

CHAPTER XII
SEWER AND WATER

12-1 Water Wells and Water Supply Systems.

12-1.1 *Purpose and Scope.* The provisions of this chapter are adopted to preserve, protect and promote the health, safety and welfare of the public with respect to water supply. (Ord. No. 75-8, § 1; Ord. No. 86-32, § 2)

12-1.2 *Definitions.* Unless otherwise apparent from context, the following terms are defined for the purposes of this chapter:

a. "*Domestic service*" refers to water which is delivered to be used primarily for human consumption and sanitation.

b. "*Municipal and industrial service*" refers to water which is delivered to be used primarily for commercial and manufacturing purposes.

c. "*Agricultural service*" refers to water which is delivered to be used primarily for irrigation purposes.

d. "*Public water purveyor*" refers to a public agency or regulated public utility which delivers water to others. (Ord. No. 75-8, A3; Ord. No. 86-32, § 3)

12-1.3 *Water Well Permit Required.* No person, other than a public water purveyor, shall dig, drill, bore or drive a water well without first applying for and securing a permit from the City. (Ord. No. 86-32, § 4)

12-1.4 *Application.* Each application for a water well permit shall include:

a. Evidence that a well site plan has been approved by the Kern County Health Officer and Planning Commission.

b. Evidence that the water well will be constructed by a person holding a valid water well drillers contractors license.

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c. Evidence that the water well will be constructed in accordance with standards from time to time established by the City Engineer.

d. Such further information as the City Engineer shall from time to time require. (Ord. No. 86-32, § 5)

12-1.5 *Review of Application.* The City Engineer shall issue a water well permit when the completed application has been filed with the necessary fees. (Ord. No. 86-32, § 6)

12-1.6 *Expiration of Water Well Permit.* Each water well permit shall expire on the 90th day after issuance if work has not been started and reasonable progress towards completion has not been maintained. The City Engineer may extend the expiration date of the permit. (Ord. No. 86-32, § 7)

12-1.7 *Water Distribution.* Water purveyors shall comply with all applicable state and federal laws and regulations governing the production, storage, transmission and sale of water. Water purveyors shall also comply with the provisions of Chapter XVII, Section 17-2, Uniform Fire Code, respecting the location and construction of fire hydrants and other fire protection devices. (Ord. No. 86-32, § 8)

12-1.8 *Use of City Right-of-Way.* A water purveyor may install, operate and maintain water pipelines and underground appurtenances within City owned rights-of-way provided an encroachment permit is obtained from the City in accordance with Section 14-2. (Ord. No. 86-32, § 9)

12-1.9 *New Water System.* Under other parts of this Code, the City requires the proponent of land divisions or other developments to demonstrate to the satisfaction of the City that adequate arrangements have been made to secure the necessary and appropriate water supply. Except as provided hereinabove with respect to facilities for fire protection, the design and construction of such water facilities shall be the responsibility of the water purveyor. (Ord. No. 86-32, § 10)

12-2 **Reserved.** (Ord. No. 86-32, § 11)

12-3 Large Volume Discharges.

a. No person shall discharge water onto or upon a City street for longer than 15 consecutive minutes per a 24-hour period or in excess of 250 gallons per day, whichever is less.

b. Violation of this section is an infraction.

(Ord. No. 87-32, § 3; Ord. No. 87-33, § 3; Ord. No. 89-11, § 3)

12-4 Reserved. (Ord. No. 86-32, § 11)**12-5 Collection and Treatment of Sewage; General.**

12-5.1 *Purpose.* In addition to providing for the terms and conditions of City sewer service, this section is also enacted for the purpose of establishing pretreatment regulations to prevent the introduction of pollutants into the City's treatment facilities which will interfere with the operation of the facilities or contaminate the sewage sludge; prevent the introduction of pollutants into the facilities which pass through the treatment works into receiving waters, the atmosphere, or otherwise be incompatible; and improve the feasibility of recycling and reclaiming waste waters and sludge resulting from waste water treatment. (Ord. No. 86-05, § 1)

12-5.2 *Scope.* This section shall apply to the collection, treatment, and disposal of all wastes delivered directly or indirectly through collector sewers, into the trunk sewers of the City; to the tapping of the connection to the collector and trunk sewers and the authority therefor; to the issuance of permits and the collection of fees therefor; to the imposition and collection of fees to pay the cost of checking plans, inspecting construction and providing "as-built" plans of the facilities permitted hereunder; and to providing penalties for violation of any of the provisions hereof. (Ord. No. 86-05, § 1)

12-5.3 *Definitions.* The definitions in this subsection shall govern the construction of this section and any permits issued hereunder, unless otherwise apparent from the context.

a. "*Applicant*" shall mean a person requesting sanitation service from the City.

