

ORDINANCE NO. 169

OLIVEHURST PUBLIC UTILITY DISTRICT

AN ORDINANCE RESCINDING ORDINANCE NO. 112, ADOPTED SEPTEMBER 18, 1969, AND AS AMENDED, AND ESTABLISHING AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS, THE INSTALLATION OF SEWER LATERALS AND PUBLIC SEWER MAIN EXTENSIONS, PROVIDING FOR THE EMPLOYMENT OF A SANITARY INSPECTOR, PROVIDING FOR PERMITS FOR THE INSTALLATION OF SANITARY SEWER LATERALS AND REGULATING THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM OF THE OLIVEHURST PUBLIC UTILITY DISTRICT

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

1. Ordinance No. 112, "An Ordinance Regulating the Use of Public and Private Sewers, the Installation of Sewer Laterals and Public Sewer Main Extensions, Providing for the Employment of a Sanitary Inspector, Providing for Permits for the Installation of Sanitary Sewer Laterals and Regulating the Discharge of Waters and Wastes into the Public Sewer System of the Olivehurst Public Utility District", Adopted September 18, 1969, is hereby rescinded.
2. The rules and regulations for sewage disposal service and procedures and penalties for enforcement thereof by the Olivehurst Public Utility District shall be as follows:

ARTICLE I. DEFINITIONS

Section 1.1 Definitions. For the purpose of this Ordinance the terms used herein are defined as follows:

Section 1.2 District is the Olivehurst Public Utility District.

Section 1.3 Board is the Board of Directors of said District.

Section 1.4 Clerk is the Clerk and Ex-officio Secretary of the Board.

Section 1.5 County is the County of Yuba.

Section 1.6 Engineer is the Engineer appointed by and acting for the Board and shall be a Registered Civil Engineer.

Section 1.7 District Inspector is the Inspector acting for the Board and may be a member of the Board, the Manager, the District Engineer or Inspector appointed by the Board.

Section 1.8 Ordinance shall mean, unless otherwise specified, this Ordinance.

Section 1.9 Person is any human being, individual, firm, company, partnership, association, and private or public or municipal corporation, the United States of America, the State of California, district and any political subdivisions, government agencies and mandatories thereof.

Section 1.10 Permit is any written authorization required pursuant to this or any other rule, regulation or ordinance of District for the installation of any sewage works.

Section 1.11 Building is any structure used for human habitation or a place of business, recreation or other purposes and containing sanitary facilities.

Section 1.12 Applicant is the person making application for a permit for a sewer installation and shall be the owner of premises to be served by the sewer for which a permit is requested or his authorized agent.

Section 1.13 User shall mean discharger.

Section 1.14 Contractor is an individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under the permit and shall be the owner or his agent.

Section 1.15 Street is any public highway, road, street, avenue, alley, way, easement or right of way.

Section 1.16 Sewage Works are all facilities for collection, pumping, treating and disposing of sewage.

Section 1.17 Wastewater shall mean the water carried wastes of the community derived from human or industrial sources including domestic wastewater and industrial wastewater. Rainwater, groundwater or drainage of uncontaminated water is not wastewater.

Section 1.18 Domestic Wastewater shall mean the water carried wastes produced from non-commercial or non-industrial activities and which result from normal human living processes.

Section 1.19 Industrial Connection Sewer shall mean the sewer connecting the building sewer or building waste drainage system to the public sewer for the purpose of conveying industrial wastewater.

Section 1.20 Industrial Wastewater shall mean all water carried wastes and wastewater of the community excluding domestic wastewater and uncontaminated water, and shall include all wastewater from any producing, manufacturing, processing, institutional, commercial, agricultural, or other operation where the wastewater discharged includes significant quantities of wastes of non-human origin.

Section 1.21 Sewer is a pipe or conduit which carries sewage and/or industrial wastes to which storm, surface and ground waters are not intentionally admitted.

Section 1.22 Public Sewer is a sewer, including lateral sewers, lying within a street and which is controlled by or under the jurisdiction of the District.

Section 1.23 Building Sewer is the part of the horizontal piping beginning at the foundation wall of any building and terminating in the main sewer.

Section 1.24 Lateral Sewer is the portion of the Building Sewer within a public street.

Section 1.25 Outside Sewer is a private sewer beyond the limits of the District.

Section 1.26 Private Sewer is one which has an independent sewage disposal not connected with a public sewer and which accommodates one or more houses.

Section 1.27 Plumbing System includes all plumbing fixtures and traps, or soil, waste, special waste and vent pipes, and all sanitary sewage pipes within the property lines of the premises.

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

Section 1.29 Shall is mandatory and may is permissive.

Section 1.30 Solid Wastes shall mean the non-liquid carried wastes normally considered to be suitable for disposal with refuse at sanitary landfill refuse disposal sites.

Section 1.31 Suspended Solids or suspended matter shall mean the insoluble solid matter suspended in wastewater that is separable by laboratory filtration in accordance with the procedure described in "Standard Methods".

Section 1.32 BOD or Biochemical Oxygen Demand shall mean the measure of decomposable organic material in domestic or industrial wastewaters as represented by the oxygen utilized over a period of 5 days at 20 degree C and as determined by the appropriate procedure in "Standard Methods".

Section 1.33 Chlorine Demand shall mean the difference between the amount of chlorine added to a wastewater sample and the amount remaining at the end of a 30-minute period as determined by the procedures given in "Standard Methods".

Section 1.34 COD or Chemical Oxygen Demand shall mean the measure of chemically decomposable material in domestic or industrial wastewater as represented by the oxygen utilized as determined by the appropriate procedure described in "Standard Methods".

Section 1.35 Discharger shall mean any person that discharges or causes a discharge to a public sewer.

Section 1.36 Dissolved Solids or dissolved matter shall mean the solid matter in solution in the wastewater and shall be obtained by evaporation of a sample from which all suspended matter has been removed by filtration as determined by the procedures in "Standard Methods".

