F. All public sewer main extensions and/or installations shall be within public rights of way or properly granted/dedicated easements to the District.
- G. District funds representing basic participation charges shall not be used for the purpose of financing or in any way participating in the cost of wastewater collection systems required by the District to be built by others.

CHAPTER 2.06 VIOLATIONS

2.06.01 Public Nuisance

A violation of this Code shall constitute a public nuisance and may be abated by legal action.

2.06.02 Notice to Correct

Any violation of this Code must be corrected by the record owner of the real property immediately upon notification by the General Manager to do so, and in the event such violation is not corrected within five (5) days after such notification, the District may pursue any remedy available to it under the law, including a declaration that such violation constitutes a public nuisance. Such remedies include, but are not limited to, the following:

A. Issuance of Notices to Correct, Warnings of Non-Compliance, Notice of Violation, and Cease and Desist Orders. When the District finds that a discharge of wastewater is taking place or threatening to take place in violation of prohibitions or limits of this Sewer Code or wastewater source control requirements or the provisions of a wastewater discharge permit, the General Manager or their designated representative, may issue Notices to Correct, Warnings of Non-Compliance, Notice of Violation, -and Cease and Desist Orders- and direct that those persons not complying with such prohibitions, limits, requirements, or provisions (1) comply forthwith, (2) comply in accordance with a time schedule set by the General Manager or their designated representative, or (3) in the event of a threatened violation, take appropriate remedial or preventative action.

B. Requiring Discharger to Submit Schedule of Remedial or Preventive Measures. When the General Manager or their designated representative, finds that a discharge of

wastewater is taking place or threatening to take place that violates or will violate prohibitions or limits prescribed by this Sewer Code or wastewater source control requirements or the provisions of a wastewater discharge permit, the General Manager or their designated representative, may require the discharger to submit for approval of the District, with such modifications as he deems necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements.

C. **Damage or Theft or Vandalism** to Facilities. When the discharge of wastewater causes an obstruction, damage, or other impairment to District ~~disposal~~ facilities, the District may recover costs from the discharger to correct the problem caused by the discharger. District facilities include, but are not limited to, pipes and appurtenances, manholes, cleanouts, lift stations, fences, gates and access roads.

D. **Termination of Service.** The District may terminate or cause to be terminated wastewater disposal or **waste**water service to any premises if a violation of any provision of this Sewer Code pertaining to control of wastewater is found to exist or if a discharge of wastewater causes or threatens to cause a condition of ~~—~~contamination, pollution, or nuisance, as defined in this Sewer Code. This provision is in addition to other statutes, rules, or regulations authorizing termination of service for delinquency in payment, or for any other reason.

2.06.03 Costs and Expenses

Any costs and expenses incurred by the District in correcting violations and/or pursuing any remedy available to it under the law, including all attorneys' fees, expert witness fees, laboratory testing fees and all other related expenses, shall be the responsibility of the record owner of the real property.

2.06.04 Civil and Criminal Penalties

A. Any person violating the provisions of this Code shall be subject to any and all existing criminal and civil penalties provided for under the laws of the State of California, and in addition thereto, shall be responsible to the District for any and all damages caused to the District by such violations. **These include the following:**

1. **Civil Liability Penalties.** Civil liability may be imposed by the District in the manner provided in this Section as follows:

a. In an amount which does not exceed one thousand dollars (~~\$~~1,000) for each day for knowingly or willfully failing or refusing to furnish technical or monitoring reports.

b. In an amount which does not exceed five thousand dollars (\$5,000) for each day of intentionally or negligently discharging hazardous waste, as defined in Section 25117 of the Health and Safety Code, knowingly falsifying any information provided in any furnished technical or monitoring report.

c. In an amount which does not exceed ten dollars (\$10) per gallon for discharges in violation of any of the District's cease and desist or other orders, or prohibitions issued, reissued, or adopted by the District.

d. In an amount that covers the costs of staff time and equipment and material costs.

e. For sSpecific violations, the District may adopt a schedule of fines for appropriate offence that shall be adopted and updated by Resolution.

B. Criminal Penalties

1. Any person who intentionally discharges wastewater in any manner, in violation of any order issued by the ~~Director~~General Manager or their designee, which results in contamination, pollution, or a nuisance, as defined in this Ordinance, is guilty of a misdemeanor and may be subject to criminal penalties of not more than \$1,000 per day for each such violation, including, but not limited to, any violation of pretreatment standards or requirements.

2. Any person who knowingly makes any false statement or representation in any record, report, plan, or other document filed with the District, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required by the District, shall be punished by a fine of not more than twenty-five thousand dollars (\$25,000) or by imprisonment in the county jail for not more than six months, or by both.

C. Civil Enforcement Remedies

The District may pursue any of the alternative civil remedies herein against any discharger who violates the provisions of this Sewer Code.

1. Civil Enforcement Penalties.

a. Any person who fails to comply with any order issued by the District, including orders related to pretreatment standards or requirements, shall be subject to a civil penalty not to exceed ten thousand dollars (\$10,000) for each day in which the discharge, violation, or refusal occurs.

b. Any person who intentionally or negligently violates any ~~order~~Notice to Correct issued by the District for violation of rules regulating or prohibiting discharge of wastewater which causes or threatens to cause a condition of contamination, pollution or nuisance, as defined in this article, may be liable civilly in a sum not to exceed twenty-five thousand dollars (\$25,000) for each day in which the ~~-~~violation occurs. The ~~District's legal counsel~~attorney of the District, upon

request of the ~~District's~~ Board of Directors ~~of the District~~, shall petition the Superior Court to impose, assess, and recover such sums.

c. Injunction. Whenever a discharge of wastewater is in violation of the provisions of this Ordinance, including but not limited to violation of a pretreatment standard or requirement, or otherwise causes or threatens to cause a condition of contamination, pollution, or nuisance, or whenever non-discharge violations occur including failure to submit a required report or failure to allow the District's inspectors access to an industrial facility, the District may petition the Superior Court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate, restraining the continuance of such violations.

D. Appeals

1. In accordance with Sewer Code Section 1.15.010, any permit applicant, permit holder, or Discharger affected by any action denying a permit application, modifying a permit, or issuing a issue Warnings of Non-Compliance, Notice of Violation and Cease and Desist Orders or any other order made by the General Manager or their designated representative in implementing the provisions of this Sewer Code, may file with the District a written request for reconsideration or appeal of the General Manager's decision to the Board of Directors.

CHAPTER 2.07 MISCELLANEOUS PROVISIONS

2.07.01 Conflicts

In the event of a conflict between any provision of this Code and the provisions of any other ordinance, rule or regulation promulgated by any California city or county or by any federal or state agency, the provisions of this Code shall prevail except in cases where Federal or California law provide otherwise.

2.07.02 Severability

It is hereby declared that in the event any provision or section of this Code is declared void or invalid by any Court of competent jurisdiction, that the remaining sections of the Code shall not be affected thereby, and it is the intent of said Board of Directors to enact each and every, all and singular, of the provisions of this Code irrespective of any provision which may be declared null and void.

2.07.03 Vested Contractual Rights Not Affected

No provision of this Code shall be construed as altering or affecting any vested contractual rights between the District and any person, firm, or corporation with whom a valid contract exists as of the effective date of this Code.

2.07.04 Prior Ordinance Repealed

Prior Ordinances of South Placer Municipal Utility District affecting items in this Code are hereby repealed as of the date of adoption of this Code by the Board.

South Placer Municipal Utility District Code

Chapter 2 - Sewer Use

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CHAPTER 2 SEWER USE

CHAPTER 2.00 General

This Chapter in whole or in part is based on excerpts from Ordinance 09-02 adopted by the Board of Directors on July 2, 2009, and shall govern the use of public and private sewers and establish the rules and regulations for service and services rendered by the District.

CHAPTER 2.01 Definitions

As used in this Code, the following words and phrases shall have the meaning given in this chapter.

2.01.005 Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)

Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) shall have the meaning set forth in California Government Code Sections 65852.2 and 65852.22, as amended from time to time.

2.01.010 Board

Board of Directors of the South Placer Municipal Utility District (District).

2.01.015 Biochemical Oxygen Demand (BOD)

The quantity of Oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty (20) degrees centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).

2.01.020 Building Drain

That part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer two (2) feet outside the outer face of the building wall.

2.01.025 Building Sewer

A pipeline connecting a building drain to a public sewer, consisting of an upper lateral and a lower lateral.

2.01.030 Chemical Oxygen Demand (COD)

Chemical Oxygen Demand: Measurement of the oxygen required to oxidize soluble and particulate organic matter in water expressed in terms of weight and concentration (milligrams per liter (mg/l))

2.01.035 Collector Sewer

The public sanitary sewer main to which various building or private sewers are connected, owned and operated by the District.

2.01.040 District

The South Placer Municipal Utility District, a statutorily created district operating under the authority of and pursuant to the provisions of the California Municipal Utility District Act (Public Utility Code commencing at Section 11501 et seq).

2.01.045 District General Manager

The General Manager as appointed by the Board of Directors of the South Placer Municipal Utility District in accordance with the California Municipal Utility District Act (Public Utility Code commencing at Section 11501 et seq) or any District employee or agent of the District authorized by the General Manager to act on their behalf to enforce the provisions of this code.

2.01.050 District Specifications

The Standard Specifications and Improvement Standards for Sanitary Sewers prepared and ordered effective by the General Manager pursuant to the provisions of Section 11937(e) of the Municipal Utility District Act, Division 6, of the Public Utilities Code, and State of California. All work associated with wastewater systems shall be performed pursuant to and in compliance with this Code and the District Specifications.

2.01.055 Domestic Wastewater

Wastes originating in a residential facility or dwelling.

2.01.060 Equivalent Dwelling Unit (EDU)

The unit of measurement, used to determine design and fee requirements based on the typical average flow and strength of wastewater from a single family residential occupancy.

2.01.065 Fats, Oils, and Grease (FOG)

Non-petroleum organic polar compounds derived from animal or plant sources such as fats, non-hydrocarbons, fatty acids, soaps, waxes, and oils that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical procedures established in the 40 CFR Part 136

2.01.070 Food Service Establishment (FSE)

Any facility, including but not limited to, any commercial entity within the boundaries of the District, operating in a permanently constructed structure such as a room, building or place, or portion thereof, maintained, used or operated for the purpose of storing, preparing, serving or manufacturing, packaging or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by an exhaust hood pursuant to California Health and Safety Code section 114149.1 or in accordance with the California Uniform Retail Food Facilities Law (CURFFL) (California Health and Safety Code sections 113700, et seq.). A limited food preparation establishment may not be considered to be an FSE when engaged only in reheating, hot holding, or assembly of ready to eat food products, provided that there is no wastewater discharge containing a significant amount of FOG. Mobile food trucks are considered an FSE and subject to the requirements of this Code.

2.01.075 Garbage

Solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

2.01.080 Industrial Wastewater

The liquid wastes originating from industrial processing.

2.01.085 Lower Lateral

That part of building sewer within the public right-of-way, extending from the property line or public sewer easement line, typically at the PLCO, to the public sewer, by gravity flow.

2.01.090 Multiple Dwelling

Any structure for residential occupancy consisting of more than one dwelling unit.

2.01.095 Non-Dispersible

Any item that requires more than 20 seconds to begin to disperse after contact with water. This includes "Flushable Products" that do not disperse and have structural strength and

do not tear easily, such as paper products, specifically paper towels and facial tissues, sanitary products such Baby Wipes and other cleansing products that are indestructible and advertised as flushable but are non-dispersible.

2.01.100 Non-residential Wastewater

Wastewater originating from sources other than residential discharges.

2.01.105 Owner / Applicant

The record owner of the real property being served or to be served by the District's wastewater system, or his duly authorized agent. The record owner of such real property shall be billed and liable to the District for the payment of all authorized fees, rates, tolls, rentals or other charges.

2.01.110 Participation Charge

Also known as a connection fee or development impact fee, the sum paid to the District in lawful money of the United States by any person, for the privilege of connecting to the District's facilities whether such connection is voluntary or mandatory. The District's facilities shall include local collection systems, trunk lines, treatment plants, and capacity.

2.01.115 Persons

Any individual, partnership, co-partnership, firm, company, association, society, corporation, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by context.

2.01.120 pH

The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

2.01.125 Property Line Cleanout (PLCO)

The publicly-owned clean out installed on the building sewer near the public right-of-way, within the P.U.E., intended for access of the publicly owned Lower Lateral.

2.01.130 Private Sewer

Any sewer facilities which remain under private ownership by a single property owner.

2.01.135 Properly Shredded Garbage

Wastes from the preparation, cooking and dispensing of food which have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 0.5 inches in any dimension.

2.01.137 Publicly Owned Treatment Works (POTW)

A wastewater treatment plant as defined by Section 212 of the Clean Water Act (33 United States Code 1291). The District's public sewer is a satellite wastewater collection system to the regional POTW located in the City of Roseville.

2.01.140 Public Sewer

A sewer in which all owners of abutting property have equal rights and is controlled by public authority.

2.01.145 Readily Accessible

Capable of being accessed quickly, and without obstruction, for maintenance, repair, or inspection without requiring the District or its agents, to uncover, remove obstacles or repair sewer facilities in order to use.

2.01.150 Service Charge

The periodic charge assessed to the real property owner by the District for the capability of conveying, treating and disposing of wastewater.

2.01.155 Sanitary Sewer

A sewer that carries wastewater or sewage and to which storm, surface, and groundwaters are not intentionally admitted.

2.01.160 Single Family Residence (SFR)

Any free-standing structure used for residential occupancy and consisting of one dwelling unit (excluding any free-standing structure which is an ADU within the meaning of California Government Code section 65852.2 and this Code).

2.01.165 Sanitary Sewer Overflow (SSO)

Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system.

2.01.170 Structure

A building or other constructed facility used for human occupancy, employment, recreation or other purpose.

2.01.175 Suspended Solids

The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids; and which is removable by laboratory filtering.

2.01.180 Uniform Plumbing Code (UPC)

The most current edition of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials (IAPMO).

2.01.185 Upper Lateral

That part of the building sewer running from two (2) feet outside the outer face of the building wall to the public right-of-way; privately owned and maintained.

2.01.190 Wastewater

The liquid and water carrying industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, FSEs and institutions, whether treated or untreated, which is discharged into or permitted to enter the public sewer and the POTW.

2.01.195 Wastewater Collection System

The pipe system and appurtenances for collecting and carrying water and water-carried wastes from domestic, non-residential and industrial sources to a wastewater treatment plant.

2.01.200 Wastewater System

All facilities for collecting, pumping, treating and disposing of wastewater.

2.01.205 Wastewater Treatment Plant (WWTP)

An arrangement of pipes, equipment, devices, tanks and structures for treating wastewater and industrial wastes.

2.01.210 Water Course

A natural or manmade channel in which a flow of water occurs, either continually or intermittently.

CHAPTER 2.02 PUBLIC SEWER

2.02.01 Permission Required

No person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance without first obtaining permission from the District and paying all fees and charges as established under the provisions of this Code.

2.02.02 Protect from Damage

- A. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, remove or tamper with any structure, appurtenance or equipment which forms any part of the District's public sewer system or any private sewer facility which may directly or indirectly affect any of the District's public sewer system.
- B. Any person violating the provisions of this Chapter shall be responsible for any and all costs, damages, repair and/or replacement of any structure, appurtenance or equipment caused to the District by such violations.

2.02.03 System Accessibility

- A. It is the customer's responsibility to ensure the Property Line Clean Out (PLCO) is readily accessible at all times. When a PLCO cannot be accessed by the District, the customer will be notified and shall correct the condition(s). If the issue is not rectified within 30 days after notification, District staff will make the correction(s) and the customer will be responsible for actual costs incurred.
- B. Representatives of the District shall have the right of ingress to the customer's premises at reasonable hours for any purpose reasonably connected with furnishing of sewer service.

2.02.04 Connection to the Public Sewer Required

- A. It is unlawful for the owner or lessee of any lot or parcel of land situated within the District, which lot or parcel has thereon a building equipped with any plumbing

fixture, to neglect or refuse to have any such buildings connected with the District wastewater collection system so that the drainage from each and every such plumbing fixture shall flow into the sewer; provided, that there is such a sewer in the street, alley or right-of-way near such lot or parcel of land and not more than 300 feet distant from such building. Domestic plumbing systems that incorporate nonpotable water reuse systems, such as gray water reuse systems, shall be exempt from this section provided that they are installed and constructed in accordance with local municipal ordinances or codes, the then current provisions of California Plumbing Code, Chapter 16 - Alternate Water Sources For Nonpotable Applications and Chapter 16A - Nonpotable Water Reuse Systems, governing the construction, alteration, discharge, use, and repair of gray water systems.

- B. When ordered by the District, or when and where the state, county, or city public health department determines a health hazard exists or is imminent, the owner of all structures, as defined within this Code, situated within the limits of the District and abutting on any street, alley or right-of-way or in proximity thereto in which there is located a public sewer of the District, is hereby required at his/her expense to connect such structures directly with the proper public sewer in accordance with the provisions of this Code, within 90 days after receipt of written, mailed notice to do so, provided said public sewer is within 300 feet of the nearest property line of the property containing such structures; unless otherwise waived by the General Manager upon exigent circumstances.
- C. In the event of a violation of this Chapter, the District may connect such structures to the public sewer and the owner or occupant of such structures shall be jointly and severally responsible to the District for the cost of such connection in addition to the regular participation charge, monthly service charge and any other reasonable and necessary charges imposed by the District and such costs shall become a lien on the real property pursuant to the applicable provisions of the Health & Safety Code of the State of California.

2.02.05 Prohibited Discharges

- A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run off, subsurface drainage, cooling water, refrigeration or air conditioner cooling water, swimming pool drainage from single family residences or industrial process waters to any public sewer.
- B. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters, wastewaters or wastes to any public sewers:
 - 1. Any liquid or vapor having a temperature higher than 150-degrees F.

2. Any water or waste which may contain more than 100 parts per million, by weight, of FOG.
 3. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
 4. Any garbage that has not been properly shredded.
 5. Any discharge of wastes from recreational vehicles (RV) outside of permitted RV dump sites or camping sites.
 6. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, non-dispersible item, feather, fur, plastic, wood, paunch manure, or any other solid or viscous substances capable of causing obstruction to the flow in sewers and/or causing or with the potential to cause SSO's or other interference with the proper operation of the sewage works.
 7. Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any corrosive property capable of causing damage or hazard to the structures, equipment, and personnel of the sewage works.
 8. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
 9. Any waters or waste containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
 10. Any noxious or malodorous gas or substance capable of creating a public nuisance.
- C. The admission into the public sewers of any wastewater or wastes generated from any nonresidential type use shall conform to SPMUD Ordinance 88-3, the District's ordinance adopting Chapter 14.26 of the Municipal Code of the City of Roseville relating to industrial wastewater.
- D. Discharge from FSE's shall be in conformance with Chapter 3 of this Code, establishing requirements regarding Fats, Oils, and Grease.
- E. No provision of this Code shall be construed to prohibit any special agreement or contract between the District and any non-residential user whereby waste of unusual strength, characteristic or quantity as determined by this Code may be accepted for treatment, subject to payment therefore. Any agreement made in accordance with this section shall conform to provisions of this Code and Ordinance 88-3.

2.02.06 Preliminary Treatment:

- A. Where preliminary treatment facilities are provided for any wastewater or wastes, they shall be maintained continuously in satisfactory effective operation, by the owner at his expense.
- B. Grease, oil and sand interceptors, as required by the District, shall be provided for the proper handling of liquid wastes containing grease or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units.
- C. All interceptors shall be of a type and capacity approved by the District and shall be located as to be readily accessible for cleaning and inspection.
- D. All grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation, at all times.

CHAPTER 2.03 CHARGES AND FEES

2.03.01 Participation Charges – General

- A. No person shall connect any building sewer, alter, or change the use of any commercial structure or equivalent dwelling unit or portion thereof, or enlarge any commercial structure until a participation charge for each connection, enlargement, alteration, or change of use has been paid to the District as provided in this Code.
- B. The provisions of this Chapter are enacted pursuant to the provisions of Article IV, Chapter 6, Sections 5400 et seq. of the Health and Safety Code and Section 66000 of the Government Code. Pursuant to the provisions of Section 5474 of the Health and Safety Code all participation charges fixed herein for the privilege of connecting to the District's wastewater system shall be due and payable prior to such connection.
- C. Notwithstanding the preceding, payment of participation fees due the District from non-residential users may, at the District's discretion, be deferred and made payable over a period of time under such terms and conditions as may be imposed by the Board in accordance with District Policy 3350 – Deferred Participation Charges or any amendments thereto.

- D. In the event a structure is altered to produce more than a single EDU, an additional participation charge shall be due for each additional EDU or portion thereof produced. Payment of such fees and charges shall be the responsibility of the real property owner. Alterations of an existing residential structure to construct an ADU or JADU within the meaning of California Government Code Section 65852.2 or 65852.22, as amended, shall not be charged an additional Participation Charge, except as otherwise permitted by state statute and as provided in this Code.
- E. In the event additional participation charges become due from a structure previously connected to District's wastewater system, such charges shall become due immediately upon completion of the enlargement or alteration which results in additional participation charges and in the event such charges are not paid when due, the amount of such charges shall constitute a lien against the respective lots or parcels of land to which the facilities are connected. Prior to making such fees or charges a lien, the District shall give notice to the owners of the lots or parcels of land affected pursuant to the provisions of Section 5474 of the Health and Safety Code.
- F. In the event a connection, change in use or alteration of any commercial structure, enlargement of any commercial structure, or change in number of equivalent dwelling units within a structure has been made in violation of the provisions of this Section, the real property owner where such connection, alteration, change, or enlargement has occurred shall be responsible to the District for the payment of participation charges, and, in addition, may be required to disconnect the building sewer from the public sewer and reconnect to the public sewer under the District's supervision and shall be required to pay, in addition to such participation charge a reconnection charge in accordance with the District's Fee Schedule Resolution, together with all actual costs and expenses incurred by the District in making such reconnection. A basic participation charge for each equivalent dwelling unit shall be fixed and established by ordinance/code and may be changed from time to time by the Board of Directors in accordance with provisions of Sections 12809 and 14401 of the Public Utilities Code and Section 66000 of the Government Code.

2.03.03 Participation Charges – Commercial/Industrial:

Determination of Commercial or Industrial Equivalent Dwelling Units. For purposes of this Code, commercial or industrial EDU's shall be determined as follows:

- A. General Regulations
 - 1. Not Less than 1 EDU per building.
 - 2. Prescribed participation charges apply only to the particular uses listed herein. Where multiple uses, and/or tenants within the meaning of this Code, are

contained or can be contained in the same structure, the General Manager, based on building permit data, applicable zoning, and plans of the developer, will allocate the respective square footage for the various uses and/or tenants, and determine a composite participation charge composed of the respective participation charges for each such use and/or tenant. Subsequent modifications to any structure may result in reclassification and the assessment of additional incremental participation charges.

3. No refunding of previously paid participation charges will be made where modifications are made to any structure which places it in a classification with a lower participation charge rate.
4. The real property owner shall be responsible for payment of any and all additional charges.

B. Low Strength-Low Quantity Commercial or Industrial Users-

For commercial or industrial units having wastewater strength of less than 200 mg/1 B.O.D. and/or suspended solids, and a quantity of less than 25,000 gpd, an EDU shall be determined as follows:

<ol style="list-style-type: none"> 1. Low Occupancy User <ol style="list-style-type: none"> a) Parking Garage b) Regional Distribution Facilities c) Storage Buildings 	Per every 5 Employees (NOT Less than 1 EDU)
<ol style="list-style-type: none"> 2. Low-Density Users <ol style="list-style-type: none"> a) Church (w/o Kitchen) b) Warehouse / Commercial Storage 	$\frac{1}{6}$ EDU per 1,000 sq. ft.
<ol style="list-style-type: none"> 3. Medium Density User <ol style="list-style-type: none"> a) Church (w/ Kitchen and Meeting Hall) b) School (w/o Cafeterias and w/o Gymnasiums w/ Showers) c) Bowling/Entertainment Center (w/o Showers) d) Day Care Center (w/o Kitchen) e) Sports/Fitness Center (w/o Showers) f) Retail Store g) Bank/Offices (Other than Medical/Dental) h) Chiropractor's Office i) Theatres (Theaters that provide dining services shall be considered a FOG producing FSE) j) Auditorium/Halls/Lodges 	$\frac{1}{3}$ EDU per 1,000 sq. ft.

<p>4. High Density User.</p> <ul style="list-style-type: none"> a) Barber/Beauty Shop/Nail Salon b) School (w/ Cafeterias or Gymnasiums w/ Showers) c) Bowling/Entertainment Center (w/ Kitchen) d) Day Care Center (w/ Kitchen) e) Sports/Fitness Center (w/ Showers) f) Medical/Dental Facility g) Service Station / Mechanic Shop h) Pet Grooming Center i) Veterinary Clinic j) Bars k) Coffee Shops/Kiosks(w/ limited food preparation) l) Ice Cream / Frozen Yogurt / Shaved Ice 	<p>$\frac{2}{3}$ EDU per 1,000 sq. ft</p>
<p>5. Special Commercial User</p> <ul style="list-style-type: none"> a) Car Wash (per Automatic Wash Stall) b) Car Wash (per Self-service Wash Stall) c) Laundromat d) Market/Mini-market (w/o Disposal) e) Market/Mini-market (w/ Disposal) f) FSE (FOG producing establishment) g) FSE (Non FOG Producing Establishment, w/ limited food preparation) h) FSE Outside/Overflow Dining Area <ul style="list-style-type: none"> i. w/ Covered Area ii. w/o Covered Area, but fenced i) Mortuaries j) Hospital k) Rest Home/Convalescent Hospital/Memory Care/Assisted Living l) Camping/Recreational Vehicle Site m) Recreational Vehicle Dump Site n) Hotel/Motel Unit (w/ Kitchen) o) Hotel/Motel Unit (w/o Kitchen) 	<p>8 EDU per Unit 2 EDU per Unit $\frac{2}{3}$ EDU per Washer $\frac{2}{3}$ EDU per 1,000 sq. ft. 2 EDU per 1,000 sq. ft. 2 EDU per 1,000 sq. ft. 1 EDU per 1,000 sq. ft.</p> <p>2 EDU per 1,000 sq. ft. 1 EDU per 1,000 sq. ft. 2 EDU per 1,000 sq. ft. $\frac{1}{2}$ EDU per Licensed Bed $\frac{1}{3}$ EDU per Licensed Bed</p> <p>$\frac{1}{2}$ EDU per Site 1 EDU per Site 1 EDU per Unit $\frac{1}{2}$ EDU per Unit</p>
<p>6. Other Commercial/Industrial Users not listed</p>	<p>Based on a Study authorized by the General Manager</p>

2.03.04 Participation Charges – High Strength-High Quantity Commercial or Industrial Users

- A. For commercial or industrial users having wastewater strength of greater than 300 mg/l BOD or COD and 50mg/l suspended solids, and/or a quantity of greater than

or equal to 25,000 gallons per day (gpd), and/or requiring either special handling or treatment, an EDU shall be determined as follows:

$$EDU's = \frac{gpd}{175} \left[0.61 + \frac{BOD \text{ or } COD. \text{ mg/L}}{300} (0.22) + \frac{suspended \text{ solids mg/L}}{50} (0.17) \right]$$

1. In addition, special treatment and/or handling costs may be added as determined by the General Manager.
2. Industrial processing plants and similar heavy or unusual uses not classified by the provisions of this Code shall be charged participation charges and fees as determined by the General Manager.

2.03.05 Participation Charges – Residential

- A. Determination of Residential Equivalent Dwelling Units. For purposes of this Code, Residential Equivalent Dwelling Units (“EDU’s”) shall be determined as follows: All dwelling units, including, but not limited to single family homes, duplexes, condominiums, mobile homes, and apartments shall be one (1) EDU per living unit, except for Accessory Dwelling Units (“ADUs”) and Junior Accessory Dwelling Units (“JADUs”), as provided below:

ADU.

As defined in California Government Code Section 65852.2, an ADU means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot or parcel of land with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit as defined in California Health & Safety Code Section 17958.1.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

1. An ADU shall not be considered a Residential EDU for the purposes of the assessment of a Participation Charge, and shall not be assessed a Participation Charge, provided the following conditions are met as specified in Government Code Section 65852.2 and the ADU complies with all requirements of the local agency having jurisdiction over the permitting and construction of the ADU in the District service area where it is located:

- a. The ADU is not intended for sale separate from the primary residence and may be rented. If the ADU is built on a portion of the lot or parcel of land that is subsequently split from the primary residential parcel, the ADU shall be considered a separate Residential EDU for the purposes of the assessment of a Participation Charge.
- b. The ADU is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot or parcel of land as the existing dwelling.
- c. The increased floor area of an attached ADU shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.
- d. The total area of floorspace for a detached ADU shall not exceed 1,200 square feet.

JADU.

2. As defined in California Government Code Section 65852.22, a JADU is defined as a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A JADU shall not be considered a Residential EDU for the purposes of the assessment of a Participation Charge, and shall not be assessed a Participation Charge, provided the following conditions are met as specified in Government Code Section 65852.22 and the JADU complies with all requirements of the local agency having jurisdiction over the permitting and construction of the JADU in the District service area where it is located. A local agency JADU ordinance:

- (a) Limits the number of junior accessory dwelling units to one per residential lot or parcel of land zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot or parcel of land.
- (b) Requires owner-occupancy in the single-family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.
- (c) Requires the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency and submitted to the District, and shall include both of the following:

1. Prohibits the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.
2. Restricts the size and attributes of the junior accessory dwelling unit that conforms with this section.
 - (d) Requires a permitted junior accessory dwelling unit to be constructed within the walls of the proposed or existing single-family residence.
 - (e) Requires a permitted junior accessory dwelling to include a separate entrance from the main entrance to the proposed or existing single-family residence.
 - (f) Requires the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:
 - (1) A cooking facility with appliances.
 - (2) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
3. Any other living unit that is not an ADU or JADU shall be considered a Residential EDU and shall pay the appropriate Participation Charge as authorized by this code.

ADUs and JADUs shall be assessed one (1) EDU for the purposes of Monthly Service Charges.

- A. There shall be no participation charge for a central recreation building or washroom in a residential mobile home park, condominium or apartment complex so long as the use thereof is restricted to occupants of the mobile home park, condominium or apartments. The real property owner shall substantiate the private, restricted use of said facilities in writing to the District.