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b. "*Biochemical Oxygen Demand*" or "*B.O.D.*" shall mean the demand of the waste discharge as determined by standard methods.

c. "*Class 1 Discharger*" or "*Class 1*" shall mean and refer to any discharger who discharges sewage from a residential

structure, or whose discharge is equivalent in strength to a residential discharge.

d. "*Class 2 Discharger*" or "*Class 2*" shall mean and refer to any nonresidential discharger who discharges sewage containing not more than 235 mg/l B.O.D. and 282 mg/l S.S. on an average daily basis. Light industrial users and commercial users such as schools and offices are presumed to be Class 2 dischargers, however, dischargers in this class must demonstrate that the discharge does not, and will not, exceed the foregoing limits.

e. "*Class 3 Discharger*" or "*Class 3*" shall mean and refer to any discharger who discharges sewage containing more than 235 mg/l B.O.D. and 282 mg/l S.S. but less than 635 mg/l B.O.D. and 415 mg/l S.S. on an average daily basis. Moderate industrial users and commercial users such as shopping centers and gas stations are presumed to be Class 3 dischargers, however, dischargers in this class must demonstrate that the discharge does not, and will not, exceed the foregoing limits.

f. "*Class 4 Discharger*" or "*Class 4*" shall mean and refer to any discharger who discharges sewage containing more than 635 mg/l B.O.D. and 415 mg/l S.S. but less than 1000 mg/l B.O.D. and 700 mg/l S.S. on an average daily basis. Moderately heavy industrial users and commercial users such as restaurants, markets and mortuaries are presumed to be Class 4 dischargers, however, dischargers in this class must demonstrate that the discharge does not, and will not, exceed the foregoing limits.

g. "*Class 5 Discharger*" or "*Class 5*" shall mean and refer to any discharger who discharges sewage containing more than 1000 mg/l B.O.D. and 700 mg/l S.S. on an average daily basis. The industrial users are in this category.

h. "*Collector Sewer*" or "*Branch Sewer*" shall mean a public sewer or system of public sewers which receives sewage from a relatively small area and discharges into a trunk sewer. A collector sewer may, under certain circumstances, be privately owned and maintained.

i. "*Customer*" shall mean a person receiving sanitation service from the City.

j. "*Domestic Sewage*" shall mean the water borne wastes derived from the ordinary living or commercial process and of such character as to permit satisfactory disposal without

special treatment, into the public sewer or by means of a private sewage disposal system.

k. "*Equivalent Residential Unit*" or "*E.R.U.*" shall mean and refer to a residential unit of any size, or 20 plumbing fixture units, as defined in the Uniform Plumbing Code, discharging into the sewer.

l. "*Industrial Waste*" shall mean any and all waste substances, liquid or solid, except domestic sewage and including, but not limited to, radioactive wastes and explosives, noxious, toxic, or corrosive gases or liquids when present in the sewage system. Class 2, 3, 4 and 5 dischargers are presumed to deposit industrial wastes.

m. "*Industrial Waste Connection*" shall mean the connection between an industrial waste source and a trunk or collector sewer and may include a manhole, or other acceptable testing means, on the lateral so that the City can sample the discharge to the trunk sewer or collector sewer.

n. "*Lateral Sewer*" shall mean a sewer which discharges into a branch or other sewer and which has no other common sewer tributary to it.

o. "*Sanitation Service*" shall mean the collection and treatment of sewage and the disposal of effluent and sludge by the City.

p. "*Suspended Solids*" or "*S.S.*" shall mean and refer to the results of a standard Total Nonfilterable Residue Dried at 103°-105°C test as described in Standard Methods.

q. "*Sewage Unit*" shall mean and refer to one E.R.U. A single-family residential dwelling contributes one sewage unit.

r. "*Trunk Sewer*" shall mean a public sewer, owned and maintained by the City, to which one or more collector sewers are tributary.

s. "*Sewer Connection*" shall mean the connection between a lateral and collector or trunk.

(Ord. No. 86-05, § 1)

12-6 Collection and Treatment of Sewage; Commencement of Service.

12-6.1 *Application; General.* An applicant for sanitation service or for a change in the amount or type of such service shall make request therefor on forms provided by the City, and pay all required fees prior to obtaining a permit. (Ord. No. 86-05, § 2)

12-6.2 *Application; Contents.* Applicants for sanitation service shall provide the following information to the City on forms provided by the City:

- a. Location of property from which sewage will flow.
- b. Owner of property.
- c. Strength of sewage to be discharged.
- d. Duration of discharge.
- e. Quantity of discharge.
- f. Type of user (residential, commercial or industrial).
- g. Nature of business if commercial or industrial.
- h. Plumbing plans of the proposed facility, commercial or industrial.

(Ord. No. 86-05, § 2)

12-6.3 *Certification and Recertification of Class.*

a. The City Engineer shall review all applications for sanitation service and determine which class of discharge applies to the applicant.

b. Any nonresidential discharger or applicant who contends that the City Engineer's determination of Class does not accurately reflect the quantity or quality of water reaching the sewer may request the City Engineer to review his determination by presenting evidence to support such contention. The City Engineer may change the classification assigned to the discharger if the discharger can show that the sewage differs significantly and substantially from the sewage for the class.