## ARTICLE II. GENERAL PROVISIONS

Section 2.1 Rules and Regulations. The following rules and regulations respecting sewer construction and disposal of sewage and drainage of buildings and connection to the sewage works of said District are hereby adopted, and all work in respect thereto shall be performed as herein required and not otherwise.

Section 2.2 Purpose. This ordinance is intended to provide certain minimum standards, provisions and requirements for design, methods of construction and use of materials in sanitary sewage facilities in lateral sewers hereafter installed, altered or repaired. This ordinance shall not apply retroactively and, in the event of an alteration or repair hereafter made, it shall apply only to the new materials and methods used therein.

Section 2.3 Short Title. This ordinance shall be known as the Olivehurst Public Utility District Sewage Regulation Ordinance.

Section 2.4 Relief on Application. When any person, by reason of special circumstances, is of the opinion that any provision of this ordinance is unjust or inequitable as applied to his premises, he may make written application to the Board, stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises.

If such application be approved, the Board may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

Section 2.5 Relief on Own Motion. The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and ordinance should be suspended or modified as applied to a particular premise and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof.

Section 2.6 Plumbing, Inspection, Compensation. The Board of said District shall employ the District Engineer or such other person as may be designated by the Board to perform the duties of inspecting the installation, connection, maintenance and use of all lateral sewers and plumbing, sewerage, sanitary drainage work and facilities in connection therewith in said District, to be known as the Sanitary Inspector. He shall receive as compensation for his services for making inspections required to be made by the ordinances and orders and regulations from time to time enacted and ordered by said Board, a sum to be fixed by the Board. He shall serve at the pleasure of the Board.

Section 2.7 Private Property. The installation, use, maintenance, repair and inspection of all plumbing and sewers inside private property shall be subject to and governed by the Plumbing Ordinance of the County of Yuba now existing or as hereafter amended, and such rules and regulations as may be adopted by the District.

Section 2.8 Permits and Fees. No public sewer, building sewer, plumbing system or other sewerage facilities shall be installed, altered or repaired within the District until a permit for the work has been obtained from the District and/or from the County of Yuba and all fees have been paid in accordance with the requirements of the District.

### ARTICLE III. USE OF PUBLIC SEWERS REQUIRED

Section 3.1 Sewer Required. The Owner of any building situated within the District requiring sewage disposal and abutting on any right of way or easement in which there is now located or may in the future be located a public sewer of the District, is hereby required at his expense to connect said building directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so; provided that said public sewer is within two hundred (200) feet of the nearest point of the building.

#### ARTICLE IV. UNIFORM PLUMBING CODE

Section 4.1 Uniform Plumbing Code Adopted. All that certain plumbing code, entitled "International Association of Plumbing and Mechanical Officials Uniform Plumbing Code 1967 Edition", adopted by the International Association of Plumbing and Mechanical Officials in October, 1966, copies of which are on file in the office of the District for use and examination by the public, except such sections therein as are shown to be omitted, amended, or added thereto, in said copies, is hereby adopted as the UNIFORM PLUMBING CODE OF THE OLIVEHURST PUBLIC UTILITY DISTRICT, to which reference is hereby made and is hereby adopted by reference as if set forth in full herein.

Section 4.2 Administrative Authority. Whenever the term "Administrative Authority" is used in the Uniform Plumbing Code it shall be construed to mean only those persons duly authorized by the District Board to administer the code as follows:

Administration of the code and enforcement of regulations thereof shall be under the direction of the District General Manager.

The interpretation of technical provisions of this ordinance, review of plans and specifications required thereby, determination of the suitability of alternate materials and types of construction and the development of rules and regulations covering unusual conditions not inconsistent with the requirements of this ordinance, shall be made by the District Engineer.

#### ARTICLE V. BUILDING SEWERS, LATERAL SEWERS AND CONNECTIONS

Section 5.1 Permit Required. In accordance with Article X of this ordinance no person shall construct a lateral sewer or make a connection with any public sewer without first obtaining a written permit from the District and paying all fees and charges as required herein and as required in the ordinances, rules and regulations of the District.

Section 5.2 Construction Requirements. Construction and inspection of Building sewers and lateral sewers and connections thereto shall be in accordance with the requirements of the District and shall satisfy all requirements of the County.

Section 5.3 Sewer Materials. The Building sewer shall be of materials approved by said Uniform Plumbing Code or other suitable material approved by the Board of Directors of District.

Section 5.4 Excavation. All excavations required for the installation of a Building sewer shall be open trench work unless otherwise approved by the Inspector. Pipe laying and backfill shall be performed in accordance with the Uniform Plumbing Code of the Olivehurst Public Utility District, except that no backfill shall be placed until the work has been inspected. All backfill must be free from rocks and clods of dirt.

Section 5.5 Connection to Public Sewer. The connection of the house sewer into the public sewer shall be made at the lateral if possible, by placing a cleanout "Y" in accordance with the Uniform Plumbing Code. Where no properly located lateral or where there is no lateral sewer available, a neat hole may be cut into the top half of the public sewer to receive the lateral sewer, with entry in the downstream direction at an angle of about forty-five degrees.

A wye saddle shall be used for the connection and in no case shall the pipe protrude inside the main sewer. The invert of the lateral sewer at the point of connection shall be at a higher elevation than the invert of the public sewer. A smooth neat joint shall be made and the connection made secure and watertight. The connection to the public sewer shall be made in accordance with the regulations of the District and shall be made in the presence of the District Inspector and under his supervision and direction. Any damage to the public sewer shall be repaired at the cost of the applicant to the satisfaction of the District Inspector. When a lateral sewer is constructed by an applicant the applicant must first deposit with the District Inspector all necessary fees and charges and obtain a permit for construction of the lateral sewer.