2.03.04 Monthly Service Charges – General

- A. A monthly service charge for each equivalent dwelling unit shall be fixed and established by ordinance/code and may be changed from time to time by the Board of Directors in accordance with provisions of Sections 12809 and 14401 of the Public Utilities Code. The monthly service charge for multiple dwelling units shall be the basic EDU rate multiplied by the number of equivalent dwelling units.
- B. In the event a structure is altered to produce more than a single EDU, including the addition of an ADU or JADU on the property, an additional monthly service charge shall be due for each additional EDU or portion thereof produced. Payment of such charges shall be the responsibility of the real property owner.
- C. The real property owner shall remain liable for the monthly service charge as long as the building sewer is connected to the public sewer system, regardless of vacancy. Before an owner can be removed from billing for monthly service charges, the building sewer shall be physically disconnected from the public system at the property line cleanout or point of connection with the public system in accordance with the District Specifications. Reconnection shall be made under the direction of the District. All work and costs shall be the responsibility of the owner and shall be inspected and approved by the District. In cases of vacancy where the property is not physically disconnected, the service charge shall be based on the classification of the last occupant(s) of the structure.

2.03.05 Monthly Service Charges – Commercial/Industrial

- A. The Determination of Monthly Service Charges for Commercial or Industrial EDU's shall be as follows:
 - 1. For purposes of this Code, the monthly service charge, which is billed quarterly, for Low Strength-Low Quantity commercial or industrial EDU's shall be determined in accordance with the classifications set forth in 2.03.003 B. for sewer participation charges.

2. The monthly service charge, which is billed quarterly, for High Strength-High Quantity commercial or industrial EDU's shall be determined in accordance with the formula set forth in 2.03.004 for sewer participation charges.
 - a. In addition, special treatment and/or handling costs may be added as determined by the General Manager.
 3. In no case shall the monthly service charge for a structure be less than one (1) EDU per business. Quarterly service charge billings shall be in the name of and be the responsibility of the real property owner.
 4. Industrial processing plants and similar heavy or unusual uses not classified by the provisions of this Code shall be charged monthly service charges and fees as determined by the General Manager.
- B. Unoccupied Use – In cases of vacancy where commercial property is not physically disconnected from the sewer, the service charge shall be based on the classification of the last occupant(s) of the structure, unless the owner makes written application for a change in use from “occupied” to “unoccupied”. A commercial property owner is, under certain conditions, eligible for a reduction in monthly service charges for a building/space when a “change in use” from “occupied” to “unoccupied” occurs.
1. The building/space shall have been unoccupied for a continuous three-month period immediately preceding the request for a change in use. Waiver or reduction in the ongoing service charge applicable for the last occupied use will not be made for this three-month or prior periods.
 2. The property owner shall apply (on a form to be provided by the District) for the change in use from occupied to unoccupied for the reduction in the monthly service charge. Reapplication for the reduction in the monthly service charge shall be made by the owner on a quarterly basis. The Application for an ongoing unoccupied use shall be received by the District between the 15th and 21st day of the end month of the applicable billing quarter (i.e. Mar., Jun., Sept., Dec.).
 3. In the event a building/space remains unoccupied and the owner does not reapply, the monthly service charge shall revert to the last occupied use.
 4. The minimum charge for the unoccupied use shall be calculated at 1/3 EDU per 1,000 square feet (sq.ft.), (but not less than 1 EDU per building/space when the square footage is less than 3,000 sq. ft).

5. The property owner shall promptly notify the District when re-occupancy occurs. This application terminates upon re-occupancy.
6. The property/customer account must be current (no past due balances) for the application to be considered.
7. The District shall be notified of any change in property ownership. Any Application and the terms and conditions in effect at the time of a transfer or sale of the property will be binding on the successor.

2.03.08 Monthly Service Charges – Residential

- A. The Determination of Monthly Service Charges for Residential EDU's shall be as follows:
 1. For purposes of this Code the monthly service charge, which is billed quarterly, for residential EDU's shall be determined as follows: Dwelling units, including, but not limited to single family homes, duplexes, condominiums, mobile homes, secondary living units and apartments shall be one (1) EDU per living unit.
 2. In no case shall the monthly service charge for a residential structure be less than one (1) EDU per dwelling unit. Quarterly service charge billings shall be in the name of and be the responsibility of the real property owner.

2.03.09 Lifeline Low-Income Rate Assistance Program.

- A. Every qualified household shall receive a discount of \$5.00 per month on utility rates.
 1. The program will be limited on an annual basis to the first 500 households who apply to participate in the program and qualify under the income eligibility requirements. Staff shall establish a process to accept and select qualifying households. The process shall include a provision that should more than 500 households apply and qualify and additional District resources from delinquent fees are prudently available for use as determined by District staff such that additional eligible households may participate, the additional eligible households shall be selected by random lottery.
- B. Qualified Households – Only an owner-occupant of residential property who is currently billed as a customer of the District is eligible to apply. To qualify, the total combined gross annual income (based on the number of household members) of all persons residing in a dwelling unit must be at or below the

amount currently in the use by the Pacific Gas and Electric Company California Alternative Rates for Energy (CARE) program available for residential single-family occupants.

1. Applicants must submit to the Administrative Services Department proof of their eligibility in the CARE program to qualify.
 2. The total income of all adult residents in the household, who actually occupy the dwelling unit, must meet the income requirements for the CARE Program.
- C. Each household shall be required to re-qualify on an annual basis and shall submit the updated proof of PG&E CARE program eligibility to the District as part of the requalification.

2.03.10 Charges and Fees – Other Regulations

- A. Pursuant to the provisions of Section 12811 of the Public Utilities Code, all fees, tolls, rates, rentals or other charges established by the provisions of this Code may be collected by any lawful means including an action at law and all remedies for the collection and enforcement thereof are cumulative and may be pursued alternatively or consecutively.
- B. Pursuant to the provisions of Section 12811.1 of the Public Utilities Code, the owner of record of real property within the District is required to pay the fees, tolls, rates, rentals, or other charges for services rendered to a lessee, tenant, or other occupant of the property and those fees, tolls, rates, rentals and other charges that have become delinquent together with interest and penalties thereon, will constitute a lien on the property when a certificate is filed in the Office of the County Recorder and such lien has the force, effect, and priority of a judgment lien.
- C. Any fees, rates, or charges imposed or established by the provisions of this (all) Code(s) shall not exceed the reasonable cost to the District of the rendition of the service for which the fee or charge is imposed.

CHAPTER 2.04 APPLICATION PERMITS

2.04.01 Compliance with District Regulations

- A. Any application to connect to the District's sewer system shall comply with all District specifications, codes, ordinances, rules, and regulations.

- B. All multiple residential complexes, commercial establishments and other non-residential type use shall include a completed Declaration of Density form provided by the District. The Declaration of Density shall be completed by the real property owner at the time that sewer service is applied for.

2.04.02 Classes of Applications

- A. There shall be three (3) classes of sewer applications as follows:
 - 1. For residential service.
 - 2. For commercial service.
 - 3. For service to establishments producing industrial wastes.

2.04.03 Application for Permit:

- A. In cases where connection is required to an existing lower lateral, the owner/applicant shall make application on the Participation Application form provided by the District and pay the applicable inspection fees in accordance with the District's Fee Schedule Resolution.
- B. In the case of subdivisions and/or construction of public sewer facilities to be dedicated to the District, no application shall be accepted by the District until said facilities have been constructed and accepted by the District, unless otherwise authorized by the General Manager.
- C. The plan check and inspection fees for construction of such public sewer facilities shall be paid in accordance with the District's Fee Schedule Resolution.
- D. In cases where the owner/applicant must construct an individual building sewer to an existing collector sewer, all procedures and work shall conform to applicable sections of the District Specifications. The owner/applicant shall be responsible for all fees and costs in accordance with the District's Fee Schedule Resolution.
- E. The Participation Application shall be supplemented by any other information considered pertinent by the General Manager.
- F. All participation charges shall be paid at the time of application for service.
- G. No application for sewer service will be accepted without a copy of a valid building permit.

CHAPTER 2.05 SEWER DESIGN AND CONSTRUCTION REQUIREMENTS

2.05.01 General

The design and construction of building sewers, private sewers, and public sewers shall be in conformance with this Code and the District Specifications.

2.05.02 Building Sewers

- A. All costs and expenses incidental to the installation and connection of any building sewer to the District's facilities shall be borne jointly and severally by the owner/applicant thereof and said owner/applicant shall indemnify the District from loss or damage that may directly or indirectly be occasioned to any party by the installation of the building sewer.
- B. A separate and independent building sewer shall be provided for every structure on a parcel; provided, however, that the provisions of this Section may be waived by the General Manager.
 - 1. If waived by the General Manager, two or more structures on a single parcel under one ownership may be served by the same common building sewer if it is unlikely, under local agency zoning and general plans, that the parcel can be subdivided in the future
 - 2. If for any reason, the property is subsequently divided, each building is required to then be separately and independently connected to the public sewer. It shall be unlawful for the owner(s) of the subdivided property to thereafter continue to use in common the same building sewer.
 - 3. No additional structure(s) on a single parcel shall connect to or be served through any other structure's building drain.
 - 4. Any additional structure(s) on a single parcel where the wastewater must be lifted by artificial means for discharge shall be separately and independently connected to a collector sewer.
- C. No backfill shall be placed until the work has been inspected by the District, and in the event of a violation of this requirement, the sewer facilities must be uncovered at the owner/applicant's expense, and the District shall have the right to disconnect said property from the District sewer system until such violation is corrected. The owner of said property shall pay to the District a reconnection charge in accordance with the District's Fee Schedule Resolution prior to the reconnection, together with all costs and expenses incurred by the District in making such reconnection.

- D. Existing building sewers may be used in connection with new structures only when they are found, after examination and test, to meet all of the requirements of the District Specifications. All examinations and testing shall be done by the real property owner under District inspection. Said owner shall be responsible for all associated costs for such examinations and testing and shall be responsible to correct all deficiencies at his/her expense prior to making connection; provided however, that in cases when the building sewer lower lateral has previously been in service with the District, the District may opt to perform repairs on the lower lateral at its expense.
- E. Any damage to the District sewer facilities caused as a result of the installation of a building sewer shall be the responsibility of the owner/applicant, and the owner/applicant shall be responsible for all costs incurred by the District.

2.05.03 Private Sewers

- A. All private sewer systems shall be designed and constructed in accordance with applicable sections of this Code and District Specifications.
- B. The District shall have the right to inspect the installation and/or repair of all private laterals, mains and appurtenances, and the owner/applicant or operator shall be obligated to pay to the District applicable fees and costs in accordance with the District's Fee Schedule Resolution.
- C. In the case of mobile home parks, as with all private sewer systems, all in-tract laterals, mains, and appurtenances shall be and remain the property of the mobile home park owners, and the District shall have no obligation to operate, maintain, repair or replace any private facilities.

2.05.04 Public Sewers – Main Extensions

- A. Main Extensions. Each property owner is responsible for the installation of a collector sewer across the property frontage or through the property, as the case may be, to serve additional land in the natural drainage or shed area. Said installation shall be made at the sole cost of the owner/applicant or developer of the property or property frontage.
- B. There shall be on file in the District's office a Master Plan or System Evaluation and Capacity Assurance Plan (SECAP) showing the District's existing and proposed trunk sewer system (Trunk Sewer Mains and Major Facilities) to accommodate future growth.

1. In the event that the connection of a structure or property to the District's sewer system involves a main extension which forms a part of the District's existing or proposed trunk system (Major Facilities) as shown in the aforesaid Master Plan or SECAP, the District may participate in the cost of installation of said main extension to the extent that the amount or size of pipe and appurtenances involved constitute a benefit to the District generally and the cost of such main extension and appurtenances benefiting only the owner/applicant or developer of the property or structure shall be borne by such owner/applicant or developer.
 2. In the event that the connection of a structure or property to the District sewer system does not involve an extension to the District trunk system as shown by the aforesaid Master Plan or SECAP, said installation shall be made at the sole cost of the owner/applicant or developer.
- C. In the event the District requires that an owner/applicant or developer construct or reconstruct sewers of a size larger than would normally be required to serve the real property owner/applicant or developer, the District may agree in writing to participate in the cost of the oversizing of such facilities.
1. In no event shall the District be obligated to participate in the cost of oversizing such facilities that have already been constructed and accepted by the District.
- D. The District may, in its discretion, negotiate and enter into a Credit or Reimbursement Agreement under the terms of Chapter 4 of this Code, whereby a property owner or developer may obtain credits in lieu of payment of sewer Participation Charges for the construction of Trunk Sewer Mains and Major Facilities (as defined in 4.01.035) and/or seek reimbursement for the costs of construction of Major Facilities under the eligibility criteria set forth herein.
1. In no event shall the District be obligated to consider, negotiate or enter into any Credit or Reimbursement Agreement for facilities that have already been constructed and accepted by the District.
- E. The District may, in its discretion, negotiate and enter into refund agreements with the owner of lands in cases where such lands are being improved and the owner has or will install facilities which can be used for the benefit of property adjacent to but not participating in the original cost of construction. The amount of refund agreement shall be computed solely upon the quantity of sewer actually installed using a Schedule of Values for Pipeline Construction Costs adopted by Board Resolution,

1. In no event shall the District be obligated to consider, negotiate or enter into any refund agreement for facilities that have already been constructed and accepted by the District.
 2. In no event shall the obligation assumed by the District pursuant to any refund agreement extend beyond the term of 10 years from the date of such agreement.
- F. All public sewer main extensions and/or installations shall be within public rights of way or properly granted/dedicated easements to the District.
- G. District funds representing basic participation charges shall not be used for the purpose of financing or in any way participating in the cost of wastewater collection systems required by the District to be built by others.

CHAPTER 2.06 VIOLATIONS

2.06.01 Public Nuisance

A violation of this Code shall constitute a public nuisance and may be abated by legal action.

2.06.02 Notice to Correct

Any violation of this Code must be corrected by the record owner of the real property immediately upon notification by the General Manager to do so, and in the event such violation is not corrected within five (5) days after such notification, the District may pursue any remedy available to it under the law, including a declaration that such violation constitutes a public nuisance. Such remedies include, but are not limited to, the following:

A. Issuance of Notices to Correct, Warnings of Non-Compliance, Notice of Violation, and Cease and Desist Orders. When the District finds that a discharge of wastewater is taking place or threatening to take place in violation of prohibitions or limits of this Sewer Code or wastewater source control requirements or the provisions of a wastewater discharge permit, the General Manager or their designated representative, may issue Notices to Correct, Warnings of Non-Compliance, Notice of Violation, and Cease and Desist Orders and direct that those persons not complying with such prohibitions, limits, requirements, or provisions (1) comply forthwith, (2) comply in accordance with a time schedule set by the General Manager or their designated representative, or (3) in the event of a threatened violation, take appropriate remedial or preventative action.

B. Requiring Discharger to Submit Schedule of Remedial or Preventive Measures. When the General Manager or their designated representative, finds that a discharge of

wastewater is taking place or threatening to take place that violates or will violate prohibitions or limits prescribed by this Sewer Code or wastewater source control requirements or the provisions of a wastewater discharge permit, the General Manager or their designated representative, may require the discharger to submit for approval of the District, with such modifications as he deems necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements.

C. **Damage or Theft or Vandalism to Facilities.** When the discharge of wastewater causes an obstruction, damage, or other impairment to District facilities, the District may recover costs from the discharger to correct the problem caused by the discharger. District facilities include, but are not limited to, pipes and appurtenances, manholes, cleanouts, lift stations, fences, gates and access roads.

D. **Termination of Service.** The District may terminate or cause to be terminated wastewater disposal or wastewater service to any premises if a violation of any provision of this Sewer Code pertaining to control of wastewater is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution, or nuisance, as defined in this Sewer Code. This provision is in addition to other statutes, rules, or regulations authorizing termination of service for delinquency in payment, or for any other reason.

2.06.03 Costs and Expenses

Any costs and expenses incurred by the District in correcting violations and/or pursuing any remedy available to it under the law, including all attorneys' fees, expert witness fees, laboratory testing fees and all other related expenses, shall be the responsibility of the record owner of the real property.

2.06.04 Civil and Criminal Penalties

A. Any person violating the provisions of this Code shall be subject to any and all existing criminal and civil penalties provided for under the laws of the State of California, and in addition thereto, shall be responsible to the District for any and all damages caused to the District by such violations. These include the following:

1. **Civil Liability Penalties.** Civil liability may be imposed by the District in the manner provided in this Section as follows:

a. In an amount which does not exceed one thousand dollars (\$1,000) for each day for knowingly or willfully failing or refusing to furnish technical or monitoring reports.

b. In an amount which does not exceed five thousand dollars (\$5,000) for each

day of intentionally or negligently discharging hazardous waste, as defined in Section 25117 of the Health and Safety Code, knowingly falsifying any information provided in any furnished technical or monitoring report.

c. In an amount which does not exceed ten dollars (\$10) per gallon for discharges in violation of any of the District's cease and desist or other orders, or prohibitions issued, reissued, or adopted by the District.

d. In an amount that covers the costs of staff time and equipment and material costs.

e. For specific violations, the District may adopt a schedule of fines for appropriate offence that shall be adopted and updated by Resolution.

B. Criminal Penalties

1. Any person who intentionally discharges wastewater in any manner, in violation of any order issued by the General Manager or their designee, which results in contamination, pollution, or a nuisance, as defined in this Ordinance, is guilty of a misdemeanor and may be subject to criminal penalties of not more than \$1,000 per day for each such violation, including, but not limited to, any violation of pretreatment standards or requirements.

2. Any person who knowingly makes any false statement or representation in any record, report, plan, or other document filed with the District, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required by the District, shall be punished by a fine of not more than twenty-five thousand dollars (\$25,000) or by imprisonment in the county jail for not more than six months, or by both.

C. Civil Enforcement Remedies

The District may pursue any of the alternative civil remedies herein against any discharger who violates the provisions of this Sewer Code.

1. Civil Enforcement Penalties.

a. Any person who fails to comply with any order issued by the District, including orders related to pretreatment standards or requirements, shall be subject to a civil penalty not to exceed ten thousand dollars (\$10,000) for each day in which the discharge, violation, or refusal occurs.

b. Any person who intentionally or negligently violates any Notice to Correct issued by the District for violation of rules regulating or prohibiting discharge of wastewater which causes or threatens to cause a condition of contamination, pollution or nuisance, as defined in this article, may be liable civilly in a sum not to exceed twenty-five thousand dollars (\$25,000) for each day in which the violation occurs. The District's legal counsel, upon request of the District's Board of Directors, shall petition the Superior Court to impose, assess, and recover such

sums.

c. Injunction. Whenever a discharge of wastewater is in violation of the provisions of this Ordinance, including but not limited to violation of a pretreatment standard or requirement, or otherwise causes or threatens to cause a condition of contamination, pollution, or nuisance, or whenever non-discharge violations occur including failure to submit a required report or failure to allow the District's inspectors access to an industrial facility, the District may petition the Superior Court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate, restraining the continuance of such violations.

D. Appeals

1. In accordance with Sewer Code Section 1.15.010, any permit applicant, permit holder, or Discharger affected by any action denying a permit application, modifying a permit, or issuing a issue Warnings of Non-Compliance, Notice of Violation and Cease and Desist Orders or any other order made by the General Manager or their designated representative in implementing the provisions of this Sewer Code, may file with the District a written request for reconsideration or appeal of the General Manager's decision to the Board of Directors.

CHAPTER 2.07 MISCELLANEOUS PROVISIONS

2.07.01 Conflicts

In the event of a conflict between any provision of this Code and the provisions of any other ordinance, rule or regulation promulgated by any California city or county or by any federal or state agency, the provisions of this Code shall prevail except in cases where Federal or California law provide otherwise.

2.07.02 Severability

It is hereby declared that in the event any provision or section of this Code is declared void or invalid by any Court of competent jurisdiction, that the remaining sections of the Code shall not be affected thereby, and it is the intent of said Board of Directors to enact each and every, all and singular, of the provisions of this Code irrespective of any provision which may be declared null and void.

2.07.03 Vested Contractual Rights Not Affected

No provision of this Code shall be construed as altering or affecting any vested contractual rights between the District and any person, firm, or corporation with whom a valid contract exists as of the effective date of this Code.

2.07.04 Prior Ordinance Repealed

Prior Ordinances of South Placer Municipal Utility District affecting items in this Code are hereby repealed as of the date of adoption of this Code by the Board.

South Placer Municipal Utility District Code

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CHAPTER 3 FATS, OILS & GREASE

CHAPTER 3 .00 GENERAL

3.00.001 Purpose

- A. This Chapter in whole or in part is based on excerpts from Ordinance 09-01 adopted by the Board of Directors on March 5, 2009, and shall govern the use of public and private sewers and establish the rules and regulations for the prevention of blockages of the sewer lines resulting from discharges of fats, oils, and grease (FOG) into the public sewer, and to specify appropriate FOG discharge requirements for food service establishments (FSEs).
- B. The requirements of this Code shall supplement and be in addition to the requirements of the Districts Ordinance 01-01, and amendments updates, and/or replacements thereto, establishing rules and regulations for services rendered by South Placer Municipal Utility District, and the District's Ordinance 88-3, an ordinance adopting Chapter 14.26 of the Roseville Municipal Code related to Industrial Wastewater, and amendments thereto.
 1. This Code shall apply to both direct and indirect discharge of wastewater containing FOG carried to the public sewer.
 2. The provisions set forth in this Code are designed to ensure compliance with federal, state, and local laws and regulations, and to allow the District to meet applicable standards.
 3. This Code also establishes quantity and quality standards on all discharges containing FOG, which may alone or collectively cause or contribute to FOG accumulation in the sewer facilities causing or potentially causing or contributing to the occurrence of sanitary sewer overflows (SSOs).

CHAPTER 3 .01 DEFINITIONS

Unless otherwise defined herein, terms related to water quality shall be as adopted in the latest edition of Standard Methods for Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works

Association, and the Water Environment Federation. Testing procedures for waste constituents and characteristics shall be as provided in 40 Code of Federal Regulations 136. Subject to the foregoing, the meaning of the terms used in this Code shall be as follows:

3.01.005 Automatic ~~solids transfer unit / automatic g~~Grease removal device (GRD)

Any hydromechanical grease interceptor that automatically, mechanically removes non-petroleum fats, oils, and grease (FOG) from the interceptor, the control of which are ~~is~~ automatically initiated. GRDs shall be certified to ASME A112.14.4 and/or CSA B481.5.

3.01.010 Best Management Practices (BMPs)

Best Management Practices are activities, prohibitions, maintenance procedures, and other management practices to prevent or reduce the direct or indirect introduction of FOG into the public sewer.

3.01.015 Board

Board of Directors of the South Placer Municipal Utility District (District).

3.01.020 Change in operations

Any change in the ownership, food types, or operational procedures that have the potential to change the amount of FOG discharged by FSEs in an amount that alone or collectively causes or creates a potential for SSOs to occur.

3.01.025 Collection system

Portions of the public sewer consisting of all pipes, sewers, and conveyance systems conveying wastewater to the publicly owned treatment works excluding privately owned sewer lateral line connections.

3.01.030 Compliance schedule

A time schedule, enforceable under the provisions of this Code that contains increments of progress (e.g. milestones, in the form of dates). These milestones shall be for the commencement and/or completion of major events leading to the construction and operation of additional pretreatment facilities or the implementation of policies, procedures, or operational management techniques required for permittees to comply

with all applicable federal, state, or local environmental regulations which may directly or indirectly affect the quality of the permittee's wastewater.

3.01.035 Composite sample

~~A collection of individual samples obtained at selected intervals based on an increment of either flow or time. The resulting mixture (composite sample) forms a representative sample of the waste stream discharged during the sampling period.~~

3.01.040 Discharger

Any person who discharges or causes a discharge of wastewater directly or indirectly to the public sewer.

3.01.045 District

The South Placer Municipal Utility District, a statutorily created district, operating under the authority of and pursuant to the provisions of the California Municipal Utility District Act (Public Utility Code commencing at Section 11501 et seq).

3.01.050 District General Manager

The General Manager as appointed by the Board of Directors of the South Placer Municipal Utility District in accordance with the California Municipal Utility District Act (Public Utility Code commencing at Section 11501 et seq) or any District employee or agent of the District authorized by the General Manager to act on their behalf to enforce the provisions of this code.

3.01.055 District Specifications

The District's Standard Specifications and Improvement Standards for Sanitary Sewers prepared and ordered effective by the General Manager pursuant to the provisions of Section 11937(e) of the Municipal Utility District Act, Division 6, of the Public Utilities Code, State of California and as delineated in Chapter 5 of this Code. All work associated with wastewater systems shall be performed pursuant to and in compliance with this Code and the District Specifications.

3.01.060 Equivalent Dwelling Unit (EDU)

The unit of measurement, used to determine design and fee requirements based on the typical average flow and strength of wastewater from a ~~single-family~~single-family residential occupancy.

3.01.065 Fats, Oils, and Grease (FOG)

Non-petroleum organic polar compounds derived from animal or plant sources such as fats, non-hydrocarbons, fatty acids, soaps, waxes, and oils that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical procedures established in the 40 CFR Part 136.~~Any substance such as vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, and that becomes or may become viscous, or solidifies or may solidify, with a change in temperature or other conditions.~~

3.01.070 FOG control program

The program developed by the District, as required by, and pursuant to State Water Resources Control Board Order No. 2006-0003, and any subsequent modifications.

3.01.075 FOG Wastewater Discharge Permit (WDP)

FOG Wastewater Discharge Permit, a permit issued by the District, subject to the requirements and conditions established by the General Manager, authorizing a Permittee to discharge wastewater from an FSE into the public sewer.

3.01.080 Food Service Establishment (FSE)

Food Service Establishment, any facility, including but not limited to, any commercial entity within the boundaries of the District, operating in a permanently constructed structure such as a room, building or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving or manufacturing, packaging or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by an exhaust hood pursuant to California Health and Safety Code section 114149.1 or in accordance with the California Uniform Retail Food Facilities Law (CURFFL) (California Health and Safety Code sections 113700, et seq.). A limited food preparation establishment may be considered a non-FOG producing FSE when engaged only in reheating, hot holding, or assembly of ready to eat food products, provided that there is

no wastewater discharge containing a significant amount of FOG. [Mobile food trucks are considered an FSE and subject to the requirements of this Code.](#)

3.01.085 Food grinder

Any device installed in the plumbing or sewage system for the purpose of grinding food or food waste, also commercial~~ly~~ called a garbage disposal.

3.01.090 Grab sample

A sample taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.

3.01.095 Grease control device (GCD)

Any [hydromechanical grease interceptor, grease removal device, gravity grease interceptor, mechanism, device, or process](#) which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap, collect or treat FOG prior to it being discharged into the public sewer. A grease control device may also include any other proven method to reduce FOG subject to the approval of the General Manager. [GCRDs shall be certified to ASME A112.14.4 and/or CSA B481.5.](#)

3.01.100 Gravity grease interceptor (GGI)

A plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept non-petroleum fats, oils, and grease (FOG) from a wastewater discharge and is identified by volume, baffle(s), not less than two compartments, and gravity separation. Gravity grease interceptors are ~~typically~~ installed outside. [Approved designs shall be certified to IAPMO / ANSI Z1001.](#)

3.01.105 Hot spots

Areas in the collection system of sewer lines that must be cleaned or maintained frequently to avoid blockages of the public sewer caused by FOG.

3.01.110 Hydromechanical grease interceptor (HGI)

A plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept nonpetroleum fats, oil, and greases (FOG) from a wastewater discharge and is identified by flow rate, ~~and~~ separation, and retention efficiency. The design incorporates

air entrainment, hydromechanical separation, interior baffling, and/or barriers in combination or separately, and one of the following:

- A. External flow control, with air intake (vent): directly connected.
- B. External flow control, without air intake (vent): directly connected.
- C. Without external flow control, directly connected.
- D. Without external flow control, indirectly connected.

Hydromechanical grease interceptors shall be certified to ASME A112.14.3, CSA B481.1, and/or PDI G101.

3.01.115 Inspector

Any person authorized by the General Manager to inspect any existing or proposed wastewater generation, conveyance, processing, and/or disposal facilities.

3.01.120 Manifest

The receipt which is retained by a permittee for the disposal of FOG, recyclable wastes, and/or liquid wastes.

3.01.126 Mobile Food Truck

A food service establishment that is readily moveable from place to place at all times during operation and shall include but not limited to pushcarts, trailers, trucks, vans, or boats.

3.01.125 New Construction

Any structure planned or under construction ~~that~~ where the sewer facilities have not been approved by the District.

3.01.130 Obstruction

Any discharge which, alone or in combination with discharges from other sources, inhibits or disrupts the public sewer, operations, or is otherwise a violation of any District Ordinance, Code, or State discharge requirements.

3.01.135 Permittee

The holder or holders of a FOG Wastewater Disposal Permit (WDP) issued for a Food

Service Establishment (FSE) and is subject to the requirements and conditions established in this Code or as otherwise established by the General Manager.

3.01.140 Person

Any individual, partnership, co-partnership, firm, company, association, society, corporation, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents, or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by context.

3.01.145 Property Owner

The record owner of the real property upon which is located a Food Service Establishment (FSE) being served or to be served by the District's wastewater system, or his duly authorized agent.

3.01.150 Publicly Owned Treatment Works (POTW)

A wastewater treatment plant as defined by Section 212 of the Clean Water Act (33 United States Code 1291). The District's public sewer is a satellite wastewater collection system to the regional POTW located in the City of Roseville.

3.01.155 Public sewer

A sewer in which all owners of abutting property have equal rights and is controlled by a public authority.

3.01.160 Remodeling

Any physical alteration and/or operational change to a Food Service Establishment (FSE).

3.01.165 Sanitary sewer

A sewer ~~which~~ that carries wastewater or sewage and to which storm, surface, and groundwaters are not intentionally admitted.

3.01.166 Sanitary Sewer Overflow (SSO)

Any overflow, spill, release, discharge, or diversion of untreated or partially treated wastewater from a sanitary sewer system.

3.01.170 Sewer facilities (or system)

Any and all facilities used for collecting, conveying, pumping, treating, and disposing of wastewater.

3.01.175 Sewer lateral

A Building Sewer as defined in the latest edition of the Uniform Plumbing Code (UPC). It is the wastewater connection between the building's wastewater drain facilities and a public sewer.

3.01.180 Shall ~~==~~ May.

The term "shall" is mandatory and the term "may" is permissive.