(Ord. No. 86-05, § 2)

12-6.4 *Multiple Classes.* Whenever property served by a single water meter includes several discharge classes, the discharge classification shall be the class which the City determines best represents the quality and quantity of sewage discharge from the entire property served by the meter. (Ord. No. 85-05, § 2)

12-6.5 *Fees; General.* Applicants for sanitation service shall pay the fees set forth in this section as a condition for obtaining sanitation service. (Ord. No. 86-05, § 2)

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12-6.6 *Existing Lateral Connection.* Where sewage units are added to an existing lateral sewer which is already connected to the trunk sewer, directly or through a collector sewer, or otherwise, the customer shall pay a sewer connection fee, capacity fee and an offsite facilities charge as set forth below for the added units. (Ord. No. 86-05, § 2; Ord. No. 93-11, § 3)

12-6.7 *New Trunk or Collector Sewer Required.* An applicant for service to property which does not fully front upon an existing trunk or collector sewer shall provide for the construction of the necessary collector or trunk, and pay a sewer connection fee, capacity fee and offsite facilities charge but shall not pay a sewer extension fee. (Ord. No. 86-05, § 2; Ord. No. 93-11, § 4)

12-6.8 *Existing Collectors or Trunk Sewers.* An applicant for service to an existing collector or trunk sewer shall pay the applicant's pro rata share of the cost of the trunk or collector sewer as a condition of service if a main extension refund agreement exists with respect to such trunk or collector sewer. (Ord. No. 86-31, § 1)

12-6.9 *Sewage Connection Fees; Sewage Units.* Each applicant shall pay a sewer connection fee to offset the cost of construction and reconstruction of collector sewers, based upon the anticipated sewage flow to be contributed by the property as follows:

(a) Single-family residential dwelling:

Until June 30, 1986	\$ 250.00
Effective July 1, 1986	400.00
Effective January 1, 1987	540.00

(b) Each dwelling unit of an apartment, attached condominium, townhouse, trailer park, mobile home park, or similar installation for permanent or semi-permanent residential service, (deemed to contribute eighty hundredths (0.80) sewage units):

Until June 30, 1986	\$ 200.00
Effective July 1, 1986	320.00
Effective January 1, 1987	432.00

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(c) Commercial, industrial, institutional, governmental and other nonresidential developments:

Until June 30, 1986	\$ 12.50
Effective July 1, 1986	20.00
Effective January 1, 1987.....	27.00

(per plumbing fixture unit)

(Ord. No. 86-05, § 2, Ord. No. 93-11, § 5)

12-6.10 *Offsite Facilities Charges.* The applicant shall pay an offsite facilities charge for each connection made in all areas which were outside of the Ridgcrest Sanitation District boundaries on October 3, 1970, as such boundaries are shown on that certain map entitled "Ridgcrest Sanitation District" on file in the office of the City Clerk. Such charges shall be paid concurrently with the sewage connection fee.

a. Offsite facilities charges are as follows:

1. Single-family residence	\$ 100.00
2. Mobile home	90.00
3. Laundromat, per washer.....	20.00
4. Self-service car wash, per stall	30.00
5. Service station	200.00
6. Restaurant	400.00
7. Duplex, triplex and apartment, per unit	90.00
8. Motel per unit	50.00
9. All others, per plumbing fixture unit as defined in the Uniform Plumbing Code	5.00

(Ord. No. 86-05, § 2)

12-6.11 *Sewage Connection Fees; Added Fees.* Upon discovery of an unauthorized sewer connection by the City, the property owner shall pay a sewer extension fee, sewage connection fee, capacity fee and offsite facilities charge at the rates existing as of the date of the connection. Unless the property owner presents clear and convincing evidence as to the date of the unauthorized connection, it shall be presumed that the connection was made as of the date of discovery. (Ord. No. 86-05, § 2; Ord. No. 93-11, § 6)

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12-6.12 *Miscellaneous*. An applicant shall pay the following miscellaneous fees in addition to the foregoing. The amount of such fees shall be established from time to time by resolution.

- a. Permit fees for sewer service lateral installations.
- b. Plan check, inspection, and permit fees for construction of a trunk or collector sewer mains and appurtenances.
- c. Permit fees for abandonment of septic tanks.
- d. Septic tank waste dumping fees.

(Ord. No. 86-05, § 2)

12-6.13 *Sewage Capacity Fees*.

(a) Each applicant for sanitation service shall pay the following capacity fee to offset the cost of construction and reconstruction of sewage treatment and disposal facilities, based upon the anticipated sewage flow to be contributed by the property to the treatment plant:

- (1) Single-family residential dwelling:

From January 17, 2003: \$1,500.00

- (2) Each dwelling unit of an apartment, attached condominium, townhouse, trailer park, mobile home park, or similar installation for permanent or semi-permanent residential service or the second unit on a single-family lot (deemed to contribute eighty hundredths (0.80) equivalent sewage units):

From January 17, 2003: \$1,200.00

- (3) Commercial, industrial, institutional, governmental, and other nonresidential developments (per plumbing fixture unit):

From February 1, 1994 \$ 175.00

(b) When three hundred (300) new connections have been made after February 1, 1994, each applicant sanitation service shall pay the following capacity fee to offset the cost of construc-

tion and reconstruction of sewage treatment and disposal facilities, based upon the anticipated sewage flow to be contributed by the property to the treatment plant:

- (1) Single-family residential dwelling: \$3,500.00.
- (2) Each dwelling unit: \$2,800.00.
- (3) Commercial: \$175.00

(c) Effective on July 1, 1996, capacity fees shall be further adjusted to recover the cost of capital improvement projects undertaken after February 1, 1994, for sewage treatment and disposal facilities.