Section 5.6 Separate Sewers. No two adjacent lots fronting on the same street shall be permitted to join in the use of the same building sewer. Every building or industrial facility must be separately connected with a public sewer if such public sewer exists in the street upon which the property abuts or in an easement which will serve said property. However, one or more buildings located on property belonging to the same owner may be served with the same building sewer during the period of said ownership. Upon the subsequent subdivision and sale of a portion of said lot the portion not directly connected with such public sewer shall be separately so connected with a public sewer, and it shall be unlawful for the owner thereof to continue use or maintain such indirect connection.

Section 5.7 Old Building Sewers. Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the District Inspector, to meet all requirements of District.

Section 5.8 Cleanouts. Cleanouts in building sewers subject to the jurisdiction of the District shall be provided in accordance with the Uniform Plumbing Code. Cleanouts shall be the same diameter as the building sewer. All cleanouts shall be maintained watertight and shall be constructed in accordance with the regulations of the District.

Section 5.9 Sewer Too Low. In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by artificial means in accordance with the Uniform Plumbing Code and as approved by the District Inspector, and discharged to the public sewer at the expense of the owner.

Section 5.10 Protection of Excavation. All excavations for side sewer installation shall be adequately guarded with barricades or lights so as to protect the public from hazard. Street, sidewalks, parkways and other property disturbed in the course of the work shall be restored in a manner satisfactory to the District and the County or any other person having jurisdiction thereof.

Section 5.11 Maintenance of Lateral Sewer. Lateral sewers shall be cleaned by the owner of the property served thereby, provided, however, that the District shall at its expense, make repairs, other than rodding, to lateral sewers within public streets if the District determines that such repairs are necessary.

## ARTICLE VI. PUBLIC SEWER CONSTRUCTION

Section 6.1 Permit Required. In accordance with Article X of this ordinance, no person shall construct, extend or connect to any public sewer without first obtaining a written permit from the District and paying all fees and connection charges and furnishing bonds as required therein. The provisions of this Section requiring permits shall not be construed to apply to contractors constructing sewers and appurtenances under contracts awarded and entered into by the District.

Section 6.2 Plans, Profiles and Specifications Required. The application for a permit for public sewer construction shall be accompanied by complete plans, profiles and specifications, complying with all applicable ordinances, rules and regulations of District, prepared by a Registered Civil Engineer showing all details of the proposed work based on an accurate survey of the ground. The application, together with the plans, profiles and specifications shall be examined by the District Engineer who shall approve them as filed or require them to be modified as he deems necessary for proper installation. After examination by the District Engineer, the application, plans, profiles and specifications shall be submitted to the Board at its next regular meeting for its consideration. When the Board is satisfied that the proposed work is proper and the plans, profiles and specifications are sufficient and correct, it shall order the issuance of a permit predicated upon the payment of all connection charges, fees and furnishing bonds as required by the District. The permit shall prescribe such terms and conditions as the Board finds necessary in the public interest.

Section 6.3 Subdivisions. The requirements of Sections 6.1 and 6.2 of this ordinance shall be fully complied with before any final subdivision map shall be approved by the Board. The final subdivision map shall provide for the dedication for public use of all streets, easements or rights of way in which public sewer lines are to be constructed. If a final subdivision map of a tract is recorded and the work of constructing sewers to serve the tract is not completed within the time limit allowed in the permit, the Board may extend the time limit or may complete the work and take appropriate steps to enforce the provisions of the bond furnished by the subdivider.

Section 6.4 Easements or Rights of Way. In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the Board a proper easement or grant of right of way sufficient in law to allow the laying and maintenance of such extension or connection.

Section 6.5 Persons Authorized to Perform Work. Only properly licensed contractors shall be authorized to perform the work of public sewer construction within the District. All terms and conditions of the permit issued by the District to the applicant shall be binding on the contractor. The requirements of this Section shall apply to side sewers installed concurrently with public sewer construction.

Section 6.6 Grade Stakes. Grade and line stakes shall be set by a Registered Civil Engineer prior to the start of work on any public sewer construction. The contractor shall be responsible for accurately transferring grades to grade bars and sewer invert.

Section 6.7 Compliance with Local Regulations. Any person constructing a sewer within a street shall comply with all State and County laws, ordinances, rules and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof, and shall obtain all permits and pay all fees required by the department having jurisdiction prior to the issuance of a permit by the District.

Section 6.8 Protection of Excavation. The applicant shall maintain such barriers, lights, and signs as are necessary to give warning to the public at all times that a sewer is under construction and of each dangerous condition to be encountered as a result thereof. He shall also likewise protect the public in the use of the sidewalk against any such conditions in connection with the construction of the sewer. Streets, sidewalks, parkways and other property disturbed in the course of the work shall be reinstalled in a manner satisfactory to the District and the County or any other person having jurisdiction thereover.

Section 6.9 Design and Construction Standards. Minimum standards for the design and construction of sewers within the District shall be in accordance with the applicable provisions of the ordinances, rules, regulations and within the SPECIFICATIONS FOR SEWER CONSTRUCTION heretofore or hereafter adopted by District, copies of which are on file in the District office. The District or the District Engineer may permit modifications or may require higher standards where unusual conditions are encountered.

"As-built" drawings showing the actual location of all mains, structures, Ys, Ts, laterals and cleanouts shall be filed with the District before final acceptance of the work.

Section 6.10 Public Sewer Construction - Reimbursement or Credit. Where the cost of public sewer main construction has been paid or deposited by the person obtaining the public sewer main extension permit pursuant to the provisions of this Ordinance, the District may, thereafter, but for no longer than ten (10) years from the date of acceptance of such extension by the District, collect from any person connecting to such extension, except the person originally installing such extension, that fraction of the cost of such extension, as approved by the District, as required by any special main extension agreement and as authorized by the provisions of Section 10.6 of this ordinance. Such sums as are actually received by the District shall be paid by the District to the person originally making such extension. In the absence of any special agreement as provided herein, District shall permit a credit to the connection fee provided in Sec. 10.7 hereof of up to One Hundred Fifty Dollars (\$150.00) against the connection charge or charges otherwise due from the person making the main extension. District shall in no way be obligated to assure the person entering into such agreement or making such extension is paid or credited the total cost of the main extension, nor to initiate any action nor incur any expense to collect any sums to be paid such person. Where more than one person contributes toward the cost of the public main extension such sums shall be refunded or such credits shall be allowed to the persons making the main extension pro rata according to the amount which they individually and severally contributed toward the cost of the public sewer extension. Any reimbursement agreement must be entered into prior to the issuing of a permit for the work.