3.01.185 User

Any person who contributes, causes, or permits the contribution of wastewater into the public sewer and the Publicly Owned Treatment Works (POTW).

3.01.190 Wastewater

The liquid and water carrying industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, FSEs, and institutions, whether treated or untreated, which is discharged into or permitted to enter the public sewer and the Publicly Owned Treatment Works (POTW).

3.01.195 Wastewater Collection system

The pipe system and appurtenances for collecting and carrying water and water-carried wastes from domestic, non-residential, and industrial sources to a wastewater treatment plant.

3.01.200 Wastewater system

All facilities for collecting, pumping, treating, and disposing of wastewater.

3.01.205 Wastewater Treatment Plant (WWTP)

An arrangement of pipes, equipment, devices, tanks, and structures for treating wastewater and industrial wastes.

CHAPTER 3 .02 REGULATIONS

3.02.001 FOG Wastewater Discharge Permit (FOG WDP) required

No person shall discharge, or cause to be discharged, any wastewater from Food Service Establishments (FSEs) directly or indirectly into the public sewer without first obtaining a FOG WDP pursuant to this Code.

3.02.002 FOG discharge limitation

No FSE/Permittee/Property Owner shall discharge FOG, or cause FOG to be discharged into the public sewer that causes an SSO, exceeds a concentration level of 100 parts per million by weight of fats, oil, or grease, or that may accumulate and/or cause or contribute to blockages in the public sewer. The Property owner is responsible for the effectiveness of the Grease Control Device (GCD)~~grease control device~~ to comply with the FOG discharge limitations of this code. The property owner shall provide means for the District to access the discharge from the FSE to inspect, sample, and confirm the FSE/Permittee/Property Owner is not exceeding the maximum concentration level of FOG.

3.02.003 Public sewer overflows; public nuisance; abatement orders and cleanup costs

Any FSE/Permittee/Property Owner determined by the General Manager to have contributed to a sewer blockage, SSO, or any public sewer obstruction resulting from the discharge of wastewater or waste containing FOG, shall subject the property owner to an order to install and maintain a GCD, in accordance with the District's Specifications~~grease interceptor~~, and may be subject to a plan to abate the nuisance created by sewer line failures and blockages, SSOs, or any other public sewer obstruction. SSOs may cause threat and injury to public health, safety, and welfare of life and property and are hereby declared public nuisances. Furthermore, SSOs caused by FSEs, alone or collectively, are the responsibility of the ~~property owner,~~ FSE/Permittee/Property Owner, and individuals who are responsible officers or owners of the FSE. If the General Manager determines that the public's health and safety require the District to act immediately to contain and clean up any SSO caused by blockage of a private or public sewer lateral or system serving an FSE, or if the District so acts at the request of the property owner and/or the operator of the FSE, or because of the failure of the property owner or FSE to abate the condition causing immediate threat of injury to the health, safety, welfare, or property of the public, the District's costs for such

abatement shall be entirely borne jointly and severally by the ~~property owner~~, FSE/Permittee/Property Owner, and individuals who are responsible officers or owners of the FSE and may constitute a debt to the District, due and payable upon the District's demand for reimbursement of such costs.

3.02.004 Best Management Practices (BMP's) required

Every FSE/Permittee/Property Owner shall implement BMP's in its operations, in accordance with the requirements and guidelines established by the District, to minimize the discharge of FOG to the ~~GCDgrease control device~~ and/or the public sewer. Detailed requirements for BMPs shall be specified in the FOG WDP and all FSE/Permittee/Property Owner as required, at a minimum, to comply with the BMPs set forth therein as well as any additional BMPs established by the General Manager. BMPs may include, but are not limited to, kitchen practices and employee training procedures that are essential in minimizing FOG discharge to the public sewer. BMPs shall include but are not limited to the following:

- A. Dry-wipe pots, pans, and work areas prior to washing
- B. Do not pour cooking residue directly into building drains or fixtures
- C. Dispose of food waste directly into the trash
- D. Do not dispose of food waste into the garbage disposal
- E. Collect waste oil and store it for recycling
- F. Do not pour waste oil into building drains or fixtures
- G. Clean floor mats inside the building over a utility sink
- A-H. Do not wash floor mats where water can run off directly into the storm drain

3.02.005 Prohibitions

FSE's/Permittee's/Property Owners are prohibited from doing any of the following:

- A. Installing food grinders or garbage disposals in the plumbing system or new construction. All FSEs that undergo a change in operations or remodeling shall remove any existing food grinders concurrent with such change or remodeling, except as otherwise expressly allowed by the General Manager.
- B. Introducing any additives into an FSE's plumbing system and/or grease control devices for the purpose of emulsifying FOG, and/or chemically treating FOG for grease remediation, ~~including low temperature chemical dishwashers, and/or~~ as a supplement to grease control device maintenance, unless a specific written authorization from the District is first obtained.

C. Disposing of waste cooking oil into the public sewer.

D. Discharging wastewater with temperatures in excess of 140°F to the public sewer~~into any grease control device~~.

E. Connecting or discharging dishwashers directly to the sanitary sewer unless otherwise approved by the District.

E.F. Connecting or discharging ~~dishwashers and~~ food waste disposal units directly to the sanitary sewer~~into any grease control device~~. Any food waste disposal units allowed by the District must connect to a solids interceptor prior to discharging to a GCD.

F.G. Discharging wastes containing fecal materials from toilets, urinals, washbasins, or other fixtures to waste lines directed to grease interceptors and/or other grease control devices, or vice versa.

G.H. Discharging FOG and solid materials removed from a grease control device to the public sewer.

H.I. Operating a grease control device~~GCD(s)~~ with FOG and solids accumulation exceeding its rated capacity as documented by the manufacturer through third-party test reports, or in the absence of that, twenty-five percent (25%) of the design hydraulic depth of the grease control device.

I.J. Discharging FOG and other pollutants above the local discharge limits set forth in the Roseville Municipal Code, Chapter 14.26 and amendments thereto, as adopted under District Ordinance 88-3.

3.02.006 FOG pretreatment required

Every FSE/Permittee/Property Owner shall, at the time of construction, remodel, and/or change in operations, install, operate, and maintain an approved type and adequately sized GCD in accordance with the ~~District's Specifications, grease interceptor~~ necessary to maintain compliance with the objectives of this Code, subject to the variance and waiver provisions of 3.02.011. The GCD~~grease interceptor~~ shall separate and remove FOG contained in wastewater from FSEs prior to discharge to the public sewer. Fixtures, equipment, and drain lines located in the food preparation and clean-up areas of any FSEs that are a source, or potential source, of FOG discharges shall be connected to the GCD~~grease interceptor~~. Compliance shall be established as follows:

A. New construction of FSEs

Unless otherwise approved by the District, New construction of any FSE shall include complete installation of an adequately sized GCD, in accordance with the District's Specifications,grease control device(s) exterior to the FSE, prior to commencing discharges of wastewater to the public sewer. ~~The p~~Property owner shall be responsible for the design, ownership, operation, maintenance, and effectiveness of GCD(s)~~grease control device(s)~~.

B. Existing FSEs

1. Any existing FSE, which, in the General Manager's determination, has caused or contributed to grease-related blockage in the public sewer, has one or more sewer laterals connected to hot spots, and/or has contributed significant FOG to the public sewer, shall be deemed to have reasonable potential to adversely impact the public sewer and shall be required to install GCD(s), in accordance with the Districts Specifications,grease control device(s) within Ninety (90) days upon issuance of written notification by the General Manager.
2. Any existing FSE or FSE that changes ownership or that undergoes remodeling and/or a change in operations, as defined in this Code, shall be required to install GCD(s), in accordance with the District's Specifications,grease control device(s) or to obtain a variance or waiver in accordance with Chapter 3.02.010.

3.02.007 Commercial properties

Any FSE/Permittee/Property Owner~~property owner~~, or ~~his~~ duly authorized designee, of a commercial property where multiple FSEs- are located shall be responsible for the

installation and maintenance of ~~GCD(s)grease control device(s)~~ serving the FSEs that are located on a single parcel.

3.02.008 Grease ~~control device~~interceptor requirements

- A. Any FSE/Permittee/~~Property Owner~~ required by this Code to provide FOG pretreatment shall install, operate, and maintain an approved type and adequately sized ~~GCD(s), in accordance with the District's Specifications,grease control device(s)~~ necessary to maintain compliance with the objectives of this Code.
- B. Sizing of the grease control device shall conform to the ~~District's Specifications then current edition of the Uniform Plumbing Code. GCDs rease control devices~~ shall be constructed in accordance with the District's ~~Standard Specifications and Improvement Standards for Sanitary Sewers. GCDsrease control devices~~ shall be designed, maintained, and operated to meet the FOG discharge limitation defined in 3.02.002.
- C. The ~~GCD(s)grease interceptor~~ shall be installed at a location where it shall be at all times readily accessible for inspection, cleaning, and removal of accumulated grease.

3.02.009 Grease control device maintenance requirements

- A. FSE's/Permittees/~~Property Owners~~ shall maintain ~~grease control device~~GCD(s) in efficient operating condition by periodic removal of the full content of the interceptor ~~conducted by a liquid waste hauler licensed through the California Department of Food and Agriculture~~, which includes, but is not limited to, wastewater, accumulated FOG, floating materials, and solids.
- B. The District may require any FSE with a ~~grease control device~~GCD to submit data and information necessary to establish the required maintenance frequency of the ~~grease control device~~GCD.
- C. The required maintenance frequency for every FSE with a ~~grease control device~~GCD shall be determined in one of the following methods:
 - 1. ~~Grease control device~~GCDs shall be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation in the ~~grease control device~~GCD does not exceed its rated capacity as documented by the manufacturer through third-party test reports, or in the absence of that, twenty-five percent (25%) of the total designed hydraulic

depth of the grease interceptor. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume ~~are~~ maintained to effectively intercept and retain FOG from being discharged to the public sewer.

2. ~~Grease control device~~GCDs shall be fully pumped out and cleaned quarterly when the frequency described in 3.02.009C.1. has not been established. The maintenance frequency shall be adjusted when sufficient data has been obtained to establish an average frequency based on the ~~requirements~~ described in 3.02.009C.1. and guidelines adopted by the District pursuant to the FOG control program. The District may change the required maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG control program. Based on the actual generation of FOG from the FSE, the required maintenance frequency may increase or decrease. The following maintenance requirements shall apply:
 - A. Remove cover(s)
 - B. Document condition of GCD with digital pictures of the interior through each manhole/cover
 - C. Remove all fats, oils, and grease (FOG), solids, food debris, and wastewater
 - D. Clean all internal surfaces from the build-up of FOG or other residual materials (chemicals and/or degreasers are prohibited)
 - E. Inspect all internal components, replace anything missing or broken and, when required by the manufacturer, ensure the flow control device is installed
 - F. Document condition of GCD when empty and cleaned with digital pictures of the interior through each manhole/cover
 - G. Refill with fresh water
 - H. Replace cover(s)
 - I. Record and report all necessary information as described in 3.04.009.
3. Every FSE with a grease interceptor shall fully pump out and clean its grease interceptor not less than once every ~~threesix~~ (36) months.
4. The ~~FSE/Permittee/Property Owner~~ owner, operator or FOG WDP Permittee of an FSE may submit a request to the District for a change in the required maintenance frequency at any time. The FSE has the burden of responsibility to demonstrate that the requested change in frequency reflects actual operating conditions based on the average FOG accumulation over time and meets the requirements described in

3.02.009C.1~~7~~ and that it is in full compliance with the conditions of its FOG WDP and this chapter. Upon determination by the District that the requested revision is justified, the required maintenance frequency shall be revised accordingly.

5. If the ~~grease control device~~GCD, at any time, contains FOG and solids accumulation exceeding the requirements described in 3.02.009C.1~~7~~ the FSE shall be required to have the ~~grease control device~~GCD serviced immediately such that all FOG~~7~~ and other materials are completely removed from the ~~grease control device~~GCD as described in 3.02.009C.2. If deemed necessary, the District may also increase the required maintenance frequency of the ~~grease control device~~GCD.

- D. All ~~grease control device~~GCDs are required to have fittings and appurtenances as designed by the manufacturer for proper function. Any ~~GCD~~interceptor that does not have the required fittings and appurtenances shall be repaired and/or retro-fitted with appropriate fittings and appurtenances, or if unable to be repaired or retrofitted, the GCD shall be replaced with a new GCD in accordance with the District's Specifications.

- E. No FOG that has accumulated in a ~~grease control device~~GCD shall be allowed to pass into any sewer lateral or public sewer.

- F. Wastewater, accumulated FOG, floating materials, solids, and other materials removed from the ~~grease control device~~GCD shall be disposed of by liquid waste haulers at an approved disposal site in accordance with all applicable federal, state, and/or local laws.

- G. The General Manager may direct District staff to service an FSE's ~~grease control device~~GCD if, in the determination of the General Manager, the FSE/Permittee/Property Owner has failed to comply with the terms of the FOG WDP or with this Code. The FSE shall be responsible for any and all expenses of the District in undertaking such work, in addition to being subject to any enforcement action taken by the District as provided for in this Code.

3.02.010 Variance and waiver of requirement for grease control device

- A. Variance from the requirement to install ~~grease control device~~GCD(s).

An FSE may request that the District grant a variance from the requirement to install ~~grease control device~~GCD(s) to allow alternative pretreatment technology in lieu of a ~~grease control device~~GCD, if the FSE demonstrates that the alternative equals or exceeds the effectiveness of a ~~grease control device~~GCD, and that it is impossible or impracticable to install, operate, and maintain a ~~grease control device~~GCD. The District's determination to grant a variance will be based upon, but not limited to, an evaluation of the following conditions:

1. There is inadequate space for installation and maintenance of a ~~grease control device~~GCD; ~~or~~.
2. There is inadequate slope for gravity flow between kitchen plumbing fixtures and the ~~grease control device~~GCD and/or between the ~~grease control device~~GCD and the sewer lateral or the public sewer; ~~and~~.
3. The FSE can prove that the alternative pretreatment technology is equally or more effective than a ~~grease control device~~GCD in controlling its FOG discharge. The FSE must be able to demonstrate, after installation of the proposed alternative pretreatment, its effectiveness to control FOG discharge through visual monitoring and water quality sampling of private sewer piping downstream from the FSE, for at least three (3) months, at its own expense. A variance may be granted if the results show no visible accumulation of FOG in the downstream sewer lines and the FOG discharge limitation per 3.02.002 is not exceeded. Any variance issued pursuant to this section may be revoked at any time at the discretion of the General Manager.

B. Conditional waiver of requirement to install ~~grease control device~~GCD(s).

A conditional waiver of the requirement to install a ~~grease control device~~GCD may be granted for FSEs that the District determines to have negligible FOG discharge and insignificant impact ~~to on~~ the public sewer. Although a conditional waiver from ~~the~~ installation of a ~~grease control device~~GCD may be granted, the FSE may be required to provide space and plumbing segregation for future installation of a ~~grease control device~~GCD. The General Manager's determination to grant or revoke a conditional waiver shall be based upon, but not limited to, an evaluation of the following conditions:

1. Quantity of FOG discharge as measured or indicated by the size of the FSE based on water usage, menu, seating capacity, number of meals served, amount of on-site consumption of prepared food, number of plumbing fixtures, and other conditions that may reasonably be shown

to contribute to FOG discharges; ~~and-~~

2. Adequacy of implementation of BMPs and compliance history; ~~and-~~

3. Sewer size, grade, ~~and~~ condition based on visual and other information, FOG deposition in the sewer by the FSE, and history of maintenance and SSOs caused by FOG from the FSE; ~~and-~~

4. Changes in operations that significantly affect FOG discharge; ~~and-~~

5. Any other condition that the District deems reasonably related to the generation of FOG discharges.

C. Waiver of ~~grease control device~~GCD installation requirement with a grease disposal mitigation fee.

Where the installation of a ~~grease control device~~GCD is not feasible, and no equivalent alternative pretreatment can be installed, an FSE may be granted a waiver of the ~~grease control device~~GCD requirement upon the payment of a grease disposal mitigation fee as described in 3.03.003. Additional requirements may also be imposed to mitigate the discharge of FOG into the public sewer. The General Manager's determination to grant the waiver upon the payment of a grease disposal mitigation fee will be based upon, but not limited to, an evaluation of the following conditions:

1. There is inadequate space for installation and/or maintenance of a ~~grease control device~~GCD; ~~or-~~

2. There is inadequate slope for gravity flow between kitchen plumbing fixtures and the ~~grease control device~~GCD and/or between the ~~grease control device~~GCD and the sewer lateral or the public sewer; ~~and-~~

3. A variance from ~~grease control device~~GCD installation to allow alternative pretreatment technology cannot be granted.

D. Application for variance or waiver of requirement for ~~grease control device~~GCD.

An FSE may submit to the District ~~a request in writing application~~ for ~~a~~ waiver or variance from the ~~grease control device~~GCD requirement. The FSE bears the burden of demonstrating that the installation of a ~~grease control device~~GCD is not feasible or otherwise required. Upon determination by the General

Manager that reasons are sufficient to justify a variance or waiver, the FOG WDP will be issued or revised to include the variance or waiver and relieve the FSE from the requirement to install a ~~grease control device~~GCD.

E. Terms and conditions of variance or waiver.

A variance or waiver shall contain the terms and conditions that serve as the basis for its issuance. A variance or waiver may be revoked by the General Manager at any time upon the determination that any of the terms or conditions for its issuance is not satisfied or if the conditions upon which the variance or waiver was based have changed so that the justification for the variance or waiver no longer exists. The variance or waiver shall be valid so long as the FSE remains in compliance with the terms and conditions until the expiration date specified in the variance or waiver.

CHAPTER 3 .03 FEES

3.03.001 Purpose

It is the purpose of this section to provide for the recovery of costs from users of the public sewer for the implementation of the program established in this Code.

3.03.002 Charges and fees

The District may adopt charges and fees by resolution which may include, but are not ~~be~~ limited to:

- A. ~~-~~Fees for reimbursement of costs or setting up and operating the District's FOG program.
- B. Fees for consistent removal by the District of pollutants otherwise subject to Federal Pretreatment Standards;
- C. Other fees as the District may deem necessary to carry out the requirements contained in this Code.

Costs incurred by the District as a result of required on-site sampling and analysis shall be reimbursed to the District by the FSE/Property Owner/Permittee.

3.03.003 Grease disposal mitigation fee

Any FSE that operates under a District-approved waiver, as provided in 3.02.011 C, without a ~~grease control device~~GCD may be required to pay an annual grease disposal mitigation fee. The grease disposal mitigation fee is intended to cover the costs of increased maintenance of the public sewer, for inspection and cleaning of FOG that a usual and customary, and properly maintained, ~~grease control device~~GCD would otherwise prevent from entering the public sewer. This section shall not be interpreted to allow new construction or an existing FSE undergoing remodeling and/or a change in operations to operate without an approved grease interceptor or a grease trap unless the General Manager has determined that it is impossible or impracticable to install and/or operate a ~~GCDgrease control interceptor or a grease trap~~GCD for the subject facility under the provisions of 3.02.011 of this Code.

The grease disposal mitigation fee shall be adjusted periodically by the General Manager based on the estimated annual increased cost of maintaining the public sewer for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a ~~grease control device~~GCD.

3.03.004 Collection of Fees

A. Pursuant to the provisions of Section 12811 of the Public Utilities Code, all fees, tolls, rates, rentals, or other charges established under provisions of this Code may be collected by any lawful means including an action ~~at-of~~ law and all remedies for the collection and enforcement thereof are cumulative and may be pursued alternatively or consecutively.

B. Pursuant to the provisions of Section 12811.1 of the Public Utilities Code, the owner of record of real property within the District is required to pay fees, tolls, rates, rentals, and other charges that have become delinquent together with interest and penalties thereon, for services rendered to a lessee, tenant; or ~~an~~ other occupant of the property and those fees, tolls, rates, rentals, and other charges will constitute a lien on the property when a certificate is filed in the Office of the County Recorder and such lien has the force, effect, and property judgment lien.

C. Any fees, rates, or charges established by any of the provisions of this Code shall not exceed the reasonable cost to the District of the rendition of the service for which the fee or charge is imposed.

CHAPTER 3 .04 ADMINISTRATION

3.04.001 FOG WDP application

- A. Any person required to obtain a FOG WDP for an FSE shall, jointly with the property owner, complete and file with the District, prior to commencing or continuing discharges, an application in a form prescribed by the General Manager.
- B. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, ~~grease control device~~GCD, or other pretreatment equipment and appurtenances with sizes, locations, and elevations, and a completed Grease Control Device Sizing and Selection Worksheet as provided in the District's Specifications, with product specifications for the proposed GCD, and manufacturer's third-party certified test report with incremental test data shall be submitted with the application.
- C. Other information related to the business operations and potential discharge may be requested to properly evaluate the FOG WDP application.
- D. After evaluation of the data furnished, the FOG WDP may be issued, subject to terms and conditions set forth in this Code and as otherwise determined by the General Manager.

3.04.002 FOG WDP application fee

The FOG WDP application fee in accordance with the provisions of this Code shall accompany the submission of the FOG WDP application.

3.04.003 FOG WDP conditions

The issuance of a FOG WDP may include, but is not limited to, any of the following conditions or limits:

- A. Limits on the discharge of FOG and other pollutants.
- B. Requirements for proper operation and maintenance of ~~grease control device~~GCDs.
- C. ~~Grease control device~~GCD maintenance frequency and schedule.
- D. Requirements for implementation of BMP's.

- E. Requirements for maintaining and reporting status of BMP's.
- F. Requirements for maintaining and submitting logs and records, including waste hauling records and waste manifests including the ultimate disposition of the wastes that contains FOG.
- G. Requirements to self-monitor.
- H. Requirements to self-report.
- I. Requirements for the FSE to construct, operate and maintain, at its own expense, ~~grease control device~~ GCD(s) and sampling facilities.
- J. Additional requirements as otherwise determined to be reasonably appropriate by the General Manager to protect the public sewer or as specified by other regulatory agencies.
- K. Other terms and conditions which may be reasonably ~~applicable~~ applied to ensure compliance with this Code

3.04.004 FOG WDP modification of terms and conditions

- A. The terms and conditions of an issued FOG WDP may be subject to modification ~~in~~ at the sole discretion of the General Manager during the life of the FOG WDP based on:
 1. The permittee's current or anticipated operating data;
 2. Changes in the requirements of state or federal regulatory agencies that oversee and monitor the District; or
 3. A determination by the General Manager that such modification is appropriate to further the objectives of this chapter and all applicable regulations.
- B. A Permittee may request modification of the terms and conditions of an issued FOG WDP. Any request shall be made in writing stating the requested change and the reasons for the change. The General Manager shall review the request, make a determination on the request, and respond in writing.
- C. A permittee shall be informed by the District of any change in the FOG WDP limits, conditions, and/or requirements at least forty-five (45) days prior to the

effective date of the change. Any changes or new conditions in the FOG WDP shall include a reasonable time schedule for compliance.

3.04.005 FOG WDP Duration and Renewal

FOG WDP's shall be issued and renewed according to the conditions set in the FOG WDP. At least thirty (30) days prior to the expiration (if one exists) of the FOG WDP, the Permittee shall apply for renewal and pay the applicable fees for the renewal of the WDP in accordance with the provision of this Code. A Permittee shall also pay any delinquent invoices in full prior to any FOG WDP renewal.

3.04.006 Exemption from FOG WDP

- A. A limited food preparation establishment may be considered by the General Manager to be a low-FOG producing FSE and may be exempted from obtaining a FOG WDP. Exempt establishments shall be engaged only in reheating, hot holding, or assembly of ready to eat food products, provided that, in the District's determination the wastewater discharge does not contain a significant amount of FOG.
- B. An exemption from obtaining a FOG WDP shall be requested in writing. If the General Manager determines that the reasons for the request are valid, an exemption may be granted.
- C. A limited food preparation establishment may be required to follow the BMPs defined for all FSEs. A limited food preparation establishment that discharges FOG at any time in excess of the defined limits per 3.02.002 may be reclassified as an FSE and required to obtain a FOG WDP at the General Manager's discretion.

3.04.007 Non-transferability of a FOG WDP

A FOG WDP issued pursuant to this Code is for a specific FSE and for a specific operation and creates no vested rights. No holder of a FOG WDP shall assign, transfer, and/or sell the FOG WDP and/or use the FOG WDP on any property or premises or for any facilities, operations, and/or discharges not expressly encompassed within the FOG WDP.

3.04.008 Facilities and drawing submittal requirements

An FSE/Permittee/Property Owner shall submit ~~two (2) copies of~~ facility site plans, mechanical and plumbing plans, and details to show all sewer locations and

connections. The submittal shall be in a form and content acceptable to the General Manager for review of the existing or proposed ~~grease control device~~GCD(s), monitoring facilities, metering facilities, and operating procedures. The review of the plans and procedures shall in no way relieve the FSE of the responsibility of modifying the facilities or procedures in the future as necessary to produce an acceptable discharge per 3.02.002, and to meet the requirements of this Code or the requirements of any other regulatory agency.

The District may require the drawings to be prepared by a California registered architect, civil, mechanical, or electrical engineer. If allowed by the District General Manager, these drawings may be prepared by a qualified plumbing or mechanical contractor.

3.04.009 Monitoring and Reporting Requirements

- A. The District may require periodic reporting of the status of implementation of BMPs, in accordance with the FOG control program.
- B. The District may require visual monitoring at the sole expense of the ~~Owner~~/FSE/Permittee/Property Owner to observe the actual conditions of the FSE's sewer lateral and sewer lines downstream. The District may require reports for self-monitoring of wastewater constituents and FOG characteristics of the permittee needed for determining compliance with any conditions or requirements as specified in the FOG WDP or this Code. Monitoring reports of the analyses of wastewater constituents and FOG characteristics shall be in a manner and form approved by the District and shall be submitted upon request of the General Manager. Failure by the permittee to perform any required monitoring, or to submit monitoring reports required by the General Manager constitutes a violation of this Code and shall be cause for the District to initiate all necessary tasks and analyses to determine the wastewater constituents and FOG characteristics for compliance with any conditions and requirements specified in the FOG WDP or in this Code. The Permittee shall be responsible for any and all costs and expenses of the District in undertaking such monitoring analyses and preparation of reports.
- C. An FSE/Permittee/Property Owner shall self-report by electronically submitting, via email to the District, a copy of records (i.e., logbooks, manifests, receipts, invoices) provided at the time of each pump-out/cleaning/maintenance/repair of the ~~grease control device~~GCD. Submitted records shall indicate, at a minimum, the date of service, a description of the services provided, and the volume of material removed from the ~~grease control device~~GCD(s). Such information may also be submitted by the FSE/Permittee/Property Owner or their liquid waste hauler electronically as may be required by the District.

- D. Other reports may be required, such as compliance schedule progress reports, FOG control monitoring reports, and any other reports deemed reasonably appropriate by the General Manager to ensure compliance with this Code.

3.04.010 Recordkeeping requirements

The Permittee shall be required to keep all manifests, receipts, and invoices of all cleaning, maintenance, grease removal of/from the ~~grease control device~~GCD, disposal carrier, and disposal site location for no less than three (3) years. The permittee shall, upon request, make the manifests, receipts, and invoices available to the District, any inspector, and/or any enforcement officer. These records may include but are not limited to:

- A. An on-site logbook of ~~grease control device~~GCD cleaning and maintenance practices.
- B. A record of BMPs being implemented, including employee training.
- C. Copies of records and manifests of liquid waste hauling of ~~grease control device~~GCD contents.
- D. Records of sampling data and sludge height monitoring for FOG and solids accumulation in the ~~grease control device~~GCD(s).
- E. Records of any spills and/or cleaning of the sewer lateral.
- F. Any other information deemed appropriate by the General Manager to ensure compliance with this Code.

3.04.011 Falsifying information or tampering with processes

It shall be unlawful to make any false statement, representation, record, report, plan or other document that is filed with the District or to tamper with or knowingly render inoperable any ~~grease control device~~GCD, monitoring device, or method or access point required under this Code.

3.04.012 Inspections and sampling conditions.

- A. The District may inspect or order the inspection and sample the wastewater discharges of any FSE/Permittee/Property Owner to ascertain that the requirements of this Code are being met and the Permittee is complying with all

conditions of the FOG WDP. The Permittee shall allow access to the FSE/Permittee/Property Owner premises, during normal business hours, for purposes of inspecting the FSE's ~~grease control device~~GCDs, reviewing the manifests, receipts, and invoices relating to the cleaning, maintenance, and inspection of the ~~grease control device~~GCDs.

- B. The District shall have the right to place or order the placement on the property, containing an FSE, or other locations as determined by the General Manager, such devices as are necessary to conduct sampling or metering operations. Where an FSE/Permittee/Property Owner has security measures in force, the permittee shall make necessary arrangements so that the District and/or an inspector shall be permitted to enter without delay for the purpose of performing their specific responsibilities.
- C. In order for the District to determine the wastewater characteristics of the discharger for purposes of determining compliance with FOG WDP requirements, the Permittee shall make available for inspection and copying by the General Manager, an inspector, an enforcement officer, and/or service personnel, all notices, monitoring reports, waste manifests, and records including, but not limited to, those related to wastewater generation and wastewater disposal.

3.04.013 Right of entry

Users or Permittees of properties where FSE wastewater is created or discharged shall allow the General Manager, an inspector, and/or an enforcement officer, reasonable access to all parts of the wastewater generating and disposal facilities for the purposes of inspection and sampling during all times the FSE is open, operating, or any other reasonable time. No persons or occupants of an FSE shall interfere with, delay, resist, or refuse entrance to the General Manager, an inspector, and/or an enforcement officer attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the public sewer. In the event of an emergency involving an actual or imminent SSO, the General Manager, an inspector, and/or an enforcement officer may immediately enter ~~upon~~ the property and may access adjoining businesses or properties that share a public sewer with an FSE in order to prevent or remediate the actual or imminent SSO.

3.04.013 Notification of spill.

- A. In the event a permittee is unable to comply with any FOG WDP condition due to a breakdown of equipment, accidents, or human error or the Permittee has reasonable opportunity to know that their discharge will exceed the discharge

provisions of the FOG WDP or this Code, the User/Permittee shall immediately notify the District by telephone at the number specified in the FOG WDP. If the material discharged to the public sewer has the potential to cause or result in sewer blockages or SSOs, the user/permittee shall immediately notify the District.