(d) An applicant for sanitation service to property using an on-site sewage disposal system as of February 1, 1994, may abandoned the on-site system in accordance with law and accepted practices and connect residential dwellings on the property to the collector system without payment of the capacity fee if sanitation services commences before February 1, 1995.

(e) Between November 14, 2001, and May 15, 2002, applicants for single-family residential sewer service shall not be required to pay sewage capacity fees under (a)(1), (b)(1) or (d) of this section. (Ord. No. 93-11, § 7; Ord. No. 01-06, § 2; Ord. No. 01-12, § 2; Ord. No. 02-03, § 2; Ord. No. 02-05, § 2; Ord. No. 02-06, § 2)

12-6.14 Fees: Deposits, Accounts, Expenditures, Reports and Refunds.

(a) Sewer connection and capacity fees may be changed at any time in accordance with this Code and State law. An applicant shall pay the connection fees existent at time of issuance of building permit and capacity fees existent when service commences regardless of when the fees are deposited. As used herein, "service commences" for a new or additional ERU when the applicant's primary structure can be connected to the trunk or collector sewer and payment of sewage service charges commences.

(b) Sewage connection fees, capacity fees and offsite facilities charges shall be deposited in three (3) separate accounts, entitled "sewage connection fee account," "capacity fee account" and "offsite facilities charge account" to avoid commingling with each

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other or with other revenues or funds of the City, except for temporary investments. Sewer connection fees shall be expended solely for the purpose of planning, designing and constructing the collector sewers described in the sanitation system improvement plan for the City of Ridgecrest. Capacity fees shall be expended solely for the purpose of planning, designing and constructing sewage treatment and disposal facilities described in the City's sanitation system improvement plan. Offsite facilities charges shall be expended solely for the purpose of recovering the cost of sanitation facilities existing as of October 3, 1970. Money shall be transferred from the sewer connection account, capacity fees account and offsite facilities charges account to the appropriate account when funds are appropriated to perform the work, when the work is performed, when a certificate of occupancy is issued or on the date of final inspection, whichever occurs first.

(c) An applicant who is not required to make a cash payment of the foregoing fees shall enter into a deposit agreement. The City Engineer shall present a form of the deposit agreement to the Council for approval. The deposit agreement shall be recorded and the debt evidenced by the deposit agreement shall constitute a lien against the property for which service is sought.

(d) On or before September 1 of each year, the City shall make available to the public the beginning and ending balance for the prior fiscal year, of the fee, interest and other income, the amount of expenditure and the amount of refunds. The Council shall review this information at the next regularly scheduled public meeting not less than fifteen (15) days after the information is made available.

(e) The Council shall make findings at least once each fiscal year with respect to any portion of the fee remaining unexpended or uncommitted in the separate accounts five (5) or more years after deposit of the fee to identify the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged. The findings required by this subsection shall only be made for monies in the possession of the City and need not be made with respect to de-

posit agreements taken to secure payment of the fee at a future date.

(f) The City shall refund to the then current record owner or owners of lots or units of the development project or projects on a *pro rata* basis the unexpended or uncommitted portion of the fee and any interest accrued thereon, for which a need cannot be demonstrated pursuant to subsection (e) of this section, provided, if the administrative costs of refunding exceed the amount to be refunded, the City may determine that the revenues shall be allocated for some other purpose which serves the project(s) on which the fee was originally imposed. If the fees are not refunded to the record owner, the Council shall conduct a duly-noticed public hearing before expending the fees for another purpose which serves the project(s).

(g) The fees described herein shall be deposited prior to the date of final inspection or the date the certificate of occupancy is issued, whichever occurs first. The fees shall be deposited prior to issuance of a permit by the City, if an account has been established, funds appropriated and a construction plan has been adopted for the facility or if the fees are to reimburse the City for expenditures previously made. As used herein, "appropriated" means authorization by the Council to make expenditures and incur obligations for specific purposes. If the Council makes either of these findings, the fees shall be deposited on demand. If the Council does not make either of these findings, the fees shall be deposited on a lump basis for each dwelling in a residential development which contains more than one (1) dwelling when the first dwelling in the development receives its final inspection or certificate of occupancy, whichever occurs first. If the fee is not fully deposited prior to issuance of a building permit for construction of any portion of the residential development encumbered thereby, the applicant shall execute a deposit agreement before the issuance of the building permit to deposit the fee as set forth herein. The contract shall be recorded and constitute a lien for payment of the fee and shall require payment from the sale proceeds in escrow prior to disbursing proceeds to the seller.

(h) If the applicant abandons the construction of the improvements, or the recording of a subdivision, for which fees and charges

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were paid, the fees and charges shall be refunded, with interest, to the applicant upon the applicant's written request, provided, if the facilities necessary to serve the applicant's property have been installed or direct expenses incurred by the City toward such service installation, the refund permitted under this section shall be reduced by the amount of such expenditure. (Ord. No. 93-11, § 8)

12-7. Collection and Treatment of Sewage; Conditions of Service.