#### ARTICLE VII. USE OF PUBLIC SEWERS

Section 7.1 Drainage Into Sanitary Sewers Prohibited. No leaders from roofs and no surface drains for rain water shall be connected to any sanitary sewer. No surface or subsurface drainage, rain water, storm water, seepage, cooling water or unpolluted industrial process waters shall be permitted to enter any sanitary sewer by any device or method whatsoever.

A program of periodic monitoring of building sewers for leakage or unauthorized connection and the correction of same is hereby made.

Said program will consist of periodic smoke testing of laterals and building sewers to determine points of leakage or unauthorized connection which smoke testing shall be undertaken after



mailing notice to the persons responsible for payment of water and sewer service charges, as shown in the records of the District, for those properties within the areas to be tested and the posting of said notice on all public streets of the area to be tested, said mailing and posting to be completed at least seven (7) days in advance of testing.

Should smoke testing reveal leakage in any building sewer or cleanout and/or connection thereto of unauthorized drainage facilities, the owner of said property shall be notified in writing of discrepancies and will be given a period of 30 days to correct same. Reasonable extensions of time may be granted upon application to the Board of Directors, at the sole discretion of said Board.

Should smoke testing reveal that cleanouts are not water tight, new water-tight cleanouts must be installed in accordance with the current requirements and specifications therefor as set forth in the Plumbing Ordinance of the County of Yuba.

Failure to correct leakage or to disconnect unauthorized drainage connections or to install new cleanouts when and as required within the allowed time period will result in the exercise by the District of any or all means of enforcement as provided in said Ordinance or as otherwise provided by law.

7.2 Types of Wastes Prohibited. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any liquid or vapor having a temperature higher than 150 degrees F.
- (b) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
- (c) Any gasoline, benzene, naphtha, solvent, fuel oil, or any liquid, solid or gas that would cause or tend to cause flammable or explosive conditions to result in the sewage system.
- (d) Any waste containing toxic or poisonous solids, liquids or gases in such quantities that, alone or in combination with other waste substances, may create a hazard for humans, animals or the local environment, interfere detrimentally with wastewater treatment processes, cause a public nuisance, or cause any hazardous condition to occur in the sewerage system.
- (e) Any garbage that has not been properly shredded. Properly shredded garbage shall mean the wastes from the preparation, cooking and dispensing of food that has 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 one-half (1/2) inch in any dimension.
- (f) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- (g) Any waters or wastes having a <sup>h</sup>ph lower than 6.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

- (h) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to human or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (i) Any waters or wastes containing suspended solids or dissolved matter of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- (j) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- (k) Any septic tank sludge.

Section 7.3 Interceptors Required. Grease, oil and sand interceptors shall be provided when, in the opinion of the District Inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for buildings used for residential purposes. All interceptors shall be of a type and capacity approved by the District Inspector and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 7.4 Maintenance of Interceptors. All grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

Section 7.5 Preliminary Treatment of Wastes. The admission into the public sewers of any waters or wastes having (a) a 5-day Biochemical Oxygen Demand greater than 300 parts per million by weight, or (b) containing more than 350 parts per million by weight of suspended solids, or (c) containing any quantity of substance having the characteristics described in Section 10.2, or (d) having an average daily flow greater than two percent (2%) of the average daily sewage flow of the District, shall be subject to the review and approval of the District Inspector. Where necessary in the opinion of the District Inspector, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (a) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or (b) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 10.2, or (c) control the quantities and rates of discharge of such waters or wastes.

Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the District Inspector and no construction of such facilities shall be commenced until said approval is obtained in writing.

Section 7.6 Maintenance of Pretreatment Facilities. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 7.7 Control Manholes. When required by the District the owner of any property served by a side sewer carrying industrial wastes shall install a suitable control manhole in the side sewer to facilitate observation, sampling and measurement of wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the District Engineer. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Section 7.8 Measurement and Tests. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Sections 7.2 and 7.5 shall be determined in accordance with standard methods and shall be determined at the control manhole provided for in Section 7.7, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the side sewer is connected.

Section 7.9 Special Agreements. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District, the County of Yuba, or any other public corporation or entity, whereby the District undertakes to provide for the construction, acceptance, maintenance or operation of facilities for the collection, pumping or other means of transmission of sewage from the public agencies pursuant to any appropriate legal authorization or pursuant to cooperation, joint powers, or other similar agreement. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefor by the industrial concern and subject to such terms and conditions as might be required by District.

Section 7.10 Swimming Pools. It shall be unlawful for any person to discharge the contents of a swimming pool into a sanitary sewer, without first giving notice to and receiving written permission from the District Inspector. Each swimming pool discharging to a public sewer shall be equipped with an approved separator to preclude any possibility of a backflow of sewage into the swimming pool or piping system.

#### ARTICLE VIII. INDUSTRIAL WASTEWATERS

Section 8.1 Permit for Industrial Wastewater Discharge. No person shall discharge or cause to be discharged any industrial wastewaters directly or indirectly to sewerage facilities owned by the District without first obtaining a District's Permit for Industrial Wastewater Discharge.

The Permit for Industrial Wastewater Discharge may require pre-treatment of industrial wastewaters before discharge, restriction of peak flow discharges, discharge of certain wastewaters only to specified sewers of the District, relocation of point of discharge, prohibition of discharge of certain wastewater components, restriction of discharge to certain hours of the day, payment of additional charges to defray increased costs of the District created by the wastewater discharge and such other conditions as may be required to effectuate the purpose of this Ordinance.

No District Permit for Industrial Wastewater Discharge is transferable without the prior written consent of the Chief Engineer.