- B. Confirmation of this notification shall be made in writing to the District at the address specified in the FOG WDP postmarked no later than two (2) calendar days from the date of the incident. The written notification shall state the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent the problem from recurring.
- C. Such notification shall not relieve the User/Permittee of any expense, loss, damage, or other liability which may be incurred as a result of damage or loss to the District or any other damage or loss to persons or property; nor shall such notification relieve the permittee of any fees or other liability which may be imposed by this Code.

3.04.014 Notification of planned changes

A Permittee shall notify the District in writing at least sixty (60) days prior to any facility expansion or remodeling, or process modifications that may result in new or substantially increased FOG discharges or a change in the nature of the discharge. A Permittee shall submit any information requested by the District for evaluation of the effect of such expansion or remodeling on the permittee's FOG discharge to the public sewer.

3.04.015 Notification of FSE closure

A. In the event that an FSE closes or suspends business operations, notification shall be provided to the District in writing within thirty (30) days of closure. The FSE/Permittee/Property Owner shall be responsible to ensure that any existing GCDs are cleaned in accordance with section 3.02.009C.2.

A.B. A GCD that has been abandoned in place or has been discontinued otherwise from further use, or to which no waste or soil pipe from a plumbing fixture is connected shall have the contents removed therefrom, the bottom perforated, and be completely filled with crushed rock, sand, controlled low strength material (CLSM), concrete, or other material as approved by the District.

C. The General Manager may direct District staff to service GCD(s) if, in the determination of the General Manager, the FSE/Permittee/Property Owner has failed to comply with the requirements of this section after an FSE closure. The FSE/Permittee/Property Owner shall be responsible for any and all expenses of the District in undertaking such work, in addition to being subject to any enforcement action taken by the District as provided for in this Code.

CHAPTER 3 .05 ENFORCEMENT

3.05.001 Harmful discharge

- A. The District may, upon order of the General Manager, suspend the wastewater service or revoke a FOG WDP when such suspension or revocation is necessary in order to stop an actual or threatened discharge ~~which~~that presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, or which causes obstruction to the collection system or causes the District to violate any condition of its permits or Federal and/or State regulations.
- B. Any FSE/Permittee/Property Owner notified of a suspension of the wastewater treatment service and/or revocation of a FOG WDP shall immediately stop or eliminate all nonconforming discharges to the public sewer. In the event of a failure of the FSE/Permittee/Property Owner to comply with the suspension order, the General Manager may take any and all such steps as he deems necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the collection system. The District may reinstate the FOG WDP and/or the wastewater service upon proof of the elimination of the nonconforming discharge. A detailed written statement submitted by the FSE/Permittee/Property Owner describing the causes of the harmful discharge and the measures taken to prevent any future occurrence shall be submitted to the General Manager within fifteen (15) days of the date of occurrence of the discharge.

3.05.002 Determination of non-compliance with FOG WDP conditions

- A. Sampling and inspection procedures
1. Sampling and inspection of FSEs shall be conducted in the time, place, manner, and frequency determined at the discretion of the General Manager.

2. Noncompliance with FOG WDP discharge conditions, or any discharge provisions of this Code may be determined by an inspection of the ~~grease control device~~GCD and associated manifest and documentation, or analysis of a grab ~~or composite~~ sample of the effluent of an FSE.
3. Any sample taken from a sample point, as determined representative by the District, is considered representative of the discharge to the public sewer.

B. Notice of Non-compliance/Notice of Violation

1. Any Permittee found to be in violation of this Code and/or the FOG WDP terms and conditions may be issued a Warning of Non-Compliance in which there will be a specified time period to correct tile violation.
2. If the violation is not corrected within the specified time period the Permittee will be issued a Notice of Violation, with in a specified time period to correct the violation.
3. If the violation is not corrected within the time period specified in the Notice of Violation, the Permittee shall be deemed to be in noncompliance.

C. Noncompliance Fee

1. Any Permittee deemed by the General Manager to be in noncompliance with the terms and conditions specified in the FOG WDP or with any provision of this Code may be required to pay a noncompliance fee. The purpose of the noncompliance fee is to compensate the District for costs of additional inspection and follow-up, sampling, monitoring, laboratory analysis, treatment, disposal, and administrative processing incurred as a result of the noncompliance and shall be in addition to and not in lieu of any penalties as may be assessed pursuant to 3.05.005. Noncompliance fees shall be in the amount determined by the General Manager.

3.05.003 Compliance Schedule

- A. Upon determination that a permittee is in noncompliance with the terms and conditions specified in the FOG WDP or any provision of this Code or needs to ~~construct and/or~~ acquire and install a ~~grease control device~~GCD, the District may require the permittee to enter a compliance schedule on terms and

conditions specified by the General Manager.

- B. The compliance schedule may contain terms and conditions including but not limited to requirements for installation of a ~~grease control device~~GCD and facilities, submittal of drawings or reports, audit of waste hauling records, BMPs and waste minimization practices, payment of fees, or other provisions to ensure compliance with this Code.
- C. If compliance is not achieved in accordance with the terms and conditions of a compliance schedule during its term, the General Manager may issue an order suspending or revoking the FOG WDP pursuant to 3.05.004 of this Code.

3.05.004 FOG WDP suspension and/or revocation

- A. The General Manager may suspend and/or revoke any FOG WDP when the District determines that a Permittee:
 - 1. Fails to comply with the terms and conditions of a compliance schedule order.
 - 2. Knowingly provides a false statement, representation, record, report, or other document to the General Manager.
 - 3. Refuses to provide records, reports, plans, or other documents required by the General Manager to determine FOG WDP terms or conditions, discharge compliance, or compliance with this Code.
 - 4. Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method.
 - 5. Refuses reasonable access to the FSE for the purpose of inspection and monitoring.
 - 6. Fails to make timely payment of all amounts owed to the District for all costs, charges, and fees required or imposed under this Code.
 - 7. Causes obstruction, sewer blockages, or SSOs in the public sewer.
 - 8. Violates ~~grease control device~~GCD maintenance requirements, any condition or limit of its FOG WDP, or any provision of this Code.
 - 9. Fails to report significant changes in operations, or wastewater constituents.

and characteristics.

3.05.005 Violation- Penalty

- A. Any violation of this Code₇ or the orders, rules, regulations₁ and permits issued under this Code is unlawful.
- B. Any user, discharger₁ and/or permittee in violation of this Code, or the orders, rules, regulations₁ and permits issued under this Code, may be ordered by the General Manager to cease and desist operations until the violation is corrected. Continuance of operations after notice to cease and desist has been furnished to the User, Discharger₁ and/or Permittee shall be unlawful and may result in the severance of the sewer connection. Each day in which any such violation shall continue shall be deemed a separate offense.
- C. The violation of any of the provisions of this Code, or the orders, rules, regulations₁ and permits issued under this Code, or the doing of any act prohibited or the failure or omission to do any act required by this Code, or the orders, rules, and regulations₁ and permits issued under this Code₇ is a public nuisance and may be enjoined by the District.
- D. If any violation of this Code, or the orders, rules, regulations₁ and permits issued under this Code, causes damage to the District's wastewater system, the District may seek to recover civil damages from the User, Discharger, Owner₁ and/or Permittee causing such damage.
- E. Civil Penalties. Pursuant to the authority of California Government Code Sections 54739 - 54740, any person who violates any provision of this Code shall be liable civilly for a sum not to exceed \$25,000 per violation, for each day in which such violations occur. Pursuant to the authority of the Clean Water Act, 33 U.S.C. Section 1251 et seq., any person who violates any provision of this Code shall be liable civilly for a sum not to exceed \$25,000 per violation, for each day in which such violations occur. Pursuant to California Government Code Sections 54740.5 and 54740.6, the District may impose administrative fines up to the greater of \$5₁,000 per day or \$10 per gallon for discharge violations. Each violation and each day in which a violation occurs may constitute a new and separate violation of this Code and shall be subject to the penalties contained within.
- F. Criminal Penalties. Any person who violates any provision of this Code is guilty of a misdemeanor, which upon conviction is punishable by a fine not to exceed \$1,000₇ or imprisonment for not more than thirty (30) days, or

| both. Each violation and each day in which a violation occurs may constitute a new and separate violation of this Code and shall be subject to the penalties contained herein.

- G. The remedies and provisions of this section are cumulative and are in addition to any other remedy or provision of law.

South Placer Municipal Utility District Code

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CHAPTER 3 FATS, OILS & GREASE

CHAPTER 3 .00 GENERAL

3.00.001 Purpose

- A. This Chapter in whole or in part is based on excerpts from Ordinance 09-01 adopted by the Board of Directors on March 5, 2009, and shall govern the use of public and private sewers and establish the rules and regulations for the prevention of blockages of the sewer lines resulting from discharges of fats, oils, and grease (FOG) into the public sewer, and to specify appropriate FOG discharge requirements for food service establishments (FSEs).
- B. The requirements of this Code shall supplement and be in addition to the requirements of the Districts Ordinance 01-01, and amendments updates, and/or replacements thereto, establishing rules and regulations for services rendered by South Placer Municipal Utility District, and the District's Ordinance 88-3, an ordinance adopting Chapter 14.26 of the Roseville Municipal Code related to Industrial Wastewater, and amendments thereto.
 - 1. This Code shall apply to both direct and indirect discharge of wastewater containing FOG carried to the public sewer.
 - 2. The provisions set forth in this Code are designed to ensure compliance with federal, state, and local laws and regulations, and to allow the District to meet applicable standards.
 - 3. This Code also establishes quantity and quality standards on all discharges containing FOG, which may alone or collectively cause or contribute to FOG accumulation in the sewer facilities causing or potentially causing or contributing to the occurrence of sanitary sewer overflows (SSOs).

CHAPTER 3 .01 DEFINITIONS

Unless otherwise defined herein, terms related to water quality shall be as adopted in the latest edition of Standard Methods for Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works

Association, and the Water Environment Federation. Testing procedures for waste constituents and characteristics shall be as provided in 40 Code of Federal Regulations 136. Subject to the foregoing, the meaning of the terms used in this Code shall be as follows:

3.01.005 Automatic Grease removal device (GRD)

A hydromechanical grease interceptor that automatically, mechanically removes non-petroleum fats, oils, and grease (FOG) from the interceptor, the control of which are automatically initiated. GRDs shall be certified to ASME A112.14.4 and/or CSA B481.5.

3.01.010 Best Management Practices (BMPs)

Best Management Practices are activities, prohibitions, maintenance procedures, and other management practices to prevent or reduce the direct or indirect introduction of FOG into the public sewer.

3.01.015 Board

Board of Directors of the South Placer Municipal Utility District (District).

3.01.020 Change in operations

Any change in the ownership, food types, or operational procedures that have the potential to change the amount of FOG discharged by FSEs in an amount that alone or collectively causes or creates a potential for SSOs to occur.

3.01.025 Collection system

Portions of the public sewer consisting of all pipes, sewers, and conveyance systems conveying wastewater to the publicly owned treatment works excluding privately owned sewer lateral line connections.

3.01.030 Compliance schedule

A time schedule, enforceable under the provisions of this Code that contains increments of progress (e.g. milestones, in the form of dates). These milestones shall be for the commencement and/or completion of major events leading to the construction and operation of additional pretreatment facilities or the implementation of policies, procedures, or operational management techniques required for permittees to comply

with all applicable federal, state, or local environmental regulations which may directly or indirectly affect the quality of the permittee's wastewater.

3.01.040 Discharger

Any person who discharges or causes a discharge of wastewater directly or indirectly to the public sewer.

3.01.045 District

The South Placer Municipal Utility District, a statutorily created district, operating under the authority of and pursuant to the provisions of the California Municipal Utility District Act (Public Utility Code commencing at Section 11501 et seq).

3.01.050 District General Manager

The General Manager as appointed by the Board of Directors of the South Placer Municipal Utility District in accordance with the California Municipal Utility District Act (Public Utility Code commencing at Section 11501 et seq) or any District employee or agent of the District authorized by the General Manager to act on their behalf to enforce the provisions of this code.

3.01.055 District Specifications

The District's Standard Specifications and Improvement Standards for Sanitary Sewers prepared and ordered effective by the General Manager pursuant to the provisions of Section 11937(e) of the Municipal Utility District Act, Division 6, of the Public Utilities Code, State of California and as delineated in Chapter 5 of this Code. All work associated with wastewater systems shall be performed pursuant to and in compliance with this Code and the District Specifications.

3.01.060 Equivalent Dwelling Unit (EDU)

The unit of measurement used to determine design and fee requirements based on the typical average flow and strength of wastewater from a single-family residential occupancy.

3.01.065 Fats, Oils, and Grease (FOG)

Non-petroleum organic polar compounds derived from animal or plant sources such as fats, non-hydrocarbons, fatty acids, soaps, waxes, and oils that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical procedures established in the 40 CFR Part 136.

3.01.070 FOG control program

The program developed by the District, as required by, and pursuant to State Water Resources Control Board Order No. 2006-0003, and any subsequent modifications.

3.01.075 FOG Wastewater Discharge Permit (WDP)

FOG Wastewater Discharge Permit, a permit issued by the District, subject to the requirements and conditions established by the General Manager, authorizing a Permittee to discharge wastewater from an FSE into the public sewer.

3.01.080 Food Service Establishment (FSE)

Food Service Establishment, any facility, including but not limited to, any commercial entity within the boundaries of the District, operating in a permanently constructed structure such as a room, building or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving or manufacturing, packaging or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by an exhaust hood pursuant to California Health and Safety Code section 114149.1 or in accordance with the California Uniform Retail Food Facilities Law (CURFFL) (California Health and Safety Code sections 113700, et seq.). A limited food preparation establishment may be considered a non-FOG producing FSE when engaged only in reheating, hot holding, or assembly of ready to eat food products, provided that there is no wastewater discharge containing a significant amount of FOG. Mobile food trucks are considered an FSE and subject to the requirements of this Code.

3.01.085 Food grinder

Any device installed in the plumbing or sewage system for the purpose of grinding food or food waste, also commercially called a garbage disposal.

3.01.090 Grab sample

A sample taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.

3.01.095 Grease control device (GCD)

Any hydromechanical grease interceptor, grease removal device, gravity grease interceptor, mechanism, device, or process which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap, collect or treat FOG prior to it being discharged into the public sewer. A grease control device may also include any other proven method to reduce FOG subject to the approval of the General Manager. GCDs shall be certified to ASME A112.14.4 and/or CSA B481.5.

3.01.100 Gravity grease interceptor (GGI)

A plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept non-petroleum fats, oils, and grease (FOG) from a wastewater discharge and is identified by volume, baffle(s), not less than two compartments, and gravity separation. Gravity grease interceptors are installed outside. Approved designs shall be certified to IAPMO / ANSI Z1001.

3.01.105 Hot spots

Areas in the collection system of sewer lines that must be cleaned or maintained frequently to avoid blockages of the public sewer caused by FOG.

3.01.110 Hydromechanical grease interceptor (HGI)

A plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept nonpetroleum fats, oil, and greases (FOG) from a wastewater discharge and is identified by flow rate, separation, and retention efficiency. The design incorporates air entrainment, hydromechanical separation, interior baffling, and/or barriers in combination or separately, and one of the following:

- A. External flow control, with air intake (vent): directly connected.
- B. External flow control, without air intake (vent): directly connected.
- C. Without external flow control, directly connected.
- D. Without external flow control, indirectly connected.

Hydromechanical grease interceptors shall be certified to ASME A112.14.3, CSA B481.1, and/or PDI G101.

3.01.115 Inspector

Any person authorized by the General Manager to inspect any existing or proposed wastewater generation, conveyance, processing, and/or disposal facilities.

3.01.120 Manifest

The receipt which is retained by a permittee for the disposal of FOG, recyclable wastes, and/or liquid wastes.

3.01.126 Mobile Food Truck

A food service establishment that is readily moveable from place to place at all times during operation and shall include but not limited to pushcarts, trailers, trucks, vans, or boats.

3.01.125 New Construction

Any structure planned or under construction where the sewer facilities have not been approved by the District.

3.01.130 Obstruction

Any discharge which, alone or in combination with discharges from other sources, inhibits or disrupts the public sewer, operations, or is otherwise a violation of any District Ordinance, Code, or State discharge requirements.

3.01.135 Permittee

The holder or holders of a FOG Wastewater Disposal Permit (WDP) issued for a Food Service Establishment (FSE) and is subject to the requirements and conditions established in this Code or as otherwise established by the General Manager.

3.01.140 Person

Any individual, partnership, co-partnership, firm, company, association, society, corporation, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents, or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by context.

3.01.145 Property Owner

The record owner of the real property upon which is located a Food Service Establishment (FSE) being served or to be served by the District's wastewater system, or his duly authorized agent.

3.01.150 Publicly Owned Treatment Works (POTW)

A wastewater treatment plant as defined by Section 212 of the Clean Water Act (33 United States Code 1291). The District's public sewer is a satellite wastewater collection system to the regional POTW located in the City of Roseville.

3.01.155 Public sewer

A sewer in which all owners of abutting property have equal rights and is controlled by a public authority.

3.01.160 Remodeling

Any physical alteration and/or operational change to a Food Service Establishment (FSE).

3.01.165 Sanitary sewer

A sewer that carries wastewater or sewage and to which storm, surface, and groundwaters are not intentionally admitted.

3.01.166 Sanitary Sewer Overflow (SSO)

Any overflow, spill, release, discharge, or diversion of untreated or partially treated wastewater from a sanitary sewer system.

3.01.170 Sewer facilities (or system)

Any and all facilities used for collecting, conveying, pumping, treating, and disposing of wastewater.

3.01.175 Sewer lateral

A Building Sewer as defined in the latest edition of the Uniform Plumbing Code (UPC). It is the wastewater connection between the building's wastewater drain facilities and a public sewer.

3.01.180 Shall – May.

The term “shall” is mandatory and the term “may” is permissive.

3.01.185 User

Any person who contributes, causes, or permits the contribution of wastewater into the public sewer and the Publicly Owned Treatment Works (POTW).

3.01.190 Wastewater

The liquid and water carrying industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, FSEs, and institutions, whether treated or untreated, which is discharged into or permitted to enter the public sewer and the Publicly Owned Treatment Works (POTW).

3.01.195 Wastewater Collection system

The pipe system and appurtenances for collecting and carrying water and water-carried wastes from domestic, non-residential, and industrial sources to a wastewater treatment plant.

3.01.200 Wastewater system

All facilities for collecting, pumping, treating, and disposing of wastewater.

3.01.205 Wastewater Treatment Plant (WWTP)

An arrangement of pipes, equipment, devices, tanks, and structures for treating wastewater and industrial wastes.

CHAPTER 3 .02 REGULATIONS

3.02.001 FOG Wastewater Discharge Permit (FOG WDP) required

No person shall discharge, or cause to be discharged, any wastewater from Food Service Establishments (FSEs) directly or indirectly into the public sewer without first obtaining a FOG WDP pursuant to this Code.

3.02.002 FOG discharge limitation

No FSE/Permittee/Property Owner shall discharge FOG, or cause FOG to be discharged into the public sewer that causes an SSO, exceeds a concentration level of 100 parts per million by weight of fats, oil, or grease, or that may accumulate and/or cause or contribute to blockages in the public sewer. The property owner is responsible for the effectiveness of the Grease Control Device (GCD) to comply with the FOG discharge limitations of this code. The property owner shall provide means for the District to access the discharge from the FSE to inspect, sample, and confirm the FSE/Permittee/Property Owner is not exceeding the maximum concentration level of FOG.

3.02.003 Public sewer overflows; public nuisance; abatement orders and cleanup costs

Any FSE/Permittee/Property Owner determined by the General Manager to have contributed to a sewer blockage, SSO, or any public sewer obstruction resulting from the discharge of wastewater or waste containing FOG, shall subject the property owner to an order to install and maintain a GCD, in accordance with the District's Specifications, and may be subject to a plan to abate the nuisance created by sewer line failures and blockages, SSOs, or any other public sewer obstruction. SSOs may cause threat and injury to public health, safety, and welfare of life and property and are hereby declared public nuisances. Furthermore, SSOs caused by FSEs, alone or collectively, are the responsibility of the FSE/Permittee/Property Owner, and individuals who are responsible officers or owners of the FSE. If the General Manager determines that the public's health and safety require the District to act immediately to contain and clean up any SSO caused by blockage of a private or public sewer lateral or system serving an FSE, or if the District so acts at the request of the property owner and/or the operator of the FSE, or because of the failure of the property owner or FSE to abate the condition causing immediate threat of injury to the health, safety, welfare, or property of the public, the District's costs for such abatement shall be entirely borne jointly and severally by the FSE/Permittee/Property Owner, and individuals who are responsible officers or owners of the FSE and may constitute a debt to the District, due and payable upon the District's demand for reimbursement of such costs.

3.02.004 Best Management Practices (BMPs) required

Every FSE/Permittee/Property Owner shall implement BMPs in its operations in accordance with the requirements and guidelines established by the District, to minimize the discharge of FOG to the GCD and/or the public sewer. Detailed requirements for BMPs shall be specified in the FOG WDP and all FSE/Permittee/Property Owner as required, at a minimum, to comply with the BMPs set forth therein as well as any

additional BMPs established by the General Manager. BMPs may include but are not limited to, kitchen practices and employee training procedures that are essential in minimizing FOG discharge to the public sewer. BMPs shall include but are not limited to the following:

- A. Dry-wipe pots, pans, and work areas prior to washing
- B. Do not pour cooking residue directly into building drains or fixtures
- C. Dispose of food waste directly into the trash
- D. Do not dispose of food waste in the garbage disposal
- E. Collect waste oil and store it for recycling
- F. Do not pour waste oil into building drains or fixtures
- G. Clean floor mats inside the building over a utility sink
- H. Do not wash floor mats where water can run off directly into the storm drain

3.02.005 Prohibitions

FSEs/Permittees/Property Owners are prohibited from doing any of the following:

- A. Installing food grinders or garbage disposals in the plumbing system or new construction. All FSEs that undergo a change in operations or remodeling shall remove any existing food grinders concurrent with such change or remodeling, except as otherwise expressly allowed by the General Manager.
- B. Introducing any additives into an FSE's plumbing system and/or grease control devices for the purpose of emulsifying FOG, and/or chemically treating FOG for grease remediation, or as a supplement to grease control device maintenance, unless a specific written authorization from the District is first obtained.
- C. Disposing of waste cooking oil into the public sewer.
- D. Discharging wastewater with temperatures in excess of 140°F to the public sewer.
- E. Connecting or discharging dishwashers directly to the sanitary sewer unless otherwise approved by the District.
- F. Connecting or discharging food waste disposal units directly to the sanitary sewer. Any food waste disposal units allowed by the District must connect to a

solids interceptor prior to discharging to a GCD.

- G. Discharging wastes containing fecal materials from toilets, urinals, washbasins, or other fixtures to waste lines directed to grease interceptors and/or other grease control devices, or vice versa.
- H. Discharging FOG and solid materials removed from a grease control device to the public sewer.
- I. Operating a GCD(s) with FOG and solids accumulation exceeding its rated capacity as documented by the manufacturer through third-party test reports, or in the absence of that, twenty-five percent (25%) of the design hydraulic depth of the grease control device.
- J. Discharging FOG and other pollutants above the local discharge limits set forth in the Roseville Municipal Code, Chapter 14.26 and amendments thereto, as adopted under District Ordinance 88-3.

3.02.006 FOG pretreatment required

Every FSE/Permittee/Property Owner shall, at the time of construction, remodel, and/or change in operations, install, operate, and maintain an approved type and adequately sized GCD in accordance with the District's Specifications, necessary to maintain compliance with the objectives of this Code, subject to the variance and waiver provisions of 3.02.011. The GCD shall separate and remove FOG contained in wastewater from FSEs prior to discharge to the public sewer. Fixtures, equipment, and drain lines located in the food preparation and clean-up areas of any FSEs shall be connected to the GCD. Compliance shall be established as follows:

A. New construction of FSEs

Unless otherwise approved by the District, New construction of any FSE shall include complete installation of an adequately sized GCD, in accordance with the District's Specifications, exterior to the FSE, prior to commencing discharges of

wastewater to the public sewer. The property owner shall be responsible for the design, ownership, operation, maintenance, and effectiveness of GCD(s).

B. Existing FSEs

1. Any existing FSE, which, in the General Manager's determination, has caused or contributed to grease-related blockage in the public sewer, has one or more sewer laterals connected to hot spots, and/or has contributed significant FOG to the public sewer, shall be deemed to have reasonable potential to adversely impact the public sewer and shall be required to install GCD(s), in accordance with the District's Specifications, within Ninety (90) days upon issuance of written notification by the General Manager.
2. Any existing FSE or FSE that changes ownership or that undergoes remodeling and/or a change in operations, as defined in this Code, shall be required to install GCD(s), in accordance with the District's Specifications, or to obtain a variance or waiver in accordance with Chapter 3.02.010.

3.02.007 Commercial properties

Any FSE/Permittee/Property Owner, or duly authorized designee, of a commercial property where multiple FSEs are located shall be responsible for the installation and maintenance of GCD(s) serving the FSEs that are located on a single parcel.

3.02.008 Grease control device requirements

- A. Any FSE/Permittee/Property Owner required by this Code to provide FOG pretreatment shall install, operate, and maintain an approved type and adequately sized GCD(s), in accordance with the District's Specifications, necessary to maintain compliance with the objectives of this Code.
- B. Sizing of the grease control device shall conform to the District's Specifications. GCDs shall be constructed in accordance with the District's Specifications. GCDs shall be designed, maintained, and operated to meet the FOG discharge limitation defined in 3.02.002.
- C. The GCD(s) shall be installed at a location where it shall be at all times readily accessible for inspection, cleaning, and removal of accumulated grease.

3.02.009 Grease control device maintenance requirements

- A. FSE's/Permittees/Property Owners shall maintain GCD(s) in efficient operating condition by periodic removal of the full content of the interceptor conducted by a liquid waste hauler licensed through the California Department of Food and Agriculture, which includes, but is not limited to, wastewater, accumulated FOG, floating materials, and solids.
- B. The District may require any FSE with a GCD to submit data and information necessary to establish the required maintenance frequency of the GCD.
- C. The required maintenance frequency for every FSE with a GCD shall be determined in one of the following methods:
 - 1. GCDs shall be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation in the GCD does not exceed its rated capacity as documented by the manufacturer through third-party test reports, or in the absence of that, twenty-five percent (25%) of the total designed hydraulic depth of the grease interceptor. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume are maintained to effectively intercept and retain FOG from being discharged to the public sewer.
 - 2. GCDs shall be fully pumped out and cleaned quarterly when the frequency described in 3.02.009C.1. has not been established. The maintenance frequency shall be adjusted when sufficient data has been obtained to establish an average frequency based on the requirements described in 3.02.009C.1. and guidelines adopted by the District pursuant to the FOG control program. The District may change the required maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG control program. Based on the actual generation of FOG from the FSE, the required maintenance frequency may increase or decrease. The following maintenance requirements shall apply:
 - A. Remove cover(s)
 - B. Document condition of GCD with digital pictures of the interior through each manhole/cover
 - C. Remove all fats, oils, and grease (FOG), solids, food debris, and wastewater
 - D. Clean all internal surfaces from the build-up of FOG or other residual materials (chemicals and/or degreasers are prohibited)
 - E. Inspect all internal components, replace anything missing or

broken and, when required by the manufacturer, ensure the flow control device is installed

- F. Document condition of GCD when empty and cleaned with digital pictures of the interior through each manhole/cover
 - G. Refill with fresh water
 - H. Replace cover(s)
 - I. Record and report all necessary information as described in 3.04.009.
- 3. Every FSE with a grease interceptor shall fully pump out and clean its grease interceptor not less than once every three (3) months.
 - 4. The FSE/Permittee/Property Owner of an FSE may submit a request to the District for a change in the required maintenance frequency at any time. The FSE has the burden of responsibility to demonstrate that the requested change in frequency reflects actual operating conditions based on the average FOG accumulation over time and meets the requirements described in 3.02.009C.1 and that it is in full compliance with the conditions of its FOG WDP and this chapter. Upon determination by the District that the requested revision is justified, the required maintenance frequency shall be revised accordingly.
 - 5. If the GCD, at any time, contains FOG and solids accumulation exceeding the requirements described in 3.02.009C.1 the FSE shall be required to have the GCD serviced immediately such that all FOG and other materials are completely removed from the GCD as described in 3.02.009C.2. If deemed necessary, the District may also increase the required maintenance frequency of the GCD.
- D. All GCDs are required to have fittings and appurtenances as designed by the manufacturer for proper function. Any GCD that does not have the required fittings and appurtenances shall be repaired and/or retro-fitted with appropriate fittings and appurtenances, or if unable to be repaired or retrofitted, the GCD shall be replaced with a new GCD in accordance with the District's Specifications.
 - E. No FOG that has accumulated in a GCD shall be allowed to pass into any sewer lateral or public sewer.
 - F. Wastewater, accumulated FOG, floating materials, solids, and other materials removed from the GCD shall be disposed of by liquid waste haulers at an approved disposal site in accordance with all applicable federal, state, and/or

local laws.

- G. The General Manager may direct District staff to service an FSE's GCD if, in the determination of the General Manager, the FSE/Permittee/Property Owner has failed to comply with the terms of the FOG WDP or with this Code. The FSE shall be responsible for any and all expenses of the District in undertaking such work, in addition to being subject to any enforcement action taken by the District as provided for in this Code.

3.02.010 Variance and waiver of requirement for grease control device

- A. Variance from the requirement to install GCD(s).

An FSE may request that the District grant a variance from the requirement to install GCD(s) to allow alternative pretreatment technology in lieu of a GCD if the FSE demonstrates that the alternative equals or exceeds the effectiveness of a GCD and that it is impossible or impracticable to install, operate, and maintain a GCD. The District's determination to grant a variance will be based upon, but not limited to, an evaluation of the following conditions:

1. There is inadequate space for installation and maintenance of a GCD; or
2. There is inadequate slope for gravity flow between kitchen plumbing fixtures and the GCD and/or between the GCD and the sewer lateral or the public sewer; and
3. The FSE can prove that the alternative pretreatment technology is equally or more effective than a GCD in controlling its FOG discharge. The FSE must be able to demonstrate, after installation of the proposed alternative pretreatment, its effectiveness to control FOG discharge through visual monitoring and water quality sampling of private sewer piping downstream from the FSE, for at least three (3) months, at its own expense. A variance may be granted if the results show no visible accumulation of FOG in the downstream sewer lines and the FOG discharge limitation per 3.02.002 is not exceeded. Any variance issued pursuant to this section may be revoked at any time at the discretion of the General Manager.