12-7.1 Land Eligible; General. Lands lying within the boundaries of the City of Ridgecrest shall be eligible to discharge, deposit or dispose of wastes into the collector or trunk sewers of the City. (Ord. No. 86-05, § 3)

12-7.2 System Expansion; General.

a. The applicant shall provide for the construction of facilities necessary to connect the applicant's sewage disposal system to the trunk sewer. If the applicant's property does not front upon a trunk sewer or a collector sewer connected to a trunk sewer, the applicant shall provide for the construction of a trunk sewer extension or a collector sewer extension to connect to a trunk sewer. This section describes the possible methods of financing such facilities.

b. The applicant shall insure that all such extended facilities are constructed and connected to the trunk sewer in accordance with City requirements. This section also describes the City's design and construction standards. (Ord. No. 86-05, § 3)

12-7.3 Financing System Expansion; Trunk or Collector Sewers.

a. If an applicant or developer is required to provide for the construction of a trunk sewer and if the trunk or collector sewer will be capable of servicing more than one (1) parcel of land, the city may enter into a main extension refund

agreement with the applicant whereby the applicant shall bear the entire cost of the design and construction of the facilities and the City shall collect a sewer extension fee from other applicants for service to other property fronting the trunk or collector sewer and remit 80 percent of the same to the original applicant when so collected. The form of the main extension refund agreement shall be, from time to time, approved by the City Council. Except where the sewer is larger than eight inches in diameter, such reimbursement shall be 80 percent of the sewer main extension fee. When the sewer is greater than eight inches in diameter, such reimbursement may include the cost of oversizing the sewer.

b. The City may allow the formation of an assessment district to provide construction monies in lieu of providing the reimbursement described above.

c. Nothing herein contained shall require the City to allow improvement district or assessment district bond funds to be used to construct a trunk or collector sewer or enter into a main extension refund agreement.

(Ord. No. 86-05, § 3)

12-7.4 Financing System Extensions; Collector Sewers. An applicant who is required to provide for the construction of a collector sewer which will not benefit other parcels of land, in order to obtain sanitation service shall finance the cost of such facilities without City participation.

(Ord. No. 86-05, § 3)

12-7.5 Design and Construction Standards; General. Pipelines and appurtenances which are constructed to deposit industrial waste or domestic sewage into the City's trunk sewers shall not be connected to the City's trunk sewers unless the pipelines and appurtenances are designed and constructed in accordance with applicable City standards.

(Ord. No. 86-05, § 3)

12-7.6 Design and Construction Standards; Lateral Connection to a Trunk Sewer.

a. Laterals shall be installed as shown on the City's standard specifications. No additional laterals shall be attached to any sewer connection, nor shall laterals be extended to collect other

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sewage discharges without prior approval of the City. Any person making such unauthorized lateral extension or additions shall be subject to immediate disconnection, in addition to the liability incurred for other expenses and charges, as hereinafter set forth.

b. Sewer connections shall be made only at points on trunk sewers approved by the City Engineer. Such connections shall be installed at the applicant's expense and in accordance with the standard specifications of the City.

c. The applicant shall make the excavation in accordance with the City's standard specifications, and notify the City at least 48 hours in advance of the commencement of the excavation. The City shall also be notified of the completion of the lateral attachment to the connection in order that an inspection may be made prior to backfill of the trench for the lateral sewer.

d. Basic requirements for lateral sewer connections, wastewater design and construction standards. Pursuant to the 2001 California Plumbing, California Code of Regulations, Title 24, Part 5, Section 713.0, the waste water department has developed the following standards for the City relating to all private sewer waste drain lines connected to the public sewer system.

1. All work performed should be exposed allowing visual inspection.
2. A minimum of $\frac{1}{4}$ -inch per foot of vertical fall toward the point of disposal shall be maintained.
3. A cleanout of equal size shall be required at the existing or new lateral property line connection for more than 90 degree change of direction of the service connection.
4. A cleanout is required in all cases immediately outside the building structure and must be to ground level. Additional cleanouts must be installed every 100 feet of horizontal run.
5. Three or four-inch diameter pipe shall be used except where the waste line may become inaccessible due to a concrete slab etc., then four-inch pipe is recommended.

6. Material types permitted 3" or 4" - SDR 35 ASTM 3034, including PVC DWV, schedule #40 with exposed blue glue bands. ABS not permitted.
 7. Solid firm bedding under the length of the line shall be maintained. Relatively clean backfill should surround the pipe.
 8. Every cesspool, septic tank and seepage pit which has been abandoned 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 sewage removed therefrom and be either removed from the premises or completely filled with earth, sand, gravel or other approved material.
 9. All work should be completed prior to inspection. Otherwise, an additional inspection fee may be imposed.
 10. In some areas of the City, buried red and white fencing stakes indicate available sewer service.
 11. The property owner is responsible for the entire service lateral when and if it becomes clogged or obstructed to the branch or main line, even if, it is within and under the public right-of-way.
- (Ord. No. 86-05, § 3; Ord. No. 2005-06, § 2)

12-7.7 Design and Construction Standards; Collector Connections to a Trunk Sewer.

a. Collector sewers shall be connected to City trunk sewers only at locations and in the manner specified by the City Engineer. All such collector sewer connections shall be constructed in accordance with City specifications.

b. Plans and specifications of collector sewers and connections to trunk sewers, shall be prepared by a registered Civil Engineer, and be submitted to the City prior to construction. If the collector sewer system and the connection conforms with all of the requirements of the City, the City Engineer shall so certify upon the plans.