No person shall discharge industrial wastewaters in excess of the quantity or quality limitations set by the Permit for Industrial Wastewater Discharge. Any person desiring to discharge wastewaters or use facilities which are not in conformance with the Industrial Wastewater Permit should apply to the District for an amended Permit.

Section 8.2 Procedure for Obtaining a District Permit for Industrial Wastewater Discharge. Applicants for a Permit for Industrial Wastewater Discharge shall complete a District application form available at the office of the District. The District may require additional information on the characteristics of the wastewater discharge beyond that required on the application form.

Upon receipt of all required information, the application shall be processed and, upon approval, be signed by representatives of the District, and one copy returned to the applicant. When properly signed, the application form shall constitute a valid Permit for Industrial Wastewater Discharge.

The application shall be approved if the applicant has complied with all applicable requirements of this Ordinance and furnished to the District all requested information and if the Chief Engineer determines that there is adequate capacity in the District's facilities to convey, treat and dispose of the wastewaters.

Section 8.3 Change of Industrial Wastewater Permit Restrictions. The District may change the restrictions or conditions of a Permit for Industrial Wastewater Discharge from time to time as circumstances may require. The District shall allow an industrial discharger a reasonable period of time to comply with any changes in the Industrial Wastewater Permit required by the District.

Section 8.4 Suspension of Permit for Industrial Wastewater Discharge. The Chief Engineer may suspend a Permit for Industrial Wastewater Discharge for a period of not to exceed 45 days when such suspension is necessary in order to stop a discharge which presents an imminent hazard to the public health, safety or welfare, to the local environment or to the District's sewerage system.

Any discharger notified of a suspension of his Industrial Wastewater Permit shall immediately cease and desist the discharge of all industrial wastewater to the sewerage system. In the event of a failure of the discharger to comply voluntarily with the suspension order, the Chief Engineer shall take such steps as are reasonably necessary to insure compliance.

Any suspended discharger may file with the Chief Engineer a request for Board hearing in which event the Board of Directors shall meet within 14 days of the receipt by the Chief Engineer of such request. The Board shall hold a hearing on the suspension and shall either confirm or revoke the action of the Chief Engineer. Reasonable notice of the hearing shall be given to the suspended discharger. At this hearing the suspended discharger may appear personally or through counsel, cross-examine witnesses, and present evidence in his own behalf.

In the event that the Board fails to meet within the time set forth above or fails to make a determination within a reasonable time after the close of the hearing, the order of suspension shall be stayed until a determination is made either confirming or revoking the action of the Chief Engineer.

The Chief Engineer shall reinstate the Industrial Wastewater Permit upon proof of satisfactory compliance with all discharge requirements of the District.

Section 8.5 Revocation of Permit for Industrial Wastewater Discharge. The Board of Directors of the District may revoke a Permit for Industrial Wastewater Discharge upon finding that the discharger has violated any provision of this Ordinance. No revocation shall be ordered until a hearing on the question has been held by the Board of Directors. At this hearing, the discharger may appear personally or through counsel, cross-examine witnesses and present evidence in his own behalf. Notice of the hearing shall be given to the discharger at least fifteen (15) days prior to the date of hearing.

Any discharger whose Industrial Wastewater Permit has been revoked shall immediately stop all discharge of any liquid carried wastes covered by the Permit to any public sewer that is tributary to a sewer or sewerage system of the District. The Chief Engineer may disconnect or permanently block from such public sewer the industrial connection sewer of any discharger whose Permit has been

revoked if such action is necessary to insure compliance with the order of revocation.

Before any further discharge of industrial wastewater may be made by the discharger, he must apply for a new District Permit for Industrial Wastewater Discharge, pay all charges that would be required upon initial application together with all delinquent fees, charges and penalties and such other sums as the discharger may owe to the District. Costs incurred by the District in revoking the Permit and disconnecting the industrial connection sewer shall be paid for by the discharger before issuance of a new Permit for Industrial Wastewater Discharge.

Section 8.6 Pretreatment of Industrial Wastewaters. An industrial wastewater pretreatment system or device may be required by the Chief Engineer to treat industrial flows prior to discharge to the sewer when it is necessary to restrict or prevent the discharge to the sewer of certain waste constituents, to distribute more equally over a longer time period any peak discharges of industrial wastewaters or to accomplish any pretreatment result required by the Chief Engineer. All pretreatment systems or devices shall be approved by the Chief Engineer but such approval shall not absolve the industrial discharger of the responsibility of meeting any industrial effluent limitation required by the District. In special cases, the Chief Engineer may require construction of sewer lines by the discharger to convey certain industrial wastes to a specific District trunk sewer. All pretreatment systems judged by the Chief Engineer to require engineering design shall have plans prepared and signed by an engineer of suitable discipline licensed in the State of California.

Normally a gravity separation interceptor, equalizing tank, neutralization chamber and control manhole will be required respectively to remove prohibited settleable and floatable solids, to equalize wastewater streams varying greatly in quantity and/or quality, to neutralize low or high pH flows and to facilitate inspection, flow measurement and samplings. Floor drains from commercial or manufacturing buildings, warehouses or multi-use structures shall not discharge directly to the sewer, but shall first discharge to a gravity separation interceptor.

Section 8.7 Control Manhole and Separation of Domestic and Industrial Wastewaters. All domestic or sanitary wastewaters from rest rooms, showers, drinking fountains, etc., shall be kept separate from all industrial wastewaters until the industrial wastewaters have passed through any required pretreatment system or device.

A control manhole of a design approved by the Chief Engineer shall be furnished and installed by certain designated industrial wastewater dischargers to facilitate inspection, sampling and flow measurements by personnel of the District. This control manhole shall be located off the industrial premise or if within the plant fence, a special locked gate adjacent to the manhole and at a location approved by the District shall be provided, with keys to the gate lock given to the District. Unrestricted access to this control manhole shall be available to authorized personnel of the District at all times. The control manhole may be used as a junction manhole for domestic sewage and industrial wastes provided the junction occurs downstream of the sampling or flow measuring point.