- B. Conditional waiver of requirement to install GCD(s).

A conditional waiver of the requirement to install a GCD may be granted for FSEs that the District determines to have negligible FOG discharge and insignificant impact on the public sewer. Although a conditional waiver from the installation of a GCD may be granted, the FSE may be required to provide space and plumbing segregation for future installation of a GCD. The General Manager's determination to grant or revoke a conditional waiver shall be based upon, but not limited to, an evaluation of the following conditions:

1. Quantity of FOG discharge as measured or indicated by the size of the FSE based on water usage, menu, seating capacity, number of meals served, amount of on-site consumption of prepared food, number of plumbing fixtures, and other conditions that may reasonably be shown to contribute to FOG discharges; and
2. Adequacy of implementation of BMPs and compliance history; and
3. Sewer size, grade, and condition based on visual and other information, FOG deposition in the sewer by the FSE, and history of maintenance and SSOs caused by FOG from the FSE; and
4. Changes in operations that significantly affect FOG discharge; and
5. Any other condition that the District deems reasonably related to the generation of FOG discharges.

C. Waiver of GCD installation requirement with a grease disposal mitigation fee.

Where the installation of a GCD is not feasible, and no equivalent alternative pretreatment can be installed, an FSE may be granted a waiver of the GCD requirement upon the payment of a grease disposal mitigation fee as described in 3.03.003. Additional requirements may also be imposed to mitigate the discharge of FOG into the public sewer. The General Manager's determination to grant the waiver upon the payment of a grease disposal mitigation fee will be based upon, but not limited to, an evaluation of the following conditions:

1. There is inadequate space for installation and/or maintenance of a GCD; or
2. There is inadequate slope for gravity flow between kitchen plumbing fixtures and the GCD and/or between the GCD and the sewer lateral or the public sewer; and

3. A variance from GCD installation to allow alternative pretreatment technology cannot be granted.

D. Application for variance or waiver of requirement for GCD.

An FSE may submit to the District a request in writing for a waiver or variance from the GCD requirement. The FSE bears the burden of demonstrating that the installation of a GCD is not feasible or otherwise required. Upon determination by the General Manager that reasons are sufficient to justify a variance or waiver, the FOG WDP will be issued or revised to include the variance or waiver and relieve the FSE from the requirement to install a GCD.

E. Terms and conditions of variance or waiver.

A variance or waiver shall contain the terms and conditions that serve as the basis for its issuance. A variance or waiver may be revoked by the General Manager at any time upon the determination that any of the terms or conditions for its issuance is not satisfied or if the conditions upon which the variance or waiver was based have changed so that the justification for the variance or waiver no longer exists. The variance or waiver shall be valid so long as the FSE remains in compliance with the terms and conditions until the expiration date specified in the variance or waiver.

CHAPTER 3 .03 FEES

3.03.001 Purpose

It is the purpose of this section to provide for the recovery of costs from users of the public sewer for the implementation of the program established in this Code.

3.03.002 Charges and fees

The District may adopt charges and fees by resolution which may include, but are not limited to:

- A. Fees for reimbursement of costs or setting up and operating the District's FOG program.
- B. Fees for consistent removal by the District of pollutants otherwise subject to Federal Pretreatment Standards;

- C. Other fees as the District may deem necessary to carry out the requirements contained in this Code.

Costs incurred by the District as a result of required on-site sampling and analysis shall be reimbursed to the District by the FSE/Property Owner/Permittee.

3.03.003 Grease disposal mitigation fee

Any FSE that operates under a District-approved waiver, as provided in 3.02.011 C, without a GCD may be required to pay an annual grease disposal mitigation fee. The grease disposal mitigation fee is intended to cover the costs of increased maintenance of the public sewer, for inspection and cleaning of FOG that a usual and customary, and properly maintained, GCD would otherwise prevent from entering the public sewer. This section shall not be interpreted to allow new construction or an existing FSE undergoing remodeling and/or a change in operations to operate without an approved grease interceptor or a grease trap unless the General Manager has determined that it is impossible or impracticable to install and/or operate a GCD for the subject facility under the provisions of 3.02.011 of this Code.

The grease disposal mitigation fee shall be adjusted periodically by the General Manager based on the estimated annual increased cost of maintaining the public sewer for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a GCD.

3.03.004 Collection of Fees

A. Pursuant to the provisions of Section 12811 of the Public Utilities Code, all fees, tolls, rates, rentals, or other charges established under provisions of this Code may be collected by any lawful means including an action of law and all remedies for the collection and enforcement thereof are cumulative and may be pursued alternatively or consecutively.

B. Pursuant to the provisions of Section 12811.1 of the Public Utilities Code, the owner of record of real property within the District is required to pay fees, tolls, rates, rentals, and other charges that have become delinquent together with interest and penalties thereon, for services rendered to a lessee, tenant; or another occupant of the property and those fees, tolls, rates, rentals, and other charges will constitute a lien on the property when a certificate is filed in the Office of the County Recorder and such lien has the force, effect, and property judgment lien.

C. Any fees, rates, or charges established by any of the provisions of this Code shall not

exceed the reasonable cost to the District of the rendition of the service for which the fee or charge is imposed.

CHAPTER 3 .04 ADMINISTRATION

3.04.001 FOG WDP application

- A. Any person required to obtain a FOG WDP for an FSE shall, jointly with the property owner, complete and file with the District, prior to commencing or continuing discharges, an application in a form prescribed by the General Manager.
- B. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, GCD, or other pretreatment equipment and appurtenances with sizes, locations, and elevations, and a completed Grease Control Device Sizing and Selection Worksheet as provided in the District's Specifications, with product specifications for the proposed GCD, and manufacturer's third-party certified test report with incremental test data shall be submitted with the application.
- C. Other information related to the business operations and potential discharge may be requested to properly evaluate the FOG WDP application.
- D. After evaluation of the data furnished, the FOG WDP may be issued, subject to terms and conditions set forth in this Code and as otherwise determined by the General Manager.

3.04.002 FOG WDP application fee

The FOG WDP application fee in accordance with the provisions of this Code shall accompany the submission of the FOG WDP application.

3.04.003 FOG WDP conditions

The issuance of a FOG WDP may include, but is not limited to, any of the following conditions or limits:

- A. Limits on the discharge of FOG and other pollutants.
- B. Requirements for proper operation and maintenance of GCDs.
- C. GCD maintenance frequency and schedule.

- D. Requirements for implementation of BMPs.
- E. Requirements for maintaining and reporting status of BMPs.
- F. Requirements for maintaining and submitting logs and records, including waste hauling records and waste manifests including the ultimate disposition of the waste that contains FOG.
- G. Requirements to self-monitor.
- H. Requirements to self-report.
- I. Requirements for the FSE to construct, operate and maintain, at its own expense, GCD(s) and sampling facilities.
- J. Additional requirements as otherwise determined to be reasonably appropriate by the General Manager to protect the public sewer or as specified by other regulatory agencies.
- K. Other terms and conditions which may be reasonably applied to ensure compliance with this Code

3.04.004 FOG WDP modification of terms and conditions

- A. The terms and conditions of an issued FOG WDP may be subject to modification at the sole discretion of the General Manager during the life of the FOG WDP based on:
 - 1. The permittee's current or anticipated operating data;
 - 2. Changes in the requirements of state or federal regulatory agencies that oversee and monitor the District; or
 - 3. A determination by the General Manager that such modification is appropriate to further the objectives of this chapter and all applicable regulations.
- B. A Permittee may request modification of the terms and conditions of an issued FOG WDP. Any request shall be made in writing stating the requested change and the reasons for the change. The General Manager shall review the request, make a determination on the request, and respond in writing.

- C. A permittee shall be informed by the District of any change in the FOG WDP limits, conditions, and/or requirements at least forty-five (45) days prior to the effective date of the change. Any changes or new conditions in the FOG WDP shall include a reasonable time schedule for compliance.

3.04.005 FOG WDP Duration and Renewal

FOG WDPs shall be issued and renewed according to the conditions set in the FOG WDP. At least thirty (30) days prior to the expiration (if one exists) of the FOG WDP, the Permittee shall apply for renewal and pay the applicable fees for the renewal of the WDP in accordance with the provision of this Code. A Permittee shall also pay any delinquent invoices in full prior to any FOG WDP renewal.

3.04.006 Exemption from FOG WDP

- A. A limited food preparation establishment may be considered by the General Manager to be a low-FOG producing FSE and may be exempted from obtaining a FOG WDP. Exempt establishments shall be engaged only in reheating, hot holding, or assembly of ready to eat food products, provided that, in the District's determination the wastewater discharge does not contain a significant amount of FOG.
- B. An exemption from obtaining a FOG WDP shall be requested in writing. If the General Manager determines that the reasons for the request are valid, an exemption may be granted.
- C. A limited food preparation establishment may be required to follow the BMPs defined for all FSEs. A limited food preparation establishment that discharges FOG at any time in excess of the defined limits per 3.02.002 may be reclassified as an FSE and required to obtain a FOG WDP at the General Manager's discretion.

3.04.007 Non-transferability of a FOG WDP

A FOG WDP issued pursuant to this Code is for a specific FSE and for a specific operation and creates no vested rights. No holder of a FOG WDP shall assign, transfer, and/or sell the FOG WDP and/or use the FOG WDP on any property or premises or for any facilities, operations, and/or discharges not expressly encompassed within the FOG WDP.

3.04.008 Facilities and drawing submittal requirements

An FSE/Permittee/Property Owner shall submit facility site plans, mechanical and plumbing plans, and details to show all sewer locations and connections. The submittal shall be in a form and content acceptable to the General Manager for review of the existing or proposed GCD(s), monitoring facilities, metering facilities, and operating procedures. The review of the plans and procedures shall in no way relieve the FSE of the responsibility of modifying the facilities or procedures in the future as necessary to produce an acceptable discharge per 3.02.002, and to meet the requirements of this Code or the requirements of any other regulatory agency.

The District may require the drawings to be prepared by a California registered architect, civil, mechanical, or electrical engineer. If allowed by the District General Manager, these drawings may be prepared by a qualified plumbing or mechanical contractor.

3.04.009 Monitoring and Reporting Requirements

- A. The District may require periodic reporting of the status of implementation of BMPs, in accordance with the FOG control program.
- B. The District may require visual monitoring at the sole expense of the FSE/Permittee/Property Owner to observe the actual conditions of the FSE's sewer lateral and sewer lines downstream. The District may require reports for self-monitoring of wastewater constituents and FOG characteristics of the permittee needed for determining compliance with any conditions or requirements as specified in the FOG WDP or this Code. Monitoring reports of the analyses of wastewater constituents and FOG characteristics shall be in a manner and form approved by the District and shall be submitted upon request of the General Manager. Failure by the permittee to perform any required monitoring, or to submit monitoring reports required by the General Manager constitutes a violation of this Code and shall be cause for the District to initiate all necessary tasks and analyses to determine the wastewater constituents and FOG characteristics for compliance with any conditions and requirements specified in the FOG WDP or in this Code. The Permittee shall be responsible for any and all costs and expenses of the District in undertaking such monitoring analyses and preparation of reports.
- C. An FSE/Permittee/Property Owner shall self-report by electronically submitting, via email to the District, a copy of records (i.e., logbooks, manifests, receipts, invoices) provided at the time of each pump-out/cleaning/maintenance/repair of the GCD. Submitted records shall indicate, at a minimum, the date of service, a description of the services provided, and the volume of material removed from

the GCD(s). Such information may also be submitted by the FSE/Permittee/Property Owner or their liquid waste hauler electronically as may be required by the District.

- D. Other reports may be required, such as compliance schedule progress reports, FOG control monitoring reports, and any other reports deemed reasonably appropriate by the General Manager to ensure compliance with this Code.

3.04.010 Recordkeeping requirements

The Permittee shall be required to keep all manifests, receipts, and invoices of all cleaning, maintenance, grease removal of/from the GCD, disposal carrier, and disposal site location for no less than three (3) years. The permittee shall, upon request, make the manifests, receipts, and invoices available to the District, any inspector, and/or any enforcement officer. These records may include but are not limited to:

- A. An on-site logbook of GCD cleaning and maintenance practices.
- B. A record of BMPs being implemented, including employee training.
- C. Copies of records and manifests of liquid waste hauling of GCD contents.
- D. Records of sampling data and sludge height monitoring for FOG and solids accumulation in the GCD(s).
- E. Records of any spills and/or cleaning of the sewer lateral.
- F. Any other information deemed appropriate by the General Manager to ensure compliance with this Code.

3.04.011 Falsifying information or tampering with processes

It shall be unlawful to make any false statement, representation, record, report, plan or other document that is filed with the District or to tamper with or knowingly render inoperable any GCD, monitoring device, or method or access point required under this Code.

3.04.012 Inspections and sampling conditions.

- A. The District may inspect or order the inspection and sample the wastewater discharges of any FSE/Permittee/Property Owner to ascertain that the requirements of this Code are being met and the Permittee is complying with all

conditions of the FOG WDP. The Permittee shall allow access to the FSE/Permittee/Property Owner premises, during normal business hours, for purposes of inspecting the FSE's GCDs, reviewing the manifests, receipts, and invoices relating to the cleaning, maintenance, and inspection of the GCDs.

- B. The District shall have the right to place or order the placement on the property, containing an FSE, or other locations as determined by the General Manager, such devices as are necessary to conduct sampling or metering operations. Where an FSE/Permittee/Property Owner has security measures in force, the permittee shall make necessary arrangements so that the District and/or an inspector shall be permitted to enter without delay for the purpose of performing their specific responsibilities.
- C. In order for the District to determine the wastewater characteristics of the discharger for purposes of determining compliance with FOG WDP requirements, the Permittee shall make available for inspection and copying by the General Manager, an inspector, an enforcement officer, and/or service personnel, all notices, monitoring reports, waste manifests, and records including, but not limited to, those related to wastewater generation and wastewater disposal.

3.04.013 Right of entry

Users or Permittees of properties where FSE wastewater is created or discharged shall allow the General Manager, an inspector, and/or an enforcement officer, reasonable access to all parts of the wastewater generating and disposal facilities for the purposes of inspection and sampling during all times the FSE is open, operating, or any other reasonable time. No persons or occupants of an FSE shall interfere with, delay, resist, or refuse entrance to the General Manager, an inspector, and/or an enforcement officer attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the public sewer. In the event of an emergency involving an actual or imminent SSO, the General Manager, an inspector, and/or an enforcement officer may immediately enter the property and may access adjoining businesses or properties that share a public sewer with an FSE in order to prevent or remediate the actual or imminent SSO.

3.04.013 Notification of spill.

- A. In the event a permittee is unable to comply with any FOG WDP condition due to a breakdown of equipment, accidents, or human error or the Permittee has reasonable opportunity to know that their discharge will exceed the discharge provisions of the FOG WDP or this Code, the User/Permittee shall immediately

notify the District by telephone at the number specified in the FOG WDP. If the material discharged to the public sewer has the potential to cause or result in sewer blockages or SSOs, the user/permittee shall immediately notify the District.

- B. Confirmation of this notification shall be made in writing to the District at the address specified in the FOG WDP postmarked no later than two (2) calendar days from the date of the incident. The written notification shall state the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent the problem from recurring.
- C. Such notification shall not relieve the User/Permittee of any expense, loss, damage, or other liability which may be incurred as a result of damage or loss to the District or any other damage or loss to persons or property; nor shall such notification relieve the permittee of any fees or other liability which may be imposed by this Code.

3.04.014 Notification of planned changes

A Permittee shall notify the District in writing at least sixty (60) days prior to any facility expansion or remodeling, or process modifications that may result in new or substantially increased FOG discharges or a change in the nature of the discharge. A Permittee shall submit any information requested by the District for evaluation of the effect of such expansion or remodeling on the permittee's FOG discharge to the public sewer.

3.04.015 Notification of FSE closure

- A. In the event that an FSE closes or suspends business operations, notification shall be provided to the District in writing within thirty (30) days of closure. The FSE/Permittee/Property Owner shall be responsible to ensure that any existing GCDs are cleaned in accordance with section 3.02.009C.2.
- B. A GCD that has been abandoned in place or has been discontinued otherwise from further use, or to which no waste from a plumbing fixture is connected shall have the contents removed therefrom, the bottom perforated, and be completely filled with crushed rock, sand, controlled low strength material (CLSM), concrete, or other material as approved by the District.

- C. The General Manager may direct District staff to service GCD(s) if, in the determination of the General Manager, the FSE/Permittee/Property Owner has failed to comply with the requirements of this section after an FSE closure. The FSE/Permittee/Property Owner shall be responsible for any and all expenses of the District in undertaking such work, in addition to being subject to any enforcement action taken by the District as provided for in this Code.

CHAPTER 3 .05 ENFORCEMENT

3.05.001 Harmful discharge

- A. The District may, upon order of the General Manager, suspend the wastewater service or revoke a FOG WDP when such suspension or revocation is necessary in order to stop an actual or threatened discharge that presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, or which causes obstruction to the collection system or causes the District to violate any condition of its permits or Federal and/or State regulations.
- B. Any FSE/Permittee/Property Owner notified of a suspension of the wastewater treatment service and/or revocation of a FOG WDP shall immediately stop or eliminate all nonconforming discharges to the public sewer. In the event of a failure of the FSE/Permittee/Property Owner to comply with the suspension order, the General Manager may take any and all such steps as he deems necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the collection system. The District may reinstate the FOG WDP and/or the wastewater service upon proof of the elimination of the nonconforming discharge. A detailed written statement submitted by the FSE/Permittee/Property Owner describing the causes of the harmful discharge and the measures taken to prevent any future occurrence shall be submitted to the General Manager within fifteen (15) days of the date of occurrence of the discharge.

3.05.002 Determination of non-compliance with FOG WDP conditions

- A. Sampling and inspection procedures
 - 1. Sampling and inspection of FSEs shall be conducted in the time, place, manner, and frequency determined at the discretion of the General Manager.

2. Noncompliance with FOG WDP discharge conditions or any discharge provisions of this Code may be determined by an inspection of the GCD and associated manifest and documentation, or analysis of a grab sample of the effluent of an FSE.
3. Any sample taken from a sample point, as determined representative by the District, is considered representative of the discharge to the public sewer.

B. Notice of Non-compliance/Notice of Violation

1. Any Permittee found to be in violation of this Code and/or the FOG WDP terms and conditions may be issued a Warning of Non-Compliance in which there will be a specified time period to correct tile violation.
2. If the violation is not corrected within the specified time period the Permittee will be issued a Notice of Violation, within a specified time period to correct the violation.
3. If the violation is not corrected within the time period specified in the Notice of Violation, the Permittee shall be deemed to be in noncompliance.

C. Noncompliance Fee

1. Any Permittee deemed by the General Manager to be in noncompliance with the terms and conditions specified in the FOG WDP or with any provision of this Code may be required to pay a noncompliance fee. The purpose of the noncompliance fee is to compensate the District for costs of additional inspection and follow-up, sampling, monitoring, laboratory analysis, treatment, disposal, and administrative processing incurred as a result of the noncompliance and shall be in addition to and not in lieu of any penalties as may be assessed pursuant to 3.05.005. Noncompliance fees shall be in the amount determined by the General Manager.

3.05.003 Compliance Schedule

- A. Upon determination that a permittee is in noncompliance with the terms and conditions specified in the FOG WDP or any provision of this Code or needs to acquire and install a GCD, the District may require the permittee to enter a compliance schedule on terms and conditions specified by the General

Manager.

- B. The compliance schedule may contain terms and conditions including but not limited to requirements for installation of a GCD and facilities, submittal of drawings or reports, audit of waste hauling records, BMPs and waste minimization practices, payment of fees, or other provisions to ensure compliance with this Code.
- C. If compliance is not achieved in accordance with the terms and conditions of a compliance schedule during its term, the General Manager may issue an order suspending or revoking the FOG WDP pursuant to 3.05.004 of this Code.

3.05.004 FOG WDP suspension and/or revocation

- A. The General Manager may suspend and/or revoke any FOG WDP when the District determines that a Permittee:
 - 1. Fails to comply with the terms and conditions of a compliance schedule order.
 - 2. Knowingly provides a false statement, representation, record, report, or other document to the General Manager.
 - 3. Refuses to provide records, reports, plans, or other documents required by the General Manager to determine FOG WDP terms or conditions, discharge compliance, or compliance with this Code.
 - 4. Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method.
 - 5. Refuses reasonable access to the FSE for the purpose of inspection and monitoring.
 - 6. Fails to make timely payment of all amounts owed to the District for all costs, charges, and fees required or imposed under this Code.
 - 7. Causes obstruction, sewer blockages, or SSOs in the public sewer.
 - 8. Violates GCD maintenance requirements, any condition or limit of its FOG WDP, or any provision of this Code.
 - 9. Fails to report significant changes in operations, or wastewater constituents,

and characteristics.

3.05.005 Violation- Penalty

- A. Any violation of this Code or the orders, rules, regulations, and permits issued under this Code is unlawful.
- B. Any user, discharger, and/or permittee in violation of this Code, or the orders, rules, regulations, and permits issued under this Code, may be ordered by the General Manager to cease and desist operations until the violation is corrected. Continuance of operations after notice to cease and desist has been furnished to the User, Discharger, and/or Permittee shall be unlawful and may result in the severance of the sewer connection. Each day in which any such violation shall continue shall be deemed a separate offense.
- C. The violation of any of the provisions of this Code, or the orders, rules, regulations, and permits issued under this Code, or the doing of any act prohibited or the failure or omission to do any act required by this Code, or the orders, rules, and regulations, and permits issued under this Code is a public nuisance and may be enjoined by the District.
- D. If any violation of this Code, or the orders, rules, regulations, and permits issued under this Code, causes damage to the District's wastewater system, the District may seek to recover civil damages from the User, Discharger, Owner, and/or Permittee causing such damage.
- E. Civil Penalties. Pursuant to the authority of California Government Code Sections 54739 - 54740, any person who violates any provision of this Code shall be liable civilly for a sum not to exceed \$25,000 per violation, for each day in which such violations occur. Pursuant to the authority of the Clean Water Act, 33 U.S.C. Section 1251 et seq., any person who violates any provision of this Code shall be liable civilly for a sum not to exceed \$25,000 per violation, for each day in which such violations occur. Pursuant to California Government Code Sections 54740.5 and 54740.6, the District may impose administrative fines up to the greater of \$5,000 per day or \$10 per gallon for discharge violations. Each violation and each day in which a violation occurs may constitute a new and separate violation of this Code and shall be subject to the penalties contained within.
- F. Criminal Penalties. Any person who violates any provision of this Code is guilty of a misdemeanor, which upon conviction is punishable by a fine not to exceed \$1,000 or imprisonment for not more than thirty (30) days, or both.

Each violation and each day in which a violation occurs may constitute a new and separate violation of this Code and shall be subject to the penalties contained herein.

- G. The remedies and provisions of this section are cumulative and are in addition to any other remedy or provision of law.

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT
STAFF REPORT**

To: Board of Directors

From: Herb Niederberger, General Manager

Cc: Emilie Costan, Administrative Services Manager

Subject: Adoption of Resolution 22-45, Revising Board Policies 2030 – Substance Abuse, 3120 – Investment of District Funds, and 4041 – Delegation to the General Manager.

Meeting Date: Dec 1, 2022

Overview

The South Placer Municipal Utility District (District) adopted a Policy Handbook per Resolution 15-23. From time to time, based upon Board comments or direction, staff proposes new policies and/or revisions to existing policies for inclusion in the Policy Handbook. Included with this staff report are three new policies for the Board’s consideration.

Policy 2030 – Substance Abuse: The changes to this policy are to clarify the pre-employment testing requirements.

Policy 3120 – Investment of District Funds: The changes to this policy are the result of a peer review by the California Special District Association (CSDA) Fiscal and Administration Director. It was recommended that the District simply reference permitted investments in accordance with the State of California Government Code §53601 in lieu of listing the individual investment types, maximum investment amount, and maximum maturity.

Policy 4041 – Delegation to the General Manager: The change to this policy adds authority to enter into Temporary Sewer Connection and Use Agreements and cast ballots for the Placer County Local Agency Formation Commission (LAFCO) and CSDA representatives.

On November 2, 2022, the Policy and Ordinance Advisory Committee reviewed the proposed revisions to the policies and recommended that these revised policies be forwarded to the Board of Directors for consideration.

Recommendation

Staff recommends that the Board of Directors adopt Resolution 22-45 Revising Board Policies 2030 – Substance Abuse, 3120 – Investment of District Funds, and 4041 – Delegation to the General Manager.

Strategic Plan Priorities

This action is consistent with the following Strategic Plan Priorities:

- Prepare for the future and foreseeable emergencies
- Leverage existing and applicable technologies to improve efficiencies
- Provide exceptional value for the cost of sewer service

Fiscal Impact

The revisions to Policies 2030, 3120, and 4041 have no direct fiscal impact. The revision to Policy 3120 may allow the District to switch between permitted investments to obtain higher rates of return.

Attachments

1. Resolution 22-45 – Revising Board Policies 2030, 3120, and 4041
2. Board Policy 2230 – Substance Abuse - Redline
3. Board Policy 2230 – Substance Abuse - Final
4. Board Policy 3120 – Investment of District Funds - Redline
5. Board Policy 3120 – Investment of District Funds - Final
6. Board Policy 4041 – Delegation to the General Manager - Redline
7. Board Policy 4041 – Delegation to the General Manager - Final

SOUTH PLACER MUNICIPAL UTILITY DISTRICT

RESOLUTION NO. 22-45

REVISING BOARD POLICIES 2030 – SUBSTANCE ABUSE, 3120 – INVESTMENT OF DISTRICT FUNDS, AND 4041 – DELEGATION TO THE GENERAL MANAGER.

WHEREAS, The South Placer Municipal Utility District (District) created a District Policy Handbook adopted by Resolution 15-23 on September 3, 2015; and

WHEREAS, Section 1 of Policy 1010 – Adoption or Amendment of Policies, allows for policies to be added, eliminated, or modified from time to time by resolution of the Board; and

WHEREAS, the revision of Policy 2030 – Substance Abuse is to clarify the pre-employment testing requirements; and

WHEREAS, the revision to Policy 3120 – Investment of District Funds is the result of a peer review by the California Special District Association (CSDA) Fiscal and Administration Director who recommended that the District simply reference permitted investments in accordance with the State of California Government Code §53601 in lieu of listing the individual investment types, maximum investment amount and maximum maturity; and

WHEREAS, the changes to Policy 3175 – Delegation to the General Manager, add authority to enter into Temporary Sewer Connection and Use Agreements and cast ballots for the Placer County Local Agency Formation Commission (LAFCO) and CSDA representatives

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the South Placer Municipal Utility District that the attached Policies, Policies 2030 – Substance Abuse, 3120 – Investment of District Funds, and 4041 – Delegation to the General Manager, are adopted in their entirety and are to be included in the aforementioned District Policy Handbook.

PASSED AND ADOPTED at a Regular Meeting of the South Placer Municipal Utility
District Board of Directors at Rocklin, CA this 1st day of December 2022.

Signed: _____

Gerald Mitchell, President of the Board of Directors

Attest: _____

Emilie Costan, Board Secretary

SOUTH PLACER MUNICIPAL UTILITY DISTRICT POLICIES

Policy Name:	2030 – SUBSTANCE ABUSE		
Approval Authority:	SPMUD BOARD OF DIRECTORS	Adopted:	11/05/2020
Resolution No.	20-33, <u>22-45</u>	Revised:	<u>12/1/2022</u>

PURPOSE

The purpose of this policy is to assure worker fitness for duty and to protect South Placer Municipal Utility District (District) employees and the public from risks posed by the use of alcohol and controlled substances.

POLICY STATEMENT

This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug programs in the transportation industry. The Federal Highway Administration (FHWA) of the Department of Transportation (DOT) has enacted 49 CFR Part 382 that mandate urine drug testing and breathalyzer alcohol testing for safety-sensitive positions and prevents performance of safety-sensitive functions when there is a positive test result. The Department of Transportation has also enacted 49 DFR Part 40 that sets standards for the collection and testing of urine and breath specimens. In addition, the Department of Transportation has enacted 49 CFR Part 29, “The Drug-Free Workplace Act of 1988,” which requires the establishment of drug free workplace policies and the reporting of certain drug-related offenses to the Department of Transportation. This policy incorporates those requirements of safety-sensitive employees and others when so noted.

The District recognizes that the use of alcohol and/or controlled substances in the workplace is not conducive to safe working conditions. To promote a safe, healthy, and productive work environment for all employees, it is the objective of the District to have a work force that is free from the influence of alcohol and controlled substances.

Section 1. Applicability

This policy applies to all employees when they are on District property or when performing any District related business.

Certain provisions, where identified, will apply only to safety-sensitive employees. It also applies to off-site lunch periods and breaks when a safety-sensitive employee is scheduled to return to work.

A safety-sensitive employee is:

- one in any classification requiring the use of a Class “A” or Class “B” commercial driver’s license, as listed in Appendix A,

- one who has voluntarily driven a District vehicle requiring a commercial license within the last 12-month period, or who desires in the future to voluntarily drive a District vehicle requiring a commercial license, or,
- one who performs safety-sensitive functions as specified in Appendix A. A safety-sensitive employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

Any questions regarding this policy should be directed to the Designated Employer Representative (DER) listed below.

Title: Superintendent
 Address: 5807 Springview Drive, Rocklin, CA 95677
 Telephone: (916) 786-8555

Section 2. Definitions

Accident - An unintended happening or mishap where there is loss of human life (regardless of fault), bodily injury or significant property damage.

Alcohol - The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol.

Alcohol Concentration - The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this policy (e.g., 0.02 means 0.02 grams of alcohol in 210 liters of expired deep lung air).

Alcohol Use - Consumption of any beverage, mixture, or preparation, including any medication containing ethyl alcohol. Since ingestion of a given amount of alcohol produces the same alcohol concentration in an individual whether the alcohol comes from a mixed drink or cough syrup, the DOT prohibits the use of any substance containing alcohol, such as prescription or over-the-counter medication or liquor-filled chocolates. Prescription medications containing alcohol may have a greater impairing effect due to the presence of other elements (e.g., antihistamines).

Breath Alcohol Technician (BAT) - A person trained to proficiency in the operation of the Evidential Breath Testing (EBT) device that the technician is using in the alcohol testing procedures. BAT's are the only qualified personnel to administer the EBT tests.

Chain of Custody - The procedures to account for the integrity of each urine specimen by tracking its handling and storage from point of collection to final disposition.