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c. The City shall inspect the actual work of making a collector sewer connection, and for that purpose must be given at least 48 hours notice prior to commencement of such work. The City must be notified of the completion of such work in order that inspection may be made prior to approval thereof and its acceptance by the City.

d. The collector sewer, up to the point where it joins the connection at the trunk sewer, shall be dedicated to the City. No additional collector sewers shall be connected to any collector sewer connection or collector sewer system without prior approval of the City.

e. The collector sewer connection, including any required manhole, shall be dedicated to the City.
(Ord. No. 86-05, § 3)

12-7.8 Design and Construction Standards; Additional Requirements for Industrial Waste Connections.

a. Industrial waste connections shall be made on trunk sewers or collector sewers only at locations and in the manner specified by the City Engineer.

b. Industrial waste systems and laterals may, for the purpose of control, be required to be separated from domestic systems and laterals. This may be accomplished at a manhole or other appropriate inspection facility with a common lateral then discharging to the industrial waste connection.

(Ord. No. 86-05, § 3)

12-8 Collection and Treatment of Sewage; Usage of System.

12-8.1 Usage; General.

a. No connection of any nature shall be made nor permitted to the collector or trunk sewers which will admit wastes which do not comply in all respects to the discharge and waste requirements of this section.

b. No person shall knowingly discharge or deposit or allow discharge or deposit into trunk sewers of solids or fluids which create nuisances, such as offensive odors, are a menace to public health, or are detrimental to the functioning of said trunk sewers or to the treatment and disposal facilities and processes of the City. The Wastewater Facilities Supervisor shall be consulted prior to the discharge or deposit of wastes other than those of a sanitary nature derived from the ordinary living processes, or of such character so as to permit satisfactory disposal without special treatment.

(Ord. No. 86-05, § 4)

12-8.2 Usage; Prohibited Discharges and Wastes. The following discharges and wastes are prohibited from introduction into the collector of trunk sewers:

a. Brines, including brines produced in the regeneration of water softeners shall not be discharged into the trunk sewers.

b. Uncontaminated cooling water shall not be discharged into the trunk sewers.

c. No persons shall discharge or cause to be discharged any rain water, storm water, groundwater, street drainage, sub-surface drainage, yard drainage, including evaporative type air cooler discharge water, to any sewage facility which is directly

or indirectly connected to the sewage facilities of the City.
(Ord. No. 86-05, § 4)

12-8.3 Usage: Discharges Requiring Special Permits; General.

a. No person shall discharge: swimming pool wastewater, cesspool or septic tank pump trucks, or industrial waste into a trunk sewer without having first notified and obtained permission from the Wastewater Facilities Supervisor.

b. Swimming pool wastewater discharges are limited to the hours of 9:00 p.m. to 4:00 a.m., and are further subject to the limitations contained in the permit.

c. Cesspool or septic tank pump trucks discharging into City facilities are subject to the limitations contained in such permit. At the discretion of the City, industrial waste permits and/or County Health Department Permits shall first be obtained by applicant.

(Ord. No. 86-05, § 4)

12-8.4 Industrial Wastes; Limitations. Each request for a permit to discharge industrial wastes to the collector or trunk sewer shall be subject to review and approval of the City. Each industrial waste discharge will be considered individually, giving due consideration to its effect upon the trunk sewers and the treatment and disposal facilities and processes of the City. In addition to limitations on industrial wastes as may be imposed by the City Engineer pursuant to the issuance of a permit, the following general limitations shall apply to all industrial wastes discharged to the trunk sewers.

a. Material which will settle out in the sewers, such as sand or metal filings, shall not be discharged to the sewers. Waste waters containing such materials must be passed through sand traps or other suitable structures, properly designed and maintained by the permittee, before discharge to the sewer.

b. Oil and grease shall be removed from wastewaters insofar as practicable. In the case of industries with large volumes of wastewaters containing oils of a hydrocarbon nature, the floatable oil content will be limited to ten parts per million. Industries with wastes containing animal or vegetable oils or fats mixed with other suspended matter rendering separation difficult, may in some cases be allowed higher concentrations of floatable oil or grease, up to 25 parts per

million. Dispersed oil and grease will, in general, be allowed in concentrations up to 600 parts per million provided that dilution of the waste in sewage does not cause the oil or grease to separate on the surface or collect on the walls of the sewer. Total oil determinations in oil field or refinery wastewaters will be made by the procedure of Kirshmann and Pomeroy, Anal. Chem. 2,793 (1949). Determinations in other wastes will be made by the procedures described in the latest editions of "Standard Methods for the Examination of Water and Sewage" published by the American Public Health Association, except where wastes of unusual character make other procedures necessary. Definition of floatable oil and grease, and instructions for determination of same, are available on request from the City's office.

c. Unreasonable or unnecessarily large amounts of suspended solids shall not be discharged into the sewer.

d. High B.O.D. wastes may in some cases cause excessive sulfide formation. In such cases suitable restrictions may be imposed by the City, and the industry discharging the same will be charged the cost of corrective treatment.