Section 8.8 Industrial Wastewater Sampling, Analysis and Flow Measurements. Periodic measurements of flow rates, flow volumes, COD and suspended solids for use in determining the annual industrial wastewater treatment surcharge and such measurements of other constituent believed necessary by the Chief Engineer shall be made by all industrial wastewater discharges, unless specifically relieved of such obligation by the Chief Engineer. All sampling, analyses and flow measurements of industrial wastewaters shall be performed by a State certified

independent laboratory, by a laboratory of an industrial discharger approved by the Chief Engineer or by personnel of the District. If performed by District personnel, an appropriate charge shall be paid by the discharger requesting the tests. Prior to submittal to the District of data developed in the laboratory of an industrial discharger, the results shall be verified by a responsible administrative official of the industrial discharger under the penalty of perjury.

All wastewater analyses shall be conducted in accordance with the appropriate procedure contained in "Standard Methods". If no appropriate procedure is contained therein, the standard procedure of the industry or a procedure judged satisfactory by the Chief Engineer shall be used to measure wastewater constituents. Any independent laboratory or discharger performing tests shall furnish any required test data or information on the test methods or equipment used, if requested to do so by the Chief Engineer.

All dischargers making periodic measurements shall furnish and install at the control manhole or other appropriate location a calibrated flume, weir, flow meter or similar device approved by the Chief Engineer and suitable to measure the industrial wastewater flow rate and total volume. A flow indicating, recording and totalizing register may be required by the Chief Engineer. In lieu of wastewater flow measurement, the Chief Engineer may accept records of water usage and adjust the flow volumes by suitable factors to determine peak and average flow rates for the specific industrial wastewater discharge.

The sampling, analysis and flow measurement procedures, equipment and results shall be subject at any time to inspection by the District. Sampling and flow measurement facilities shall be such as to provide safe access to authorized personnel.

Those industrial wastewater dischargers required by the Chief Engineer to make periodic measurements of industrial wastewater flows and constituents shall annually make the minimum number of such measurements required. The minimum requirement for such periodic measurements shall be at least one 24-hour measurement per year. Representative samples of the industrial wastewater shall be obtained at least once per hour over the 24-hour period, properly refrigerated, composited according to measured flow rates during the 24 hours and analyzed for the specified wastewater constituents. Dischargers required to sample on only a few days per year shall sample during the periods of highest wastewater flows and wastewater constituent discharges. Industrial plants with large fluctuations in quantity or quality of wastewater may be required to provide continuous sampling and analyses for every working day. When required by the Chief Engineer, dischargers shall install and maintain in proper order automatic flow-proportional sampling equipment and/or automatic analysis and recording equipment.

Measurements to verify the quantities of waste flows and waste constituents reported by industrial dischargers will be conducted on a random basis by personnel of the District.

Section 8.9 Discrepancies Between Actual and Reported Industrial Wastewater Discharge Quantities. Should measurements or other investigations reveal that the industrial discharger is discharging a flow rate, or a quantity of flow, chemical oxygen demand or suspended solids significantly in excess of that stated on the Industrial Wastewater Permit or in excess of the quantities reported to the District by the discharger and upon which the industrial wastewater treatment surcharge is based, the discharger shall apply for an amended Industrial Wastewater Permit and shall be assessed for all delinquent charges together with the penalty and interest provided for. Before these charges shall be assessed at least two additional 24-hour samples and flow measurements shall be obtained by the District with all

costs of sampling and analyses to be paid by the discharger.

For the purpose of establishing the correct treatment surcharge, the data obtained in these samplings along with any other relevant information obtained by the District or presented by the discharger, shall be used by the Chief Engineer in determining the quantity parameters for use in the surcharge formula. An industrial discharger found in violation shall, in the absence of other evidence, be presumed to have been discharging at the determined parameter values over the preceding three years or subsequent to the previous District verification of quantity parameters, whichever period is shorter.

Section 8.10 Industry Classifications. The Chief Engineer may classify dischargers by industrial categories and establish an industrial wastewater treatment surcharge based upon average flow quality and flow quantity for the industrial category adjusted by some commonly recognized parameter selected by the Chief Engineer that establishes the relative size of the industrial discharger being charged.

Section 8.11 Damage Caused by Prohibited Wastewater Discharge. Any industrial wastewater discharger who discharges or causes the discharge of prohibited wastewaters which cause damage to the District's facilities, detrimental effects on treatment processes or any other damages resulting in costs to the District shall be liable to the District for all damages occasioned thereby.

#### ARTICLE IX. TRUCKER'S DISCHARGE PERMIT

Section 9.1 Trucker's Discharge Permit. All persons owning vacuum or "cesspool" pump trucks or other liquid waste transport trucks and desiring to discharge septic tank, seepage pit, interceptor or cesspool contents, industrial liquid wastes or other liquid wastes to sewerage facilities of the District or to facilities that discharge directly or indirectly to such sewerage facilities shall first have a valid District's Trucker's Discharge Permit. All applicants for a Trucker's Discharge Permit shall complete the application form, pay the appropriate fee, receive a copy of the District's regulations governing discharge to sewers of liquid wastes from trucks and shall agree, in writing, to abide by these regulations.

Discharge of septic tank, seepage pit, interceptor or cesspool contents or other wastes containing no industrial wastes may be made by trucks holding a District's Permit at any of the District's designated public dumping manholes. Truck transported industrial wastes shall be discharged only at the locations specified by the Chief Engineer for the specific waste. The District may require payment for treatment and disposal costs or may refuse permission to discharge certain prohibited wastes.

The Trucker's Discharge Permit shall be valid for one year from date of issuance.

Any person negligently or willfully violating the District's requirements for liquid waste discharges from trucks shall be in violation of this Ordinance and may have his Permit revoked by the Chief Engineer.