Collection Site - A place designated by the District where individuals present themselves for the purpose of providing a specimen of urine and/or breath.

Commercial Motor Vehicle - A motor vehicle, or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: (1) has a gross combination weight ratio of 26,001

or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or, (2) has a gross vehicle weight rating of 26,001 or more pounds; or, (3) is designed to transport 16 or more passengers, including the driver; or, (4) is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations.

Confirmation Test - For alcohol testing, a second test following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration. For controlled substances testing this is a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. (Gas chromatography/mass spectrometry (CG/MS) is the only authorized confirmation method of cocaine, marijuana, opiates, amphetamines, and phencyclidine.)

Controlled Substance (Drug) Test - A method of detecting and measuring the presence of alcohol and other controlled substances, whether legal or illegal, in a person's body. A controlled substance test may be either an initial test or confirmation test. An initial controlled substance test is designed to identify specimens having concentrations of a particular class of drug above a specified concentration level. It eliminates negative specimens from further consideration.

Controlled substances will be tested under the Department of Health and Human Services (DHHS) guidelines. The primary (initial or screening) controlled substance test thresholds (subject to change based on DHHS guidelines) for a verified positive test result are those that are equal to or greater than:

Marijuana Metabolites	50 ng/ml
Cocaine Metabolites	300 ng/ml
Phencyclidine (PCP)	25 ng/ml
Opiates Metabolites ¹	300 ng/ml

A confirmation drug testing is a second analytical procedure to detect the presence of a specific drug or its metabolite. The confirmation procedure is conducted independent of the initial test and uses a different technique and chemical principle to confirm reliability and accuracy. The confirmatory controlled substance test thresholds for a verified positive test result are those that are equal to or greater than:

Marijuana Metabolite (THC) ²	15 ng/ml
Cocaine Metabolite ³	150 ng/ml
Phencyclidine (PCP)	25 ng/ml
Morphine	300 ng/ml
Codeine	300 ng/ml
Amphetamine	500 ng/ml
Methamphetamine ⁴	500 ng/ml

¹25 ng/ml if immunoassay

²Delta-9-tetrahydrocannabinol-9-carboxylic acid

³Benzoyllecgonine

⁴Specimen must also contain amphetamine at a concentration greater than or equal to 200 ng/ml

~~Covered Employee—A person, including a volunteer or applicant, who performs a safety-sensitive function for the District.~~

Department of Transportation Guidelines - The controlled substance and alcohol testing rules - 49 CFR Part 382 (FWHA - Commercial Motor Vehicle) - setting forth the procedures for controlled substance and alcohol testing (49 CFR Part 40) in all transportation industries.

Designated Employer Representative (DER) – The Superintendent is the Designated Employer Representative for the District in responsible charge for the implementation of this policy and is authorized to take immediate actions to remove employees from safety-sensitive duties and to make decisions in the testing and evaluation processes.

Driver - Any person who operates a commercial motor vehicle for the District. This includes full time, regularly employed drivers; and casual, intermittent, or occasional drivers.

Drug (Controlled Substance) Metabolite - The specific substance produced when the human body metabolizes (changes) a given drug (controlled substance) as it passes through the body and is excreted in urine.

Evidential Breath Testing Device (EBT) - The device to be used for breath alcohol testing.

Medical Review Officer (MRO) - A licensed physician responsible for analyzing laboratory results generated by the District's substance abuse policy testing program. The MRO is knowledgeable about substance abuse disorders and has appropriate medical training to interpret and evaluate positive test results.

Performing (Safety-Sensitive Function) - A safety-sensitive employee is considered to be performing a safety-sensitive function. Includes any period in which the safety-sensitive employee is actually performing, ready to perform, or immediately available to perform such functions.

Post-Accident Alcohol and/or Controlled Substance Testing - Testing conducted after accidents on employees whose performance could have contributed to the accident. For drivers this is determined by a citation for a moving traffic violation and for all fatal accidents even if the driver is not cited for a moving traffic violation. See "Accident."

Pre-Employment Controlled Substance Testing - Testing conducted after an offer to hire has been extended to a job applicant, but before actually performing District functions as an employee. Also required when employees transfer to a safety-sensitive position.

Random Alcohol and/or Controlled Substance Testing - Testing conducted on a random unannounced basis just before, during, or just after performance of safety-sensitive functions.

Reasonable Suspicion Alcohol and/or Controlled Substance Testing - Testing conducted when a trained supervisor observes behavior or appearance that is characteristic of alcohol misuse or controlled substance abuse.

Refuse to Submit (to an Alcohol and/or Controlled Substance Test) - Failure by an employee to provide an adequate breath or urine sample for testing without a valid medical explanation after that employee

received notice of the requirement to be tested, or engages in conduct that clearly obstructs the testing process (i.e., verbal declarations, obstructive behavior, or physical absence resulting in the inability to conduct the test).

Rehabilitation - The total process of restoring an employee to satisfactory work performance through constructive confrontation, referral to the SAP, and participation in SAP recommendations such as education, treatment, and/or support groups to resolve personal, physical, or emotional/mental problems which contributed to job problems.

Return-to-Duty and Follow-Up Alcohol and/or Controlled Substance Testing - Testing conducted when an employee who has violated the prohibited alcohol or controlled substance conduct standards returns to performing duties. Follow-up tests are unannounced, and at least six (6) tests must be conducted in the first twelve (12) months after an employee returns to duty. Follow-up testing may be extended for up to sixty (60) months following return-to-duty upon the SAP recommendation.

Return-to-Duty Agreement - A document agreed to and signed by the DER or their designee, the employee, and the SAP, that outlines the terms and conditions under which the employee may return to duty after having had a verified positive controlled substance test result, or an alcohol concentration of 0.04 or greater on an alcohol test.

Safety-Sensitive Employee (Function and/or Position) - An employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions. (A complete list of safety-sensitive classifications and functions is listed in Appendix A of this policy.)

Screening (Initial) Test - An analytical procedure in alcohol testing to determine whether an employee may have a prohibited concentration of alcohol in their system. In controlled substance testing, it is an immunoassay screen to eliminate negative urine specimens from further consideration.

Service Agent – An agent (e.g., Consortium/Third party administrator) that performs random selections, conducts tests, and delivers test results. Service agents may prepare the MIS report on behalf of the District, although the DER must certify the accuracy and completeness of the MIS report.

Substance Abuse Professional (SAP) - A licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker (with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders, the license alone does not authorize this), Certified Employee Assistance Professional (CEAP), or addiction counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance related disorders.

Supervisor - Lead Worker, Superintendent, Department Manager, or General Manager who has had one (1) hour of training on the signs and symptoms of alcohol abuse and an additional hour training on the signs and symptoms of controlled substance abuse. The training will include available methods of intervening when an alcohol or controlled substances problem is suspected, including confrontation and referral to an employee assistance program.

Section 3. Prohibited Substances

“Prohibited substances” addressed by this policy include the following:

- *Drugs.* marijuana, amphetamines, opiates, phencyclidine (PCP), cocaine and any other substance regulated and/or prohibited by state or federal law (a “controlled substance”).
- *Alcohol.* The use of beverages or substances, including any medication, containing alcohol such that it is present in the body at a level in excess of that stated in DOT guidelines while actually performing, ready to perform, or immediately available to perform any District business is prohibited. “Alcohol” is defined as: the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol, including methyl or isopropyl alcohol.
- *Legal Medications.* Using or being under the influence of any legally prescribed medication(s), or non-prescription medication(s) while performing District business or while on District property is prohibited to the extent that such use or influence affects job safety or effective and efficient job performance. An employee who feels their performance of work-related duties may be impaired by use of any legal substance which carries a warning label that indicates that mental functioning, motor skills and/or judgment may be adversely affected should report it to their supervisor, and medical advice should be sought before performing work-related duties. In the above instance, an employee using legally prescribed medication or non-prescription medication may continue to work if the supervisor determines that the employee does not pose a safety threat and that job performance is not affected by such use.

Section 4. Prohibited Conduct

“Prohibited conduct” addressed by this policy includes the following:

- *Manufacture, Trafficking, Possession and Use.* Engaging in the unlawful manufacture, distribution or dispensing of a controlled substance or alcohol on District premises, in a District vehicle, or while conducting District business off the premises is absolutely prohibited. Violation may result in discipline, up to and including termination. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

Engaging in unlawful possession or use of a controlled substance or alcohol on District premises, in a District vehicle, or while conducting District business off the premises is absolutely prohibited. Violation will result in removal from duty and referral to a Substance Abuse Professional (SAP) and may result in discipline, up to and including termination of employment.

- *Impaired/Not Fit for Duty.* Any employee who is reasonably suspected of being impaired, under the influence of a prohibited substance, or not fit for duty shall be removed from job duties and be required to undergo a reasonable suspicion controlled substance or alcohol test. Employees failing to pass this reasonable suspicion controlled substance or alcohol test shall remain off duty and be referred to an SAP. A controlled substance or alcohol test is considered positive (failed) if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in the DOT guidelines.

- *Alcohol Use.* No safety-sensitive employee may report for duty or remain on duty when their ability to perform assigned functions is adversely affected by alcohol or when their breath alcohol concentration is 0.04 or greater. No employee shall use alcohol during working hours. No safety-sensitive employee shall use alcohol within four (4) hours of reporting for duty. Violation of this provision is prohibited and will subject the employee to disciplinary action, including removal from safety-sensitive duty and referral to an SAP.

- *Refusal to Comply with Testing Requirements.* All safety-sensitive employees are subject to controlled substance testing and breath alcohol testing. Any safety-sensitive employee who refuses to comply with a request for testing, who fails to appear for any test, who fails to remain at the testing site until the process is complete, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution will be treated as a having failed the controlled substance and/or alcohol test and shall be removed from duty immediately and be referred to an SAP. Refusal to submit to a test can include an inability to provide a urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test. An employee who refuses to submit to an alcohol or controlled substances test shall incur the consequences specified under DOT agency regulations for a violation of those DOT agency regulations.

- *Treatment/Rehabilitation Program.* An employee with a controlled substance and/or alcohol problem will be afforded an opportunity for treatment in accordance with the following provisions:
 - *Positive Controlled Substance and/or Alcohol Test.* A Rehabilitation Program is available for employees who have tested positive for a prohibited substance on a one-time basis only. Employees will be terminated immediately on the occurrence of a second event with a verified positive test result. Program costs and subsequent controlled substance and/or alcohol testing costs will be paid by the employee. When recommended by the SAP, participation and completion of the rehabilitation program is mandatory. Failure of an employee to attend and complete a prescribed program will result in termination from employment. Prior to return-to-duty testing, an employee must follow the rehabilitation program recommended by the SAP and agree to and sign a Return-To-Duty Agreement. The duration and frequency of follow-up testing will be determined by the SAP but will not be shorter than one (1) year or longer than five (5) years.

 - *Voluntary Admittance.* All employees who feel they have a problem with controlled substances and/or alcohol may request voluntary admission to a rehabilitation program. Requests must be submitted to the Designated Employer Representative (DER) or their designee for review. Program costs and subsequent controlled substance and/or alcohol testing costs will be paid by the employee. An employee completing a rehabilitation program must agree to and sign a Return-To-Duty Agreement, pass a return-to-duty controlled substance and/or alcohol test, and be subject to unannounced follow-up testing for thirty-six (36) months following return to duty. A positive result on the return-to-duty test or on the unannounced follow-up tests will result in termination from employment.

- *Time during Rehabilitation.* Participants in the rehabilitation program may use accumulated sick leave, vacation, and floating holidays, if any.

Section 5. Notifying the District of Criminal Drug Conviction

Pursuant to the "Drug Free Workplace Act of 1988," any employee who fails to immediately notify the District of any criminal controlled substance statute conviction shall be subject to disciplinary action, up to and including termination of employment.

Section 6. Proper Application of the Policy

The District is dedicated to assuring fair and equitable application of this Substance Abuse Policy. Therefore, supervisors are required to administer all aspects of the policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy with respect to their subordinates shall be subject to disciplinary action, up to and including termination of employment.

Section 7. Testing for Prohibited Substances

Analytical urine testing for controlled substances and breath testing for alcohol will be conducted as required under DOT guidelines. All employees shall be subject to testing prior to employment and for reasonable suspicion. All safety-sensitive employees shall be subject to testing randomly and following an accident, as defined in the DOT guidelines. In addition, all safety-sensitive employees will be tested prior to returning to duty after failing a controlled substance and/or alcohol test. Employees who have returned to duty will be subject to unannounced follow-up tests for up to five (5) years, as determined by an SAP. Safety-sensitive employees who perform safety-sensitive functions as defined in the DOT guidelines shall also be subject to testing on a randomly selected and unannounced basis.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the Department of Health and Human Services (DHHS), including split-sample testing. All testing will be conducted consistent with the procedures put forth in the DOT guidelines.

An initial controlled substance screen will be conducted on each specimen. For those specimens that are positive, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the controlled substance levels present are above the minimum thresholds established in the DOT guidelines.

Tests for alcohol concentration will be conducted utilizing an approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). If the initial test indicated an alcohol concentration of 0.02 or greater, a confirmation test will be performed to confirm the result of the initial test. A safety-sensitive employee who has a confirmed alcohol concentration of 0.02, but less than 0.04 will be removed from their position for at least twenty-four (24) hours unless a retest results in an alcohol concentration of 0.02 or less. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of DOT guidelines and this policy.

Any employee who has a confirmed positive controlled substance or alcohol test will be removed from their position, informed of educational and rehabilitation programs available, and evaluated by an SAP.

The District affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process.

Circumstances under which employees may be tested addressed by this policy include the following:

- Pre-Employment Testing. All job applicants who have been offered District employment shall undergo urine testing for controlled substances prior to employment. All employees in a safety-sensitive position, including current non-safety-sensitive employees who promote, demote, or transfer to such positions, shall undergo urine testing for controlled substances prior to employmentengaging in safety-sensitive functions.

Receipt of a satisfactory test result is required prior to employment and failure of a controlled substance test will disqualify the candidate from further consideration for employment. Current employees who promote, demote or transfer from non-safety-sensitive to safety-sensitive position shall test negative prior to assignment to a safety-sensitive classification.

The District will obtain records from previous employers of new employees in conformance with DOT guidelines. Probationary employees who receive a positive alcohol and/or substance abuse test, or who fail to provide “clean” records from previous employers will fail to complete the District’s probationary period.

- Reasonable Suspicion Testing. All employees will be subject to urine and/or breath testing when there is a reason to believe that controlled substances or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances which are consistent with the effects of substance abuse. Examples of reasonable suspicion include, but are not limited to, the following:
 - Adequate documentation of unsatisfactory work performance or on-the-job behavior.
 - Physical signs and symptoms consistent with prohibited substance use.
 - Occurrence of a serious or potentially serious accident that may have been caused by human error.
 - Fights (i.e., physical contact), assaults, and flagrant disregard or violations of established safety, security, or other operational procedures.

Reasonable-suspicion determinations will be made by a supervisor who is trained to detect the signs and symptoms of controlled substance and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in their work performance due to prohibited substance abuse or misuse.

- Post-Accident Testing. Safety-sensitive employees will be required to undergo controlled substance and/or breath alcohol testing if they are involved in an accident with a District vehicle that results in a fatality. This includes all safety-sensitive employees who are on duty in the vehicles. In addition, a post-accident test will be conducted if an accident results in injuries requiring transportation to a medical treatment facility; or where one or more vehicles incurs disabling damage that requires towing from the site; or the safety-sensitive employee receives a citation under State or local law for a moving traffic violation arising from the accident.

Following an accident, the safety-sensitive employee will be tested as soon as possible, but not to exceed eight (8) hours for alcohol and thirty-two (32) hours for controlled substances. If an alcohol test required by this section is not administered within two (2) hours following the accident, the employer shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If an alcohol test required by this section is not administered within eight (8) hours following the accident, the employer shall cease attempts to administer an alcohol test and shall prepare and maintain the same record. If a controlled substance test required by this section is not administered within thirty-two (32) hours following the accident, the employer shall cease attempts to administer a controlled substances test and prepare and maintain on file a record stating the reasons the test was not promptly administered. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to controlled substance and alcohol testing will be considered to have refused the test and be subject to termination of employment. Post-accident testing of safety-sensitive employees will include not only the operation personnel, but any other employees whose performance could have contributed to the accident. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

- *Random Testing.* Employees working in safety-sensitive classifications will be subjected to randomly selected, unannounced testing. The random selection will be by a scientifically valid method. Each safety-sensitive employee will have an equal chance of being tested each time selections are made. Safety-sensitive employees will be tested either just before departure, or during duty, or just after the safety-sensitive employee has ceased performing their duty. The dates for administering random alcohol and controlled substances tests are spread reasonably throughout the calendar year.

When safety-sensitive employees are off work due to long-term lay-offs, illness, injury, or vacation, the employee's name will be placed back into the pool and another employee name selected.

The number of safety-sensitive employees selected for random testing will be the amount required in the DOT guidelines. The employee pool will consist of all District safety-sensitive employees or, if the District participates in a consortium of employers, all safety-sensitive employees within the consortium.

- *Return-to-Duty Testing.* All employees who previously tested positive for a controlled substance or alcohol test must test negative and be evaluated and released to duty by the SAP before returning to duty. Employees will be required to undergo unannounced follow-up controlled substance and/or alcohol breath testing following returning to duty. The SAP will determine the duration and frequency. However, it shall not be less than six (6) tests during the first twelve (12) months, nor longer than sixty (60) months in total, following return to duty.
- *Employee Requested Testing.* Any employee who questions the result of a required controlled substance test may request that an additional test be conducted. This additional test may be conducted at the same laboratory or at a different DHHS certified laboratory. The test must be

conducted on the split sample that was provided at the same time as the original sample. All costs for such testing are to be paid by the employee unless the second test invalidated the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in the DOT guidelines. The safety-sensitive employee's request for a retest must be made to the Medical Review Officer (MRO) within seventy-two (72) hours of notice of the initial test result. Requests after seventy-two (72) hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

Records Retention. The District shall maintain complete records of alcohol and/or controlled substance test results for each employee in a secure location with controlled access. Employee records are confidential and will be available to the DOT or any state or local officials with regulatory authority over the District or any of its drivers only.

The following records are maintained according to the following schedule.

Record	Retention Period (min)
Records of driver alcohol test results indicating an alcohol concentration of 0.02 or greater	Five years
Records of driver verified positive controlled substances test results	
Documentation of refusals to take required alcohol and/or controlled substances tests	
Driver evaluation and referrals	
Records related to the administration of the alcohol and controlled substances testing program, including records of all driver violations	
Copy of each annual calendar year summary of the testing program (i.e., Management Information System (MIS) form)	
Records related to the alcohol and controlled substances collection process.	Two years
Records of negative and canceled controlled substances test results and alcohol test results with a concentration of less than 0.02.	One year

Records related to the education and training of supervisors and drivers shall be maintained by the District indefinitely while the individual performs the functions which require the training and for two (2) years after ceasing to perform those functions.

A driver is entitled, upon written request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to their alcohol or controlled substances tests. The employer shall promptly provide the records requested by the driver. Access to a driver's records shall not be contingent upon payment for records other than those specifically requested.

Records shall be made available to a subsequent employer upon receipt of a written request from a driver.

Reporting to the Drug and Alcohol Clearinghouse. Effective January 6, 2020, the District is obligated to report the following information to the Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse once obtained:

1. A verified positive, adulterated, or substituted drug test result,

2. An alcohol confirmation test with a concentration of 0.04 or higher,
3. A refusal to submit to any test required by this policy,
4. An employer's report of actual knowledge (as defined at 49 CFR 382.107) of:
 - a. On duty alcohol use pursuant to 49 CFR 382.205,
 - b. Pre-duty alcohol use pursuant to 49 CFR 382.207,
 - c. Alcohol use following an accident pursuant to 49 CFR 382.209, and
 - d. Controlled substance use pursuant to 49 CFR 382.213,
5. A substance abuse professional's report of the successful completion of the return-to-duty process,
6. A negative return-to-duty test, and
7. An employer's report of completion of follow-up testing.

Section 8. Employee Assessment

Any employee who tests positive for the presence of controlled substances or whose breath alcohol concentration is above the minimum thresholds set forth in the DOT guidelines will be assessed by an SAP. An SAP is a District selected licensed physician, psychologist, social worker, employee assistance professional, or addiction counselor with knowledge of and clinical experienced in the diagnosis and treatment of drug and alcohol related disorders. The SAP will evaluate each employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited substance or alcohol abuse or misuse.

If an employee is returned to duty following rehabilitation, they must agree to and sign a Return-to-Duty Agreement, pass a return-to-duty controlled substance and/or alcohol test and be subject to unannounced follow-up tests for a period of one (1) to five (5) years, as determined by the SAP. The cost of any rehabilitation and subsequent controlled substance and/or alcohol testing is borne by the employee and is on a one-time basis only. An employee will be immediately terminated from employment on the occurrence of a second verified positive test result. Employees may use accumulated sick leave, vacation, administrative leave, personal leave, and/or floating holidays, if any, to participate in the prescribed rehabilitation program.

Section 9. Test Related Time-Off Work Provisions

Any employee who is relieved from duty due to a positive drug or controlled substance test must use accumulated compensated leave (i.e., vacation, sick leave, administrative leave, personnel leave or floating holidays, if any) during the regularly scheduled work time missed. If the employee has insufficient accumulated compensated leave to cover the regularly scheduled work time missed due to a positive alcohol or controlled substance test, such time shall be without pay. In the event there is a false positive test the District, upon verification, will compensate the employee for any regularly scheduled work time missed as a result thereof.

APPENDIX "A"

SAFETY-SENSITIVE CLASSIFICATIONS AND FUNCTIONS

District Safety-Sensitive Classifications

Maintenance Worker I
Lead Worker

Maintenance Worker II
Maintenance Worker/Inspector

Safety-Sensitive Function

Operating any vehicle where a Class A or Class B driver's license would be required.

APPENDIX "B"

CERTIFICATE OF RECEIPT OF SUBSTANCE ABUSE POLICY

I hereby certify that I have received a copy of South Placer Municipal Utility District's Substance Abuse Policy.

Employee's Signature

Date

Employee's Name Printed

APPENDIX "C"

VOLUNTARY PARTICIPATION IN RANDOM TESTING

In accordance with Appendix A of the District's Substance Abuse Policy, my classification is not considered safety sensitive. Therefore, I am not required to participate in the random testing for controlled substances, even though I have a Class A or Class B (commercial) driver's license.

However, for the convenience of the District, and because I would like to have the opportunity to operate District vehicles and equipment requiring a commercial license, designated as safety-sensitive functions in the District's policy, I hereby request that I be included - during the current calendar year - in the pool of safety-sensitive employees for the purpose of controlled substance random testing, in conformance with the District's Substance Abuse Policy.

Employee's Signature

Date

Employee's Name Printed

SOUTH PLACER MUNICIPAL UTILITY DISTRICT POLICIES

Policy Name:	2030 – SUBSTANCE ABUSE		
Approval Authority:	SPMUD BOARD OF DIRECTORS	Adopted:	11/05/2020
Resolution No.	20-33, 22-45	Revised:	12/1/2022

PURPOSE

The purpose of this policy is to assure worker fitness for duty and to protect South Placer Municipal Utility District (District) employees and the public from risks posed by the use of alcohol and controlled substances.

POLICY STATEMENT

This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug programs in the transportation industry. The Federal Highway Administration (FHWA) of the Department of Transportation (DOT) has enacted 49 CFR Part 382 that mandate urine drug testing and breathalyzer alcohol testing for safety-sensitive positions and prevents performance of safety-sensitive functions when there is a positive test result. The Department of Transportation has also enacted 49 DFR Part 40 that sets standards for the collection and testing of urine and breath specimens. In addition, the Department of Transportation has enacted 49 CFR Part 29, “The Drug-Free Workplace Act of 1988,” which requires the establishment of drug free workplace policies and the reporting of certain drug-related offenses to the Department of Transportation. This policy incorporates those requirements of safety-sensitive employees and others when so noted.

The District recognizes that the use of alcohol and/or controlled substances in the workplace is not conducive to safe working conditions. To promote a safe, healthy, and productive work environment for all employees, it is the objective of the District to have a work force that is free from the influence of alcohol and controlled substances.

Section 1. Applicability

This policy applies to all employees when they are on District property or when performing any District related business.

Certain provisions, where identified, will apply only to safety-sensitive employees. It also applies to off-site lunch periods and breaks when a safety-sensitive employee is scheduled to return to work.

A safety-sensitive employee is:

- one in any classification requiring the use of a Class “A” or Class “B” commercial driver’s license, as listed in Appendix A,

- one who has voluntarily driven a District vehicle requiring a commercial license within the last 12-month period, or who desires in the future to voluntarily drive a District vehicle requiring a commercial license, or,
- one who performs safety-sensitive functions as specified in Appendix A. A safety-sensitive employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

Any questions regarding this policy should be directed to the Designated Employer Representative (DER) listed below.

Title: Superintendent
 Address: 5807 Springview Drive, Rocklin, CA 95677
 Telephone: (916) 786-8555

Section 2. Definitions

Accident - An unintended happening or mishap where there is loss of human life (regardless of fault), bodily injury or significant property damage.

Alcohol - The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol.

Alcohol Concentration - The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this policy (e.g., 0.02 means 0.02 grams of alcohol in 210 liters of expired deep lung air).

Alcohol Use - Consumption of any beverage, mixture, or preparation, including any medication containing ethyl alcohol. Since ingestion of a given amount of alcohol produces the same alcohol concentration in an individual whether the alcohol comes from a mixed drink or cough syrup, the DOT prohibits the use of any substance containing alcohol, such as prescription or over-the-counter medication or liquor-filled chocolates. Prescription medications containing alcohol may have a greater impairing effect due to the presence of other elements (e.g., antihistamines).

Breath Alcohol Technician (BAT) - A person trained to proficiency in the operation of the Evidential Breath Testing (EBT) device that the technician is using in the alcohol testing procedures. BAT's are the only qualified personnel to administer the EBT tests.

Chain of Custody - The procedures to account for the integrity of each urine specimen by tracking its handling and storage from point of collection to final disposition.

Collection Site - A place designated by the District where individuals present themselves for the purpose of providing a specimen of urine and/or breath.

Commercial Motor Vehicle - A motor vehicle, or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: (1) has a gross combination weight ratio of 26,001

or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or, (2) has a gross vehicle weight rating of 26,001 or more pounds; or, (3) is designed to transport 16 or more passengers, including the driver; or, (4) is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations.

Confirmation Test - For alcohol testing, a second test following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration. For controlled substances testing this is a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. (Gas chromatography/mass spectrometry (CG/MS) is the only authorized confirmation method of cocaine, marijuana, opiates, amphetamines, and phencyclidine.)

Controlled Substance (Drug) Test - A method of detecting and measuring the presence of alcohol and other controlled substances, whether legal or illegal, in a person's body. A controlled substance test may be either an initial test or confirmation test. An initial controlled substance test is designed to identify specimens having concentrations of a particular class of drug above a specified concentration level. It eliminates negative specimens from further consideration.

Controlled substances will be tested under the Department of Health and Human Services (DHHS) guidelines. The primary (initial or screening) controlled substance test thresholds (subject to change based on DHHS guidelines) for a verified positive test result are those that are equal to or greater than:

Marijuana Metabolites	50 ng/ml
Cocaine Metabolites	300 ng/ml
Phencyclidine (PCP)	25 ng/ml
Opiates Metabolites ¹	300 ng/ml

A confirmation drug testing is a second analytical procedure to detect the presence of a specific drug or its metabolite. The confirmation procedure is conducted independent of the initial test and uses a different technique and chemical principle to confirm reliability and accuracy. The confirmatory controlled substance test thresholds for a verified positive test result are those that are equal to or greater than:

Marijuana Metabolite (THC) ²	15 ng/ml
Cocaine Metabolite ³	150 ng/ml
Phencyclidine (PCP)	25 ng/ml
Morphine	300 ng/ml
Codeine	300 ng/ml
Amphetamine	500 ng/ml
Methamphetamine ⁴	500 ng/ml

¹25 ng/ml if immunoassay

²Delta-9-tetrahydrocannabinol-9-carboxylic acid

³Benzoyllecgonine

⁴Specimen must also contain amphetamine at a concentration greater than or equal to 200 ng/ml

Department of Transportation Guidelines - The controlled substance and alcohol testing rules - 49 CFR Part 382 (FWHA - Commercial Motor Vehicle) - setting forth the procedures for controlled substance and alcohol testing (49 CFR Part 40) in all transportation industries.

Designated Employer Representative (DER) – The Superintendent is the Designated Employer Representative for the District in responsible charge for the implementation of this policy and is authorized to take immediate actions to remove employees from safety-sensitive duties and to make decisions in the testing and evaluation processes.

Driver - Any person who operates a commercial motor vehicle for the District. This includes full time, regularly employed drivers; and casual, intermittent, or occasional drivers.

Drug (Controlled Substance) Metabolite - The specific substance produced when the human body metabolizes (changes) a given drug (controlled substance) as it passes through the body and is excreted in urine.

Evidential Breath Testing Device (EBT) - The device to be used for breath alcohol testing.

Medical Review Officer (MRO) - A licensed physician responsible for analyzing laboratory results generated by the District's substance abuse policy testing program. The MRO is knowledgeable about substance abuse disorders and has appropriate medical training to interpret and evaluate positive test results.

Performing (Safety-Sensitive Function) - A safety-sensitive employee is considered to be performing a safety-sensitive function. Includes any period in which the safety-sensitive employee is actually performing, ready to perform, or immediately available to perform such functions.

Post-Accident Alcohol and/or Controlled Substance Testing - Testing conducted after accidents on employees whose performance could have contributed to the accident. For drivers this is determined by a citation for a moving traffic violation and for all fatal accidents even if the driver is not cited for a moving traffic violation. See "Accident."

Pre-Employment Controlled Substance Testing - Testing conducted after an offer to hire has been extended to a job applicant, but before actually performing District functions as an employee. Also required when employees transfer to a safety-sensitive position.

Random Alcohol and/or Controlled Substance Testing - Testing conducted on a random unannounced basis just before, during, or just after performance of safety-sensitive functions.

Reasonable Suspicion Alcohol and/or Controlled Substance Testing - Testing conducted when a trained supervisor observes behavior or appearance that is characteristic of alcohol misuse or controlled substance abuse.

Refuse to Submit (to an Alcohol and/or Controlled Substance Test) - Failure by an employee to provide an adequate breath or urine sample for testing without a valid medical explanation after that employee received notice of the requirement to be tested, or engages in conduct that clearly obstructs the testing

process (i.e., verbal declarations, obstructive behavior, or physical absence resulting in the inability to conduct the test).