e. Wastes of strong odors, such as mercaptans, shall not be discharged into the sewer.

f. Dissolved sulfides in wastes discharged into the sewer shall not exceed a concentration of 0.1 ppm.

g. Acids shall not be discharged into the sewer unless neutralized to a pH value of six or above. Highly alkaline wastes will usually be accepted, except where they may cause incrustation of sewers. Nitric acid requires special consideration; the Wastewater Facilities Supervisor shall be consulted prior to making such discharges.

h. Compounds which may give off toxic or flammable gases in amounts considered dangerous by the City will not be permitted in the sewers. The concentration of cyanide in any waste (including HCN and CN) shall not exceed ten ppm. Wastes containing radioactive material shall require special consideration and a permit therefor issued by the City.

i. Contaminated cooling water blowdown, or bleed, from cooling towers or other evaporative coolers and when cooling is done by using only heat exchange, without utilizing evaporative cooling, the wastewater shall not be discharged to the sewer.

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j. Industries shall segregate sewage and industrial wastes from roof and yard run-off. Roof and yard run-off shall not be discharged to the sewer.

k. The temperatures of discharges will generally be limited to 120°F. Where the quantity of discharge represents a significant portion of the flow in a particular sewer, it may be necessary to lower the temperature further.

l. Chemical solutions containing nitric acid or salts thereof in concentrations above five percent by weight, and volumes in excess of 50 gallons shall not be discharged into the sewer. Industries desiring to dispose of such wastes may consult the City as to permissible disposal methods.

m. Wastes shall not be discharged into the sewers containing heavy metals in concentrations greater than permitted by the Regional Water Quality Control Board for sewage effluent.

n. Wastes containing boron, fluorides, chlorides and sodium or potassiums or other dissolved solids which will cause the effluent of the City's treatment facilities to exceed the requirements of the Regional Water Quality Control Board shall not be discharged into the City's sewers.

(Ord. No. 86-05, § 4)

12-8.5 *Protective Measures; General.* Each customer shall comply with the provisions of this section to insure that the collection, treatment and disposal processes are not damaged. (Ord. No. 86-05, § 4)

12-8.6 *Definitions.* The following terms are defined for the purposes of this section unless otherwise apparent from context:

a. "Act" shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 38 U.S.C. Sections 1251 et seq.

b. "Administrator" or "Regional Administrator" shall mean the appropriate Environmental Protection Agency Regional Administrator.

c. "Interference" shall mean inhibition or disruption of the City's sewer system, treatment process or operations which contributes to a violation of any requirement of its National Pollution Discharge Elimination System (NPDES) permit. The term includes prevention of sewage sludge use or disposal by the City's facilities in accordance with Section 405 of the Act,

or any criteria guidelines or regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of the Solid Waste Disposal Act) applicable to the method of disposal or use employed by the City's treatment facilities.

d. "*Indirect Discharge*" shall mean the discharge or introduction of nondomestic pollutants from any source regulated under Section 307(b) or (c) of the Act, into the City's treatment facilities.

e. "*New Source*" shall mean any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) Categorical Pretreatment Standard which will be applicable to such source, if such Standard is thereafter promulgated within 120 days of the proposal in the Federal Register. Where the Standard is promulgated later than 120 days after the proposal, "*New Source*" shall mean any source the construction of which is commenced at the date of promulgation of the Standard.

f. "*Publicly Owned Treatment Works*" or "*P.O.T.W.*" shall mean a treatment works as defined by Section 212 of the Act, which is owned by a state or municipality (as defined by Section 502(4) of the Act). This definition includes any sewers that convey wastewater to such a treatment works, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such treatment works.

(Ord. No. 86-05, § 4)

12-8.7 *National Categorical Pretreatment Standards.* Upon promulgation of the Categorical Pretreatment Standards for particular industry sub-category, the Federal Standard, if more stringent than the limitations imposed under this ordinance for sources in that sub-category, shall immediately supersede the limitations imposed under this ordinance. The Wastewater Facilities Supervisor shall notify all affected users of the applicable requirements under the General Pretreatment Regulations, Solid Waste Disposal Act, and the Act.

(Ord. No. 86-05, § 4)

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12-8.8 Pretreatment Compliance Schedule. If additional pretreatment and/or operation and maintenance will be required to meet the Pretreatment Standards, the shortest schedule by which the user will provide such additional pretreatments shall be utilized. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.

The following conditions shall apply to the schedule:

a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable Pretreatment Standards e.g., hiring an engineer, completing preliminary plans, completing final plans executing contract for major components, commencing construction, completing construction, and so forth.

b. No increment referred to in paragraph a. shall exceed nine months.

c. Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Wastewater Facilities Supervisor including, as a minimum, whether or not it complied with the increment of progress to be met on such date, and, if not, the date on which it expects to comply with this increment of progress, the reason for the delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the Wastewater Facilities Supervisor.