#### ARTICLE X. PERMITS AND FEES

Section 10.1 Permit Required. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance or perform any work on any sewer or drainage system without first obtaining a written permit from the District.

Section 10.2 Application for Permit. Any person, legally entitled to apply for and receive a permit shall make such application on forms provided by the District for that purpose. He shall give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. The District may require plans, specifications or drawings and such other information as may be deemed necessary.

If the District determines that the plans, specifications, drawings, descriptions or information furnished by the applicant is in compliance with the ordinances, rules and regulations of the District, it shall issue the permit applied for upon payment of the required fees as hereinafter fixed.

Section 10.3 Compliance with Permit. After approval of the application, evidenced by the issuance of a permit, no change shall be made in the location of the sewer, the grade, materials or other details from those described in the permit or as shown on the plans and specifications for which the permit was issued except with written permission from the District, the District Inspector or other authorized representative.

Section 10.4 Agreement. The applicant's signature on an application for any permit shall constitute an agreement to comply with all of the provisions, terms and requirements of the ordinances, rules and regulations of the District, and with the plans and specifications he has filed with his application, if any, together with such corrections or modifications as may be binding upon the applicant and may be altered only by the District upon the written request for the alteration from the applicant.

Section 10.5 Fees - Connection Charges. All connection charges, fees and other charges in the District and in areas annexed thereto, as set forth in the ordinances, rules and regulations of the District as heretofore or hereafter fixed, shall be paid and complied with in the matter provided in said ordinances, rules and regulations.

Section 10.6 Special Connection Charges. For any parcel, unit or lot, or part of said property which abuts on or can be directly served by any existing sewer main or sanitary sewerage facilities of said District constructed pursuant to special agreement, wherein the District has agreed to reimburse to the party making the original installation a share of the cost of original construction attributable to parcels of property later connecting to said main or facilities, special connection charges in addition to any other charges established by the District, which must be paid prior to the issuance of a permit for sewer connection, are hereby established, as follows:

Where said facilities constructed pursuant to special agreement consist of collection mains together with trunk mains and/or any other sanitary sewerage facility, an additional special connection charge shall be collected in a sum to be computed by the District Engineer as said property's share of the cost of the sewer mains and other sanitary sewerage facilities of the District, constructed pursuant to special agreement, to be used by said property. Said sums shall be equivalent to the pro rata share of the cost of the installation made pursuant to the special agreement which would have been paid by said property for the facilities so to be used if said property had contributed its equitable share to the original cost of construction. Said sum shall include all costs incident to the installation of such mains and facilities.



Section 10.7 Special Connection Charges. In addition to any other charges, the District may establish special connection charges for any sewer connection when, in the opinion of the Board of Directors of District, the circumstances of such connection necessitate the establishment of unusual conditions or necessitate the payment of charges over and above those otherwise established.

Section 10.8 Bond - Lateral Sewer. A deposit of an amount of One Hundred Dollars (\$100.00) shall be made with said District to guarantee faithful performance of the provisions herein with reference to the construction of a lateral sewer, the whole of which shall be returned upon the completion of the work, when the work is done other than by said District. When said work is done by said District only the balance above the cost thereof shall be returned.

Section 10.9 Fees and Bond - Public Sewer Construction.

(a) A fee in an amount deemed necessary by the District to pay all engineering, inspection and other costs required to insure compliance with the terms of the permit and with the rules, regulations and ordinances of the District shall be paid to the District prior to the time the permit is issued, for reviewing plans and specifications, issuing a permit and inspecting the installation of public sewer mains, laterals and all appurtenances thereto. If the fee fixed by the District is in excess of the actual cost to the District, any surplus over the cost shall be refunded to the person obtaining the permit. If the fee fixed by the District is less than the actual cost to the District, then the person obtaining the permit shall be liable for the excess cost to the District.

(b) Prior to the issuance of a permit for public sewer construction the applicant shall furnish to the District a faithful performance bond or cash in the amount of the total estimated cost of the work. Said bond to be secured by a surety or sureties satisfactory to the District. The cash deposit or faithful performance bond shall be conditioned upon the performance of the terms and conditions of the permit and shall guarantee the correction of faulty workmanship and the replacement of defective materials for a period of one (1) year after the date of acceptance of the work.

Section 10.10 All Work to be Inspected. All sewer construction work shall be inspected by an inspector acting for the District to insure compliance with all requirements of the District. No sewer shall be covered at any point until it has been inspected and passed for acceptance. No sewer shall be connected to the District's public sewer until the work covered by the permit has been completed, inspected and approved by the District Inspector. If the test proves satisfactory, the Inspector shall issue a certificate of satisfactory completion.

Section. 1011 Notification. It shall be the duty of the person doing the work authorized by permit to notify the office of the District in writing that said work is ready for inspection. Such notification shall be given not less than twenty-four (24) hours before the work is to be inspected. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the District before giving the above notification.

Section 10.12 Condemned Work. When any work has been inspected and the work condemned and no certification of satisfactory completion given, a written notice to that effect shall be given instructing the owner of the premises, or the agent of such owner, to repair the sewer or other work authorized by the permit in accordance with the ordinances, rules and regulations of the District. Upon failure of said owner or agent to make such repairs within three days of the date of said notice, the District will make such repairs and deduct the costs thereof from the deposit made.

Section 10.13 All Costs Paid by Owner. All costs and expenses incident to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the work.

Section 10.14 Permits for Outside Sewers. Permission shall not be granted to connect any lot or parcel of land outside the District to any public sewer in or under the jurisdiction of the District unless a permit therefor is obtained. The applicant shall first enter into a contract in writing whereby he shall bind himself, his heirs, successors and assigns to abide by all ordinances, rules and regulations in regard to the manner in which such sewer shall be used, the manner of connecting therewith and drainage in connection therewith, and also shall agree to pay in advance all fees required for securing the permit and a monthly or annual fee in the amount set by the District for the privilege of using such sewer.

Section 10.15 Permit Optional. The granting of such permission in any event shall be optional with the Board.