Rehabilitation - The total process of restoring an employee to satisfactory work performance through constructive confrontation, referral to the SAP, and participation in SAP recommendations such as education, treatment, and/or support groups to resolve personal, physical, or emotional/mental problems which contributed to job problems.

Return-to-Duty and Follow-Up Alcohol and/or Controlled Substance Testing - Testing conducted when an employee who has violated the prohibited alcohol or controlled substance conduct standards returns to performing duties. Follow-up tests are unannounced, and at least six (6) tests must be conducted in the first twelve (12) months after an employee returns to duty. Follow-up testing may be extended for up to sixty (60) months following return-to-duty upon the SAP recommendation.

Return-to-Duty Agreement - A document agreed to and signed by the DER or their designee, the employee, and the SAP, that outlines the terms and conditions under which the employee may return to duty after having had a verified positive controlled substance test result, or an alcohol concentration of 0.04 or greater on an alcohol test.

Safety-Sensitive Employee (Function and/or Position) - An employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions. (A complete list of safety-sensitive classifications and functions is listed in Appendix A of this policy.)

Screening (Initial) Test - An analytical procedure in alcohol testing to determine whether an employee may have a prohibited concentration of alcohol in their system. In controlled substance testing, it is an immunoassay screen to eliminate negative urine specimens from further consideration.

Service Agent – An agent (e.g., Consortium/Third party administrator) that performs random selections, conducts tests, and delivers test results. Service agents may prepare the MIS report on behalf of the District, although the DER must certify the accuracy and completeness of the MIS report.

Substance Abuse Professional (SAP) - A licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker (with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders, the license alone does not authorize this), Certified Employee Assistance Professional (CEAP), or addiction counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance related disorders.

Supervisor - Lead Worker, Superintendent, Department Manager, or General Manager who has had one (1) hour of training on the signs and symptoms of alcohol abuse and an additional hour training on the signs and symptoms of controlled substance abuse. The training will include available methods of intervening when an alcohol or controlled substances problem is suspected, including confrontation and referral to an employee assistance program.

Section 3. Prohibited Substances

“Prohibited substances” addressed by this policy include the following:

- *Drugs.* marijuana, amphetamines, opiates, phencyclidine (PCP), cocaine and any other substance regulated and/or prohibited by state or federal law (a “controlled substance”).
- *Alcohol.* The use of beverages or substances, including any medication, containing alcohol such that it is present in the body at a level in excess of that stated in DOT guidelines while actually performing, ready to perform, or immediately available to perform any District business is prohibited. “Alcohol” is defined as: the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol, including methyl or isopropyl alcohol.
- *Legal Medications.* Using or being under the influence of any legally prescribed medication(s), or non-prescription medication(s) while performing District business or while on District property is prohibited to the extent that such use or influence affects job safety or effective and efficient job performance. An employee who feels their performance of work-related duties may be impaired by use of any legal substance which carries a warning label that indicates that mental functioning, motor skills and/or judgment may be adversely affected should report it to their supervisor, and medical advice should be sought before performing work-related duties. In the above instance, an employee using legally prescribed medication or non-prescription medication may continue to work if the supervisor determines that the employee does not pose a safety threat and that job performance is not affected by such use.

Section 4. Prohibited Conduct

“Prohibited conduct” addressed by this policy includes the following:

- *Manufacture, Trafficking, Possession and Use.* Engaging in the unlawful manufacture, distribution or dispensing of a controlled substance or alcohol on District premises, in a District vehicle, or while conducting District business off the premises is absolutely prohibited. Violation may result in discipline, up to and including termination. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

Engaging in unlawful possession or use of a controlled substance or alcohol on District premises, in a District vehicle, or while conducting District business off the premises is absolutely prohibited. Violation will result in removal from duty and referral to a Substance Abuse Professional (SAP) and may result in discipline, up to and including termination of employment.

- *Impaired/Not Fit for Duty.* Any employee who is reasonably suspected of being impaired, under the influence of a prohibited substance, or not fit for duty shall be removed from job duties and be required to undergo a reasonable suspicion controlled substance or alcohol test. Employees failing to pass this reasonable suspicion controlled substance or alcohol test shall remain off duty and be referred to an SAP. A controlled substance or alcohol test is considered positive (failed) if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in the DOT guidelines.

- *Alcohol Use.* No safety-sensitive employee may report for duty or remain on duty when their ability to perform assigned functions is adversely affected by alcohol or when their breath alcohol concentration is 0.04 or greater. No employee shall use alcohol during working hours. No safety-sensitive employee shall use alcohol within four (4) hours of reporting for duty. Violation of this provision is prohibited and will subject the employee to disciplinary action, including removal from safety-sensitive duty and referral to an SAP.

- *Refusal to Comply with Testing Requirements.* All safety-sensitive employees are subject to controlled substance testing and breath alcohol testing. Any safety-sensitive employee who refuses to comply with a request for testing, who fails to appear for any test, who fails to remain at the testing site until the process is complete, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution will be treated as a having failed the controlled substance and/or alcohol test and shall be removed from duty immediately and be referred to an SAP. Refusal to submit to a test can include an inability to provide a urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test. An employee who refuses to submit to an alcohol or controlled substances test shall incur the consequences specified under DOT agency regulations for a violation of those DOT agency regulations.

- *Treatment/Rehabilitation Program.* An employee with a controlled substance and/or alcohol problem will be afforded an opportunity for treatment in accordance with the following provisions:
 - *Positive Controlled Substance and/or Alcohol Test.* A Rehabilitation Program is available for employees who have tested positive for a prohibited substance on a one-time basis only. Employees will be terminated immediately on the occurrence of a second event with a verified positive test result. Program costs and subsequent controlled substance and/or alcohol testing costs will be paid by the employee. When recommended by the SAP, participation and completion of the rehabilitation program is mandatory. Failure of an employee to attend and complete a prescribed program will result in termination from employment. Prior to return-to-duty testing, an employee must follow the rehabilitation program recommended by the SAP and agree to and sign a Return-To-Duty Agreement. The duration and frequency of follow-up testing will be determined by the SAP but will not be shorter than one (1) year or longer than five (5) years.

 - *Voluntary Admittance.* All employees who feel they have a problem with controlled substances and/or alcohol may request voluntary admission to a rehabilitation program. Requests must be submitted to the Designated Employer Representative (DER) or their designee for review. Program costs and subsequent controlled substance and/or alcohol testing costs will be paid by the employee. An employee completing a rehabilitation program must agree to and sign a Return-To-Duty Agreement, pass a return-to-duty controlled substance and/or alcohol test, and be subject to unannounced follow-up testing for thirty-six (36) months following return to duty. A positive result on the return-to-duty test or on the unannounced follow-up tests will result in termination from employment.

- *Time during Rehabilitation.* Participants in the rehabilitation program may use accumulated sick leave, vacation, and floating holidays, if any.

Section 5. Notifying the District of Criminal Drug Conviction

Pursuant to the "Drug Free Workplace Act of 1988," any employee who fails to immediately notify the District of any criminal controlled substance statute conviction shall be subject to disciplinary action, up to and including termination of employment.

Section 6. Proper Application of the Policy

The District is dedicated to assuring fair and equitable application of this Substance Abuse Policy. Therefore, supervisors are required to administer all aspects of the policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy with respect to their subordinates shall be subject to disciplinary action, up to and including termination of employment.

Section 7. Testing for Prohibited Substances

Analytical urine testing for controlled substances and breath testing for alcohol will be conducted as required under DOT guidelines. All employees shall be subject to testing prior to employment and for reasonable suspicion. All safety-sensitive employees shall be subject to testing randomly and following an accident, as defined in the DOT guidelines. In addition, all safety-sensitive employees will be tested prior to returning to duty after failing a controlled substance and/or alcohol test. Employees who have returned to duty will be subject to unannounced follow-up tests for up to five (5) years, as determined by an SAP. Safety-sensitive employees who perform safety-sensitive functions as defined in the DOT guidelines shall also be subject to testing on a randomly selected and unannounced basis.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the Department of Health and Human Services (DHHS), including split-sample testing. All testing will be conducted consistent with the procedures put forth in the DOT guidelines.

An initial controlled substance screen will be conducted on each specimen. For those specimens that are positive, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the controlled substance levels present are above the minimum thresholds established in the DOT guidelines.

Tests for alcohol concentration will be conducted utilizing an approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). If the initial test indicated an alcohol concentration of 0.02 or greater, a confirmation test will be performed to confirm the result of the initial test. A safety-sensitive employee who has a confirmed alcohol concentration of 0.02, but less than 0.04 will be removed from their position for at least twenty-four (24) hours unless a retest results in an alcohol concentration of 0.02 or less. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of DOT guidelines and this policy.

Any employee who has a confirmed positive controlled substance or alcohol test will be removed from their position, informed of educational and rehabilitation programs available, and evaluated by an SAP.

The District affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process.

Circumstances under which employees may be tested addressed by this policy include the following:

- *Pre-Employment Testing.* All job applicants who have been offered District employment shall undergo urine testing for controlled substances prior to employment. All employees in a safety-sensitive position, including current non-safety-sensitive employees who promote, demote, or transfer to such positions, shall undergo urine testing for controlled substances prior to engaging in safety-sensitive functions.

Receipt of a satisfactory test result is required prior to employment and failure of a controlled substance test will disqualify the candidate from further consideration for employment. Current employees who promote, demote or transfer from non-safety-sensitive to safety-sensitive position shall test negative prior to assignment to a safety-sensitive classification.

The District will obtain records from previous employers of new employees in conformance with DOT guidelines. Probationary employees who receive a positive alcohol and/or substance abuse test, or who fail to provide “clean” records from previous employers will fail to complete the District’s probationary period.

- *Reasonable Suspicion Testing.* All employees will be subject to urine and/or breath testing when there is a reason to believe that controlled substances or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances which are consistent with the effects of substance abuse. Examples of reasonable suspicion include, but are not limited to, the following:
 - Adequate documentation of unsatisfactory work performance or on-the-job behavior.
 - Physical signs and symptoms consistent with prohibited substance use.
 - Occurrence of a serious or potentially serious accident that may have been caused by human error.
 - Fights (i.e., physical contact), assaults, and flagrant disregard or violations of established safety, security, or other operational procedures.

Reasonable-suspicion determinations will be made by a supervisor who is trained to detect the signs and symptoms of controlled substance and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in their work performance due to prohibited substance abuse or misuse.

- *Post-Accident Testing.* Safety-sensitive employees will be required to undergo controlled substance and/or breath alcohol testing if they are involved in an accident with a District vehicle that results in a fatality. This includes all safety-sensitive employees who are on duty in the vehicles. In addition, a post-accident test will be conducted if an accident results in injuries requiring transportation to a medical treatment facility; or where one or more vehicles incurs disabling damage that requires towing from the site; or the safety-sensitive employee receives a citation under State or local law for a moving traffic violation arising from the accident.

Following an accident, the safety-sensitive employee will be tested as soon as possible, but not to exceed eight (8) hours for alcohol and thirty-two (32) hours for controlled substances. If an alcohol test required by this section is not administered within two (2) hours following the accident, the employer shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If an alcohol test required by this section is not administered within eight (8) hours following the accident, the employer shall cease attempts to administer an alcohol test and shall prepare and maintain the same record. If a controlled substance test required by this section is not administered within thirty-two (32) hours following the accident, the employer shall cease attempts to administer a controlled substances test and prepare and maintain on file a record stating the reasons the test was not promptly administered. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to controlled substance and alcohol testing will be considered to have refused the test and be subject to termination of employment. Post-accident testing of safety-sensitive employees will include not only the operation personnel, but any other employees whose performance could have contributed to the accident. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

- *Random Testing.* Employees working in safety-sensitive classifications will be subjected to randomly selected, unannounced testing. The random selection will be by a scientifically valid method. Each safety-sensitive employee will have an equal chance of being tested each time selections are made. Safety-sensitive employees will be tested either just before departure, or during duty, or just after the safety-sensitive employee has ceased performing their duty. The dates for administering random alcohol and controlled substances tests are spread reasonably throughout the calendar year.

When safety-sensitive employees are off work due to long-term lay-offs, illness, injury, or vacation, the employee's name will be placed back into the pool and another employee name selected.

The number of safety-sensitive employees selected for random testing will be the amount required in the DOT guidelines. The employee pool will consist of all District safety-sensitive employees or, if the District participates in a consortium of employers, all safety-sensitive employees within the consortium.

- *Return-to-Duty Testing.* All employees who previously tested positive for a controlled substance or alcohol test must test negative and be evaluated and released to duty by the SAP before returning to duty. Employees will be required to undergo unannounced follow-up controlled substance and/or alcohol breath testing following returning to duty. The SAP will determine the duration and frequency. However, it shall not be less than six (6) tests during the first twelve (12) months, nor longer than sixty (60) months in total, following return to duty.
- *Employee Requested Testing.* Any employee who questions the result of a required controlled substance test may request that an additional test be conducted. This additional test may be conducted at the same laboratory or at a different DHHS certified laboratory. The test must be

conducted on the split sample that was provided at the same time as the original sample. All costs for such testing are to be paid by the employee unless the second test invalidated the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in the DOT guidelines. The safety-sensitive employee's request for a retest must be made to the Medical Review Officer (MRO) within seventy-two (72) hours of notice of the initial test result. Requests after seventy-two (72) hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

Records Retention. The District shall maintain complete records of alcohol and/or controlled substance test results for each employee in a secure location with controlled access. Employee records are confidential and will be available to the DOT or any state or local officials with regulatory authority over the District or any of its drivers only.

The following records are maintained according to the following schedule.

Record	Retention Period (min)
Records of driver alcohol test results indicating an alcohol concentration of 0.02 or greater	Five years
Records of driver verified positive controlled substances test results	
Documentation of refusals to take required alcohol and/or controlled substances tests	
Driver evaluation and referrals	
Records related to the administration of the alcohol and controlled substances testing program, including records of all driver violations	
Copy of each annual calendar year summary of the testing program (i.e., Management Information System (MIS) form)	
Records related to the alcohol and controlled substances collection process.	Two years
Records of negative and canceled controlled substances test results and alcohol test results with a concentration of less than 0.02.	One year

Records related to the education and training of supervisors and drivers shall be maintained by the District indefinitely while the individual performs the functions which require the training and for two (2) years after ceasing to perform those functions.

A driver is entitled, upon written request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to their alcohol or controlled substances tests. The employer shall promptly provide the records requested by the driver. Access to a driver's records shall not be contingent upon payment for records other than those specifically requested.

Records shall be made available to a subsequent employer upon receipt of a written request from a driver.

Reporting to the Drug and Alcohol Clearinghouse. Effective January 6, 2020, the District is obligated to report the following information to the Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse once obtained:

1. A verified positive, adulterated, or substituted drug test result,

2. An alcohol confirmation test with a concentration of 0.04 or higher,
3. A refusal to submit to any test required by this policy,
4. An employer's report of actual knowledge (as defined at 49 CFR 382.107) of:
 - a. On duty alcohol use pursuant to 49 CFR 382.205,
 - b. Pre-duty alcohol use pursuant to 49 CFR 382.207,
 - c. Alcohol use following an accident pursuant to 49 CFR 382.209, and
 - d. Controlled substance use pursuant to 49 CFR 382.213,
5. A substance abuse professional's report of the successful completion of the return-to-duty process,
6. A negative return-to-duty test, and
7. An employer's report of completion of follow-up testing.

Section 8. Employee Assessment

Any employee who tests positive for the presence of controlled substances or whose breath alcohol concentration is above the minimum thresholds set forth in the DOT guidelines will be assessed by an SAP. An SAP is a District selected licensed physician, psychologist, social worker, employee assistance professional, or addiction counselor with knowledge of and clinical experienced in the diagnosis and treatment of drug and alcohol related disorders. The SAP will evaluate each employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited substance or alcohol abuse or misuse.

If an employee is returned to duty following rehabilitation, they must agree to and sign a Return-to-Duty Agreement, pass a return-to-duty controlled substance and/or alcohol test and be subject to unannounced follow-up tests for a period of one (1) to five (5) years, as determined by the SAP. The cost of any rehabilitation and subsequent controlled substance and/or alcohol testing is borne by the employee and is on a one-time basis only. An employee will be immediately terminated from employment on the occurrence of a second verified positive test result. Employees may use accumulated sick leave, vacation, administrative leave, personal leave, and/or floating holidays, if any, to participate in the prescribed rehabilitation program.

Section 9. Test Related Time-Off Work Provisions

Any employee who is relieved from duty due to a positive drug or controlled substance test must use accumulated compensated leave (i.e., vacation, sick leave, administrative leave, personnel leave or floating holidays, if any) during the regularly scheduled work time missed. If the employee has insufficient accumulated compensated leave to cover the regularly scheduled work time missed due to a positive alcohol or controlled substance test, such time shall be without pay. In the event there is a false positive test the District, upon verification, will compensate the employee for any regularly scheduled work time missed as a result thereof.

APPENDIX "A"

SAFETY-SENSITIVE CLASSIFICATIONS AND FUNCTIONS

District Safety-Sensitive Classifications

Maintenance Worker I
Lead Worker

Maintenance Worker II
Maintenance Worker/Inspector

Safety-Sensitive Function

Operating any vehicle where a Class A or Class B driver's license would be required.

APPENDIX "B"

CERTIFICATE OF RECEIPT OF SUBSTANCE ABUSE POLICY

I hereby certify that I have received a copy of South Placer Municipal Utility District's Substance Abuse Policy.

Employee's Signature

Date

Employee's Name Printed

APPENDIX "C"

VOLUNTARY PARTICIPATION IN RANDOM TESTING

In accordance with Appendix A of the District's Substance Abuse Policy, my classification is not considered safety sensitive. Therefore, I am not required to participate in the random testing for controlled substances, even though I have a Class A or Class B (commercial) driver's license.

However, for the convenience of the District, and because I would like to have the opportunity to operate District vehicles and equipment requiring a commercial license, designated as safety-sensitive functions in the District's policy, I hereby request that I be included - during the current calendar year - in the pool of safety-sensitive employees for the purpose of controlled substance random testing, in conformance with the District's Substance Abuse Policy.

Employee's Signature

Date

Employee's Name Printed

SOUTH PLACER MUNICIPAL UTILITY DISTRICT POLICIES

Policy Name:	3120 – INVESTMENT OF DISTRICT FUNDS		
Approval Authority:	SPMUD BOARD OF DIRECTORS	Adopted:	12/03/2015
Resolution No.	15-27, 18-15, 20-33, <u>22-45</u>	Revised:	<u>12/01/2022</u> 0

PURPOSE

This policy provides direction to the Board of Directors, General Manager, and Secretary of the District for the prudent and beneficial investment of all funds and monies of the District without regard to source or restrictions.

POLICY STATEMENT

Section 1. Basic Policy and Objectives

The investment policy of the District is a conservative policy guided by three principles of public fund management.

In specific order of importance, the three principles are:

- a) Safety of Principal: Investments shall be undertaken in a manner which first seeks to preserve portfolio principal.
- b) Liquidity: Investments shall be made with maturity dates that are compatible with cash flow requirements and which will permit easy and rapid conversion into cash, at all times, without a substantial loss of value.
- c) Return on Investment (ROI): Investments shall be undertaken to produce an acceptable rate of return after first consideration for principal and liquidity.

Consistent with the three primary principals of public fund investment enumerated above, Safety, Liquidity, and ROI, in that order of priority, the District may utilize a “dual portfolio” approach to its investments consisting of a “Liquidity Portfolio” and a “Long-Term Portfolio.” The Liquidity Portfolio shall consist of funds necessary for the District’s operation and capital needs for a period of not less than one-year, plus prudent reserves in accordance with Policy 3130. Funds determined by the District in excess of the amount necessary to fund the Liquidity Portfolio may be allocated to the Long-Term Portfolio. Any reference to a portfolio or portfolios shall mean the total of District cash and securities under management by the District.

Section 2. Authority

The State of California Public Utilities Code (PUC) §12871 and Government Code (GC) §53601 and related subsections, authorize the types of investments in which the District may invest any surplus funds in its treasury. The investment vehicles emphasize preservation of capital and are a conservative set of investments. The authority to invest as defined in GC §53601 is delegated to the local agency’s legislative body. Under no circumstances is the local agency permitted to purchase an investment that

is not specifically authorized by law and within the scope of investments designated by the local agency's governing board.

Section 3. Diversification

The District shall maintain a portfolio of authorized investments with diversified maturities, issuers, and security types to avoid the risk inherent in overinvesting in any one sector. The District shall evaluate or cause to be evaluated each potential investment, seeking quality of issuer, underlying security or collateral, potential negative effects of market volatility on the investment and shall diversify the portfolio to reduce exposure and assure adherence to the Basic Policy and Objectives of Section 1 of this policy.

Section 4. Prohibited Purchases

The District shall not invest any funds pursuant to Government Code §53601.6 such as inverse floaters, range notes, or interest only strips that are derived from a pool of mortgages. The District shall not invest any funds pursuant to the law in any security that could result in a zero interest accrual if held to maturity. However, the District may hold prohibited instruments until their maturity dates.

Investments in repurchase agreements may be made, on any investment authorized by code, when the term of that agreement does not exceed one year. The market value of securities that underlay a repurchase agreement shall be valued at one hundred two per cent (102%) or greater of the funds borrowed against those securities, and the value shall be adjusted no less than quarterly.

The District, when purchasing any securities as described in Government Code §53601, shall require delivery of the securities to the District, including those purchased for the District by financial advisors, consultants, or managers using the District's funds by book entry, physical delivery, or by third-party custodial agreement. The transfer of securities to the counterparty bank's customer book entry account may be used for book entry delivery. For purposes of this policy, "counterparty" means the other party to the transaction. A counterparty bank's trust department or separate safekeeping department may be used for the physical delivery of the security if the security is held in the name of the District. Purchases of commercial paper may not exceed fifteen percent (15%) of the District's surplus money that may be invested pursuant to the law.

Section 5. Delegation of Authority

The Board of Directors delegates the authority to manage the District's investments to the General Manager or their assigns. Transfers or investments in excess of \$5 million require a Resolution of the Board of Directors authorizing such a transaction.

Section 6. Prudent Person Clause

Investments will be made with the same standard of care that persons of prudence, discretion, and intelligence exercise when managing their own affairs; not for speculation, but for investment with particular consideration for safety of capital, as well as probable income derived.

Section 7. Reporting Requirements

Each month the Secretary shall include a list of investment transactions per Government Code §53607 in the Administrative Services Department Monthly Board Report. This list shall include all transfers and withdrawals that occurred in the reportable month. In addition to the monthly transaction report, the Secretary shall prepare a quarterly investment report that contains sufficient detail to provide information for the evaluation of investment performance. This report shall also contain a statement of compliance of the portfolio with the District investment policy and a statement of the local agency’s ability to meet its expenditure requirements for the next six (6) months.

Section 8. Grandfather Clause

Any investment held by the District at the time this policy is adopted shall not be sold to conform to any part of this policy unless its sale is judged to be prudent by the General Manager and with the consent of the Board of Directors.

Section 9. Conflicts

In the event any provision of this Investment Policy is in conflict with any of the statutes referred to herein or any other state or federal statute, the provisions of each statute shall govern.

Section 10. Annual Review

An annual review and appraisal of the investment portfolio shall be made for the purpose of evaluating the District’s investment program and such annual review and appraisal shall be considered by the staff and the Board of Directors for the purpose of recommending or making any changes or amendments to the District’s Investment Policy.

Section 11. Permitted Investments

Permissible investments shall ~~consist of the investments listed below to the maximum percentage of the total amount of District funds available for investment in the~~ be limited to those investments included in the Liquidity Portfolio or the Long-Term Portfolio pursuant to the limitations in GC §53601.

Investment Type	Maximum Amount of Portfolio	Maximum Maturity
(1) Local Agency Investment Fund (LAIF)	75%	Liquid Account
(2) Placer County Treasurer’s Investment Pool (PCTIP)	75%	Liquid Account
(3) Investment Trust of CA (CalTRUST)	75%	Liquid Account

(4) Bank Savings Account	75%	Liquid Account
(5) Federal Agencies	25%	5 years
(6) Commercial Paper	15%	180 days
(7) Negotiable Certificates of Deposits	20%	180 days
(8) Repurchase Agreements	20%	180
(9) U.S. Treasury Obligations	Unlimited	5 years
(10) All other investments allowed by GC §53601	20%	Limited to terms under GC §53601

SOUTH PLACER MUNICIPAL UTILITY DISTRICT POLICIES

Policy Name:	3120 – INVESTMENT OF DISTRICT FUNDS		
Approval Authority:	SPMUD BOARD OF DIRECTORS	Adopted:	12/03/2015
Resolution No.	15-27, 18-15, 20-33, 22-45	Revised:	12/01/2022

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SOUTH PLACER MUNICIPAL UTILITY DISTRICT POLICIES

Policy Name:	4041 - DELEGATION TO THE GENERAL MANAGER		
Approval Authority:	SPMUD BOARD OF DIRECTORS	Adopted:	09/03/15
Resolution No:	15-23, <u>17-21</u> , <u>21-10</u> , <u>22-45</u>	Revised:	<u>12/01/22</u>

PURPOSE

This policy sets forth instructions to the SPMUD General Manager to achieve the results of the organization, and the delegations of authority.

POLICY STATEMENT

The Board will instruct the General Manager through written policies that define the results that the organization is to achieve, and which describe the delegation of authority to the General Manager.

Specifically:

- a) The Board shall identify and define those results or conditions of SPMUD that are acceptable and not acceptable to the Board and communicate them in the form of policy.
- b) The Board shall develop policies that define the delegation to the General Manager with regard to the General Manager’s authority.
- c) The General Manager is authorized to:
 - 1. ~~e~~Establish all further non-Board policies, make all decisions, take all actions, establish all practices, and develop all activities related to the operations or business affairs of the District;
 - 2. Negotiate and enter into Temporary Sewer Connection and Use Agreements.
 - ~~1-3.~~ Cast ballots to elect representatives to the Placer County Local Area Formation Commission (LAFCO) per Resolution 21-10, and directors to the California Special District Association (CSDA) per Resolution 17-21. This authorization does not extend to Special District Risk Management Authority (SDRMA) representatives as this requires a specific formal resolution of the Board of Directors
- d) The General Manager shall use prudent judgment in the exercise of the delegations and in a manner that is operationally and economically sound, serves the best interests of SPMUD’s customers and the community, comports with prudent business practices, balances the risks and benefits of the actions, and does not expose SPMUD to unreasonable risk. If the General Manager reasonably determines that an activity related to the delegations presents, regardless of the size of the financial commitment: (i) a unique and significant operational risk to SPMUD; (ii) a significant impact to customers; (iii) a significant impact to community relations; (iv) a significant impact to SPMUD’s reputation; or (v) materially compromises the policies and goals established by the Board, the General Manager shall inform the Board and may request the Board to take appropriate actions.

e) The Board may change its delegation to the General Manager at any time, subject to the conditions of the Board's contract with the General Manager, thereby expanding or limiting the authority of the General Manager. But as long as any particular delegation is in place, the Board will abide by the General Manager's decisions in those areas that are delegated to him or her.

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SOUTH PLACER MUNICIPAL UTILITY DISTRICT

RESOLUTION NO. 22-46

**A RESOLUTION COMMENDING JOHN MURDOCK FOR HIS
DEDICATED SERVICE AS DIRECTOR OF WARD 3**

WHEREAS, Mr. John Murdock, served as a member of the Board of Directors for Ward 3 of the South Placer Municipal Utility District for 26 years from 1996 to 2022; and

WHEREAS, during his tenure on the Board, Director Murdock served five times as Board President and five times as the Board Vice-President; and

WHEREAS, during his tenure on the Board, Director Murdock served on numerous District advisory committees including but not limited to the Personnel Advisory Committee, Strategic Plan Advisory Committee, and Redistricting Advisory Committee; and

WHEREAS, during his tenure on the Board, Director Murdock represented the District on the Placer Nevada Wastewater Authority and the Newcastle Sanitation District Annexation Committee; and

WHEREAS, Director Murdock was instrumental in numerous District initiatives that have increased efficiency, safety, and professionalism at the District; and

WHEREAS, the District has benefitted greatly from Director Murdock’s knowledge, experience, dedication, and integrity.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SOUTH PLACER MUNICIPAL UTILITY DISTRICT:

That this Board does hereby extend to John Murdock its sincere gratitude and appreciation for his dedicated service to the South Placer Municipal Utility District and wishes him all the best in the future.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of South Placer Municipal Utility District this 1st day of December 2022, by the unanimous vote of the Board.

Signed:

Gerald P. Mitchell, President of the Board of Directors

Attest: _____
Emilie Costan, Board Secretary

GENERAL MANAGER REPORT

To: Board of Directors
From: Herb Niederberger, GM
Date: December 1, 2022
Subject: General Manager Monthly Activity Report – November 2022

1) DEPARTMENT REPORTS

Attached are the monthly status reports for the Board’s information:

- A. Administrative Services Department,
- B. Field Services Department, and
- C. Technical Services Department.

The Department Managers are prepared to answer any questions from the Board.

2) INFORMATION ITEMS

- A. On November 2, 2022, the General Manager, along with President Mitchell, attended the Rocklin Chamber of Commerce Government Relations Committee to hear a presentation by Cherri Spriggs, Interim CEO Placer Business Alliance and Board Chair, Visit Placer, regarding economic development and tourism in Placer County.
- B. On November 8, the General Manager graduated from the Placer County District Attorney's Office Citizens Academy. This culminated a 9-week after hours academy where participants learn about the District Attorney’s Office, its role within the criminal justice system and the services that are provided to the community.
- C. On November 9, 2022, the General Manager met with the District General Counsel to discuss; 1) Indemnification within SCADA Contract; 2) Resolution of Necessity; 3) Ordinance 22-03 Comments; 4) Cease & Desist Letter Corona Circle; 5) Execute Temporary Use Agreement; 6) Sierra Gateway Quitclaim; and 7) Notice of Surplus Property.
- D. On November 14, 2022, the General Manager and the Administrative Services Manager, Emilie Costan met with the District’s financial consultant, Habib Isaac from IB Consulting to discuss the District’s Capital Reserve Target Recommendations and findings from the financial model.
- E. On November 22, 2022, District staff participated in the annual decorating of the Koinonia Family Services Homes for Teens in the Short-Term Residential Treatment Program.
- F. On November 23, 2021, District staff participated in the Day-Before-Thanksgiving Day Parade in Loomis.
- G. The General Manager was out of the office November 21 through 25, 2022.
- H. Advisory Committee Meetings:
 - i. On November 2, 2022, the General Manager, District Engineer, Carie Huff, and District Superintendent, Eric Nielsen and the Administrative Services Manager, Emilie Costan meet

with the Policy & Ordinance Advisory Committee to discuss proposed changes to the Substance Abuse, GM Delegation, & Investment Policies as well as changes to the District Sewer Code Chapters 2 and 3, pertaining to Accessory Dwelling Units (ADUs) and control of Fats, Oil and Grease (FOG). The Advisory Committee recommended that the revisions be forwarded to the Board of Directors for consideration.