(Ord. No. 86-05, § 4)

12-8.9 Reporting Requirements for Permittee.

a. **Compliance, Date of Report.** Within 90 days following the date for final compliance with applicable Pretreatment Standards or, in the case of a new source, following commencement of the introduction of wastewater into P.O.T.W., any user subject to Pretreatment Standards and Requirements shall submit to the Wastewater Facilities Supervisor a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and minimum daily flow for those process units in the user

facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the user into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the user, and certified to by a qualified professional.

b. *Periodic Compliance Reports.*

1. Any user subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a new source, after commencement of the discharge into the P.O.C.W., shall submit to the Manager of Water Reclamation Operations during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Wastewater Facilities Supervisor the report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a report of all daily flows which during the reported period exceeded the average daily flow reported in the paragraph above. At the discretion of the Wastewater Facilities Supervisor and in consideration of such factors as local high or low flow rates, holidays, budget cycles and so forth, the Wastewater Facilities Supervisor may agree to alter the monitoring which the above reports are to be submitted.

2. The Wastewater Facilities Supervisor may impose mass limitations on users which are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by paragraph 1. of this subsection shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent by the users. These reports shall contain the results of sampling and analysis of the discharge, including the flow and nature and concentration, of production and, where requested by the Wastewater Facilities Supervisor mass of pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable Pretreatment Standards. All analysis shall be performed in accordance with the procedures established by

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the Administrator pursuant to Section 304(g) of Act and contained in 40 CFR, Part 136 amendments thereto or with any other test procedures approved by the Administrator. (Ord. No. 86-05, § 4)

12-8.10 *Public Notification of Violations.* The City shall annually publish, in the daily newspaper within the jurisdiction, a list of users which are not in compliance with any Pretreatment Requirements or Standards at least once during the 12 previous months. The notification shall also summarize any enforcement action taken against the user during the same 12 months. (Ord. No. 86-05, § 4)

12-8.11 *State Requirements.* State requirements and limitations on discharges apply in any case where they are more stringent than Categorical Standards or this ordinance provided such requirements are adopted as set forth herein. (Ord. No. 86-05, § 4)

12-8.12 *More Stringent Limitations.* The City reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the waste water disposal system if deemed necessary to comply with the objectives as set forth in this ordinance. (Ord. No. 86-05, § 4)

12-9 Water Conservation Methods.

12-9.1 *Purpose.* This section adopts water conservation measures to protect the water supplies for the region. The measures described below are temporary. If the current lack of water replenishment continues or worsens, the City may react to the drought by enacting more stringent measures. If the current water supply improves, the City may adopt permanent water conservation measures based upon experience gained under this section. (Ord. No. 88-16, § 1)

12-9.2 *Voluntary Measures.*

a. Water users are encouraged to use the voluntary measures in order to achieve an overall ten percent reduction

in current usage.

b. Landscape irrigation shall be reduced by using, to the extent possible:

1. Low water usage plants;
2. Use of ground cover and shrubs in lieu of turf area;
3. Low precipitation heads to minimize overspray;
4. Irrigation system maintenance programs; and
5. Surround high runoff areas with borders, flower beds and similar devices to capture and reuse runoff.

c. Water users may reduce the amount of water used to water lawns by:

1. Periodically aerating the soil;
2. Using highly efficient irrigation equipment;
3. Placing irrigation equipment and regulating flow to avoid overspray on impervious surfaces;
4. Promptly repair all leaks;
5. Properly maintain sprinkling devices; and
6. Avoid overwatering by irrigation at more frequent intervals from shorter periods of time.

d. Vehicles should be washed at a commercial car wash, which recycles water, or using a water bucket and hose equipped with a shut-off nozzle for quick rinsing.

e. Water should be recycled and reused whenever possible.

f. The City shall advise the Indian Wells Valley Water District prior to high usage activities such as sewer system flushing and shall cooperate with the District to reduce the demand on the District's water system to the extent feasible.

(Ord. No. 88-16, § 2)

12-9.3 *Mandatory Measures.*

a. No water user shall waste water. For the purposes of this section, "waste" means using water for no beneficial purpose including, but not limited to:

1. Landscape irrigation in a manner or to an extent which allows water to runoff the area being irrigated;
2. Using water to wash or rinse sidewalks, driveways, parking areas, tennis courts or other exterior paved areas except to dispose of flammable or dangerous liquids.
3. Allowing water to leak through water connections, hoses, faucets, pipes, outlets or plumbing fixtures.

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b. Landscape shall not be irrigated from May 1 through September 30 except between the hours of 8:00 o'clock p.m. and 8:00 o'clock a.m. unless a special permit is issued for an appropriate period of time to accommodate newly planted material.

c. No water shall be provided to any structure which is hereafter constructed or remodeled in which the plumbing fixtures are to be installed unless the plumbing fixtures conform with all requirements of law as to flow capacity.

d. Landscaped areas for all new property development, other than single family residences, shall include as part of its development, low water use or native plant material, low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices, and shall be designed to avoid water loss to the extent practicable.

(Ord. No. 88-16, § 3)

12-9.4 *Penalties.*

Each day's violation of this section is a separate offense. Violation of this section is an infraction punishable by a civil fine of not more than one hundred (\$100.00) dollars for the first violation, two hundred fifty (\$250.00) dollars for the second violation within one year and five hundred (\$500.00) dollars for each subsequent violation within the same year.

(Ord. No. 88-16, § 4)