Section 10.16 Special Outside Agreements. Where special conditions exist relating to an outside sewer, they shall be the subject of a special contract between the applicant and the District.

Section 10.17 Street Excavation Permit. A separate permit must be secured from the State, County or any other person having jurisdiction thereover by owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections.

Section 10.18 Liability. The District and its officers, agents and employees shall not be answerable for any liability or injury or death to any person or damage to any property arising during or growing out of the performance of any work by any such applicant. The applicant shall be answerable for, and shall save the District and its officers, agents and employees harmless from any liability imposed by law upon the District or its officers, agents or employees, including all costs, expenses, fees and interest incurred in defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of his work or any failure which may develop therein.

Section 10.19 Time Limit on Permits. If work under a permit be not commenced within six (6) months from the date of issuance or if after partial completion, the work be discontinued for a period of one year, the permit shall thereupon become void and no further work shall be done until a new permit shall have been secured. A new fee shall be paid upon the issuance of said new permit.

#### ARTICLE XI. ENFORCEMENT

Section 11.1 Investigation Powers. The officers, inspectors, managers, and any duly authorized employees of District shall carry evidence establishing his position as an authorized representative of District and upon exhibiting the proper credentials and identification shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purposes of inspection, re-inspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary in the enforcement of the provisions of the ordinances, rules and regulations of the District.

Section 11.2 Violation. Any person found to be violating any provision of this or any other ordinance, rule or regulation of District, except Section 12.1 hereof, shall be served by the Inspector or other authorized person with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Said time limit shall be not less than two nor more than seven working days. The offender shall, within the period of time stated in such notice, permanently cease all violations. All persons shall be held strictly responsible for any and all acts of agents or employees done under the provisions of this or any other ordinance, rule or regulation of the District. Upon being notified by the Inspector of any defect arising in any sewer or of any violation of this ordinance, the person or persons having charge of said work shall immediately correct the same.

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

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

The District may, upon authorization of its Board of Directors, sue to recover any amounts due the District under the provisions of this Ordinance.

Any person, who intentionally or negligently violates any provision of this Ordinance pertaining to the subject matter of either subparagraphs (a) or (b) below or any condition or limitation of a permit or plan approval related thereto shall be civilly liable to the District in a sum of not to exceed six thousand dollars (\$6,000.00) for each day in which such violation occurs.

(a) The pretreatment of any industrial wastewater which would otherwise be detrimental to the treatment works or its proper and efficient operation and maintenance.

(b) The prevention of the entry of such wastewater into the collecting system and treatment works.

In the event of such violation, the District shall upon authorization of its Board of Directors, petition the superior court to impose, assess and recover such sums.

Section 11.3 Public Nuisance. Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this or any other ordinance, rule or regulation of District is hereby declared to be a public nuisance. District may cause proceedings to be brought for the abatement of the occupancy of the building or industrial facility during the period of such violation.

Section 11.4 Disconnection. As an alternative method of enforcing the provisions of this or any other ordinance, rule or regulation of District, the District shall have the power to disconnect the user or subdivision sewer system from the sewer mains of the District. Upon disconnection the Inspector shall estimate the cost of disconnection from and reconnection to the system and such user shall deposit the cost, as estimated, of disconnection and reconnection before such user is reconnected to the system. The District shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnection.

Section 11.5 Abatement. During the period of such disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon District shall cause proceedings to be brought for the abatement of the occupancy of said premises by human beings during the period of such disconnection. In such event, and as a condition of reconnection, there is to be paid to District a reasonable attorney's fee and cost of suit arising in said action.

Section 11.6 Water Cut-off. At such time as District operates a public water system, as an alternative remedy for such violations, District may cause District water service to said premises to be discontinued during the period of violation.

Section 11.7 Means of Enforcement Only. District hereby declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of its ordinances, rules and regulations, and not as a penalty.

Section 11.8 Liability for Violation. Any person violating any of the provisions of the ordinances, rules or regulations of District shall become liable to District for any expense, loss or damage occasioned by District by reason of such violation, including, but not limited to, the costs of clean-up and restoration of the District's sewage works to their condition prior to such violation.

#### ARTICLE XII. MISCELLANEOUS PROVISIONS

Section 12.1 Protection from Damage. No unauthorized person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the District's sewage works. Any person violating this provision shall be subject to the penalties provided by law.

Section 12.2 Separability. If any section, sub-section, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this ordinance or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared to be unconstitutional.

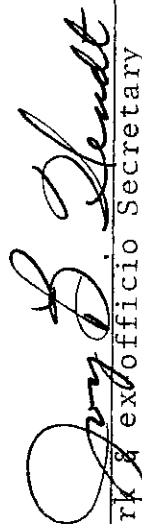
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I hereby certify that the foregoing is a full, true and correct copy of an Ordinance duly and regularly adopted by the Board of Directors of the Olivehurst Public Utility District at a meeting thereof, held on the 21st day of October, 1976, by the following vote thereof:

AYES, and in favor thereof: Directors Becker, Brown, Browning,  
Mazon and Archuleta  
NOES, : None  
ABSENT, : None

APPROVED:

  
PRESIDENT OF SAID BOARD

  
Clerk & ex officio Secretary

CERTIFICATION OF POSTING

ORDINANCE NO. 169

I, Stanley W. Wendt, declare as follows:

I am a citizen of the United States of America and over the age of twenty-one years;

On November 3, 1976, for and on behalf of the Clerk and ex-officio Secretary of the Olivehurst Public Utility District, I posted copies of Ordinance No. 169 in three public places in said District, to wit:

1. Post Office, 4903 Olivehurst Avenue, Olivehurst
2. Olivehurst Fire Department and Public Utility District Building, 1962 Ninth Avenue, Olivehurst
3. Pete's Auto Service, 1791 14th Avenue, Olivehurst

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10<sup>th</sup> day of November, 1976, at Olivehurst, Yuba County, California.

  
Stanley W. Wendt