- ii. On November 16, 2022, the General Manager, District Engineer, Carie Huff, and District Superintendent, Eric Nielsen along with the District’s financial consultant, Habib Isaac from IB Consulting met with the Fee and Finance Advisory Committee to discuss the District’s Capital Reserve Target Recommendations and findings from the financial model.

There were no other advisory committee meetings conducted in November.

3) PURCHASE ORDERS/CONTRACTS INITIATED UNDER GENERAL MANAGER AUTHORITY

PO Req#	Date	Vendor	Description	Amount
299	11/1/22	PBM Construction	Sidewalk & Driveway Repairs	\$7,400
300	11/17/22	Ultra Truck Works	Upfitting of Unit #15	\$6,075.44
CalTrans	11/17/22	Local Assistance Agreement	Adjust MHs to grade and CCTV	\$29,600

4) LONG RANGE AGENDA

January 2023 (moved to January 12, 2023)

- Oaths of Office
- Selection of Officers
- Presidential Appointments to Advisory Committees
- Participation Charge Report FY 21/22
- Audit and Annual Consolidated Financial Report
- IB Consulting Rate Presentation
- 2nd Reading of Ordinance 22-03
- Approve GM 2023 Goals

February 2023

- Quarterly Investment Report
- Mid-Year Budget Adjustments
- Public Hearing Financial Plan and Rate Model, authorize Prop 218 Notice to Customers

March 2023

- Adopt Schedule of District Fines

April 2023

- Public Hearing on Rate Adjustment, 1st Reading of Ordinance

Item 7.2.1

ITEM VIII. ASD REPORT

To: Board of Directors
From: Emilie Costan, Administrative Services Manager
cc: Herb Niederberger, General Manager
Subject: Administrative Services Department Monthly Report
Board Date: December 1, 2022

Recruitment

The District has a new Administrative Services Assistant, Allison Roeh, who will be starting on November 28, 2022.

Certificate of Achievement in Financial Reporting

The Government Finance Officers Association (GFOA) has awarded the Certificate of Achievement for Excellence in Financial Reporting to the District for its Annual Comprehensive Financial Report for the fiscal year ended June 30, 2021. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting. This is the third year in a row that the District has received the award.

Fiscal Year 21/22 Audit Work

Administrative Services Staff is continuing to work with the Auditors from Munn, Urrutia, & Nelson on the Fiscal Year 21/22 Audit. The final Audit document is calendared for presentation and acceptance by the Board at the January 12, 2023 Board meeting.

RFP for Human Resources Administration

The Administrative Services Manager has issued a Request for Proposals (RFP) for Human Resources (HR) Administration. The Proposals are due Friday, December 9, 2022.

RFP for Classification and Compensation Study

The Administrative Services Manager has issued a Request for Proposals (RFP) for a Classification and Compensation Study. The Proposals are due Friday, December 9, 2022.

District Outreach Events

District staff participated in youth foster home decorating for Koinonia on November 22nd and the Loomis Day Before Thanksgiving Parade on November 23rd.

November Monthly Investment Transactions per GC \$53607

DEPOSITS, TRANSFERS, OR WITHDRAWALS

CalTRUST: None
LAIF: None
Placer County: None
Five Star Money Market: \$5M Deposit from Cash

ITEM VII. FSD REPORT

To: Board of Directors
From: Eric Nielsen, Superintendent
Cc: Herb Niederberger, General Manager
Subject: Field Services Department Monthly Report
Meeting Date: December 1, 2022

Department Overview

This section provides the Board an update on the news and major tasks from the Field Services Department (FSD).

1. Training/Break Room Addition, Locker Room, and Lobby Improvements

- a. Construction on the first phase is nearing completion. The Administrative Services Department is scheduled to move back into the Headquarters Building on/around December 14 and select employees from the Field Services Department are moving into the temporary offices in the trailer immediately after.
- b. The second phase of the project, which includes the tenant improvements to the maintenance building is scheduled to begin in January 2023.
- c. The training room/break room is scheduled to be completed in March 2023.
- d. The current schedule shows reaching substantial completion by July 2023.

2. SCADA Update

- a. Staff executed the agreement with Carollo Engineers and is beginning the design process by scheduling the kick-off meeting and providing information for data review.

3. Sanitary Sewer Systems General Order Reissuance

- a. The Superintendent and Field Supervisor participated in multiple workshops to generate comments in preparation for the Public Workshop for the Proposed Statewide Sanitary Sewer Systems General Order Reissuance which was held on November 14 by the State Water Resources Control Board. This is the General Order that requires monitoring and reporting of sanitary sewer overflows to the State and requires the District to have a Sewer System Management Plan (SSMP). The State Water Board will consider adoption of the proposed General Order in December. The proposed effective date is currently May 5, 2023.

4. Leadership Rocklin

- a. The District Superintendent is participating in the Leadership Rocklin program facilitated by the Rocklin Chamber of Commerce. The fourth session on transportation and infrastructure was held on November 17, 2022.

Reporting

This section provides the Board an overview of the Field Services Department operations and maintenance activities through 10/31/2022. The work listed is not all inclusive.

1. Lost Time Accidents/Injuries (OSHA 300)

- a. Zero (0)
 - i. 2253 days without a Lost Time Accident/Injury

2. Safety/Training/Professional Development

- a. Field Services employees participated in training for the following:
 - i. Bypass Pumping
 - ii. Emergency Generator
 - iii. Forklift
 - iv. Ladder Safety
 - v. Slips, Trips, and Falls
 - vi. Substance Abuse

3. Customer Service Calls

- a. Response Time Goals over the Last 12 Months

	Goal	Average	Success Rate
During Business Hours	< 30 minutes	17 min	98%
During Non-Business Hours	< 60 minutes	46 min	

Service Calls - October

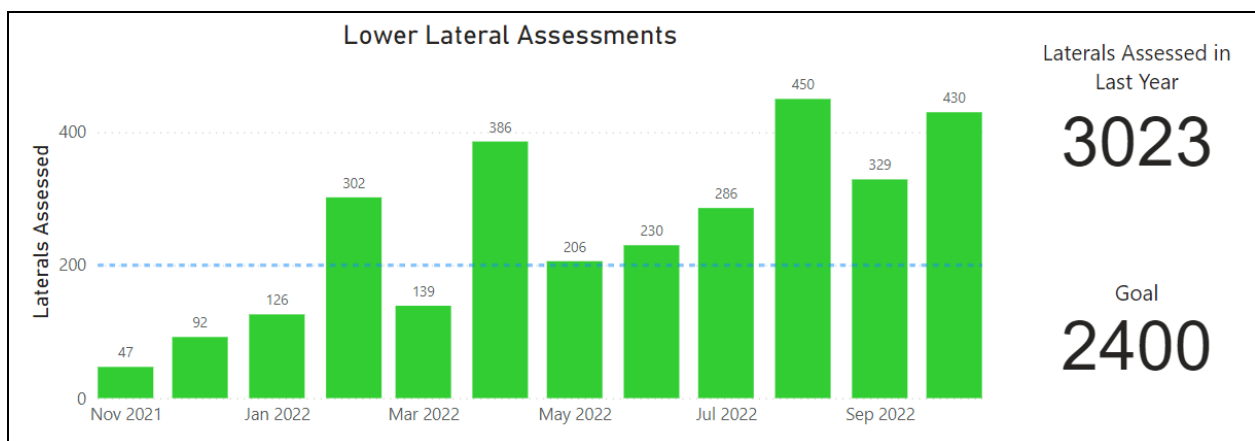
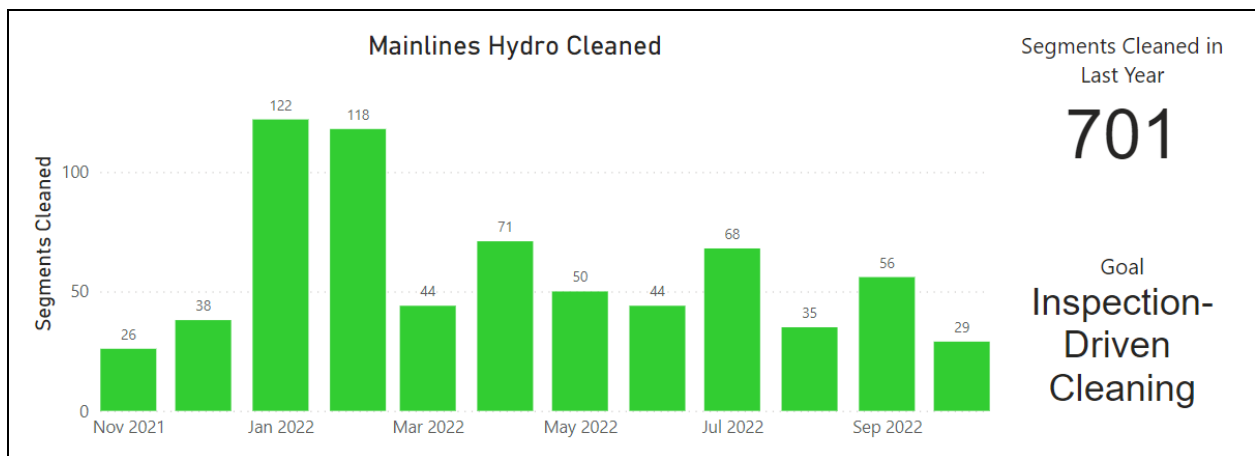
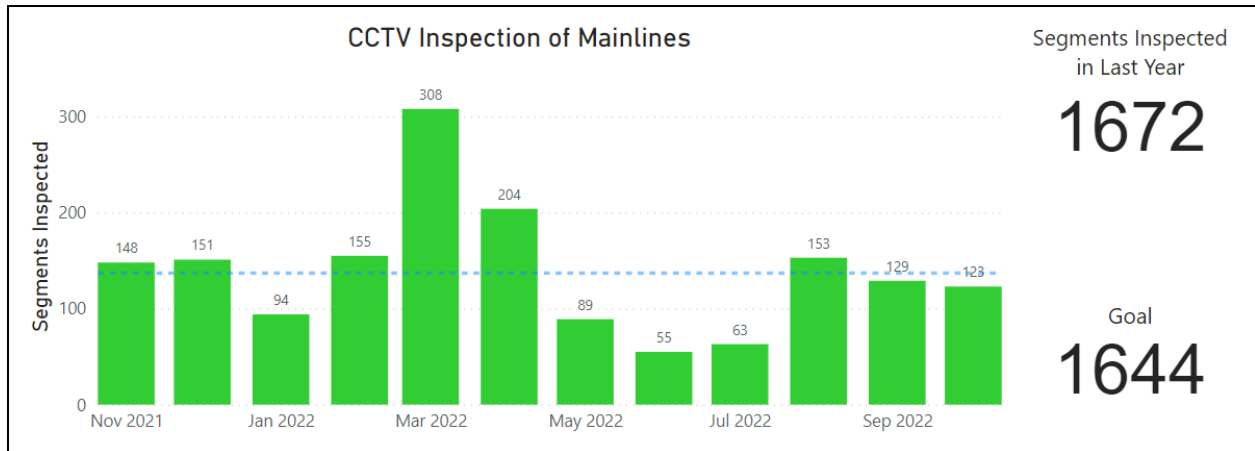
Responsibility	SSO	Stoppage	Odor	Alarm	PLSD	Vermin	Misc
SPMUD Responsibility	3	1		3			
Owner Responsibility		4	1		5		2
Total	3	5	1	3	5		2

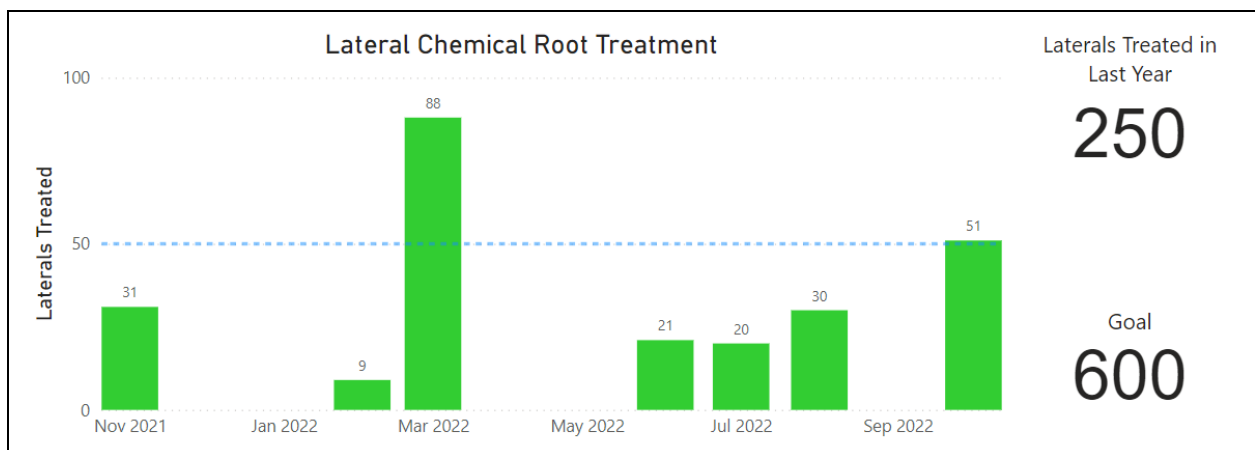
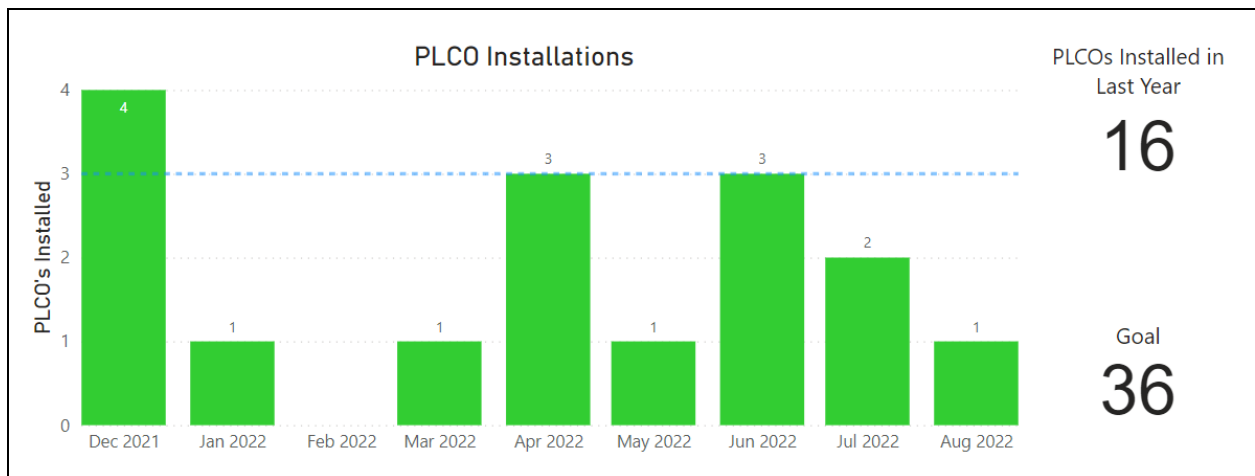
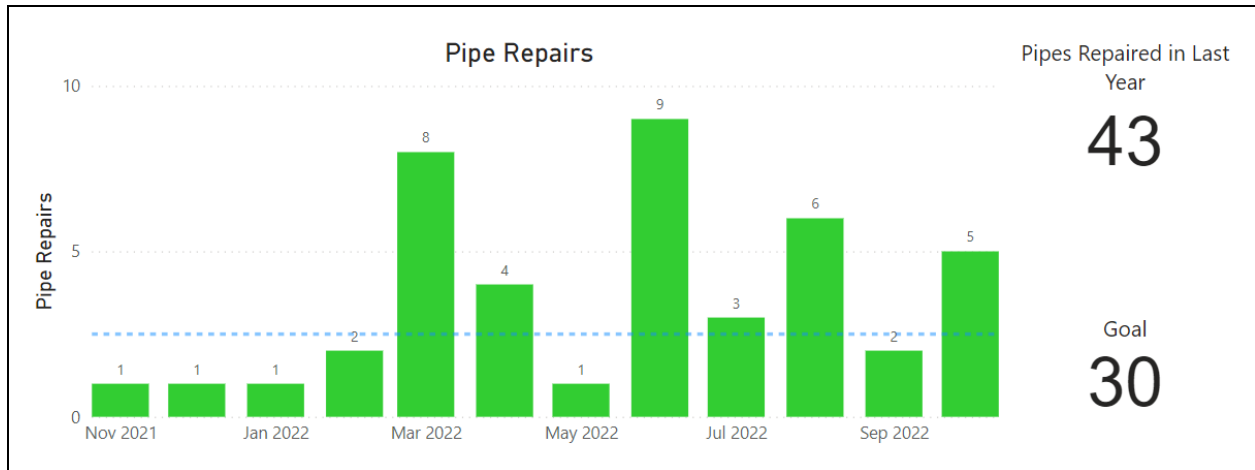
Total Service Calls

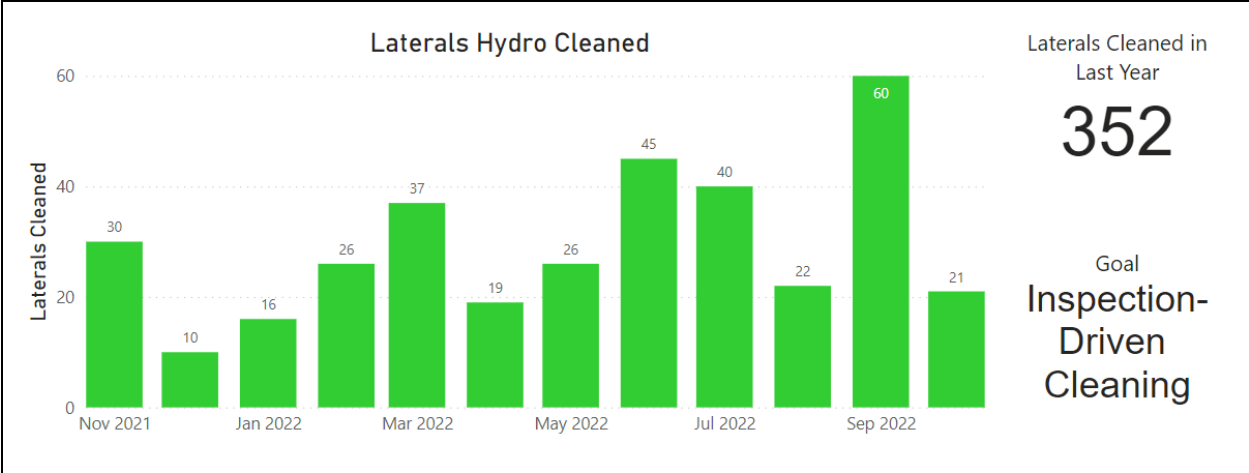
19

4. Production

a. The information provided below is not inclusive of all work completed.







Item 7.2.3

ITEM VII. TSD REPORT

To: Board of Directors
From: Carie Huff, District Engineer
Cc: Herb Niederberger, General Manager
Subject: Technical Services Department Monthly Report
Board Date: December 1, 2022

TSD Updates

- The District Engineer participated in the Fee and Finance Committee meeting regarding the Rate and Cost of Service Study on November 16th.
- On November 22nd, District staff decorated the Koinonia School and Group Homes in Loomis and Rocklin for the holiday season.
- On November 23rd, District staff participated in the Loomis Day Before Thanksgiving Parade.
- TSD is coordinating warranty work with Garney Pacific, Inc. on access road repairs behind Corona Circle. Based on the condition of the GrassPave 2 surface treatment, it is anticipated that there will be a cooperative project to address a permanent solution to the access road.
- Construction of the City of Rocklin's Pacific Street and Rocklin Road Roundabout project is nearly complete. The District's existing facilities were abandoned in early October. Testing of the sewer system will occur in the coming weeks. The District is currently reviewing change orders submitted by the contractor and they will be presented at a future board meeting. Construction is still anticipated to be complete by early 2023.
- TSD is well into the second year of commercial audits after a complete overhaul of the Commercial Tracking Program last year. To date, the inspectors have completed two of four audit areas and have found minimal changes from last year. The audit process is more efficient now because inspectors only need to focus on determining which businesses have changed from the previous year.

Northwest Rocklin Sewer Annexation Construction Project (formerly known as Atherton Trunk)

As of November 3rd, the new 24-inch trunkline was tested and placed in service. Lafleur Excavating and their subcontractors have been working on final grading and paving of Atherton Road and the access road. Easement acquisition is still in process and the City of Rocklin anticipates finalization soon. The project is currently anticipated to conclude by the end of November.

Newcastle Fire Station Deferred Remedial Action and Reimbursement Agreement Update

The District entered into a Deferred Remedial Action and Reimbursement Agreement with Newcastle Fire District due to damage to the District's sewer main from grading operations during Phase 1 of the Newcastle Fire Station project. Since Phase II of the Newcastle Fire Station project would eliminate the damaged stretch of sewer pipe, the District agreed to defer the repair for two years or until the sewer improvements included in Phase II of the project were completed. The agreement stipulated that the repair be completed by July 1, 2022. In addition, the District opted to participate towards the cost of construction for up to one third of the cost of the public sewer improvements within Old State Highway up to \$100,000 (Fund 100).

The sewer improvements are complete, and the existing damaged sewer line has been abandoned, thereby meeting the obligations of the Deferred Remedial Action and Reimbursement Agreement. Newcastle Fire District submitted the information necessary for the District to initiate reimbursement of \$78,192 once all administrative items are submitted and deemed acceptable.

Easement Acquisition

The District is in the final stage of easement acquisition with the property owner on Saunders Avenue in Loomis.

Local Agency Formation Commission (LAFCO)

Burrell Consulting Group is in the process of generating geographic descriptions of the properties served through out of area service agreements to be included in the annexation application to LAFCO. Additional information will be provided at a future board meeting as the application to LAFCO is refined.

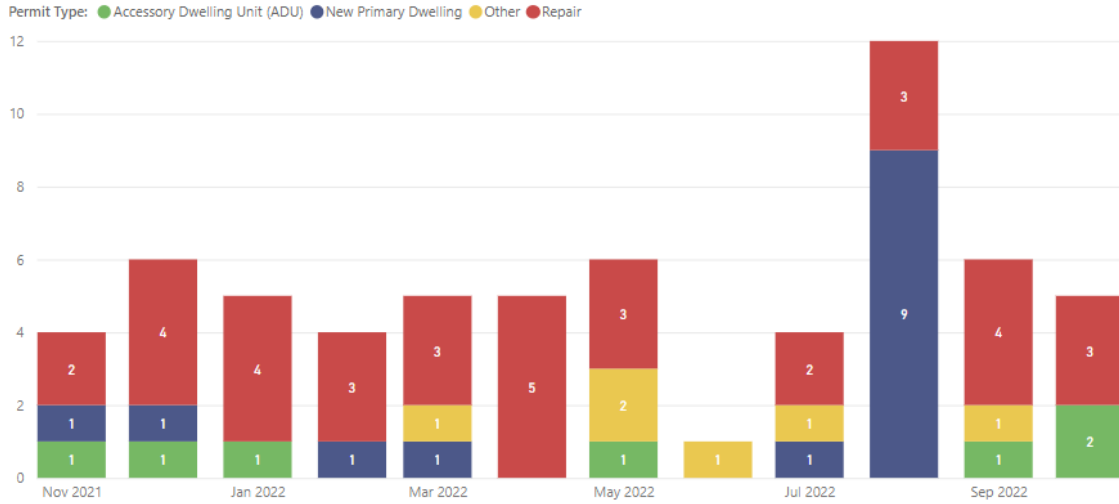
FOG Program

The District's FOG Inspector completed eight core sample inspections in the month of October. A new high efficiency grease control device was installed at 4 Heroes Grill in Rocklin through the District's tenant improvement process.

Department Performance Indicators

The following charts depict the efforts and performance of the department in the following areas of work as of October 31st, 2022. The charts are being created in a new reporting tool that directly connects to the District's data, improving the timeliness of reporting efforts and leveraging the District's investment in technology. Additional charts may be added in the future for other areas of work in the department.

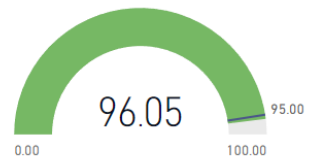
Sewer Permits - Completed - Monthly Totals



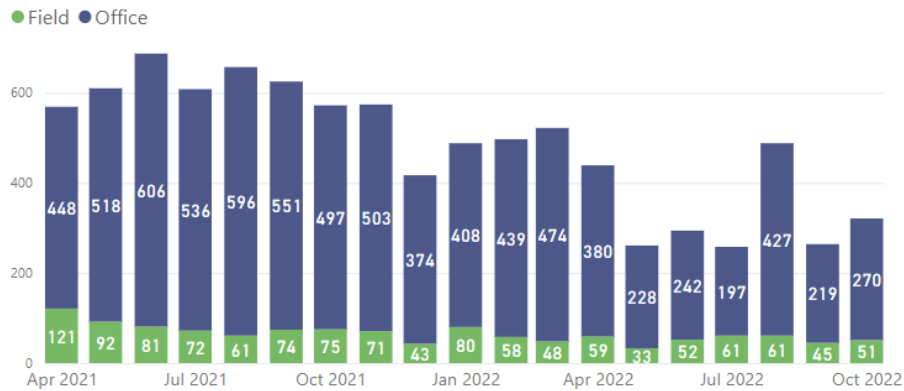
Plan Checks Completed - Monthly Totals



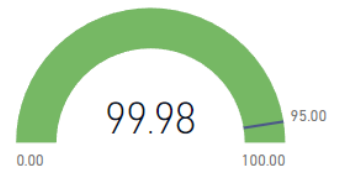
% "In Time" Plan Checks



811 Responses - Monthly Totals

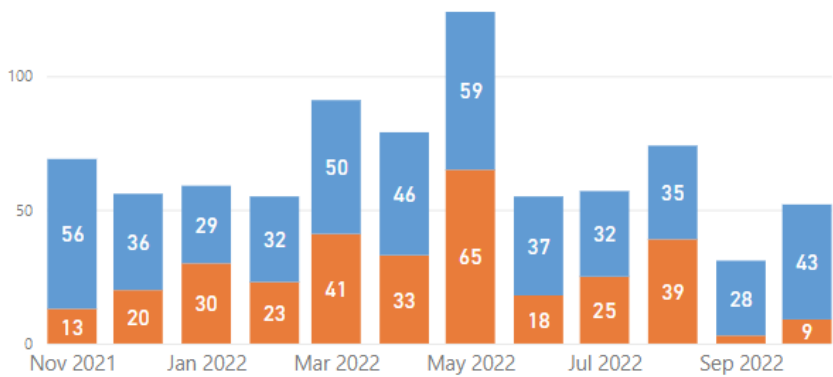


% "In Time" Responses



Building Sewer Inspections - Monthly Totals

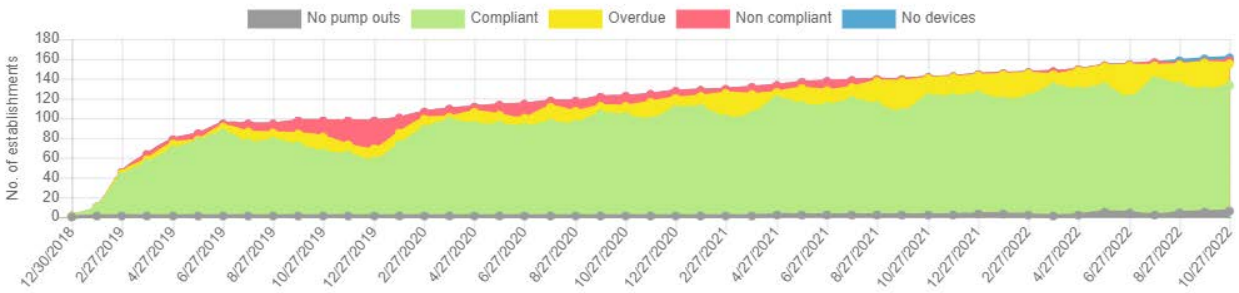
● Rough Inspections ● Final Inspections



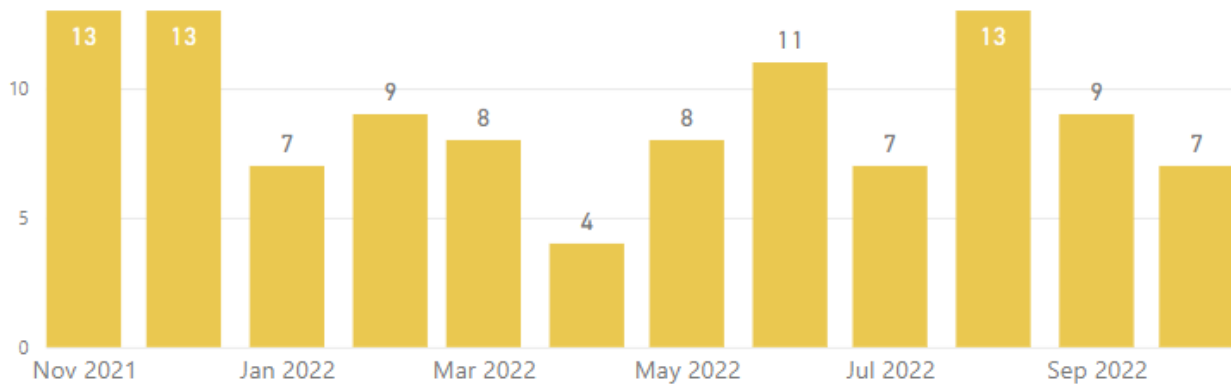
% "In Time" Inspections



FOG Compliance History



FOG Pickups - Monthly Totals



Grease Interceptor Inspections

